

Application Details	
Application Reference Number:	20/23/0045
Application Type:	Removal or Variation of Condition(s)
Earliest decision date:	15 December 2023
Expiry Date	12 January 2024
Extension of time	
Decision Level	Chair/Vice Chair Referral
Description:	Variation of wording to Condition No. 03 of application 20/06/0039 (Condition No. 01 of appeal decision - holiday occupancy) to allow full residential use of Plots 19 and 20 Mill Meadow, Parsonage Lane, Kingston St Mary
Site Address:	19-20 MILL MEADOW, PARSONAGE LANE, KINGSTON ST MARY, TAUNTON, TA2 8HL
Parish:	20
Conservation Area:	NA
Somerset Levels and Moors RAMSAR Catchment Area:	Within the catchment area
National Landscape (AONB):	NA
Case Officer:	Briony Waterman
Agent:	CarneySweeny
Applicant:	MR T HEAYNS
Committee Date:	NA
Reason for reporting application to Committee	Chair referral

## 1. Recommendation

1.1 That permission be REFUSED

## 2. Executive Summary of key reasons for recommendation

2.1 The proposal is to remove Condition no. 01 of application 20/06/0039, which states:

*"The chalets shall be occupied for tourism purposes only and shall not be occupied as a person's sole or main residence. The site operator and owners shall maintain an up-to-date register of the names of all owners/occupiers, including their guests, of individual chalets on the site and their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority".*

The condition was re-imposed at appeal after the applicant sought to amend the wording of the condition imposed under application 20/06/0026 which stated:

*"The occupation of the holiday accommodation shall be restricted to bona fide*

*holiday makers for individual periods not exceeding 4 weeks in total in any period of 12 weeks. A register of holiday makers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times."*

It is considered that removing the condition restricting the site to use as holiday accommodation is contrary to policies SP1, A5 and SB1 of the Site Allocations and Development Management Plan and policies CP1, SP4 and DM2 of the Taunton Deane Core Strategy, as the site falls outside the defined settlement limits of Kingston St Mary. The proposal is considered contrary to paragraph 84 of the National Planning Policy Framework.

In addition the proposed development would not meet the minimum space standards, as required within the National Described Space Standards and by policy D10 of the Site Allocations and Development Management Plan.

### **3. Planning Obligations, reason(s) for refusal and informatives**

#### 3.1 Reasons for refusal (full text in appendix 1)

3.1.1 Outside settlement limits

3.1.2 Does not meet minimum space standards

#### 3.2 Informatives (bullet point only)

3.2.1 Proactive Statement

#### 3.3 Obligations

NA

### **4. Proposed development, site and surroundings**

#### 4.1 Details of proposal

The proposal seeks the removal of Condition No. 01 (holiday occupancy) attached to the appeal decision of application 20/06/0039 at Plots 19 and 20 Mill Meadows, which are currently used as holiday lets. The condition states: "*The chalets shall be occupied for tourism purposes only and shall not be occupied as a person's sole or main residence. The site operator and owners shall maintain an up-to-date register of the names of all owners/occupiers, including their guests, of individual chalets on the site and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.*"

#### 4.2 Sites and surroundings

The site is located within the Mill Meadows Eco-holiday lodges to the north of the site. The site is located to the south of Kingston St Mary, outside of the settlement limits. The site is accessed via the existing access from Parsonage Lane.

