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To: TDP Cllrs; Brittain, Ducker, Harrison, Lovell (Vice-Chair), Makin, Nicklin (Chair)  
All other recipients for information only.

**28 September 2022**

Dear Councillor

## Summons

You are summoned to a meeting of the Town Development & Planning Committee (TDP) of Shepton Mallet Town Council for the transaction of the business shown on the agenda below. To be held at 7 pm on **Tuesday, 04 October 2022** in the Council Chamber, Mendip District Council Offices, BA4 5BT

### Public Participation

Members of the public and press are entitled to be at the following meeting in accordance with the Public Bodies (Admission to Meeting) Act 1960 Section 1 extended by the Local Government Act 1972 Section 100 unless precluded by the Town Council by resolution during the whole or part of the proceedings. Such entitlement does not however include the right to speak on any matter except at the beginning of the meeting providing that prior notice has been given by noon on the day of the meeting on: [info@sheptonmallet-tc.gov.uk](mailto:info@sheptonmallet-tc.gov.uk) or 01749 343984.

Any issues raised during the public session should relate to the remit of the committee. No resolution for action can be taken unless already identified on the agenda. A record of public participation shall not be included in the Minutes, but as an appendix note to the Minutes of the meeting.

The public question time shall not exceed 30 minutes unless by resolution to suspend standing orders or at the discretion of the chairman. If a member of public wishes to share a document with council, these documents must be submitted to [Info@sheptonmallet-tc.gov.uk](mailto:Info@sheptonmallet-tc.gov.uk) by noon on the day of the meeting.

### The 7 principles of public life

Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership. Members are reminded of their duty under the Code of Conduct.

Yours sincerely

Claire Commons FdA (Comm Gov), Fellow SLCC, Town Clerk

Encs

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# TOWN DEVELOPMENT & PLANNING COMMITTEE

## Agenda

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	To receive and consider for acceptance, apologies for absence .....	(1 min)
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	To declare interests relating to the business of the meeting and receive dispensation requests.....	(1 min)
	<i>(Shepton Mallet Town Council Code of Conduct, 2019)</i>	
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	To receive the minutes of the previous meeting of the Town Development & Planning Committee.....	(1 min)
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TDP6.4	OFFICER REPORT TO THE COMMITTEE .....	7
	To receive reports pertaining to the Town Development & Planning Committee.....	(3 min)
	<i>(Local Government Act 1972 Sch 12)</i>	
TDP6.5	PLANNING APPLICATIONS FOR CONSIDERATION .....	9
	To consider responses to (but not limited to) the following planning applications.....	(10 mins)
	<i>(Local Government Act 1972 Sch 12)</i>	
	High Street Roundabout, Shepton Mallet	
	Whitstone Hill Roundabout, Shepton Mallet	
	The Hollies, Leg Square, Shepton Mallet, BA4 5LH	
TDP6.6	TOWN DEVELOPMENT AND PLANNING COMMITTEE BUDGET.....	11
	To consider the committee's budget requirements for 2023-24 .....	(5 mins)
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TDP6.7	TO RATIFY PLANNING APPLICATIONS CONSIDERED UNDER DELEGATED AUTHORITY .....	12
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	<i>(Town and Country Planning Act, 1990 sch.1 para.8)</i>	
	Shepton Mallet Bowls & Tennis Club, 3 Frithfield Walk, Shepton Mallet, BA4 5LY	
	11 Paul Street, Shepton Mallet, BA4 5LD	
	17 Great Ostry, Shepton Mallet, BA4 5TT	
	3 Drill Hall Lane, Shepton Mallet, BA4 5AR	
	Units 3a to 3b Mendip Avenue, Shepton Mallet, BA4 4PE	
	The Tree House, 36 Nightingale Grove, Shepton Mallet, BA4 5PZ	
TDP6.8	TO CONSIDER THE COMMUNITY HIGHWAYS REQUESTS POLICY .....	14
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	<i>(Town and Country Planning Act, 1990 sch.1 para.8)</i>	

Anticipated meeting end time 7.30pm

Date of next meeting:

25 October 2022

### TDP6.1 Apologies

To receive and consider for acceptance, apologies for absence

(1 min)

*(Local Government Act, 1972 s.85)*

Report Author: Assistant Town Clerk (Planning and Amenities)

#### TDP6.1.1 Background

- a The Council (including committees) should approve (or not) the reason for apologies given by absent councillors. If a council member has not attended a meeting of the council (or its committees) or has not tendered apologies which have been accepted by the council (or committee), for six consecutive months, they are disqualified.
- b Councillors are holders of public office and summoned to the meetings of the Council and its committees.

