

Public Agenda Pack



Notice of Meeting of

PLANNING COMMITTEE - EAST

Tuesday, 3 September 2024 at 2.00 pm

**Council Chamber, Council Offices, Cannards
Grave Road, Shepton Mallet BA4 5BT**

To: The members of the Planning Committee - East

Chair: Councillor Nick Cottle
Vice-chair: Councillor Edric Hobbs

Councillor Adam Boyden
Councillor Dawn Denton
Councillor Susannah Hart
Councillor Helen Kay
Councillor Tony Robbins
Councillor Rob Reed

Councillor Barry Clarke
Councillor Martin Dimery
Councillor Bente Height
Councillor Martin Lovell
Councillor Claire Sully

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services – see contact details below.

Requests to speak at the meeting about a planning application must be made to the Democratic Services Team no later than **12 noon on Friday, 30 August 2024** by email to democraticserviceseast@somerset.gov.uk. Further information on the public speaking arrangements at Planning Committee is provided in the Public Guidance Notes near the front of this agenda pack.

The meeting will be recorded and then uploaded to YouTube following the meeting.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

Issued by David Clark (the Proper Officer) on Friday, 23 August 2024.

AGENDA

Planning Committee - East - 2.00 pm Tuesday, 3 September 2024

Public Guidance Notes for Planning Committees (Agenda Annexe) (Pages 7 - 10)

Councillor Reminder for Declaring Interests (Agenda Annexe) (Pages 11 - 12)

Click here to join the online meeting (Pages 13 - 14)

1 Apologies for Absence

To receive any apologies for absence and notification of substitutions.

2 Minutes from the Previous Meeting (Pages 15 - 28)

To approve the minutes from the previous meeting.

3 Declarations of Interest

To receive and note any declarations of interests in respect of any matters included on the agenda for consideration at this meeting.

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes: [City, Town & Parish Twin Hatters - Somerset Councillors 2023](#))

4 Public Question Time

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker.

Requests to speak at the meeting at Public Question Time must be made to the Monitoring Officer in writing or by email to democraticserviceseast@somerset.gov.uk by 5pm on Friday, 30th August 2024.

5 Planning Application 2024/0800/FUL - South Hayes, Bristol Road, Ston Easton, Radstock, Somerset (Pages 29 - 38)

To consider an application for the change of use and conversion of an existing garage into a 2 bedroom holiday let (retrospective)

6 Planning Application 2024/0670/HSE - 95 Wookey Hole Road, Wells, Somerset (Pages 39 - 48)

To consider an application for a single storey rear extension to an existing property including heating and cooling pump

7 Planning Application 2023/1779/FUL - Land at Burcott House Farm, Pennybatch Lane, Burcott, Wells, Somerset (Pages 49 - 64)

To consider an application for the change of use of land from Agricultural to Residential (Use Class C3), erection of 1no. dwelling and associated works

8 Planning Application 2024/0511/FUL - 22 Frome Road, Beckington, Frome, Somerset (Pages 65 - 88)

To consider an application for the erection of a single dwelling and associated works.

9 Planning Application 2024/0560/FUL - 22 Frome Road, Beckington, Frome, Somerset (Pages 89 - 114)

To consider an application for the demolition of dwelling and outbuildings. Erection of 2no. dwellings and associated development

10 Appeals Report (Pages 115 - 116)

To note the list of appeal decisions made by the Planning Inspectorate between 24th July 2024 and 19th August 2024.

Other Information:

Exclusion of the Press and Public for any discussion regarding exempt information

The Press and Public will be excluded from the meeting when a report or appendix on this agenda has been classed as confidential, or if the Committee wish to receive confidential legal advice at the meeting. If the Planning Committee wish to discuss information in Closed Session then the Committee will be asked to agree the following resolution to exclude the press and public:

Exclusion of the Press and Public

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 to exclude the press and public from the meeting, on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972:

Reason: Para 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

(Or for any other reason as stated in the agenda)

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Public Guidance Notes for Planning Committees

Can I speak at the Planning Committee?

The Applicant or Agent, Parish, Town or City Council, Division Members and objectors or supporters are able to address the Planning Committee. **All speakers need to register – please see details on the next page.**

The order of speaking will be:-

- Those speaking to object to the proposal - maximum of 5 speakers of 3 minutes each
- Those speaking in support of the proposal - maximum of 5 speakers of 3 minutes each
- Parish, Town or City Council(s) - 3 minutes each
- Councillors of Somerset Council (non-Committee members) - 3 minutes each
- The applicant or their agent - 3 minutes

Public speaking will be timed and the Chair will be responsible for bringing the speech to a close. The speaker/s will be allowed to address the Committee during their registered slot only and will not be allowed to provide further clarification. If an item on the Agenda is contentious, with a large number of people attending the meeting, a representative speaking to object or support the proposal should be nominated to present the views of a group.

The Chair can exercise their discretion in consultation with the Legal Adviser and this maybe, for example, it maybe that comments are derogatory in which case the Chair will exercise discretion to prevent the speaker from continuing, or if balance was required in terms of speakers for and against or to make a specific point, to allow a further speaker.

Comments should be limited to relevant planning issues. There are limits to the range of issues that can be taken into account when considering planning applications. Although not an exhaustive list, these might include:

- Government planning policy and guidance
- Planning legislation
- The suitability of the site for development
- Conflict with any planning policies such as the relevant Development Plan – which are available for inspection on the Council's website
- Adopted Neighbourhood Plans
- Supplementary Planning Documents (SPD)
- Previous planning applications and decisions
- Design, appearance, layout issues and relationship with the surrounding area.
- Living conditions such as privacy, noise and odour.
- Highway safety and traffic issues
- Biodiversity and ecology
- Impact on trees and the landscape
- Flood risk in identified areas at risk.

- Heritage assets such as listed buildings, conservation areas and archaeology
- The economy, including job creation/retention.
- Drainage and surface water run-off.

Issues that are not usually relevant will vary with each application, but the courts have established that the following matters cannot be taken into account when considering planning applications:

- The history or character of an applicant
- Perceived or actual impact of development on property values.
- Land ownership, restrictive covenants or other private property rights including boundary and access disputes or maintenance.
- An applicant's motivations or future intentions.
- Retrospective nature of applications;
- Impact on private views;
- The extent of public support or opposition for a proposal alone;
- Competition between businesses;
- Matters controlled by other (non-planning) legislation such as licensing and building regulations or other laws.

How do I register to speak at Planning Committee?

A request to speak must be made to the Council's Democratic Services team no later than 12 noon two working days before the Committee meeting by email to democraticserviceseast@somerset.gov.uk . For those speaking to object or support the proposal, the speaking slots will be allocated on a first come first served basis. If there are numerous members of the public wishing to speak in one slot it is advisable to make arrangements for one person to make a statement on behalf of all. The meetings are hybrid and you can speak either in person at the meeting or virtually. If you wish to speak at the meeting virtually please inform Democratic Services so that they can advise you of the details. If you have registered to speak, the Chairman will invite you to speak at the appropriate time during the meeting.

Can I present information to the Committee?

Please be advised that you cannot present documents in any form to the Committee Members at the meeting – this includes photographs and presentations (including Powerpoint presentations).

How do I know what time an application will be heard?

If you have registered to speak in person, we recommend arriving at the meeting venue about 15 minutes before the start time. If joining virtually, please consider joining the meeting a few minutes early to ensure your technology is working correctly - you may have to wait in a lobby until being admitted to the meeting. It is not possible to estimate the exact time an application will be heard.

What if my Division Member does not sit on the Planning Committee?

If your local Councillor is not a member of the Planning Committee, he or she can still address the meeting to outline any concerns or points of support. However, they will not be permitted to take part in the main debate, to make or second a proposal or to vote on any item.

Presentation of planning applications

The Planning Officer will present the case to the Committee explaining the factual matters and any salient points which need to be drawn out with the use of a visual presentation. It is important to note that the Planning Officer is not an advocate for either the applicant or any third parties but will make an impartial recommendation based on the merits of the proposal and any relevant material considerations.

The role of Officers during the debate of an application

When an application is considered at Planning Committee, it is the Officers' role to explain why they have concluded that permission should be approved or refused and answer any questions that Members may have. Whilst the Committee has to reach its own decision bearing in mind the Officer advice, report and recommendation, the Lead Planning Officer and Council Solicitor in particular have a professional obligation to ensure that a lawful and unambiguous decision is made in accordance with the Council's Development Plan, planning legislation, regulations and case law. This means, in the event that a contrary decision is sought, they will need to explain the implications of doing so. This can sometimes mean that Officers need to advise and guide Members as to planning policy, what are or are not material considerations, what legally can or cannot be considered or given weight and the likely outcome of any subsequent appeal or judicial review.

Officers' views, opinions and recommendations may, on occasion, be at odds with the views, opinions or decisions of the Members and there should always be scope for Members to express a different view from Officers. However, any decision by the Committee must be based on proper planning reasons as part of the overall aim to ensure that a lawful and unambiguous decision is made. Where this is contrary to that recommended within the Officer report, the Lead Planning Officer and Council Lawyer will advise Members in making that decision.

Recording of the Meeting

Please note that this meeting will be recorded, and the recording will be made available on the Council's website and/or on YouTube. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore, unless you are advised otherwise, by taking part in the Council meeting during public participation you are consenting to being recorded and to the use of the sound recording for access via the website or for training purposes.

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public –

providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings, No filming or recording may take place when the press and public are excluded for that part of the meeting.



Councillor reminder for declaring interests

The [Members Code of Conduct](#) deals with declaration of interests and participation at meetings.

Non participation in case of Disclosable Pecuniary Interest

Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests*, you **must** disclose the interest, **must not** participate in any discussion or vote on the matter and **must not** remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest,' you do not have to disclose the nature of the interest, just that you have an interest. A dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests**, you **must** disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise **must not** take part in any discussion or vote on the matter and **must not** remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests 'directly relating' to financial interest or well-being

Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you **must not** take part in any discussion or vote on the matter and **must not** remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests 'affecting' financial interests or well-being

Where a matter arises at a meeting which affects –

- a) your own financial interest or well-being;
- b) a financial interest or well-being of a relative or close associate; or
- c) a financial interest or wellbeing of a body included under Other Registerable Interests

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the division affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest,

you may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you **must not** take part in any discussion or vote on the matter and **must not** remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

If your Non-Registrable Interest relates to -

- 1) an unpaid directorship on a company owned by your authority or
- 2) another local authority of which you are a member,

subject to your declaring that interest, you are able to take part in any discussion and vote on the matter.

*1. **Employment:** any employment or office held, or trade, profession or vocation carried on, by you or your partner for profit or gain.

2. **Sponsorship:** any payment or financial benefit towards your election expenses or expenses as a member received within the last 12 months, excluding any from your council.

3. **Contracts:** any current contract between your council and you, or your partner, or any body in which you or your partner are a partner, director, or shareholder.

4. **Land:** any land which is in your Council's area which you or your partner own, have a right to occupy, or receive the income from (excluding a licence to occupy land for less than a month).

5. **Corporate tenancies:** any tenancy between your council and a body in which you or your partner are a partner, director, or shareholder.

6. **Securities:** any beneficial interest in any shares or other securities of any description in a body held by you or your or your partner if the body has a place of business or land in your council's area, and: the total value of the securities held is over £25,000, or you or your partner hold more than one hundredth of the total issued share capital of the body, or if the body has more than one class of shares you or your partner hold more one hundredth of the issued share capital of that class.

**a) any unpaid directorships b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any body exercising functions of a public nature directed to charitable purposes or one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union, of which you are a member or in a position of general control or management.



Planning Committee – East – 3 September 2023

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Minutes of a Meeting of the Planning Committee - East held in the Council Chamber, Council Offices, Cannards Grave Road, Shepton Mallet BA4 5BT, on Tuesday, 6 August 2024 at 2.00 pm

Present:

Cllr Nick Cottle (Chair)
Cllr Edric Hobbs (Vice-Chair)

Cllr Barry Clarke
Cllr Bente Height
Cllr Tony Robbins
Cllr Rob Reed

Cllr Dawn Denton
Cllr Martin Lovell
Cllr Claire Sully

18 Apologies for Absence - Agenda Item 1
6

It was noted that Councillor Helen Kay was on a leave of absence. Councillor Michael Dunk was her substitute. Councillor Susannah Hart had sent apologies and Councillor Philip Ham was her substitute. Apologies had also been received from Councillors Adam Boyden and Martin Dimery.

18 Minutes from the Previous Meeting - Agenda Item 2
7

The Committee was asked to consider the Minutes of the meeting held on 11 July 2024. Councillor Edric Hobbs proposed and Councillor Dawn Denton seconded that they be accepted as a true and accurate record and were approved.

18 Declarations of Interest - Agenda Item 3
8

Councillors Edric Hobbs and Tony Robbins both declared an interest on Agenda Item 5 Planning Application 2022/0614/OUT, stating that they were both pre-determined. They advised that they would speak as Divisional Members and then would leave the room.

18 Public Question Time - Agenda Item 4
9

There were none.

19 Planning Application 2022/0614/OUT - Land south of Fossefield Road, Fosse
0 Way, Stratton on the Fosse, Shepton Mallet, Somerset - Agenda Item 5

The Officer's Report stated that this application was a "major" development which

was recommended for approval. However, Kilmersdon Parish Council had made objections therefore it was to be determined by the Planning Committee.

The Officer's Report continued that the application was for outline planning permission for up to 180 new dwellings. The site is outside the settlement limits of the Mendip local plan area and adjacent to the settlement of Midsomer Norton in the BANES Council area. As the site was not allocated for development, and was outside the development limits, the application represented a departure from the development plan. In accordance with legislative requirements, it had been advertised as such. The Report went on to say that the application can be determined as an unallocated site under the tilted balance.

Kilmersdon and Westfield Parish Councils had both objected to the scheme, as has BANES Council. Somerset Council Waste Services had some concerns but all other consultees who responded had no objections subject to conditions and obligations. There had been 32 letters of objection from local residents.

The Officer's Report provided in depth consideration of the application and concluded that the adverse impacts identified were not considered to significantly and demonstrably outweigh the benefits. In accordance with para 11d of the NPPF, the application was therefore recommended for APPROVAL, subject to a number of conditions and planning obligations secured by legal agreement(s).

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

There were two speakers in objection to the application. Their comments included:

- The nearest facilities in Westfield will become overstretched.
- Homeless families in Westfield will not benefit from the affordable housing.
- Concerns about the increased traffic on the A367.
- It is not a sustainable location with most new residents commuting to Bath or Bristol.
- It is an area of great biodiversity.
- It represents suburban sprawl and is out of rural context for Somerset.
- The site is not allocated for development. It is outside the development limits in open countryside.
- Approval of this scheme would set a dangerous precedent for development in open countryside.
- It would represent total unsustainable overkill that would only bring short term financial gain.
- Local services and infrastructure are already at breaking point.

The next speaker was from Kilmersdon Parish Council. She made the following comments:

- Kilmersdon has been identified as a secondary village by the LPP and is in a partial conservation area with listed buildings and surrounded by open countryside.
- The village school is oversubscribed and cannot be further expanded.
- This development would double the size of the parish and would have a

significant harmful impact on the countryside and the intrinsic character of the village.

A councillor from the neighbouring BANES Council then spoke. Comments made included the following:

- During the judicial review this site was one of 5 sites removed from the Mendip Local Plan by the judge and is no longer to be considered to be a suitable site for part of the 505 homes in the Local Plan.
- It will be unsustainable. The GP surgery, 2 miles away is already oversubscribed and most residents are not able to access a GP appointment except for emergencies.
- Primary schools are full and some secondary school pupils already face a daily 22-mile commute to school.
- Council Tax from this development will be paid to Somerset Council and BANES Council will not receive any financial contribution to support infrastructure.

The final public speaker represented the applicant, Persimmon Homes. He said:

- The site was one of 3 adjacent to Midsomer Norton that Mendip DC had identified as suitable for development. The judicial review did not relate to the suitability of the site, but to the site identification process that had been applied by MDC.
- Some of the proposed 54 affordable homes will include those for social rent.
- The proposal is a high-quality scheme that will include large areas of green open spaces, a formal central square and children's play area.
- It will be a no gas scheme and will have air source heat pumps, solar panels and electric car charging points.
- There is existing capacity in the network to support all this.
- A funding package of £700k to spend on local infrastructure has been agreed.

The Divisional Members, Councillors Edric Hobbs and Tony Robbins both left the meeting after making a brief contribution saying that 180 homes on this site was far too many and would make the site extremely congested. Some of the funds agreed from the developer should go to the neighbouring Council. They also noted the inability of the road network to cope with all the additional houses in the area and it did not fit in with the local context. They then left the room.

In the discussion which followed Members made the following comments:

- Queries whether the National Grid could cope with the extra capacity needed for the Air Source Heat Pumps.
- It is not clear whether the grade of the agricultural land is 3 or 3A. This should be clarified before a decision is made.
- Concern about what provision is being made in Midsomer Norton to maintain industry and provide jobs.
- What phosphate mitigation has been proposed?
- The scheme is a step too far. The parish of Kilmersdon would be doubled in

size.

- Would like to see the children's play areas much larger.
- Not comfortable approving an application that a neighbouring Council strongly objects to.

In response to queries raised, Planning and Highways Officers advised as follows:

- The application is not in accordance with the development plan and therefore it will have to be considered as a departure. Members will need to consider the impacts of the scheme and whether they are significant and demonstrable and outweigh the benefits. The significant and demonstrable harms would need to be clearly identified.
- The site is not in the Phosphate zone therefore mitigation is not required.
- There are S106 funds being sought for health care and bus provision which the LPA and healthcare trust believe will be sufficient to overcome the existing problems.
- The commuting is not severe and not regarded as an issue.
- The concept plan is indicative and Members are not being asked to approve that, only the number of dwellings and access.

At this point in the debate, Councillor Martin Lovell proposed to approve the application in accordance with the Officer's Recommendation. There were 2 votes in favour, 6 against and 1 abstention so this motion was not carried.

