

SEDGEMOOR DISTRICT COUNCIL

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held in the Canalside Centre, Marsh Lane, Huntworth, Bridgwater on Tuesday 28 March 2023 at 9.30am

Councillors	B Filmer (Chairman)	
Present:	T Grimes (Deputy Chairman)	
	A Betty	S Kingham
	B Bolt	M Murphy
	M Facey (AM Only)	K Pearce
	A Glassford	C Riches
	A Hendry	L Scott

Apologies: (No notice received from Cllrs Heywood, Perry or Granter)

71. URGENT BUSINESS

None.

72. PUBLIC SPEAKING TIME

The following persons spoke in respect of the indicated applications: -

Application No	Name	Spoke
02/22/00021	Chris Camp	Against
	Vicky Brice on behalf of Axbridge Parish Council	
	Elizabeth Parker on behalf of Compton Bishop Parish Council	Against
	Ward Cllr Graham Godwin-Pearson	
	Coral Curtis	Agent
37/22/00097	Nayan Gandhi	Agent

53/21/00004	Alan Hurford on behalf of Westonzoyland Parish Council	Against
	Clive Miller	Agent

73. DECLARATION OF INTERESTS

In accordance with the Mandatory Code of Member Conduct, the following declarations of interest were made:

Application No	Name	Nature of Interest	Reason
02/22/00021	Cllr Liz Scott	Other registrable interest	Ward Councillor for this area but took no part in discussions on this application.
17/22/00077	Cllr Charlie Riches	Other registrable interest	Ward Councillor for this area but took no part in discussions on this application.
02/22/00021	Cllrs Bob Filmer & Tony Grimes	Other registrable interest	Within their Somerset County Council Division and declared as Compton Bishop PC had commented on this application but the Councillors had taken no part in discussions on this application.
53/21/00004	Cllr Antony Betty	Other registrable interest	Ward Councillor for this area but took no part in discussions on this application.

Cllrs A Betty, B Filmer, A Hendry, S Kingham, M Murphy, L Scott and C Riches all declared an Other Registrable Interest as they were members of either the Axe Brue or Parrett Drainage Boards.

74. SCHEDULE OF ALLEGED CONTRAVENTIONS

The committee received a copy of the Schedule of Alleged Contraventions statistics sheet and the confidential list of cases with the agenda; no issues were raised.

RESOLVED:

To note the report.

75. MAJOR APPLICATIONS (AM)

Axbridge 02/22/00021 registered 02/11/2022
 Expiry Date 31/01/2023
 (Reserved matters)

Proposal: **Approval of reserved matters, for appearance, landscaping, layout and scale for the erection of 53no. dwellings (30% affordable housing). at Land To The South Of, Houlgate Way, Axbridge, Somerset, BS26** for Bellway Homes (SW) Ltd (agent: Grass Roots Planning Ltd)

The planning officer confirmed that the application had been adjusted a number of times to take into account comments made; including layout changes, lessening the density on the boundary of the site with screening added in response to comments from the Conservation officer, landscaping and play areas and the affordable housing was spread over the site. It was noted that there was a shortfall on parking spaces but this included public parking, however there were no objections from the County Highways Authority.

During discussion, the following concerns were raised:

- The highways and the speed of vehicles but this was not a matter for the applicants and there had been no objection from the County Highways Authority, a S278 process would be needed for the technical details relating to the highways.
- In respect of the Public Right of Way, it was confirmed that it was outside of the red line of the application, therefore the applicant did not need to enhance it, however the local councils could use the CIL contributions if this was a matter they wished to pursue.
- It was confirmed that the play area would be fenced in and 2 sets of gates were planned as the play area is sited near the main road. It was proposed that an additional condition be added to agree alternative access points facing away from the main road.
- The Drainage Strategy had been agreed by the Lead Local Flood Authority and an informative would be added to any permissions advising of the need for land drainage consent.
- The car park would be managed by a private company, however some of the spaces would be for local residents.
- For fencing to be in place until the landscaping is established between the car parking area and the Doctors Surgery, to be added as a condition, details to be agreed.
- There was no local lettings policy for this application and the Affordable Housing Manager was happy with the mix and placement.
- The design of the properties reflected the local materials, impact on heritage and included climate change design. Members did request that further support for biodiversity was needed and for bat and bird boxes to be included as a condition.
- It was proposed to secure a condition relating to the removal of permitted development rights to retain the garages to the proposed scheme as garages to address the limitations to parking.

