

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, 3 December 2024 at 2.00 pm

Present:

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

Cllr Adam Boyden	Cllr Barry Clarke
Cllr Dawn Denton	Cllr Martin Dimery
Cllr Susannah Hart	Cllr Bente Height
Cllr Helen Kay	Cllr Martin Lovell
Cllr Rob Reed	Cllr Claire Sully

24 Apologies for Absence - Agenda Item 1

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Apologies were received from Councillor Tony Robbins. Councillor Ros Wyke was his substitute.

24 Declarations of Interest - Agenda Item 2

1

There were none.

24 Public Question Time - Agenda Item 3

2

There were none.

**24 Planning Application 2021/1675/EOUT - Land South of Frome bounded by
3 Marston Road, B3092/railway line and A361 (Frome Bypass) and including
Land to the South of the A361 Frome Somerset - Agenda Item 4**

The Committee were presented with the application with the aid of a PowerPoint presentation. The Planning Officer updated the Committee explaining that the application was to consider Outline Planning Permission for the erection of up to 1,700 dwellings (Use Class C3), two care homes (Use Class C3), 6.7 hectares of

employment land (Use Classes E, B2 and B8), a mixed use local centre for primary school (Use Class F1), cafes/restaurant and convenience store (Use Class E) and other supporting social and physical infrastructure (Use Classes F1, F2 and E), provision of greenspace and other supporting ancillary works. All matters (Access (within the site), Layout, Scale, Appearance, Landscaping) reserved except for four new vehicular site access points from the existing highway.

Subject to:

- the Secretary of State having notified the Council that they do not intend to issue a 'call-in' direction; and
- National Highways having withdrawn their Holding Recommendation

The Officer Recommendation was that Planning Permission be granted for the reasons set out in the Officer Report subject to: • the recommended Conditions set out in the Officer Report and the prior completion of a s.106 Legal Agreement to secure the matters set out in the Officer Report.

There were various public speakers representing Friends of the River Frome, Stop SGC, CPRE Somerset and Frome Civic Society who spoke in objection to the application highlighting:

- Concerns that there was already an existing sewage problem with outflows discharging sewage into the river and the fact that another new development would make the situation worse.
- The playing field and play area were in Flood Zones 2 and 3 and flooding in general.
- The development conflicted with the adopted Development Plan and current National Planning Policy Framework (NPPF)

Next Ken McCall spoke in objection and he pointed out that there were nearly 500 objections and that a development of this size would impact the environment and have social consequences for the town.

There were a further two members of the public who spoke next in support of the development, James Tizzard, from LVA and Neil Brant, from NBC who pointed out that the design and quality of this development were excellent and delivered the required core infrastructure locally to ensure it was delivered and it met the desperate housing need of the town.

They further highlighted that the development would help pay the £4 Million needed to solve the traffic problems at the A36 roundabouts of Beckington and White Row

as well as other infrastructure works at the A361 Marston, Blatchbridge and Berkeley roundabouts, Gorehedge and The Butts

Next to speak were Councillors Steve Tanner, Richard Hammons and Jim Dowling from Selwood Parish Council, who objected to the application and mentioned the significant loss of farmland and the adverse effects on the landscape, the increased traffic and population which would lead to a squeeze on local services such as NHS dentists.

Then Frome West and East Town Councillors Michael Dunk and Shane Collins, also Somerset Councillors, also spoke in objection and highlighted:

- The extensive loss of farmland and effect on the landscape and the river if the application was approved.
- There would be an impact on dark skies.
- The fact this proposal was the largest expansion of Frome since the town was founded over 1300 years ago. They pointed out that this would increase the population by 6,000 and the number of cars by approximately 4,000. Currently Frome's population was 29,000 and this was a 23% increase, which would be a squeeze on local services in NHS, dentists, schools and roads.
- The Illustrative master plan aimed to answer some of the above questions, however, if the planning application was approved, the illustrative master plan would not form part of that decision. It was a plan which simply showed one way in which the site *could be* developed in compliance with the parameter plans.
- It was stated that the LVA were not developers, they were land promoters, investors and asset managers. If permission was granted they would sell-on the site, possibly on a field-by-field basis, to individual developers. It was pointed out that those developers did not need to follow the illustrative development plan.
- It was queried why only 20% of the houses being provided were for social rent and not 70% and why this would only begin in 2030. It was suggested that this would not solve the housing crisis.
- The traffic assessment was carried out in December 2019 and since then 1,759 houses have been built or approved and 1,400 cars have been added and there was no full design scheme for new roads into Frome.