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

Reference	Description	Decision	Date
20/23/0020	Removal of condition no. 01 (holiday occupancy) of appeal decision of application 20/06/0039 at Plots 19 and 20 Mill Meadow	Refuse	17/08/2023
20/07/0010	Conversion of building into two units for holiday lets (revision to 20/06/0026)	Conditional approval	24/05/2007
20/06/0039	Amendment to wording of condition 3 of permission 20/06/0026	Allowed at appeal	29/03/2007
20/06/0038	Amendment to wording of condition 6 of permission 20/05/0022	Allowed at appeal	29/03/2007
20/06/0026	Conversion of building into two units for holiday lets and removal of conditions 5 and 6 of planning permission 20/00/0025	Conditional approval	02/11/2006
20/06/0017	Removal of conditions 5 and 6 of planning approval 20/00/0025 to permit the use of the building for warden accommodation, reception, office and storage in connection with holiday cabin development	Withdrawn	
20/06/0010	Removal of condition 5 and 6 of planning approval 20/00/0025 to permit the use of the building for general use	Refusal	15/06/2006
20/05/0005	Erection of 5no. log cabins for tourism/education	Conditional approval	26/04/2005
20/00/0025	Erection of building to provide additional staff room, kitchen and toilet facilities	Conditional approval	13/11/2000

## 6. Environmental Impact Assessment

N/A

## 7. Habitats Regulations Assessment

The two units are currently being used as holiday lets. Under the phosphate guidance, Section 73 applications can benefit from a 'fallback position' allowing them to be screened out from requiring a HRA to demonstrate nutrient neutrality if the original permission has been lawfully commenced.

The site lies within the catchment area for the Somerset Moors and Levels Ramsar site. As competent authority it has been determined that a project level appropriate assessment under the Conservation of Habitats and Species Regulations 2017 is not required as the Council is satisfied that the proposed development seeks removal of the holiday condition it does not increase the number of units on the site or amend the drainage details and will not therefore increase nutrient loadings at the catchment's impact on the Ramsar site (either alone or in combination with other plans or projects) pursuant to Regulation 63 (1) of 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: 21 November 2023

8.2 Date of revised consultation (if applicable): N/A

8.3 Press Date:

8.4 Site Notice Date: 23 November 2023

8.5 **Consultees** the following were consulted:

<b>Consultee</b>	<b>Comment</b>	<b>Officer Comment</b>
KINGSTON ST MARY PARISH COUNCIL	<p>Support the proposals.</p> <p>1. meet the need for 2/3 bedroom housing, meets the need for more affordable housing, complies with para 78 of the NPPF.</p> <p>2. not located in open countryside and is a sustainable location</p> <p>3. 19-20 are built, 15-18 have permission, Parish Council would prefer these properties were full time residential rather than as holiday homes</p> <p>4. Mill meadows are eco houses of exceptional design</p> <p>5. Applicant is offering an affordable housing provision in perpetuity</p> <p>Neighbourhood Plan has been released for their Regulation 16 consultation which welcomes modest development.</p>	<p>1. See section 10.1.2</p> <p>2. See section 10.1.1</p> <p>Noted</p> <p>Noted</p> <p>See section 10.1.2</p> <p>See section 10.1.4</p>
WESSEX WATER	No comments received	
SCC - TRANSPORT DEVELOPMENT GROUP	<p>Standing advice.</p> <p>1. Vehicular and cycle parking standards</p> <p>2. EV charging points in line</p>	Noted.

	with the relevant strategy.	
ECONOMIC DEVELOPMENT	No comments received	
Housing Enabling Team	<p>The Housing Enabling team has considered the three proposals. Following further research, the Discounted Open Market options are not viable particularly given the construction type of the dwellings.</p> <p>An Affordable Housing financial contribution has been calculated based on 1.5 dwellings incorporating the indicative market values provided within the application and equates to a financial contribution of £151,292 in lieu of affordable housing on site. The Affordable Housing financial contribution should be secured through a S106 planning agreement and be index linked for payment due upon completion of both plots 19 and 20 and prior to residential occupation of plots 15 –18.</p> <p>The Affordable Housing policy for use of financial contributions states ‘the Council will use the financial contributions in the following ways:</p> <ul style="list-style-type: none"> <li>• Fund the provision of new affordable housing through Registered Providers;</li> <li>• Purchase land for new affordable housing schemes either directly by the Council or through Registered Providers;</li> <li>• Fund activities relating to the delivery of affordable housing.’</li> </ul> <p>The Housing Enabling team will continue to work with the Parish Council and Kingston St Mary Community Land Trust to sustain and deliver Affordable Housing opportunities within the parish</p>	See section 10.1.3

