

SWT Planning Committee - 21 July 2022

Present: Councillor Simon Coles (Chair)

Councillors Marcia Hill, Mark Blaker, Ian Aldridge, Roger Habgood, John Hassall, Mark Lithgow, Craig Palmer, Vivienne Stock-Williams, Ray Tully, Brenda Weston and Loretta Whetlor

Officers: Alison Blom-Cooper, Roy Pinney (Shape Legal), Sarah Stevens, Sarah Wilshire, Gareth Clifford, Darren Roberts, Briony Waterman and Tracey Meadows

(The meeting commenced at 1.00 pm)

20. Apologies

Apologies were received from Councillors Firmin, Griffiths, Wheatley, and Wren.

21. Minutes of the previous meeting of the Planning Committee

(Minutes of the meeting of the Planning Committee held on 23 June 22 circulated with the agenda)

Resolved that the minutes of the Planning Committee held on 23 June be confirmed as a correct record.

Proposed by Councillor Hill seconded by Councillor Habgood

The **Motion** was carried.

22. Declarations of Interest or Lobbying

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr I Aldridge	All Items	Williton	Personal	Spoke and Voted
Cllr M Blaker	49/21/0030	Ward Member	Personal	Spoke and Voted
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr J Hassall	53/21/0010	Ward Member	Personal	Spoke and Voted
Cllr Mrs Hill	All Items	Taunton Charter Trustee	Personal	Spoke and Voted

		Was the previous Ward Member of the Woolaway development Project 38/21/0345	Personal	Spoke and Voted
Cllr M Lithgow	All Items	Wellington	Personal	Spoke and Voted
Cllr C Palmer	All Items	Minehead Ward Member for application 3/21/0345	Personal Personal	Spoke and Voted Spoke and Voted
Cllr R Tully	All Items	West Monkton	Personal	Spoke and Voted
Cllr B Weston	All Items	Taunton Charter Trustee. Ward Member for the Woolaway development Project. 38/21/0345	Personal Personal	Spoke and Voted Spoke and Voted
Cllr L Whetlor	All Items	Watchet	Personal	Spoke and Voted

All Councillors declared that they had received correspondence for application 53/21/0010.

23. **Public Participation**

Application No	Name	Position	Stance
53/21/0010	Mr S Berry	Local Resident	Opposed
	Mr K Hutson	Cotford St Luke PC	Opposed
	Mr L Dungworth	Applicant	In favour
49/21/0030	A Bridgden	Local Resident	Opposed
	J Hopkins	Local Resident	Opposed
	C Farrington (read out by the Clerk)	Local Resident	In favour
	Cllr Mansell (read out by the Clerk)	Ward Member	Opposed

24. **3/21/22/044 Replacement of garage with erection of a single storey extension, erection of first floor extension to the rear and replacement of hip to gable with insertion of dormer to rear. 64 Poundfield Road, Minehead, TA24 5SE**

Comments from Members included;
(summarised)

- Concerns that the loss of the garage would increase parking on the street;

Councillor Habgood proposed, and Councillor Aldridge seconded a motion that planning permission be **GRANTED** subject to conditions.

The motion was carried.

25. **38/21/0345 Demolition of 136 No. Woolaway homes and erection of 111 No. dwellings with associated works on land located between Dorchester Road and Lyngford Lane, Taunton**

Comments from Members included;
(summarised)

- A very worthy development in the right place;
- Pleased to be replacing homes that were not fit for purpose with homes that were;
- This development would benefit the town;
- Congratulations to the Officers on the ground that worked on this with residents and looking forward to seeing the finished article;

Councillor Lithgow proposed and Councillor Habgood seconded a motion to **GRANT** planning permission subject to Conditions and a Legal Agreement.

The motion was carried.

