

Minutes of a Meeting of the Planning Committee - South held in the Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT, on Tuesday, 24 October 2023 at 2.00 pm

Present:

Cllr Jason Baker
Cllr Mike Best
Cllr Andy Kendall
Cllr Tim Kerley
Cllr Oliver Patrick
Cllr Martin Wale
Cllr Richard Wilkins

Cllr Steve Ashton
Cllr Henry Hobhouse
Cllr Jenny Kenton
Cllr Sue Osborne
Cllr Evie Potts-Jones
Cllr Mike Stanton

In attendance:

Cllr John Bailey
Cllr Nicola Clark
Cllr Andy Soughton

Cllr Emily Pearlstone
Cllr Tony Lock

29 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors Jeny Snell and Peter Seib.

It was noted that Councillor Mike Stanton was attending as substitute for Councillor Peter Seib and Councillor Richard Wilkins was attending as substitute for Councillor Jeny Snell.

At the start of the meeting Councillor Jason Baker as Chair proposed to the committee that Councillor Oliver Patrick be Vice- Chair for the duration of the meeting. This was unanimously agreed by the committee.

30 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - South held on 22nd August 2023 be confirmed as a correct record.

31 Declarations of Interest - Agenda Item 3

There were no declarations of interest.

32 Public Question Time - Agenda Item 4

There were no questions from members of the public.

33 Planning Application 20/02014/REM - Land at Head Street, Tintinhull, Yeovil, Somerset. - Agenda Item 5

The Planning Officer introduced the application to the committee with the assistance of a powerpoint presentation. He explained the principle of the development had already been established at approval of the outline application at appeal, including details of layout and access. He said this was a reserved matters application, and that the committee were only to consider appearance, landscaping and scale and discharge of the biodiversity condition.

He also provided the following updates:

- Confirmed a suitable phosphates mitigation scheme had been approved and would be secured by a s106 agreement.
- Biodiversity enhancements had been approved.
- The Parish Council still maintained their objection to the scheme but that all other statutory consultees had responded positively.
- The LLFA had approved the drainage requirements as set out in the conditions.
- Scheme would deliver 10 affordable homes and financial contribution for open space provision.

He referred to the key considerations being appearance, landscaping and scale and detailed the reasons for recommending approval and various planning obligations required along with the conditions listed within the report. He also explained that an additional condition be included to control the use of materials.

A representative from Tintinhull Parish Council addressed the committee. Some of her comments included:

- Reiterated the parish council objections to the scheme and that the issues had not been addressed within the reserved matters application.
- There had been no attempt by the applicant to consult with Tintinhull Parish Council since the initial consultation in 2016.
- Local concerns have been overlooked and not considered including highway

safety, egress from the site, lack of parking provision and increase in vehicles within the local area.

- Before any approval this application should be reviewed to further take into account views and concerns of the local community.

The Agent then addressed the committee. Some of his comments included:

- Outline planning permission had already been granted on appeal six years ago.
- Surface water drainage, site layout and biodiversity enhancements had also been approved and that consideration was only for the appearance and scale of buildings and landscaping of the site.
- The proposed scheme reflects a traditional design which is deemed acceptable and has no significant impact on the character of the local landscape of nearby listed buildings.
- The scheme will deliver 28 much needed housing including 10 affordable homes.

Division member Councillor John Bailey addressed the committee. He supported the concerns of Tintinhull Parish Council and felt that substantial time has passed since the original proposal with various further developments adding to an increase in the amount of traffic within in the area and therefore this should be taken into account before approval of this application.

The Planning Officer responded on points of detail and technical questions raised by members including:

- Clarified the shared surface within the site had already been approved at the outline permission stage.
- Affordable housing was to be built and located in one area of the site.
- Explained that the condition regarding electric vehicle charging points could be amended to ensure the provision of suitable ducting of these points.

The Legal Officer also advised members that the principle of the development, layout and access had already been established at the outline approval stage and therefore the issues regarding highway safety and traffic should not be considered under this application.

During discussion member made comments including the following:

- Disappointed the amount of time elapsed since the original outline permission had been granted.
- Felt constrained and felt little could be done to address the issues of traffic and highways as this had already been decided at appeal.

- Considered the proposal to be acceptable in design and layout and that materials can be suitably conditioned.

Following a short discussion, it was proposed by Councillor Martin Wale and seconded by Councillor Mike Best to approve the application as per the officer's recommendation, and with an amendment to condition 06 for the addition to ensure the provision of suitable ducting of the electric vehicle charging points. On being put to the vote this was carried unanimously.