There was further debate in which there was discussion of possibly deferring the application and the Planning Officer's gave advice on reasons for refusal, should that be proposed. After consideration, Councillor Philip Ham proposed that the application be refused as 180 more houses with the locality would represent over development, lack of nearby services, facilities and job opportunities that would be easily accessible, loss of good agricultural land, development in open countryside and contrary to the wishes of the Parish Council and neighbouring District Council. The harms identified significantly and demonstrably outweighed the benefits of additional housing supply and affordable housing. This proposal was seconded by Councillor Michael Dunk.

On being put to the vote the proposal was carried with 6 votes for, 2 against and 1 abstention.

RESOLVED

That planning application **2022/0614/OUT** be **REFUSED** contrary to the Officer's recommendation. Following the members discussion it was decided that the cumulative impact of the application proposals in conjunction with the recently approved development in the locality adjacent to the application site would result in overdevelopment of the area and an unsustainable pattern of growth and furthermore given the poor access to services, facilities and employment opportunities for future occupiers the application scheme would result in travel patterns that rely on car travel. There would also be a loss of open countryside and good agricultural land and it was contrary to the wishes of the Parish Councils. The harms identified significantly and demonstrably outweighed the benefits.

Votes – 6 for, 2 against, 1 abstention

**19 Planning Application 2023/2102/VRC - Land at 348250 150158 Brangay Lane,
1 Rodney Stoke, Cheddar, Somerset - Agenda Item 6**

The Officer's Report stated that this application had been referred to the Planning Committee as the Case Officer's recommendation was to approve, however, the Parish Council had recommended refusal.

The Officer's Report continued that planning permission, 2020/0556/FUL, had been previously granted for the erection of two holiday let properties on the site. Condition 3 of that permission included limiting the duration of any occupancy for holiday purposes for more than 28 days in a calendar year. This application sought to remove this limitation of occupancy but to maintain the original purpose of the restriction for holiday use only.

The Officer's Report concluded that the proposed amended wording of the holiday accommodation condition was considered acceptable and met the planning condition tests whilst achieving its original purpose of restricting the occupation of the buildings in compliance with Policies CP1, CP3 and CP4 of the development plan.

The application was therefore recommended for approval.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

There was one speaker from Rodney Stoke Parish Council. He made the following comments:

- The original application was not supported by many residents and the Parish Council, mainly due to the isolated location in open countryside and the poor quality of the access road.
- The reason for the 28-day occupancy condition was to ensure that the dwellings would be used for holiday use only and would be relatively easy to enforce.
- Concerns that if the condition was removed it would lead to the abuse of the use of the dwellings, and in turn, planning creep.

In the discussion which followed Members made the following comments:

- It was noted that site owners have to maintain a register of all occupiers and guests. This will aid any enforcement that becomes necessary by the removal of the occupancy rule.
- Loosening the restrictions would potentially reduce travel.
- Some people like to rent or occupy short term when moving to a new area to determine if they wish to move. There would be income opportunities from allowing this.

Planning Officers confirmed that anyone residing at the holiday lets would need to have a primary address so would not be able to avoid paying Council Tax or queue

jump to get school places.

At the conclusion of the debate, it was proposed by Councillor Dawn Denton and seconded by Councillor Tony Robbins to approve the application in accordance with the Officer's recommendation.

On being put to the vote the proposal was carried unanimously.

RESOLVED

That planning application **2023/2102/VRC** be **APPROVED** in accordance with the Officer's recommendation.

Votes – Unanimous

19 Planning Application 2023/2399/FUL - 3 Balch Road, Wells, Somerset - Agenda 2 Item 7

The Officer's Report stated that this application had been referred to the Planning Committee as the Case Officer's recommendation was for refusal, however, the Parish Council had recommended approval, albeit with some concerns.

The Officer's Report continued that the application sought planning permission for the erection of a two-bed detached dwelling in the side garden of number 3 Balch Road which is a corner plot with lawned areas to the front and east. It would be orientated to have its front elevation facing east, but it would be set within the plot further south than number 3 and set slightly back within the plot in comparison to number 5. During the life of the application the plans have been amended to try to overcome the Local Planning Authority's concerns about the design of the building.

The Officer's Report recommended refusal of the application for 3 reasons. These were:

1. The application scheme did not respect the local context or maintain the character and appearance of the local area, resulting in a detrimental impact on the street scene.
2. Insufficient information had been submitted regarding a possible increase in phosphate levels in the foul water discharge.
3. The proposal failed to provide the necessary parking requirements for the proposed dwelling.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

There was one speaker in objection to the application. He made the following comments.

- The dwelling would be on a partially blind corner, therefore highways safety is a concern. Cars already park on double yellow lines and across dropped kerbs, thereby causing greater risk to vehicles and pedestrians.

- The site is an exposed location and the dwelling will stand out in the street scene.
- Light will be restricted to No. 5 Balch Road.
- The proposed development would create a dominant and oppressive environment for neighbouring properties.

There was a speaker in support of the application who said the proposal would not be detrimental to the area and the slight bottleneck on this corner in Balch Road would not be worsened by the dwelling. It would not adversely affect the character of the street, nor would the proposed dwelling be oppressive or unattractive. There would not be an impact on parking as the applicant already lives and parks at the property. It would enable a young couple to continue to live in the area in which they grew up.

The final speaker was the applicant. He made the following comments:

- The footprint of the building will be much smaller than the size of the plot being built on.
- The materials used would be the same as all the other houses on Balch Road, so would be in keeping and not intrusive.
- Very happy to provide mitigation for any Phosphates and will work with Planning Officers to determine his obligations in this regard.
- Parking will not be affected as there will be no reduction in parking space.
- The Parish Council support the application, as do nearby residents.
- It will add to the housing stock and will enable a young family to reside in their home city, which is out of the price-range of most young people.

In the discussion which followed Members said they would be happy to support this application so long as the phosphate mitigation could be resolved. The Planning Officer suggested deferral or Members could vote to approve with an added condition to negotiate suitable phosphate mitigation which would most likely be the purchase of phosphate credits. Members also discussed the impact on the street scene and decided it would not be obtrusive.

At the conclusion of the debate, it was proposed by Councillor Tony Robbins and seconded by Councillor Philip Ham to approve the application contrary to the Officer's recommendation.

On being put to the vote the proposal was carried with 8 for, 3 against.

RESOLVED

That planning application **2023/2399/FUL** be **APPROVED** contrary to the Officer's recommendation as it was decided that the scheme would not have a detrimental impact on the visual amenities of the street scene nor would it result in increased street parking. That delegated authority be given to Officers to negotiate suitable phosphate mitigation and impose necessary planning conditions. The conditions are to be agreed in consultation with the Chair and Vice-Chair and divisional members.

Votes – 8 for, 3 against

19 Planning Application 2024/0506/FUL - Tilham Farm, Tilham Lane,
3 Baltonsborough, Glastonbury, Somerset - Agenda Item 8

The Officer's Report stated that this application had been referred to the Planning Committee as the Case Officer's recommendation was for refusal, however, the Parish Council had recommended approval. If approved the application would be a departure from the development plan.

The Officer's Report continued that various previous planning applications had been made on the site and there was extant permission for the demolition of the barn and the erection of a 3.-bed house. Further west there was another barn that had been granted permission to be demolished and replaced with 4 dwellings.

The Officer's Report concluded that although it was recognised that a dwelling on the smaller site to the north could be achieved by the extant permission, this was within the confines of the existing built development. This application proposed a new unjustified dwelling encroaching into the countryside where development is strictly controlled. The proposed development would have an urbanising effect detrimental to the visual amenity of the landscape. Due to the lack of phosphate information in the application, it was not clear whether the proposal would have an adverse effect on the Somerset Levels and Moors Ramsar site. In summary the benefits would not outweigh the harms identified and therefore the recommendation was for refusal.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation. He also advised that the second reason for refusal, regarding the phosphate impact, could be disregarded as the applicant had revised the layout and the Somerset ecology team were now satisfied. He also added that since the report had been published, the Highways Authority response had been received and they had no objections to the proposal.

There was one speaker registered. He was from the applicant's architect and made the following points:

- The existing planning permission was granted to a previous owner of the site.
- The current owner is willing to enter into a legal agreement to rescind this existing permission.
- The new house has been modelled on a dutch barn, iconic and typical of the rural English landscape.
- The footprint will be smaller than the footprint of the existing barn.
- The new scheme is an improvement on the previously approved scheme in overall design quality.
- The impact on the wider landscape is minimal and would only be seen at a distance in the context of other existing buildings to the west.
- There is only a single reason for refusal, that being the impact on the character of the local area. There have been no technical objections to the scheme.

In the discussion which followed Members made the following comments:

- There does not seem to be much opposition to the scheme and the Parish Council support, albeit with a request to replace any trees that are removed.

- The applicant is happy to rescind the existing planning permission. The legal agreement to do so can be delegated to Planning Officers.
- Unable to understand why this proposal would be less sustainable than the one already approved. It is very close to a cycle route.
- Concern about the height of the proposed Dutch Barn, which are also difficult to affix solar panels on.
- Due to the existing planning permission for a house nearby, unable to recognise that this scheme would represent an unacceptable form of development in the open countryside, or that it would create an urbanising effect.

At the conclusion of the debate, it was proposed by Councillor Claire Sully and seconded by Councillor Edric Hobbs to approve the application contrary to the Officer's recommendation.

On being put to the vote the proposal was carried with 7 in favour, 2 against and 2 abstentions.

RESOLVED

That planning application **2024/0506/FUL** be **APPROVED** contrary to the Officer's recommendation as it was decided that as there was already planning permission on the wider site area for the demolition of an existing barn and the erection of a three-bed dwelling, the refusal reason regarding development in open countryside could not be upheld. That delegated authority be given to Officers to negotiate a suitable legal agreement to revoke the previously approved planning application 2021/2922/FUL and to impose necessary planning conditions. These are to be agreed in consultation with the Chair and Vice-Chair and divisional members.

Votes – 7 for, 2 against, 2 abstentions

19 4 Planning Application 2024/0398/FUL - Land at 375165 154879 Chickwell Lane to Wells Road, Hemington, Frome, Somerset - Agenda Item 9

The Officer's Report stated that the application had been referred to the Planning Committee for probity reasons, as the agent was employed by the Council.

The Officer's Report continued that the site comprised an agricultural holding of 6 hectares in size that has been in intensive arable crop farming for many years. The proposal was to erect a holiday let cabin. A new parking area would be provided just inside the gate and visitors would walk across the fields to the cabin. A cycle parking area would also be provided.

Hemington Parish Council had recommended refusal.

The Officer's Report concluded that the principle of development was unacceptable as the site was within countryside outside the development limits where development is strictly controlled. The proposal did not represent sustainable development due to its distance from, and poor accessibility and connectivity to, local services and facilities. The limited economic benefits of the proposed

development did not outweigh the harms identified and was therefore recommended for refusal.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

The applicant was the only speaker on this application and he made the following points:

- Due to climate change, alternative ways of farming or other sources of income are being encouraged for farmers.
- This is a 16-acre site with wildflower meadows, wildlife ponds and plans to plant a traditional Somerset orchard. This takes significant investment and the cabin is therefore essential to fund these projects.
- It has been purposefully sited to attract couples and people that are looking to escape to the country. There is a growing market for this type of tourism.
- It is not expected that visitors will wish to travel to nearby attractions as the purpose of the stay would be to immerse themselves in the beauty of the countryside. Therefore, reliance on car travel would be only minimal.
- There is a public footpath nearby to Norton St Philip and the Tuckers Grave Inn nearby would provide refreshments.

In the discussion which followed Members made the following comments:

- The Parish Council had no votes in favour of this application when it was discussed at their meeting.
- There is no bus service along the A366 between Faulkland and Norton St Philip.
- Access via the rough track will have to be via a car. Cycling is unlikely and walking would be extremely dangerous due to the busy road.
- The crossroads by the Tuckers Grave Inn are very dangerous and there have been many accidents over the years.
- The site is unsustainable for a tourism unit, there is no connectivity to any services, and people will be forced to use private cars.
- The application would not be at Committee if the agent was not employed by the Council, therefore need to take note of the Officer's recommendation.

At the conclusion of the debate, it was proposed by Councillor Bente Height and seconded by Councillor Dawn Denton to refuse the application in accordance with the Officer's recommendation.

On being put to the vote the proposal was carried with 9 votes for, 1 against and 1 abstention.

RESOLVED

That planning application **2024/0398/FUL** be **REFUSED** in accordance with the Officer's recommendation.

Votes – 9 for, 1 against, 1 abstention

19 **Planning Application 2024/0544/CLP - 2 Rambler Court, Street, Somerset -**
5 **Agenda Item 10**

The Officer's Report stated that the application had been referred to the Planning Committee for probity reasons, as the applicant was employed by the Council.

The Officer's Report continued that the site is a modern, semi-detached residential property, situated within a residential area of Street and within Development boundaries. The application was seeking a lawful development certificate for the partial conversion of an existing residential double garage to create an office space for use by the residents of the existing property.

The Officer's Report concluded that as the proposed partial conversion of the existing garage includes internal works and does not involve enlarging the building, it is considered that the proposal is lawful and does not require planning permission and is allowed under permitted development.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

There were no speakers or debate. It was proposed by Councillor Martin Lovell and seconded by Councillor Philip Ham to consider the proposal be lawful, in accordance with the Officer's recommendation.

On being put to the vote the proposal was carried unanimously.

RESOLVED

That application **2024/0544/CLP** be **CONSIDERED LAWFUL** in accordance with the Officer's recommendation.

Votes – Unanimous

19 **Planning Application 2023/2188/HSE - Oriel Cottage, 51 Church Lane,**
6 **Doultong, Shepton Mallet, Somerset - Agenda Item 11**

The Officer's Report stated that the application had been referred to the Planning Committee by the Vice-Chair as the Case Officer's recommendation to approve differed to that of the Divisional Member.

The Officer's Report continued that Oriel Cottage was a Grade II listed building which formed part of a row of 7 former estate cottages. The application sought permission to convert the barn to ancillary accommodation.

The concerns of the Divisional Member related to over development which would exacerbate parking issues. The Parish Council had supported the application.

The Report stated that in light of the Conservation Officers comments on the accompanying Listed Building Consent Application the design had been amended to

only include the conversion of the barn to ancillary accommodation.

The proposal would utilise the barn's current external materials along with wooden windows and doors. The proposed windows and doors would be located in the positions of the existing openings to the building.

The Officer's Report concluded that the proposal by reason of its design, siting, scale, massing, layout and materials was acceptable and contributed and responded to the local context and maintained the character and appearance of the surrounding area. The recommendation was for approval.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

The applicant had registered to speak but was not present at the meeting.

In the discussion which followed Members made the following comments:

- Concerns regarding access for No. 53 to the back of their property.
- Parking is already an issue, with cars being parked on the existing junction. The proposal could result in an additional 2 cars on site.

It was proposed by Councillor Edric Hobbs and seconded by Councillor Philip Ham to refuse permission due to parking and access reasons. On being put to the vote, there were 4 votes in favour, 5 votes against and 2 abstentions and therefore the proposal to refuse was not carried.

Members discussed the proposal further and the Planning Officer pointed out that the property does benefit from off street parking. Also, the proposal was for the addition of one bedroom and therefore this was not considered harmful enough to warrant refusal of the application. It is not a new dwelling, and the proposal is effectively an extension to an existing house which would not cause additional parking problems.

At the conclusion of the debate, it was proposed by Councillor Dawn Denton and seconded by Councillor Martin Lovel to approve the application in accordance with the Officer's recommendation.

On being put to the vote the proposal was carried with 5 votes in favour, 4 votes against and 2 abstentions.

RESOLVED

That application **2023/2188/HSE** be **APPROVED** in accordance with the Officer's recommendation.

Votes – 5 for, 4 against, 2 abstentions

19 Planning Application 2023/2189/LBC - Oriel Cottage, 51 Church Lane,
7 Doulting, Shepton Mallet, Somerset - Agenda Item 12

As this was the Listed Building Consent application for the previous application (2023/2188/HSE), it had been debated at the same time as Item 11.

At the conclusion of the debate, it was proposed by Councillor Dawn Denton and seconded by Councillor Martin Lovell to approve the application in accordance with the Officer's recommendation.

On being put to the vote the proposal was carried with 7 votes in favour, 1 vote against and 3 abstentions.

RESOLVED

That application **2023/2189/LBC** be **APPROVED** in accordance with the Officer's recommendation.

Votes – 7 for, 1 against, 3 abstentions

19 Appeals Report - Agenda Item 13

8

The report of decisions made by the Planning Inspectorate between 1 July and 23 July 2023 was noted.

19 Land at Underhill Lane, Ston Easton - 2022/1427/FUL - Agenda Item 14

9

The Team Leader – Development Management, presented a report which the Chair had given prior approval to include in the agenda as an item of Urgent Business. He stated that the application 2022/1427/FUL was a cross-boundary application with BANES and it had been refused by both BANES and Somerset Council but had been progressed through to an appeal. A subsequent application (2024/0315/FUL) was approved by the May 2024 Planning East Committee in accordance with the Officer Recommendation.

The Planning Inspectorate had set a deadline of 20th August 2024 by which the Council would have to submit a Statement of Case confirming its position with regards to the appeal on Planning Application 2022/1427/FUL.

The recommendation within the report was that subject to the inclusion of the conditions and obligations approved by the East Area Planning committee for 2024/0315/FUL was that the Council do not seek to defend the appeal against 2022/1427/FUL.

It was proposed by Councillor Martin Lovell and seconded by Councillor Tony Robbins not to seek to defend the appeal against 2022/1427/FUL.

The proposal was carried with 1 abstention.

RESOLVED

That the recommendation in the Officer's Report regarding the appeal against application **2022/1427/FUL** be **APPROVED**.

Votes – 10 for, 1 abstention

(The meeting ended at 6.15 pm)

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CHAIR

Application Number	2024/0800/FUL
Case Officer	Kirsty Black
Site	South Hayes Bristol Road Ston Easton Radstock Somerset
Date Validated	1 May 2024
Applicant/	N Brown
Organisation	
Application Type	Full Application
Proposal	Change of use & conversion of existing garage into 2-bedroom holiday let (retrospective).
Division	Mendip Hills Division
Parish	Ston Easton Parish Council
Recommendation	Refusal
Divisional Cllrs.	Cllr Edric Hobbs Cllr Tony Robbins

What 3 Words for this site: both.lushly.bowls.

