

Public Agenda Pack



Notice of Meeting of

PLANNING COMMITTEE - WEST

Tuesday, 21 November 2023 at 2.00 pm

John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE

To: The members of the Planning Committee - West

Chair: Councillor Simon Coles

Vice-chair: Councillor Derek Perry

Councillor Norman Cavill

Councillor Caroline Ellis

Councillor Andy Hadley

Councillor Steven Pugsley

Councillor Sarah Wakefield

Councillor Gwil Wren

Councillor Dixie Darch

Councillor Habib Farbahi

Councillor Ross Henley

Councillor Andy Sully

Councillor Rosemary Woods

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticserviceswest@somerset.gov.uk.

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: democraticserviceswest@somerset.gov.uk by **12noon on Monday, 20 November 2023**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be recorded and available to view on YouTube.

Issued by David Clark (the Proper Officer) on Monday, 13 November 2023

AGENDA

Planning Committee - West - 2.00 pm Tuesday, 21 November 2023

Public Guidance Notes for Planning Committees (Agenda Annexe) (Pages 7 - 10)

Webcast link to view the meeting (Pages 11 - 12)

1 Apologies for Absence

To receive any apologies for absence and notification of substitutions.

2 Minutes from the Previous Meeting (Pages 13 - 22)

To approve the minutes from the previous meeting.

3 Declarations of Interest

To receive and note any declarations of interests in respect of any matters included on the agenda for consideration at this meeting.

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes: [City, Town & Parish Twin Hatters - Somerset Councillors 2023](#))

4 Public Question Time

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker.

Requests to speak at the meeting at Public Question Time must be made to the Monitoring Officer in writing or by email to democraticservicesteam@somerset.gov.uk by 5pm on Wednesday 15 November 2023.

5 Planning Application 48/21/0008 - Nigella, Church Hill, West Monkton (Pages 23 - 50)

To consider an application for the erection of 1 No. detached dwelling with detached garage and associated works at the walled gardens at Nigella, Church Hill, West Monkton.

6 Planning Application 27/21/0009 - The barn located to the west of Manor Farm, Oake (Pages 51 - 74)

To consider the removal of dutch barn and conversion of agricultural building into 1 No. single storey dwelling at the barn located to the west of Manor Farm, Oake.

7 Planning Application 3/01/23/005 - Byways, 19 Church Lane, Bicknoller, TA4 4EL (Pages 75 - 90)

Erection of 4 No. dwellings and associated development at Byways, 19 Church Lane, Bicknoller, TA4 4EL

8 Planning Application 3/16/23/005 - Land at Moorhouse Farm, Moorhouse Lane, Holford, TA5 1SP (Pages 91 - 114)

To consider an application for the change of use of land for a period of 3 years to allow the siting of caravans to accommodate Hinkley Point workers with the erection of an ablutions block.

9 Appeal Decisions (for information)

There are no appeal decisions to be reported this month.

Other Information:

Exclusion of the Press and Public for any discussion regarding exempt information

The Press and Public will be excluded from the meeting when a report or appendix on this agenda has been classed as confidential, or if the Committee wish to receive confidential legal advice at the meeting. If the Planning Committee wish to discuss information in Closed Session then the Committee will be asked to agree the following resolution to exclude the press and public:

Exclusion of the Press and Public

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 to exclude the press and public from the meeting, on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972:

Reason: Para 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

(Or for any other reason as stated in the agenda or at the meeting)

Ordnance Survey mapping/map data included within this publication is provided by Somerset Council under licence from the Ordnance Survey in order to fulfil its public function to undertake its statutory functions on behalf of the district. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey mapping/map data for their own use. Somerset Council - AC0000861332 - 2023

This page is intentionally left blank

Public Guidance Notes for Planning Committees

Can I speak at the Planning Committee?

The Applicant or Agent, Parish, Town or City Council, Division Members and objectors or supporters are able to address the Planning Committee. **All speakers need to register – please see details on the next page.**

The order of speaking will be:-

- Those speaking to object to the proposal - maximum of 5 speakers of 3 minutes each
- Those speaking in support of the proposal - maximum of 5 speakers of 3 minutes each
- Parish, Town or City Council(s) - 3 minutes each
- Councillors of Somerset Council (non-Committee members) - 3 minutes each
- The applicant or their agent - 3 minutes

Public speaking will be timed and the Chair will be responsible for bringing the speech to a close. The speaker/s will be allowed to address the Committee during their registered slot only and will not be allowed to provide further clarification. If an item on the Agenda is contentious, with a large number of people attending the meeting, a representative speaking to object or support the proposal should be nominated to present the views of a group.

The Chair can exercise their discretion in consultation with the Legal Adviser and this maybe, for example, it maybe that comments are derogatory in which case the Chair will exercise discretion to prevent the speaker from continuing, or if balance was required in terms of speakers for and against or to make a specific point, to allow a further speaker.

Comments should be limited to relevant planning issues. There are limits to the range of issues that can be taken into account when considering planning applications.

Although not an exhaustive list, these might include:

- Government planning policy and guidance
- Planning legislation
- The suitability of the site for development
- Conflict with any planning policies such as the relevant Development Plan – which are available for inspection on the Council's website
- Adopted Neighbourhood Plans
- Supplementary Planning Documents (SPD)

- Previous planning applications and decisions
- Design, appearance, layout issues and relationship with the surrounding area.
- Living conditions such as privacy, noise and odour.
- Highway safety and traffic issues
- Biodiversity and ecology
- Impact on trees and the landscape
- Flood risk in identified areas at risk.
- Heritage assets such as listed buildings, conservation areas and archaeology
- The economy, including job creation/retention.
- Drainage and surface water run-off.

Issues that are not usually relevant will vary with each application, but the courts have established that the following matters cannot be taken into account when considering planning applications:

- The history or character of an applicant
- Perceived or actual impact of development on property values.
- Land ownership, restrictive covenants or other private property rights including boundary and access disputes or maintenance.
- An applicant's motivations or future intentions.
- Retrospective nature of applications;
- Impact on private views;
- The extent of public support or opposition for a proposal alone;
- Competition between businesses;
- Matters controlled by other (non-planning) legislation such as licensing and building regulations or other laws.

How do I register to speak at Planning Committee?

A request to speak must be made to the Council's Democratic Services team no later than 12 noon on the working day before the Committee meeting by email to democraticserviceswest@somerset.gov.uk . For those speaking to object or support the proposal, the speaking slots will be allocated on a first come first served basis. If there are numerous members of the public wishing to speak in one slot it is advisable to make arrangements for one person to make a statement on behalf of all. The meetings are hybrid and you can speak either in person at the meeting or virtually. If you wish to speak at the meeting virtually please inform Democratic Services so that they can advise you of the details. If you have registered to speak, the Chairman will invite you to speak at the appropriate time during the meeting.

Can I present information to the Committee?

Please be advised that you cannot present documents in any form to the Committee Members at the meeting – this includes photographs and presentations (including Powerpoint presentations).

How do I know what time an application will be heard?

If you have registered to speak in person, we recommend arriving at the meeting venue about 15 minutes before the start time. If joining virtually, please consider joining the meeting a few minutes early to ensure your technology is working correctly - you may have to wait in a lobby until being admitted to the meeting. It is not possible to estimate the exact time an application will be heard.

What if my Division Member does not sit on the Planning Committee?

If your local Councillor is not a member of the Planning Committee, he or she can still address the meeting to outline any concerns or points of support. However, they will not be permitted to take part in the main debate, to make or second a proposal or to vote on any item.

Presentation of planning applications

The Planning Officer will present the case to the Committee explaining the factual matters and any salient points which need to be drawn out with the use of a visual presentation. It is important to note that the Planning Officer is not an advocate for either the applicant or any third parties but will make an impartial recommendation based on the merits of the proposal and any relevant material considerations.

The role of Officers during the debate of an application

When an application is considered at Planning Committee, it is the Officers' role to explain why they have concluded that permission should be approved or refused and answer any questions that Members may have. Whilst the Committee has to reach its own decision bearing in mind the Officer advice, report and recommendation, the Lead Planning Officer and Council Solicitor in particular have a professional obligation to ensure that a lawful and unambiguous decision is made in accordance with the Council's Development Plan, planning legislation, regulations and case law. This means, in the event that a contrary decision is sought, they will need to explain the implications of doing so. This can sometimes mean that Officers need to advise and guide Members as to planning policy, what are or are not material considerations, what

legally can or cannot be considered or given weight and the likely outcome of any subsequent appeal or judicial review.

Officers' views, opinions and recommendations may, on occasion, be at odds with the views, opinions or decisions of the Members and there should always be scope for Members to express a different view from Officers. However, any decision by the Committee must be based on proper planning reasons as part of the overall aim to ensure that a lawful and unambiguous decision is made. Where this is contrary to that recommended within the Officer report, the Lead Planning Officer and Council Lawyer will advise Members in making that decision.

Recording of the Meeting

Please note that this meeting will be recorded, and the recording will be made available on the Council's website and/or on YouTube. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore, unless you are advised otherwise, by taking part in the Council meeting during public participation you are consenting to being recorded and to the use of the sound recording for access via the website or for training purposes.

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public – providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings, No filming or recording may take place when the press and public are excluded for that part of the meeting.



This is the on-line invite to join the Planning Committee - West meeting on Tuesday 21 November at 2.00pm. Please note this is an in-person meeting in the John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE.

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 386 064 096 198

Passcode: W3LypG

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+44 1823 772277,,514112892#](#) United Kingdom, Taunton

Phone Conference ID: 514 112 892#

[Find a local number](#)

This page is intentionally left blank



Minutes of a Meeting of the Planning Committee - West held in the John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE, on Tuesday, 17 October 2023 at 2.00 pm

Present:

Cllr Simon Coles (Chair)

Cllr Norman Cavill

Cllr Andy Hadley

Cllr Steven Pugsley

Cllr Rosemary Woods

Cllr Habib Farbahi

Cllr Dawn Johnson

Cllr Sarah Wakefield

Cllr Gwil Wren

46 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors Caroline Ellis, Ross Henley, Andy Sully and Derek Perry.

It was noted that Councillor Dawn Johnson was in attendance as substitute for Councillor Caroline Ellis.

47 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - West held on 19 September 2023 be confirmed as a correct record.

48 Declarations of Interest - Agenda Item 3

Councillor Simon Coles noted that he had spoken to the Agent for Agenda item 8: 14/21/047/HYB - Land East of the A38, South of Walford Cross, Monkton Heathfield, but had not offered an opinion.

The following Councillors noted that they knew the landowner for Agenda items 5 and 6: 38/22/0344 - Weir Lodge, 83 Staplegrove Road, Taunton: Habib Farbahi, Dawn Johnson, Sarah Wakefield.

The Solicitor defined 'close associate' as detailed in the Member's Code of Conduct and said it was for each Councillor to decide if they had a Code interest in the applications and/or could determine the applications with an open mind.

Councillor Andy Hadley noted that he had received several emails regarding Agenda item 7: 3/21/22/084 – Land East of Porlock Road, Minehead although he had not responded to them.

Councillor Norman Cavill declared a personal and prejudicial interest in Agenda item 8: 14/21/047/HYB - Land East of the A38, South of Walford Cross, Monkton Heathfield.

The Solicitor clarified that members should now be declaring Disclosable Pecuniary Interests, Other Registerable Interests and/or Non-Registerable Interests in line with the adopted Member's Code of Conduct. He suggested Members may wish for some further training on this. He reminded Members that they must consider whether they had a Code interest in any planning application brought to Committee and also whether they could approach the application with an open mind and were not predetermined.

Councillor Gwil Wren advised that he had sat on the former Somerset West and Taunton Planning Committee who had considered Agenda item 5: 38/22/0344 – Weir Lodge, 83 Staplegrove Road, Taunton: in March 2023. However, he said that he would retain an open mind in determining the application.

49 Public Question Time - Agenda Item 4

There were no questions from members of the public.

50 Planning Application 38/22/0344 - Weir Lodge, 83 Staplegrove Road, Taunton TA1 1DN - Agenda Item 5

The Planning Officer introduced the application to the Committee together with Planning Application 37/23/0103LB. With the aid of a power point presentation, he provided the following comments including:

- History of the previous permissions granted on the site and confirmed that the existing outbuilding that had already been granted permission for demolition had not yet been demolished.
- Clarified location of the site set within the conservation area and in relation to listed buildings.

- Increase in floor level due to proposal located within flood risk zone.
- Update on the latest phosphates situation in relation to the availability of credits.
- A further letter in support of the application had also been received.

He referred to the key issues being the harmful impact on the setting of listed building and on the character of the conservation area. He also highlighted the site was within Flood Zone 3 and that there was no current phosphate solution for the site. The recommendation was therefore for refusal for both this application and the listed building application 37/23/0103LB.

Three members of the public addressed the committee. Some of their comments included:

- Questioned the reason why this application had been brought back to Committee given previous permission had already been granted.
- Referred to nearby modern estate located opposite the application site and set amongst many listed buildings.
- Applicant has previously created excellent affordable housing and should support this scheme which would be a huge improvement to the area.
- Referred to a heritage consultation statement undertaken and its conclusions, which established that any harm to the area was effectively compensated due to the addition of the green space, public benefit and additional housing stock.

The solicitor for the applicant then addressed the committee. He referred to the previous permission which had been approved by the predecessor authority on condition that phosphate mitigation was dealt with, and planning conditions agreed. He voiced his disappointment in the time delays, lack of engagement with the planning service and that the applicant has been given a days' notice that the phosphate credits solution was not available. He questioned why the application had been brought back to Committee given these circumstances and requested that the application and the listed building application be deferred so that these two outstanding issues could be resolved and then permission be granted in line with the previous Committee decision.

The Solicitor explained to Members the reason why the planning application had been brought back to committee and although this application had previously been considered by the Somerset West and Taunton Planning Committee the listed building application 37/23/0103LB had not. The Solicitor explained that the Committee was not bound to follow the previous resolution by the SWT Planning Committee. He also advised on the issue of phosphate credits and explained that,

in addition to the Council's own credit scheme, there were now many private schemes available for developers.

During a lengthy debate several comments were made including:

- Questioned why the application had been brought back to Committee given no time constraints had been imposed.
- Felt the application should be deferred to allow Officers and the applicant to agree a resolution of the phosphates issue and the imposition of necessary conditions.
- Believe consideration of this application was premature and that more time was needed to allow these issues to be resolved, but that a time frame be imposed of approximately 3 to 4 months.
- The listed building application was a stand-alone application and therefore should be dealt with separately and questioned the reason why the listed building application be deferred when this application runs in parallel to it.

Following a further lengthy discussion, and following advice from the Solicitor, it was then proposed by Councillor Habib Farbahi and seconded by Councillor Steven Pugsley to defer on the basis of the previous Committee's decision that delegated authority be given to Officers to resolve the phosphate issue and planning conditions and then grant permission if those two issues are resolved, with a timescale until the Planning West Committee of 20 February 2024.

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

Resolved:

That planning application 38/22/0344 for the demolition of an outbuilding and the erection of 1 No. detached dwelling at Weir Lodge, Staplegrove Road, Taunton be DEFERRED to allow Officers to discuss with the applicant the outstanding phosphate issue and the imposition of planning conditions and, subject to these matters being resolved, to grant the planning permission. In the event that planning permission has not been granted by the date of the February 2024 meeting of the Committee, that the application be reported back to that Committee meeting for further consideration and determination.

(Voting: unanimous in favour)

51 Planning Application 37/23/0103LB - Weir Lodge, 83 Staplegrove Road, Taunton TA1 1DN - Agenda Item 6

Having previously presented this application together with application 38/22/0344 the Planning Officer reiterated his reasons for refusal of the application.

It was then proposed by the Chair, Councillor Simon Coles and seconded by Councillor Steven Pugsley to defer the application to at the latest the 20 February 2024 Planning West Committee, in line with the previous resolution, and encourage the applicant and Officers to work through and resolve the objections and issues.

Following a short discussion and in response to points of detail and questions from Members, the Solicitor clarified why the application would need to come back to committee notwithstanding that the previous application 38/22/0344 had been delegated for approval.

There being no further debate the proposal to defer the application was carried unanimously.

Resolved:

That in light of the resolution in respect of 38/22/0344, application 37/23/0103LB for the demolition of an outbuilding and the erection of 1 No. detached dwelling at Weir Lodge, Staplegrove Road, Taunton (resubmission of 38/22/0345LB) be DEFERRED and reported back to the Planning West Committee by no later than 20 February 2024

(Voting: unanimous in favour)

52 Planning Application 3/21/22/084 - Land East of Porlock Road, Minehead - Agenda Item 7

The Planning Officer introduced the application to the Committee and with the aid of a power point presentation, he provided the following comments including:

- Internal roads to be constructed to adoptable standards.
- Diversion of the public footpath currently running through the site.
- Vehicle tracking and visibility splays within the site are acceptable to allow for forward visibility and allow refuse, emergency vehicles etc. to enter, turn and exit the site.
- Proposal to allow the 40mph speed limit zone to be moved further south with a Traffic Regulation Order (TRO) being made to allow this to take place before construction of the access takes place.

He referred to the key consideration and said the site was well related to good

footpath links and the local bus stop with opportunities to walk to local facilities in a safe manner. He considered the density to be quite low and with no objections from the Highways Authority with only a modest increase in traffic associated with 10 dwellings. The proposed dwellings were to be set well away for the east side boundary of acceptable height and therefore consider no adverse effect on nearby properties. The site was situated within flood zone 1 and that an acceptable surface water drainage strategy had now been submitted and agreed. Biodiversity mitigation proposals were also deemed acceptable. The recommendation was therefore to approve the application.

The agent then addressed the committee. Some of her comments included:

- The proposal was of a modest scheme of 10 dwellings and policy compliant.
- Was in an appropriate location with good access to local services.
- Flood risk assessment had been undertaken and a surface water drainage strategy submitted. These has been agreed and deemed acceptable by the Environment Agency and LLFA.