RESOLVED:

That planning application 20/02014/REM for approval of reserved matters pursuant to condition 1 (appearance, landscaping and scale) and condition 5 (biodiversity enhancements) of outline planning approval 16/04608/OUT for the erection of 28 dwellings and associated works at land at Head Street, Tintinhull, Yeovil Somerset be APPROVED, subject to the imposition of suitable conditions, and s106 agreement to secure phosphates mitigation as per the officer recommendation detailed in the agenda report, and an amendment to add to condition 06 to ensure the provision of suitable ducting of the electric vehicle charging points.

(voting: unanimous)

34 Planning Application 22/02240/S73 - Land Os 5439 Part, Townsend Green, Henstridge BA8 0RG. - Agenda Item 6

The Planning Officer introduced the application to the committee with the assistance of a powerpoint presentation. She also provided the following updates:

- Explained the application site was located close to the Dorset border and that additional representations had been received, but nothing further had been raised that was not already included within her report.
- Explained Condition 10 and details of the proposed pedestrian improvements and proposal to varying part (iii) of this condition.

The Highways Officer then proceeded in detail to explain the history, role of the Highway Authority and what plan was now proposed under this application.

The Planning Officer with the aid of a slide explained the revised wording requested to be less specific to the original traffic light scheme. She referred to the key considerations being highway safety and possible alternative suggestions. She said the principle of development had already been established and that the reserved

matters were still extant. She detailed the reasons for approval along with the amendment to condition 10 (iii) and subject to the conditions as listed within the report.

Five members of the public addressed the committee in objection to the application. Some of their comments included:

- The position of the proposed yellow boxes scheme would have a negative impact on the existing housing residents on the High Street as they would be unable to allow vehicles to service these houses as vehicles would need to park some distance away.
- The proposed system would increase gridlock through the village as vehicles would have to wait to pass or squeeze into tighter spaces.
- Questioned who had priority of the yellow boxes and who would enforce it.
- The existing narrow road is already very dangerous, and the proposal does not prevent vehicles from mounting the kerb.
- The proposal does not provide a safe footway or pavement for pedestrians and poses significant highway safety concerns.
- Believe this proposal does not fulfil the Inspectors' requirements.
- Will create a 'rat run' for other roads as vehicles will look to avoid congestion this scheme would create.
- This scheme should have been sorted and agreed prior to the original approval.
- Concern regarding emergency vehicles getting stuck created from the gridlock.
- Do not believe this will safeguard pedestrian safety and that there is a Human Right and an obligation on the developer to ensure this is delivered.

A representative from Henstridge Parish Council addressed the committee. Some of his comments included:

- The original application had only been approved at appeal in 2018 due to the Council being unable to identify a five-year housing land supply.
- The High Street is very narrow with visible evidence of damage to the linings of the road.
- Lack of footpaths and the houses on the High Street open directly into the road with insufficient space for safe pedestrian access.
- Referred to the original appeal Inspector's decision and that the original scheme for pedestrian improvement as set out in the condition would be necessary under the interest of highway safety and accessibility.
- This proposed amended scheme does not achieve the safety envisaged or address the concerns of the residents.

The Divisional Member Councillor Nicola Clark also addressed the committee and voiced her objection to the application. Some of her comments included:

- Henstridge was a small village which sits on essentially a haulage route with large HGV and farming vehicles constantly using this route.
- There is inadequate pedestrian access, and this revised plan does not provide a safe alternative.
- This revised scheme would create frequent queuing traffic compounded by large approaching vehicles and inadequate passing spaces.
- The villagers should be supported and be provided with a safe and pedestrian access for all.
- The appeal was granted within these conditions and therefore they should not be allowed to change.

The Applicant then addressed the committee. Some of his comments included:

- This revised application had come about due to the mutual review and practicality of what was approved by the Inspector.
- They had worked with all officers and the Highway Authority to deliver this proposal and ensuring this scheme is deliverable.
- Not seeking to renegotiate the s106 and still would deliver the much-needed affordable housing and other associated benefits this scheme will deliver.

The Planning Officer and Highways Officer responded on points of detail and technical questions raised by members including:

- Explained the reason why this application had come forward, and the consequences should members be minded to refuse the application in light of no objection from the Highway Authority.
- Referring to the plans, clarified the proposed route for construction vehicles under the construction management plan.
- Confirmed the distance between the two yellow boxes was 21 metres.
- Explained the reasons and advice presented from the Highway Authority and that this alternative scheme was therefore acceptable in highway terms.
- Understood these alterations would not produce any additional air or noise pollution levels.
- Explained the original proposed scheme and that it would only allow for one direction of traffic at any one time.
- Clarified the type of vehicles that are exempt from parking on yellow boxes and confirmed that delivery vehicles are not exempt.
- Reminded members that they need to consider this application and not any possible alternative solutions.

The Legal Officer also advised members of the wording of the condition that had been agreed at appeal which provided for the submission of a detailed scheme for

approval by the local planning authority prior to commencement of development. Such scheme should have regard to a signal-controlled priority arrangement along A357 High Street including footway provision. He also explained the three options available to members were essentially to approve, refuse or defer the application.