## 8.6 Local representations

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

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

Support	Officer comment
Shortage of suitable housing for people to downsize to	Noted.
Eco-friendly heating solution and rainwater is used for toilets, washing machines etc	Noted.
Support if commitment to include low cost housing is honoured	Noted.
Need for affordable housing	See section 10.1.2
Add well built, attractive housing	Noted.
Local housing for local people	See section 10.1.2
Free up larger home in the villages	Noted.
Too many homes being taken up by second homeowners	Noted.
Eco-credentials	Noted
Lack of affordability in the locality	See section 10.1.2
New build holiday homes uneconomical due to rise in AirBnB	Noted
Does not conflict with any policy	See section 10.1.1
Promote appropriate and sustainable development	Noted
Local housing needs survey for downsizing	Noted
No affordable housing in KSM since the late 1990s	See section 10.1.2
A Community Land Trust has been established	Noted
To provide affordable housing now, or to have a contribution towards affordable housing is very positive	See section 10.1.2
A local occupancy clause in the S106	Noted
Lack of gardens - applicant is willing to remove part of the existing "wild area" to be made available for domestic	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 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:

SP1 - Sustainable development locations,  
SB1 - Settlement Boundaries,  
CP1 - Climate change,  
SP4 - Realising the vision for rural areas,  
DM2 - Development in the countryside,  
D10 – Dwelling sizes

#### Supplementary Planning Documents

N/A

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:

A Kingston St Mary Neighbourhood Plan

#### National Planning Policy Framework – December 2023

### **10. Material Planning Considerations**

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

#### 10.1.1 History

The building subject to this application was constructed as office accommodation by application 20/00/0025. Application 20/06/0026 permitted the change of the use of the building into two holiday let units. Section 73 Application 20/06/0039, allowed on appeal, sought to relax the holiday occupancy condition to allow second home ownership. The appeal decision deleted the tourism occupancy Condition 3 of application 20/06/0026 and imposed a new, more relaxed tourism occupancy Condition 1. The current occupancy condition states:

*"The chalets shall be occupied for tourism purposes only and shall not be occupied as a person's sole or main residence. The site operator and owners shall maintain an up-to-date register of the names of all owners/occupiers, including their guests, of individual chalets on the site and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority."*

In August 2023 an application to remove the condition 1 of application 20/06/0026,

this was refused by Planning Committee with the reason for refusal stating:

*"The proposed development is outside any defined settlement limits and therefore falls within open countryside. The site is located in an unsustainable location where future occupiers would be heavily reliant on the private car to access facilities and amenities that are not available within close proximity to the site. The proposed is therefore contrary to policies SP1, SD1 and CP1 of the Taunton Deane Core Strategy and policies A5 and SB1 of the Taunton Deane Site Allocations and Development Management Plan."*

#### 10.1.2 The principle of development

The application site lies outside the defined settlement limits and is therefore considered to be within the open countryside as identified by Policy SP1 of the Site Allocations and Development Management Plan (SADMP). As such policies CP1, CP8, SP4 and DM2 of the Taunton Deane Core Strategy are considered relevant.

Policy SB1 refers to the settlement boundaries which sets out *"In order to maintain the quality of the rural environment and ensure a sustainable approach to development, proposals outside of the boundaries of settlements identified in Core Strategy policy SP1 will be treated as being within open countryside and assessed against Core Strategy policies CP1, CP8 and DM2 unless:*

- A. *It accords with a specific development plan policy or proposal; or*
  - B. *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 proposal does not meet a specific development plan policy nor is it necessary to meet a requirement of environmental or other legislation as such the proposal will be assessed under policies CP1, CP8 and DM2 as outlined below.

Core Strategy Policy SP1 establishes the desire to provide sustainable development, which focuses development in the most sustainable and accessible locations. This policy states that outside of the settlement boundaries, development will be treated as being within the open countryside and therefore Policy DM2 shall be applied. The location of this proposal is not identified within SP1 as a major or minor rural centre, it is one of the villages listed that retain settlement boundaries and have no further allocations made through the SADMP but does allow for small scale proposals within the settlement limits. The proposed development is therefore considered contrary to Policy SP1, outside of a defined settlement boundary for Kingston St Mary and not within a sustainable location.

