

Public Agenda Pack



Minutes of a Meeting of the Planning Committee - North held in the Sedgemoor Room, Bridgwater House, King Square, Bridgwater, TA6 3AR, on Tuesday, 13 February 2024 at 2.00 pm

Present:

Cllr Kathy Pearce (Chair)

Cllr Matthew Martin (Vice-Chair)

Cllr Alan Bradford

Cllr Bob Filmer

Cllr Pauline Ham

Cllr Mike Murphy

Cllr Hilary Bruce

Cllr Tony Grimes

Cllr Alistair Hendry

Cllr Brian Smedley

74 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors Brian Bolt and Gill Slocombe, Councillor Lance Duddridge attended as substitute for Councillor Slocombe.

75 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - North held on 16 January 2024 be confirmed as a correct record. Councillor Filmer requested that Proposers and Seconders of applications be recorded and the Chair of the committee agreed that this would be actioned for future minutes.

76 Declarations of Interest - Agenda Item 3

Councillor Matt Martin declared a pre-determination in Application 50/20/00054 as he had made comment on the proposal previously.

Councillors Bob Filmer, Alistair Hendry, Alan Bradford, Lance Duddridge and Hilary Bruce all declared an Other Registrable Interest as they were members of an Internal Drainage Board but took no part in discussions on these applications.

77 Public Question Time - Agenda Item 4

Details of public speaking are captured under the minutes of the appropriate application.

78 Major Planning Application 36.22.00024 Inwood Farm, Cannington Road, Nether Stowey, Bridgwater, TA5 1HY - Agenda Item 5

The planning officer requested that the committee defer this application as it had come to light that the description of the application was incorrect and that this had resulted in a material change therefore the application would need a re-consultation.

The Chair Councillor Pearce proposed the deferment and this was seconded by Councillor Martin.

Resolved:

To defer the application for further information and to allow a period of re-consultation for any material changes made to the application.

(Unanimous)

79 Major Planning application 50.20.00054 Land At, Combe Batch, Wedmore, Somerset, BS28 - Agenda Item 6

Councillor Matt Martin left the room before consideration of this application as he had declared himself to be pre-determined.

The planning officer introduced the application to the committee with the assistance of a power point presentation. She confirmed that members of the committee had undertaken a site visit the previous week due to the lag in time for the application to be considered. The proposal was a hybrid application with the full application for the erection of 26 dwellings with the formation of access, open space, landscaping and parking and an outline application for 4 self build plots. The application had been deferred from the committee in July 2023 to consider various issues and the agent provided additional information relating to materials to be used, planting plan, pedestrian links from the site to the surrounding area and changes to the properties at the front of the site with chimneys added, therefore the application was re-advertised in August 2023.

The committee were addressed by 5 residents in opposition to the application and

their comments included:

- Land needed to be protected for wildlife and open land, and compliance with Biodiversity Net Gain
- No community or Parish Council support
- Combe Batch is not suitable for pedestrians and access has poor visibility and on the brow of a hill
- Flood and drainage issues
- This site was not put forward in the Neighbourhood Plan for development as other sites more suitable
- No further need for Affordable Housing in Wedmore
- Wedmore is not a sustainable place to live
- Prominent site into the village and would have an adverse impact on the village and surrounding area, land undulates
- Design did not meet the local character
- No safe access to the village or pavements in the area
- Damage to an ancient hedge and ecology will be affected

A letter was read out from an ex-Sedgemoor District Councillor and a representative from the Parish Council also spoke who reiterated the above points especially not meeting the local infrastructure policies.

The committee then heard from the planning agent for the application who stated that the proposal would be a betterment to Wedmore, Housing Needs Assessment proves affordable housing needed and for smaller houses. A new pavement will be provided and it was considered that there would be low visual impact on the surrounding area and that the listed buildings would not be impacted. The properties would be sustainable and the 4 self-build properties element reflected the local self-build list. There were appropriate conditions proposed.

Officers responded to matters arising from comments made and clarified the following:

- That the Biodiversity Net Gain legislation only came into force on Monday 12 February 2024 and will apply to major applications received after this date.
- The application complies with the Housing Needs Assessment which was compiled independently from the Council although the Affordable Housing Manager agreed the findings; however Members were reminded that the assessment was always a snapshot in time
- Drainage and flood risk were conditioned and agreed by the Lead Local Flood Authority
- Combe Lane amendments will be added to the Heads of Terms if the application is approved.
- Heritage statement reflected in design of development.