PROPOSED: Cllr A Hendry

SECONDED: Cllr B Bolt

(For 11, Abstention 1)

RESOLVED:

To Grant Approval of Reserved Matters subject to the following conditions and subject to the additional conditions as detailed by the officer relating to the fencing around the site and between the car parking area and the doctors' surgery, the further detail relating to the play area and the biodiversity enhancements, and removal of permitted development rights in respect of garages the wording of these conditions to be delegated to the Assistant Director (Inward Investment & Growth) to be agreed in consultation with the Chairman and Deputy Chairman of the Development Committee.

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 2 No development shall take place above damp proof course level until samples of the materials to be used on the external surfaces of the dwellings hereby approved, to include windows, doors, walls and roof, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.

Reason: In the interests of visual amenity and to ensure an appropriate response to nearby heritage assets in accordance with Sedgemoor Local Plan 2011-2032 Policies D2 and D26 and Axbridge Neighbourhood Plan Policies HD-3 and H&NE-3.

- 3 Prior to the first occupation of plots 48 or 53 (as indicated on the submitted and approved Detailed Planting Plan 1 of 3 Drg No. 101 rev F), a scheme for the management and maintenance of the landscape planting within these plots shall be submitted to and approved in writing by the local planning authority. The proposed development shall be carried out in accordance with the approved scheme.

Reason: In the interests of protecting the setting of the adjoining listed building in accordance with Sedgemoor Local Plan 2011-2032 Policies D2 and D26 and Axbridge Neighbourhood Plan Policies HD-3 and H&NE-3.

Schedule A

Location Plan Drg No. LP.01 Rev B

Site Layout Drg No. SL.01 rev G

Coloured Site Layout Drg No. CSL.01 G

Affordable Housing Layout Drg No. AHL.01 Rev C

Material Layout Drg No. ML.01 Rev D

Refuse Strategy Layout Drg No. RSL.01 Rev C

Street Scene Drg No. CSS.01 Rev D

Energy Strategy Drg No. ES.01 Rev B

Stationer Bookbinder Floor Plans and Elevations Drg No. 1BM.01 Rev C

The Baker - Floor Plans and Elevations Drg No. HT.BA.pe Rev C
 The Bowyer - Floor Plans and Elevations Drg No. HT.BO.pe1 Rev C
 The Bowyer - Floor Plans and Elevations Drg No. HT.BO.pe2 Rev B
 The Cartographer - Floor Plans and Elevations Drg No HT.CT.pe Rev C
 The Goldsmith - Floor Plans Drg No. HT.GOL.p Rev B
 The Goldsmith - Elevations Drg No. HT.GOL.e1 Rev C
 The Goldsmith - Elevations Drg No. HT.GOL.e2 Rev D
 The Goldsmith - Elevations Drg No. HT.GOL.e3 Rev C
 The Hawthorne - Floor Plans and Elevations Drg No. HT.HAW.pe Rev B
 The Hawthorne - Floor Plans and Elevations Drg No. HT.HAW.pe1 Rev B
 The Jeweller - Floor Plans Drg No. HT.JEW.p Rev B
 The Jeweller - Elevations Drg No HT.JEW.e Rev D
 The Lorimer - Floor Plans Drg No. HT.LOR.p Rev C
 The Lorimer - Elevations Drg No. HT.LOR.e1 Rev D
 The Lorimer - Elevations Drg No. HT.LOR.e2 Rev C
 The Lorimer - Elevations Drg No HT.LOR.e3 Rev C
 The Lorimer - Elevations Drg No. HT.LOR.e4 Rev C
 The Lorimer - Elevations Drg No. HT.LOR.e5 Rev C
 The Mason - Floor Plans and Elevations Drg No. HT.MA.pe1 Rev B
 The Moreton - Floor Plan Drg No. HT.MOR.p Rev B
 The Moreton - Elevations Drg No. HT.MOR.e Rev C
 The Moreton - Floor Plan Drg No. HT.MOR.p1 Rev A
 The Moreton - Elevations Drg No. HT.MOR.e1 Rev B
 The Turner - Floor Plans and Elevations Drg No. HT.TU.pe Rev C
 The Turner - Floor Plans and Elevations Drg No. HT.TU.pe1 Rev A
 The Weaver - Floor Plans Drg No. HT.WEA.p Rev A
 The Weaver - Elevations Drg No. HT.WEA.e Rev B
 Single Garage Drg No. SG.pe Rev A
 Twin Garage Drg No. TG.01.pe Rev B
 Double Garage Drg No. DG.01.pe Rev B
 LAP & LEAP Drg No. 2207.34782 Rev B
 Tree & Hedgerow Retention/Removal & Protection Plan Drg No. BHA_4949_01B_TTP
 Detailed Planting Plans - General Arrangement Drg No.100 Rev F
 Detailed Planting Plans - 1 of 3 Drg No.101 F
 Detailed Planting Plans - 2 of 3 Drg No. 102 F
 Detailed Planting Plans - 3 of 3 Drg No. 103 F

