

## **Planning Committee – 19 July 2017**

Present: - Councillor Bowrah (Chairman)  
Councillor Mrs Hill (Vice-Chairman)  
Councillors Booth, Brown, Coles, Gage, Gaines, Morrell, Nicholls,  
Mrs Reed, Sully, Townsend, Watson and Ms Webber

Officers: - Matthew Bale (Area Planning Manager), Tim Burton (Assistant Director  
- Planning and Environment), Julie Moore (Monkton Heathfield Project  
Team Leader), Martin Evans (Solicitor, Shape Partnership Services)  
and Tracey Meadows (Democratic Services Officer)

Also present: Councillors Berry for application No 38/16/0027. Councillor Stone for  
application No 24/17/0007. Councillor Habgood and Mrs A Elder,  
Chairman of the Standards Advisory Committee.

(The meeting commenced at 5.00 pm)

### **39. Apologies/Substitutions**

Apologies: Councillors Mrs Adkins, M Adkins, Martin-Scott  
and Wedderkopp

Substitutions: Councillor Gaines for Councillor Mrs Adkins  
Councillor Ms Webber for Councillor M Adkins  
Councillor Sully for Councillor Martin-Scott  
Councillor Coles for Councillor Wedderkopp

### **40. Minutes**

The minutes of the meeting of the Planning Committee held on the 21 June  
2017 were taken read and were signed.

### **41. Declarations of Interest**

Councillor Mrs Hill declared personal interests as a trustee to Hestercombe  
House and Gardens, a trustee to the Somerset Building Preservation Trust  
and as a Director of Apple FM. Councillor Nicholls declared a personal  
interest as a member of the Fire Brigade Union. Councillor Townsend  
declared that he was a Kingston St Mary Parish Councillor. Councillor Ms  
Webber declared that she was the Ward Member for application No  
48/14/0001 and declared that she had not 'fettered her discretion'. Councillor  
Coles declared a personal interest as a Member of Somerset County Council  
and as a member of the Devon and Somerset Fire and Rescue Authority.

### **42. Applications for Planning Permission**

The Committee received the report of the Area Planning Manager on applications for planning permission and it was **resolved** that they be dealt with as follows:-

- (1) That **planning permission be refused** for the under-mentioned developments:-

**38/16/0227**

**Change of use of land from siting of agricultural workers accommodation to siting of holiday accommodation on land to the north of Cutliffe Farm, Sherford**

#### **Reasons**

1. The proposal would be contrary to Policy DM2 of the Taunton Deane Core Strategy in that this is not a form of holiday accommodation permitted outside settlement limits. The proposal would be contrary to Policy CP8 in that it would fail to maintain the green wedge: It would conflict with the key policy objectives of the green wedge, set out in the Taunton Deane Core Strategy. Insufficient information has been submitted with regard to the economic benefits to demonstrate that this would outweigh the harms that have been identified;
2. Insufficient information has been submitted to satisfy the Local Planning Authority that the proposal would be served by appropriate utilities, including foul drainage facilities;

**24/17/0007**

**Conversion of barn to dwelling at Garnseys Farm, Knapp, North Curry**

#### **Reason**

1. The proposed dwelling would be sited in an area of open countryside, distant from any well serviced settlement. No evidence has been provided to demonstrate whether there is a demand for the building to be used for other uses set out in the sequential approach of Policy DM2 (7.b). Furthermore, the building does not have any architectural merit worthy of retention that may have been an exception reason to convert if the sequential test was passed. The proposed development therefore conflicts with Taunton Deane Core Strategy Policies DM2 (7.b) and would result in a residential unit of accommodation in an unsustainable area of open countryside contrary to the aims of Core Strategy Policy SP1;
2. The proposed dwelling would be sited adjoining other larger agricultural buildings and allowing residential use in such close proximity would cause disturbance that would be harmful to the amenities of any occupants of the dwelling. The proposal is therefore contrary to Policy DM1 of the Taunton Deane Core Strategy.