During Members discussion comments were made including:

- Concerns raised regarding the surface water run-off and the impermeability of the site.
- Felt the nearby Porlock Road was dangerous and not safe for pedestrian use or access and that local connectivity was much needed.
- Believed the proposed access to the town via the nearby cul de sac was also not suitable.
- Voiced disappointment that the scheme did not provide much needed affordable housing.
- This was agricultural land and had not been identified in the local plan.

The Planning Officer and Solicitor responded on points of detail and technical questions raised by Members including:

- Clarified the location and explained the management of the proposed attenuation ponds and surface water drainage.
 - Explained the guidance around the development of land not previously identified within the local plan.
 - Could not enforce the development to build more homes on the site to allow for affordable housing. Officers were however content with the mix of proposed homes.
- Acknowledged the concerns regarding foul drainage but explained the process and intention to pump offsite.

With agreement from the Chair the agent then clarified to the Committee the reason for the reduction of dwellings on the site was in response to public consultation.

Councillor Gwil Wren proposed an amendment to Condition 4 to change the word 'occupation' to 'construction' to ensure the adequate provision of drainage infrastructure from the beginning of site construction.

It was then proposed by Councillor Steven Pugsley that the Planning Officer's recommendation together with the proposed amendment to Condition 4 be accepted and this was seconded by Councillor Gwil Wren. On being put to the vote the proposal was carried by 7 in favour, 0 against and 2 abstentions.

Resolved:

That planning application 3/21/22/084 on land East of Porlock Road, Minehead be GRANTED permission subject to the conditions listed in the Agenda report with an amendment to Condition 4 to change the word 'occupation' to 'construction' and the completion of a Section 106 agreement, for the following reason:

The proposals for 10 detached dwellings and associated infrastructure on land east of Porlock Road, Minehead accords with Policies SC1 and SD1 of the West Somerset Local Plan by virtue of being in close proximity of the built area of the town, providing good accessibility to the town and not putting undue pressure on local roads. It's important landscape and ecology features can be retained and enhanced, the design of dwellings is in keeping with the locality and amenity of the area can be protected. With suitable conditions and planning obligations securing community, and transport benefits, on balance the proposals are sustainable development that can be supported and approved.

(Voting: 7 in favour, 2 against, 0 abstentions)

(Councillor Norman Cavill, having earlier declared an interest, left the meeting at this point).

53 14/21/047/HYB - Land East of the A38, South of Walford Cross, Monkton Heathfield - Update Report - Agenda Item 8

The Planning Officer introduced the report which was an update to the main application which had been presented to the Somerset West and Taunton Planning Committee in September 2022. The application had been deferred to review and assess the 14 reasons for refusal and a further report had been presented in March

2023 where Members had granted a further 6 months to Officers to negotiate with the developer.

He advised that the site was now known as Langaller Park. He said there had been various meetings with stakeholders, Planning Officers and Members to revise the masterplan, include green infrastructure and the presence of a district centre. His recommendation was to allow a further 6 months to discuss the application with the developer and to maintain the option to delegate a refusal in consultation with the Chair and Vice Chair of the Somerset West Planning Committee of Somerset Council should current progress not continue.

The agent for the applicant advised that there were complex issues at the site including providing nutrient neutrality on-site. He had requested the time extension and confirmed that a Planning Performance Agreement had been entered into. He said that revisions to the application would be shortly submitted.

In response to a question, the Planning Officer confirmed that the work and time extension would be beneficial and he hoped to have a revised submission prior to the end of the 6 months.

The Planning Officer's recommendation to agree a further 6 months time extension was proposed by Councillor Steven Pugsley and seconded by Councillor Sarah Wakefield. On being put to the vote, it was unanimously agreed by Members.

Resolved:

That planning application 14/21/047/HYB for a Hybrid application for Outline planning permission with all matters reserved, except for access related to the A38, for the second phase of the Monkton Heathfield development on land east of the A38, south of Walford Cross, Monkton Heathfield, Members AGREED to not enact part ii) of the original resolution to refuse the application because in the view of Officers significant progress had been made.

Members further AGREED to grant a further 6 months for the Local Planning Authority and applicant to continue working towards an agreed masterplan and revised submission with Environment Statement addendum, but maintaining the option to delegate a refusal in consultation with the Chair and Vice Chair of the Somerset West Planning Committee of Somerset Council should progress not continue in the way required by the Local Planning Authority.

(Voting: unanimous in favour)

54 Appeal Decisions (for information) - Agenda Item 9

The Chair proposed to leave the meeting at this point and he asked that the Committee agree to appoint Councillor Steven Pugsley as Chair for the final item of business. This was agreed without dissent.

The Service Manager for Development Control introduced the report and drew Members' attention to the appeal decisions listed. She noted that all had been dealt with by the same appeal inspector and there had been no applications for costs.

In response to a question, the Service Manager for Development Control confirmed that all the applications had been delegated decisions by Officers.

At the conclusion of the debate, Members were content to note the report.

NOTED.

(The meeting ended at 5.07 pm)

.....
CHAIR

This page is intentionally left blank

Agenda Item 5

Application Details	
Application Reference Number:	48/21/0008
Application Type:	Full planning permission
Earliest decision date:	31 March 2023
Expiry Date	09 April 2021
Extension of time	22 December 2023
Decision Level	Committee
Description:	Erection of 1 No. detached dwelling with detached garage and associated works at the walled gardens at Nigella, Church Hill, West Monkton
Site Address:	NIGELLA, CHURCH HILL, WEST MONKTON, TAUNTON, TA2 8QT
Parish:	48
Conservation Area:	Yes
Somerset Levels and Moors RAMSAR Catchment Area:	Yes
AONB:	No
Case Officer:	Mike Hicks
Agent:	
Applicant:	MR & MRS MUNSON
Committee Date:	21 November 2023
Reason for reporting application to Committee	Recommendation contrary to Parish Council and more than 4 objectors views

1. Recommendation

1.1 That permission be GRANTED subject to the prior completion of a Section 106 Agreement and conditions.

2. Executive Summary of key reasons for recommendation

2.1 Grant permission subject to the signing of a S106 agreement to pay the required sum to secure phosphate credits to ensure nutrient neutrality. The development will have an acceptable impact on the character of the Conservation Area and general visual amenity, on residential amenity, on highway safety and the ecology of the site.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

- Time limit
- Approved plans
- Materials
- Eaves/Fascias
- Windows in timber and details to be agreed
- Restoration of historic wall
- Landscaping
- Tree Protection
- Parking spaces including those within the garage and turning retained as approved
- Consolidated surface at access
- Cycle storage and EV charging points
- Surface water drainage
- Water consumption
- Restriction on permitted development- extensions including roof extensions, outbuildings.
- Obscure glazing to windows to first floor of East elevation.
- No additional windows to be formed in East elevation or first floor of West elevation.
- Vegetation removal outside nesting season
- Vegetation removal to be supervised by ecological clerk of works
- Ecological enhancements
- External lighting

3.2 Informatives (bullet point only)

- Positive/proactive planning
- Ecology notes
- Vegetation growth in visibility splay should be cleared
- Licence for works adjacent to highway

3.3 Obligations

Section 106 agreement to secure the payment of money to gain phosphate credits to ensure the development is nutrient neutral.

4. Proposed development, site and surroundings

4.1 Details of proposal

The application proposes a detached 1.5 storey dwelling. The dwelling contains the upper floor on the eastern end of the dwelling which is partially within the roof. The remainder of the dwelling would be single storey only. The dwelling would contain 4 bedrooms, 2 on the upper floor and 2 on the ground floor. A detached double garage is proposed to the north of the dwelling, on the Northern side of the historic wall.

During the course of the application, amended plans were received detailing the following amendments:

- Floor plans and elevations amended to reduce footprint to provide increased distance to southern boundary
- Alterations to windows including reduction in design of eaves and gable ends revised to reflect traditional detailing.
- Rooflights to be flush fit conservation style solar panels to South elevation

4.2 Sites and surroundings

The site is situated within a section of walled garden located within the garden of a dwelling to the North known as Nigella. The site is located within the settlement boundary for West Monkton. The historic wall is constructed from stone and brick and forms the Northern and Eastern boundaries enclosing the proposed dwelling. The eastern boundary of the site is shared with a chalet bungalow known as Annandale. The Western boundary is shared with a 2 storey detached dwelling known as Mulberry House. The Southern site boundary is shared with a detached dwelling known as Bartons. There is a detached property to the North known as 'Nigella' and another dwelling to the North East known as Tresco located on the Northern side of the site access.

The site is located within the West Monkton Conservation Area. The vehicular access to the site is located to the north of the proposed dwelling and consists of a private road extending in an easterly direction to the public highway which is unclassified. The private access road currently serves 3 detached dwellings.

5. **Planning (and enforcement) history**

Reference	Description	Decision	Date
48/23/0002	Erection of 1 No. detached dwelling with associated	Under consideration	N/A

	works in the garden to the rear of Nigella		
48/19/0059	Outline planning permission with all matters reserved (except for access) for the erection of 1 No. detached dwelling in the garden to the rear of Nigella	Permitted with conditions on appeal	15.09.2020

6. Environmental Impact Assessment

N/A

7. Habitats Regulations Assessment

The site lies within the catchment area for the Somerset Moors and Levels Ramsar site. The development will result in the discharge of phosphates within the catchment. Accordingly, the competent authority under the Conservation of Habitats and Species Regulations 2017 is required to carry out a Habitat Regulations Assessment. The applicant has undertaken to purchase phosphate credits which have the effect of offsetting the phosphate discharge from the site. As a result of mitigation being secured in the form of phosphate credits which are commensurate with the level of phosphates that would be generated by the development, it is considered that there would be no additional impact on the Ramsar site (either alone or in combination with other plans or projects) pursuant to Regulation 63(1) of the Habitats Regulations 2017.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 13 October 2023

8.2 Date of revised consultation (if applicable):

8.3 Press Date: 19 February 2021

8.4 Site Notice Date: 17 February 2021

8.5 **Consultees** the following were consulted:

Consultee	Comment	Officer Comment
WEST MONKTON PARISH COUNCIL	<p>First response- Object-</p> <ul style="list-style-type: none">Concerns over substandard access, poor visibility, busy road used by large farm and heavy vehicles, no footpath, cyclists and other users on the road.Dwelling is too large for the plotOut of keepingImpact on neighbours to south via overlookingPotential impact on the historic wall <p>Second response- Object-</p> <ul style="list-style-type: none">Site sections are misleadingWill overshadow AnnandaleComments should be sought from another Conservation Officer <p>Third response- Object-</p> <ul style="list-style-type: none">Objection as per previous responses still stands.	Refer to material considerations section of report
SCC - ECOLOGY	<p><u>No objections subject to conditions:</u></p> <ul style="list-style-type: none">Walkover survey to assess shed to be demolishedNo vegetation removal within nesting season unless supervised by an ecologist	Conditions included

Consultee	Comment	Officer Comment
	<ul style="list-style-type: none"> • Removal of scrub, shrubs and tall ruderals to be supervised by an ecologist • Ecological enhancements 	
<p>SCC - TRANSPORT DEVELOPMENT GROUP</p>	<p><u>First response-</u> No objection subject to conditions relating to visibility, structural assessment, drainage, parking, cycle storage, EV charging points</p> <p><u>Second response-</u> No objections subject to conditions:</p> <ul style="list-style-type: none"> • Parking spaces, surface water, consolidated access, cycle storage, EV points. <p>Informatives-</p> <ul style="list-style-type: none"> • Vegetation growth to be removed • Licence for works adjacent to highway 	<p>Conditions included</p>
<p>WESSEX WATER</p>	<p>No objections. Comments made relating to surface water drainage, connections to foul sewer and water mains.</p>	
<p>TREE OFFICER</p>	<p>No objection- would be beneficial to protect the Sycamore on the Southern boundary.</p>	<p>Condition included</p>
<p>LANDSCAPE</p>	<p>No comments received.</p>	
<p>CONSERVATION OFFICER</p>	<p>No objections- the development is of an appropriate scale and will result in minimal intervention into the historic wall. The wall needs to be safeguarded during construction.</p>	<p>Refer to heritage section</p>
<p>NATURAL ENGLAND</p>	<p>Agree with the contents of the shadow HRA providing that all mitigation measures (credits) are secured.</p>	<p>Recommendation is subject to the completion of a S106 legal</p>

Consultee	Comment	Officer Comment
		agreement to secure the credits.

8.6 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

24 letters have been received making the following comments (summarised):

Material Planning Considerations	
Objections	Officer comment
There was a traffic accident in 2014 at the site entrance and numerous 'close shaves' in the past.	Refer to highway section
Vehicles regularly encroach past the 'imaginary' give way line as referred to by the transport report.	Refer to highway section
Outline planning consent has already been granted for a further plot accessed from this driveway	Refer to highway section
Visibility at the site entrance is substandard.	Refer to highway section
Will the highway authority want to adopt the road if it serves more than 3 properties?	This would not usually apply to an existing access. If this were a concern it would have been raised by the Highway Authority.
Visual impact on the heritage asset- Conservation Area and wall. Dwelling will be taller than the wall. Will not preserve or enhance the heritage assets.	Refer to heritage section
Contrary to the spacious character of the area	Refer to character and appearance section
Adverse impact on the amenities of all surrounding properties in relation to overbearing impact, overshadowing.	Refer to residential amenity section
Will set a further for further development in gardens in the area	This is not a planning reason to refuse where a proposal has

	been assessed and is considered to be acceptable. Any other site can be similarly be assessed through the planning process.
Adverse impact on wildlife within the site including bats, birds and bees.	Refer to ecology section
Plans are misleading- levels around Annandale are lower than shown on the site section	Refer to other matters section
Only having a pedestrian access to the plot will be problematic for the build.	Refer to other matters section
Potential damage to historic wall and neighbouring boundaries and properties during construction	Refer to other matters section
Concerns over noise during construction	Refer to residential amenity section

Non material planning considerations	
Existing residents were not consulted by the author of the transport report.	This is not a material consideration as such. There is sufficient information with the application and from neighbours to enable a planning judgement to be made

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations strongly indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.

Relevant policies of the development plan in the assessment of this application are listed below:

CP8 - Environment,
DM1 - General requirements,
CP1 - Climate change,
CP4 - Housing,
DM5 - Use of resources and sustainable design,
SP1 - Sustainable development locations,
A1 - Parking Requirements,
D10 - Dwelling Sizes,
D12 - Amenity space,
ENV1- Protection of trees, woodland, orchards and hedgerows,
ENV2 - Tree planting within new developments,

Supplementary Planning Documents

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022).

Neighbourhood plans:

West Monkton and Cheddon Fitzpaine

The following policies are of relevance:

Housing Policy H2: External Materials for Residential Development

Housing Policy H3: Refuse Bin Storage for Residential Development

Housing Policy H5: Building and Climate Change

9.1 National Planning Policy Framework

The NPPF is a material consideration.

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

10.1.1 The principle of development

The site is located within the settlement limits for West Monkton and accordingly the provision of a dwelling in this location accords with the Councils settlement strategy and is acceptable in principle. The proposal would therefore comply with Policy SB1 of the Taunton Deane Site Allocations and Development Management Plan and Policy SP1 of the Taunton Deane Core Strategy.

10.1.2 Heritage/General character and appearance

Section 72 of the Listed Buildings and Conservation Areas Act (1990) states that in the exercise of duties in relation to planning functions, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposed dwelling would be 1.2 metres taller than the adjacent property, Annandale at the tallest point of the roof. The lower section of roof would be 0.33 metres taller than Annandale. This height difference would be apparent within the near vicinity of the site. The dwelling would project above the historic wall by approximately 2.24 metres above the wall at the highest point in the roof when viewed from the north of the proposed dwelling. The dwelling would exceed the height of the wall to a greater degree when viewed from Mulberry House due to the wall following the downward contours along the Eastern boundary. Notwithstanding this, it is considered that in this height difference will not overly dominate or detract from the setting or appearance of the wall.

Overall, views of the proposed dwelling would be predominantly of the roof as opposed to wall which would be the case with a taller dwelling. The Conservation Officer has not objected to the proposal. Whilst the dwelling would alter the visual appearance of the area, it would be set within an existing residential area. The plot is smaller than some of the plots in the area, however it forms a visually coherent plot as it is visually enclosed by the wall and is already domestic in character. Accordingly its smaller size would not appear incongruous within this existing context.

The Neighbourhood Plan suggests that locally distinctive materials should be used in new development. The render to the walls would respect the existing surrounding character as render is already used in the immediate locality. Painted render is also a

characteristic feature throughout the Conservation Area. Natural slate is proposed for the roof.

The development provides an opportunity to enhance the condition of the historic wall and for minor repairs to be carried out. This will be secured via a planning condition and will provide a heritage benefit to the proposal through enhancement and conservation.

Conditions will be imposed to ensure that details of external materials are agreed, windows are timber and that roof eaves details are agreed in writing. A landscaping scheme will ensure some additional tree planting within the plot. Overall, subject to conditions it is considered that the proposal will preserve the character and appearance of the Conservation Area and the general character and appearance of the area.

Having regard to the above the proposal would comply with Policies DM1 and CP8 of the Taunton Deane Core Strategy.

10.1.3 Quality of Accommodation

The proposal would comply with the relevant minimum floor and outdoor amenity space policies set out in Policies D10 and D12 of the Taunton Deane Site Allocations and Development Management Plan

10.1.4 Access, Highway Safety and Parking Provision

The applicant has submitted a technical report which assesses the safety of the junction with the main road. This has been assessed by the Highway Department. The visibility splays cannot be improved as the relevant land is under third party ownership and that owner does not agree to make improvements.

The Highway Authority have commented that they do not object subject to conditions relating to parking spaces, surface water, consolidated access, cycle storage and EV points. The Highway Authority point out that this is an existing access as opposed to a new access and that overall they consider that the additional use of the access will not result in unacceptable harm to highway safety. They further note the low vehicular speeds on the highway at the point of access and the lack of recorded accidents. An informative is requested to advise the applicant that the vegetation growth within the highway margin should be trimmed to maintain the visibility splay. Neighbours have stated that the road is used by large vehicles. It is accepted that this is the case and that these vehicles encroach close to the point of access, however these movements

are not considered sufficiently regular to cause significant concern over the additional use of the access. The lack of pavements on the road is common in a village situation, accordingly most drivers approach such roads with an appropriate level of care and attention. This is not a sufficiently significant factor to justify refusal of the application on highway grounds.