North Petherton 37/22/00097 registered 14/10/2022
 Expiry Date 08/12/2022
 (Full Planning Permission)

Proposal: **Change of use of caravan park to permanent park homes. at Somerset View Caravan Park, Taunton Road, North Petherton, Bridgwater, Somerset, TA6 6NW** for Mr E Fry (agent: Paul Dance Ltd)

The planning officer updated the committee as a letter had been received from the agent who confirmed that the applicant wished to remove holiday use of the site and to be residential only.

During discussion in terms of the type of occupiers of the homes, the committee were informed that the site was for unrestricted occupation and there needed to be evidence provided to address the objections and to support the application.

PROPOSED: Cllr A Betty

SECONDED: Cllr L Scott

(Unanimous)

RESOLVED:

To Refuse Permission for the following reasons:

- 1 The proposed change of use of this holiday caravan site to permanent residential occupation for which no reasonable justification has been provided would result in the provision of 60 new residential units in the countryside, outside the settlement boundary of North Petherton. As such the proposal is contrary to the council's spatial policies for the location of new residential development specifically policies S2 and CO1 of the Sedgemoor Local Plan 2011 to 2032 and the site is not compliant with Policy C03.
- 2 The proposal would result in the unjustified loss of tourism accommodation on a site that is neither adjacent nor well related to an existing settlement. As such proposal is contrary to D17 of Sedgemoor Local Plan 2011 to 2032.
- 3 The proposal by reason of its cramped layout, with the potential for mutual overlooking between the proposed caravans, limited private garden space, and lack of public open space, result in an unacceptable layout and low standard of amenity for the future occupiers of the caravans. As such the proposal is contrary to Policies D2, D25 and D34 of the Sedgemoor Local Plan 2011 to 2032.
- 4 The proposal for 60 new residential units is not supported by an appropriate transport assessment to demonstrate that the existing access arrangements could safely accommodate the increased traffic movements that are likely to result from the proposed change of use. As such the proposal is contrary to D17 of Sedgemoor Local Plan 2011 to 2032.
- 5 No evidence has been provided demonstrate that safe and convenient access would be available for all, including pedestrians, people with disability, cyclists and users of public transport, to ensure that future occupiers of the proposed 60 residential units would have a reasonable range of alternatives to the private motor car to access the services and facilities available in North Petherton. In the absence of such information the proposal constitutes unsustainable development contrary to policies D13 and D14 of the Sedgemoor Local Plan 2011 to 2032.
- 6 The proposal for 60 new residential units would fail to provide adequate parking as required by the Highway Authority's adopted Parking Standards. No evidence has been provided to demonstrate that a lower parking provision is reasonable in this instance. As such the proposal is contrary to policy D14 of the Sedgemoor Local Plan 2011 to 2032 and the adopted parking standards for Somerset.

- 7 The proposal would result in the creation of 60 new residential units without any provision for affordable housing nor reasonable measures to mitigate the impact of increased demand arising from the development on healthcare provision. As such the proposal is contrary to policies S3, D6 and D28 of the Sedgemoor Local Plan 2011 to 2032.
- 8 The proposal is a major development that would see the change of use of this 2 hectare site to residential use and is not supported by any detailed drainage proposals that demonstrates that a sustainable drainage system for surface water could be provided. In the absence of such supporting information, it cannot be demonstrated that future occupiers of the site would be safe from flooding and that flood risk would not be increased elsewhere. As such the proposed is contrary to policy D1 of the Sedgemoor Local Plan 2011 to 2032.

