



To: Members of Planning Committee

Councillors S J Pugsley (Chair), B Maitland-Walker (Vice Chair), I Aldridge, G S Dowding, S Y Goss, B Heywood, I Jones, A Kingston-Jones, K Mills, C Morgan, P H Murphy, J Parbrook, K H Turner, T Venner, R Woods

Our Ref TB/TM

Your Ref

Contact Tracey Meadows t.meadows@tauntondeane.gov.uk

Extension 01823 356573

Date 6 December 2017

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OR IN OTHER LANGUAGES ON REQUEST**

Dear Councillor

I hereby give you notice to attend the following meeting:

PLANNING COMMITTEE

Date: Thursday 14 December 2017

Time: 2.30 pm

Venue: Council Chamber, Council Offices, Williton

Please note that this meeting may be recorded. At the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during the recording will be retained in accordance with the Council's policy. Therefore unless you advise otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact Democratic Services on 01823 356573.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Bruce Lang".

BRUCE LANG
Proper Officer

PLANNING COMMITTEE

THURSDAY 14 December 2017 at 2.30pm
COUNCIL CHAMBER, COUNCIL OFFICES, WILLITON

AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Meeting of the 2 November 2017 - **SEE ATTACHED**

3. Declarations of Interest or Lobbying

To receive and record any declarations of interest or lobbying in respect of any matters included on the agenda for consideration at this meeting.

4. Public Participation

The Chairman/Administrator 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 wishing to speak at this meeting there are a few points you might like to note.

A three minute time limit applies to each speaker and you will be asked to speak after the officer has presented the report but before Councillors debate the issue. There will be no further opportunity for comment at a later stage. Where an application is involved it has been agreed that the applicant will be the last member of the public to be invited to speak. Your comments should be addressed to the Chairman and any ruling made by the Chair is not open to discussion. If a response is needed it will be given either orally at the meeting or a written reply made within five working days of the meeting.

5. Town and Country Planning Act 1990 and Other Matters (Enforcement)

To consider the reports of the Planning Team on the plans deposited in accordance with the Town and Country Planning Act 1990 and other matters - **COPY ATTACHED** (separate report). All recommendations take account of existing legislation (including the Human Rights Act) Government Circulars, Somerset and Exmoor National Park Joint Structure Review, The West Somerset Local Plan, all current planning policy documents and Sustainability and Crime and Disorder issues.

Report No: Seven

Date: 14 December 2017

<u>Ref No.</u>	<u>Application/Report</u>
3/21/17/088	Outline application with all matters reserved, except for means of access, for the erection of 1 No. dwelling and associated works to the south. Land to the rear of 44 The Avenue, Minehead, TA24 5AZ
3/21/16/075	Erection of 17 No. dwellings with conversion of the main Listed former school building into 14 No. flats (6 x 2 beds + 8 x 1 bed). The 17 No. dwellings are comprised as follows; 1 x 2 Gate House single storey 2 bed dwellings, a terrace of 5 two storey dwellings (1 x 4 bed + 4 x 3 bed), a pair of semi-detached two storey dwellings J & K, (1 x 4 bed and 1 x 3 bed) plus L & M (2 x 3 bed) and 4 x Eco styled detached dwellings, C & D (2 beds) and N & O (4 beds).

	Periton Mead, Periton Mead, Minehead, TA24 8DS.
3/21/16/076	Conversion of the listed building into 14 flats (6 x two-bed flats and 8 x one-bed flats). Periton Mead, Periton Road, Minehead, TA24 8DS
3/05/17/011	Erection of two storey side extension. 1 Tanyard, Carhampton, Minehead, TA24 6NG
3/05/17/015	Installation of waiting bay (resubmission of 3/05/17/008). Fourways, Carhampton, Minehead, TA24 6LZ
3/21/17/095	Conversion of 3 No. first floor flats into 6 No. 1 bedroom flats with associated parking and removal of chimney. Flats 5, 9 & 11 Tythings Court, Minehead, TA24 5NT
Miscellaneous Report	Affordable Housing site in Huish Lane, Washford

6. **Exmoor National Park Matters** **Councillor to report**

7. **Delegated Decision List** **Please see attached**

8. **Appeals Lodged**

Appeal against the refusal of planning permission for the erection of a porch to the front elevation at 55 Cleeve Park, Chapel Cleeve, Old Cleeve, TA4 6JF (application 3/26/17/009).

Appeal against the refusal of planning permission for the erection of a porch to the front elevation (amended scheme to 3/26/17/009) at 55 Cleeve Park, Chapel Cleeve, Old Cleeve, TA4 6JF (application 3/26/17/015).

9. **Appeals Decided**

Appeal against the refusal of listed building consent for the replacement of sash windows to slimlite double glazed sliding sash windows to the front elevation at 10, 10A and 10B The Parks, Minehead, TA24 8BS (LBC application 3/21/16/124) – appeal dismissed.

Appeal against the refusal of the change of use of land and building from equestrian stabling to Class C3 (dwelling) and associated building and engineering operations at The Stables, Chilcombe Lane, Bicknoller, TA4 4ES (planning application 3/01/16/003) – appeal dismissed.