Planning Committee

This application was is being presented to the Planning Committee after it was referred to the Vice Chair and Chair of the Planning Committee as the recommendation of the planning officer is contrary to that of the Parish Council.

Description of Site, Proposal and Constraints:

This application concerns the residential property of South Hayes, Bristol Road in Ston Easton. It is a two-storey detached dwelling house located on the eastern side of Bristol Road with an ancillary garage and workshop situated to the rear. The garage, focus of this application, stands as a two-storey building, finished with natural stone and timber cladding set beneath a tiled, pitched roof. There is an existing vehicular access off the A37.

South Hayes lies outside the development boundary and is therefore considered to have a countryside location

This application is seeking retrospective consent for the conversion of an existing garage into a holiday let that provides accommodation for up to 4 guests. The existing vehicular access off Bristol Road is shared between holiday let customers and the residents of the host property. There are 2 parking spaces provided for the occupants of the holiday let.

Relevant History:

2022. 2022/0315/NMA. Non-material amendment to permission to 2018/1590/HSE (Erection of new single bay garage). Approved.

2018. 2018/1590/HSE. Erection of new single bay garage. Approved.

2012. 2011/1953. Two storey extension. Approved with conditions.

Summary of Division Members comments,/Parish Council comments, representations and consultee comments:

Division Member: No comments made.

Parish Council: Supports the application.

Somerset Highways: Standing Advice Applies.

Environmental Protection: Raise no objection to the proposal.

Local Representations: None received.

Summary of all planning policies and legislation relevant to the proposal:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations strongly indicate otherwise. The following development plan policies and material considerations are relevant to this application:

The Council's Development Plan comprises:

- Mendip District Local Plan Part I: Strategy and Policies (December 2014)
- Mendip District Local Plan Part II: Sites and Policies (Post JR version)
- Somerset Waste Core Strategy (2013)
- Somerset Mineral Plan (2015)

The following policies of the Local Plan Part 1 are relevant to the determination of this application:

- CP1 (Mendip Spatial Strategy)
- CP2 (Supporting the Provision of New Housing)
- CP3 (Supporting Business Development and Growth)
- CP4 (Sustaining Rural Communities)
- DP1 (Local Identity and Distinctiveness)
- DP4 (Mendip's Landscapes)
- DP7 (Design and Amenity of New Development)
- DP8 (Environmental Protection)
- DP9 (Transport Impact of New Development)
- DP10 (Parking Standards)
- Design and Amenity of New Development, Policy DP7 SPD (March 2022)

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework (NPPF)

- National Planning Practice Guidance (NPPG)
- The Countywide Parking Strategy (2013)
- Somerset County Council Highways Development Control Standing Advice (June 2017)

Assessment of relevant issues:

Principle of the Use:

It can be seen from the planning history of the site that the established use of the garage under 2018/1590/HSE was as a residential garage. This planning application seeks retrospective consent for conversion of this detached garage building into holiday let accommodation.

The application site is situated outside any defined settlement limits, within a location isolated from services and facilities, where development is strictly controlled.

Policies CP1 and CP2 seek to direct new residential development towards the principal settlements and within defined development limits, which is consistent with the aims of creating

sustainable development and protecting the countryside as described in the NPPF.

Policy CP3 says economic development proposals will be supported where they accord with the spatial strategy CP1 and, in rural areas, the principles set out in CP4. CP3 also supports sustainable rural tourism and leisure developments which respect the character of the

countryside.

The Local Planning Authority (LPA) cannot currently demonstrate a five-year housing land supply in accordance with the requirements of the NPPF. As a result, the policies within the Local Plan, which seek to prevent new housing outside the development limits of settlements

(CP1, CP2 and CP4) can not be given full weight in the assessment process for this application. . Therefore, whilst regard should be given to the policies in the Local Plan, the 'presumption in favour of sustainable development' as set out in paragraph 11(d) of the

NPPF applies. However, permission should not be granted where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF taken as a whole or where its specific policies indicate that development should be restricted. The provisions as set out at Paragraph 11(d) of the NPPF will be considered in completing the overall planning balance.

The application site is located within an unsustainable location where new dwellings should not be encouraged as there will be a reliance on the use of the private vehicle to access the development and to access services and facilities whilst holidaying here.

Assessment of Highway Issues

The existing vehicular access is situated along the southern half of the western site boundary, with access of Bristol Road. There is a small parking area to the rear of the site but it is considered to be too small to accommodate vehicles belonging to both the residents and friends of the host property and the tourists of the holiday let and provides insufficient space for the safe turning of vehicles. In addition the current access is considered insufficiently wide enough to serve two properties. For these reasons the pattern of use is considered unacceptable in terms of the impact on the general locality and safety of users of the highway adjacent.

DP9 of the local plan and the NPPF seek to promote sustainable transport options, such as walking, cycling or public transport. The site is remote from shops, services and facilities. Public transport options are very limited and walking or cycling journeys to meet everyday needs would generally be impractical. In the absence of realistic sustainable transport options, the proposal would unjustifiably foster the growth in the need to travel by private car. As such the proposal does not represent sustainable development and is therefore also contrary to Policy DP 9 for that reason.

Design of the Development and Impact on the Street Scene and Surrounding Area:

DP1 states that development should contribute positively to the maintenance and enhancement of local identity, and proposals should be formulated with an appreciation of the built and natural context. DP7 states that the LPA will support high quality development that is appropriate to the local context.

Currently the residential site accommodates a host property, rear garden, garage building, driveway and a small area of parking. Although the application does not seek to increase

the footprint of the garage building, given the concerns as set out above (parking, access and highway safety concerns) the use of the converted garage building as a holiday let represents over development of the residential site, and the increased intensification of the use of this site is considered unacceptable in terms of how it affects the general amenities of the locality.

In summary the cumulative impact of the development application on the setting of the locality is contrary to policies DP1 and DP7 Mendip District Local Plan Part I: Strategy and Policies (December 2014)

Impact on Residential Amenity:

As concluded above, the commercial use of the domestic garage represents an unacceptable intensification in the use of the existing residential site. On this basis the development is considered harmful to the residential amenity of future occupants and existing nearby occupants.

Given the above, while the site would not be considered suitable for an unfettered market dwelling. The development is considered unacceptable in amenity terms and is contrary to DP7 of the Local Plan Part 1.

Impact on Ecology

The conversion of a modern garage is not considered to pose harm to local ecology. It therefore accords with Policies DP5 and DP6 of the Mendip District Council Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

Environmental Impact Assessment

This development is not considered to require an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Equalities Act

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Recommendation & planning balance

It is considered that the proposed use of the existing garage building within the rear garden curtilage of the application site represents an unacceptable pattern of use given the constraints of the application site. Furthermore the proposal does not represent sustainable development by virtue of its distance and poor accessibility and connectivity to local services and facilities.

Any limited economic benefits that could be attributed to the pattern of use of the lawful garage building as tourist accommodation associated with this development do not outweigh the harm identified.

For these reasons it is recommended that planning permission is refused.

Recommendation

Refusal

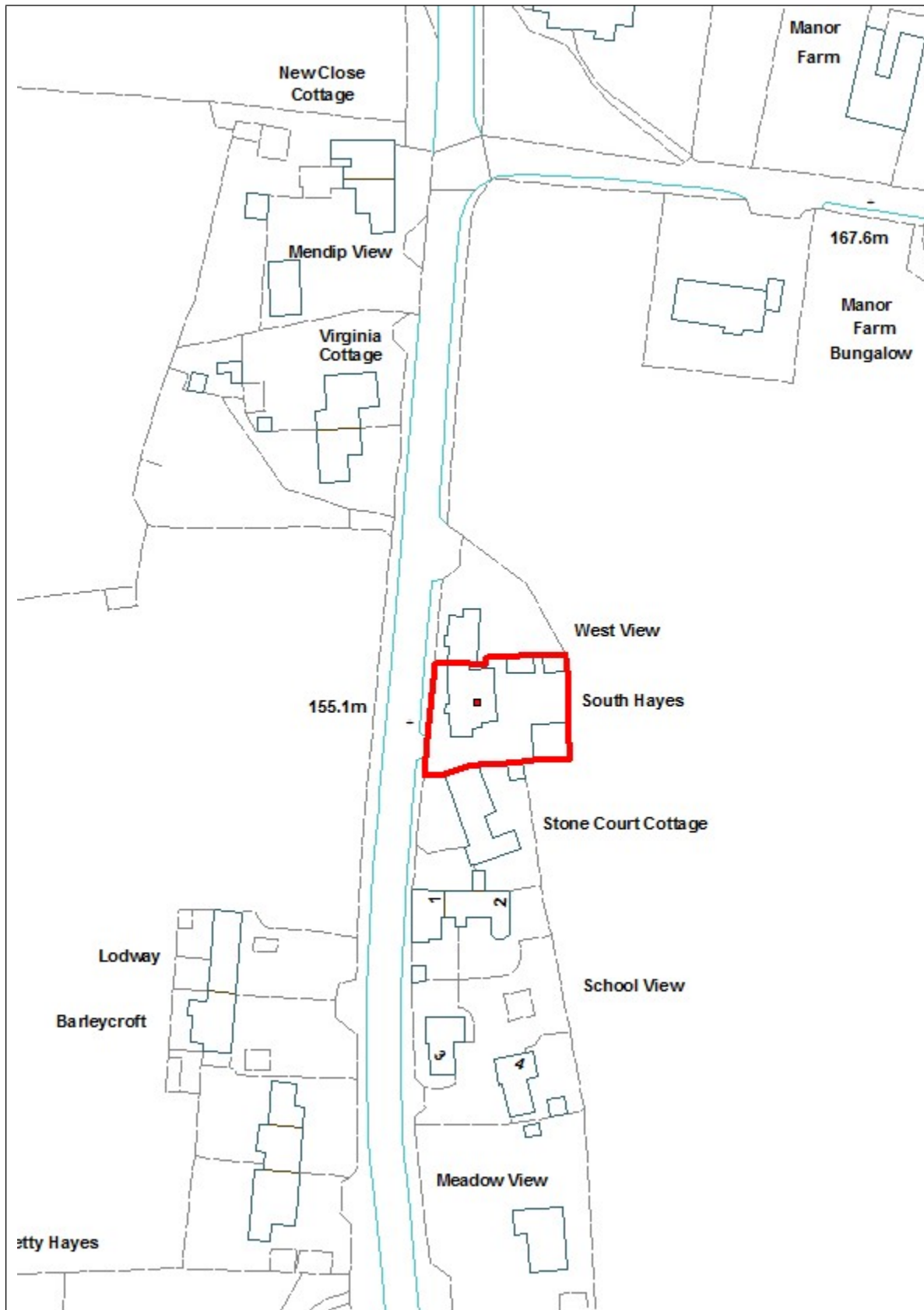
1. The continued use of the garage building as a separate unit of accommodation for holiday letting purposes is considered by the local planning authority to represent an unacceptable pattern of use for the garage building given the site context and its restrictive nature. Given the limitations and constraints of the site, the proposal would result in a lack of space to ensure adequate amenity space and parking /circulation space for vehicles that serve both the host property and holiday let unit. For these reasons the application scheme is considered to be to the detriment of the general amenity of the locality and the safety of other users of the adjacent highway and is therefore considered to be contrary to DP1, DP7 and DP9 and DP10 of the Mendip District Local Plan 2006-2029 (Part 1 Strategies and Policies - adopted 15th December 2014).

2. The proposed development lies in the countryside outside defined development limits where development is strictly controlled. The site's distance and poor accessibility and connectivity to local services and facilities would foster growth in the need to travel by private vehicle and is therefore unacceptable in principle. The limited economic benefits do not outweigh the harm identified. The proposal is therefore contrary to the provisions of Policies CP1, CP2, CP3, CP4 and DP9 of the Mendip District Local Plan Part 1: Strategy and Policies 2006 - 2029 (adopted 15th December 2014), the National Planning Policy Framework and Planning Practice Guidance.

Informatives

1. In determining this application, the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. The submitted application has been found to be unacceptable for the stated reasons and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

2. This decision relates to drawings H6865/001A LOCATION PLAN/SITE PLAN/PRE-EXISTING ELEVATIONS/FLOOR PLAN/ ROOF PLAN and H6865/100 LOCATION PLAN/SITE PLAN/RETROSPECTIVE ELEVATIONS/FLOOR PLAN received on 30th April 2024.



Planning Board Report 3rd September 2024
South Hayes
Bristol Road
Ston Easton
Radstock
Somerset
BA3 4DJ

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Application Number	2024/0670/HSE
Case Officer	Kirsty Black
Site	95 Wookey Hole Road Wells Somerset BA5 2NH
Date Validated	8 April 2024
Applicant/ Organisation	Mr & Mrs M Windsor
Application Type	Householder Application
Proposal	Single storey rear extension to existing property including heating & cooling pump
Division	Wells Division
Parish	Wells City Council
Recommendation	Approval
Divisional Cllrs.	Cllr Theo Butt Philip Cllr Tessa Munt

What 3 Words for the location: luggage.query.tender

Planning Committee

This application was referred to the Vice Chair and Chair of the Planning Committee as the recommendation of the Planning Officer differs from that of Wells City Council. It has been determined that this application should be presented at Planning Committee.

Site and Proposal

This application concerns 95 Wookey Hole Road located in the northern region of Wells. Situated within a residential area of the city, it is a detached single storey bungalow with a detached garage. 95 Wookey Hole Road has an extensive garden at the rear together and a garden at the front of the property. Access is off Wookey Hole Road and a driveway runs to the side of the bungalow.

The application seeks consent to construct a single storey extension to the rear elevation of the property to provide additional ancillary accommodation. It will use matching external materials in terms of brick and concrete tiles and involves the installation of 3 windows to the east elevation.

The existing double garage will be shortened to accommodate the extension and a heating and cooling condenser will be installed to the west elevation of the property. The proposal also includes the installation of timber decking that extends approximately 2.5 meters from the extension with a hand rail and 2 m high timber panels will be installed. □

Consultation/Representation:

Division Member: No comments received.

Wells City Council: Recommends refusal on the grounds that the proposal is overbearing and causes a loss of privacy. Further comments included that assessment on the loss of light should be made.

Neighbours: 2 local representations received objecting to the proposal on the following grounds:

Loss of light. It potentially blocks light to a south west facing home office/living room.

Overbearing. The timber panelling on raised decking combined with proximity to the boundary and as buildings are not parallel and are closer the further out you go into the garden.

Loss of Privacy. Proposed side bedroom 3 window could allow view to inside their property, the home office/living room and/or possibility a view into the proposed side bedroom. Reduction of garden privacy and that windows and development is within 1m of the boundary and rear access path.

Other concerns raised include fire safety and the lack of provision of context drawings. Also mentioned was the potential for dispute over landownership.

All representations and consultations responses received in respect of the application, if any, have been considered in full.

Summary of all planning policies and legislation relevant to the proposal:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

The Council's Development Plan comprises:

- Mendip District Local Plan Part I: Strategy and Policies (December 2014)
- Mendip District Local Plan Part II: Sites and Policies (Post JR Version)
- Somerset Waste Core Strategy (2013)
- Somerset Mineral Plan (2015)
- Design and Amenity of New Development, Policy DP7 SPD (March 2022)

The following policies of the Local Plan Part 1 are relevant to the determination of this application:

- CP1 – Mendip Spatial Strategy
- DP1 - Local Identity and Distinctiveness
- DP7 - Design and Amenity
- DP9 - Transport Impact of New Development
- DP10 - Parking Standards

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework

- National Planning Practice Guidance
- The Countywide Parking Strategy (2013)
- Somerset County Council Highways Development Control Standing Advice (June 2017)

Assessment of relevant issues:

Character and Appearance

Concern was raised by an adjoining neighbour regarding the size and design of the proposed development. The proposed extension is sited to the rear elevation of the existing residential property and is subservient to the existing property in terms of roof height and can be easily accommodated within the existing residential site. It will be screened from the nearest public vantage points along Wookey Hole Road by the host house and adjacent residential properties and will preserve the established street scene and local character.

The proposal is considered to be of a design that is sympathetic to the existing character of the residence and the use of materials, such as roof tiles and brick that match the existing will reduce its visual impact on the setting. The proposal accords with Policy DP1 and DP7 of the adopted Local Plan Part 1 (2014), plus the Design and Amenity of New Development, Policy DP7 SPD (March 2022) along with Part 12 of the National Planning Policy Framework.

The proposal by reason of its design, siting, scale, massing, layout and materials is acceptable and contributes and responds to the local context and maintains the character and appearance of the surrounding area. The proposal is therefore considered to accord with the policies referred to above.

Residential Amenity

A letter of objection has been received from the neighbouring occupiers and from Wells City Council raising concerns regarding a loss of natural light, overbearing and a reduction in privacy.

It is recognised that the development will make significant alterations to the rear elevation of this residential property, but it will not cause there to be an oppressive environment and a significant loss of light to the neighbouring residents of 93 Wookey Hole Road. The proposed extension will not project beyond the existing side elevation of the host property and the proposed pitched roof line ensures that the visual bulk of the extension is set back from the shared boundary by the sloping roof. Whilst the use of matching roof tiles and external materials reduces the visual impact and is more in keeping with the appearance and character of the host property.

Whilst the rear extension will protrude outwards by an additional 8 meters from the original rear elevation of the property, it does not extend beyond the rear elevation of the modern extension at 93 Wookey Hole Road and the existing boundary treatment will provide some mitigation against the development being significantly overbearing. It is noted that the extension is no closer to the shared boundary and that the metre gap between the house and the shared boundary will remain. The proposed side windows will only look out onto a residential boundary wall or fencing and the solid brick wall of the neighbouring rear extension beyond and not the home office/living room which has windows on the rear elevation.