It was noted that Application 45/21/00037 had been withdrawn from the agenda.

76. OTHER PLANNING APPLICATIONS (AM)

Westonzoyland 53/21/00004 registered 04/03/2021
Expiry Date 28/04/2021
(Full Planning Permission)

Proposal: **Retrospective application for the change of use of former runway for storage and blending of horticultural growing media. at Land To The East Of, Runway At Folley Farm, Langport Road, Westonzoyland, Bridgwater, Somerset** for Durston Garden Products Ltd (agent: Clive Miller Planning Ltd)

This application was for an area of the airfield that had been used by a highways contractor and was near to other parts of the site being used. The applicant has stated that the area was needed to blend and bag horticultural growing media which is then taken for storage at Sharpham.

During discussion, it was confirmed that there had been no objections relating to the highways or vehicle movements; additional drainage information had been provided with drainage running towards the north and away from the road and the consultees were now satisfied.

The major issue raised by many was dust management and it was agreed that Conditions 3 and 4 would be amended to reflect the comments and concerns raised.

PROPOSED: Cllr A Hendry

SECONDED: Cllr K Pearce

(For 9, Against 3)

RESOLVED:

To Grant Permission subject to the following conditions and subject to the amendments proposed to the conditions 3 and 4 to address measures relating to dust management, the wording of these conditions to be delegated to the Assistant Director (Inward Investment & Growth) to be agreed in consultation with the Chairman and Deputy Chairman of the Development Committee.

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 2 Notwithstanding the submitted landscaping details, within three months of the date of this decision, a landscape planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved planting scheme shall be implemented no later than the end of the first planting season following approval of the landscaping scheme. The proposed planting scheme shall include a detailed scaled drawing which identifies the proposed green infrastructure and includes a plant schedule and planting specification. The planting schedule shall detail the proposed species, quantities, stock sizes, planting densities and spacings. All landscape areas shall be protected and maintained, and any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species

Reason: To ensure that development sites are appropriately landscaped to provide enhancement of the environment, mitigation for vegetation that is to be removed, to ensure biodiversity is maintained and that planting schemes are established and managed into the future in accordance with Sedgemoor Local Plan 2011-2032 Policy D20.

- 3 No aerosols or odours from the proposed development shall be detectable at the boundary of the nearest residential property.

Reason: To safeguard local residents from disturbance from aerosols and odours from the development in accordance with Sedgemoor Local Plan 2011-2032 policies D24 and D25.

- 4 No fugitive dust emissions from the proposed development shall be detected at the boundary of the nearest residential property

Reason: To safeguard local residents from disturbance from aerosols and odours from the development in accordance with Sedgemoor Local Plan 2011-2032 policies D24 and D25.

- 5 At the proposed access there shall be no obstruction to visibility greater than 900 millimetres above adjoining road level within the visibility splays (that fall within the red line of the application) as shown on the submitted and approved General Arrangement & Visibility Splays Plan Drg No. BTC214048 P_01 Rev P1 (as contained within the Highways Technical Note, Bellamy Transport Ltd, 12 May 2021). Such

visibility splays shall be maintained at all times.

Reason: In the interest of highway safety in accordance with Sedgemoor Local Plan 2011-2032 Policies D13 and D14.

- 6 No external lighting shall be provided, installed or operated in the development, except in accordance with a detailed scheme which shall provide for lighting that is hooded and directional, and has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.

Reason: To protect the character of the countryside and wider landscape in accordance with Sedgemoor Local Plan 2011-2032 Policies CO1, D2 and D19.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising revoking and re-enacting that Order with or without modifications), there shall be no erection of any building, structure or means of enclosure within the application site without the express grant of planning permission.

Reason: In the interest of visual and landscape amenity in accordance with Sedgemoor Local Plan 2011-2032 Policies D2 and D19.