10. **Next Committee date** **25 January**

RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

Likelihood (Probability)	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)

	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact (Consequences)							

Mitigating actions for high ('High' or above) scoring risks are to be reflected in Service Plans, managed by the Group Manager and implemented by Service Lead Officers;

Lower scoring risks will either be accepted with no mitigating actions or included in work plans with appropriate mitigating actions that are managed by Service Lead Officers.

PLANNING COMMITTEE

Minutes of the Meeting held on 2 November 2017 at 4.30 pm

Present:

Councillor S J PugsleyChairman
Councillor B Maitland-WalkerVice Chairman

Councillor I Aldridge
Councillor S Dowding
Councillor B Heywood
Councillor I Jones
Councillor A Kingston-Jones
Councillor K Mills

Councillor C Morgan
Councillor P Murphy
Councillor J Parbrook
Councillor K Turner
Councillor T Venner
Councillor R Woods

Officers in Attendance:

Area Planning Manager – Bryn Kitching
Principle Planning Officer – John Burton
Planning Officer – Sue Keal
Legal Advisor – Nick Hill – Shape Partnership Services
Democratic Services Officer – Tracey Meadows

P44 Apologies for absence

There were apologies for absence from Councillor S Goss

P45 Minutes

Resolved that the Minutes of the Planning Committee Meeting held on the 28 September 2017 circulated at the meeting be confirmed as a correct record.

Proposed by Councillor Turner, seconded by Councillor Heywood

The **motion** was carried.

P46 Declarations of Interest or Lobbying

Councillor Morgan declared a Personal Interest regarding application No. 3/32/17/008, he declared that he signed responses on behalf of Stogursey Parish Council and knew the applicant. He declared that he would remain on the committee but not vote on the application. Councillor Venner declared that he had been lobbied by local residents on application No's 3/21/16/075 and 3/21/16/076. He also declared a Personal Interest on application No. 3/21/17/088 as he owned a property in the street.

P47 Public Participation

Min No.	Reference No.	Application	Name	Position	Stance
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P48	3/21/16/075	Application No 3/21/16/075 – Erection of 17 No dwellings with conversion of the main Listed former school building into 14 No flats (6x2 beds + 1 bed). The 17 No dwellings are comprised as follows; 1x2 Gate House single storey 2 bed dwellings, a terraced of 5 two storey dwellings (1x4 bed +4x3 bed, a pair of semi-detached two storey dwellings J&K, (1x4 bed and 1x3 bed) plus L&M (2x3 bed) and 4x Eco styled detached dwellings, C&D (2 beds) and N&O (4 beds) Periton Mead, Minehead	Sally Bainbridge Brian Jones Andrew Bristol Cllr A Hadley Tim Dunkley	Minehead Conservation Society	Objecting Objecting Objecting In Favour
P48	3/21/16/076	Conversion of the listed building into 14 flats (6x two-bed flats and 8 X one-bed flats). Periton Mead, Periton Road, Minehead	Sally Bainbridge Brian Jones Cllr A Hadley Tim Dunkley		
P48	3/21/17/088	Outline application with all matters reserved, except for means of access, for the erection of 1 No dwelling and associated works to the south. Land to the rear of 44 The Avenue, Minehead			
P48	3/26/17/014	Erection of 10 No single storey self-storage units and relocation of car parking. The Works, Old Cleeve, Minehead	Mr Geoff Williams		Infavour
P48	3/32/17/008	Outline Planning Application with all matters reserved for the erection of	Mr S Machin (Agent)	Agent	Infavour

		an agricultural workers dwelling. Lime Street Buildings Caravan, Lime Street, Stogursey, Bridgwater			
P48	3/37/17/024	Erection of two-storey extension to the west elevation. 63A Doniford Road, Watchet			

P48 Town and Country Planning Act 1990 and Other Matters

Report six of the Planning Team dated 2 November 2017 (circulated with the Agenda). The Committee considered the reports, prepared by the Planning Team, relating to plans deposited in accordance with the planning legislation and, where appropriate, Members were advised of correspondence received and subsequent amendments since the agenda had been prepared.

(Copies of all letters reported may be inspected in the planning application files that constitute part of the background papers for each item).

RESOLVED That the Recommendations contained in Section 1 of the Report be Approved (in so far as they relate to the above), including, where appropriate, the conditions imposed and the reasons for refusal, subject to any amendments detailed below:

Reference Location, Proposal, Debate and Decision

3/21/16/075 – Erection of 17 No. dwellings with conversion of the main Listed former school building into 14 No. flats (6 x 2 beds + 8 x 1 bed). The 17 No. dwellings are comprised as follows; 1 x 2 Gate House single storey 2 bed dwellings, a terrace of 5 two storey dwellings (1 x 4 bed + 4 x 3 bed), a pair of semi-detached two storey dwellings J & K, (1 x 4 bed and 1 x 3 bed) plus L & M (2x 3 bed) and 4 x Eco styled detached dwellings, C & D (2 beds) and N & O (4 beds) Periton Mead, Minehead

Reference Location, Proposal, Debate and Decision

Application No. 3/21/16/076 – Conversion of the listed building into 14 flats (6 x two-bed flats and 8 x one-bed flats). Periton Mead, Periton Road, Minehead