A comment has been received that there is an outline permission for a single dwelling using this access. The outline consent has since expired and there is a concurrent application for full planning permission on that site under reference 48/23/0002. This adjoining application is being considered on its individual merits and the Highway Authority have not objected to it for the same reasons as outlined above. The potential cumulative impact of vehicular movements from two dwellings have therefore been taken into account in reaching the above conclusion.

The requested drainage condition has been amended in consultation with the Highway Officer to ensure that it relates to the discharge of water onto the existing driveway as opposed onto the public highway. The proposal would therefore accord with Policy DM1 of the Taunton Deane Core Strategy.

10.1.5 The impact on neighbouring residential amenity

The impact on residential amenity is considered to be acceptable. In relation to Annandale there will be some loss of direct sunlight to three windows in the side elevation, however this impact is considered to be at an acceptable level. The first floor windows are secondary windows to a bedroom that is also served by a window to the South and given the height of thee compared to the proposed dwelling there would be a relatively minimal impact. There would be a greater impact on the ground floor bedroom as this is the only window serving the room. This bedroom window is already dug into the surrounding ground levels so is already partially obscured by ground levels and the boundary fence. Given the distance of 6.5 metres to the proposed dwelling and its relative height, it is considered that whilst direct sunlight will be blocked at certain times of day, the key issue is the impact on overall daylight levels within the room. Given the above considerations it is considered that this impact is not sufficiently severe to warrant refusal.

Objections have been received relating to overlooking towards other properties towards the north (Tresco) and dwellings to the South and East (Windflower, Bartons and Annandale). There would be a distance of approximately 9.8 metres form the south elevation of the proposed dwelling to the shared boundary of Bartons. The boundary of Windflower is located a greater distance from the South facing bedroom

window. This distance is considered sufficient to mitigate the impact of one bedroom window at ground floor level. A back to back facing distance of 20 metres between houses is generally considered acceptable in planning terms. In this instance the distance from the neighbours is over 30 metres. There is a distance of over 10 metres from the North facing bedroom window the boundary of Tresco which is sufficient to ensure there is not an undue level of overlooking. There will be some views from the south facing window into the garden of Annandale, however these views will be at an oblique angle which is greater in this situation than many suburban contexts where properties are located closer to one another.

The existing sycamore tree on the southern boundary will provide further screening. A landscaping scheme will be secured to include further tree specimens in the interests of the character of the area and ecology. These will further assist to filter views from surrounding neighbours.

Concerns have been expressed by a neighbour about noise during construction. This is not a reason to refuse planning permission. Disruption would be temporary and is an expected aspect of development.

Having regard to the above the proposal would therefore accord with Policy DM1 of the Taunton Deane Core Strategy.

10.1.6 The impact on trees and landscaping

There is an existing sycamore tree located on the southern boundary. This tree is located within the Conservation Area and therefore cannot be felled without a separate permission. A tree protection condition will be included within the decision notice to ensure that the tree is not harmed.

10.1.7 The impact on the Somerset Levels and Moors Ramsar Site

The site is located in an area that is hydrologically connected to the Somerset Levels and Moors (SL&M) Ramsar site and as such the proposal has the potential to contribute to additional phosphates entering the Ramsar site. As a result this planning application has been subject to a Habitats Regulations Assessment (HRA) proceeding to an Appropriate Assessment.

Somerset Council, as the competent authority under The Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations') must be certain beyond a

reasonable scientific doubt that any new residential development will not have an adverse impact upon the Somerset Levels and Moors Ramsar Site. To do this, the proposed development must be 'nutrient neutral', demonstrated through an HRA, before planning permission can be granted.

Somerset Council has adopted an Interim Phosphates Mitigation Strategy (previously known as the Somerset West and Taunton Interim Phosphates Mitigation Strategy) in order to establish nutrient mitigation projects and create 'phosphate credits' for the River Tone catchment area known as 'SWT P-credits' associated with this mitigation, that developers can acquire.

The Interim Phosphates Mitigation Strategy, and projects therein have received the approval of Natural England, as set out within the 'Standard Appropriate Assessment' of the Strategy, available to view on the Council's website. Natural England has confirmed that SWT P-credits generated through the Interim Strategy will enable a commensurate quantum of development to be approved on the basis that it is nutrient neutral and will not therefore adversely affect the integrity of the Somerset Levels and Moors Ramsar Site.

In this case, the applicant has agreed to the principle of a Section 106 agreement to secure the acquisition of 0.1 SWT P-credits. The number of SWT P-credits required to ensure that the proposed development would be nutrient neutral have been derived using the Somerset Phosphorus Budget Calculator and reviewed by the Somerset Council Nutrient Neutrality Officer. They are based on best available evidence at the time of writing.

The applicant has prepared a Shadow HRA (sHRA) which the Council, as competent authority, has adopted as the HRA for the proposed development. The HRA confirms that as a result of the acquisition of SWT P-credits it is possible to conclude beyond all reasonable scientific doubt that the proposed development would not have an adverse effect on the integrity of the Somerset Levels and Moors Ramsar site as a result of excessive phosphates. Somerset Council as the competent authority has therefore fulfilled its statutory duty under Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017.

Natural England have confirmed that they concur with the conclusions of the HRA provided that the identified mitigation will be secured.

Section 106 Agreement

The Section 106 agreement will secure the following:

- The applicant has covenanted with the Council to:
- Pay a non-refundable 10% deposit to acquire SWT P-credits on the date planning permission is issued.
- To commence development within three calendar months of the date planning permission is issued.
- Not to commence development on site until the remaining payment of 90% for the acquisition of SWT P-credits has been paid to the Council.
- To notify the Council of the anticipated date of commencement not less than 10 working days before such date, and to commence development within 5 working days of the anticipated date of commencement.

The Council has covenanted to:

- Issue written confirmation that SWT P-credits have been reserved for the proposed development upon payment of the 10% deposit.
- To issue written confirmation to the applicant of all payments made.
- To implement and maintain the Interim Strategy and ensure that the P-credit requirement for the development is maintained in perpetuity.

This recommendation is to grant permission subject to the completion and signing of the above S106 agreement to secure the P credits.

Having regard to the above, subject to the completion of the S106 agreement, the proposal would accord with Policy CP8 of the Taunton Deane Core Strategy.

10.9.8 Ecology

The Councils Ecologist has confirmed that they do not object to the proposal subject to conditions to ensure that vegetation removal is carried out in such a way so as to protect nesting birds and amphibians, external lighting and ecological enhancements within the site. Subject to these conditions it is considered that there would be no harm to the ecological interests of the site, including to protected species. The proposal would therefore comply with Policy CP8 of the Taunton Deane Core Strategy.

10.1.9 Waste/Recycling facilities

There is sufficient space within the plot for the storage of domestic bins. Bins would be taken to the main road in accordance with the current arrangements for existing properties on collection day.

10.1.10 Flood risk and energy efficiency

The site is located within flood zone 1 and therefore there would be no flood risk issues to consider.

Policies of the Local Plan and the West Monkton and Cheddon Fitzpaine Neighbourhood plan require that regard is given to climate change in the design of new development. The Neighbourhood Plan states that development should consider measures such as onsite renewable energy and water saving measures. Policy DM5 of the Core Strategy also sets out a need to demonstrate how climate change has been taken into account, including such measures. Solar panels are proposed to the South facing roof slope. In addition a planning conditions will be included which ensures that the higher optional Building Regulations water efficiency standard of 100 litres per day is met.

Having regard to the above, the proposal will address Policy DM5 of the Taunton Deane Core Strategy and Policy H5 of the West Monkton and Cheddon Fitzpaine Neighbourhood Plan.

10.1.11 Other matters

The neighbour at the adjacent property, Annandale has commented that the plans are misleading in that the ground levels around Annandale in reality are lower than shown on the plan. The applicant has annotated the adjacent levels as being estimated. There is no requirement on an applicant to measure levels offsite, although it would be useful. The lower ground levels around the adjacent property have been taken into account, including photographs from the adjacent property and plans of the adjacent properties extension. Sufficient information has been submitted to assess the impact on this adjacent property.

A neighbour has commented that having a pedestrian access only to the site would be problematic for the build. This is a constraint that the developer would have to address in the construction method they adopt. It may result in a longer built time given that smaller machinery would have to be used, however this in itself would not present any material planning issues for consideration. A condition is included relating to safeguarding the wall during construction.

11 Local Finance Considerations

11.1 Community Infrastructure Levy

Proposed development measures approx. 245sqm.

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £30,750.00. With index linking this increases to approximately £43,500.00.

12 Planning balance and conclusion

12.1 Subject to conditions and the completion of a Section 106 agreement, the development would not harm the character of the area and would preserve the character and appearance of the Conservation Area. The development would not cause undue harm to residential amenity, highway safety and would not harm protected species, the general ecology of the site or Somerset Levels and Moors Ramsar site.

For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning Conditions and Informatives

Conditions

1. The development hereby permitted shall be begun within six months of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004) and to ensure that the development is implemented in a timely manner in accordance with Paragraph 77 of the NPPF.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 220.17-001 Rev C Existing Site & Location Plan

(A3) DrNo 220.17-004 D Proposed Site Plan

(A3) DrNo 220.17-005 A Proposed Plans Ground & First Floor

(A3) DrNo 220.17-006 B Proposed Elevations

(A3) DrNo 220.17-007 A Proposed Garage Plan & Elevations

(A3) DrNo 220.17-008 C Site Sections & Context Sections - East - West -& North - South

(A3) DrNo 220.17-009 Existing & Proposed Wall Elevations

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the construction of the building above DPC level, details of the materials (including the submission of samples where appropriate) to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To safeguard the character and appearance of the Conservation Area in accordance with Policy CP8 of the Taunton Deane Core Strategy.

4. The windows and doors within the development hereby approved shall be constructed in timber. Details of the timber windows and doors including cross-sections, profiles, materials, mouldings, finish and colour shall be submitted and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details and thereafter maintained as such.

Reason: To safeguard the character and appearance of the Conservation Area in accordance with Policy CP8 of the Taunton Deane Core Strategy.

5. All joinery for the construction of the eaves and fascias shall be constructed in timber and shall not be installed until details of the design, including cross sections colour and finish for eaves and fascias have been submitted and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.

Reason: To ensure that the proposed development does not harm the character and appearance of the building and the Conservation Area in accordance with Policy CP8 of the Taunton Deane Core Strategy.

6. Prior to commencement of works on site a detailed schedule of works and construction management plan shall be provided for the restoration and preservation of the historic wall around the site shall be submitted and approved in writing by the Local Planning Authority. The submitted details shall include the following:
 - Assessment of the structural integrity of the wall and schedule of repairs and restoration to include re-pointing and any other required works.
 - Details of finishing materials, specification of pointing
 - Detailed methodology for the insertion of the access in the northern section of wall to ensure the safeguarding of the structural integrity of the wall, historic fabric, finishing materials and making good.
 - A scheme for the protection of the wall during construction.

The repair and restoration works shall be completed in accordance with the approved details prior to the first occupation of the dwelling hereby approved. The protection measures shall be in place prior to the commencement of works on site and shall remain for the full duration of the build.

Reason: In order to secure the preservation and enhancement of the heritage asset to comply with Policy CP8 of the Taunton Deane Core Strategy.

7. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted.

(ii) The scheme shall be completely carried out within the first available planting season (1 October to 31 March) from the date of commencement of the development or in accordance with an alternative timetable to be agreed in writing by the Local Planning Authority.

(iii) Written confirmation of the completion of the landscaping scheme shall be submitted to the Local Planning Authority.

(iv) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow or are uprooted shall be replaced by trees or shrubs of similar size and species.

Reason: To safeguard the character and appearance of the Conservation Area in accordance with Policy CP8 of the Taunton Deane Core Strategy.

8. i) Before development commences (including site clearance and any other preparatory works) a scheme for the protection of the Sycamore tree on the southern site boundary as illustrated on the approved site plan shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012.
- ii) Such fencing shall be erected prior to commencement of any other site operations and at least two working days' notice shall be given to the Local Planning Authority that it has been erected.
- iii) It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of

existing trees and natural features during the construction phase to comply with Policy ENV 1 of the Taunton Site Allocations and Development Management Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the parking and turning illustrated on the approved plans, including the spaces within the garage hereby approved shall be retained in accordance with the approved plans and shall be kept clear of obstruction for the parking of vehicles in connection with the dwelling hereby approved. There shall be no alteration to the approved parking and turning without the prior grant of planning permission.

Reason: In the interests of highway safety to comply with Policy DM1 of the Taunton Deane Core Strategy.

10. The access for its first 5 metres of length from the public highway shall be properly consolidated and surfaced (not loose stone or gravel). The access shall thereafter be maintained in that condition in perpetuity.

Reason: In the interests of Highway Safety to comply with Policy DM1 of the Taunton Deane Core Strategy.

11. Prior to first occupation of the development hereby permitted, access to electric vehicle charging points and covered cycle spaces shall be provided in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of Highway Safety to comply with Policy DM1 of the Taunton Deane Core Strategy.

13. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the existing private driveway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before commencement and thereafter maintained at all times.

Reason: In the interests of Highway Safety to comply with Policy DM1 of the Taunton Deane Core Strategy.

14. No individual dwelling hereby approved shall be occupied until the optional requirement for potential consumption of wholesome water by persons occupying that dwelling in Part G of Schedule 1 and Regulation 36 of the Building Regulations 2010 of 110 litres per person per day has been complied with.

Reason: To improve the sustainability of the dwellings in accordance with the Building Regulations 2010 and Paragraphs 134, 154 and 180 of the National Planning Policy Framework (Sept 2023).

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting the 2015 Order with or without modification), no extensions including roof extensions to the buildings hereby permitted or outbuildings shall be constructed erected on the site other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

Reason: To preserve the character and appearance of the Conservation Area to comply with Policy CP8 of the Taunton Deane Core Strategy.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) the windows on the first floor of the East elevation of the dwelling hereby approved shall be obscured glazed and non-opening unless the part of the window that is openable is a minimum of 1.7 metres above adjacent floor level. The type of obscure glazing shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained.

Reason To protect the amenities of adjoining residents to comply with Policy DM1 of the Taunton Deane Core Strategy.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) Order 2015 (or any order revoking and re-enacting the 2015 Order) (with or without modification), no windows shall be installed in the East elevation or the first floor of the West elevation of the development hereby permitted without the further grant of planning permission.

Reason: To protect the amenities of adjoining residents to comply with Policy CP8 of the Taunton Deane Core Strategy.

18. No vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the trees, shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provides written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority by the ecologist accompanied by dated photos showing the site before and after clearance. In no circumstances should netting be used to exclude nesting birds. Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). Although this is a legal obligation the law does not specify a time period – some species can breed outside the time frame given.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Taunton Deane local policy CP8

19. Removal of scrub, tall ruderals and introduced shrubs below 450mm above ground and roots shall be undertaken under the supervision of a qualified Ecological Clerk of Works. Any widespread reptiles or common amphibians unexpectedly encountered should be relocated by the Ecological Clerk of Works to areas of suitable retained habitat within the application site. In the unlikely event that a great crested newt is encountered, works should cease immediately and advice sought from a suitably experienced ecologist.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Policy CP8 of the Taunton Deane Core Strategy

20. The following will be integrated into the development hereby approved:
- 1x bee brick.
 - 2x Vivara Pro Woodstone Nest Boxes (32mm hole version) or similar mounted between 1.5m and 3m high on the northerly facing aspect of the surrounding wall.

Photographs of the installed features will be submitted to by the Local Planning Authority prior to first occupation of the dwelling

Reason: To provide biodiversity enhancement to comply with paragraph 174(d) of the NPPF.

21. Where external lighting is to be installed within the site, prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed. Lux levels should be below 0.5 Lux. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity/ policy CP8 of the Core Strategy.

Notes to applicant.

1. In accordance with paragraph 38 of the National Planning Policy Framework 21 the Council has worked in a positive and creative way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. There is vegetation growth that may be within the visibility splays that will need to be cleared in order to achieve the best visibility.
3. The applicant will be required to secure an appropriate licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.
4. The applicant is advised of the following notes in relation to ecology:
 - Bats are active at night (as are badgers and otters) and are sensitive to light pollution. The introduction of artificial light might mean such

species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.

- Consideration must be given to careful and legal disposal of introduced shrubs to prevent unlawful spread of species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) and other non-native species. Unless confirmed otherwise, the ornamental species should be treated as invasive. Consideration should be given to implementing a management plan to prevent unlawful spread.
- The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
- Research shows that bees will live in the bricks and there is no risk associated with their installation as solitary bees do not live in hives or have a queen, and do not sting. The bricks have a solid back with the cavities placed on the outside wall.