26. **53/21/0010 Outline planning with all matters reserved, except for principle means of access, for the erection of up to 80. dwellings, local centre, and access onto Dene Road, Cotford St Luke**

Comments from members of the Public included;
(summarised)

- This was a Greenfield Site that lies outside of the areas indicated for development within the Site Allocations and Development Management Plan of the Development Plan, and outside of the settlement boundary for Cotford-St-Luke;
- Cotford-St-Luke was designated as a Minor Rural Centre in policy SB1 of the SADMP which explains that, "In order to maintain the quality of the rural environment and ensure a sustainable approach to development, proposals outside of the boundaries of settlements identified in Core Strategy policy SP1 will be treated as being within open countryside and assessed against Core Strategy policies CP1, CP8 and DM2 unless: A. It accords with a specific development plan policy or proposal; or B;
- 53/21/0010 goes significantly outside the boundaries of the settlement and does not meet exceptions A or B. The proposal should therefore be assessed against CP1, CP8 and DM2 and failed to meet all of those criteria;

- The application failed against CP1 because of a lack of transport options such as regular bus services, meaning there were not sustainable transport links that residents will require to use facilities beyond the limited facilities available in the village itself. Policy A5 sets out appropriate travel times to facilities such as shopping and education via public transport and the development does not meet these. It fails CP8 as this is development of Greenfield Land which that policy seeks to “protect and where possible enhance” and states development within such areas will be strictly controlled in order to conserve the environmental assets and open character of the area which this application does not do. It fails policy DM2 which sets out appropriate uses for development in rural areas and it clear that residential development is not one of them;
- If the councils position remains that its local plan has an adequate 5 year housing supply then they must reject this proposal, which makes only vague assertions about housing supply uncertainty but has no concrete evidence to suggest that the councils Local Plan does not adequately provide for this. No convincing argument has been provided to suggest that the council does not have an adequate 5-year housing supply. Even if there is a need to go beyond the areas indicated to secure an adequate 5-year housing supply then Cotford-St-Luke as a Minor Rural Centre, with limited transport links and facilities and having already had significant development in recent years, is not a suitable location for this;
- Approval of this application would be tacit acceptance that the local plan does not contain an adequate 5-year supply, setting a precedent that opened the council to any number of unsuitable applications in rural villages like Cotford-St-Luke across the former Taunton Deane Council Area. Given the very clear and demonstrable conflict with numerous policies of the Development Plan and that there are no other material considerations that have been identified to outweigh such conflict, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, planning permission should be refused;
- Concerns with the landscape impact with intrusive build in the open countryside;
- The building of a village centre would not be in keeping with the village rural settlements and would rip the heart out of the actual centre of the village where the shop, public house and Church were located;
- Flooding concerns for the lower part of the village;
- The Parish Council were against this intrusive development;
- Previous site allocated for 30 homes had lapsed;
- This was a sustainable site with the delivery of 80 family homes that would benefit from a local centre, allotments and extensive community orchard play area and associated drainage and highways infrastructure;
- The development would include much needed 20 affordable homes;
- The development would increase job opportunities on the village thus increasing the sustainability of the village;
- Bio-diversity would be increase by a minimum of 10% with more sustainable modes of transport by providing each dwelling with an electric charging point and fund an electric car club which would be available to all residents in the village;

- The phosphate mitigation strategy which accompanied the application had been approved by Natural England and would provide nutrient neutrality which would potentially involve permanently fallowing land within our ownership, however should credits become available in the first five years of the development consultees had agreed that this land could be returned to agricultural use, this would enable the scheme to deliver much needed homes in the short term and make an important contribution towards restoring the Council's five year land supply which currently was in deficit of around 600 dwellings;
- The scheme was the result of a significant amount of engagement with Officer's and we had worked hard to develop a sympathetic and well-designed scheme going beyond the level of detail which one would normally expect from an Outline application with lower densities and new planting around the periphery of the site creating a soft edge;
- There were no technical objection from Consultees to the planning application. Highways, drainage and landscape and other consultees were satisfied;
- County education had confirmed that there was capacity in the primary school and the scheme would make a financial contribution towards primary healthcare provision in the local area in order to mitigate the impact from additional residents;

Comments from Members included;
(summarised)

- Concerns with the expectations of the electric vehicle hire scheme and how you would encourage the villagers to use it;
- Concerns with how you increase the biodiversity of a green field site by building on it;
- Concerns with the lack of a five-year land supply and did this application trump the lack of it;
- Undermines the local plan;
- A new village centre would fragment the village;
- Highway and local public transport concerns;
- Concerns that this development was out of the development boundary;
- Concerns with the loss of affordable homes;
- Concerns that we were being asked to approve a site that we would not normally approve;

Councillor Lithgow proposed and Councillor Whetlor seconded a motion for the application to be REFUSED;

Reasons – The wording for the REFUSAL of this application would be decided with the Chair, Vice-Chair, and lead planner.

