

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, 5 March 2024 at 2.00 pm

Present:

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

Cllr Dawn Denton	Cllr Martin Dimery
Cllr Susannah Hart	Cllr Bente Height
Cllr Martin Lovell	Cllr Claire Sully

11 Apologies for Absence - Agenda Item 1

9

Apologies for absence were received from Councillors Adam Boyden, Barry Clarke, Helen Kay and Tony Robbins. Councillor Philip Ham substituted for Councillor Clarke and Councillor Shane Collins substituted for Councillor Helen Kay. Councillor Alex Wiltshire was also absent.

12 Minutes from the Previous Meeting - Agenda Item 2

0

The Committee was asked to consider the Minutes of the meeting held on 6 February 2024.

Councillor Edric Hobbs proposed and Councillor Bente Height seconded that they be accepted. These Minutes were taken as a true and accurate record and were approved.

12 Declarations of Interest - Agenda Item 3

1

There were none.

12 Public Question Time - Agenda Item 4

2

There were none.

12 Planning Application 2021/2413/FUL - Land At 352613 133868,
3 Baltonsborough Road, Butleigh, Street, Somerset - Agenda Item 5

Erection of 37 no. dwellings (Use Class C3) and a cafe/work hub (Use Class E) with associated access, parking and landscaping (resubmission of 2020/2674/FUL).

The Officer's Report stated that this application proposed a new residential development (major application) outside of settlement limits. The officer recommendation was for approval and, therefore, the application was referred to Planning Committee as a departure from the local plan.

The Report continued that the 11.8-hectare site was land in agricultural use (grade 3b, not best and most versatile) and consisted of a field located on the north-eastern side of the village of Butleigh. The village was identified as a primary village and therefore included a development boundary. The site was outside this boundary and separated from the village by a hall and recreation field. Also noted within the Officer's Report were the following points:

- The proposed development would deliver 37 homes, of which 11 would be affordable.
- It would also deliver 205sqm of café and work hub units and an uplift in biodiversity.
- The site was located in "open countryside" for the purposes of the spatial strategy, an area where development is to be strictly controlled.
- The Council was unable to demonstrate a five-year supply of housing site in the Somerset East area with a shortfall of 1,201 homes against the requirement of 3,414.
- Highways, phosphates, odour and flood risk issues had been addressed through the planning application process.
- There are both benefits and harms to this application, which had been weighed up.

In conclusion, the Planning Officer stated that the overall benefits arising from the proposed development were considered to be significant. This is largely due to the contribution to the overall supply of housing, including both market and affordable housing and accounting for the shortfall in supply that currently exists in the Somerset East area. The benefits from the provision of a large amount of public open space was also considered to be significant. The high-quality design & materials and the economic development and biodiversity benefits have also been factored in.

Overall, the harms arising from the proposed development were considered to be moderate. The 'tilted balance' was engaged which meant that the application should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This is despite the fact that the proposed development does not accord with the local plan.

In conclusion, the Officers considered that the adverse impacts were not considered to significantly and demonstrably outweigh the benefits. Therefore, the recommendation was that planning permission should be granted.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation. He then gave a verbal update on 4 further planning conditions that were to be added into those in the report pack.

The Committee was then addressed by an objector to the application. She made the following comments:

- The tilted balance is subjective and Members should make their own decision on this.
- The housing numbers within the village have already been met and there are 4 more applications currently outstanding.
- The development is not an organic extension of the village. The edge is clearly defined and this will cause a split within the village.
- 37 more houses would be disproportionate growth.

A representative of Butleigh Parish Council was the next to speak. His comments included:

- The Parish Council opposes the development.
- There are existing planning applications for 32 houses in Sub Road which already takes the number of new homes built in Butleigh well over the amount allocated.
- There is surface water flooding at the site.
- Flooding is an issue for Butleigh residents and some have been flooded 3 times already this winter.
- At peak school hours there are large numbers of vehicles entering the village causing large backups and making the High Street very difficult to negotiate.