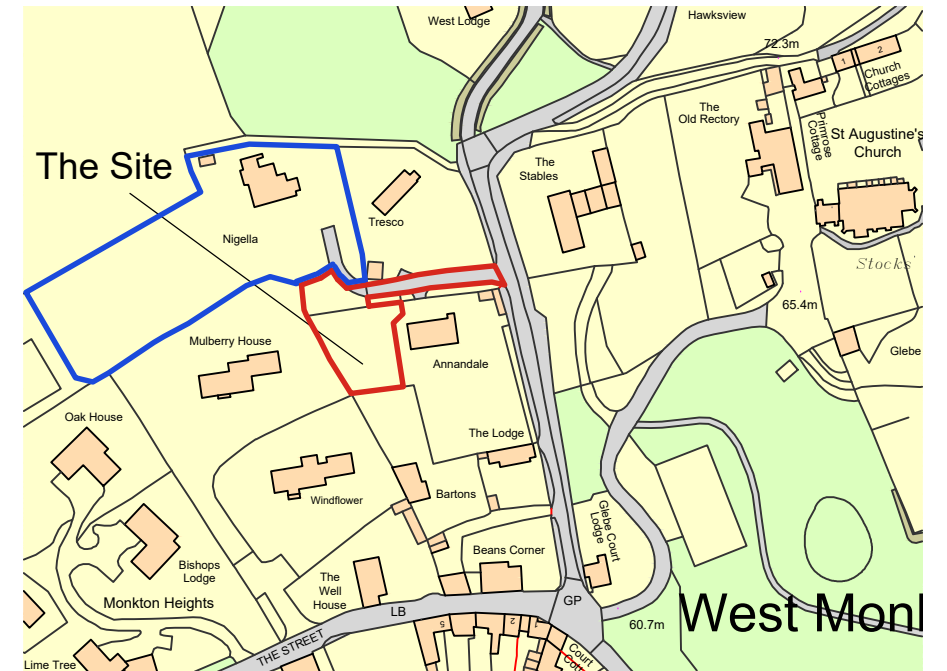
This page is intentionally left blank



Site Plan 1:500

Existing Site & Location Plans - 1:2500 & 1:500

Page 49



Location Plan 1:2500

C - Access included in red line	12/02/21
B - Site Boundary Lines revised	23/01/21
A - Existing Site Plan adjusted	29/07/20

Revisions

THE PEARCE PRACTICE
 CHARTERED ARCHITECTS

22A BRIDGE STREET
 TAUNTON
 SOMERSET
 TA1 1UB

Tel. 01823 322 820
 Mob. 07810 813 156

e.mail: architects@pearcepractice.co.uk
 website: www.pearcepractice.co.uk

CLIENT DETAILS

Mr N and Mrs V Munson
 Nigella - West Monkton, TA2 8QT

JOB TITLE

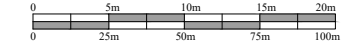
Proposed New Dwelling
 Land to the South of Nigella

DRAWING TITLE

Existing Site and Location Plans

SCALE

1:2500 & 1:500 @ A3



DRAWN CHECKED DATE

NP NP 29/06/2020

DRAWING NUMBER REV

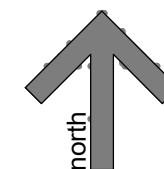
220.17 - 001 C

Do not scale from this drawing unless for Planning purposes. Figured dimensions only are to be used.

All dimensions must be checked on site by the contractor prior to the commencement of any fabrication or building works.

Where applicable, dimensions and details are to be read in conjunction with specialist consultants' drawings, any disparity between drawings is to be brought to the attention of The Pearce Practice prior to the commencement of any fabrication or building works.

Copyright Reserved



This page is intentionally left blank

Application Details	
Application Reference Number:	27/21/0009
Application Type:	Full Planning Permission
Earliest decision date:	21 May 2021
Expiry Date	23 June 2021
Extension of time	30 Nov 2023 (requested)
Decision Level	Delegated
Description:	Removal of dutch barn and conversion of agricultural building into 1 No. single storey dwelling at the barn located to the west of Manor Farm, Oake
Site Address:	BARN LOCATED TO THE WEST OF MANOR FARM, MANOR FARM LANE, OAKE, TAUNTON, TA4 1BA
Parish:	27
Conservation Area:	N/A
Somerset Levels and Moors RAMSAR Catchment Area:	Yes
AONB:	N/A
Case Officer:	Harrison Moore
Agent:	
Applicant:	MR R KING
Committee Date:	N/A
Reason for reporting application to Committee	Recommendation contrary to views of Parish Council and other comments received.

1. Recommendation

1.1 That permission be REFUSED.

2. Executive Summary of key reasons for recommendation

2.1 The proposal fails to comply with policies SP1, SD1, DM2, SP4, CP1, CP6 and CP8 of the Taunton Deane Core Strategy and Policies A5 and SB1 of the Taunton Deane Site Allocations and Development Management Plan due to its unsustainable location.

3. Planning Obligations and conditions and informatives

3.1 None as recommendation is to refuse. Refused (full text in appendix 1)
 The site is located outside of any defined settlement boundary in a countryside location.

4. Proposed development, site and surroundings

4.1 Details of proposal

The proposal is for the removal of Dutch barn and conversion of agricultural building into 1 No. single storey dwelling at the barn located to the west of Manor Farm, Oake. A previously Class Q application (27/20/0024CQ) was refused due to the unauthorised works having been undertaken to the rear wall and the erection of a new roof which were carried out without the benefit of planning permission.

4.2 Sites and surroundings

The site is located outside of the main village settlement, close to the Church of St Bartholomew's, which is to the north, with other residential dwellings to the east, south and west. There is an existing entrance to the site, which it is proposed to retain. The Dutch barn proposed to be removed is to the rear. The boundaries are existing hedge with some trees, though there are some gaps which give views into the neighbouring dwellings amenity space.

Manor Farm itself is located to the south-west of the site, with the highway separating it from the development site.

5. Planning (and enforcement) history

Reference	Description	Decision	Date
27/20/0024/CQ	Prior approval for proposed change of use of agricultural building to dwelling house (Class C3) and associated building operations at barn located west of Manor Farm, Oake.	Prior Approval refused	19/01/2021

6. Environmental Impact Assessment - NA

7. Habitats Regulations Assessment

The site lies within the catchment area for the Somerset Levels and Moors Ramsar site. As competent authority, Somerset West and Taunton Council has determined that a Habitats Regulations Assessment (HRA), proceeding to an Appropriate Assessment is required under the Conservation of Habitats and Species Regulations 2017. This is discussed further below.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 30/04/2021

8.2 Date of revised consultation (if applicable):

8.3 Press Date: 30/04/2021

8.4 Site Notice Date: 04/05/2021

8.5 **Statutory Consultees** the following were consulted:

Consultee	Comment	Officer Comment
OAKE PARISH COUNCIL	Support – Major improvement to a derelict building. It was felt this was a good way to get new homes into the area.	Noted.
SCC - ECOLOGY	Requests conditions regarding: - European protected species licence Bio-diversity net gain	The recommendation is to refuse, however conditions would need to be attached to the permission if approved.
SCC - TRANSPORT DEVELOPMENT GROUP	Standing Advice applies	Noted.
WESSEX WATER	No objection subject to an informative regarding new water and drainage connections	Noted.
TREE OFFICER	No objection however requests conditions regarding: -	Noted but recommendation to refuse. C

	<ul style="list-style-type: none"> • Protection of the neighbours off-site trees and their roots along the boundaries to the east and west which should not be damaged during the demolition and construction works. • It would be good if the boundary along the north side was a hedge with trees, rather than a fence. 	
--	---	--

8.6 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

Seven number of letters have been received making the following comments (summarised):

Material Planning Considerations	
Objections	Officer comment
N/A	
Support x 7	Officer comment
I feel there are many reasons this would benefit the local area (no other details provided).	Noted.
Full support (no other details provided)	Noted.
The proposed conversion of this barn seems to be entirely appropriate for the location and can only be considered as an improvement to current arrangement	Noted.
We feel that the changes requested will only enhance the area without changing it's rural feeling.	Noted.
I believe the additional housing this will	Noted.

<p>provide will result in more of a community feeling at this end of Oake. An additional dwelling will improve security with neighbours 'keeping an eye out for one another' Having live here for 6 years now I see no negatives in the changes planned whatsoever.</p>	
<p>I can see no negative effects on the community with what's planned only positives. This is a beautiful area to live in and the development will afford other people the same opportunity as me to enjoy this corner of Oake. The Dutch barn is not an attractive building and what's planned will be far more attractive and in keeping with other buildings locally</p>	Noted.
<p>In general we would support the findings of the Assessment. We would also fully support the recommendations for Mitigation and Enhancement as outlined in Sections 3.5 and 4.3 together with any additional recommendations which may be made following the subsequent Bat surveys. We would request that all of these recommendations should be included in the Planning Conditions if it is decided to grant Planning Permission</p>	See section 10.1.8 of the main report which addresses the point raised.

8.7.1 Summary of objections - non planning matters

8.7.2 Summary of support - non planning matters

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that

planning applications should be determined in accordance with the development plan unless material considerations strongly indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.

Relevant policies of the development plan in the assessment of this application are listed below:

SD1 - Presumption in favour of sustainable development

CP1 - Climate Change

CP4 - Housing

CP6 - Transport and accessibility

CP8 - Environment

SP1 - Sustainable Development Locations

DM1 - General Requirement

DM2 - Development in the Countryside

A1 - Parking Requirements

A5 - Accessibility of development

I4 - Water Infrastructure

D7 - Design Quality

D8 - Safety

D10 - Dwelling Sizes

D12 - Amenity Space

SB1 - Settlement Boundary

Supplementary Planning Documents

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022).

Neighbourhood plans: N/A

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

- The principle of the development
- Design
- Housing land supply
- Access, highway safety and parking
- Impact on character and appearance
- Neighbour amenity • Impact on trees
- Impact on ecology, biodiversity and Somerset Levels and Moors Ramsar Site

10.1.1 The principle of development

The proposal relates to a barn that has had unauthorised works undertaken without which it would not be capable of occupation as a dwelling and without the benefit of any planning permission. The site is outside of any defined settlement boundary and within a countryside location as defined by Policy SP1 and therefore the principle of development will be subject to the proposal successfully addressing Policies SB1 which requires further assessment against Core Strategy policies CP1, CP8, SP4 and DM2 of the Core Strategy.

Policy SP1 defines sustainable development locations and clearly states that 'outside of the settlements identified above, proposal will be treated as being within Open Countryside'. The location for this proposal is not identified within SP1 as a major or minor rural centre, nor is it within one of the villages listed that retain settlement boundaries and have no further allocations made though the site allocations and development management DPD, but some scope for small scale proposals. The proposal is therefore considered to be in the open countryside and not within a sustainable location.

In the submitted planning statement the agent refers to Planning Appeal APP/D3315/W/17/3179264G1630/W/14/3001706 (Bagley Road), dated July 2018 for the erection of up to 205 dwellings and up to 60 bed apartments with care (C2), with public open space, landscaping, a sustainable drainage system and vehicular access points from Exeter Road. As the application under consideration is for one open market dwelling with no wider community benefit, it is considered that the appeal site is not a fair comparison and does not change the view of this local planning authority that the proposed development does not comply with policy SP1 due to its countryside location.

Core Strategy policy SP4: Realising the vision for the Rural Area, directs development to the Major Rural Centres in the first instance and secondly to the Minor Rural Centres as defined in policy SP1. When the proposed development is assessed under policy SP1, see above, it was found to be contrary to policy. Consequently, the proposed development is considered contrary to policy SP4.

- Policy SB1 seeks to maintain the quality of the rural environment and ensure a sustainable approach to development, proposals outside of the boundaries of settlements identified in the 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 *Is necessary to meet a requirement of environmental or other legislation;**and*
In all cases, is designed and sited to minimise landscape and other impacts.

The proposed development follows on from an unsuccessful Class Q application for a similar development, of an open market dwelling and its associated development. The proposed dwelling does not however accord with A or B outlined above. Policy SB1 re-enforces the need to shape "*patterns of development to reduce the need to travel, reducing pollution and CO2 emissions.*" By having defined settlement boundaries, the local authority is seeking to apply strict control over development in the countryside to contribute towards meeting the wider aims of sustainability. Furthermore, policy SB1 states "The designation of settlement limits or boundaries provide clarity for the application of these policies". The proposed development would contribute to urban sprawl without any wider community benefit, reduce the visual impact of the rural location and would not reduce the consequences of unsustainable development. The proposed development is therefore considered not to have minimised the impacts on landscape as required by policy SB1 due to its unsustainable location.

*Policy CP1 addresses Climate Change and requires that 'development proposals should result in a sustainable environment and will be required to demonstrate that the issue of climate change has been addressed by:
a 'Reducing the need to travel through locational decisions and where appropriate, providing a mix of uses' and/or*

The development site is outside of a defined settlement boundary in a countryside location where future occupants will be reliant on use of the private motor vehicle rather than public transport.

The nearest railway stations are Taunton approximately 6 miles to the east and Tiverton approximately 15 miles to the west. The nearest bus stop is approximately 0.8m from

the development site to the north of Oake and is sited on the B3227. The village itself has limited facilities of shop, church, and primary school.

This lack of local services, facilities and amenities will increase both the use and reliance on the private motor vehicle for future occupiers of the proposed dwelling who will be unable to shop, work, access secondary and further education, eat out or participate in everyday activities without the use of a private motor vehicle which is contrary to policy. It is therefore considered that the proposed development has not demonstrated that it has addressed policy CP1.

Policy CP8 of the Core Strategy further reinforces this Authority's aims of protecting the environment from development in locations outside of settlement boundaries. Policy CP8 states that unallocated greenfield land outside of settlement boundaries will be protected and where possible enhanced. Development outside of settlement boundaries will be permitted in limited circumstances subject to several criteria including *"be appropriate in terms of scale, siting and design; and protect, conserve or enhance landscape and townscape character whilst maintaining green wedges and open breaks between settlements; and provide for any necessary mitigation measures."* The proposal is for an open market dwelling to be sited in a field, in a countryside location where the use of the site for residential purposes would result in domestic paraphernalia that would detract from and result in the urbanisation of the countryside. It is therefore considered not to conserve, protect or enhance the rural landscape. The proposed development is therefore considered to have failed to meet the criteria set out in Policy CP8 as it does not protect, conserve or enhance the rural setting.

Policy DM2, Development in the Countryside does not prohibit new residential development, however it offers no support for such developments.

Under Part 7 of policy DM2, *'Conversion of existing buildings' are allowed provided: -*
a. the building must be of a permanent and substantial construction and of a size suitable for conversion without major rebuilding or significant alteration or extension.

b. a sequential approach must be followed in the following priority:

In terms of a). above, the barn has had substantial works undertaken including a new roof and works to re-build the rear wall. These works formed the refusal reason for the Class Q application. Furthermore, without these unauthorised works which include an increase in the barns roof height the barn would not be capable of being occupied as a dwelling.

At a recent site visit to establish the extent of the works it was apparent that in addition to the new roof, the roof had also been raised as the internal pillars were

extended by approximately 6 courses of bricks. No planning application has been submitted to regularise the unauthorised works highlighted by the Class Q and no agricultural notification was submitted prior to the works being undertaken.

The proposed development is therefore considered not to accord with policy DM2.7.a) as ‘*substantial construction*’ and ‘*significant alteration or extension*’ has already been undertaken on the barn that is proposed to be converted.

The barn is not considered appropriate for conversion as set out above, however an assessment under part b. has been undertaken for completeness in assessing the proposed development under policy DM2.7.

b. a sequential approach must be followed in the following priority

i. Community uses;

ii. Class B business uses;

iii. Other employment generating uses;

iv. Holiday and tourism;

v. Affordable, farm or forestry dwellings;

vi. Community housing;

vii. In exceptional circumstances, conversion to other residential use;

The original submitted Planning Statement was considered to be insufficient to fully address the above policy requirements, therefore additional information was submitted by the agent’s consultant.

i. Community uses; - The consultant confirmed that “*Parish Council has not indicated at any stage that there is a community need for the building. Furthermore, given that the village of Oake already benefits from a number of existing community facilities, including a village hall, there is absolutely no evidence that there is a need for any further community uses within this area which the site would be suitable for*

ii. Class B business uses; - Information relating to the vacant commercial units in the area has been submitted and was accepted at the time of submission as showing more suitable existing units available for class B business uses in Taunton. A recent search on Rightmove has revealed that this remains the case for Class B business uses due to the number of vacant premises to rent/buy in the Taunton area.

iii. Other employment generating uses; - The information submitted for (ii) is considered to also show that the site is not suited to other employment uses, due to the level of vacant commercial units still available.

iv. Holiday and tourism; - The agents consultant has referred in their original Planning Statement to the successful appeal at Pen Elm where the inspector

considered that *“Paragraph 6.19 of the supporting text to Policy DM2 is clear and unambiguous when read in a straightforward manner and as a whole. It states that, due to evidence of holiday homes outstripping demand, tourism and holiday home uses should be restricted to the conversion of existing buildings in instances of rural diversification. Consequently, this step of the sequential test does not apply to the circumstances of the appeal proposal”*.

The original submitted Planning Statement in paragraph 5.4 refers to works undertaken to the existing roof and northern elevation as being in accordance with Permitted Development Rights under Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (GDPO). Part 6 of the GPDO allows for certain works under permitted development rights provided that they relate to “Agricultural and forestry” units. It would therefore appear that the agent considers that the barn proposed to be converted is in agricultural use, in relation to an existing agricultural business. It should be noted that no agricultural notification was submitted for the works to the roof and rear wall of the barn.

As a result of the agents consultant confirm that the barn has agricultural/forestry permitted development rights the barns proposed conversion should be considered under (iv) Holiday and tourism for which it would appear to be suitable as part of rural diversification ‘as set out in the Pen Elm appeal and in accordance with policy DM2.7.

Furthermore, it is noted in paragraph 3.1 of the original Planning Statement that *“The application proposes the change of use of an existing agricultural building to a dwelling.”*

Whilst the agent has stated that the proposals are not associated with a farm or other service, this is in contradiction to the original Planning Statement where the agents consultant previously claimed in paragraph 5.4 that the barn could have made use of permitted development rights for agricultural and forestry units for works to the roof and rear wall for the barn. It should also be noted that there has been no retraction of the claim made in the original Planning Statement in paragraph 3.1 that *“The application proposes the change of use of an existing agricultural building to a dwelling”*.

From the information submitted it would appear that the barn is an existing agricultural building, and is therefore suitable for consideration under part (iv)

v. Affordable, farm or forestry dwellings; - Again the agents consultant has referred to the Pen Elm appeal decision which states *“With regard to the suggestion that the scheme could provide a farm or forestry dwelling for an operation elsewhere, I am mindful that it is common for such a need to be generated by a requirement to be within sight and sound of the relevant activity. Also, if there was off site demand as*

suggested, it seems to me that it could equally be met by the mixture of housing available within Taunton. These issues cast significant doubt in my mind about how realistic the site would be as a candidate for such uses”.