Policy SB1 states that to *"maintain the quality of the rural environment and ensure a sustainable approach to development, proposals outside of the boundaries of settlements identified in Core Strategy Policy SP1 will be treated as being within the 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 conversion to residential properties does not accord with Criteria A or B outlined above as it does not meet a specific development plan policy and is not necessary to meet a requirement of environmental or other legislation. Furthermore, the location within an established tourist site raises concerns regarding conflict between holiday makers and residents. The different uses on the site would lead to conflict with traffic movements, noise and disturbance.

Policy SP1 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 Planning Authority is seeking to apply strict control over sustainability. It is noted that there is a footpath from the site to the centre of the village, however it is likely that the occupiers of the proposed development would be reliant on the private car rather than walking along an unlit footpath, for things other than basic day to day needs.

There have been appeal decisions relating to housing schemes outside of settlement limits such as appeal APP/G1630/W/14/3001706 (Bagley Road), dated July 2015 which was for a residential development of up to 58 dwellings, the current proposal is for the removal of a holiday occupancy condition of two holiday lets be given consent as open market dwellings. Each application is determined upon its own merits, and it is considered that a proposal for two open market dwellings with no wider community benefit is not a fair comparison when assessed against the Bagley Road decision. The aforementioned is contiguous to Wellington with a wide range of facilities being accessible by walking along lit footpaths, which differs from the proposed site which would be wholly reliant on the private car. The view of the LPA is that the proposed development does not comply with policy SP1 due to its countryside location.

Policy DM2 is positively worded and sets out what type of development will be supported in the open countryside of which open market residential is not one. In the case of residential dwellings, the policy is specifically related to replacement dwellings, dwellings linked to agriculture and forestry employment and affordable housing (please see section 10.1.2) where it can be demonstrated that this cannot be accommodated within the nearest Rural Centre. Whilst DM2 does not specify what types of development should be resisted comments received from the Council's Policy Officer have stated that this "should logically be read into the policy, and it does not mean that other development would thereby be considered acceptable".

Within the justification for Policy DM2 it states that "Tourism is a key element of the local economy, providing around 1500 jobs and generating an estimated £129 million in 2007. The Somerset Delivery Plan recognises the need for sustainability so as not to undermine the local environmental quality." The use of these units as dwellings would result in a loss of tourist income for the site and a reduction in the tourist spend in the area. No justification has been submitted to show that there is no longer a need for holiday lets in the area.

Policy CP1 requires that "development proposals should result in a sustainable environment and will be required to demonstrate that the issues of climate change have been addressed by:

*a: Reducing the need to travel through locational decisions and where appropriate, providing a mix of uses: and/or*

*h: impact on the local community, economy, nature conservation or historical interests does not outweigh the economic and wider environmental benefits of the proposal."*

The developments "eco" credentials are noted as is the care taken to promote biodiversity and sustainable practices such as electric charging points. However, given the location of the proposal, approximately 2.6 miles from the nearest railway station in Taunton, along an unlit road with no cycle path and an irregular bus route, with no safe lit pedestrian route to the village, occupiers of the dwellings would have to travel for everyday activities such as work, school, shops etc. The limited local services, facilities and amenities would increase both the use and reliance on the private car which is contrary to policy.

Policy A5 relates to accessibility, the policy states that residential development should be within walking distance of, or should have access by public transport to, a wide range of services and facilities. The proposed dwellings would be outside the settlement boundary, although not isolated from other dwellings, there is no safe walking route to facilities and an irregular bus service. Within the appeal decision, reference APP/W3330/21/3289579, the Inspector states that the lack of street lighting and continuous footpath connecting the site to the nearest settlement would discourage pedestrians and cyclists from using alternative modes of transport to the private car, this is considered to be the case with the current proposal, it is therefore considered contrary to both policies CP1 and A5.