The final speaker was a representative of the applicant. He noted the following:

- The scheme would provide much needed housing for the district including 11

affordable homes.

- It is a well-designed and high-quality scheme which will be constructed from local stone with excellent insulation, air source heat pumps and EV charging points.
- The provision of a café will promote walking and foster a good sense of community.
- There will be native hedgerows, trees, flora and fauna.
- The development will safeguard the future of the local school.
- The developers are committed to the S106 contributions.
- All consultees were satisfied and raised no objections.

In the discussion which followed the Legal Advisor began by reminding Members about the tilted balance situation, where due to a lack of housing land supply the National Planning Policy Framework (NPPF) makes it clear that applications should be approved unless the adverse impacts significantly and demonstrably outweigh the benefits of the proposal. Members then made a number of comments including the following:

- Concerns with the capacity of the sewage system. The pumping station is already at capacity. The local rivers are not in good condition and concerns about sewage overflows. Lack of a response from Wessex Water makes it difficult for the Committee to make a decision.
- The roads into the village are single track. There are few pavements, street lights or public transport. How is it sustainable?
- Concerns with the impact of the warmer, wetter climate and increased flood risk.
- There has been a lot of public objection to the scheme and the Parish Council does not support it.
- There are outstanding planning applications for 32 houses in the village. This seems an unnecessary development.
- Concerns about potential sewage odour.
- Pleased that the proposal includes solar panels, air source heat pumps etc.
- Development in Butleigh seems disproportionately high.
- How will the trees be maintained?
- There should be more single storey homes.
- Concern about the effect of the lighting facing the agricultural land on the local bat population.
- Will a café on site be viable? Concern it may end up a disused building.

In response to queries raised, the Planning Officers advised the following:

- Although the development is outside the settlement boundary, the village has

been identified as a primary settlement and therefore is in a sustainable location.

- Planning Officers do not consider that the additional houses would represent disproportionate growth to the village.
- Wessex Water have not objected due to concerns regarding the sewage. There were initial concerns regarding odour, but following discussions between the applicant and sniff tests, Wessex Water agreed that the modelling supplied by the applicant was correct and would not cause an odour problem.
- No flooding concerns from the Internal Drainage Board.
- Maintenance of the planted trees will be controlled by the S106 agreement and any trees that fail within an agreed time will be replaced.
- An additional condition will be applied to protect the bats.
- The use of the space allocated to the café and workspace will be controlled by the S106 legal agreement.
- Without objections from the statutory consultees, it will be difficult to refuse the application on these grounds.
- Sewage overflows are not a planning consideration. If the developer is granted planning permission, they have the right to connect to the sewage system.

At the conclusion of the debate, it was proposed by Councillor Claire Sully to refuse the application, contrary to the Officer's recommendation for reasons of disproportionate growth, loss of agricultural land and the lack of information on the capacity of the sewage system. This was seconded by Councillor Philip Ham.

On being put to the vote, the proposal received 3 votes in favour, 3 votes against and 4 abstentions. The Chair had the casting vote in which he voted against refusal and the motion was therefore lost.

It was then proposed by Councillor Edric Hobbs and seconded by Councillor Bente Height to approve the application in accordance with the Officer's recommendation with the revised and additional conditions.

On being put to the vote the proposal was carried with 5 votes in favour, 3 against and 2 abstentions.

RESOLVED

That planning application 2021/2413/FUL be **APPROVED** in accordance with the Officer's recommendation with amendments to revise Conditions 4 (Surface Water Drainage) and 16 (Construction Management Plan) and additional Condition 17

regarding access visibility, Condition 18 regarding construction of the access, Condition 19 regarding visibility at the pedestrian access, Condition 20 regarding cycle and storage parking and Condition 21 regarding the lighting scheme for the protection of bats.