It is accepted that Oake is further away from the Pen Elm site, though an easy commute from the available accommodation within the Taunton. An agricultural worker however does not however need to be within sight and sound of an agricultural activity as this is not always relevant.

The agents consultant has stated in paragraph 5.16 of the original Planning Statement that *“Whilst the building the subject of this application has a lawful agricultural use, its proposed conversion to a dwelling is not required in connection with an existing farming or forestry enterprise and it would therefore be inappropriate to restrict the occupancy of the dwelling in this way.”*

No evidence of the farm holding that relates to the barn have been submitted, only a statement that it would have the benefit of Permitted Development Rights under Part 6 of the GPDO, therefore it is not possible to confirm that the barn is not required for an agricultural or forestry worker in connection with that or any other local rural business.

vi. Community housing; - No information has been provided regarding community housing however it is noted that Oake village has recent consent for affordable housing within the village boundary. Furthermore, it is noted that the proposed development would not accord with the criteria set out for community housing which should be modest in size and have a maximum of 2 bedrooms (3 is proposed).

vii. In exceptional circumstances, conversion to other residential use; - The proposed development is not considered suitable for residential use as it would appear that part (iv) Holiday and Tourism, of the sequential approach should be considered prior to accepting that there is exceptional circumstances for the barn to be converted to open market dwelling.

However it should be remembered that the barn to be converted was found not to accord with part a) of policy DM2.7, *“a permanent and substantial construction and size suitable for conversion without major rebuilding or significant alterations of extension”* as unauthorised works have previously taken place for a new roof, the roof to be raised and a new rear wall.

The proposed development is therefore considered not to accord with the requirements of policy DM2.7 a) and b(iv).

Given the above it is considered that the proposed development conflicts with

policies CP1, CP8, SP4 and DM2 of the Core Strategy and SB1 of the SADMP therefore the principle of the development is not supported.

10.1.2 Design of the proposal

The low wall to the fore of the existing barn is largely to be removed however a small section will remain to form part of the boundary wall to the parking/turning area. The existing concrete apron will be used to form a patio area.

The existing barn has 5 brick pillars on its open south elevation. The openings between the pillars will be in-filled by glazing panels/French doors, mainly floor to ceiling with 4 standard size windows with timber cladding below on the south-west corner of this elevation. Timber cladding is also proposed for the pillars, any areas in need of in-fill and for the areas above the glazing. The west elevation will make use of an existing opening for a doorway, with the north (rear elevation) using an existing opening for French doors. The existing opening on the east elevation is to be in-filled with timber.

The all over appearance of the existing barn will be retained, however it is noted that the barn has already undergone significant works, including the raising of the roof. If the proposed development is approved it is considered necessary to removed Permitted Development Rights to ensure that the converted barn does not become overdeveloped, or for the amenity area to be dominated by domestic paraphernalia.

To the rear of the barn to be converted is a Dutch barn open on all sides, with a stone wall and gate adjoining the stone/brick barn to be converted. This barn is in close proximity to the barn proposed to be converted. There is however no objection to its removal.

10.1.3 Quality of Accommodation

The proposed development would provide 3 bedrooms, one with en-suite, a family bathroom, utility, separate W.C. lobby and utility room. The kitchen, dining and living area is open planned. The CIL officer has measured the proposed dwelling as 127sqm which is slightly less than calculated by the agent. Policy D10 of the SADMP states that a 3-bedroom, 6-person, single storey dwelling with one en-suite should have a minimum floor space of 98. Sqm. The amount of amenity space is considered to be acceptable in terms of policy D12 of the SADMP and includes land to the fore, rear and west of the proposed dwelling.

The quality of the accommodation is therefore considered acceptable, however this is insufficient to overcome the agricultural barns unsustainable location.

10.1.4 Access, Highway Safety and Parking Provision

The Transport Development Group has stated that their standing advice should be

applied to the development.

The existing barn has an agricultural access, however there is a telegraph pole to the west of the access and in proximity to the access. If the proposed development is approved, it is considered that this pole is likely to need to be moved or removed. Furthermore, the public right of way sign is also located adjacent to the telegraph pole and this too is likely to be required to be moved/removed, should the proposed development be granted consent. The public footpath will not be impacted on by the proposed development as the nearest path runs along the rear of the site for access to the Church.

The submitted plan shows parking and turning provided for the proposed development, however the surface is proposed as 'rough grass'. A development in this location offering 3 bedrooms will need to provide parking for 3 vehicles. The submitted plans appears to show that the parking and turning area is capable of according with this policy requirement (A1). If the proposed development is approved it is considered necessary to condition the parking and turning area to be kept free of obstruction and only used in connection with the proposed dwelling, a properly consolidated access over the first 6m and for any entrance gates to be set back from the highway by 6m.

Policy A5 of the SADMP requires residential development to be within "*walking distance of, or should have access by public transport to, employment, convenience and comparison shopping, primary and secondary education, primary and secondary health care, leisure and other essential facilities*". As set out in the section 10.1.1 The Principle of Development in respect of the location and ease of access to services etc, the proposal is not considered to comply with policy A5.

The village of Oake lies to the north of the site, within walking distance (approximately 500m), however there is no public footway and no street lighting until you reach Oake Close, which is within the village limits. Oake village does have a church, village hall, shop, primary school and playing field. The village itself does not have a bus stop, however a bus stop is located on the B3227 approximately 1 mile to the north of the development site. The village Primary School is to the north, however as previously stated there is no public footpath linking the site with the village, and the street lighting only begins at Oake Close, which is approximately 400m to the north of the development site. There is a sharp bend approximately 37m, to the north-west of the development site on a section of the highway with no public footpath and no street lighting. This lack of safe and secure footpath is considered a likely hindrance for future occupants in terms of walking and cycling when wishing to access the village facilities.

In terms of secondary schools, the village is in the catchment area for Kingsmead

School, Wiveliscombe which is approximately 6 miles to the north-west. Cyclists wishing to access school would have no safe, secure cycle path on which to ride.

The level of local services could be considered to assist the proposed development in terms of reducing the need to travel however the lack of a public footway and street lighting to link the development site with the facilities within the village is likely to result in the use of the private motor vehicles and an increase in traffic movements.

Policy CP6 states that "Development should contribute to reducing the need to travel, improve accessibility to jobs, services and community facilities, and mitigate and adapt to climate change".

As previously stated in the section 10.1.1 The Principle of Development, and reiterated in the above paragraphs regarding policy A5, the development is considered to increase the reliance on the private motor car for the occupiers of the proposed new dwelling due to its unsustainable location.

Whilst the proposed development can accord with policies A1 of the SADMP, it does not accord with policy A5 of the SADMP and policy CP6 of the Core Strategy. Paragraph 85 of the NPPF states that "*Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist*". The proposed development could be one that would meet a local business or community need as the agent's consultant has confirmed it is an existing agricultural building, however the proposed development is for open market housing and therefore does not accord with paragraph 85 of the NPPF.

10.1.5 The impact on the character and appearance of the locality

The site has a traditional farm appearance with a Dutch barn and a traditional construction barn on site. The loss of the Dutch barn is not considered to adversely impact the rural character and appearance of the locality.

The barn to be converted will retain an agricultural feel, with glazing used to in-fill the south elevation, which is the principal elevation when viewed from the highway.

There is no change to the existing height of the barn, which has been previously raised through unauthorised building works. The footprint of the existing barn appears to have remained the same, however as the north wall has had substantial work done to it, it is not possible to confirm this.

The development site has residential neighbours to the east and west and the village church to the north. The site could therefore be acceptable for a residential unit subject to overcoming the relevant conflicts with planning policy highlighted elsewhere in this report.

Policy CP4: Housing, of the Core Strategy seeks to maintain a flexible supply of housing stock. This policy states that the delivery should be consistent and within the settlement hierarchy established by policy SP1. The design of the dwelling could be considered acceptable, however when assessed under policy SP1 in paragraph 10.1.1 it was found not to be policy compliant due to its unsustainable location. It is considered that the proposed development will have minimal impact on the character and appearance of the locality.

The provision of one open market dwelling is however not considered sufficient to overcome the recommendation to refuse due to the proposed developments open countryside location.

10.1.6 The impact on neighbouring residential amenity

The change in use from agricultural to residential use will result in a loss of agricultural noise and an increase in domestic noise. As there is some vagueness over the existing use of the agricultural building it is not possible to confirm if the existing and future noise levels would balance each other out.

In order to retain the existing levels of amenity for the adjacent neighbour to the east, if the proposed development is approved, it will be necessary to include a condition on any consent to protect the neighbours' trees along the eastern boundary.

Policy D10 of the Site Allocations and Development Management Plan set the minimum gross internal floorspace for new properties. A three bedroom, 6 person single storey dwelling should have a minimum internal floorspace of 95sqm. The proposed development exceeds this with an internal ground floor space of 127 sqm. The plot can accommodate the proposed open market dwelling and supply amenity space of an appropriate size to accord with policy D12. In view of the above, if the recommendation was to approve the proposed development, a condition would be required to removed permitted development rights for additional floors, in order to protect the existing level of amenity. This would not however be sufficient to overcome the unsustainable location.

10.1.7 The impact on trees and landscaping

The Arboricultural Officer has no objection to the proposed development and the removal of a small tree (cherry tree) to the north of the existing barn, which is not worthy of retention. If the proposed development is approved, they have requested the protection of the neighbour's off-site trees and their roots during the demolition and constructions works plus, a hedge with trees boundary along the north rather than a fence.

Whilst there is no objection to the conditions requested which would protect existing trees and provide a suitable boundary between the development site and the listed Church to the north of the site, the recommendation remains for the development to be refused due to its unsustainable location and its non-compliance with policy DM2.7.

10.1.8 The impact on ecology and biodiversity and the Somerset Levels and Moors Ramsar Site.

SCC Ecology has confirmed that additional ecological survey information would not be required.

SCC Ecology confirmed that the activity surveys undertaken by Greena Ecology Ltd (December 2021) indicated Two Common pipistrelle bats were recorded roosting in the roof, one emerging inside and coming out of the front so this will be affected by the proposals, the second coming out from between tiles at the rear if the roof is left undisturbed this one will not be affected. To carry out the proposed development a low impact bat licence would be required, this would require one bat box to be installed before works start and licensed ecologist attend to check interior (below it is closed up) and whilst any roof is removed. Therefore, a bat licence and enhancement and compensation measures conditions would need to be attached to any planning consent should the proposed development be approved.

In terms of phosphates the development will result in an increase in potential phosphorus emission into the catchment of the Somerset Levels and Moors SPA and Ramsar site; equivalent to 0.57kg/y.

To balance the nutrient load increase created by the wastewater discharge from the proposed development the applicant proposes to upgrade a septic tank, adjacent to the site, to a new biological package treatment plant.

With mitigation, the development could be considered to be nutrient neutral.

The NNE & Mitigation Strategy and the sHRA have been reviewed by SWT Council's Nutrient Neutrality Officer and Natural England. Both concluded that the mitigation

proposed would be acceptable. It is therefore considered that the applicant has provided suitable information to be able to conclude that there would no adverse effect on the integrity of the Ramsar site.

SWT Council's Nutrient Neutrality Officer has also confirmed that the shadow Habitats Regulations Assessment (sHRA) would be suitable for the Local Authority to adopt as the project-level Appropriate Assessment for this application in order to fulfil its responsibilities under Regulation 63 the Conservation of Habitats and Species Regulations 2017. This has been agreed with Natural England.

Whilst the proposed development could be considered acceptable in terms of ecology and phosphate matters this does not change the local planning authority's view that the proposed development does not accord with the relevant planning policies highlighted above and in particular policy DM2.7.

10.1.9 Waste/Recycling facilities

The site is of a sufficient size to be able to accommodate waste and recycling facilities therefore if the proposed development is approved, it is not considered necessary to use a condition to secure these facilities.

10.1.10 Flood risk and energy efficiency

The site is outside of flood zones 2 and 3 therefore it is not considered to be at risk of flooding.

The reuse of an existing barn would be welcome as it would result in few 'new' materials being required to development the site, however this is insufficient to overcome the local planning authority's objection to the proposed development in this particular location.

10.1.11 Any other matters

Seven letters of support have been received. Some only offered 'general' support and provided no further reasons.

It is unclear why the conversion of a barn in a rural location is considered to be an 'improvement', or an enhancement when such buildings are naturally required in rural locations. The converted barn may/may not be used in the way one supporter is hoping will result in additional security. As an open market dwelling the completed dwelling could be used as a holiday / second home and so be empty for many months. If used in this way the additional security will not be provided.

The loss of an agricultural barn, and in this case two, can be considered a 'negative' impact in agricultural terms as their removal/conversion will result in a loss of storage facilities for the associated farming business, therefore it is unclear why the

proposed development is considered to have 'no negative' affects.

The development area is considered to be 'beautiful' and the proposed development will allow other people to enjoy the countryside, however protection of the countryside for the enjoyment of all is considered to offer wider community benefit. It is therefore unclear why development for residential use in this rural location is considered acceptable. It is unclear how a converted barn can be considered as '*far more attractive and in keeping with other buildings locally*', when the development site relates to two agricultural barns on agricultural land in a rural location.

11 Local Finance Considerations

11.1 Community Infrastructure Levy

Creation of a dwelling is CIL liable regardless of size and the proposed development measures approximately 127 sqm.

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £16,000.00. With index linking these increases to approximately £24,000.00.

12 Planning balance and conclusion

12.1 The general effect of paragraph 11 of the NPPF is that, in the absence of relevant or up-to-date development plan policies, the balance is tilted in favour of the grant of permission, except where the policies within the NPPF that protect areas or assets of particular importance provides a "*clear reason for refusing the development proposed*" or where the benefits of the proposed development are "*significantly and demonstrably*" outweighed by the adverse impacts when assessed against the policies in the NPPF taken as a whole.

12.2 The NPPF in paragraph 197 identifies the following three points that local planning authorities should take into account when determining planning applications:-

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Points a) and b) above are not relevant to this application as they relate to heritage

assets, however c) relates to the "desirability of new development to make a positive contribution to the local character and distinctiveness". The proposed developments design is considered acceptable in the surrounding development, which has a mixture of design types and plot sizes, however the main issue is one of an unsustainable location, which this planning application has failed to overcome.

12.3 For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is refused due to the proposed development sites unsustainable location as identified in planning policy as outlined above.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Reason/s for Refusal

- 1 The proposed development is outside the defined settlement limit of Oake, within open countryside. The site is located in an unsustainable location with no bus service and limited facilities nearby. Occupiers of the proposed development will be reliant on private cars to access services, facilities and amenities that are not available within safe walking distance of the site. The proposal is therefore contrary to Policies SP1, SD1, DM2, SP4, CP1, CP6 and CP8 of the Taunton Deane Core Strategy and Policies A5 and SB1 of the Taunton Deane Site Allocations and Development Management Plan.

- 2 Policy DM2.7 part a requires the building to be converted :-
a. the building must be of a permanent and substantial construction and of a size suitable for conversion without major rebuilding or significant alteration or extension.

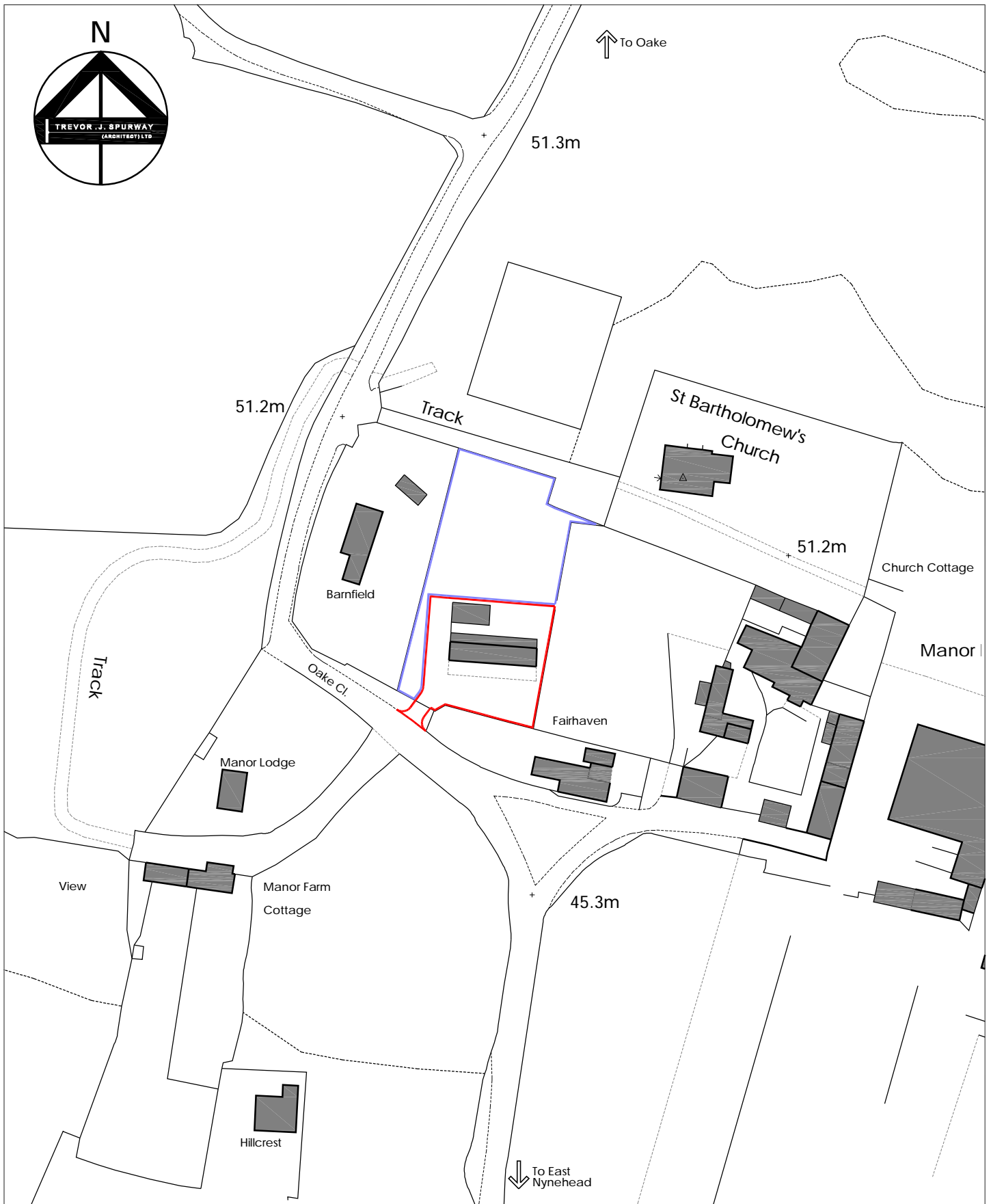
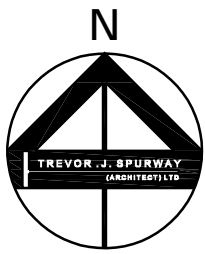
The barn has had a new unauthorised roof and rear wall, whilst the roof has also been raised. These works are considered to be 'major rebuilding or significant alterations or extension' and therefore the proposed development is contrary to policy DM2.7 a.