Schedule A

Location Plan Drg No. 01

Cheddar 17/22/00077 registered 07/12/2022
Expiry Date 31/01/2023
(Full Planning Permission)

Proposal: **Erection of detached annex and single storey rear extension on site of existing (to be demolished). at Regina, Round Oak Road, Cheddar, Somerset, BS27 3BP** for Ms Packer (agent: Robinson Clark Ltd)

The planning officer explained that this application had 2 parts to it, one part was for a single storey extension on the main dwelling and also the construction of a single storey annexe with 2 bedrooms and (revised proposal to remove first floor bedroom), this was to be used for the disabled son and a carer, however the Parish Council considered the proposal to be tandem dwelling and was a dwelling in it's own right. The planning officer also updated the committee as a letter from a neighbour had been received stating that their boundaries would be affected and have an impact on the neighbour at the rear.

It was confirmed by the planning officer that they considered that there was a decent distance from the neighbours and there would be no adverse impact on them.

The committee were satisfied and requested that an additional condition be added for this to remain as an annexe.

PROPOSED: Cllr S Kingham

SECONDED: Cllr A Hendry

(Unanimous)

RESOLVED:

To Grant Permission subject to the following conditions and subject to the additional condition as detailed by the officer to ensure that the extension remained ancillary to the main building, the wording of this condition to be delegated to the Assistant Director (Inward Investment & Growth) to be agreed in consultation with the Chairman and Deputy Chairman of the Development Committee.

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to commencement of development hereby permitted the following will be provided in the design of the development:

- a) Suitable roosting provisions for horseshoe bats. The Location of roost entrances and internal details will be set out in the design. Any areas that are accessible to bats must be lined with traditional black bitumen felt (type 1F) to avoid the risk of entanglement of bats. Modern roofing membranes will not be permitted in areas which are accessible to bats. Any timbers that are to be retained and requiring remedial timber treatment should only be treated with 'bat friendly' chemicals (see <https://www.gov.uk/guidance/bat-roosts-use-of-chemical-pest-control-products-and-timber-treatments-in-or-near-them>). A scheme must be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The roosts will be implemented in strict accordance with the agreed scheme and maintained for the exclusive use of bats thereafter

Reason: A pre-commencement condition in the interests of the Favourable Conservation Status of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 4 Prior to commencement of development hereby permitted no works shall commence until:

- i. Construction and demolition operatives have been inducted by a licensed bat ecologist to make them aware of the possible presence of bats, their legal protection and of working practices to avoid harming bats during the removal

of any roofing, fascia or soffit. If bats are found during development at any time, works must cease immediately and the Local Planning Authority must be contacted. Written confirmation of the induction will be submitted to the Local Planning Authority by the licensed bat ecologist within one week of the toolbox talk

- ii. An improved cavity bat box or similar, to accommodate any discovered bat(s), will 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. Any such box will be maintained in-situ thereafter; and
- iii. Works potentially affecting bats will then proceed under the supervision of the licensed bat ecologist.

Reason: A pre-commencement condition in the interests of the Favourable Conservation Status of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 5 All large, glazed areas will be of glazing that limits light spillage so that light levels do not adversely disturb bats and other species using their territory or having access to resting places. Details of the glazing to limit light spillage will be submitted and agreed in writing by the Local Planning Authority prior to the installation. The glazing will be installed as agreed. No other type of glazing shall be used to replace faulty glazing unless it achieves the same or better results in terms of light spill than the agreed specification;

Reason: This is a pre-commencement conditions in the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 6 Prior to the installation of any external lighting, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018), shall be 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 roosting or prevent bats using their territory. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating Lux levels. Lux levels should be below 0.5 Lux. All external lighting shall 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. No other external lighting shall be installed without prior consent from the Local Planning Authority through submission of a planning application.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 7 The planting of 1x high nectar shrub such as Buddleia, which should appeal to night-

flying moths (a key food source for bats) within the curtilage of the dwelling. The Royal Horticultural Society guide, “RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators” provides a list of suitable plants both native and non-native plants.

Reason: In the interests of the ‘Favourable Conservation Status’ of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

Schedule A

Site Location Plan and Existing Plans Drg No. 627/001
Proposed Plans and Elevations Drg No. 627/011 Rev A

77. INFORMATION SHEETS

The committee received 1 information sheet:

- Certificate of Lawfulness Decided
- Planning Appeals Received
- Planning Appeals Decided
- Enforcement Appeals Received

RESOLVED:

To note the Information Sheets.

The meeting ended at 12.30pm

CHAIRMAN