The proposed timber decking extends southwards by approximately 2.5 metres from the edge of the extension and will be approximately 0.50 metres higher than the height of the original patio. However, 2 metre high timber fencing will be installed along its eastern and western edges and this will provide sufficient means of screening and provide the users of the decking and adjoining neighbours with adequate levels of privacy. It is therefore considered that the development will not cause significant overlooking of 93 Wookey Hole Road. In addition, access to the large rear garden will be via steps that are set back from the eastern edge of the decking and whilst there may be overlooking of the bottom half of the neighbouring gardens, the main amenity spaces of the house and immediately to the rear will be screened by the timber decking fencing.

It is acknowledged that there is already a significant degree of overlooking between these two properties given the layout of the sites and position of the properties. It is therefore considered that the proposed development is likely to significantly exacerbate the situation.

In summary, the proposal is not considered to result in a significant loss of light or pose a significant overbearing impact on the residential amenity of the neighbouring properties of Wookey Hole Road. The proposal accords with Policy DP7 of the adopted Local Plan Part 1 (2014) and Part 12 of the National Planning Policy Framework.

Assessment of Highway Issues:

The proposal involves the loss of use of the existing garage but adequate space remains within the residential site for the parking of up to 4 cars with space for turning and leaving the site in a forward gear. The parking provision is therefore considered sufficient.

The means of access and parking arrangements are acceptable and maintain highway safety standards. The proposal accords with Development Policies 9 and 10 of the adopted Local Plan Part 1 (2014) and Part 9 of the National Planning Policy Framework.

Environmental Impact Assessment

This development is not considered to require an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Equalities Act

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Recommendation

Approval

Conditions

1. Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

2. Plans List (Compliance)

This decision relates to the following drawings: 1134:DP:OG:12 EXISTING/PROPOSED LOCATION PLAN/BLOCK PLAN and 1134:DP:OG:17 PROPOSED/EXISTING ELEVATIONS/ROOF PLAN/GROUND FLOOR PLAN received 5th of April 2024.

Reason: To define the terms and extent of the permission.

Informatives

1. In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Framework by working in a positive, creative and pro-active way.

2. Condition Categories

Your attention is drawn to the condition/s in the above permission. The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

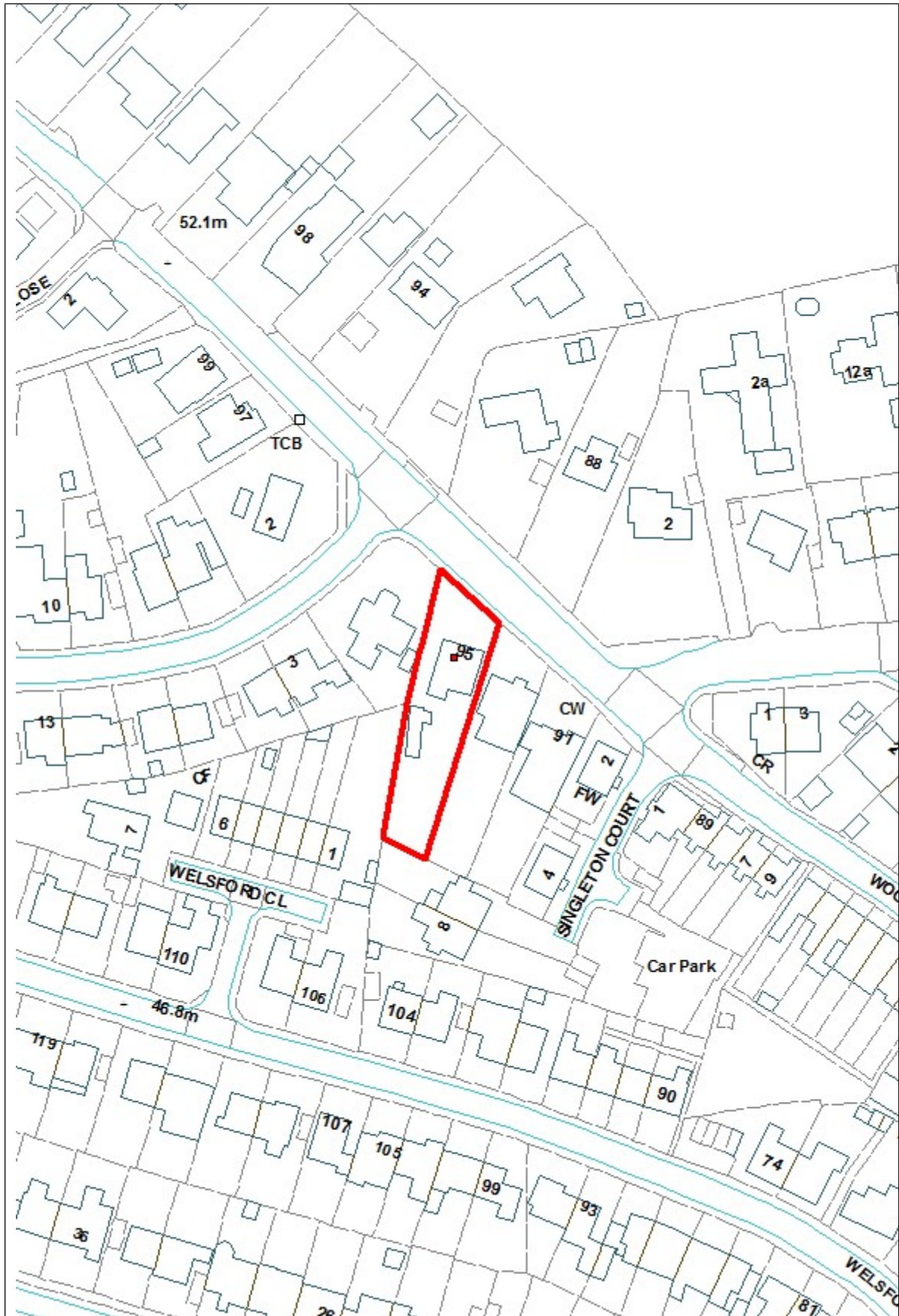
Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Failure to comply with these conditions may render the development unauthorised and liable to enforcement action.

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, which is 145GBP per request (or 43GBP where it relates to a householder application). The request must be made in writing or using the Standard Application form (available on the Planning Portal, see council's website). For clarification, the fee relates to each request for the discharge of condition/s and not to each condition itself. There is a no fee for the discharge of conditions on a Listed Building Consent, Conservation Area Consent or Advertisement Consent although if the request concerns condition/s relating to both a planning permission and Listed Building Consent then a fee will be required.

3. Please note that your proposed work may also require Building Regulations approval, which is a separate consent process to the consideration of a planning application. The Council's Building Control team are available to provide Building Regulations advice from pre-application stage to completion of a development and can be contacted on 0300 303 7790. Further details can also be found on their website <https://buildingcontrol.somerset.gov.uk/>



Planning Board Report 3rd September 2024
95 Wookey Hole Road
Wells
Somerset
BA5 2NH

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Application Number	2023/1779/FUL
Case Officer	Kelly Pritchard
Site	Land At Burcott House Farm Pennybatch Lane Burcott Wells Somerset
Date Validated	19 September 2023
Applicant/ Organisation	Lansdown
Application Type	Full Application
Proposal	Change of use of land from Agricultural to Residential (Use Class C3), erection of 1no. dwelling & associated works.
Division	Mendip West Division
Parish	St Cuthbert Out Parish Council
Recommendation	Refusal
Divisional Cllrs.	Cllr Heather Shearer Cllr Ros Wyke

What Three Words: wings.converged.sketch

Planning Committee:

In accordance with the scheme of delegation, this application was referred to the Chair and Vice-Chair of the Planning Committee as the case officer recommendation is to refuse, and the Parish Council recommended approval. As a result of this consultation the vice chair said that as the parish response is at odds with the officer report he would like the application to be heard by the Planning Committee.

Description of Site, Proposal and Constraints:

The application relates to Burcott House Farm which is located on the south side of the B3139 Wells Road and has two vehicular accesses, one from Wells Road, and the other from Pennybatch Lane which is to the east of the farm.

The application site is a triangular piece of agricultural land to the south west of the main farm complex at Burcott House Farm. Its backdrop is the rising land further south west and the barn converted to a dwelling at the foot of the woods there. (Application number 2016/1990/FUL). The land is located toward the rural edge of the existing farm complex. The farm and its buildings have a mix of uses including some residential units and holiday accommodation. The former farmhouse is a grade II listed building but is some 158m from the application site.

The site is within the Internal Drainage Boards consultation zone. The site is also within a Special Landscape Feature (Ben Knowle Hill) designated in the Local Plan. It's also within the Somerset Levels and Moors Ramsar Risk Area, the Indicative Non Ramsar WRC and a Site of Special Scientific Interest Impact Risk Zone.

The site is outside the settlement limits in open countryside.

The application seeks full planning permission for the erection of a dwelling and garage.

This application follows an outline application for a dwelling on this site, reference 2019/1752/OTA which was dismissed at appeal in July 2020 and a full application, reference 2021/2894/FUL, which was refused in 2022 for a dwelling on this site. The current application is the same as 2021/2894/FUL except it provides more information on ecological matters supplying a Nutrient Neutrality Assessment and Mitigation Strategy NNAMS, a shadow HRA and drainage information.

The house is proposed to be finished in stone under a slate roof. The garage will be timber clad with slate roof and solar panels.

Relevant History:

- 2016/1990/FUL – Approval - Conversion and extension of agricultural barn to form a dwelling. 11.11.16 (This does not refer to the application site but is referred to later in this report)
- 2019/1759/FUL - Conversion of redundant agricultural barn to 2 bed dwellinghouse. Withdrawn. 17.02.20

- 2019/1752/OTA – Erection of dwelling. Refused 27.09.19. Appeal dismissed. 28.07.20
- 2021/2894/FUL – Erection of dwelling. Refused. 07.04.22

Summary of Divisional Councillor comments, Parish Council comments, representations and consultee comments:

Vice Chair: As the Parish response is at odds with the officer report I would like this one to be heard by the committee.

Divisional Member: No comments received.

St Cuthbert Out Parish Council: Approval. The main grounds for improving are;

- Design and appearance, impact on public visual amenity. – dwelling would not be visible and would replace an area of land where various agricultural equipment is stored.
- Access, highway safety or traffic generation. – there are tracks either side and very little passing traffic would be evident. The site is within walking distance of bus stops and the community shop.
- A drainage report and phosphate mitigation has been provided.
- A dwelling would contribute to the 5 year housing supply quota and would provide accommodation for a 4th generation family that work on the farm.

Wookey Parish Council: Although the proposed site for the house is in St Cuthbert Out Parish, Wookey Parish have commented because the access to the site from the B3139 falls within their parish. Wookey PC recommend refusal, as it does not comply with CP1 as it is outside the development limit. No phosphate mitigation report available and therefore unable to comment.

Contaminated Land: I have no objections to the planning application.

Somerset Drainage Board: No objection subject to a condition that the thresholds are raised 150mm above surrounding ground levels. The development shall only be carried out in accordance with the approved surface water drainage strategy. An informative should be imposed reminding the applicant that land drainage consent is required.

Ecology: Sufficient information has been provided by the applicant, comprising a shadow HRA and NNAMS, to assume that no likely significant effects will be expected on the Somerset Levels and Moors Ramsar/ SPA as a result of the proposed development. Conditions to be attached to the consent.

Originally, SES were objecting due to the absence of further survey information concerning bats and the impact of light spill from the development and reptiles. However, after further discussion with SES they are content to rely on a suitably worded condition.

Natural England: Comments awaited, they have until 02.09.24 to comment.

Somerset Waste Management: Somerset Council Waste Services has no objection to this proposal in principle, however would request that there is sufficient space provided for the containers to be brought to the adopted highway for collection (perhaps by constructing a bin storage area for all the properties using the road) as the property is more than 45m away (30m for resident and 15m for crew is maximum recommended transportation distance) from the collection point.

Local Representations:

We have received four comments on the application and their comments are summarised below:

- The family are a huge asset to the community.(Not a relevant material planning consideration)
- The area of land is a dumping ground for surplus items and a dwelling here would be an enhancement.
- Services already run alongside the site to other existing developments.
- The development will provide a house for local family and support the economy.

Full details of all consultation responses can be found on the Council's website www.somerset.gov.uk

Summary of all planning policies and legislation relevant to the proposal:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations strongly indicate otherwise. The following development plan policies and material considerations are relevant to this application:

The Council's Development Plan comprises:

- Mendip District Local Plan Part I: Strategy and Policies (December 2014) (MDLP)
- Mendip District Local Plan Part II: Sites and Policies (December 2021) (post JR version)
- Somerset Waste Core Strategy
- Somerset Mineral Plan (2015)

The following policies of the Local Plan Part I are relevant to the determination of this application:

- CP1 – Mendip Spatial Strategy
- CP2 – Supporting the Provision of New Housing
- CP4 – Sustaining Rural Communities
- DP1 - Local Identity and Distinctiveness
- DP4 - Mendip's Landscapes
- DP5 - Biodiversity and Ecological Networks
- DP7 - Design and Amenity
- DP8 - Environmental Protection
- DP9 - Transport Impact of New Development
- DP10 - Parking Standards

- DP23 – Flood Risk

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Design and Amenity of New Development, Policy DP7 SPD (March 2022)
- The Countywide Parking Strategy (2013)
- Somerset County Council Highways Development Control Standing Advice (June 2017)

Assessment of relevant issues:

Principle of the Use:

On this site, an outline application 2019/1752/OTA which was for a dwelling with all matters reserved for subsequent approval was refused and dismissed at appeal.

The Inspector commented;

“I am mindful that the location of the site is within a reasonable walking distance of facilities in the village and close to a bus route, however this proximity alone would not override the fundamental objection to development in the open countryside for which there is no proven rural need.”

The Inspector further comments;

“The proposal would introduce built form on a site where there are no buildings unacceptably eroding the rural character of the area and introducing additional built form into the countryside within an area where development is strictly controlled, and which is part of a Special Landscape Feature.”

The appeal was dismissed as the proposal would lead to the unacceptable erosion of the rural character of the area. The harms which would be caused in respect of the

unsustainable location and the character of the area would significantly and demonstrably outweigh the benefit of providing one additional dwelling.

Subsequently a full application was submitted, and this application was also refused, reference 2021/2894/FUL. The reasons for refusal were as follows;

- 1. The development does not accord with the objectives of policies CP1, CP2 and CP4 of the Mendip District Local Plan Part I with regards to strictly controlling development outside the Development Limits and the approach to the delivery of housing therefore as a matter of principle it is unjustified. The proposal for unjustified development in the open countryside would erode the rural character of the area and be harmful to its intrinsic character and beauty and would be located in an unsustainable location. The limited benefits of bringing forward housing supply and the limited economic benefits for the wider community do not in this case outweigh the harm and adverse impacts that have been identified. The development fails to accord with the objectives of Policies CP1, CP2, CP4, DP1, DP4 and DP7 of the Mendip District Local Plan Part 1: Strategy and Policies 2006 - 2029 (adopted 15th December 2014) and advice contained within the National Planning Policy Framework.*
- 2. Insufficient information has been submitted to assess whether the proposal would result in an unacceptable increase in phosphate levels within the foul water discharged from the development affecting the current unfavourable status of the Somerset Levels and Moors Ramsar site and as such fails Regulation 63 of the Habitat Regulations 2017, including information on any necessary control mechanisms for delivery, monitoring and maintenance. The proposal is therefore also considered to be unsustainable development pursuant to paragraph 182 of the National Planning Policy Framework. The development therefore conflicts with Policies DP5 and DP8 of the adopted Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014), para 182 and Part 15 of the National Planning Policy Framework.*
- 3. The Local Planning Authority are of the view that in the absence of a complete land drainage strategy for the site, it has not been demonstrated to the satisfaction of the Local Planning Authority, that the increase in surface water runoff associated with the development can be suitably managed on or off the site and therefore, it cannot be ensured that the development will not increase flood risks elsewhere. The proposal would conflict with Policy DP23 of the adopted Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014) and Part 14 of the National Planning Policy Framework.*

The current application is the same as the previous and seeks to address the aforementioned reasons for refusal. This application provides more information including a NNAMS and a shadow HRA and a drainage strategy which will be assessed later in this report. However, it is considered that the principle of a dwelling in this location does not accord with the development plan.

Policies CP1 and CP2 of MDLP seek to direct new residential development towards the Principal settlements and within defined Development Limits, which is consistent with the aims of creating sustainable development and protecting the countryside as described in the NPPF. Policy CP4, amongst other things, seeks to strictly control residential development in the open countryside save for specific exceptions (Development Policies 12, 13, and 22), which do not apply in this case. Policy CP1 directs that new housing should be located in sustainable locations in the 5 market towns and villages near to services and facilities.

The Local Planning Authority (LPA) cannot currently demonstrate a five-year housing land supply in accordance with the requirements of the NPPF. As a result, the policies within the Local Plan, which seek to prevent new housing outside the development limits of settlements (CP1, CP2 and CP4) can not be given full weight in the decision making process. Therefore, whilst regard should be given to the policies in the Local Plan, the 'presumption in favour of sustainable development' as set out in paragraph 11(d) of the NPPF applies. However, permission should not be granted where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF taken as a whole or where its specific policies indicate that development should be restricted.

The site is located to the south of the settlement boundary of Wookey which is a secondary village in the local plan offering some services and public transport. The Inspectors comments on the outline application for this site acknowledged that the site was within a reasonable walking distance of facilities in the village and close to a bus route, she goes onto to say this proximity alone would not override the fundamental objection to development in the open countryside for which there is no proven rural need. She concludes that with regards to para 11, nonetheless the harms which would be caused in respect of the unsustainable location and the character of the area would outweigh the benefits of one house.

Reflecting on these comments along with the more recent refusal on this site, it is considered that the development is in an unsustainable location.

It is considered that nothing has significantly changed in terms of the principle of the development since the appeal decision where the Inspector said the harms which would be caused in respect of the unsustainable location and the character of the area would significantly and demonstrably outweigh the benefit of providing one additional dwelling to the housing stock, or since the last refusal. As such the proposal, located in the open countryside does not accord with the strategic policies of MDLP and advice contained within the NPPF and reason 1 has not been overcome.