- 3 The application fails to demonstrate the sequential approach set out in policy DM2, and in particular DM2. part 7.b for Development in the Countryside. The proposal is considered therefore to be contrary to policy DM2. part 7.b of the Core Strategy. The proposal as submitted relates to the conversion of an existing agricultural barn to a residential dwelling and is therefore considered to be tantamount to a new dwelling in an unsustainable location contrary to policy SP1 of the Core Strategy and policy SB1 of the Site Allocations and Development Management Plan.

Notes to applicant.

1. In accordance with paragraph 38 of the National Planning Policy Framework 21 the Council has worked in a positive and creative way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

This page is intentionally left blank



Ordnance Survey (c) Crown Copyright 2018. All rights reserved. Licence number 100022432

Rev. A 22.04.21 Site boundary amended.
 Rev. B 28.04.21 Detail added.

CLIENT Mr R. King	Job No. 1825	TREVOR . J. SPURWAY (ARCHITECT) LTD 55 STAPLEGROVE ROAD TAUNTON SOMERSET TA1 1DG T: 01823 336373 F: 01823 257465 E: RECEPTION@TJS-ARCHITECTS.CO.UK
PROJECT Barn Conversion, Oake Manor Farm, Oake, Taunton	Drawing No. 01	
DRAWING Location Plan	Revision B Date Aug '18 Scale 1:1250 @ A4	

This page is intentionally left blank

Application Details	
Application Reference Number:	3/01/23/005
Application Type:	Full Planning Permission
Earliest decision date:	13 September 2023
Expiry Date	17 October 2023
Extension of Time Date	NA
Decision Level	
Description:	Erection of 4 No. dwellings and associated development
Site Address:	Byways, 19 Church Lane, Bicknoller, TA4 4EL
Parish:	01
Conservation Area:	NA
Somerset Levels and Moors RAMSAR Catchment Area:	Outside
AONB:	NA
Case Officer:	Briony Waterman
Agent:	Mrs Laura Polley
Applicant:	Ms Owen
Committee Date:	21/11/2023
Reason for reporting application to Committee	Chair call in after referral due to the number of comments contrary to officer recommendation.

1. Recommendation

1.1 That permission be GRANTED subject to conditions.

2. Executive Summary of key reasons for recommendation

2.1 The proposal lies within the settlement boundary of Bicknoller, the proposal is not considered to have a significant impact upon the visual or residential amenity of the area and is considered to comply with policy, specifically policies SD1, SC1 and SV1 of the West Somerset Local Plan and section 3 of the Design Guide.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

- 3.1.1 Time limit
- 3.1.2 Drawing numbers
- 3.1.3 Ecological measures
- 3.1.4 Natural slate
- 3.1.5 Restrictions on PD
- 3.1.6 Proposed access
- 3.1.7 Visibility splays
- 3.1.8 Consolidated surfaces
- 3.1.9 Not steeper than 1:10
- 3.1.10 Surfacing
- 3.1.11 Estate roads
- 3.1.12 Cycle store
- 3.1.13 EV charging

3.2 Informatives (full text in appendix 1)

- 3.2.1 Proactive Statement
- 3.2.2 Laying of private street
- 3.2.3 Section 171

3.3 Obligations

NA

4. Proposed development, site and surroundings

4.1 Details of proposal

Erection of 4 No. dwellings and associated development, including an access road, parking places and landscaping.

Plots 1 and 2 are single storey comprising of two bedrooms, a kitchen/diner, bathroom and sitting area. Plots 3 and 4 are two storey comprising of a kitchen/diner, utility room, office, WC and sitting area at ground floor and four bedrooms 2 bathrooms upstairs.

The buildings are to be random rubble with a flush and brush finish with green oak boarding, the roof is to be blue/grey slate with timber windows and doors.

4.2 Sites and surroundings

The site is within the settlement boundary of Bicknoller with dwellings to the north, southwest and west. The site is accessed via an existing field gate from Church Lane and is a field currently used for grazing. There is a footpath that runs to the west of the site. The site is bounded by mature trees and hedging and lies within the Quantock Hills Area of Outstanding Natural Beauty.

5. Planning (and enforcement) history

Reference	Description	Decision	Date
3/01/20/003	Erection of 5no. dwellinghouses with access and associated development	Refused	28/05/21.
3/01/18/005	Outline planning permission with all matters reserved for the erection of 12 dwellings	Refused	06/06/2018

6. Environmental Impact Assessment

NA

7. Habitats Regulations Assessment

NA

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 23 August 2023

8.2 Date of revised consultation (if applicable): NA

8.3 Press Date: NA

8.4 Site Notice Date: 25/08/2023

8.5 Consultees the following were consulted:

Consultee	Comment	Officer Comment
Bicknoller Parish Council	<p>Objects.</p> <ul style="list-style-type: none"> • Access is not suitable • Cover most of the field • Too dense for a rural village • Access to facilities is narrow and lacks footways and/or street lighting. 	See section 10.
SCC - Ecologist	<p>Condition:</p> <ul style="list-style-type: none"> • Ecological measures carried out in accordance with the details. 	Noted and conditions added.
Highways Development Control	Additional information has been sent to highways and a verbal update will be given to committee.	
Wessex Water Authority	No comments received	
Landscape	No comments received	
Quantock Hills AONB	No comments received	

8.6 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

Eight letters and one petition including 21 signatories have been received making the following comments (summarised):

Objections	Officer Comment
AONB should be respected	See section 10
No facilities in the village	Noted
Such housing would be unaffordable to	Noted, the site is not green belt land, but

local rural workers as should be the case when building on green belt	it is accepted that it is greenfield land.
Would increase traffic on very narrow roads including on a blind bend	A reduction in the number of houses previously applied for where the HA raised no objections
Ruining wildlife	Ecology have suggested mitigation conditions
Noise pollution	Noted
Danger of creating a vehicular access	Highways have raised no concerns
Danger of flooding	See section 10
Would be visually detrimental to the landscape and character of the village	See section 10
Road has no footpath	Noted
Within AONB	See section 10
Loss and destruction of wildlife habitats	Noted
4 homes will not make an impact on the housing crisis	Noted
Single lane road which is the main route in and out of the village	Noted
A spring and a stream run alongside the site and is regularly flooded in times of heavy rain	Noted
Local plan limits houses to 12	Noted
Exit to Parsons Close would be much safer	Noted
By allowing this development the amount of new houses permitted would be reached.	Noted
Dangerous access	Noted
Contrary to policies SD1, SC1, SC2, SV1,	Noted
Conflicts with the village design statement	Noted
Flood risk	Noted
Support	
No objection to the quantity and placing of the houses on the plan.	Noted

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations strongly indicate otherwise. The site lies in the former West Somerset area. The Development Plan comprises the Adopted West Somerset Local Plan to 2032, Somerset Mineral Local Plan (2015), and Somerset Waste Core Strategy (2013).

As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.

Relevant policies of the development plan in the assessment of this application are listed below:

- SC1 Hierarchy of settlements
- SV1 Development at primary and secondary villages
- NH14 Nationally designated landscape areas

Neighbourhood Plans:

NA

Supplementary Planning Documents:

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022)

9.1 National Planning Policy Framework

The proposal is considered to accord with the general principles of the NPPF.

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

10.1.1 The principle of development

The site lies within Bicknoller which is identified in Policy SC1 (Hierarchy of Settlements) as a primary village where limited development will be permitted where it can be demonstrated that it will contribute to wider sustainability benefits for the area. Limited development in terms of housing means individual schemes of up to ten dwellings providing about a 10% increase in a settlement's total dwelling number during the Local Plan period, limited to about 30% of this increase in any five year period. Bicknoller had 122 dwellings at the start of the plan period, therefore an increase of 12 dwellings would be permitted subject to other considerations. Eight have been approved thus far, if this application were to be approved it would take the number of dwellings proposed to 12, and the limit for the period.

Policy SD1 states that there will be a positive approach taken when determining development proposals which reflects the presumption in favour of sustainable development within the NPPF. Chapter 2, paragraph 8 sets out the three overarching objectives to achieving sustainable development, economic, social and environmental. The proposed development is considered to meet the objectives of both local and national policy, in that the new builds are to be a mix of single and two storey dwellings which varies the type of property available in the area and the development makes effective use of the land within the built up area of the village with the addition of four houses being able to support the village amenities such as the pub and village hall.

Policy SV1 states that "development at primary and secondary villages should be designed to form an integral, harmonious addition to the settlement's existing character and also help to create balanced communities at a level appropriate to their role and function." The proposal is considered to comply with this policy in that the addition of four new dwellings will not be a jarring addition to the villagescape.

Given the above policy considerations it is considered that the proposal would be acceptable in principle.

10.1.2 History

There have been previous applications and refusals for dwellings on the site. The most recent application in 2020 for the erection of 5 dwellings was refused, as the proposed houses would *"not integrate harmoniously into the character of the existing village and would appear incongruous within the wider landscape"*: *"would involve irreversible change to part of a designated County Wildlife Site; increase the need for local play space generating a requirement for off site contribution and a footpath to the north whose route appears to involve the loss of the TPO protected trees."*

The current proposal is considered to overcome these earlier reasons: the number of dwelling has been reduced and redesigned to better integrate with the village. The Ecologist has raised no objections to the proposals and the use of green spaces will ensure biodiversity is encouraged on the site. The requirement for play space contributions is based off an old supporting policy document from 2009 which has not been retained in current policy requirements. The proposal includes open spaces around the site, it maintains the Public Right of Way and includes the planting of public access wildflower meadows, it is therefore considered that there would not be the requirement for off site play contributions in this instance.

10.1.3 Residential amenity

It is considered that due to the orientation and design of the dwellings there would not be a significant impact upon the residential amenity of the neighbouring properties to the north and west. Each dwelling sits comfortably within the plots allowing sufficient space for future occupiers. It is therefore considered that there would not be a significant impact upon the residential amenity of either the new occupiers of the dwellings or those existing dwellings.

10.1.4 Visual amenity.

The site is a field between and opposite existing properties within the centre of Bicknoller.

Within the Council's Design Guide it highlights that the built form of this part of the area were farmstead building, mostly combination barns with regular courtyard plans with buildings to 3 or 4 sides of the yard, the layout of this proposal mimics this characteristic with the four dwellings surrounding the central space, which in this case is the access road. The new dwellings are not excessively glazed, which the design guide argues can be an issue with new buildings in a highly sensitive landscape. A condition has been included to ensure the slates are natural slates to enable their weathering properties to enable them to blend into their surroundings.

The site lies within the Quantock Hills Area of Outstanding Natural Beauty (AONB) however it is considered that given the design, use of natural materials and location that the development will read as a farm stead and not have a significant impact upon the Quantock Hills AONB.

It is considered that due to the layout of the development and the proposed use of materials that the proposal would not have a significant impact upon the visual amenity of the area.

10.1.3 Highways

The Highway Authority requested further information which has been provided by the applicant. Visibility splays have now been shown on the proposed site access - general arrangement and visibility splays plan (ref BTC18112/P_01/P4). The visibility splays proposed were deemed acceptable by the Highway Authority under the early application, the proposed access point has not changed, indeed the number of houses proposed has been reduced from the earlier application.

The proposed site plan shows sufficient parking and turning for vehicles and refuse lorries, with cycle storage and EV charging shown.

The highways authority have raised no objections to the proposal subject to conditions which have been included.

The proposal is therefore considered to not have a significant impact upon highway safety.

10.1.5 Flooding

There have been comments raised relating to flooding on the site, however the site is not within floodzones 2 or 3. There is a large amount of green space surrounding the development and a condition has been included to ensure that the parking areas are laid with porous materials to reduce the amount of surface water.

11 Local Finance Considerations

11.1 Community Infrastructure Levy

NA

12 Planning balance and conclusion

12.1 The general effect of paragraph 11 of the NPPF is that, in the absence of relevant or up-to-date development plan policies, the balance is tilted in favour of the grant of permission, except where the policies within the NPPF that protect areas or assets of particular importance provides a "clear reason for refusing the development proposed" or where the benefits of the proposed development are "significantly and demonstrably" outweighed by the adverse impacts when assessed against the policies in the NPPF taken as a whole.

12.2 For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning Conditions and Informatives

Recommended Conditions

- 1 The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

(A0) DrNo 23431swg-01 Topographical Survey Sheet 1 of 1

(A4) DrNo 2692-Loc-01 Rev A Location Plan

(A1) DrNo 2692-PL-01 Rev E Site Plan

(A1) DrNo 2692-PL-02 Rev A Combined Plans - Plots 1 & 2

(A1) DrNo 2692-PL-03 Rev B Combined Plans - Plots 3 & 4

(A2) DrNo 2692-PL-04 Rev B Street Scenes

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All ecological measures and/or works shall be carried out in accordance with the details contained in section 4 (Mitigation/compensation/enhancement) of the Ecological Impact Survey report undertaken by Richard Green Ltd (July 2023) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: In the interests of [European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006] and in accordance with policy NH8 of the Somerset West Local Plan Core Strategy

- 4 Prior to the construction of the building samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To safeguard the character and appearance of the area.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting the 2015 Order with or without modification), no extensions, alterations, outbuildings, gates, walls, fences or other means of enclosure, shall be added to the building(s) or erected on the site other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

- 6 The proposed access shall be constructed in accordance with details shown on the submitted plan, drawing number P_01 Rev P4, and shall be available for use prior to the development being first brought into use/occupied. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: In the interests of highways safety.

- 7 At the proposed access there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown on the submitted plan, Drawing No P_01 Rev P4. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times

Reason: In the interests of highway safety.

- 8 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed prior to development above damp proof course level and thereafter maintained at all times

Reason: In the interests of highways safety

- 9 The dwellings hereby permitted shall not be occupied until the proposed access over at least the first 6.0 metres of its length, as measured from the edge of the adjoining carriageway, has been properly consolidated and surfaced (not loose

stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times

Reason: In the interests of highway safety

- 10 The gradient of the proposed access shall not be steeper than 1 in 10. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety.

- 11 The dwellings hereby permitted, shall not be occupied until the proposed roads, including turning areas and parking spaces, have been constructed in such a manner as to ensure that each dwelling is served by a properly consolidated and surfaced carriageway to at least base course level between the dwelling and existing highway

Reason: In the interests of highway safety

- 12 The proposed estate roads, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority

Reason: In the interests of highway safety

- 13 The development hereby permitted must not be occupied until a scheme showing details of the proposed cycle parking facilities to serve each dwelling has been submitted to and approved in writing by the Planning Authority. The approved scheme must be constructed before first occupation and, thereafter, be maintained, kept free from obstruction and available for the purpose specified.

Reason: In the interests of highway safety.

- 14 The development hereby permitted must not be occupied until the precise

technical details of the electric vehicle charging points and parking bays have been submitted and approved in writing by the Planning Authority. The approved scheme must be fully implemented and be available for use before the development is first occupied and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

Reason: In the interests of highway safety

- 15 Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 6.0 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

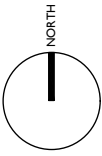
Reason: In the interests of highway safety

Notes to applicant.

In accordance with paragraph 38 of the National Planning Policy Framework 2021 the Council has worked in a positive and creative way and has imposed planning conditions to enable the grant of planning permission.

The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code. Allowances shall be made to resurface the full width of the carriageway where disturbed by the extended construction and to overlap each construction layer of the carriageway by a minimum of 300mm. Cores may need to be taken within the existing carriageway to ascertain the depths of the bituminous macadam layers

Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Applications should be submitted via our website www.somerset.gov.uk. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.



This drawing is copyright and owned by Greenslade Taylor Hunt, and is for use on this project and site only, unless contractually stated otherwise.

DO NOT SCALE from this drawing (printed or electronic versions) other than for planning purposes. Contractors must check all dimensions on site.

Any other design team elements other than architectural, where indicated, have been imported from the consultant's drawings and reference should be made to the individual consultant's drawings for exact setting out, size and type of component.

Discrepancies and / or ambiguities within this drawing, between it and information given elsewhere, must be reported immediately to the architect for clarification prior to proceeding with works on site.

All works are to be carried out in accordance with the latest British Standards and Codes of Practice, unless specifically directed otherwise in the specification.

Responsibility for the reproduction of this drawing in paper form, or if issued in electronic format, lies with the recipient to check that all information has been replicated in full and is correct when compared to the original paper or electronic image. Graphical representations of equipment on this drawing have been co-ordinated, but are approximations only. Please refer to the specifications and / or details for actual sizes and / or specific contractor construction information.

This original document is issued for the purpose indicated below and contains information of confidential nature.