Comments by members of the public;

- Over development of the site;
- The impact on the Exmoor National Park;
- Concerns that the original features were not going to be maintained;
- Concerns with the disregard to the TPO on the Mulberry Tree on the proposed new Gate House;
- Concerns that this application would diminish one of Minehead' s finest assets;

- Concerns with drainage on the site;
- Lack of affordable housing;
- Driveway not in keeping with the character of the site;
- Application will provide homes and contribute to the local economy;
- No objections had been received from Highways;
- Removal of the added buildings to the listed building ensured that the original features would be maintained;
- There would be employment for local people during the development;

The Member's debate centred on the following issues;

- Saddened to see that a building of such significance had fallen into disrepair;
- The developer needs to go back and recalculate figures for the Affordable Housing element;
- Concerns that the stone would not match the original dwelling;
- Renewable energy should be considered on this site;
- This was an excellent site delivering something that we do not normally develop;
- The external building was the main feature of this site;
- Concerns with the long consultation period;
- Concerns that there were no Community Contribution to this scheme;
- Concerns with the water surface water drainage;
- The Mulberry should not be removed to make way for another building;
- Lack of parking on the site would mean that residents would park on the road side;
- The semi-detached Gate House design was not in keeping with the grade II listed building;
- Concerns with the grass crete roadway on the eastern side of the development;
- Concerns with the red sand stone as this was inappropriate for the stone of the existing building, need to find materials that compliment it;
- Concerns with the design of the Gate House;
- Highway issues and concerns with the speed limit on the road outside the development;
- Boundary trees would need to be replaced with native species;
-

Councillor Turner proposed and Councillor Venner seconded a motion that both applications be **Deferred** for the following reasons;

- To re-examine the viability figures to see if the affordable element can be achieved;
- Address drainage and flooding issues on the site that still need to be addressed;
- Re-examine the design of the Gate House;
- Address the questions regarding parking on the site;
- Re-examine the alignment of the eastern road way;
- To assessment of the feasibility of the crossing points;

The **motion** was carried

Reference Location, Proposal, Debate and Decision

Application No. 3/21/17/088 – Outline application with all matters reserved, except for means of access, for the erection of 1 No. dwelling and associated works to the south. Land to the rear of 44 The Avenue, Minehead

The Member's debate centred on the following issues;

- Concerns with Emergency vehicle access to this property;
- Back land development;
- Parking provisions needed to keep off of the Avenue;
- Application lies within Flood Zone 2;
- Soil percolation tests needed;

Councillor Morgan proposed and Councillor Turner seconded a motion that the application be **Approved** the motion was lost.

Councillor Murphy proposed and Councillor Parbrook seconded a motion that the application be **Deferred** for advice from the Emergency Services regarding the suitability of the Highway access.

The **motion** was carried

Reference Location, Proposal, Debate and Decision

3/26/17/014 – Erection of 10 No. single storey self-storage units and relocation of car parking. The Works, Old Cleeve, Minehead

Comments by members of the public;

- Adequate parking on site;
- No objections from Highways
- Site not in a flood zone;
- Existing industrial site;
- Turning space on site adequate for large vehicles;
- Development will better maintain the site;

The Member's debate centred on the following issues;

- Concerns with access to the existing units;
- To many storage units on site for the parking;
- Good to see old premises being utilised for the local economy;
- Concerns with the alleyway;

Councillor Mills proposed and Councillor Jones seconded a motion that the application be **Approved**

The **motion** was carried.

Reference Location, Proposal, Debate and Decision

3/32/17/008 – Outline Planning Application with all matters reserved

for the erection of an agricultural workers dwelling. Lime Street Buildings Caravan, Lime Street, Stogursey, Bridgwater

Comments by members of the public;

- Application was in the open Countryside with Lambs and Calf's on site. Lack of welfare issues could result in distress for animals;
- No issues with extra traffic;
- There was a need to live within sight and sound of the animals;

The Member's debate centred on the following issues;

- This business would benefit the Community;
- Being in sight and sound of the animals was vital for their welfare;

Councillor Turner proposed and Councillor Mills seconded a motion that the application be **Approved**.

The **motion** was carried.

Reference Location, Proposal, Debate and Decision

3/37/17/024 - Erection of two-storey extension to the west elevation. 63A Doniford Road, Watchet

The Member's debate centred on the following issues;

- Concerns with the loss of the garage;

Councillor Murphy proposed and Councillor Turner seconded a motion that the application be **Approved**

The **motion** was carried

P49 Exmoor National Park Matters

Councillor B Heywood reported on matters relating to West Somerset considered at the meeting on 3 October 2017 of the Exmoor National Park Planning Committee. This included:

62/11/17/006

Proposed change of use of agricultural building to three extended family dwellings. Retrospective. Re-submission of 62/11/16/007. (Full)

Approval given

P50 Delegated Decision List (replies from Officers are in italic)

No queries raised

P51 Appeals Lodged

No appeals lodged

P52 Appeals Decided

No appeals decided

The meeting closed at 7:57pm

DRAFT

Application No:	3/21/17/088
Parish	Minehead
Application Type	Outline Planning Permission
Case Officer:	Karen Wray
Grid Ref	
Applicant	Mr A Hunt
Proposal	Outline application with all matters reserved, except for means of access, for the erection of 1 No. dwelling and associated works.
Location	Land to the rear of 44 The Avenue, Minehead, TA24 5AZ
Reason for referral to Committee	The views of the Town Council are contrary to the recommendation

Members will recall that the application was deferred at the November planning committee meeting to address concerns regarding access to the site for emergency vehicles.