Design of the Development and Impact on the Street Scene and Surrounding Area:

The application proposes a one and half storey detached stone-built house with a detached double garage clad in timber.

The site is within a Special Landscape Feature (Ben Knowle Hill) designated in the Local Plan.

Both this application and the last one was accompanied by a landscape character statement.

Ben Knowle Hill is a special landscape feature, and its key feature is its topography, a prominent hill. It is considered that although the dwelling is not proposed on the hill, it will be on the level land around it and as such will affect how the hill is read in the landscape. The site is at the end of a dead-end track on the outskirts of the farm where there is no noticeable built development. It is recognised that planning permission has been granted opposite at Somerleaze House, (references 2021/1165/OTS and 2022/0484/REM), but that site has a different set of circumstances. The development proposed was replacing existing structures and at the time was not thought to impact on the Ramsar site. There is a dwelling known as Rialto Barn further to the south west of the application site but this was also approved under different circumstances and involved the conversion of an existing building (reference 2016/1990/FUL).

Whilst the design of the development proposed is not objectionable, it is not outstanding either and it will introduce built form on a site where there are currently no buildings. Notwithstanding that the applicants are proposing hedge planting around the site, the development proposed results in erosion of the rural character of the area and domesticising the intrinsic character and beauty of the countryside. It is therefore concluded that this current application proposals has not overcome the first reason for refusal as referred above.

Impact on Residential Amenity:

There are no nearby neighbours, and as such there would be no harm to amenity. Due to its isolation, it could be occupied providing a satisfactory environment for future occupiers.

Given the design, scale, massing and siting of the proposed development the proposal would not cause significant harm to the amenities of any occupiers or adjacent occupiers through loss of light, overshadowing, overbearing impact, loss of privacy, noise, odour, traffic or other disturbance. The proposal accords with Policy DP7 of the adopted Local Plan Part 1 (2014) and Part 12 of the National Planning Policy Framework.

Impact on Ecology:

The application site falls within the catchment flowing into the Somerset Levels and Moors Ramsar, designated for its rare aquatic invertebrates, and a Site of Special Scientific Interest Impact Risk Zone. There is a major issue with nutrients entering watercourses, which adversely changes environmental conditions for these species. Any new housing, including single dwellings, will result in an increase in phosphates contained within drainage discharges. As the designated site is in 'unfavourable' condition any increase, including from single dwellings is seen as significant, either alone or in combination with other developments.

The impact of the development on a Ramsar site, by way of the potential to increase phosphate levels, is a material consideration. Therefore, the drainage details, with particular regard to phosphate generation and mitigation, are required to inform the Habitat Regulations Assessment for the current application, in order for the LPA to discharge their legislative duties in this respect.

The application is supported by a Nutrient Neutrality Assessment and Mitigation Strategy (NNAMS) to demonstrate how the issue of phosphates and foul drainage will be dealt with to mitigate the impact of the development to the Somerset Levels and Moors Ramsar. A shadow Habitats Regulations Assessment has also been submitted. The proposed development does not meet the guidance for small scale thresholds as the proposed drainage strategy is to watercourse. The residual total phosphate load will be mitigated through the upgrade of a treatment plant at Rialto Barn with a package sewage treatment plant. SES has confirmed that this principle is acceptable and Natural England have now been consulted, their comments are awaited. If this application were approved, as the

new PTP would serve more than one dwelling (the application site and Rialto Barn) and because it does not fall within the red line of the application its delivery and upkeep would need to be controlled via a legal agreement.

With regards to other ecological matters, a preliminary ecological appraisal comprising a walkover survey has been undertaken. The report notes the presence of the River Axe Local Wildlife Site (LWS) to 24m north, Ben Knowle ancient woodland LWS 21m west, Ben Knowle Hill LWS comprising species rich calcareous grassland to the south west, and Hayhill LWS to the south. In addition, Coastal Floodplain Grazing Marsh Priority Habitat lies south of the site.

SES originally commented that because of these factors, the application site lies within an ecologically sensitive area where further development is not recommended, and they wanted further surveys to be undertaken. However, on reviewing further details submitted by the applicant's agent they are now satisfied to rely on suitably worded planning conditions to safeguard onsite ecology/habitat including bats, reptiles etc.

It is considered that should the development be approved subject to appropriate and suitably worded planning conditions and subject to a legal agreement to secure the phosphate mitigation that refusal reason number 2 has been overcome and the development proposed would be compliant with Policies DP5, DP6 and DP8 of MDLP.

Assessment of Highway Issues:

It is envisaged that the development will be served from the existing access, which is also used by an existing residential barn conversion to the south west of the plot known as Rialto Barn. It is a considerable distance to the application site from the public highway along existing private access tracks. The private routes provide access to a number of uses and other residential properties and a farm complex that gain access to the wider world via entrances onto either Pennybatch Lane or the Wells Road. It is considered that in the context of the existing traffic movements that are already likely to occur here the addition of a further new dwelling would not materially affect highway safety over and above the existing arrangements.

It is considered that there is adequate parking and turning within the site.

Land Drainage:

The site is located in Flood Zone 1 and is shown to be at very low risk of surface water flooding on the Environment Agency's Long Term Flood Risk Map. The access track is shown to be at high risk of surface water flooding. Soils mapping indicates slightly acid loamy and clayey soils with impeded drainage. The submitted drainage strategy shows that soils on site were not suitable for infiltration and as such SUDs features are proposed. In addition, it is recommended that the finished floor levels of the building should have a minimum threshold of 150mm above the current land profile.

Foul drainage will be dealt with via an upgrade sewage plant on another site with a Package Treatment Plant (PTP).

Subject to compliance with the submitted drainage strategy, the proposed development will not have an adverse impact on flood risk or represent a danger to water quality. The proposal accords with Policies DP8 and DP23 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework. Reason 3 falls away.

Refuse Collection:

The site is considered capable of providing adequate storage space for refuse and recycling. However, Somerset Waste has commented about the distance that the occupiers would have to take their bins to the public highway for collection which further highlights the remote location of the site.

Environmental Impact Assessment:

This development is not considered to require an Environmental Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Equalities Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability,

gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Conclusion:

Development outside the settlement limits is strictly controlled by virtue of Policy CP1 and CP4 of MDLP. Policy CP2 supports the provision of new housing through a strategic site allocation approach. The dwelling proposed outside the settlement and remote from services and facilities would be contrary to these policies including Policy DP9.

The Council cannot currently demonstrate a five-year housing land supply. Consequently, the housing policies within the development plan are out of date and this triggers Para. 11 (d) of the NPPF. However, housing policies deemed out of date should still be weighed in the planning balance.

Having regard to paragraph 11 (d) of the NPPF it is considered that the harm resulting from the unsustainable location, the resulting harm of built development to the intrinsic character of the countryside would outweigh the benefit of providing one additional dwelling to the housing stock. As such the proposal, located in the open countryside does not accord with the strategic policies of MDLP or Policies CP1, CP2, CP4, DP1, DP4, and DP9 and advice contained within the NPPF.

Recommendation

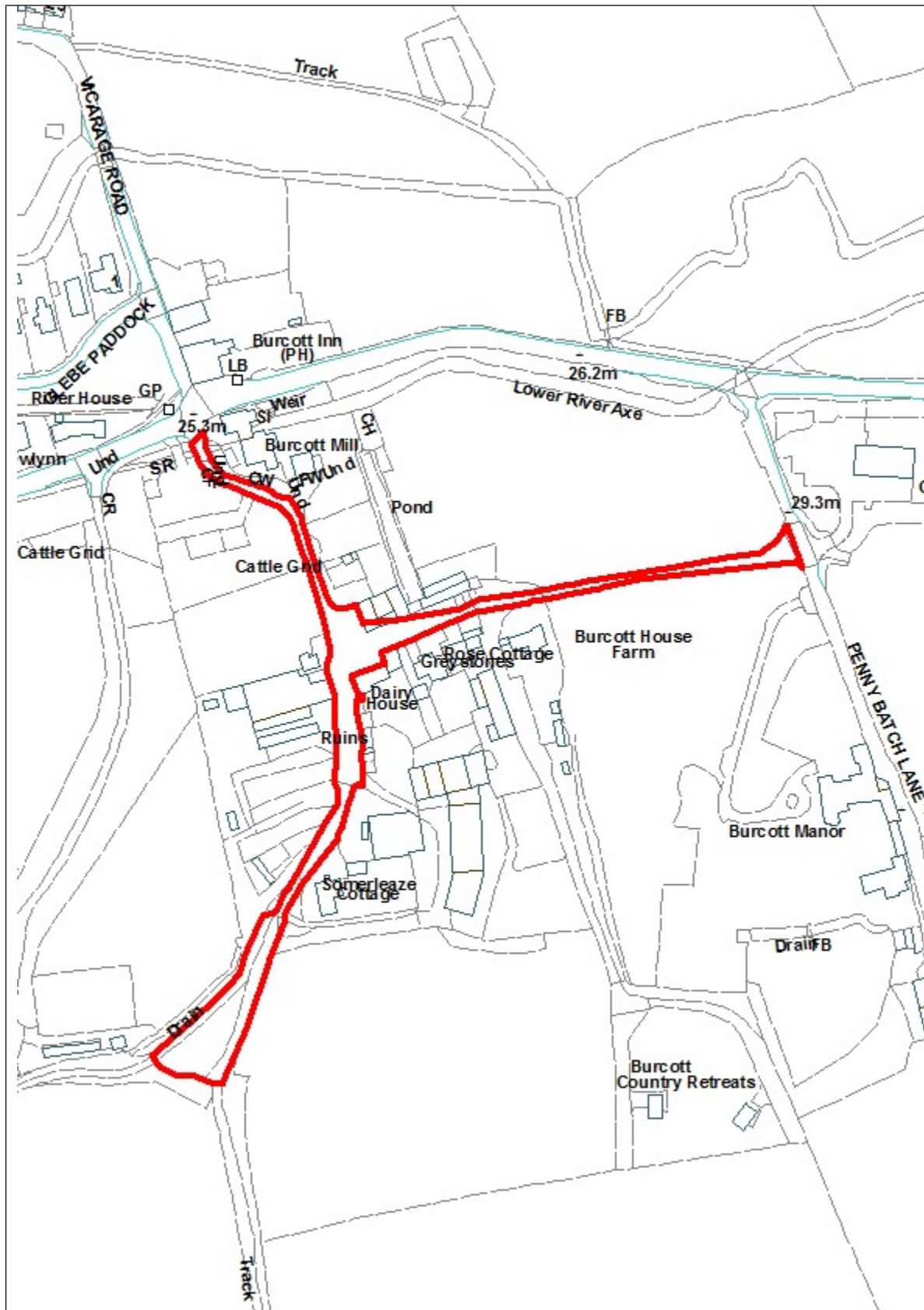
Refusal

1. The development does not accord with the objectives of policies CP1, CP2 and CP4 of the Mendip District Local Plan Part I with regards to strictly controlling development outside the Development Limits and the approach to the delivery of housing therefore as a matter of principle it is unjustified. The proposal for unjustified development in the open countryside would erode the rural character of the area and be harmful to its intrinsic character and beauty and would be located in an unsustainable location. The limited benefits of bringing forward housing supply and the limited economic benefits for the wider community do not in this case outweigh the harm and adverse impacts that have been identified. The development fails to accord with the objectives of Policies CP1, CP2, CP4, DP1, DP4, DP7 and DP9 of the Mendip District Local Plan Part 1: Strategy and Policies 2006 - 2029 (adopted 15th December 2014) and advice contained within the National Planning Policy Framework.

Informatives

1. In determining this application, the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. The submitted application has been found to be unacceptable for the stated reasons and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

2. This decision relates to drawing numbers 2020069 004, 2020069 003 Rev A, 2020069 003, 2020069 001 and drawing number 01 received 19.09.23.



Planning Board Report 3rd September 2024
 Land At Burcott House Farm
 Pennybatch Lane
 Burcott
 Wells
 Somerset

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Application Number	2024/0511/FUL
Case Officer	Jennifer Alvis
Site	22 Frome Road Beckington Frome Somerset BA11 6TD
Date Validated	5 April 2024
Applicant/	D Kelly
Organisation	DJ Kelly Homes Ltd
Application Type	Full Application
Proposal	Erection of a single dwelling & associated works.
Division	Frome North Division
Parish	Beckington Parish Council
Recommendation	Approval
Divisional Cllrs.	Cllr Adam Boyden Cllr Dawn Denton

Scheme of Delegation:

In accordance with the scheme of delegation, this application has been referred to the Chair and Vice Chair due to the Parish Council recommending refusal contrary to the officer recommendation for approval.

Description of Site, Proposal, and Constraints:

The application relates to 22 Frome Road, Beckington, accessed off a classified un-numbered highway subject to a 20mph speed limit. The site falls inside the defined development limits of Beckington.

The site is within the Beckington Conservation Area, Area of High Archaeological Potential, Air Limit MOD, Bat Consultation Zone Mells Valley (Band C) and SSSI Impact Risk Zone. There are also a number of listed buildings within close proximity of the site including the Baptist Chapel (Grade II) and No's. 24 26A and 26 Frome Road (Grade II) which neighbour the site to the south and south east.

The application seeks full planning permission for the erection of a 4no. bed dwellings with a detached double garage to the east. The accommodation will be set over two floors with a larger ground floor and first floor consisting of only two bedrooms

Revised plans were received during the life of the application which reduced the size of the first floor level following comments from the Conservation Officer. Revisions to the access were also submitted following comments from Highways. These revisions provided greater width at the access point with Frome Road to allow vehicles to pass.

An associated application for 2no. dwellings (Ref: 2024/0560/FUL) has been submitted alongside this application and relates to a separate section of the site to the east.

Relevant History:

- 2015/0430/FUL - Demolition of existing house & garage and erection of three detached dwellings - Withdrawn
- 2019/2736/FUL - Proposed erection of 4 new dwellinghouses and demolition of existing dwelling - Withdrawn
- 2024/0560/FUL - Erection of 2no. dwellings and associated works. - Pending consideration

Summary of Division Member comments, Parish Council comments, representations, and consultee comments:

Division Member: No response

Beckington Parish Council: Refusal raising the following concerns:

- Prevailing character is of single row properties, this dwelling would make the built form 2 dwellings deep
- Contemporary design is out of character with the conservation area and nearby listed buildings

- Impact on wildlife, in particular bats. Would welcome further surveys
- Overlooking of the garden to the rear (No.18)
- Additional pressure on existing poor sewerage system
- Could result in 10 vehicles (cumulatively with the proposal for two dwellings) using the access onto Frome Road

Request that the application be referred to Planning Committee should the officer recommendation be for approval.

Highways Development Officer: Given that the access will be used to serve this property and the two dwellings proposed under 2024/0560/FUL, these must be considered together.

Raised the following concerns with the original scheme:

- Existing stone wall within the visibility splay is above 300mm
- An access serving multiple dwellings must be at least 5m in width for the first 6m to allow vehicles to pass each other, this is not currently the case
- Insufficient details in regards bin storage and collection point
- Electric vehicle charging point provision and cycle storage details are required or can be conditioned

Revised plans were submitted which widen the access for the first 6m of it's length to at least 5m and the front stone boundary wall was moved back and out of the visibility splay.

Following receipt of these revisions, the Highways officer raised no further objection subject to conditions regarding; surfacing of the access, construction as per the submitted plans, no obstruction to visibility above 300mm and provision of EV charging.

Heritage Conservation: Initial verbal feedback on this application raised concerns regarding the impact of the proposed property on the setting of the Baptist Church to the south. Namely the visual impact on the setting of the church when viewed from the single lane off shoot of Frome Road to the front, south, of the Baptist Church. The conservation officer had concerns regarding the potential visual impact which would be caused by the two storey dwelling which would be visible between the buildings, and to the rear of the church, when viewed from this vantage point.

Following these comments, revised plans were submitted which reduced the first floor element of the proposed dwelling so it would not be visible when viewed from this angle and therefore maintaining the setting of the listed building. Given the revisions to the proposal and the difference in ground levels between the Baptist Church and other listed buildings along Frome Road, it was not considered that there would be an impact on the setting of the conservation area or the other nearby heritage assets.

Environmental Protection: No objection subject to a condition which restricts noise generating construction hours.

Archaeology: As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

Ecology: Verbal response from Ecology received 15th May 2024 and considered 2024/0511/FUL and 2024/0560/FUL together. No objection subject to conditions requiring a Biodiversity Enhancement and Management Plan (BEMP), full translocation strategy for reptiles, tool box talk from a licenced ecologist in regards the potential for bats, lighting design for bats, tree protection plan and Biodiversity Net Gain delivered as per the Reptile and Bat Surveys prepared by Nash Ecology.

Local Representations: Six letters of objection have been received raising the following points:

- Overlooking of neighbouring properties
- Mitigation measures to reduce overlooking should be provided
- Significant change in the existing landscape
- Loss of undeveloped land
- Impact on open character of the area
- Possible structural damage to nearby listed buildings
- Impact on the setting of the listed buildings
- Impact on wildlife
- Not in keeping with the built character of the area
- Increase in traffic impacting on road safety
- Additional noise and light pollution from three houses
- Materials should be more in keeping with the conservation area

- Loss of trees
- Impact on bats in this protected area
- Further impact on existing drainage issues

One letter neither supporting nor objecting to the application has been received raising the following points:

- Can due consideration be given to maintaining the current level of privacy afforded to No.24 to the south west and the degree of overbearing
- Consideration should be given to the materials to ensure they are in keeping with the conservation area.