#### TDP6.1.2 Apologies received and reason

- a None received at the point of issuing the agenda.

#### TDP6.1.3 Recommendation

- a That the meeting accepts or rejects each of the apologies presented. A press release is not required for this decision.

#### TDP6.1.4 Reason for Recommendation

- a Accepting apologies resets the six-month absence rule.

(End)

**TDP6.2** Declarations of Interest

To declare interests relating to the business of the meeting and receive dispensation requests.

(1 min)

*(Shepton Mallet Town Council Code of Conduct, 2019)*

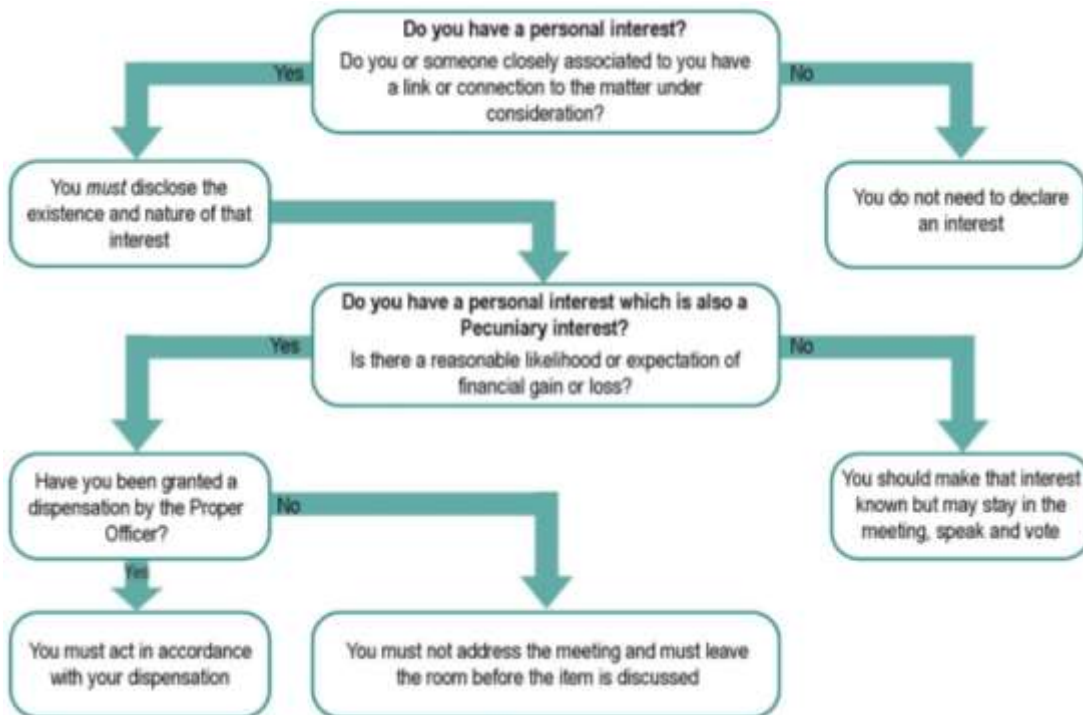
Report Author: Assistant Town Clerk (Planning and Amenities)

**TDP6.2.1** Background

- a Members and Officers are reminded of their obligations to declare interests in accordance with the Code of Conduct 2019. The Clerk will report any dispensation requests received.
- b Where a matter arises at a meeting which relates to a councillor’s interest, the councillor has the responsibility of declaring that interest in accordance with the adopted code of conduct. (Shepton Mallet Town Council Code of Conduct, 2019)

**TDP6.2.2** Recommendation

- a To note the declarations made during the meeting.