The fire service and the ambulance service have since been consulted.

Comments Received

Fire Service – The proposal would not appear to comply with the requirements for the fire service access as set out in the Building Regulations Approved Document B. It appears to fail to meet the functional requirements of Section B5 Access and facilities for the fire service.

Therefore the access arrangements will need to be changed in order to comply, or an adequate compensatory feature added such as domestic sprinklers.

Ambulance Service – No comments received.

Determining Considerations

The only matters for consideration now are those relevant to the deferral of the application that being the access to the site for emergency vehicles.

The width of the access road serving the site off the public highway is 3.038 m at its narrowest and at its widest, opposite the site entrance is 5.117m.

Although no comments have been received from the ambulance service, a paramedic / first response vehicle could access the site and it is understood that a Dual Staffed Ambulance is 2.5m wide and could therefore fit through the access.

With regards to access for the fire service, the proposal would not satisfy Building Regulations unless the access is either amended or an adequate compensatory feature such as domestic sprinklers are used within the building. The applicant has indicated that domestic sprinklers can clearly be built into the design of the building to satisfy Building Regulations and on this basis the proposal would therefore satisfy the fire service.

As Building Regulations would satisfactorily address the issue of fire safety/risk, this would overcome the issue of access to the site for fire service vehicles under the planning application.

Therefore, the proposed development is considered acceptable on planning grounds however it is recommended that a further advisory note is added should permission be granted to inform the applicant that the use of domestic sprinklers or another compensatory feature is required in order to meet any forthcoming Buildings Regulations application.

Revised recommendation:

Grant permission subject to the conditions in the original committee report (attached) and add the following informative to the recommendation:

Note to applicant

The applicant is advised that in order to satisfy Buildings Regulations with regards to fire risk / safety, an adequate compensatory feature such as domestic sprinklers will need to be included within the building.

Application No:	3/21/17/088
Parish	Minehead
Application Type	Outline Planning Permission
Case Officer:	Karen Wray
Grid Ref	
Applicant	Mr A Hunt
Proposal	Outline application with all matters reserved, except for means of access, for the erection of 1 No. dwelling and associated works to the south
Location	Land to the rear of 44 The Avenue, Minehead, TA24 5AZ
Reason for referral to Committee	The views of the Town Council are contrary to the recommendation

Recommendation

Recommended decision: Grant

Recommended Conditions (if applicable)

- 1 Approval of the details of the layout, scale, appearance, and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Application for approval of the reserved matters shall be made to the Local planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

- 2 No works shall be undertaken on site, other than those required by this condition, unless the access to the site has been provided in accordance with the approved plan, Drwg 1482/200. The access shall thereafter be retained in the approved form.

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

- 3 The development hereby approved shall not be occupied until a facility for the storage of bicycles has been provided, details of which shall have been previously submitted to and approved in writing by the Local Planning Authority. The approved storage facility shall thereafter be used for no other purpose than for the storage of bicycles associated with the use of the development hereby approved.

Reason: To ensure that sufficient provision of bicycle parking/storage is provided having regard to the provisions of the Somerset Parking Strategy 2013.

- 4 Details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development, shall be submitted and approved in writing by the Local Planning Authority as part of the details required by Condition (1). The approved details shall be implemented prior to the occupation of the dwelling hereby permitted and shall thereafter be retained as such.

Reason: To ensure satisfactory drainage is provided to serve the proposed development.

- 5 A plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority as part of the details required by condition (1). The agreed boundary treatment shall be completed before the building is occupied.

Reason: To safeguard the amenities of the occupiers of nearby properties and to ensure the development is sympathetic to the surrounding area in accordance with Policy NH13 of the West Somerset Local Plan up to 2032.

- 6 The development hereby approved shall not be occupied until a facility for the storage of refuse waste has been provided, details of which shall have been previously submitted to and approved in writing by the Local Planning Authority. The approved storage facility shall thereafter be used for no other purposes than the storage of refuse waste associated with the use of the development approved.

Reason: To ensure the provision of a waste storage area.

- 7 The development hereby permitted shall be carried out in accordance with the approved Drawing, Drawing Number 1603/201.

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

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. Although the applicant did not seek to enter into pre-application discussions/correspondence with the Local Planning Authority in advance of submitting the application, for the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

- 2 New water and waste water connections will be required from Wessex Water. Application forms and guidance is available from the Authority's website. On 1st October 2011, Wessex Water became responsible for the ownership and maintenance of formerly private sewers and lateral drains, (section 105a sewers). It is important to take a full survey of the site and surrounding lane to determine the local drainage arrangement and to contact Wessex Water's Sewer Protection team.

Proposal

Application for outline permission (with all matters except access reserved) to erect a detached dwelling to the south of 44 The Avenue, Minehead.