Full details of all consultation responses can be found on the Council's website: [View and comment on a planning application \(somerset.gov.uk\)](https://www.somerset.gov.uk/view-and-comment-on-a-planning-application)

Summary of all planning policies and legislation relevant to the proposal:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on Local Planning Authorities (LPAs) to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

The Council's Development Plan comprises:

- Mendip District Local Plan Part I: Strategy and Policies (December 2014)
- Mendip District Local Plan Part II: Sites and Policies (December 2021) (post JR version)
- Somerset Waste Core Strategy

The following policies of the Local Plan Part I are relevant to the determination of this application:

- CP1: Mendip Spatial Strategy
- CP2: Supporting the Provision of New Housing

- DP1: Local Identity and Distinctiveness
- DP3 - Heritage Conservation
- DP4: Mendip's Landscapes
- DP5: Biodiversity and Ecological Networks
- DP6: Bat Protection
- DP7: Design and Amenity of New Development
- DP8: Environmental Protection
- DP9: Transport Impact of New Development
- DP10: Parking Standards
- DP23: Managing Flood Risk

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Somerset County Council Highways Development Control Standing Advice (June 2017)
- The Countywide Parking Strategy (2013)
- Somerset County Council Highways Electric Vehicle Charging Strategy (EVCS) (adopted June 2021)
- Somerset Technical Advice Notes 01/21 Visibility Requirements on the Local Highway Network (updated June 2021)
- Supplementary Planning Document Design and Amenity of New Development; Guidance for interpretation of Local Plan Policy DP7 (March 2022)
- National Design Guide
- Technical housing standards – nationally described space standard
- Historic Environment Good Practice Advice in Planning Notes issued by Historic England

Assessment of relevant issues:

Principle of the Development:

The application site is situated within the development limits of Beckington, designated a Primary Village in the Local Plan Part 1, where there is a presumption in favour of development.

As such, the redevelopment of the site complies with the council's Core Policies CP1 and CP2 of the Local Plan and would be considered acceptable in principle.

Consideration of the other material planning matters including; impact on amenity, design, highways, ecology and heritage amongst others, are discussed in more detail below.

Design of the Development and Impact on the Street Scene and Surrounding Area:

Development Policy 1 (DP1) of the Local Plan states that proposals should contribute positively and respond to the local context and maintain the character and appearance of the surrounding area. The street scene, landscape/townscape, views, scenery, boundary walls or hedges, trees, rights of way and other features collectively generate the distinct sense of place and local identity. Decisions should consider the efforts made to avoid, minimise, and mitigate negative effects, and the need for the proposal to take place in that location.

Development Policy 7 (DP7) of the Local Plan relates to the design of the proposal. DP7 states proposals for new development should demonstrate, amongst other things, that they are of a scale, mass, form, and layout appropriate to the local context, and optimise the potential of the site in a manner consistent with other requirements of this policy. DP7 is supported by a Supplementary Planning Document (SPD) which provides more detail about what the policy requires. DP7 is consistent with Part 12 of the NPPF, which states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Local residents and the Parish Council had concerns regarding the size of the development and the positioning of the dwelling behind other properties which is in conflict with the single row of dwellings typical in this area. Although the footprint of the dwelling is fairly large, the size of the plot can facilitate such a development without appearing cramped or overdeveloped. It's accepted that the proposed dwelling would be positioned to the rear of the existing dwellings, there is not a strong linear pattern of development in this immediate area with some dwellings already set back to the rear of others. As such a

new dwelling to the rear would not be out of character. In addition, given the difference in ground levels between the properties to the front and the proposed, it would not be visible from the highway to the front.

Concerns were also raised regarding the contemporary design of the proposed dwelling in an area predominately made up of historic properties however, the dwelling would be largely screened within the street scene by existing development and the difference in ground levels. In addition, the difference in design between the historic local character and the contemporary dwelling demonstrates a clear definition between the old and new and progress in development.

The proposal by reason of its design, siting, scale, massing, layout, and materials is acceptable and contributes and responds to the local context and maintains the character and appearance of the surrounding area. The proposal accords with Development Policies 1, 3 and 7 of the adopted Local Plan Part 1 (2014), the Supplementary Planning Document Design and Amenity of New Development; Guidance for interpretation of Local Plan Policy DP7 (March 2022) and Part 12 of the National Planning Policy Framework.

Impact on the Conservation Area and setting of the Listed Buildings:

There is a duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character of the surrounding conservation area.

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework at paragraph 195 sets out that the local planning authority should identify and assess the particular significance of any heritage asset. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraphs 194 -204 sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

The site lies within the Beckington Conservation Area and is adjacent to the former Baptist Church a Grade II listed building with No's 24 and 26 Frome Road, also Grade II listed, slightly further south.

Following comments from the conservation officer, the scale of the first floor has been reduced so it's not visible when viewed from the highway to the south between the listed buildings. Following this reduction, the Conservation Officer is content that any harm to the setting of the conservation area or the nearby historic buildings would be neutral.

Given the above, it's not considered that the redevelopment of this site would result in harm to the setting Conservation Area or the nearby listed buildings. As such, the proposal is considered acceptable under DP3 and Chapter 16 of the NPPF.

Impact on Neighbouring Amenity:

Concerns have been raised by neighbouring occupiers and the Parish Council regarding the possible overlooking from the development on the neighbouring property's garden, namely No.18 Frome Road. No.18 has a large garden, part of which wraps around the rear of this site however the primary outdoor amenity space for this property, that to the immediate rear of the dwelling, would not be impacted. While there may be some overlooking from the proposed development on the wider part of this residential curtilage, this area would already have a degree of overlooking from the rear windows of the properties along Frome Road. In addition, established planting along this rear boundary, which is to be retained as part of the wildlife buffer zone, would provide further screening.

Concerns were also raised from the neighbouring occupier to the south at No.24, however given the significant difference in ground levels between No.24 and the proposal site, it's not considered that there would be an impact in regards overbearing or loss of light. No windows are proposed on the south rear elevation which would create an overlooking impact.

While it's acknowledged that an additional property (or three properties when taken into account with ref: 2024/0560/FUL, although only a net gain of two), would result in additional vehicle movements, this would not be considered excessive enough to cause significant disturbance. In addition, the location of the site and existing neighbouring properties is adjacent to a primary route through the village which would already create some degree of impact through traffic noise.

Given the design, scale, massing, and siting of the proposed development the proposal would not cause significant harm to the amenities of any occupiers or adjacent occupiers through loss of light, overshadowing, overbearing impact, loss of privacy, noise, odour, traffic, or other disturbance. In these respects, the proposal accords with Development Policy 7 of the adopted Local Plan Part 1 (2014) and Part 12 of the National Planning Policy Framework.

Impact on Ecology:

A Preliminary Ecological Assessment, Bat Survey Report and Reptile Survey Report, all prepared by Nash Ecology, have been provided with this application. Somerset Ecology Services provided verbal feedback on this application at a meeting on 15th May 2024 and considered this application along with 2024/0560/FUL cumulatively.

The Reptile Surveys found a population of slow worms present on the site and as such mitigation and translocation have been recommended. Somerset Ecology Services have requested that a condition be imposed which requires a full translocation strategy be submitted to the LPA prior to any clearance works on the site. This condition will be included on any approval decision.

The Bat Survey found that the existing building on site is not suitable for supporting bat roosts however Greater Horseshoe Bats were identified as using the area for foraging and as a flightpath. The development of this site was found to have a moderate adverse impact at a local level. As such, the report recommended that a 5m wildlife buffer zone is to be implemented along the eastern and western boundaries of the site. No access to the buffer zone will be permitted to the contractors or occupants of the new houses and no light sources will be erected close to the buffer zone. A condition will be imposed which requires details of this buffer zone to be submitted to the LPA prior to works commencing as part of a Biodiversity Enhancement and Management Plan (BEMP). A lighting design for bats will also be conditioned.

The Bat Survey also made recommendations for biodiversity net gain, which will also be conditioned.

Subject to the above conditions and additional conditions regarding operatives being briefed on the ecological importance of the site prior to commencing works and a tree protection plan being provided, Somerset Ecology Services raised no objection.

Subject to the above, the proposed development will not have an adverse impact on bats or other ecology. The proposal accords with Development Policies 5 and 6 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework.

Assessment of Highway Issues:

While there is an existing access onto the site, this currently only serves one dwelling. The intensification of the use of the site for three dwellings (one under the current application and two under ref: 2024/0560/FUL) would require greater consideration of the access. Somerset Highways raised an objection to the original plans submitted as they failed to demonstrate an adequate width of 5m for the first 6m of the access, to allow two vehicles to pass when entering and exiting the at the same time, and a stone wall within the visibility splay would have exceeded 300mm in height causing an obstruction to visibility. In addition, insufficient information was provided in regards bin storage and collection points.

Revised plans received show a widened access for the first 6m allowing vehicles to pass, and the stone wall being set back towards the dwellings therefore removing it from the visibility splay. Bin storage points have also now been identified with collection being from the roadside. Following receipt of these revised plans, Somerset Highways removed their objection subject to conditions in regards the construction of the access, surfacing materials, visibility splays being kept clear of obstruction and EV charging being provided.

The proposal includes the provision of 4 parking spaces which adheres with the Council's Parking Standards which states that optimum provision would be 3.5 parking spaces for a 4+ bedroom dwelling in this location. In addition, the proposal includes turning space, in accordance with Standing Advice, to allow vehicles to enter and leave the site in forward gear.

The means of access and parking arrangements are acceptable and maintain highway safety standards. The proposal accords with Development Policies 9 and 10 of the adopted Local Plan Part 1 (2014) and Part 9 of the National Planning Policy Framework.

Trees & Hedges:

A Tree Protection Plan will be required to ensure that the significant trees on site are retained and protected during works. This will ensure the foraging and flight path for

Greater Horseshoe Bats is protected and the visual amenity provided by these will trees will be retained.

Subject to a condition requiring a Tree Protection Plan, the proposal accords with Development Policies 1, 6 and 7 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework.

Land Drainage:

The NPPF, paragraph 173, states that when determining any planning applications, LPAs should ensure that flood risk is not increased elsewhere.

Development Policy 8 (DP8) states that “*all development proposals should minimise, and where possible reduce all emissions and other forms of pollution*”. Point 1 of DP8 states “*Development (either cumulatively or individually) will be required to demonstrate that it does not give rise to unacceptable adverse environmental impacts on [amongst other things]*

- *the quality of water resources, whether surface river or groundwater [and]*
- *public health and safety*”.

Development Policy 23 (DP23) states that “*all developments will [also] be expected to incorporate appropriate water management measures to reduce surface water run-off and ensure that it does not increase flood risks elsewhere. This should include the use of sustainable urban drainage systems (SUDS)*”.

The foul drainage is proposed to be dealt with via a mains sewer. Concerns have been raised regarding the impact of additional dwellings on the existing sewerage system in Beckington. Given that there is already one property present on the site, it's not considered that the cumulative impact of both these applications, resulting in a net gain of two dwellings, would have a significant impact on the existing sewer system.

The site falls within a Flood Zone 1, which is at the lowest risk of flooding. The site slopes down to the north and north east towards an existing watercourse in the valley at the bottom of the site. Any additional surface water run-off will primarily be dealt with via soakaways, as required under Building Regulations.

As such, the proposed development will not have an adverse impact on flood risk or represent a danger to water quality. The proposal accords with Development Policies 8 and 23 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework.

Sustainability and Renewable Energy:

The proposal includes a photovoltaic array on the garage roof and the property will be fitted with a green sedum roof, air source heat pumps and the highest standard insulation, which would benefit the sustainability of the development. EV charging points and cycle storage are also to be provided.

The proposal accords with Development Policy 7 of the adopted Local Plan Part 1 (2014), the Supplementary Planning Document Design and Amenity of New Development; Guidance for interpretation of Local Plan Policy DP7 (March 2022), and Part 12 of the National Planning Policy Framework.

Refuse Collection:

The site is considered capable of providing adequate refuse and recycling storage for the proposed dwelling, in accordance with the Somerset Waste Core Strategy.

Environmental Impact Assessment:

This development is not considered to require an Environmental Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Equalities Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Recommendation

Approval

Conditions

1. **Standard Time Limit (Compliance)**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

2. **Plans List (Compliance)**

This decision relates to the following drawings: Location Plan, 1205/1, 1205/2B, 1205/3A, 1205/4A, 1205/6 Existing and Proposed Site Cross Sections, 1205/6 Garage Plans and Elevations Plot 3,

Reason: To define the terms and extent of the permission.

3. **Sample Panel - Walling (Bespoke Trigger)**

No construction of the external walls of the development shall commence until a sample panel of all external walling materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP3 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

4. **Joinery Details - Submission of Details (Bespoke Trigger)**

No piece of external joinery shall be installed or undertaken unless full details of that piece have been first submitted to and approved in writing by the Local Planning Authority. Such details shall be at full or half scale and shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour. The works shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP3 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

5. **Ducts, Pipes, Rainwater Goods - Submission of Details (Bespoke Trigger)**

No ducts, pipes, rainwater goods, vents or other external attachments shall be fitted or installed unless in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. All such attachments shall thereafter be retained in that form.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP3 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

6. **Parking Area (Pre-occupation)**

The dwelling hereby approved shall not be occupied until the parking spaces shown on drawing 1166/2C have been laid out in accordance with the approved plans and made available for the parking of vehicles. The parking spaces shall thereafter be retained for the parking of vehicles associated with the dwelling and for no other purpose.

Reason: To ensure that sufficient parking is provided to serve the approved development in the interests of highway safety in accordance with Policies DP9 and DP10 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

7. **Vehicular Access (Compliance)**

The vehicular access hereby approved shall not be brought into use until it has been constructed in accordance with details shown on 1166/2C. The vehicular access shall thereafter be permanently retained in accordance with the approved plans.

Reason: To ensure that suitable access is provided in the interests of highway safety in accordance with Policies DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

8. **Access Surfacing and Drainage Details (Bespoke Trigger)**

No construction above slab level shall commence until details of the surface materials and surface water drainage at the proposed access have been submitted to and approved in writing by the Local Planning Authority. No occupation shall commence until the access has been constructed in accordance with the approved details and shall be retained in perpetuity.

Reason: To prevent loose material and surface water run off spilling onto the highway in the interests of highways safety in accordance with Policy DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

9. **Visibility Splay (Pre-occupation)**

No occupation of the development shall commence until the visibility splay shown on drawing number 1166/2C has been provided. There shall be no on-site obstruction exceeding 300mm above ground level within the visibility splay. The visibility splay shall be retained permanently thereafter.

Reason: To ensure sufficient visibility is provided in the interests of highways safety in accordance with Policy DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

10. **Electric Vehicle Charging (Pre Occupation)**

The dwelling shall not be occupied until it is served by at least 1no. active electric vehicle charging point in line with the requirements set out in Somerset Council Electric Vehicle Charging Strategy 2020. Each active charging point must be at least 7kW, an untethered connection i.e., only a socket without a built-in cable, and capable of Mode 3 charging. Charging provision shall be retained permanently thereafter.

Reason: To encourage use of electric vehicles and reduce carbon dioxide emissions in accordance with the Somerset County Council Electric Vehicle Charging Strategy (2020), Development Policy 7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (2014) and the Mendip District Council Supplementary Planning

11. Hours of Construction (Compliance)

Noise emissions from the site during the development, i.e. the demolition, clearance and redevelopment of the site, shall not occur outside of the following hours:

Mon - Fri 08.00 - 18.00

Sat 08.00 - 13.00

At all other times, including Sundays, Bank and Public Holidays, there shall be no such noise generating activities

Reason: To safeguard the amenities of adjoining occupiers having regards to Development Policies 7 and 8 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

12. Supervision of Works - Protected Species (Compliance)

All works potentially affecting bats shall proceed under the supervision of the licensed bat ecologist.

Reason: In the interests of the strict protection of European protected species and in accordance with Policy DP5 and DP6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

13. Provision of Bat Box (Bespoke)

If any bat(s) are discovered during construction works, works shall cease until an Beaumaris Woodstone Bat Box has been installed to accommodate any discovered bat(s) during construction works. The bat box shall be hung on a suitable tree or building on or adjacent to the site at a minimum height of 4 metres as directed by a licensed bat ecologist. The bat box shall be retained thereafter in perpetuity.

Reason: In the interests of the strict protection of European protected species and in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

14. Reptile Mitigation Strategy (Pre-commencement)

No development shall commence until a detailed reptile mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The detailed reptile mitigation strategy shall include details of:

- (a) the proposed site clearance and construction working practices to avoid harming reptiles,
- (b) details of proposed location, to accommodate any reptiles discovered during works,
- (c) the timings of works to minimise the impact on reptiles.

The development shall thereafter be carried out in accordance with the approved mitigation strategy and shall be permanently retained in accordance with the approved details.

Reason: In the interests of the strict protection of UK protected and priority species and in accordance with Development Policy 5 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a pre-commencement condition to ensure that adequate biodiversity protection is in place prior to the commencement stage of development.

15. **Biodiversity Enhancement and Management Plan (Pre-commencement)**

A Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to commencement of the development. The BEMP will expand on the proposed mitigation and enhancements as outlined in Nash Ecology's Bat Survey Report, section 4.1 and 4.2, and Reptile Survey Report, section 4.3. A particular focus should be provided to measures that will be incorporated in the retained reptile habitat provisions as indicated in section 4.3 of the Reptile Survey Report.

Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation of the development and retained in perpetuity.

Reason: To provide biodiversity net gain in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part I: Strategy & Policies 2006-2029 (Adopted 2014) and Government policy for the enhancement of biodiversity within development as set out in paragraph 186(d) of the National Planning Policy Framework.

16. **Tree Protection Plan (Pre-commencement)**

No development shall take place until an annotated tree protection plan following the recommendations contained within BS 5837:2012½ identifying measures (fencing

and/or ground protection measures) to protect the trees to be retained has been submitted to and approved in writing by the Local Planning Authority. The plan shall include proposed tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations. The plan should include the design of fencing proposed and take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

Reason: To ensure that the trees are protected from potentially damaging activities in accordance with Policy DP1 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

17. **External Lighting (Bespoke Trigger)**

No external lighting shall be erected or provided on the site until a "lighting design for bats" has been submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall thereafter be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

18. **Removal of Permitted Development Rights - No extensions or alterations (Compliance)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwelling or other buildings, including the roofs, hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority to safeguard the appearance of the development and the amenities of

the surrounding area and residents in accordance with Policies DP1 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

Informatives

1. Condition Categories

Your attention is drawn to the condition/s in the above permission. The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Failure to comply with these conditions may render the development unauthorised and liable to enforcement action.