Finally, Matthew Kendrick, the agent for the application from Grassroots Planning spoke. He confirmed that the developer was willing to accept 80% social rent for the affordable housing split. The developer would also continue to engage with the local community on issues such as design. He emphasised the scale of affordable housing need. Housing specialists had calculated that 88 additional dwellings per year were required in the town and 168 of the surrounding parishes were taken into

account. The development would deliver 510 affordable homes and there would be low-cost housing provided for people to allow them to get on the property ladder. He maintained that there was a housing emergency in the town, but no alternative plan to address it. If not this site, then where? Frome is the obvious location for significant housing growth.

This comprehensive development would deliver an extensive list infrastructure including a new primary school and nursery as well as other contributions to schools in the town, two care homes, a community meeting space, a series of improvement works to solve a range of existing highway problems such as cycle links, electric bikes and scooters, an improved and extended bus service through the town, a car club and contributions towards NHS services and facilities.

Members then entered debate. Issues discussed included:

- the Planning Performance Agreement (PPA) between the LPA and the applicant
- prematurity of the application and implications for the Local Plan
- the five-year housing land supply
- heritage impacts
- the enforceability of the Parameter Plans and Design Codes;
- Affordable Housing tenures
- that the Government was indicating significantly more housing was needed both nationally and in Somerset
- the Transport Assessment
- the community vision for Frome
- the scale of the application
- highway safety improvements
- problems with foul water sewerage and flooding in the area
- S106 obligations
- healthcare capacity
- landscape impact
- ecological and biodiversity impact
- loss of agricultural land
- job creation
- archaeology
- travel plan

Councillor Claire Sully proposed to go against Officer Recommendation and refuse the application on the grounds of lack of sustainability, that the harms outweighed the benefits and that the development departed from the local plan. This was seconded by Councillor Martin Dimmery.

Councillors continued to debate the wording for the reasons for refusal. The concerns included:

- departure from the local plan
- lack of sustainability
- disproportionate level of growth for Frome
- scale of development and impact on local infrastructure and services (including local roads and foul sewerage and residual transport/traffic and environmental effects)
- unsustainable flood and water management
- harm to the environment, local communities and surroundings (including the character of the landscape and the setting of the town)
- lack of a delivery vehicle or robust to deliver a site at this scale
- climate impacts not fully taken account of
- piecemeal nature of the phasing model
- the enforceability of the parameter plans, phasing plans and compliance statements
- the level of out-commuting
- impact of loss of land of residents' amenity
- insufficient value to the community from the S106 package

The Legal Advisor suggested to Members that they could resolve to be minded to refuse the application, with Officers tasked to frame the detailed reasons for refusal and to report back to Committee, when a final decision would be made.

The proposer and seconder of the substantive motion accepted this suggestion and the proposal was amended according, with Officers being tasked to work up the detailed reasons for refusal to be reported back to Committee for further consideration in two months' time.

The Legal Advisor emphasised that each individual reason for refusal would need to be capable of being defended at appeal with appropriate evidence to satisfy the tilted planning balance. If the LPA were unable to do this, there was a risk of being found to have acted unreasonably which could lead to an award of costs.

On being put to the vote the proposal was carried with 7 votes in favour, 5 against and 1 abstention.

RESOLVED

To be minded to refuse the planning application on grounds of lack of sustainability

and to defer the application for up to two months with Officers given delegated authority to draft the detailed reasons for refusal and to report back to Committee for further consideration.

For: 7
Against: 5
Abstain: 1

24 Planning Application 2024/1223/FUL - Land at 361185 153689 Ston Easton
4 Lane, Ston Easton, Wells, Somerset - Agenda Item 5

This agenda item was deferred to a future meeting of Planning Committee East due to time constraints.

24 Planning Application 2024/1435/HSE - 62 Whitstone Rise, Shepton Mallet,
5 Somerset, BA4 5QB - Agenda Item 6

This agenda item was deferred to a future meeting of Planning Committee East due to time constraints.

24 Appeals Report - Agenda Item 7
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(The meeting ended at 6.15 pm)

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CHAIR