Access to the dwelling will be via the existing vehicular entrance to the rear of 44 The Avenue which utilises a service lane from the public highway.

The indicative plans show that a section of the existing garden wall to the north eastern corner of the site would be breached to provide parking for 2 No. vehicles for use by the occupants of the maisonette within 44 The Avenue and 2 further parking spaces for use with the proposed dwelling. A shared driveway and turning space is shown provided.

Site Description

The application site is a residential garden and parking area to the south of 44 The Avenue. The site is primarily laid to lawn with a gravelled parking area and a garage. The vehicular access to the site is via a lane that serves the rear of properties along Summerfield Avenue and The Avenue. The site is currently used for the parking of vehicles for the 3 bedroomed maisonette above the Discount Bags and Leather Goods retail unit at 44 The Avenue.

The site is bounded with a 2m high stone boundary wall to the north, east and south. To the west is a low level post and wire fence with shrub planting.

Relevant Planning History

None

Consultation Responses

Minehead Town Council – Recommend refusal :

- Emergency /service vehicle access too narrow.
- Make the service road into a designated road.
- Overdevelopment of the site.

Highways Development Control - Recommend Standing Advice.

Wessex Water Authority - New water and waste water connections will be required from Wessex Water. Application forms and guidance is available from the Authority's website. On 1st October 2011, Wessex Water became responsible for the ownership and maintenance of formerly private sewers and lateral drains, (section 105a sewers). It is important to take a full survey of the site and surrounding land to determine the local drainage arrangement and to contact Wessex Water's Sewer Protection team.

Representations Received

None

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

SD1	Presumption in favour of sustainable development
SC1	Hierarchy of settlements
SC2	Housing Provision
MD1	Minehead Development
TR2	Reducing reliance on the private car

Determining issues and considerations

As this is an outline application (with only the access details being approved at this stage) all other information provided is purely indicative. Detailed information will be provided at the reserved matters stage if outline permission is granted. The main issues for consideration under this application are the principle of the development and the proposed access.

Principle

The application site is within the residential area of Minehead. Policy SC1 'Hierarchy of Settlements' of the West Somerset Local Plan up to 2032 states that new development will be concentrated in the district's main centre, Minehead and Alcombe. The proposal would also accord with the National Planning Policy Framework (NPPF) in respect of promoting sustainable development, delivering a choice of quality homes and ensuring the vitality of the town of Minehead. As such the principle of the development conforms to national and local planning policy however further assessments would need to be made under reserved matters relating to appearance, scale, layout and landscaping.

Highways

The Highway Authority have raised no objection to the application in terms of highway safety and recommend Standing Advice.

The proposed dwelling will have its own parking. The County Council's car parking strategy, stipulates the parking provision for new residential development. The dwelling is indicated to be a 2 bedroomed property and as the site is located within a zone B, a 2 bedroomed dwelling would require the provision of 2 parking spaces and this could clearly be provided within the site. Two parking spaces would also be provided to serve the existing maisonette above 44 The Avenue which currently uses part of the application site for parking. Although the optimum requirement for a three bedroomed dwelling would be 2.5 spaces, 44 The Avenue fronts the main central street of Minehead so it is more than reasonable to accept a lower level of parking provision in such a very sustainable location.

In addition to car parking, a bicycle storage shed would be provided to the rear of the site and this can be made conditional of the planning permission.

In terms of access, the application site already has a 5.8m wide vehicular access served via a single width service lane of shared ownership. Access onto this lane is either via Tregonwell Road approximately 34m to the east, a one way residential street or Summerland Avenue, also a residential street but further away to the south west. Although access could be gained to the site off Summerland Avenue it is more likely that occupants would use the Tregonwell Road entrance which is significantly closer to the site and is currently used to access the site. Both streets however are subject to 30mph speed limits.

The indicative plans show a shared turning area within the site so all vehicles can exit the site in forward gear. The visibility on joining the public highway at Tregonwell Road which is a one way street and therefore traffic could only turn left on exiting is acceptable. Albeit a one way street, there is also good visibility to the left hand splay although there would be no oncoming traffic from this direction.

One of the reasons the Town Council have objected is on the grounds of access by emergency / Service vehicles due to restricted width of the service lane to the site. It is accepted that to access the dwelling is via a single vehicular width lane but the public highway is only 34m away.

In the unlikely event of a fire and that a larger fire engine could not access the lane, hoses could be used.

With regards to refuse, the indicative plans show an area for waste collection within the curtilage of the dwelling however a condition can be imposed to ensure that such a storage facility can be achieved. within the site.

Another objection of the Town Council is that the lane would become a designated road. The access lane however is not an adopted highway and the Highway Authority would not need to adopt it as a result of this application. The service road provides vehicular access to the rear of dwellings along Summerfield Avenue and to the rear of properties off The Avenue and it appears to provide access to off street parking for some commercial businesses in the area. The introduction of a dwelling with 2 additional parking spaces is not significantly going to increase the traffic that uses this lane which is not a public highway. As stated, the access at the junction with the public highway has good visibility and is sufficient to accommodate the increase in traffic arising from the development.