- The hedge is proposed to be translocated, however if this fails, then this was covered by landscaping conditions.
- The Highways Officer confirmed that works to highways would be subject to legal agreements as would drainage to the roads to be adopted through a S38 agreement.
- Visibility splays and junctions agreed as this was for a 30mph speed limit, street furniture and lighting would also be agreed prior to the occupation of any properties.
- The Heritage statement reflected the design features of the surrounding and proposed development.

During discussion, varying views were expressed by Members, including land levels of the site, impact on character of the area and visibility issues with the highway access to the site.

At the conclusion of the debate, the proposal to recommend approval with the additional heads of term for the contribution was put to the vote by Councillor Pearce and seconded by Councillor Smedley, however the vote was lost by 2 in favour, 4 votes against and 4 abstentions.

It was subsequently proposed by Councillor Filmer and seconded by Councillor Grimes to recommend refusal of the application for the following reasons: Due to the adverse impact on the street scene, character and setting of the area and particularly the transitional nature of the entrance to the village and in terms of design the impact on its character.

On being put to the vote, the proposal was carried by 7 in favour, 2 votes against and 1 abstention.

Resolved:

That application 50/20/00054 be refused permission for the following reasons: It was considered that the proposal would have an adverse impact on the street scene, character and setting of the area and particularly the transitional nature of the entrance to the village and in terms of design the impact on its character.

It was considered that the application was contrary to Policies D2 and D26.

Refusal reasons to be delegated to the Service Director and in conjunction with the Chair of the committee and the proposer of the resolution.

(For 7, Against 2, Abstention 1)

Councillor Lance Duddridge left the meeting and Councillor Martin returned to the meeting both before the consideration of the following applications.

The planning officer introduced the Habitats Regulations Assessment that the committee needed to endorse on the basis that the proposed development would not have an adverse impact on the integrity of a European site.

The committee were advised that there had been some concerns about bats and Ecology, however a number of conditions were proposed including the protection of bat routes from excess lighting and hedges to remain in place.

The recommendation was proposed by Councillor Pearce and seconded by Councillor Bradford and the vote was unanimously in favour.

Resolved:

That the Habitats Regulation Assessment Report dated September 2023 and associated provision be endorsed by the Development Committee, as the competent authority. In reaching the decision to agree the Habitats Regulation Assessment, the Council considers that the proposed development, if approved, would not have an adverse impact on the integrity of a European site.

81 Planning Application 45.20.00019 Higher Halsey Cross Farm, Radlet Road, Spaxton, Bridgwater, Somerset, TA5 1JA - Agenda Item 8

The planning officer introduced the application to the committee with the assistance of a power point presentation, He provided confirmation that the footpath would be diverted around the site, a new access would be created to the dwelling and that the hedge would be retained. The officer considered that the design of the dwelling was suitable, although there would be a visual impact as a result of the siting on the opposite side of the highway to the main holding.

The committee were addressed by a supporter of the applicant who stated that they considered that the proposed dwelling was required to be close to the animals as the applicants had a duty of care to them but a buffer zone was required for Health and Safety and biosecurity.

The Division Member Councillor Caswell was also in support of the application as it was considered that there would be no adverse impact on the area, highways and the dwelling was needed for the family.

The agent addressed the committee explaining that the size of the dwelling had been reduced and there would be no adverse visual impact on the landscape and that there was an essential need for the dwelling.

During discussion, Members made the following points:
That they considered there was a functional need for the new dwelling
That there would not be any adverse impact on the highways
The design of the property reflected the rural nature of the area
Suggest that additional landscaping especially trees could be conditioned
That the footpath diversion should be conditioned

It was therefore proposed by Councillor Hendry that the application be approved subject to conditions to be agreed but to include conditions relating to the plans, agricultural occupancy, time, ecology, hedgerow protection, visibility splay, materials, control on additional trees, lighting, landscaping and footpath diversion. This was seconded by Councillor Bradford.

On being put to the vote, the vote was unanimously supported.

Resolved:

That Planning Application 45/20/00019 be approved as the committee considered that the proposal would not result in an adverse visual impact and would be in character in the local landscape and would not be contrary to Policies D2 and D19 of the Sedgemoor Local Plan. Conditions to be delegated to the Service Director to be agreed in conjunction with the Chair and Vice-Chair of the committee; these conditions to include plans, agricultural occupancy, time, ecology, hedgerow protection, visibility splay, materials, control on additional trees, lighting, landscaping and footpath diversion.

82 Planning Appeals - Agenda Item 9

To note the report on the Planning Appeals Received in January 2024.

(The meeting ended at 4.58 pm)

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CHAIR