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, which is 145GBP per request (or 43GBP where it relates to a householder application). The request must be made in writing or using the Standard Application form (available on the Planning Portal, see council's website). For clarification, the fee relates to each request for the discharge of condition/s and not to each condition itself. There is a no fee for the discharge of conditions on a Listed Building Consent, Conservation Area Consent or Advertisement Consent although

if the request concerns condition/s relating to both a planning permission and Listed Building Consent then a fee will be required.

2. The responsibility for ensuring compliance with the terms of this approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details will render the development unauthorised and vulnerable to enforcement action.

3. In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Framework by working in a positive, creative and pro-active way.

4. Please note that your proposed work may also require Building Regulations approval, which is a separate consent process to the consideration of a planning application. The Council's Building Control team are available to provide Building Regulations advice from pre-application stage to completion of a development and can be contacted on 0300 303 7790. Further details can also be found on their website <https://buildingcontrol.somerset.gov.uk/>

5. The applicant is advised of the need to consult the Highways Department, Somerset Council (Tel:- 0300 123 2224) prior to commencing works adjacent to the public highway.

6. No removal of buildings, structures, trees or shrubs shall take place between 1st March and 31st August unless an experienced ecologist has checked the Site for breeding/nesting birds. If there is evidence of breeding birds the work must be delayed until the chicks have fledged or suitable working distances observed so as not to disturb the birds.

7. Any gates, fences, walls, or other means of enclosure should include the provision of space for hedgehogs to pass under them to allow hedgehogs to forage between sites.

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Planning Board Report 3rd September 2024
22 Frome Road
Beckington
Frome
Somerset
BA11 6TD

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Application Number	2024/0560/FUL
Case Officer	Jennifer Alvis
Site	22 Frome Road Beckington Frome Somerset BA11 6TD
Date Validated	22 March 2024
Applicant/	D Kelly
Organisation	DJ Kelley Homes Ltd
Application Type	Full Application
Proposal	Demolition of dwelling & outbuildings. Erection of 2no dwellings & associated development (revisions in response to Highways comments rec'd 02 July 2024).
Division	Frome North Division
Parish	Beckington Parish Council
Recommendation	Approval
Divisional Cllrs.	Cllr Adam Boyden Cllr Dawn Denton

Scheme of Delegation:

In accordance with the scheme of delegation, this application has been referred to the Chair and Vice Chair due to the Parish Council recommending refusal contrary to the officer recommendation for approval.

Description of Site, Proposal, and Constraints:

The application relates to 22 Frome Road, Beckington, accessed off a classified un-numbered highway subject to a 20mph speed limit. The site falls inside the defined development limits of Beckington, and currently accommodates a single dwelling house.

The site is within the Beckington Conservation Area, Area of High Archaeological Potential, Air Limit MOD, Bat Consultation Zone Mells Valley (Band C) and SSSI Impact Risk Zone. There are also a number of listed buildings within close proximity of the site

including No. 20 and No.24 Frome Road (Grade II) which neighbour the site to the north and south respectively and The Grange and The Abbey (Grade II*) which sit opposite No. 22 Frome Road to the east.

The application seeks full planning permission for the erection two dwellings (each with 4 bedrooms) with parking provision and a detached double garage to the rear. The accommodation will be set over three floors however the properties will appear as two storey with roof lights, when viewed from the highway to the front.

Revised plans were received during the life of the application which showed a slight relocation of both of the properties back from the road side and reduced the number of front facing roof lights following comments from the Conservation Officer. Revisions to the access were also submitted following comments from Highways. These revisions provided greater width at the access point with Frome Road and moving the front stone wall back from the highway for greater visibility.

Revised plans also omitted the roof lights from the south west and north east roof elevation drawings as these were shown in error. The roof lights are on the inner roof and as such would not visible from these angles.

Relevant History:

- 2015/0430/FUL - Demolition of existing house & garage and erection of three detached dwellings - Withdrawn
- 2019/2736/FUL - Proposed erection of 4 new dwellinghouses and demolition of existing dwelling - Withdrawn
- 2024/0511/FUL - Erection of a single dwelling and associated works. - Pending consideration

Summary of Division Member comments, Parish Council comments, representations, and consultee comments:

Division Member: No response

Beckington Parish Council: Refusal raising the following concerns:

- The development is overbearing
- Footprint is considerably larger than the existing dwelling
- Height of the development would allow overlooking of No's. 18 and 20 (to the north)
- Loss of light to the neighbouring properties to the north
- Not in-keeping with the conservation area
- Impact on nearby listed buildings
- Concerns over surface water run off
- Additional pressure on existing poor sewerage system
- Additional vehicles
- Would block the view of the open country side to the rear which is part of the character of the conservation area

Request that the application be referred to Planning Committee should the officer recommendation be for approval.

Highways Development Officer: Given that the access will be used to serve these two properties and the dwelling proposed under 2024/0511/FUL these must be considered together.

Raised the following concerns with the original scheme:

- Existing stone wall within the visibility splay is above 300mm
- An access serving multiple dwellings must be at least 5m in width for the first 6m to allow vehicles to pass each other, this is not currently the case
- Insufficient details in regards bin storage and collection point
- Electric vehicle charging point provision and cycle storage details are required or can be conditioned

Revised plans were submitted which widen the access for the first 6m of it's length to at least 5m and the front stone boundary wall was moved back and out of the visibility splay.

Following receipt of these revisions, the Highways officer raised no further objection subject to conditions regarding; surfacing of the access, construction as per the submitted plans, no obstruction to visibility above 300mm and provision of EV charging.

Heritage Conservation: Initial verbal feedback on this application raised concerns regarding the siting of the proposed dwellings being in line with the existing historic buildings either side. It was suggested that the new dwellings be set back from the building line to distinguish them from the existing properties. It was also advised to reduce the number of roof lights on the front elevation of the properties.

Following these comments, revised plans were submitted which moved the properties back from the building line to create a definition between the new dwellings and the historic properties either side. The number of front facing roof lights were also reduced from 6 to 4 in total, 3 to 2 on each property. Clarification was also provided on the proposed material for the windows and doors (timber) and the finish of the rainwater goods (black).

Following these revisions, the conservation officer raised no further objection subject to conditions regarding sample panels, joinery details and details of rainwater goods.

Environmental Protection: No objection subject to a condition which restricts noise generating construction hours.

Archaeology: As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

Ecology: Verbal response from Ecology received 15th May 2024. No objection subject to conditions requiring a Biodiversity Enhancement and Management Plan (BEMP), full translocation strategy for reptiles, tool box talk from a licenced ecologist in regards the potential for bats, lighting design for bats, tree protection plan and Biodiversity Net Gain delivered as per the Reptile and Bat Surveys prepared by Nash Ecology.

Local Representations: Seven letters of objection have been received raising the following points:

- No objection to the principle of a replacement dwelling
- Size and height is excessive and not in keeping

- Overlooking of neighbouring properties
- Increase in traffic impacting on road safety
- Additional noise and light pollution from three houses
- Materials should be more in keeping with the conservation area
- Loss of trees which are not mentioned in the report
- Impact on bats in this protected area
- Three houses replacing one is overdevelopment
- Overbearing for No.20 Frome Road
- Impact on neighbouring listed buildings
- Further impact on existing drainage issues
- Windows facing north east should be obscure glazed

One letter neither supporting nor objecting to the application has been received raising the following points:

- Can due consideration be given to maintaining the current level of privacy afforded to No.24 to the south west and the degree of overbearing
- Consideration should be given to the materials to ensure they are in keeping with the conservation area.

One letter of support has also been received raising the following points:

- No objection in principle to the new development at the road side but the rear section should be left undisturbed as a bat/wildlife corridor. 3 properties could be accommodated for in the plot nearest the highway rather than building on the area to the rear.

Full details of all consultation responses can be found on the Council's website: [View and comment on a planning application \(somerset.gov.uk\)](https://www.somerset.gov.uk/planning)

Summary of all planning policies and legislation relevant to the proposal:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on Local Planning Authorities (LPAs) to determine proposals in accordance with the development

plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

The Council's Development Plan comprises:

- Mendip District Local Plan Part I: Strategy and Policies (December 2014)
- Mendip District Local Plan Part II: Sites and Policies (December 2021) (post JR version)
- Somerset Waste Core Strategy

The following policies of the Local Plan Part I are relevant to the determination of this application:

- CP1: Mendip Spatial Strategy
- CP2: Supporting the Provision of New Housing
- DP1: Local Identity and Distinctiveness
- DP3 - Heritage Conservation
- DP4: Mendip's Landscapes
- DP5: Biodiversity and Ecological Networks
- DP6: Bat Protection
- DP7: Design and Amenity of New Development
- DP8: Environmental Protection
- DP9: Transport Impact of New Development
- DP10: Parking Standards
- DP23: Managing Flood Risk

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

- Somerset County Council Highways Development Control Standing Advice (June 2017)
- The Countywide Parking Strategy (2013)
- Somerset County Council Highways Electric Vehicle Charging Strategy (EVCS) (adopted June 2021)
- Somerset Technical Advice Notes 01/21 Visibility Requirements on the Local Highway Network (updated June 2021)
- Supplementary Planning Document Design and Amenity of New Development; Guidance for interpretation of Local Plan Policy DP7 (March 2022)
- National Design Guide
- Technical housing standards – nationally described space standard
- Historic Environment Good Practice Advice in Planning Notes issued by Historic England

Assessment of relevant issues:

Principle of the Development:

The application site is situated within the development limits of Beckington, designated a Primary Village in the Local Plan Part 1, where there is a presumption in favour of development. The proposal also includes the demolition of an existing residential dwelling and as such this application would result in a net gain of one dwelling.

The redevelopment of the site complies with the Council's Core Policies CP1 and CP2 of the Local Plan and would be considered acceptable in principle.

Consideration of the other material planning matters including; impact on amenity, design, highways, ecology and heritage amongst others, are discussed in more detail below.

Design of the Development and Impact on the Street Scene and Surrounding Area:

Development Policy 1 (DP1) of the Local Plan states that proposals should contribute positively and respond to the local context and maintain the character and appearance of the surrounding area. The street scene, landscape/townscape, views, scenery, boundary

walls or hedges, trees, rights of way and other features collectively generate the distinct sense of place and local identity. Decisions should consider the efforts made to avoid, minimise, and mitigate negative effects, and the need for the proposal to take place in that location.

Development Policy 7 (DP7) of the Local Plan relates to the design of the proposal. DP7 states proposals for new development should demonstrate, amongst other things, that they are of a scale, mass, form, and layout appropriate to the local context, and optimise the potential of the site in a manner consistent with other requirements of this policy. DP7 is supported by a Supplementary Planning Document (SPD) which provides more detail about what the policy requires. DP7 is consistent with Part 12 of the NPPF, which states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Local residents had concerns regarding the size of the development, especially in comparison with the existing dwelling on the site, however it's not considered that the proposal for a pair of semi detached dwellings would appear as cramped or over development given the size of the plot. Although the footprint is larger than the existing dwelling, the plot around the existing dwelling is significant and could easily accommodate a greater form of development.

The existing dwelling is a late 20th century detached property of reconstituted brick and render looks incongruous within the historic street scene in terms of both design and scale. It's loss would not be considered to impact the character of the area, but rather lead to an enhancement.

Frome Road has a natural gradient, being higher in the south west and sloping down towards the north east. The dwellings have been well designed to fit the space between No.20 Frome Road and No.24 while taking into account this change in gradient. While the proposal will sit slightly higher within the street scene than the properties to the north east, they will lie lower than the properties to the south west maintaining a straight line between the ridge heights within the street. A step down in ridge height between the two proposed semi-detached dwellings further adds to this building line.

The properties have been designed with slight differences to add additional interest to the front fascias and to reflect the historic built form of neighbouring properties. The proposed materials of natural stone and clay tiles with timber fenestrations to the front and side will reflect the local character. A condition requiring sample panels of the materials will be proposed.

The proposal by reason of its design, siting, scale, massing, layout, and materials is acceptable and contributes and responds to the local context and maintains the character and appearance of the surrounding area. The proposal accords with Development Policies 1, 3 and 7 of the adopted Local Plan Part 1 (2014), the Supplementary Planning Document Design and Amenity of New Development; Guidance for interpretation of Local Plan Policy DP7 (March 2022) and Part 12 of the National Planning Policy Framework.

Impact on the Conservation Area and setting of the Listed Buildings:

There is a duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character of the surrounding conservation area.

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework at paragraph 195 sets out that the local planning authority should identify and assess the particular significance of any heritage asset. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraphs 194 -204 sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

The site lies within the Beckington Conservation Area and is adjacent to No. 20 Frome Road and No.24 Frome Road, both of which are Grade II listed buildings. The site also falls opposite The Abbey and The Grange which are Grade II* listed buildings.

No's. 24 and 26 to the south west are now two dwellings but historically formed an Inn constructed in the mid 18th century of natural stone and double roman tiles. No. 20 to the north east is an early 19th century dwelling of natural stone with a slate roof.

The existing chalet style dwelling at No.22 is a late 20th century building and appears incongruous to the character of the surrounding conservation area and nearby listed buildings. The existing dwelling has a small footprint and sits in a large plot creating a

sense of being swamped by its setting. The building line along Frome Road is one of historic two storey dwellings of natural stone with largely, but not exclusively, symmetric front fascia's. Where this symmetry is missing, such as No.24, adds additional character and interest to the street scene and this has been reflected in the design of the new properties.

Following comments from the conservation officer, the two dwellings have been set back slightly from the front building line to add further distinction between the existing historic dwellings and the proposed. Two roof lights have also been removed from the proposal to avoid an overly cluttered appearance on the front roof elevation.

While concerns were raised by the Parish Council regarding the loss of openness along this section of the conservation area, and the obstruction the proposal would create when viewing the fields to the rear, the site itself is currently unused and becoming overgrown. The existing dwelling is boarded up and the ancillary structures to the rear are in a poor state of repair. If this site was left open, it's likely that the state would continue to deteriorate creating a greater eyesore within the conservation area. The redevelopment to two dwellings would tidy up the area and remove a dwelling (the existing No.22) which is incongruous to the conservation area and setting of the nearby listed buildings.

Given the above, it's not considered that the redevelopment of this site would result in harm to the Conservation Area or the setting of the nearby listed buildings. As such, the proposal is considered acceptable under DP3 and Chapter 16 of the NPPF

Impact on Neighbouring Amenity:

Concerns have been raised by neighbouring occupiers and the Parish Council regarding the possible overlooking and overbearing impact from the development on the neighbouring properties, primarily those to the north east (No's. 20 and 18). Original plans showed roof lights in the south west and north east roof elevations however this was in error and revised plans have now been received to amend this and remove those erroneous roof lights. The roof lights in this section of roof would face inwards towards the middle of the two gables and as such would not overlook neighbouring properties. The first floor side window on the north east elevation would serve a bathroom and as such can be conditioned to be obscure glazed and non-opening.

Rear facing windows would not be considered to create any greater overlooking than that already experienced from the existing rear windows of other neighbouring properties. These windows would only overlook the far ends of the neighbouring gardens and not the

primary outdoor amenity space/patio area, to the immediate rear of the properties. While No.18 has a garden which wraps around the back of this site, this will be largely screened by existing established trees, and the primary amenity space (to the immediate rear of the property) would not be impacted.

The proposed properties, while higher than the existing dwelling at No.22, will be set further back from the boundary with No.20 than the existing dwelling, and the two storey element of the rear elevation would not protrude out significantly further than the rear elevation of the neighbouring property. As such, it's not considered that it would create an overbearing or oppressive impact when experienced from the neighbouring rear garden. While there may be some impact on natural light given the location of the proposal to the south west of the garden of No.20, it's not considered that this impact would be significant given the separation distance between the two properties.

Concerns were also raised from the neighbouring occupier to the south west at No.24, however given the difference in ground levels between No.24 and the proposal site, in addition to the distance between the proposed properties and the neighbour, it's not considered that there would be an impact in regards overbearing or loss of light. No windows are proposed on the south west side elevation which would create an overlooking impact.

While it's acknowledged that an additional property (or two properties when taken into account with ref: 2024/0511/FUL) would result in additional vehicle movements, this would not be considered excessive enough to cause significant disturbance. Especially given the location of the site adjacent to a primary route through the village which would already create some degree of impact through traffic noise.

Given the design, scale, massing, and siting of the proposed development the proposal would not cause significant harm to the amenities of any occupiers or adjacent occupiers through loss of light, overshadowing, overbearing impact, loss of privacy, noise, odour, traffic, or other disturbance. In these respects, the proposal accords with Development Policy 7 of the adopted Local Plan Part 1 (2014) and Part 12 of the National Planning Policy Framework.

Impact on Ecology:

A Preliminary Ecological Assessment, Bat Survey Report and Reptile Survey Report, all prepared by Nash Ecology, have been provided with this application. Somerset Ecology

Services provided verbal feedback on this application at a meeting on 15th May 2024 and considered this application along with 2024/0511/FUL cumulatively.

The Reptile Surveys found a population of slow worms present on the site and as such mitigation and translocation have been recommended. Somerset Ecology Services have requested that a condition be imposed which requires a full translocation strategy be submitted to the LPA prior to any clearance works on the site. This condition will be included on any approval decision.

The Bat Survey found that the existing building on site is not suitable for supporting bat roosts however Greater Horseshoe Bats were identified as using the area for foraging and as a flightpath. The development of this site was found to have a moderate adverse impact at a local level. As such, the report recommended that a 5m wildlife buffer zone is to be implemented along the eastern and western boundaries of the site. No access to the buffer zone will be permitted to the contractors or occupants of the new houses and no light sources will be erected close to the buffer zone. A condition will be imposed which requires details of this buffer zone to be submitted to the LPA prior to works commencing as part of a Biodiversity Enhancement and Management Plan (BEMP). A lighting design for bats will also be conditioned.

The Bat Survey also made recommendations for biodiversity net gain, which will also be conditioned.

Subject to the above conditions and additional conditions regarding operatives being briefed on the ecological importance of the site prior to commencing works and a tree protection plan being provided, Somerset Ecology Services raised no objection.