Character and appearance

The properties surrounding the application site are a mixture. The properties that front The Avenue to the north are predominantly large 3 storey buildings with retail frontages at ground floor and residential flats above. However immediately adjacent to No. 44 is a single storey elongated retail building. To the south is the 2 storey terraced street of Summerland Avenue and to the east is the 1 ½ storey (Tindle Mews) development. There are other single storey storage buildings and single garages but immediately adjoining the site is a block of 4 No. garages. Tindle Mews are of sandstone with a slate roof, the terraced dwellings of Summerland Avenue are brick under a tiled roof and the large 3 storey dwellings on The Avenue are predominantly stone under a slate roof although some later extensions to the rear are painted render.

The layout shown in Drg, 1603/200, which is only indicative shows that a detached dwelling can be accommodated within the site without appearing cramped or out of character. 44 The Avenue would still maintain a substantial garden, in fact the same as the adjacent property, 42 The Avenue.

The appearance of the property is a reserved matter and no details have been submitted.

Amenity

In terms of loss of privacy, the site is bounded on three sides by a 2m stone wall which would prevent any direct overlooking from the property. Along the western boundary where there is currently a post and wire fence and some existing shrub planting, the indicative plans show this boundary would be bolstered by additional planting. Furthermore, this elevation looks out currently to the adjacent dwelling's garage and parking area.

The dwelling would also be a significant distance from the rear of the properties that front the Avenue and also from the rear of properties along Summerland Avenue and further separated from these dwellings by the access lane. As a result the development would not lead to a loss in light to other properties.

The site is clearly capable of accommodating one detached dwelling as indicated. The site is surrounded by residential development and it is considered that there will be no significant impacts on residential amenity.

Flooding and drainage

The site is located within a floodzone 1 and therefore is at a low risk of flooding and in this location the development of a dwelling is not likely to give rise to floodrisk concerns.

In terms of drainage, such matters would be considered at the reserved matters stage.

Conclusion

The proposed site for a new dwelling is in a suitable and acceptable location. Subject to details within the reserved matters application, it is considered that the dwelling could be built on the site without harm to the visual or residential amenity of the area or harm to highway safety. The proposal is therefore recommended for approval.

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



Application No 3/21/17/088
 Outline application with all matters reserved, except for means of access, for the erection of 1 No. dwelling and associated works to the south
 Land to the rear of 44 The Avenue, Minehead, TA24 5AZ
 Planning Manager
 West Somerset Council,
 West Somerset House
 Killick Way
 Williton TA4 4QA

West Somerset Council
 Licence Number: 100023932

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Easting: 297215
 Northing: 146254

Scale: 1:1250



Application No:	3/21/16/075
Parish	Minehead
Application Type	Full Planning Permission
Case Officer:	Sue Keal
Grid Ref	Easting: 295826 Northing: 145510
Applicant	Mr Heffer
Proposal	Erection of 17 No. dwellings with conversion of the main Listed former school building into 14 No. flats (6 x 2 beds + 8 x 1 bed). The 17 No. dwellings are comprised as follows; 1 x 2 Gate House single storey 2 bed dwellings, a terrace of 5 two storey dwellings (1 x 4 bed + 4 x 3 bed), a pair of semi-detached two storey dwellings J & K, (1 x 4 bed and 1 x 3 bed) plus L & M (2 x 3 bed) and 4 x Eco styled detached dwellings, C & D (2 beds) and N & O (4 beds)
Location	Periton Mead, Periton Road, Minehead, TA24 8DS
Reason for referral to Committee	The views of the Town Council are contrary to the recommendation

and

Application No:	3/21/16/076
Parish	Minehead
Application Type	Listed Building Consent
Case Officer:	Sue Keal
Grid Ref	Easting: 295826 Northing: 145510
Applicant	Mr Heffer
Proposal	Conversion of the listed building into 14 flats (6 x two-bed flats and 8 x one-bed flats).
Location	Periton Mead, Periton Road, Minehead, TA24 8DS
Reason for referral to Committee	The views of the Town Council are contrary to the recommendation

Members will recall that the two proposals as listed above were originally discussed at last month's Planning Committee meeting held on the 2nd November 2017. The Officer recommendations on both applications for works to the Listed Building (ref ending 076) and the Full application (ref ending 075) were both for approval in order to retain this important Grade II Listed building on a unique site and were the subject to a range of conditions. Both of the previous committee reports are attached for information.

Members resolved to defer both applications pending further amendments and clarification of details from the applicants on the following items;

1. Further examination of Viability to see if an affordable housing contribution could be made,
2. Further details of Drainage and Flooding,
3. Redesign of Gatehouse,
4. Parking for houses (particularly tandem parking),
5. Realignment of Grass Crete road to move and run parallel to eastern boundary,
6. Pedestrian Crossing to be discussed with highways to see if they are wanted or not.

The applicant's responses are discussed in this report and as the issues involved affect both applications equally, it is proposed to assess the submitted details and consultee responses jointly. It should be noted, however, that whilst approval was the recommendation of both original proposals, they are not identical in terms of legislation and policy and in terms of the suggested original conditions. Members will therefore note that there are two separate recommendations still at the end of this report along with the associated conditions (as amended) and Members will need to vote separately on each application.