#### 43. Miscellaneous Report

##### **(Part 1) - Application for the amendment of schedule 1 and clause 1.1 of the Section 106 Agreement for planning application 48/05/0072 requiring 25% of the housing shall be affordable and not 35% concerning land at Monkton Heathfield (48/14/0001)**

Reference Minute No 17/2005, reported that Members had previously resolved to agree to grant permission for the Section 106 (BA) Variation at Monkton Heathfield (Phase 1) in affordable housing levels from 35% to 25% subject to a mechanism being established to ensure the funding for the provision of the Western Relief Road (WRR) in a timely manner.

An independent viability report in 2014 had concluded that the scheme granted planning permission under 48/05/0072 was unviable, taking into account the need for the provision of the WRR.

The money released from the reduction in affordable housing would cover the purchase of the outstanding section of land from third party landowners but did not provide for the estimated construction costs for the road itself.

The mechanism, to ensure the delivery of the WRR had been agreed in a Memorandum of Understanding (MOU) signed by all parties whereby the approval for the reduction in affordable housing would be issued when contracts were let, thus providing the Council with some confidence that the road construction would proceed.

Following the signing of the MOU there had been significant progress in the project. The Consortium had been collaborating with Somerset County Council (SCC) and had funded all the detailed design work that SCC had undertaken to enable the construction of the road to commence.

In order to purchase the remaining WRR land the Consortium had entered into an agreement with the landowner at a beneficial rate. However, to proceed with the land purchase the Consortium urgently needed to release the funds resulting from the reduction of affordable housing prior to purchase.

Given the degree of collaboration between the Consortium and SCC there was now a greater degree of confidence that, once the land was purchased, the Consortium would commence the construction of the road. In the circumstances, authority was sought for the approval of the reduction in the affordable housing to be granted on land purchase. **Resolved** that the decision to adjust the level of affordable housing from 35% to 25% be delegated to the Assistant Director-Planning and Environment subject to a clause in the Section 106 Agreement being added to ensure that the land was transferred to Somerset County Council to enable the future provision of the road, in the event that it was not provided in line with the Memorandum of Undertaking within an agreed length of time.

## **Miscellaneous Report**

### **(Part 2) Erection of Local Centre including 5 No Retail Units with 18 No apartments above plus 69 No dwellings, with associated works and access including highway works to the adjacent A38 on land off Bridgwater Road, Monkton Heathfield (48/15/0053)**

Reported that the Memorandum of Understanding which set out the mechanism for the delivery of the road included a cascade for the release of additional funds in the event that the total road costs exceeded the total funds available.

Now that the detailed design of the road had been progressed it was clear that significant funds would be required to cover the cost of the construction of the road. Given that viability issues associated with the development and the need to secure the monies as soon as possible, it was considered advisable that those additional funds were best generated from the development itself. Whilst the agreed cascade allowed for this in principle, the detailed planning permission, 48/15/0053 did not.

In August 2016 permission was granted for the Local Centre parcel of land at Monkton Heathfield.

Whilst work on the site had started there was still an option to vary or remove all or part of the agreed affordable housing in order to release additional funds as required for the road construction works.

The WRR was essential for the delivery of the infrastructure necessary to cater for the traffic generated by the current permitted development and would enable the future delivery of the 2-3,000 additional dwellings (plus employment, district centre new schools etc.), 25% of which (500-750) would be additional affordable housing. It was considered vital that the funds were made available and in a time scale to enable the construction works to start on the WRR later on in the year.

**Resolved** that the decision to vary the Section 106 Agreement obligation relating to the quantum of affordable housing associated with planning permission No: 48/15/0053 be delegated to the Assistant Director - Planning and Environment based upon the need to release money from the scheme to contribute towards the construction of the Western Relief Road.

## **44. Appeals**

Reported that two new appeals and three decisions had been received details of which were submitted.

**Resolved** that the report be noted.

(The meeting ended at 7.22 pm)