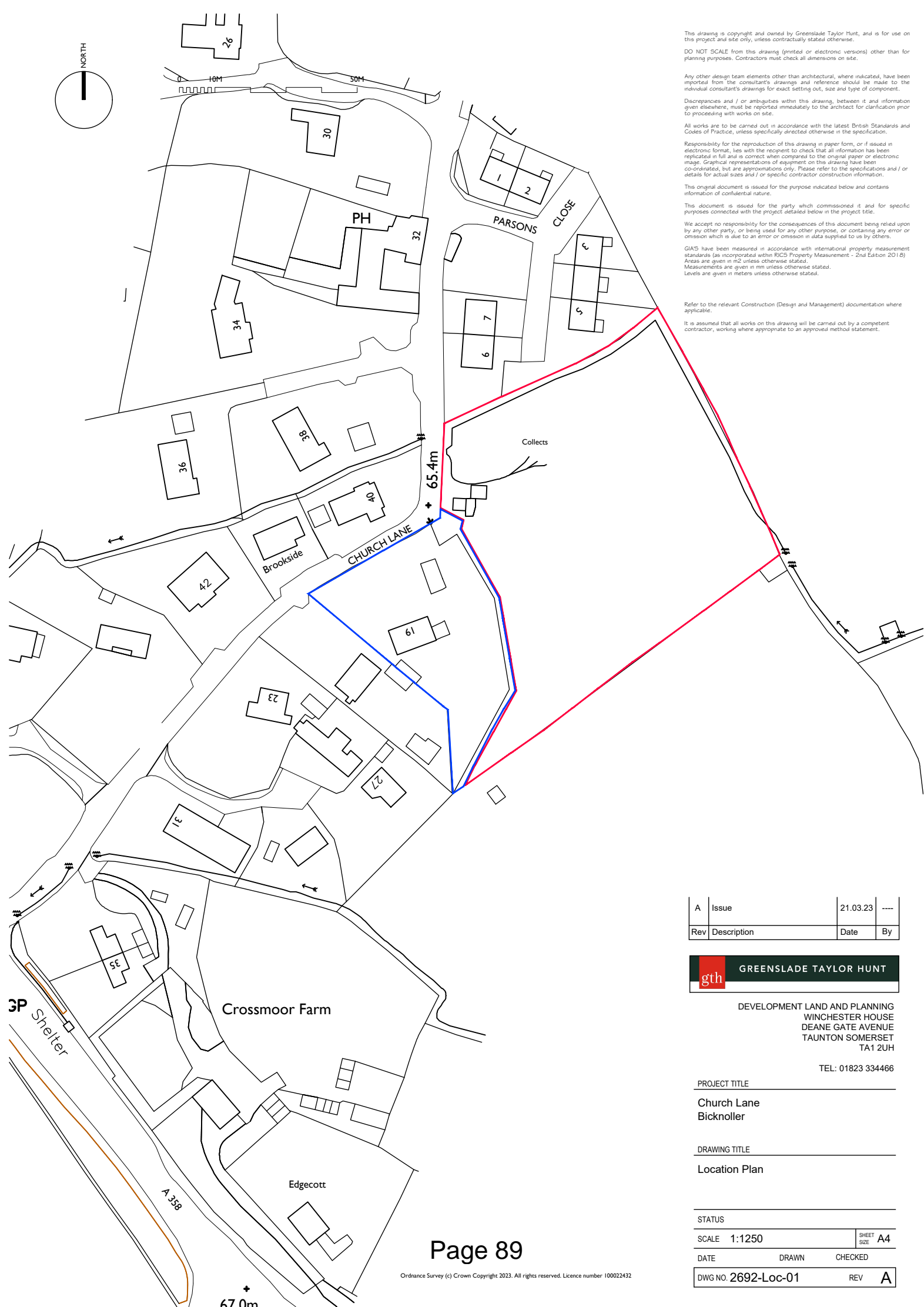
This document is issued for the party which commissioned it and for specific purposes connected with the project detailed below in the project title.

We accept no responsibility for the consequences of this document being relied upon by any other party, or being used for any other purpose, or containing any error or omission which is due to an error or omission in data supplied to us by others.

GIA5 have been measured in accordance with international property measurement standards (as incorporated within RICS Property Measurement - 2nd Edition 2018). Areas are given in m² unless otherwise stated. Measurements are given in mm unless otherwise stated. Levels are given in meters unless otherwise stated.

Refer to the relevant Construction (Design and Management) documentation where applicable.

It is assumed that all works on this drawing will be carried out by a competent contractor, working where appropriate to an approved method statement.



Rev	Description	Date	By
A	Issue	21.03.23	---



DEVELOPMENT LAND AND PLANNING
WINCHESTER HOUSE
DEANE GATE AVENUE
TAUNTON SOMERSET
TA1 2UH

TEL: 01823 334466

PROJECT TITLE

Church Lane
Bicknoller

DRAWING TITLE

Location Plan

STATUS

SCALE 1:1250 SHEET SIZE A4

DATE DRAWN CHECKED

DWG NO. 2692-Loc-01 REV A

This page is intentionally left blank

Application Details	
Application Reference Number:	3/16/23/005
Application Type:	Full Planning Permission
Earliest decision date:	21 September 2023
Expiry Date	26 October 2023
Extension of Time Date	NA
Decision Level	Delegated
Description:	Change of use of land for a period of 3 years to allow the siting of caravans to accommodate Hinkley Point workers with the erection of an ablutions block
Site Address:	Land at Moorhouse Farm, Moorhouse Lane, Holford, TA5 1SP
Parish:	16
Conservation Area:	NA
Somerset Levels and Moors RAMSAR Catchment Area:	NA
AONB:	NA
Case Officer:	Briony Waterman
Agent:	Mrs Wall,
Applicant:	Mr T Ayre
Committee Date:	NA
Reason for reporting application to Committee	Chair call in due to comments contrary to officer recommendation.

1. Recommendation

1.1 That permission be GRANTED subject to conditions.

2. Executive Summary of key reasons for recommendation

2.1 The proposal is considered to be a sensible and acceptable use of the land. It involves an extension to an already approved use, on land that has little agricultural merit and which does not have any identifiable landscape significance. It will provide for a need, firstly as additional 100 caravans as accommodation for Hinkley workers and then, potentially, as a tourism legacy benefit in the longer term. Moorhouse Farm was outlined in the original Hinkley Point C Development Consent Order as a site for worker accommodation and this proposal builds upon that authorisation. There are no objections on highways grounds, it is considered that the use can be assimilated into the surrounding countryside from a visual perspective and the land has a very low flooding risk. All of which means that it is

considered appropriate to recommend approval, subject to the safeguard of appropriate conditions.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

3.1.1 Temporary time limit

3.1.2 Drawing numbers

3.1.3 Hinkley workers only

3.1.4 Land to be restored after temporary use.

3.1.5 Visibility splays

3.1.6 Landscaping

3.1.7 Lighting for bats

3.1.8 Vegetation clearance

3.1.9 Pre-works badger survey

3.1.10 Vegetation in the construction

3.1.11 Retained hedgerows and trees to be protected

3.1.12 No vegetation removal.

3.1.13 Provision of cycle store.

3.2 Informatives (full text in appendix 1)

3.2.1 Proactive Statement

3.2.2 Ownership (non-planning) issue

3.2.3 Obligations

Not applicable.

4. Proposed development, site and surroundings

4.1 Details of proposal

Change of use of land for a period of 3 years, together with the erection of an ablutions block, to allow the siting of caravans to accommodate Hinkley Point C workers.

The proposal is for a temporary change of use for the siting of 100 caravans to be arranged in rows of 10 on a north to south axis, with an access road running along the western boundary and internal access roads running perpendicular west to east to enable access to the caravans. The main vehicular access is to the north of the

field through an existing field gate. The proposed amenities block is located along the western boundary. The proposals include the provision of hard servicing for the positioning of the caravans, improved drainage and additional landscaping, along with improved visibility at the access.

4.2 Sites and surroundings

Moorhouse Farm is located to the north of Holford, and approximately 3 miles from Stogursey. It is situated close to the A39, affording it good access to the main road network and thereby local facilities. The farm complex comprises the farmhouse to the south, a variety of farm buildings, the public campsite to the south-east and an existing caravan site for Hinkley workers to the north, which benefits from a temporary permission for three years (approved in January 2021). The field in question for this application is to the north of the existing caravan site and will be a new caravan site accessed from an existing field access off Stringston Road. The site is bounded by mature hedging and trees. The site is approximately 310 m from boundary with the Quantock Hills Area of Outstanding Natural Beauty separated by the A39.

5. Planning (and enforcement) history

Reference	Description	Decision	Date
3/16/20/013	Change of use of land for a period of 3 years to allow the siting of caravans to accommodate Hinkley Point Workers with the erection of an ablutions block (retention of works already undertaken) (resubmission of 3/16/20/004)	Grant	19/01/2021
3/16/20/004	Temporary change of use of land for the siting of caravans to accommodate Hinkley Point workers and the erection of temporary ablutions block (retention of works already undertaken)	Refused	09/2020
3/16/18/007	Temporary change of use of land for siting of caravans to accommodate Hinkley Point workers and retention of temporary ablutions block	Granted	06/2018
3/16/17/009	Variation of conditions 1 and 2 of permission 3/16/07/001	Withdrawn	02/2018

Reference	Description	Decision	Date
3/16/007/001	Variations of conditions 7&8 of permission 3/16/96/001 and 3 & 4 of 3/16/02/001 to ensure the site is closed between January 6 and March 4	Granted	02/2007
3/16/02/001	Formation of additional sites for 15 units (touring) and relocation of caravan storage area.	Granted	03/2002
3/16/96/001	Change of use to caravan park together with the formation of new vehicular access and retention of existing caravan storage	Granted	03/1996

6. Environmental Impact Assessment

The proposal was screened under the Environmental Impact Regulations and it was determined that, whilst the proposal was deemed to exceed the parameters for needing an Environmental Assessment in terms of its size (area), the proposal did not give rise to specific issues that would require a detailed Environmental Impact Assessment because all of the issues that would require assessment would be considered as part of a standard planning application in any event.

7. Habitats Regulations Assessment

The site is not within the phosphate mitigation zone and there are no protected wildlife species affected by this proposal. Therefore, an Assessment is not required under the Habitats Regulations.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 31 August 2023

8.2 Date of revised consultation (if applicable): NA

8.3 Press Date: N/A

8.4 Site Notice Date: 13/09/2023

8.5 Statutory Consultees the following were consulted:

Consultee	Comment	Officer Comment
Stringston Parish Council	No comments received	Noted
Holford Parish Council	<p>Object:</p> <ul style="list-style-type: none"> • Planning policy does not support residential homes in the open countryside • Access is off a narrow lane not wide enough for 2-way traffic • Does not mention how many extra buses would be required • No footpath, concerns over safety with increased traffic. • Poor visibility at Kiltons Corner. • Landscape concerns 	See section 10
Highways Development Control	Requiring further information	Info requested which at the time of writing has not been received.
Ecology	<p>Site lies within multiple consideration zones for the Exmoor and Quantocks Oak Woodlands SAC.</p> <p>Conditions</p> <p>Lighting for bats Removal of hedgerow Badger verification survey Vegetation clearance Retained hedgerows and trees protected no vegetation removal between 1st March and 31st August inclusive</p>	Conditions added

Consultee	Comment	Officer Comment
Quantock Hills AONB	<p>Views from the QHAONB are already compromised by the existing development and this proposal can only increase the harmful impact</p> <p>Lacking a LIVA to ascertain the impact on the AONB</p> <p>No lighting design mentioned</p>	<p>The site is not within the AONB, and is approximately 310m from the boundary, therefore it is considered that the issues raised can be appropriately dealt with by way of conditions as such a pre-commencement condition regarding light</p>
Office of Nuclear Regulation	No comments received	<p>This site lies only within the outer ONR consultation zone which covers a 5 mile radius from the nuclear licensed sites. In this area, the ONR only requires consultation where the development is likely to lead to an increase in the population of 500 people or more. So this is not applicable to this proposal.</p>
Landscape	No comments received	<p>Comments have been sought from the Landscape Officer, which had not been received at the time of writing.</p>
Wessex Water Authority	No objections to the proposal	
Environment Agency	No comments received	

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

13 letters have been received making the following comments (summarised):

Objections	Officer Comment
Traffic and access	See section 10
Access on to a busy narrow lane	See section 10
Increase the population of Holford by 29%	Noted, the permission is temporary measure for three years and is not considered that the proposal would adversely impact on the settlement of Holford
At the parish meeting it was said that the increase of Hinkley workers had a negative impact on family occupancy	Noted
Does not include a Landscape Visual Assessment	The site is immediately adjacent to an existing similar use and is well contained by existing tree and hedge screening. Therefore, a LVIA was not considered to be necessary.
Negative impact upon the setting of the AONB.	See section 10
Has no lighting strategy, likely to cause light pollution	This is noted, and a condition regarding lighting has been imposed.
Would require substantial earth-moving, will have a negative impact upon carbon storage	The proposal does not state that substantial earth-moving would be required, above what would be expected for the laying out of the site.
Does not comply with local or national policy	It is the Officer's opinion that it does comply as set out in section 10.
Holidaymakers being removed from the site to make room for HPC contractors impacts income and that of local businesses.	The site is a new field, and will not impact upon the number of caravans available for holidaymakers.
Existing access will not support 2 cars passing	There is no overriding objection from the Highway Authority, See section 10
Planning policy states there must be safe and easy pedestrian access to services	See section 10
Will generate significant traffic	Neither Officers nor the Highway Authority consider that this will be the case and the issue raised does not give rise to significant highways issues such as would indicate refusal. See section 10

Objections	Officer Comment
Addition of HPC workers may cause safeguarding issues	EDF Energy provide funding to the blue light services and to health and safety initiatives in order that safeguarding issues can be appropriately addressed.
Negative impact on the views of AONB	Noted, see section 10
Proposed development is not providing any facilities for HPC workers	Noted
EDF have not been consulted and number of pitches exceeds EDF's own assessment of demand	EDF Energy are not involved with this application, but nevertheless were consulted. They chose not to comment on the basis that this was not their proposal. The number of pitches proposed does NOT exceed EDF Energy's own assessment of demand and will be required as part of the Workforce uplift proposal.
Should be considered in the context of the whole site	It is noted that this would be an addition of spaces.
Roads have become busy between 4-8am and 4-8pm	Times to avoid rush hour and to coincide with shift patterns
More people means more transport, more light pollution, noise pollution and emissions	Noted and addressed in Section 10.
Would change the demographics considerably	Noted
Does not fulfil the adopted local planning policy considerations and would negatively impact on the residents in the area.	Officers disagree with this assertion, the arguments for which are made in the Officer comments below.
An increase in traffic and the number of buses using the site.	Noted
Additional 115 caravans is out of keeping with the area	Noted, however for clarity the site plan shows 100 caravans.
Surface water channelled from the site	Noted
Mention of trees but none shown on the plans	A landscaping condition has been included
No mention of sustainability habits will be encouraged	It is considered to be sustainable to increase an already existing use, rather than set up a new and unrelated use elsewhere. Also, the site has good links to the main road network and hence local facilities and services, all of which give

Objections	Officer Comment
	the proposal a level of sustainability, which is noted and considered satisfactory.
Adverse impact upon the highway network	See section 10
Against national and local policy	see section 10
Proposal would damage the tourism on the adjacent Moorhouse Farm site.	Officers disagree. It is not stated how this would be the case. In any case, the applicant is the owner of the adjacent site and would not presumably be making proposals that were considered to be 'damaging' to the primary use.
Unclear whether the proposal should be screened	The proposal was subject to an EIA screening and it was determined that an EIA was not required.
Unsustainable transport patterns	See section 10
No net gain	The ecologist has suggested comments
Loss of productive agricultural land	The permission is temporary with a reinstatement condition, Natural England classifies the land as grade 3, good to moderate, this would mean that the proposal could not reasonably be refused on the basis of loss of agricultural land.
Support	Officer comment
Good for the area creating more jobs creates more trade for the surrounding area.	Noted and agreed.

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations strongly indicate otherwise. The site lies in the former West Somerset area. The Development Plan comprises comprise the Adopted West Somerset Local Plan to 2032, Somerset Mineral Local Plan (2015), and Somerset Waste Core Strategy (2013).

As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.

Relevant policies of the development plan in the assessment of this application are listed below:

OC1	Open Countryside development
SC1	Hierarchy of settlements
EN1	mitigation of impacts of Hinkley point new nuclear
SD1	Presumption in favour of sustainable development
TR2	Reducing reliance on the private car
NH10	Development in proximity to Hinkley Point Nuclear Power Station
NH5	Landscape character protection
NH6	Nature conservation & biodiversity protection & enhancement

Neighbourhood Plans:

N/A

Supplementary Planning Documents:

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022)

9.1 National Planning Policy Framework

The proposal is considered to comply with the NPPF.

Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

10.1.1 The principle of development

The site is located in an open countryside location as defined by policy SC1

(Hierarchy of Settlements) in the West Somerset Local Plan to 2032. Therefore, policy OC1 (Open Countryside Development) applies. Although the proposal will enable the siting of 100 pitches for accommodating workers constructing the nuclear power station at Hinkley Point C (HPC), this is not a permanent use and is not considered to be residential as we would normally define it. The proposal seeks permission for a use which sits somewhere between a usual tourism use and permanent residential use. Given the need for this proposal and the intention to restrict otherwise demand upon the surrounding settlements and given that this use would be appended to an existing authorised use, rather than creating a new isolated use in its own right, it is considered that the proposal can be judged to meet the terms of policy OC1.

EDF Energy (the developer of Hinkley Point C) submitted an Accommodation Strategy in support of the Development Consent Order which gives the basic consent to build the new nuclear power plant at HPC. The Accommodation Strategy sets out that the on-site campus and the Bridgwater campus were key components of the strategy and that spare capacity in the local area would also be used. Accommodation for Hinkley workers in the form of tourist style accommodation was recognised within the strategy as a form of suitable accommodation, particularly during the off-peak times when the use of accommodation by HPC workers would provide added economic benefits.