It is also highlighted that this report only deals with the specific issues raised for deferral at the last meeting. This report will not discuss other previously discussed matters which have previously been covered in the original report and is attached.

1. VIABILITY OF SCHEME

The agent has submitted an amended viability report setting out the position with regards to viability and an offsite contribution. The report and previously submitted viability reports are based on the RICS Financial Viability in Planning Guidance, which states that the level of developer profit should reflect the risk profile of the scheme and the minimum requirement of funders: normally 17.5-20%. The applicants view on the development including the listed building, means a higher level of risk and why a profit margin of 18% was originally suggested. However, following the discussion on the development at the November committee meeting it was apparent that the Members were concerned that no planning obligations were proposed.

The previously submitted Viability report (dated May 2017) maintained that a viability surplus of £5,643 only could be demonstrated. However, a subsequent updated report based on the amended scheme (July 2017) identified a viability deficit of £7,292. The recently submitted viability report contains updated figures based on current market values, which are liable to fluctuations in the market, but confirms a new viable sum of £14,565. However, in order to achieve a contribution higher than £14,565, the only adjustable element of viability is the applicants expected profit as all other elements of viability relate to fixed costs or values. It is also noted that if the percentage of profit is too low it becomes difficult to attract funding for the proposed development. Thus in this scenario, the listed building could be lost.

In light of the Members concern, raised at committee, the applicant has revised the viability figures and is willing to accept a lower profit margin to ensure a contribution can be made to meet local need and provides the developer with a viable proposal that can still be funded. With a reduction in profit to 17.5% the development shows a surplus of £49,163. Therefore, the Applicant proposes a contribution of £50,000.

Comments returned from the Councils Housing Enabling Officer on Viability are as follows;

“I would confirm that I have reviewed the further information submitted relating to the Affordable Housing contribution with the Enabling and Development Manager. The assessments submitted now contain everything we would expect to see and all assumptions and figures quoted are reasonable and within recognised industry standards.

The information submitted has addressed the concerns raised in my original comments. These related to the assumed sales figures of the completed dwellings and the lack of viability assessment information clearly showing the impact of making affordable housing contributions on the surplus/deficit of the scheme. The sales values have been re-assessed and amended and assessments have been submitted clearly showing:-

- A fully compliant affordable housing contribution – taking into account Vacant Building Credit – would lead to a deficit of £347,954
- The amount of surplus generated allowing for no affordable housing contributions whatsoever is £14,565

The viable level of affordable housing contributions generated by the scheme is, therefore £14,565.

The Developer has agreed to reduce profit level in the scheme to 17.5% (Industry standard 17.5%-20%) to enable an enhanced offer of £50,000 to be made on this occasion. From a Housing Enabling perspective there are no objections to the sum being offered.”

Having assessed the submitted the applicant viability report, this does confirm that taking into account the vacant building credit the contribution should offer a contribution of £373,738 toward affordable housing. However, it is noted that the developer has revisited and amended the viability and is suggesting a lower developers profit of 17.5% rather than the previous 20% and it is also noted that in viability terms the regulations allow developers to expect a developer’s profit of between 17-20%. This together with the overall viability of the development and the fact that the developer is now suggesting that a contribution of £50,000 and the need to repair and convert the existing Grade II Listed Building, this is considered acceptable by the planning officer.

Therefore, if Members are minded that the contribution is acceptable, Members would be able to delegate authority to the Assistant Director for Growth and

Development to grant permission subject to a legal agreement to secure the affordable housing contribution. (See Recommendations/Conditions section).

It is therefore considered that the proposal partially accords with policy ID1 of the West Somerset Local Plan in that a level of contribution is now proposed rather than no contribution as previously. This relates specifically to the full application ref ending 075, and is obviously in support of the works required to the Listed Building element of the development.

2. FURTHER DETAILS ON DRAINAGE AND FLOOD RISK

The applicants have submitted a further summary of the proposed flood risk and drainage strategy for the proposed development prepared by RMA Environmental Consultants. The main points in this document are:

- The site is not at risk of flooding,
- The proposed development would reduce surface water runoff by over 90% by storing water on site and allowing it to trickle to the surface water sewer beneath Higher Park and West Park. This has been agreed with Wessex Water,
- The proposed development would dispose of foul water to the existing combined sewer, which Wessex Water have confirmed has sufficient capacity.

The FRA summary, dated 16/11/17 (RMA-LC1408_01), confirms that the site is not considered to be at significant risk from flooding and that the development would dispose of foul water to the existing combined sewer and where Wessex Water have confirmed has sufficient capacity.

The overall development at the site including the removal of several current structures and hard surfaces will reduce run-off rates by over 90% and by storing any additional surface water is proposed to be stored on site. The report also includes a plan, Outline Drainage Strategy (dated 25/7/17) showing 2 Geo Cellular Storage tanks (1. Storage of 80sqm and 2. Storage of 470sqm capacity (full details are to be submitted and covered by condition previously, ref 3/21/16/075).

