

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 10.00 am

Present:

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

Cllr Barry Clarke
Cllr Martin Dimery
Cllr Martin Lovell
Cllr Tony Robbins

Cllr Dawn Denton
Cllr Susannah Hart
Cllr Rob Reed
Cllr Claire Sully

23 Apologies for Absence - Agenda Item 1

1

Apologies were received from Councillors Adam Boyden, Helen Kay and Bente Height. Councillor Ros Wyke substituted for Councillor Boyden and Councillor Philip Ham substituted for Councillor Height.

23 Minutes from the Previous Meeting - Agenda Item 2

2

It was proposed by Councillor Edric Hobbs and seconded by Councillor Martin Lovell, that the minutes of the meeting on 5 November 2024 be approved true record of the meeting. On agenda item 7 (Land at Pear Tree Farm - 2024/1051/OUT) it was requested that the first motion to approve the application be made clearer by highlighting the text in bold in the same way that the second motion to defer was recorded. All approved.

23 Declarations of Interest - Agenda Item 3

3

Councillor Ros Wyke declared that she was predetermined in relation to Planning Application 2023/1515/OUT – Land at Gypsy Lane, Wells Mendip West Division. She was registered to speak as Divisional Member and would leave the meeting once she had spoken.

Councillor Barry Clarke declared a Registrable Interest in Planning Application 2024/1440/HSE - Manor Cottage, School Lane, Doulting, Shepton Mallet, Somerset as it was his own application.

23 Public Question Time - Agenda Item 4

4

There were none.

The Legal Advisor took this opportunity to remind Members that in accordance with

their Professional Codes of Conduct, the role of the Officers was to provide objective advice to the Committee. The Local Planning Authority should look favourably on applications that broadly comply with the Council's planning policies and give weight to material considerations, one of which was the supply of housing within the Somerset East area, including affordable housing. The tilted balance applies because of the housing land supply position within the East area and the Local Planning Authority (LPA) should only be refusing applications for housing where there was evidence that the adverse impacts of those developments would significantly and demonstrably outweigh any benefits of the proposal. This was the test that was imposed upon LPAs by Government through the National Planning Policy Framework (NPPF). The NPPF was expected to change at some point in the near future, but this was still the test that had to be applied. The Officer's Reports, presentations and their answers to questions from Members were all intended to help Councillors with clear and objective advice as to relevant planning issues and whether there were adverse impacts that significantly and demonstrably outweighed the benefits.

The Legal Advisor further reminded the Committee that if they were minded to take a different view from the Officer's recommendation, they were fully entitled to, but they would need to clearly explain the reasons for doing so and Officers be given the opportunity to comment and give advice on the same.

23 **Planning Application 2023/1515/OUT - Land at 353038 145483 Gypsy Lane,**
5 **Wells, Somerset - Agenda Item 5**

The Planning Officer updated the Committee explaining that the application was to consider an outline application with all matters reserved except for access, for up to 47no. dwellings (including affordable housing), open space, ecological mitigation, and supporting infrastructure.

The Planning Officer confirmed that this application was heard at the Planning East Committee meeting on 1st October 2024 and was deferred for clarification that the means of access as proposed could be provided without requiring land owned by a third party, other than the Highway Authority.

Members were provided with further information on the trigger points associated with the S106 Agreement. It was confirmed that the travel plan would be secured in the S106 Agreement and that a financial contribution towards the Strawberry Line would also be included (£11,000 to be paid prior to 50% occupation of the open market dwellings).

The Planning Officer then went on to present his report by way of a PowerPoint presentation highlighting:

- The access drawing had been revised and the applicant had provided clarification about the proposed access arrangements, which the Highways Officer confirmed was an improvement on the current existing situation and was within the extent of the public highway.
- Comments had been received from the Highway Authority regarding the requirement for a full travel plan and contributions towards active travel.
- Comments had been received from the Housing Enabling Team since the

October meeting confirming that the affordable housing tenure split should be altered to remove the requirement for First Homes, resulting in 80% social rent and 20% shared ownership.

- Two letters of objection has been received since the October committee, which raised that there were concerns that the development could lead to the unchecked urban sprawl outside Wells, increased traffic and pollution due to the site's distance from Wells and a dangerous exit on to Elm Place. Also, the development would extend beyond the edge of Wells negatively impacting the rural landscape and the character of the area.