(End)

### TDP6.3 Minutes

To receive the minutes of the previous meeting of the Town Development & Planning Committee. (1 min)

*(Local Government Act 1972 Sch 12)*

Report Author: Assistant Town Clerk (Planning and Amenities)

#### TDP6.3.1 Background

- a When the meeting is approving the draft minutes of a previous meeting as an accurate record, the only issue for the meeting is whether the minutes accurately record the proceedings of the meeting and the resolutions made at them. It is irrelevant if the chairman or other councillors were not present at the meeting to which the draft minutes relate.
- b If it is necessary for the draft minutes of the previous meeting to be corrected because of inaccuracies then the amendments to the draft minutes must be approved by resolution. *(Tharmarajah, 2013, p. 154).*

#### TDP6.3.2 Recommendation

- a That the minutes of [23/08/2022](#) be approved for signing as a true record of the decisions taken. Completion of this resolution to be no later than Tuesday 18 October 2022. A press release is not required for this decision.

(End)

**TDP6.4 Officer Report to the Committee**

To receive reports pertaining to the Town Development &amp; Planning Committee.

(3 min)

*(Local Government Act 1972 Sch 12)***Report Author:** Assistant Town Clerk (Planning and Amenities)**TDP6.4.1 Summary**

- a Reports provided within this item are to be received, they provide updates on decisions already taken by the Committee and actions taken under the Scheme of Delegation (where not previously reported).

**TDP6.4.2 Planning Applications Decided since last meeting**

<b>Application No.</b>	<b>Address</b>	<b>Town Council Response</b>	<b>Mendip District Council Decision</b>
2022/0748/TCA	St Sales House, Draycott Road, Shepton Mallet, BA4 5HS	Supported	Approved 03/09/2022
2022/1468/TCA	Land at 362012 143918 (Angwin Close) Shepton Mallet, BA4 5HL	Not supported	Approved 03/09/2022
2022/1530/TCA	Old Manor House, Ham Lane, Shepton Mallet, BA4 5JR	Supported	Approved 03/09/2022
2022/1302/HSE 2022/1302/LBC	Woodbourne House, West Shepton, Shepton Mallet, BA4 5UN	Supported	Approved 07/09/2022
2022/1332/HSE	Park House, 4 Park Road, Shepton Mallet, BA4 5BP	Supported	Approved 07/09/2022
2022/0888/OUT	Land South West of Westway Lane, Shepton Mallet	Not Supported	Refused 10/09/2022
2022/0286/DUB	Blostins Restaurant, 29-33 Waterloo Road, Shepton Mallet, BA4 5HH	Supported	Approved 13/09/2022
2022/1379/TCA	Land at 362847 143343 Victoria Grove, Shepton Mallet	Supported	Approved 15/09/2022
2022/1134/TPO	Willow House, Tallowood, Shepton Mallet, BA4 5QN	Supported with conditions	Approved 16/09/2022

2022/1503/FUL	Kilver Court, Kilver Street, Shepton Mallet	Supported	Approved 16/09/2022
2022/1440/HSE	1 Westfield, Shepton Mallet, BA4 5TY	Supported	Approved 16/09/2022
2022/1132/FUL	Mendip Distribution Centre, Frampton Road, Shepton Mallet, BA4 4NH	Supported	Approved 21/09/2022
2022/1012/LBC	Downside House, Bath Road, Downside, Shepton Mallet	Supported	Approved 22/09/2022
2022/1407/HSE	53 Walnut Grove, Shepton Mallet, BA4 4HX	Supported	Approved 23/09/2022

#### TDP6.4.3 Planning Applications Withdrawn

<b>Application No.</b>	<b>Address</b>	<b>Town Council Response</b>
2021/1780/FUL	14 Manship Green, Shepton Mallet, BA4 5RN	Not Supported
SCC/3991/2022	Whitstone Hill Roundabout A37/745	Not Supported
SCC/362/2022	High Street Roundabout A371/325 Shepton Mallet	Not supported

#### TDP6.4.4 Sunday Market Support

- a Cllrs Harrison and Nicklin formulated a letter to be sent to The Shepton Experience CIC. The letter has been sent and a response is awaited.

#### TDP6.4.5 Economic Regeneration Working Party

- a To receive a verbal update from the Chair.

#### TDP6.4.6 Recommendation

- a That the reports are received and noted and any actions arising identified for future meetings of the Council or its Committees

#### TDP6.4.7 Reason for Recommendation

- a To keep members updated on committee actions and information.