Policy CP8 states that "Development outside of settlement boundaries will be permitted in a limited number of circumstances and are subject to a number of criteria including "be appropriate in terms of scale, siting and design: and protect, conserve or enhance the landscape and town scape character whilst maintaining green edges and open breaks between settlements. and provide for any necessary mitigation measures". The removal of the holiday occupancy condition on of the 2 holiday lets would not change the appearance of the buildings and the proposal is considered to comply with policy CP8 of the Taunton Deane Core Strategy.

Policy SP4 states that "Growth in the rest of the borough will be limited, respecting and reflecting the rural character and sustainability considerations". The policy goes on to state that "it is vital that any development respects the integrity of the countryside". The proposed removal of the condition to allow for residential occupancy would be in conflict with Policy SP4 in that it is outside settlement limits which would not respect the rural character or sustainability considerations.

Paragraph 84 of the NPPF states that planning decisions should avoid the development of isolated homes in the countryside unless:

- (a) There is an essential need for a rural worker
- (b) The development would represent the optimal viable use of a heritage asset, or would be appropriate enabling development
- (c) The development would re-use redundant or disused buildings and enhance the immediate setting.
- (d) The development would involve the subdivision of an existing residential building;  
or
- (e) The design is of exceptional quality in that it:
  - is truly outstanding, reflecting the highest standards in architecture and would help to raise the standards of design more generally in rural areas; and

- Would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

The proposal to remove the tourism condition and to allow open market residential occupancy is considered contrary to the above paragraph and the general sustainability principles of the NPPF.

Policy D10 sets out the minimum space standards for dwellings which is in accordance with the minimum floor areas as detailed in the Nationally Described Space Standards. For a two bed, two storey dwelling the minimum space standard states that it should be a minimum of 70m<sup>2</sup>, given the plans submitted the two bed plot measures approximately 43.18 and therefore does not meet the minimum standards. Similarly, for a three bed plot the minimum space standard is set at 84m<sup>2</sup> from the plans submitted the three bed plot measures approximately 51.82m<sup>2</sup> and therefore does not meet the minimum space standards and is considered contrary to policy D10 of the Site allocations and development management plan.

Given the above it is considered that the proposal would be in conflict with policies SP1, SB1, SP4, CP1, D10, DM2 and A5 and is unacceptable in terms of policy, given the location of the proposals.

#### 10.1.3 Affordable Housing

In respect of units 19 and 20, the applicant has offered to link the current application and application reference 20/23/044 to provide an element of affordable housing across the two sites to be linked via a S106.

Three potential options for providing affordable housing were submitted these are as follows:

Option 1 - On-site provision of one Discounted Open Market affordable home and a commuted financial sum equivalent to the construction of half an affordable home.(combined offer of £126,000)

Option 2 - On-site provision of two Discounted Open Market affordable homes (combined offer of £162,500)

Option 3 - A commuted financial sum, equivalent to the construction cost of one and half affordable homes (combined offer of £153,000)

The Housing Enabling team (HET) have been consulted who have considered the three proposals. In response to options 1 and 2 the properties have already been built and occupied as holiday lets. The type of construction means that the Discounted Open Market options would not be viable.

Option 3 was considered the most acceptable by the HET of the 3 options provided. The offer of a commuted sum could be used to provide affordable housing offsite, however there is no guarantee that this would result in the provision of affordable housing within the parish of Kingston St Mary.

Many of the letters of support, including from the Parish Council, reference the need

for affordable housing in the area. A financial contribution may aid the delivery of future affordable housing within the Parish, however there could be alternative funding opportunities available to deliver affordable housing led developments elsewhere.

It is considered that the commuted sum would allow for a total six open market residential properties within the open countryside and would not provide the affordable housing which many of the letters of support reference, the potential benefits of this are outweighed by the policy objections outlined above.