The Legal Advisor advised Members that, as this was a deferred application, they should only vote on the application if they had been present at the first meeting. However, all Committee Members were entitled to take part in the debate.

Steve Morfey, a resident in Gypsy Lane, then spoke in objection to the Application highlighting the access arrangements and the reliance on the local Highway Authority to resolve the dangerous road junction off of Elm Close into Gypsy Lane and the fact that 147 new houses would increase traffic congestion and safety remained a major concern.

Another resident, Mr Brian Underwood, also spoke in objection highlighting the negative impact on the landscape and the increase in traffic congestion.

St Cuthbert's Out Parish Councillor Jim Reeves then spoke in objection also highlighting access arrangements concerns and visibility splays. He suggested an alternative access to the development.

The Division Member for Mendip West, Councillor Ros Wyke, then spoke highlighting that tractors and trailer drivers were also to be considered in traffic issues and farm traffic had not been mentioned before. She also said that the landscape issue concerns were not only from the City of Wells looking out but also from the Glastonbury side of the city. She pointed out that the Planning East area does not have Community Infrastructure Levy (CIL), which the other areas of Somerset have adopted and that there was no real contribution to the wider community by this development in the S106 Agreement other than education and NHS. A meaningful contribution towards the community was lacking.

Alex Bullock, the agent for the application then spoke and stated that, after the deferral from the October meeting, it was confirmed that they applicant had never proposed the access on land other than their own and that of the adopted highway. He confirmed that such matters formed part of their normal considerations before they committed to spend fees required on a robust application such as this one. He stated that on behalf of the applicant they were comfortable with the S106 trigger points proposed. He further stated that the benefits of the development were significant and far outweighed any harm identified.

Councillor Hobbs left the meeting after the presentation and speakers, but before the vote.

After debate surrounding alternative access, greater contribution towards community facilities and confirmation that there would be 40% affordable housing made available, Councillor Martin Dimmery proposed to approve the application in

accordance with the Officer Recommendation which was seconded by Councillor Martin Lovell. On being put to the vote the proposal was lost with 2 votes in favour, 4 against and 2 abstentions. Councillor Denton left the meeting.

Councillor Philip Ham then proposed to refuse Outline Planning Permission for the below reasons. This was seconded by Councillor Susannah Hart.

- Highway concerns regarding the safety and visibility of the proposed junction with the site from the B3139
- Landscape impact
- Managing flood risk
- Failing to maximise the use of sustainable transport as a result of an insufficient contribution towards active travel, in particular towards the Strawberry Line which would significantly and demonstrably outweigh the benefits of the scheme

On being put to the vote the proposal was carried with 4 votes in favour, 3 against and 1 abstention.

RESOLVED

Members resolved to **REFUSE** permission for the following summarised reasons:

- Highway concerns regarding the safety and visibility of the proposed junction with the site from the B3139
- Landscape impact
- Managing flood risk
- Failing to maximise the use of sustainable transport as a result of an insufficient contribution towards active travel, in particular towards the Strawberry Line which would significantly and demonstrably outweigh the benefits of the scheme.

For: 4
Against: 3
Abstain: 1

23 Planning Application 2024/1440/HSE - Manor Cottage, School Lane, Doultling, 6 Shepton Mallet, Somerset - Agenda Item 6

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 the erection of single storey extension to existing garage, first floor extension over existing porch to north elevation, & installation of solar panels

After discussion, Councillor Dawn Denton proposed to grant permission subject to conditions detailed in the Officer's Report. This was seconded by Councillor Susannah Hart.

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

RESOLVED

Members resolved to **APPROVE** permission subject to conditions detailed within the Officer's Report.

Unanimous

23 Planning Application 2023/1932/FUL - Barns at Wellhayes Farm, Lower 7 Westholme Road, Pilton, Shepton Mallet, Somerset - Agenda Item 7

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 for the conversion of 3no. barns into 4no. 4 bed semi-detached houses and a separate outbuilding.

The Planning Officer highlighted that the closest settlement was Pilton but this application was outside defined settlement limits. The recommendation was to refuse the application, because the site was outside of defined development limits, the proposal would require major reconstruction contrary to Policy DP22 and had failed to demonstrate the impact of flood risk on future occupants.

The applicant then spoke highlighting that his businesses have provided employment for hundreds of local people for over 30 years as well as provide services to local and private businesses.