Subject to the above, the proposed development will not have an adverse impact on bats or other ecology. The proposal accords with Development Policies 5 and 6 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework.

Assessment of Highway Issues:

While there is an existing access onto the site, this currently only serves one dwelling. The intensification of the use of the site for three dwellings (two under the current application and one under ref: 2024/0511/FUL) would require greater consideration of the access. Somerset Highways raised an objection to the original plans submitted as they failed to demonstrate an adequate width of 5m for the first 6m of the access, to allow two vehicles

to pass when entering and exiting the at the same time, and a stone wall within the visibility splay would have exceeded 300mm in height causing an obstruction to visibility. In addition, insufficient information was provided in regards bin storage and collection points.

Revised plans received show a widened access for the first 6m allowing vehicles to pass, and the stone wall being set back towards the dwellings therefore removing it from the visibility splay. Bin storage points have also now been identified with collection being from the roadside. Following receipt of these revised plans, Somerset Highways removed their objection subject to conditions in regards the construction of the access, surfacing materials, visibility splays being kept clear of obstruction and EV charging being provided.

The proposal includes the provision of 6 parking spaces, 3 per dwelling and while the Council's Parking Standards states that optimum provision would be 3.5 parking spaces for a 4+ bedroom dwelling in this location (7 in total), there is scope within the wider site to accommodate an additional space if required. No objection has been received from Highways in this respect. In addition, the proposal includes turning space, in accordance with Standing Advice, to allow vehicles to enter and leave the site in forward gear.

The means of access and parking arrangements are acceptable and maintain highway safety standards. The proposal accords with Development Policies 9 and 10 of the adopted Local Plan Part 1 (2014) and Part 9 of the National Planning Policy Framework.

Trees & Hedges:

A Tree Protection Plan will be required to ensure that the significant trees on site are retained and protected during works. This will ensure the foraging and flight path for Greater Horseshoe Bats is protected and the visual amenity provided by these will trees will be retained.

Subject to a condition requiring a Tree Protection Plan, the proposal accords with Development Policies 1, 6 and 7 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework.

Land Drainage:

The NPPF, paragraph 173, states that when determining any planning applications, LPAs should ensure that flood risk is not increased elsewhere.

Development Policy 8 (DP8) states that “*all development proposals should minimise, and where possible reduce all emissions and other forms of pollution*”. Point 1 of DP8 states “*Development (either cumulatively or individually) will be required to demonstrate that it does not give rise to unacceptable adverse environmental impacts on [amongst other things]*”

- *the quality of water resources, whether surface river or groundwater [and]*
- *public health and safety*”.

Development Policy 23 (DP23) states that “*all developments will [also] be expected to incorporate appropriate water management measures to reduce surface water run-off and ensure that it does not increase flood risks elsewhere. This should include the use of sustainable urban drainage systems (SUDS)*”.

The foul drainage is proposed to be dealt with via a mains sewer. Concerns have been raised regarding the impact of additional dwellings on the existing sewerage system in Beckington. Given that there is already a property present on the site, this application would see the gain of one property which would not be considered to significantly increase strain on the existing system. It's acknowledged that the associated application would also propose another dwelling to be connected to the existing mains sewer it's not considered that the cumulative impact of both these applications would have a significant impact.

The site falls within a Flood Zone 1, which is at the lowest risk of flooding. The site slopes down to the north and north east towards an existing watercourse in the valley at the bottom of the site. Any additional surface water run-off will primarily be dealt with via soakaways, as required under Building Regulations. Given the existing built form on the site, additional surface water run-off would not be considered excessive.

As such, the proposed development will not have an adverse impact on flood risk or represent a danger to water quality. The proposal accords with Development Policies 8 and 23 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework.

Sustainability and Renewable Energy:

The proposal includes a photovoltaic array on the garage roof and both properties will be fitted with air source heat pumps and the highest standard insulation, which would benefit the sustainability of the development. EV charging points and cycle storage are also to be provided.

The proposal accords with Development Policy 7 of the adopted Local Plan Part 1 (2014), the Supplementary Planning Document Design and Amenity of New Development; Guidance for interpretation of Local Plan Policy DP7 (March 2022), and Part 12 of the National Planning Policy Framework.

Refuse Collection:

The site is considered capable of providing adequate refuse and recycling storage for the proposed dwelling, in accordance with the Somerset Waste Core Strategy.

Environmental Impact Assessment:

This development is not considered to require an Environmental Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Equalities Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Recommendation

Approval

Conditions

1. **Standard Time Limit (Compliance)**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

2. **Plans List (Compliance)**

This decision relates to the following drawings: Location Plan, 1166/8, 1166/1B, 1166/2C, 1166/3B, 1166/4D, 1166/5B, 1166/6D, 1166/7B

Reason: To define the terms and extent of the permission.

3. **Sample Panel - Walling (Bespoke Trigger)**

No construction of the external walls of the development shall commence until a sample panel of all external walling materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP3 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

4. **Joinery Details - Submission of Details (Bespoke Trigger)**

No piece of external joinery shall be installed or undertaken unless full details of that piece have been first submitted to and approved in writing by the Local Planning Authority. Such details shall be at full or half scale and shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour. The works shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP3 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

5. **Ducts, Pipes, Rainwater Goods - Submission of Details (Bespoke Trigger)**

No ducts, pipes, rainwater goods, vents or other external attachments shall be fitted or installed unless in accordance with details that have been first submitted to and approved in writing by the Local Planning Authority. All such attachments shall thereafter be retained in that form.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DP3 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

6. **Parking Area (Pre-occupation)**

The dwelling hereby approved shall not be occupied until the parking spaces shown on drawing 1166/2C have been laid out in accordance with the approved plans and made available for the parking of vehicles. The parking spaces shall thereafter be retained for the parking of vehicles associated with the dwelling and for no other purpose.

Reason: To ensure that sufficient parking is provided to serve the approved development in the interests of highway safety in accordance with Policies DP9 and DP10 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

7. **Vehicular Access (Compliance)**

The vehicular access hereby approved shall not be brought into use until it has been constructed in accordance with details shown on 1166/2C. The vehicular access shall thereafter be permanently retained in accordance with the approved plans.

Reason: To ensure that suitable access is provided in the interests of highway safety in accordance with Policies DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

8. **Access Surfacing and Drainage Details (Bespoke Trigger)**

No construction above slab level shall commence until details of the surface materials and surface water drainage at the proposed access have been submitted to and approved in writing by the Local Planning Authority. No occupation shall commence until the access has been constructed in accordance with the approved details and shall be retained in perpetuity.

Reason: To prevent loose material and surface water run off spilling onto the highway in the interests of highways safety in accordance with Policy DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

9. **Visibility Splay (Pre-occupation)**

No occupation of the development shall commence until the visibility splay shown on drawing number 1166/2C has been provided. There shall be no on-site obstruction exceeding 300mm above ground level within the visibility splay. The visibility splay shall be retained permanently thereafter.

Reason: To ensure sufficient visibility is provided in the interests of highways safety in accordance with Policy DP9 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

10. **Electric Vehicle Charging (Pre Occupation)**

The dwellings shall not be occupied until each is served by at least 1no. active electric vehicle charging point in line with the requirements set out in Somerset Council Electric Vehicle Charging Strategy 2020. Each active charging point must be at least 7kW, an untethered connection i.e., only a socket without a built-in cable, and capable of Mode 3 charging. Charging provision shall be retained permanently thereafter.

Reason: To encourage use of electric vehicles and reduce carbon dioxide emissions in accordance with the Somerset County Council Electric Vehicle Charging Strategy (2020), Development Policy 7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (2014) and the Mendip District Council Supplementary Planning Document Design and Amenity of New Development: Guidance for interpretation of Local Plan Development Policy 7 (adopted March 2022).

11. **Hours of Construction (Compliance)**

Noise emissions from the site during the development, i.e. the demolition, clearance and redevelopment of the site, shall not occur outside of the following hours:

Mon - Fri 08.00 - 18.00

Sat 08.00 - 13.00

At all other times, including Sundays, Bank and Public Holidays, there shall be no such noise generating activities

Reason: To safeguard the amenities of adjoining occupiers having regards to Development Policies 7 and 8 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

12. **Supervision of Works - Protected Species (Compliance)**

All works potentially affecting bats shall proceed under the supervision of the licensed bat ecologist.

Reason: In the interests of the strict protection of European protected species and in accordance with Policy DP5 and DP6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

13. **Provision of Bat Box (Bespoke)**

If any bat(s) are discovered during construction works, works shall cease until an Beaumaris Woodstone Bat Box has been installed to accommodate any discovered bat(s) during construction works. The bat box shall be hung on a suitable tree or building on or adjacent to the site at a minimum height of 4 metres as directed by a licensed bat ecologist. The bat box shall be retained thereafter in perpetuity.

Reason: In the interests of the strict protection of European protected species and in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

14. **Reptile Mitigation Strategy (Pre-commencement)**

No development shall commence until a detailed reptile mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The detailed reptile mitigation strategy shall include details of:

- (a) the proposed site clearance and construction working practices to avoid harming reptiles,
- (b) details of proposed location, to accommodate any reptiles discovered during works,
- (c) the timings of works to minimise the impact on reptiles.

The development shall thereafter be carried out in accordance with the approved mitigation strategy and shall be permanently retained in accordance with the approved details.

Reason: In the interests of the strict protection of UK protected and priority species and in accordance with Development Policy 5 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a pre-commencement condition to ensure that adequate biodiversity protection is in place prior to the commencement stage of development.

15. **Biodiversity Enhancement and Management Plan (Pre-commencement)**

A Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to commencement of the development. The BEMP will expand on the proposed mitigation and enhancements as outlined in Nash Ecology's Bat Survey Report, section 4.1 and 4.2, and Reptile Survey Report, section 4.3. A particular focus should be provided to measures that will be incorporated in the retained reptile habitat provisions as indicated in section 4.3 of the Reptile Survey Report.

Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation of the development and retained in perpetuity.

Reason: To provide biodiversity net gain in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part I: Strategy & Policies 2006-2029 (Adopted 2014) and Government policy for the enhancement of biodiversity within development as set out in paragraph 186(d) of the National Planning Policy Framework.

16. **Tree Protection Plan (Pre-commencement)**

No development shall take place until an annotated tree protection plan following the recommendations contained within BS 5837:2012¹ identifying measures (fencing and/or ground protection measures) to protect the trees to be retained has been submitted to and approved in writing by the Local Planning Authority. The plan shall include proposed tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations. The plan should include the design of fencing proposed and take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

Reason: To ensure that the trees are protected from potentially damaging activities in accordance with Policy DP1 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

17. **External Lighting (Bespoke Trigger)**

No external lighting shall be erected or provided on the site until a "lighting design for bats" has been submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall thereafter be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

18. **Removal of Permitted Development Rights - No extensions or alterations (Compliance)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwellings or other buildings, including the roofs, hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority to safeguard the appearance of the development and the amenities of the surrounding area and residents in accordance with Policies DP1 and DP7 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

Informatives

1. **Condition Categories**

Your attention is drawn to the condition/s in the above permission. The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Failure to comply with these conditions may render the development unauthorised and liable to enforcement action.

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, which is 145GBP per request (or 43GBP where it relates to a householder application). The request must be made in writing or using the Standard Application form (available on the Planning Portal, see council's website). For clarification, the fee relates to each request for the discharge of condition/s and not to each condition itself. There is a no fee for the discharge of conditions on a Listed Building Consent, Conservation Area Consent or Advertisement Consent although if the request concerns condition/s relating to both a planning permission and Listed Building Consent then a fee will be required.

2. The responsibility for ensuring compliance with the terms of this approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details will render the development unauthorised and vulnerable to enforcement action.

3. In determining this application, the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Framework by working in a positive, creative and pro-active way.

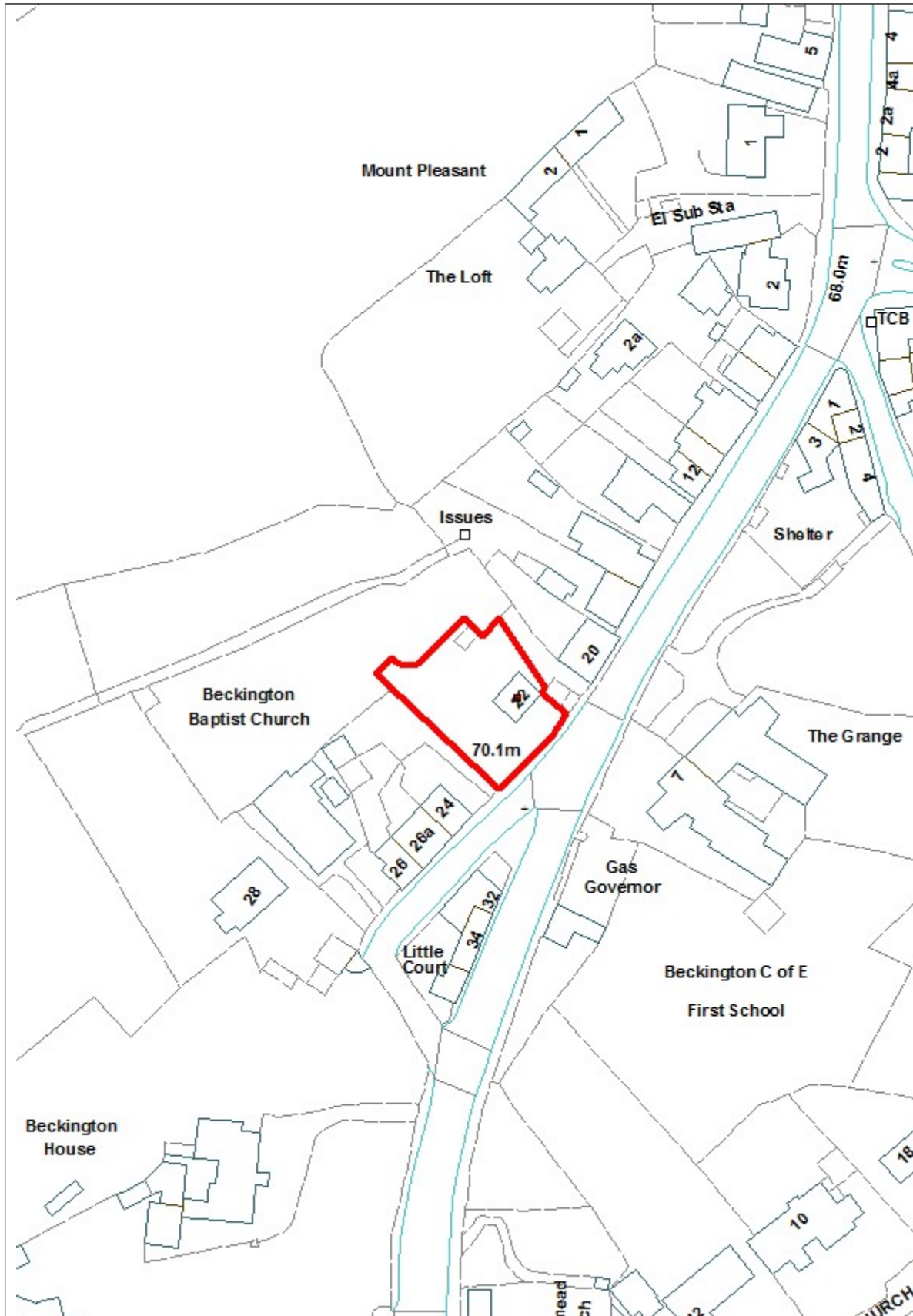
4. Please note that your proposed work may also require Building Regulations approval, which is a separate consent process to the consideration of a planning application. The Council's Building Control team are available to provide Building Regulations advice from pre-application stage to completion of a development and can be contacted on 0300 303 7790. Further details can also be found on their website <https://buildingcontrol.somerset.gov.uk/>

5. The applicant is advised of the need to consult the Highways Department, Somerset Council (Tel:- 0300 123 2224) prior to commencing works adjacent to the public highway.

6. No removal of buildings, structures, trees or shrubs shall take place between 1st March and 31st August unless an experienced ecologist has checked the Site for breeding/nesting birds. If there is evidence of breeding birds the work must be delayed until the chicks have fledged or suitable working distances observed so as not to disturb the birds.

7. Any gates, fences, walls, or other means of enclosure should include the provision of space for hedgehogs to pass under them to allow hedgehogs to forage between sites.

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Planning Board Report 3rd September 2024
22 Frome Road
Beckington
Frome
Somerset
BA11 6TD

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Planning East – Appeal Decisions

Please see below list of appeal decisions made by the Planning Inspectorate between 24th July 2024 and 19th August 2024.

Full details of all appeals, can be found on the Council's website
<https://publicaccess.mendip.gov.uk/online-applications/>

Application Reference	2019/1577/FUL
Site Address	Land at 355763 143568, Upper Wellesley Lane, Dulcote, Wells
Applicant/Organisation	Professor AJ & Dr KJ A Bradley, Quality Milk Management Services Ltd
Application Type	Full Planning Permission
Proposal	Proposed new dwelling, new access, & associated development.
Decision	Refusal (Planning Committee)
Appeal Decision	Appeal Dismissed (Costs Awarded)
Appeal Decision Date	26.07.2024

Application Reference	2023/0355/FUL
Site Address	Land at 382126, 150821, Rudge Lane, Standerwick, Frome
Applicant/Organisation	Mr & Mrs Parker
Application Type	Full Planning Permission
Proposal	Erection of 1no. dwelling including home office and car port; creation of new vehicular access; new planting and biodiversity enhancement measures.
Decision	Non-determination
Appeal Decision	Appeal Allowed
Appeal Decision Date	30.07.2024

Application Reference	2020/0832/OTS
Site Address	Land at 345552 136293, Main Street, Walton, Street
Applicant/Organisation	F Rizzuti

Application Type	Outline Planning Permission
Proposal	Outline Planning Permission for the erection of 6 dwellings with all matters reserved except access.
Decision	Refusal (Planning Committee)
Appeal Decision	Appeal Allowed
Appeal Decision Date	02.08.2024