During discussion members made comments including the following:

- Acknowledged the Highway Authority considers this revised scheme to be acceptable, but uncertain it meets the expectations of the Planning inspector.
- Believe the Inspector made the decision with the original conditions and that these should not be changed.
- To impose yellow boxes in a what is essentially an urban style arrangement in what is at rural narrow village street is unacceptable.
- Would increase congestion and conflict between vehicles and pedestrians.
- Do not believe the yellow boxes would stop the thought process of many drivers and that the rules will not be adhered too.
- The inability to enable people to stop outside their own homes where there is no secondary route is unsafe.
- People have the right to feel safe in their homes and this scheme does not provide a safe and convenient access for both local pedestrians and transport.
- Felt that deferral of the application should be considered in order to allow for a more acceptable scheme to come forward.

Following a further discussion regarding the proposal to refuse the application the meeting was adjourned for a few minutes so that the reasons for refusal could be clarified.

On reconvening the meeting, it was proposed by Councillor Henry Hobhouse and seconded by Councillor Sue Osborne to refuse the application for the following two reasons:

1. The proposal fails to secure inclusive and safe convenient access on foot, cycle by public and private transport that addresses the needs for all contrary to Policy TA5.
2. The proposed Yellow Box system fails to provide the ability to enable people to stop in a safe manner outside the houses situated on the high street where there is no secondary route into these houses contrary to Policy TA5.

Before the vote was taken, a further discussion took place to consider deferral of the application and advice was given by both the Planning Officer and Legal Officer regarding the possible outcomes of a deferral.

Following this discussion Councillor Sue Osborne withdrew her proposal to second the refusal. Following advice from the Legal Officer with reference to the Constitution the proposal to refuse the application was taken to the vote and was carried by 9 votes in favour, 3 against and 0 abstentions.

RESOLVED:

That planning application 22/02240/S73 to vary Condition 10 point iii (scheme for pedestrian improvements) of Condition 10 of Approval 17/03029/OUT (Inspectorate ref: APP/R3325/W/18/3197690) for the Outline planning application for up to 130 dwellings with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access point from Woodhayes Way at Land Os 5439 Part, Townsend Green, Henstridge, Templecombe, Somerset, BA8 0RG be REFUSED permission, contrary to the officer recommendation, for the following reason:

1. The proposal would lead to increased congestion within the village, resulting in conflict between larger vehicles and between vehicles and pedestrians which would not improve overall pedestrian safety; would fail to secure inclusive, safe and convenient access on foot, cycle, and by public and private transport that addresses the needs for all; and would not maximise the potential for sustainable transport. As such, the proposal would be contrary to Policy TA5 of the South Somerset Local Plan (2006-2028) and relevant guidance within the NPPF to promote sustainable transport, in particular paragraphs 111 and 112.
2. The proposed Yellow Box system fails to provide the ability to enable service and other delivery vehicles to stop in a safe manner outside the houses situated on the High Street where there are no secondary routes into those houses, thereby resulting in unacceptable inconvenience to occupiers of those dwellings and thus contrary to Policy TA5 of the South Somerset Local Plan (2006-2028)

(voting : 9 in favour, 3 against, 0 abstentions)

35 Planning Application 23/02106/HOU - Isle House, Muchelney Road, Muchelney, Langport TA10 0DP. - Agenda Item 7

The Planning Officer introduced the application to the committee with the assistance of a powerpoint presentation. He explained the sole reason the application had been brought to committee was due to the fact the applicant was directly related to a member of the Council's Senior Leadership Team. He also confirmed no objections had been received, however three neighbour representations of support had been submitted.

The Planning Officer explained the proposal was deemed to be acceptable in all regards and the recommendation was for approval.

The Applicant then addressed the committee. Some of his comments included:

- Reiterated that the only reason the application was before committee was due to the fact he was related to a senior officer of the Council.
- The Planning Officer's recommendation was for approval of the application.
- Application had full support from the local village residents.

There being no debate, Councillor Henry Hobhouse proposed to approve the application, as per the officer's recommendation as set out in the agenda report, this was seconded by Councillor Tim Kearley. On being put to the vote this was carried unanimously.

RESOLVED:

That planning application 23/02106/HOU for the demolition of garage and replacement with 2 storey extension for an annex to provide multi-generational living accommodation at Isle House, Muchelney Road, Muchelney, Langport, Somerset TA10 0DP be APPROVED as per the officer recommendation detailed in the agenda report.

(voting: unanimous in favour)

36 Appeal Decisions (for information) - Agenda Item 8

Members noted the planning appeals.

(The meeting ended at 4.33 pm)

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CHAIR