(End)



**TDP6.5 Planning Applications For Consideration**

To consider responses to (but not limited to) the following planning applications

(10 mins)

*(Local Government Act 1972 Sch 12)*

Report Author: Assistant Town Clerk (Planning and Amenities)

**TDP6.5.1 Summary and Background information**

- a Planning applications listed below have been received and require comments to be submitted to the Local Planning Authority. Prior to the meeting, members are urged to view the planning application using the link below and to visit the site to understand local context.
- b As part of the town council's response to planning proposals it should provide material planning reasons for its comments, be they of support or objection. Simply stating 'no objection' is insufficient as there is a requirement to give reasons for that decision.

**Material Planning Reasons**

Biodiversity	Design
Economic Benefits	Effect on the Appearance of the Area
Flooding Issues	Height
Heritage	Impact on Access
Impact on Light	Landscape
Local or Government Policy	Noise/Disturbance
Other	Overlooking/Loss of Privacy
Parking	Residential Amenity
Road Safety	Traffic or Highways

- c To assist, here are a few examples as to how you might word something to give material planning reason for your thoughts.

**Examples**

House Extension	No Objection as limited impact on amenity of neighbouring property
	Or
	Objection as will have detrimental impact on neighbouring property
<hr/>	
New dwelling	Support, design is in keeping with locality
	Or
	Objection as design is not in keeping with local area
<hr/>	
Vehicular Access	Support, will have no impact on road safety given proposed visibility splays
	Or
	Objection as visibility is poor in this location and traffic speeds are high.

2022/1688/ADV Kirsty Black	Erection of advertisement/sponsorship 3no. hoarding signs on roundabout. High Street Roundabout, Shepton Mallet	13/09/2022
2022/1695/ADV Kirsty Black	Erection of advertisement/sponsorship 3no. hoarding signs on roundabout. Whitstone Hill Roundabout, Shepton Mallet	13/09/2022
2022/1676/TCA Bo Walsh	T1 – Cedar – Crown reduction by 25%. T2 – Laburnum – Crown reduction by 25%. T3 – Yew – Trim branches. The Hollies, Leg Square, Shepton Mallet, BA4 5LH	14/09/2022

#### TDP6.5.2 Scheme of Delegation

- a The Town Development and Planning Committee has delegation to submit observations on behalf of the Council.

#### TDP6.5.3 Legal Authority and Implication

- a The Town Council is a consultee but does not have the authority to determine planning applications. The Council has the power to be notified of planning applications affecting the Council's area and to comment.  
*(Town and Country Planning Act, 1990 sch 1 para8)*

#### TDP6.5.4 Recommendation

- a That the committee provides its response on the listed planning applications and considers responses to applications received without notice, in the form Support or Objection with supporting reasons. Delegate to the Town Clerk all details in discharging this decision. Completion of this resolution to be no later than Wednesday, 13 July 2022. A press release is not required for this decision.

#### TDP6.5.5 Reason for Recommendation

- a To fulfil the Council's responsibility and exercise its views as a statutory consultee.

(End)

## **TDP6.6 Town Development and Planning Committee Budget**

To consider the committee's budget requirements for 2023-24

(5 mins)

*(Local Government Act 1972 Sch 12)*

Report Author: Town Clerk

### **TDP6.6.1 Summary and Background information**

- a The Council must set its budget and precept each year by the end of January.
- b To ensure that the budget is appropriate to the needs of Shepton Mallet, each committee is asked to consider its work for at least the coming financial year and make budget recommendations to Full Council.
- c Officers have started this process. This Committee has not previously had a budget but with the addition of Economic Development / Regeneration to the terms of reference, it may want to consider any likely financial need for this purpose. .
- d Councillors may have additional projects they would like the committee to undertake and these estimates should be incorporated at this stage.

### **TDP6.6.2 Scheme of Delegation**

- a The committee is required to consider and make recommendations to the Town Council and / or Policy & Resources Committee on budget estimates to be prepared no later than November each year.

### **TDP6.6.3 Recommendation**

- a Recommend to the Policy and Resources Committee meeting on the 18<sup>th</sup> October the budget requirements for the Town Development and Planning Committee.

### **TDP6.6.4 Reason for Recommendation**

- a The committee must be confident that the budget meets its requirements for work identified for undertaking in 2023-24, Policy and Resources Committee will review the budget in its entirety and make the final recommendation to the Full Council meeting of 8<sup>th</sup> November.

(End)

### **TDP6.7 To Ratify Planning Applications Considered under Delegated Authority**

To ratify planning applications considered under delegated authority.