The HPC adopted Supplementary Planning Guidance states under 'Approach to Caravan and Camping' *'where an application comes forward for a new caravan or camping facility to service short term construction phase worker demand for the HPC project, any scheme should fit with the policies and economic strategies of the Councils and the ongoing viability for tourism use beyond the HPC project construction phase should be demonstrated. Any proposal for year round use of existing caravan and camping facilities should confirm it will serve construction worker requirements on a temporary basis for a period of no longer than 3 years.'* It is considered that this proposal meets the aim of this adopted SPD.

A two year temporary permission was granted in 2018 at Moorhouse Farm, as at that time the on-site worker accommodation approved under the Development Consent Order had not been built. So, there was a demand for temporary accommodation in tourist accommodation in line with the accommodation strategy.

There was an application for a further two-year permission to continue to accommodate HPC workers (3/16/20/004). This application was refused, primarily because the applicant had not sufficiently demonstrated that the proposal was acceptable, with specific regard to adopted policy and the need for such accommodation. However, a subsequent proposal (Ref: 3/16/20/013) addresses these issues and was approved on the 29th January 2021.

It is worth noting that the Inspector in the appeal for Hinkley Workers accommodation at the nearby site at Burton Springs Fishery and Campsite (appeal reference APP/H3320/W/19/328155), refused that proposal on the basis of lack of need for Hinkley workers leading to conflict with adopted national and local policy. That decision was some 4 years ago now and circumstances have significantly changed since that time. The campsite at Burton Springs was specifically approved to serve the fishing business and was not set up for general tourist use. That would still apply. The site was also in a less sustainable location and was not well served in terms of access or local facilities. So, whilst it is worth noting that appeal decision, it is not considered to be relevant to the current proposal because the circumstances of this current application are significantly different in terms of need, location and impact. It is therefore considered that the appeal site and Moorhouse Farm are significantly different. Firstly, Moorhouse Farm has been considered suitable in the past to accommodate HPC workers, so there is merit in some limited concentration of the workforce rather than the alternative of randomly dispersed provision. Other factors to be weighted in favour of the current proposal are its more sustainable location, the fact that the provision of workers accommodation can be integrated into the existing tourist provisions on the site with limited impact upon the surrounding area in terms of landscaping, road networks, facilities and drainage, and the fact that need for this type of accommodation is now considered to be clear and necessary.

Since the earlier applications EDF Energy have confirmed that the number of workers on site is currently approximately 10,000 with the peak expecting to reach just over 12 000 next year through to the middle of 2025. The increase in workforce numbers is required in order to meet the deadlines for completion which are part of the Government's longer term strategy for the energy provision of this nation. With the two campuses usually at capacity, the expansion of the campsites identified within the accommodation strategy and the adopted HPC SPD, will have an important role to play in the provision of accommodation for HPC workers.

The visual amenity of the area will be viewed in context with the adjacent caravan site and so will not cause any adverse visual impacts beyond that which is already present.

10.1.2 Access and highways

A parking space is provided adjacent to each caravan which will provide the required parking within the site, with sufficient space for the parking and turning of vehicles. This is to the required standard. Although the Highways Authority has requested additional information and assurances that resident workers will be able to utilize the

EDF bus service to and from the site, assurances have been received from EDF Energy that this will be the case. No provision has been made for secure, covered cycle storage within the site, and so a condition has been included requiring details of the cycle storage to be submitted prior to occupation.

It is noted that concern has been raised about the potential for over 100 new vehicles to be accessing the site. Firstly, it is crucial to note that the site is very close to and handily located to the primary road network in the area – the A39. Journeys to and from the site will use this main road and so more local road networks would not suffer from the arrival and leaving of private motor vehicles. Also, it should be noted that HPC workers tend to leave their caravans on the site at the end of their stay and rent or sell them to other workers. In this way there would not be a constant movement of caravans into and out from the site. In terms of daily travel movements, it is a fact that once the workers are staying at this site, their journeys to the development site at HPC will be catered for by existing HPC bus movements. If new such services are required, HPC will lay these on, but that would only involve 1 or 2 extra single vehicle movements per day. The workers cannot use their private vehicles to access the development site, so they would be stationed for most of their stay at the site itself. It is accepted that there could be some additional movement relating to personal and leisure trips outside of working hours, but these are going to be quite limited and certainly not of the volume that would cause issues to local road networks. It is for all of these reasons that the Highway Authority are not objecting to the principle of this proposal and therefore subject to the conditions proposed, the application should be considered acceptable on highways grounds.

10.1.3 Drainage and flooding

The site lies within flood zone 1, therefore the flood risk is very low. Due to the location of the proposal away from areas of high risk flooding, it is unlikely that there would be any flood issues that would affect the site. It is considered that the proposal would not significantly increase the flood risk elsewhere or be at significant risk of flooding itself. Despite this, the submitted flood risk assessment outlines potential mitigation measures including permeable surfaces to be included as part of any approval. Therefore, on this basis, the proposal is considered to be acceptable in terms of flood risk and drainage.

10.1.4 Visual amenity -

The site lies outside the Quantock Hills Area of Outstanding Natural Beauty (AONB) and is approximately 310 metres away from the nearest part of the AONB boundary. Although the site will be visible when looking towards the coast from the AONB, at a distance of 310 metres away and by being immediately adjacent to an existing

authorized similar use, it is not considered that the imposition of this extra field would be so injurious to any one view out from the AONB such as would justify refusal. The existing A39 route running in front of the line of site is likely to be far more of a visual impairment. There are significant copses, tree belts and ad-hoc planting surrounding the Moorhouse farm site and in between the site and the AONB, such that the view of the proposed new site would be broken in any event. It is considered that the new proposal with a footprint of only 0.020 square kilometres, viewed at a distance of 310 metres (as a minimum distance), partly obscured by vegetation screening, adjacent to a similar authorized use and set against the back drop of the main A39, cannot be said to be so detrimental to views out from the AONB, such as would justify refusal by virtue of harming the amenities of the AONB itself. There have been objections from both the AONB and Friends of Quantocks relating to the impact upon the visual amenity of the area and the impact on views from within the AONB. However, for the reasons just given, it is not considered justifiable to consider these as reasons for refusal.

Conclusion

The comments from neighbours, the Parish and the Fairfield Estate are noted and covered above. Members are reminded that issues surrounding land ownership and rights to implement any permission should not be the subject of consideration as far as whether to grant planning permission or not. These are private matters between those involved. On this basis, the applicant is reminded of the need to ensure they have landowners permission before the works commence.

The proposed development will meet a short term and temporary need for accommodation for Hinkley workers. The intention to have a concentration at one site is considered to be more preferable than having the workers spread out. Also, the willingness of Hinkley Workers to use caravans for accommodation, does ease pressure upon the already full local settlements. Also on the plus side, the proposal would provide economic benefits to both the landowner and the local communities in terms of extra spending power in local pubs, shops, and other local facilities.

The site is already adjacent to a tourist caravan/campsite, and it is considered that it is much more preferable within the landscape and local communities to have such offers concentrated at certain local sites where, it is easier to manage and administer Hinkley workers, rather than have them spread out where it would be more difficult to control and would spread any potential impacts much further into local communities. The site has already been operating for many years as a dual tourism and Hinkley accommodation site and there are no known difficulties having

been reported to the LPA as a result of this inter-relationship. It is known that accommodation such as this is desperately required to assist the workforce uplift at HPC and a judgement has been made that it would be best placed to meet some of that demand by expanding existing authorised operations rather than spreading potential impacts out further within communities.

The safety net afforded to this proposal is firstly that HPC has a good record of policing and monitoring their authorised sites; secondly, HPC appropriately fund the blue light services and social care operatives to give 'authorised' support to law and order on this project as appropriate; and it is quite clear from the Council's adopted SPD that this should only be granted for a temporary period in any event. It is recommended that a three year permission is granted in this instance and this is considered to cover the expected period of peak activity for the workforce on the site.

11 Local Finance Considerations

Community Infrastructure Levy

Community Infrastructure Levy is not a consideration for an application in this part of Somerset.

Planning balance and conclusion

11.1 The general effect of paragraph 11 of the NPPF is that, in the absence of relevant or up-to-date development plan policies, the balance is tilted in favour of the grant of permission, except where the policies within the NPPF protect areas or assets of particular importance and "clear reason for refusing the development proposed" can be provided, or where the benefits of the proposed development are "significantly and demonstrably" outweighed by the adverse impacts when assessed against the policies in the NPPF taken as a whole. This report has looked at all of the relevant and important issues and concluded that there would be no adverse impact on the AONB or other assets of importance, and that the benefits in approving this proposal are not outweighed by any identified adverse impact. There is clearly a judgement to be made on the appropriateness of this proposal as a part solution to the HPC workforce uplift issue. Whilst this proposal is far from solving the local accommodation crisis created by the influx of many more workers at HPC, it is part of the solution and has been identified by officers as being an acceptable part of the solution. EDF Energy will increase the number of workers at their site in order to make up for lost time caused by several issues beyond their control (funding decisions, Covid-19, and political interventions, for example), and them doing so is outside of the control of the planning system. The number of workers on site is not controlled by the DCO. Where the Council can have real influence, is in suggesting

solutions to any issues that arise as a result of the workforce increase. Solutions need to be found to local accommodation needs and officers have identified this small expansion at Moorhouse Farm as being a small part of the solution.

11.2 Therefore, for all of the reasons set out in this report and having regard to all of the matters raised, it is recommended that planning permission is granted, subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning Conditions and Informatives

Recommended Conditions

- 1 The use of the site for bona fide officially sanctioned Hinkley Point C workers shall be for a maximum period of up to three years from the date of this permission after which time the use hereby permitted shall be discontinued and the land shall revert back to agricultural.

Reason: The proposed use would be unacceptable on a permanent basis in this location.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

(A1) DrNo 200 01 Existing Location and Existing Block Plan (A1)

DrNo 200 02 Proposed Location and Proposed Block Plan (A1)

DrNo 200 03 Site Plan

(A3) DrNo 200 04 Amenities Block Proposed Plan and Elevations

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The caravans shall be occupied by bona fide officially sanctioned Hinkley Point C workers only and shall not be occupied as a persons sole or main place of residence.

The applicant or their successor(s) in title, shall maintain a comprehensive up to date register listing all occupiers of the individual caravans on site hereby approved, evidence of their main home addresses' and the dates of occupation of such accommodation. Evidence of their eligibility to reside as an official sanctioned Hinkley Point C worker shall be recorded on the register. The said register shall be made available for inspection by the Local Planning Authority at reasonable notice.

Reason: To ensure the accommodation is only occupied in a residential manner that reflects the exceptional need for temporary accommodation for Hinkley Point C workers.

- 4 The caravan pitches, the caravans themselves, the ablutions block and all other structures hereby permitted by this consent shall be removed and the land restored to its former condition within three months following the cessation of

the use, as required by condition 1 above, unless further permissions have been granted authorising any continued use.

Reason: To ensure that the proposed building is used solely in connection with the use of the site by bona fide Hinkley Point C workers for a temporary period and that there is no lasting impact upon the landscape or amenities of the area.

- 5 There shall be no obstruction to visibility greater than 600mm above the adjoining carriageway level within the visibility splays shown on the approved plans.

Such visibility splays shall be fully provided before the use commences and shall thereafter be maintained in the approved form.

Reason: To ensure suitable visibility is provided and retained at the site access, in the interests of highway safety.

- 6 A landscaping scheme shall be submitted to and approved in writing by the local Planning Authority prior to such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted.

(ii) The scheme shall be completely carried out within the first available planting season (1 October to 31 March) from the date of commencement of the development. Written confirmation of the completion of the landscaping scheme shall be submitted to the Local Planning Authority.

(iii) For a period of three years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow or are uprooted shall be replaced by trees or shrubs of similar size and species.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

- 7 Where external lighting is to be installed, prior to installation, a lighting design for bats, following Guidance Note 08/23 - bats and artificial lighting at night (ILP and BCT 2023), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed. Lux levels should be below 0.5 Lux on key & supporting features or habitats. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design.

Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity

- 8 Prior to any works, including groundworks, commencing on site vegetative clearance will be carried out in strict accordance with the following procedure, either:
- a) Between April and August, a licensed dormouse ecologist will check the site for nests immediately before clearance. If there are no nests, then the hedgerow can be removed. If present the removal shall proceed either as per b) or c) below. The results will be communicated to the Local Planning Authority by the licensed dormouse ecologist within 1 week of the inspection.

 - b) In September or October when dormice are still active but avoiding the breeding and hibernation seasons.

A licensed dormouse ecologist shall supervise the work checking the site for nests immediately before clearance and, if needed, during clearance. All work shall be carried out using handheld tools only. If an above-ground nest is found it shall be left in situ and no vegetation between it and the adjacent undisturbed habitat shall be removed until dormice have gone into hibernation (December) as per method b). The results will be communicated to the Local Planning Authority by the licensed dormouse ecologist within 1 week; or

c) Between December and March only, when dormice are hibernating at ground level, under the supervision of a licensed dormouse ecologist. The hedgerow, scrub and/or trees will be cut down to a height of 30cm above ground level using hand tools. The remaining stumps and roots will be left until the following mid-April / May before final clearance to allow any dormouse coming out of hibernation to disperse to suitable adjacent habitat. No vegetative clearance will be permitted between June and September inclusive when females have dependent young. Written confirmation of the operations will be submitted to the Local Planning Authority by a licensed dormouse ecologist within one week of the work

Reason: In the interests of the 'strict protection' of a European protected

species nesting wild birds and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity

- 9 Due to the mobile nature of badgers and their ability to move into new areas at any time, a pre-works badger verification survey should be carried out immediately prior to any works commencing on Site. This should include all suitable habitat within 30 metres of the Site. The results of these surveys will be reported to Local Planning Authority and subsequent actions, or mitigation agreed in writing prior to the commencement of vegetative clearance or groundworks. Where a Natural England licence is required, a copy will be submitted to the Local Planning Authority prior to works affecting the badger resting place commencing.

Reason: This condition must be a pre-commencement condition to safeguard badgers from the outset of the development, to comply with the Protection of Badgers Act 1992 and in accordance with policy NH6 of the West Somerset Local Plan

- 10 Any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brushings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between March and October under the supervision of competent ecologist. Once cut vegetation should be maintained at a height of less than 10cm for the duration of the construction period. A letter confirming these operations and any findings will be submitted to the Local Planning Authority by the ecologist responsible.

Reason: In the interests of UK protected and priority species and in accordance with policy NH6 of the West Somerset Local Plan.

- 11 Retained hedgerows and trees shall be protected from mechanical damage, pollution incidents and compaction of roots in accordance with BS5837:2012 during site clearance works, groundworks and construction and to ensure materials are not stored at the base of trees, hedgerows and other sensitive habitats. Photographs of the measures shall be submitted to the Local Planning Authority prior to the commencement of any vegetative clearance or groundworks. The measures shall be maintained throughout the construction

period.

Reason: A pre-commencement condition in the interests of European and UK protected species and biodiversity generally and in accordance with policy NH6 of the West Somerset Local Plan

- 12 No vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the trees, shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provides written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority by the ecologist accompanied by dated photos showing the site before and after clearance. In no circumstances should netting be used to exclude nesting birds.

Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). Although this is a legal obligation the law does not specify a time period – some species can breed outside the time frame given.

- 13 Prior to occupation details for the cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities are included for the storage of cycles, in the interests of sustainable transport.

Notes to applicant.

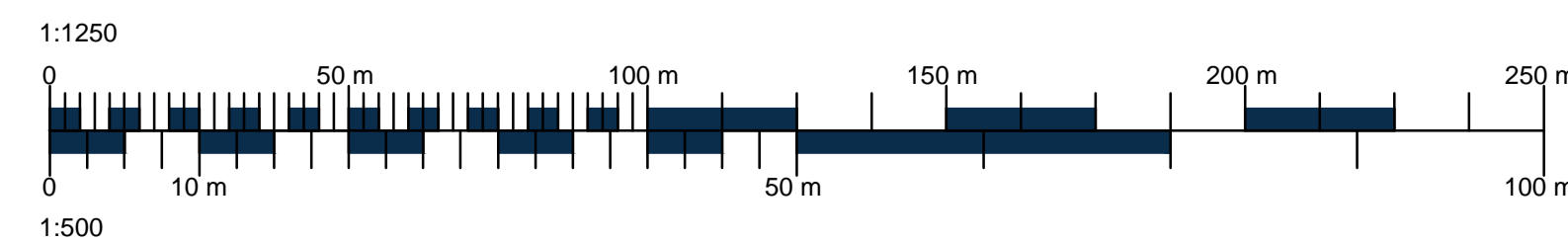
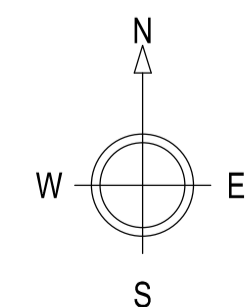
- 1 In accordance with paragraph 38 of the National Planning Policy Framework 2021 the Council has worked in a positive and creative way and has imposed planning conditions to enable the grant of planning permission.
- 2 The applicant should note that whilst this decision grants permission for the works, the consent of the landowner and other potential interested parties should also be sought separately.

This page is intentionally left blank



Ordnance Survey, (c) Crown Copyright 2023. All rights reserved. Licence number 100022432

SITE PLAN
Scale 1:500



NOTES:

1. Use written dimensions only. All dimensions to be checked on site and any discrepancies reported to ACORUS immediately. If in doubt ask.
 2. Where relevant, significant hazards have been identified on the drawing. Hazards which should be obvious to a competent contractor or unforeseeable have not been identified.
 3. This drawing is confidential and remains the exclusive property of ACORUS.
 4. Ordnance Survey Paper Map Copying Licence Number: 100039456.
- © ACORUS Rural Property Services Ltd.



Rev.	Date	Description	Drawn	Chk

PROJECT			
Mr T Ayre Moorhouse Farm, Holford TA5 1SP			
TITLE			
Proposed Campsite Expansion Site Plan			
SCALE	DATE	DRAWN BY	CHECKED BY
AS SHOWN @A1	Aug 23	DL	SC
JOB NO.	DRAWING NO.	REVISION	
LW/2089/0823	200_03		



acorus
Planning. Design. Property.

This page is intentionally left blank