Votes – 5 in favour, 3 against and 2 abstentions

**12 Planning Application 2023/2277/HSE - Canada House, Station Road to West
4 Lane, Alhampton, Shepton Mallet, Somerset - Agenda Item 6**

Proposed garage extension to replace existing lean-to car port. Proposed infill rear extension joining workshop to dwelling. New roof over existing workshop and lean-to.

The Officer's Report stated that the applicant was an employee of Somerset Council and, as the recommendation was for approval, the application had been referred to the Planning Committee for probity reasons.

The application sought consent to construct a garage extension replacing the existing lean-to car port to the front elevation of the property and to construct an infill extension (joining workshop to dwelling) to the rear elevation and adding a new roof over existing workshop and lean-to conservatory.

In summary, the Planning Officer stated that the proposal was considered acceptable in visual terms, it did not harm the amenities of the adjoining residential neighbours and the means of access and parking were acceptable to maintain highway safety standards. The recommendation was therefore for approval.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

There were no speakers registered for this application.

In the brief discussion which followed, it was noted that the Division Member had no issues with the application and that it had only been brought to Planning Committee for probity reasons.

It was proposed by Councillor Edric Hobbs and seconded by Councillor Claire Sully to approve the application in accordance with the Officer's recommendation.

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

RESOLVED

That planning application 2023/2277/HSE be **APPROVED** in accordance with the Officer's recommendation.

Votes – Unanimous in favour

Following the conclusion of this item, the Chair agreed to amend the order the agenda but for ease of reference, the minutes remain in the original agenda number order. The revised order of the agenda items was 12, 13, 10, 11, 15, 7, 8, 9 and 16.

12 Planning Application 2023/2217/HSE - 10 Lewmond Avenue, Wells, Somerset - 5 Agenda Item 7

Two-storey rear extension (retrospective)

The Officer's Report stated that the applicants were relatives of an elected member of Somerset Council and, as the recommendation was for approval, the application had been referred to the Planning Committee for probity reasons.

The Report continued that the application was for retrospective consent for a two-storey extension to the rear of the property. The application form stated that the work had commenced on this extension on 01.11.23.

In summary, the Planning Officer stated that the proposal by reason of its design, siting, scale, massing, layout and materials was acceptable and contributed to the local context and maintained the character and appearance of the surrounding area. Also, it would not cause significant harm to the amenities of any occupiers or adjacent occupiers through overshadowing, overbearing impact, loss of privacy, noise, or other disturbance and was therefore recommended for approval.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

The Team Leader – Development Management then advised the Committee that 2 local residents had made representations to the Council, but that consultation was ongoing. Therefore, any decision made at the Committee today would be dependent on no new issues being raised from the current consultation process, which was due to expire on 19.03.23.

There were no speakers registered for this application.

Some Members commented that it was regretful that the application was for retrospective planning permission, but it was proposed by Councillor Susannah Hart and seconded by Councillor Shabe Collins to approve the application in accordance with the Officer's recommendation.

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

RESOLVED

That planning application 2023/2217HSE be **APPROVED** in accordance with the Officer's recommendation, subject to no new issues being raised from the ongoing consultation process (expiring 19.03.2024)

Votes – 7 in favour, 2 against and 1 abstention

12 Planning Application 2023/1679/RE3 - Marston Roundabout, Frome, Somerset **6 - Agenda Item 8**

Erection of advertisement/sponsorship 4no. hoarding signs on roundabout.

Before this agenda item was discussed, Councillor Claire Sully left the meeting.

The Officer's Report stated that the applicant was the Council and that the land on which the proposed signage was to be erected was in the control of the Highway Authority (i.e. the Council). For these reasons and in accordance with the scheme of delegation, the application was referred to Planning Committee for consideration.

The application site comprised a traffic roundabout on Marston Road leading into Frome and permission was being sought to erect of 4 advertisement /sponsorship hoarding signs on roundabout.