#### 10.1.4 SHLAA and Five Year Housing Land Supply

The latest housing land supply position is published in the 2023 SHLAA for Somerset West Area (formerly Somerset West and Taunton). For the former Taunton Deane LPA the Housing Land Supply is 5.16. Therefore, the 'tiled balance in Paragraph 11(d) of the NPPF is not applicable

#### 10.1.5 Kingston St Mary Neighbourhood Plan

The Planning Practice Guidance states that "An emerging neighbourhood plan is likely to be a material consideration in many cases. Paragraph 48 of the revised National Planning Policy Framework sets out that weight may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies." Ref ID 41-007-20190509.

The Kingston St Mary Neighbourhood Plan is at Examination. The Regulation 16 consultation finished on Friday 19 January 2024. No significant objections to the policies in the Neighbourhood Plan were received during that consultation. The Examination will establish the degree of consistency with the NPPF, TDBC Core Strategy and TDBC Site Allocations and Development Management Plan.

The emerging Kingston St Mary Neighbourhood Plan (KSMNP) proposes a change to the settlement limit, and have produced a supporting document. However, the Neighbourhood Plan makes clear that this is unlikely to be adopted until the new unitary authority has a new Local Plan, as stated on page 67 of the KSMNP:

*"Alterations to Settlement Boundary It is also worth noting that submissions have been made by the Parish Council in respect of the Settlement boundary. In relation to the settlement boundary the Parish Council requested in 2021 for Kingston St Mary village's settlement boundary to be extended (see the Settlement Boundary report in Supporting Guidance). However, this change, if accepted, is unlikely to be adopted until the new Unitary authority creates a new Local Plan"*

At this stage the Neighbourhood Plan carries little weight as a material consideration.

#### 10.1.6 Highways

The current use of units 19 and 20 are holiday lets, whilst there may be a small rise in traffic movements with deliveries etc, this is not considered such a significant increase to warrant a refusal.

### 10.1.7 Visual impact

The proposed lifting of the condition would not alter the appearance of the buildings and is not considered to result in a significant impact on the visual amenity of the area. It is noted that there could be an increase in domestic paraphernalia. However the site is well screened from the highway and it is considered that there would not be a significant impact upon the visual amenity of the area.

### 10.1.8 Residential impact

It is considered that the proposed development would not have a significant impact upon the residential amenity of the surrounding properties. However, it is considered that there is the potential for conflict between the uses of the site in relation to traffic movements and potential noise and disturbance. However, given that the proposal is for two units this is not considered to be significant.

### 10.1.9 Conclusion

It is considered that the purpose of a planning application is not to negotiate the purchase of a consent. The offer of a commuted sum is not considered to outweigh the policy objections to development in the open countryside, the proposal would not result in any affordable housing provided on site. It is therefore considered that the application be refused, given its location outside of settlement limits within the open countryside and contrary to policies SP4, DM2, SD1 and CP1 of the Taunton Deane Core Strategy and policies A5 , SP1 and SB1 of the Taunton Deane Site Allocations and Development Management Plan. The size of the units do not comply with the minimum space standards and the proposal is considered contrary to Policy D10 of the Site Allocations and Development Management Plan.

## **11 Local Finance Considerations**

### 11.1 Community Infrastructure Levy

N/A

## **12 Planning balance and conclusion**

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

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 any defined settlement limits and therefore falls within open countryside. The site is located in an unsustainable location where future occupiers would be heavily reliant on the private car to access facilities and amenities that are not available within close proximity to the site. The proposed is therefore contrary to policies SP4, DM2, and CP1 of the Taunton Deane Core Strategy and policies A5, SP1 and SB1 of the Taunton Deane Site Allocations and Development Management Plan, and the proposal is considered contrary to paragraph 84 of the National Planning Policy Framework.
  
2. The proposed development would not meet the minimum space standards, as required within the National Described Space Standards and by policy D10 of the Site Allocations and Development Management Plan.

### Notes to applicant.

- . In accordance with paragraph 38 of the National Planning Policy Framework 2023 the Council works in a positive and creative way with applicants and looks for solutions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application has been refused.