The motion was carried.

At this point in the meeting a 10 minute break was proposed.

27. **13/22/0003 Erection of timber garden shed at 1 Yeas Cottage, Cushuish (retention of works already undertaken) Yeas Cottage, 1 Cushuish Road, Cothelstone TA2 8AP**

Comments from Members included:
(summarised)

No salient points were raised on this application.

Councillor Hill proposed and Councillor Weston seconded a motion for planning permission to be **GRANTED** subject to Conditions.

The motion was carried.

28. **49/21/0030 Erection of an agricultural building for the rearing of calves on Simons Holt Farm retained land, Whitefield, Wiveliscombe**

Comments from Members included;
(summarised)

Comments from members of the Public included;
(summarised)

- Langley Marsh was mostly surrounded by fields laid to pasture or crops. Our nearest farms are approximately 650 metres away: A mixture of sheep and some beef cows;
- The animals make some noise during the daytime but settle at night. This is because they are kept mostly on the fields, not contained in barns. This is a crucial difference to the planning application in question;
- We are well used to living with the daily noise from agriculture. Cultivating can go on until after dusk, especially in the summer, but there is no noise at night. Noise is one of the main factors for many of us opposing this application;
- Calves cry loudly for days, especially when just taken from their mothers and also when scared or ill. This is well-known and well-documented in the farming community. Mr Cherry states that new batches of calves will arrive regularly. This means that for local residents, the noise could be fairly continuous – both from the animals and the vehicles bringing them;
- Noise from the calves and from machinery;
- Smell from so many animals, particularly when it is hot;
- The living conditions of the animals and the impact on the natural ecology from the slurry;
- Concerned with the impact on the wildlife. Currently there are nesting owls, woodpeckers, and treecreepers – to name but a few. The impact of this development on the existing wonderful habitat would be irreversible;

- As the calves were not already on the land, I believe this meant that the application should be re-considered for Phosphate neutrality;
- Noise disturbance and odour;
- Phosphate increase. The application had been screened out for needing phosphate mitigating as the livestock were already in the field. This has been disputed by a close neighbour of the Langley Marsh site who stated that for thirty years the field had never been used for calve rearing on this scale;
- Requirement for a worker dwelling. No information on the location of the workers dwelling for the Langley Marsh site had been provided by the applicant. Previously stated that it was essential to the operation of a similar barn;
- T&L Cherry had rented a building in our farmyard at Ford Farm for the past five years. The building had been used to rear batches of 100-150 calves. My family has never been disturbed by noise from the calves despite living with 70 meters of the calf building. We have neighbours within the proximity that have never had any complaints about calves. The manure from the building was used on our arable crops as part of a crop nutrient plan to help reduce artificial fertiliser use. Agricultural business was an important part of the rural economy in the Wiveliscombe area and should be supported;

Comments from Members included;
(summarised)

- Concerns with the lack of a Phosphate Mitigation, odour and noise assessments;
- Concerns with the lack of verification for the number of calves purported to be in the field at any given time;
- This application should be for a change of use as there were now going to be calves in the field;
- Concerns with the higher output of waste in the field due to the amount of calves in the field;
- Evidence was needed from the applicant for the movement of the calves in the field;
- Concerns that the straw base system would not prevent slurry getting into the watercourse;
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Councillor Lithgow proposed and Councillor Whetlor seconded a motion for the application to be **DERERRED** to require the applicant to provide evidence of livestock levels within the unit. An assessment of the consequences of the proposal in terms of Phosphate loading. If no information was forthcoming the deferment would fail and would not come back to committee.

The motion was carried.

29. **Appeals decisions**

Appeal decisions noted.

(The Meeting ended at 4.35 pm)