In summary, the Planning Officer stated that the proposed signs raised no adverse public safety nor amenity concerns and, therefore, the application was recommended for approval.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

There were no speakers registered for this application.

Members discussed the visual clutter that the addition of the advertising boards would cause. They considered these would also cause distraction to motorists trying to negotiate the roundabout and, therefore, highway safety was at risk.

At the conclusion of the debate, it was proposed by Councillor Shane Collins and seconded by Councillor Bente Height to refuse the application contrary to the Officer's recommendation due to the impact on visual clutter and highway safety.

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

RESOLVED

That planning application 2023/1679/RE3 be **REFUSED** contrary to the Officer's recommendation due to concerns for public safety for users of the highway and the resulting visual clutter caused by the installation of the signs.

Votes – 7 in favour, 1 against and 1 abstention

- 12 Planning Application 2023/1851/RE3 - Land At 362482 154962, Rush Hill,**
7 Ston Easton, Wells, Somerset - Agenda Item 9

Erection of a single advertisement/sponsorship hoarding signs on the triangle junction between the A37 and A39.

The Officer's Report stated that the applicant was the Council and that the land on which the proposed signage was to be erected was in the control of the Highway Authority (i.e. the Council). For these reasons and in accordance with the scheme of delegation the application was referred to Planning Committee for consideration.

The application site comprised a triangular parcel of land at the junction between the A37 and A39. This application sought permission to erect an advertisement/sponsorship hoarding sign on this parcel of land.

In summary, the Planning Officer stated that the proposed signage raised no adverse public safety nor amenity concerns and therefore the application was recommended for approval.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

There were no speakers registered for this application.

In the discussion which followed Members noted the following:

- There were no speed cameras at this junction and vehicles including HGVs travelled very fast along the road.
- Advertisements at fast junctions such as this should be avoided as they are a distraction to drivers.
- The visual amenity of the area would be affected as the junction is in a very rural location.

At the conclusion of the debate, it was proposed by Councillor Susannah Hart and seconded by Councillor Edric Hobbs to refuse the application contrary to the Officer's recommendation for highway safety and visual amenity reasons.

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

RESOLVED

That planning application 2023/1851/RE3 be **REFUSED** contrary to the Officer's recommendation due to concerns for public safety for users of the highway and the impact on the visual amenity.

Votes - Unanimous

- 12** **Planning Application 2023/0152/FUL - Cold Harbour Farm, Withy Wood Lane,**
8 **Cranmore, Shepton Mallet, Somerset - Agenda Item 10**

Internal alterations and the conversion of 3 associated outbuildings to ancillary residential use.

The Officer's Report stated that this application had been referred to the Planning Committee at the request of the Chair. It related to a Grade II listed farmhouse and the application site consisted of an L-shaped farmhouse, an attached annex/carport building, and ancillary buildings (the barn and stables). The application sought full planning permission for internal alterations and the conversion and alteration of 3 associated outbuildings to ancillary residential use. The Report continued that, during the lifetime of the application, the plans had been amended in light of concerns regarding conservation. Most of these concerns had been addressed in the

amended plans.

In summary, the Planning Officer stated that they considered that the amended proposals were consistent with the aims and requirements of the primary legislation and planning policy and guidance. The proposals would preserve the significance of the listed building, thereby resulting in less than substantial harm to the significance of the designated heritage asset. Therefore, both this, and the Listed Building application 2023/0153/LBC, were recommended for approval.

The Planning Officer explained both applications to the Committee with the aid of a PowerPoint presentation.

The Committee was then addressed by the planning agent. He said that the Planning Officer had provided a very comprehensive report and he welcomed the recommendations to approve. There was an extant permission for the previous owners which had had officer support and approval and hoped the Committee would also approve.

In the discussion which followed Members noted that there was extant permission. One Member said the roof lights should not be permitted and another was concerned about making alterations to existing walls.