(2 mins)

*(Town and Country Planning Act, 1990 sch.1 para.8)*

Report Author: Assistant Town Clerk (Planning and Amenities)

#### **TDP6.7.1 Summary**

- a The TD&P Committee meeting which was due to be held on 13th September was cancelled owing to the death of Queen Elizabeth II. The committee were asked to give consideration under delegated authority via email.

#### **TDP6.7.2 Planning Applications Received and Committee Decision**

2022/1387/TCA Bo Walsh	2no x Pitch Pine - Fell.  Shepton Mallet Bowls & Tennis Club, 3 Frithfield Walk, Shepton Mallet, BA4 5LY	Members supported this application, subject to approval by the Tree Officer and replacement planting with native species.
2022/1637/TCA Bo Walsh	T1 – Thuja Plicata – reduce height of twin stems by approx. 12m.  11 Paul Street, Shepton Mallet, BA4 5LD	Members supported this application, subject to approval by the Tree Officer.
2022/1711/HSE 2022/1712/LBC Kirsty Black	Erection of single-storey side extension and conversion of outbuilding from workshop to office space.  17 Great Ostry, Shepton Mallet, BA4 5TT	Members supported these applications, subject to the extension being in keeping with the style of the main building and the rest of the north side of Great Ostry.
2022/1730/FUL Josh Cawsey	Erection of a two-storey side extension.  3 Drill Hall Lane, Shepton Mallet, BA4 5AR	Members supported this application.
2022/1743/TPO Bo Walsh	TPO A1 M197 – Reduce height of all trees to approx. 6.5m or same as eaves height on adjacent factory building. Prune side branches growing towards factory to give 4m clearance. Prune growth overhanging properties to the north on Constantine Court. T1 – T3 – 2x Ash and 1 unidentified dead tree – Fell.  Units 3a to 3b Mendip Avenue, Shepton Mallet, BA4 4PE	Members did not support this application. Members agreed with the concerns raised by residents: <ul style="list-style-type: none"> <li>the height reduction is not appropriate as it will have a negative visual impact on residents and,</li> <li>wildlife will be impacted by the works to the trees but there is no ecology report included in the application.</li> </ul>

2022/1757/TPO Bo Walsh	TPO M1273 – T1 – Lime – Reduce x4m leaving the Lime standing at 14-16m.  The Tree House, 36 Nightingale Grove, Shepton Mallet, BA4 5PZ	Members supported this application, subject to approval by the Tree Officer.
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**TDP6.7.3 Legal Authority and Implication**

- a The Town Council is a consultee but does not have the authority to determine planning applications. The Council has the power to be notified of planning applications affecting the Council's area and to comment (Town and Country Planning Act, 1990 sch 1 para8).

**TDP6.7.4 Town Plan Reference**

- a Place Making: Improve the Built Environment by working with partners to protect it.

**TDP6.7.5 Recommendation**

- a That the Committee ratifies the decisions taken under delegated authority.

**TDP6.7.6 Reason for Recommendation**

- a To formalise the decisions taken under delegated authority.

(End)

### **TDP6.8** To Consider the Community Highways Requests Policy

To consider adopting a policy for receiving requests from members of the public for highways improvements. (8 mins)

*(Town and Country Planning Act, 1990 sch.1 para.8)*

**Report Author:** Assistant Town Clerk (Planning and Amenities)

#### **TDP6.8.1** Summary

- a** From time to time, the office receives requests from members of the public to support changes to the current road orders.
- b** Somerset County Council has a policy whereby they will only consider possible amendments if they have been supported by a parish/town council.
- c** In order for the committee to decide whether to support a suggestion, officers have written a policy to guide the public into giving the council as much information as possible for them to make an informed decision.

#### **TDP6.8.2** Legal Authority and Implication

- a** The Town Development & Planning committee has delegated authority to consider and resolve issues affecting roads, highways, development, environment or relating to planning matters upon which the Town Council is consulted or in which to the Town Council has an interest.

#### **TDP6.8.3** Town Plan Reference

- a** Place Making: Improve the Built Environment by working with partners to protect it.

#### **TDP6.8.4** Recommendation

- a** That the Committee adopts the policy.

#### **TDP6.8.5** Reason for Recommendation

- a** To allow officers to issue the policy in order give guidance to members of the public.