He further explained that his barns have been advertised for rent locally and with a national agent and they have had no response. The barns have therefore become redundant but still need continuous maintenance. The barns were in good condition and they required planning permission to ensure their conversion. They were structurally sound.

He confirmed that there was no flood risk and no evidence of historical flooding.

In debate, Councillor Claire Sully pointed out that the Parish Council had no objection. She also pointed out that the Environment Agency had declared that there was inadequate flood risk information provided, not that the information was inaccurate.

Councillor Claire Sully proposed to defer to allow the applicant to address the inadequacies in the flood report. This was seconded by Councillor Susannah Hart. Officers were also requested to obtain clarification of the Highway Authority's position when the matter was reported back to Committee.

On being put to the vote the proposal was carried with 9 in favour and 3 against.

RESOLVED

Members resolved to **DEFER** the application to enable the applicant to update their Flood Risk Assessment

For: 9

Against: 3

23 **Planning Application 2024/1051/OUT - Land at Pear Tree Farm, Cullen Farm**
8 **Road, Glastonbury, Somerset - Agenda Item 8**

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 an outline application with some matters reserved for up to 24 dwellings with details of access.

The Planning Officer confirmed that that this application was heard at the Planning East Committee meeting on 5th November 2024 and was deferred, contrary to the Officer's recommendation, to allow Officers to gather more information from relevant experts on the impact of the proposal on the special landscape feature of St Michaels Church and Glastonbury Tor.

The Planning Officer confirmed that second opinions has been sought and received from both a conservation officer and a landscape architect and that neither specialist objected to the proposed development.

David Rockey, a member of the public then spoke in objection to the application and highlighted that the application had an adverse impact in direct conflict with the adopted local plan.

Next the Mayor of Glastonbury spoke and he highlighted that Glastonbury Town Council have an emerging Neighbourhood Plan about to be finalised and they have identified suitable sites to supply housing with the consent of the landowners. Once this has been finalised it will go referendum in 2025 for the people to decide.

He also expressed concern about safeguarding the special landscape around Glastonbury Tor. In the future Glastonbury may indeed become a World Heritage Site and therefore it would be desirable to protect the landscape around the Tor.

He further took the opportunity to express that Glastonbury Town would like to lobby for the Community Infrastructure Levy (CIL) rather than S106 contributions.

Serena Roney-Dougal's statement was read out as she was experiencing technical difficulties online. She expressed her concerns that the development was outside the development limit as well as the narrow roads not suitable for a large amount of traffic. The existing traffic already diverted the buses.

She further pointed out that there was no pavement along the side of Old Wells Road leading to the nearest play park for children at the top of the road and more housing at the bottom of the road would be a bad idea.

Lastly, she highlighted the need to safeguard the landscape around the Tor.

Matt Williams, the agent for the application, then spoke highlighting that at the last Committee meeting, the Officer Report had confirmed that the Council's Conservation Officer had no objection and that the landscape architect commissioned by the Council was also satisfied with the scheme. In the latest

Officer Report, a different Conservation Officer and landscape specialist had raised no objection.

He pointed out that, despite Glastonbury Tor being one of the finest heritage assets in the UK, Historic England have maintained no interest throughout the application.

He further pointed out that the Council Officers had confirmed that there were no adverse impacts that significantly and demonstrably outweighed the benefits of the scheme.

At 1.00PM, Councillor Martin Dimery proposed that the meeting should carry on until this agenda item was finalised. This was seconded by Councillor Dawn Denton. On being put to the vote the proposal was carried with 10 in favour and 2 against.

There were further discussions surrounding the preservation of the general character of Glastonbury and the fact that Historic England did not comment on the impact.

Councillor Ros Wyke proposed to refuse the application on the grounds that it was outside the development limit and would have an adverse impact on the landscape resulting in a cumulative change to the general character of the area and an adverse effect on the setting on the national important heritage asset at Glastonbury Tor. This was seconded by Councillor Claire Sully.

On being put to the vote the proposal was carried with 5 votes in favour, 3 against and 3 abstentions.

RESOLVED

Members resolved to **REFUSE** permission on the grounds that the development is located outside of the development limit; and would have a cumulative change to the general character of the area, adversely affecting the setting of the nationally important heritage asset at Glastonbury Tor through development in its setting, which would significantly and demonstrably outweigh the benefits of the scheme.

For: 5
Against: 3
Abstain: 3

23 Appeals Report - Agenda Item 9

The appeals report was noted.

(The meeting ended at 13.25)

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CHAIR