At the conclusion of the debate, it was proposed by Councillor Edric Hobbs and seconded by Councillor Shane Collins to approve the application in accordance with the Officer's recommendation.

On being put to the vote the proposal was carried with 8 votes in favour, 1 vote against and 1 abstention.

RESOLVED

That planning application 2023/0152/FUL be **APPROVED** in accordance with the Officer's recommendation.

Votes – 8 in favour, 1 against and 1 abstention

- 12 Planning Application 2023/0153/LBC - Cold Harbour Farm, Withy Wood Lane,**
9 Cranmore, Shepton Mallet, Somerset - Agenda Item 11

Internal alterations and the conversion of 3 associated outbuildings to ancillary residential use.

This application was discussed with the previous agenda item 10, as it was the Listed Building Consent application for the same location.

At the conclusion of the debate, it was proposed by Councillor Edric Hobbs and seconded by Councillor Shane Collins to approve the application in accordance with the Officer's recommendation.

On being put to the vote the proposal was carried with 8 votes in favour, 1 vote against and 1 abstention.

RESOLVED

That planning application 2023/0153/LBC be **APPROVED** in accordance with the Officer's recommendation.

Votes – 8 in favour, 1 against and 1 abstention

13 Planning Application 2023/2304/FUL - Tilham Farm, Tilham Lane, 0 Baltonsborough, Glastonbury, Somerset - Agenda Item 12

Demolish Barn B and erection of 4 x 1-bed residential dwellings.

The Officer's Report stated that this application was for a new residential development outside of settlement limits. The officer recommendation was for approval and, therefore, in accordance with the scheme of delegation the application was referred to Planning Committee as a departure from the local plan.

The application sought full planning permission to demolish the barn and to erect 4 one-bed dwellings.

In summary, the Planning Officer stated that whilst the site was located outside the settlement limits it had the benefit of an extant approval to form four dwellings under LPA case ref: 2022/1619/PAA. The height, scale and massing of the proposed new dwellings was reflective of the approved scheme. The new build development was considered acceptable and raised no new amenity, highway or ecological impact issues over and above the scheme already approved. The application scheme had not identified any demonstrable harm and, given the fallback position, the proposals were considered to be acceptable as a departure from the development plan. The application was therefore recommended for approval.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

The Chair then read out a statement from an objector to the application. In it he made the following comments:

- If approved, the site will have developed from a single farmhouse to a hamlet of 8 dwellings in 15 years.
- The proposed access and refuse bin collection point on Ham Street will greatly affect his property.
- The speed and volume of traffic on Ham Street is greater than the alternative access point onto Tilham Street.
- It would make more sense for the domestic waste storage to be at the Tilham Street access point rather than Ham Street as it is much closer to the proposed development.
- The development would cause noise and pollution which would impact the amenity of his property.

Next to speak was the agent. He made the following points:

- The proposal would provide 4 sustainable, low energy dwellings.
- Conversion had been carefully considered but it was felt that a new build would provide greater benefits in terms of energy performance and a lower lifetime carbon footprint.
- The existing steel frame is over-engineered for a single storey building and would be recycled. Renewable timber framing would be used instead.
- As the principle for 4 new dwellings had already been granted, there were no reasons for refusal that could not be addressed by the fallback position.
- Somerset Council Waste Services had raised no concerns.

In the discussion which followed Members noted:

- The application site was outside the development limits.
- Somerset Council Waste Services had recommended a storage area be provided near the roadside on Ham Street to prevent blocking the entrance and visibility to the highway.
- Ham Street is a wider road than Tilham Lane and would be a better access point for the site.

In response to questions raised, the Planning Officer advised that it had been agreed with the applicant that a bin store would be provided at the Ham Street access point.

At the conclusion of the debate, it was proposed by Councillor Edric Hobbs and seconded by Councillor Shane Collins to approve the application in accordance with the Officer's recommendation.

On being put to the vote the proposal was carried with 9 votes in favour and 1 abstention.

RESOLVED

That planning application 2023/2304/FUL be **APPROVED** in accordance with the Officer's recommendation.

Votes – 9 in favour and 1 abstention

13 Planning Application 2023/1884/FUL - Emborough Farm, Roemead Road, 1 Binegar, Radstock, Somerset - Agenda Item 13

Erection of a temporary rural workers dwelling and associated works.

The Officer's Report stated that this application had been referred to the Committee at the request of the Chair. It related to a site located outside the development limits and had existing access onto the highway and was opposite a small industrial estate.

The dwelling would be a 2 bedroomed lodge which would be delivered in two halves. The proposed site would be to the east of the existing hay barn and a patio area and path would be formed next to the lodge to enable ease of access.

In summary, the Planning Officer stated that the proposal would result in an isolated dwelling in an unsustainable location where development is strictly controlled. The need for a rural worker dwelling had not been justified. The adverse impact of an isolated dwelling in an unsustainable location significantly and demonstrably outweighed any benefits and because a need has not been demonstrated, there were no identifiable benefits in planning terms.

Also, that insufficient detail had been provided to satisfy the Council that the proposal provided safe access to the highway or adequate parking and turning. Therefore, the recommendation was to refuse the application.

The Planning Officer explained the application to the Committee with the aid of a

PowerPoint presentation.

The Committee was then addressed by the applicant. He made the following comments:

- Planning Policy DP13 states that applications for temporary accommodation can be supported. The proposed dwelling can easily be dismantled and removed.
- Wants to grow his business but has struggled to find a house with land.
- Has the land but needs to live onsite to look after the animals and poultry.
- There is ample parking space.

In the discussion which followed Members made the following comments:

- A small, local business like this should be supported.
- Visibility splay seems good enough and it would not present highway safety issues.
- There is a demonstrated need for the applicant to be on site to tend to the livestock and poultry.
- It will contribute to the growth of rural economy.
- It is an isolated site, not served by public transport. Living on site will remove the need for twice daily car journeys.
- Living on site will improve security.

At the conclusion of the debate, it was proposed by Councillor Edric Hobbs and seconded by Councillor Susannah Hart to approve the application contrary to the Officer's recommendation as it was considered that the need for a rural worker to live on site had been demonstrated. Also, Members did not share the concerns for highway safety, as the visibility splays seemed sufficient. Conditions were to be delegated to officers in consultation with the Chair and Vice-Chair, to include an agricultural worker's tie, ensuring that the permission was temporary only for 3 years, the diversion of the public right of way and provision and maintenance and the access, parking, turning arrangements and visibility splays.

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

RESOLVED

That planning application 2023/1884/FUL be **APPROVED** contrary to the Officer's recommendation as it was considered that the functional need for a rural worker to be resident on the site had been demonstrated and that the means of access to and from the public highway that had been created would operate safely in terms of the

visibility that could be achieved for the drivers of vehicles entering and exiting the site. That delegated authority be given to Officers to impose necessary planning conditions, to be agreed in consultation with the Chair and Vice-Chair.

Votes – Unanimous in favour

- 13** **Planning Application 2020/1287/FUL - Cheese Yard, Peace Close Lane, West**
2 **Horrington, Wells, Somerset - Agenda Item 14**

Demolition of existing Dutch barn and erection of new dwelling with associated parking (Shadow HRA submitted received 03.01.2024).

This application was withdrawn from the agenda.

- 13** **Planning Application 2023/1275/FUL - Wells Police Station, 18 Glastonbury**
3 **Road, Wells, Somerset - Agenda Item 15**

Redevelopment to form 47 No Retirement Living Apartments for Older People (Sixty Years of Age and/or Partner over Fifty-Five Years of age), Guest Apartment, Communal Facilities, Access, Car Parking and Landscaping.

The Officer's Report stated that this application had been automatically referred to the Planning Committee because the divisional Member and Wells City Council had objected, and the application was classified as a major application.

The application related to the redevelopment of a former police station. The proposal sought to demolish all buildings on site and construct a 47-unit age restricted retirement flat complex with associated communal facilities, landscaping, vehicular access, and car parking. The development would consist of 31 one-bedroom units and 16 two-bedroom units. It was a re-submission of planning application 2020/2234/FUL which had been approved in April 2023. The design of the new application was almost identical to the approved scheme with the main change being to viability, in particular, a reduction in the off-site affordable housing contribution from approx. £434k to £100k.

The Report continued that the revised viability report, including the methodology and revised inputs, had been heavily scrutinised and subjected to an independent review by Stephen Blake Consultancy Ltd. The viability report concluded that the scheme could not support any financial contribution towards affordable housing (or

any other section 106 financial contributions). As a result of this, the Officers were willing to accept the independent review recommendation to allow a reduced affordable housing contribution. The monies would support other affordable housing schemes in the Somerset East area as and when they were proposed. The contribution, albeit less than the amount agreed under the previous planning permission, was still seen as a significant benefit to the scheme.

In summary, the Planning Officer stated that the planning obligations would comprise of the following:

- £100,000 towards off-site affordable housing.
- £17,484 towards the cost mitigation of the pressures on the local healthcare facility.
- Purchase of 3.36 kg/year phosphate credits (on the basis that occupation of the development is delayed until after the upgrades to the Wells wastewater treatment works have occurred (post December 2024).

The application was therefore recommended for approval.

The Planning Officer explained the application to the Committee with the aid of a PowerPoint presentation.

The Committee was then addressed by the planning agent. She made the following comments:

- Acknowledged the revised application was not an ideal situation.
- Since the original application was approved in 2021, there have been significant cost increases in purchasing off-site phosphate mitigation.
- Significant increase in build costs of around 17%.
- Additional costs relating to building regulation enhancements.
- All combined to affect the viability of the proposal.
- Development will meet the needs of older people in a highly sustainable location.
- Significant social benefits providing residents with a safe and friendly environment.

In the discussion which followed Members were disappointed with the reduction in S106 monies. Many felt the contribution for affordable housing should be earmarked for Wells. The Planning Officer confirmed that it was not possible to specify where it would be spent but that it would be used where most needed in the Somerset East area.

Another concern was the level of car parking provision. Some Members felt that 23 spaces were not enough, as this only equated to 0.49 space per apartment. The Highways Officer advised that car parking provision was in excess of the minimum required for this class of development. The minimum was 1 space per 13 bedrooms. Despite this, Members remained concerned that the provision was inadequate.

The Legal Advisor reminded Members that the previous application had been approved by the Authority and that it was an extant permission. It would be difficult to now refuse the application for new reasons such as car parking and advised that a deferral of the application would be better to enable Planning Officers to speak to the applicant about their concerns.

Planning Officers re-iterated that a full independent viability assessment had been carried out and as a result, Officers were minded to accept the revised affordable housing contribution of £100k. Ultimately, there was a risk that the applicant could appeal a decision and withdraw this offer.

At the conclusion of the debate, it was proposed by Councillor Edric Hobbs and seconded by Councillor Philip Ham to defer the application for a maximum of 2 months to enable Planning Officers to speak to the applicant about an increase in car parking provision and an increased S106 contribution for off-site affordable housing.

On being put to the vote the proposal was carried with 8 votes in favour, 1 against and 1 abstention.

RESOLVED

That planning application 2023/1275/FUL be **DEFERRED** for a maximum of 2 months to allow further negotiations regarding the level of car parking proposed and the quantum of S106 contributions for off-site affordable housing delivery.

Votes – 8 in favour, 1 against and 1 abstention

13 Planning Appeals Report - Agenda Item 16

4

The report of decisions made by the Planning Inspectorate between 23 January 2024 and 21 February 2024 was noted.

(The meeting ended at 6.15 pm)

.....
CHAIR