Comments returned from SCC Highways on flooding and drainage are as follows;

“It is to our understanding that an alternative point of connection has been investigated and Wessex Water have confirmed there is sufficient capacity to accept the Greenfield flows from the development site into their private surface water sewer located at the junction of Higher Park & West Park. On this basis our previous concerns regarding the discharge surface water from the development into Periton Coombe Brook due to historical flooding problems appear no longer valid”.

To conclude it is considered that the surface water issues and flooding have now been addressed and the previous objections have been overcome. This element relates to the whole site but specifically relates to the full planning application end 075.

The proposed development is considered to accord with local policies CC2 (flood management) and NH13 of the West Somerset Local Plan to 2032.

3. REDESIGN OF THE GATEHOUSE

An amended drawing (8505-606, Rev A) has been submitted in respect of the redesign of the Gatehouse following a request by Members at the last committee meeting.

The redesign of the Gatehouse show a simplified design, with the arched doorways, the trefoil details and diamond lead lights being removed. This is considered to better reflect the art and craft style and more in keeping with the main listed dwelling. The building is also shown to be constructed in stone to match the main house and these details are subject to condition.

Comments received from the Councils Conservation Officer confirm that they are happy to support the new gatehouse design and that the revised route for the internal access track is also acceptable.

To conclude the former 'gothic styled elements have now been removed and the applicant has suggested that the building can be constructed in stone matching that of the main house. It should also be noted that this would be the subject of the materials condition on the original recommendation.

This element is considered under the full planning application only which covers the development across the site and also considers the impacts and setting and character of the Listed building.

The design of the development therefore accords with local policies NH1, NH2, NH5 and NH13 of the West Somerset Local Plan to 2032.

4. PARKING FOR NEW HOUSES

It is noted that members were concerned with tandem parking as this could lead to cars blocking the road, and the wish to be certain that if a car was parked on the road it would allow other vehicles to pass. Arrangements to remove tandem parking have been made. However, it is noted that this was only possible at the Gatehouse and unit E. The revised submitted details also indicate that it is possible to park cars on the road if necessary and vehicles would still be able to pass. This subject has been discussed with SCC Highways and whose comments can be seen below.

Further views by SCC Highways are as follows;

Parking Arrangement

The latest proposed parking arrangement appears acceptable, tandem parking is acceptable provided that parking spaces are associated with the same dwelling. The applicant should note that parking arrangements should be constructed in accordance if the proposed estate road is to be offered for adoption.

This element relates to the overall scheme and is associated specifically with the full 075 application.

To conclude, SCC Highways do not object to the internal parking arrangements at the site and therefore the submitted internal parking is considered acceptable in accordance with local policies T/8 (Residential Parking) of the West Somerset District Local Plan 2006 and TR1 of the West Somerset Local Plan to 2032.

5. REALIGNMENT OF GRASS CRETE INTERNAL ROAD

The internal grass crete road linked from the new gatehouse and around to the eastern side of the main house has been moved closer to the eastern boundary as requested by Members and enabling the retention of a flight of step and associated walls and a more sensitive access road to the proposed units N and O. This realignment not only ensures the retention of both stone garden walls, it also avoids the proposed road cutting across the middle of the rear garden. The result is a significant improvement on the previous layout but it does require the removal of the tree identified as T5 in the recently served TPO notice. Whilst this is unfortunate it is our view that the loss of this tree would enable a significantly improved layout to the rear of the listed building and this layout improves the setting of the listed building. Additionally the proposed amended route takes the road further away from the Strawberry Tree, T7, and thereby avoiding harm to this tree. To compensate it is recommended that a Holm Oak could be planted further to the west of the proposed road which would retain this pair of Home Oaks.

The proposed road now runs closer to trees T3, T4 and T6, a Macrocarpa, Coast Redwood and Home Oak, respectively. To avoid harm to these trees Cell Web root protection is proposed in this area and Grass Crete elsewhere. The proposed hedging and trees would hide this road from view and it is not considered to be a harmful alteration. Additionally, landscaping is to be dealt with conditionally and details of the replanting can be dealt with at a later stage.

The realignment of the internal grass Crete road will unfortunately mean that one Holm Oak (T5) on the Emergency Tree Preservation Order would need to be removed and replaced and the Tree Officers opinion has been sought on this matter and respond as follows;.

“It seems as though the Holm Oak T5 now needs to be removed under the amended scheme. I think that this will be acceptable if the scheme as a whole is better. This Holm Oak is a category B tree, good but not of really outstanding merit. Some good replacement planting on the eastern boundary and elsewhere should mitigate.

If the amended drawing is approved under the planning application, then they wouldn't need to make a separate TPO application. If you are going to approve the amended scheme, I'll amend the TPO accordingly when it is confirmed, removing this Holm Oak and the mulberry from it.”

Further views by SCC Highways on the internal layout are as follows;

“Grass Crete Road

Given that this section of the site is to remain private and not be offered for adoption, the Highway Authority have no objection to the proposed realignment”.

To conclude it is considered that the relocation of the internal access road is an improved solution as important listed curtilage structures (walls and steps) can be retained and the proposed formal garden will not have this internal road bisecting the new lawns. The realignment will mean the removal of a protected Holm Oak, however, a replacement tree is to be planted and the tree officer supports this.

This element relates to the overall development scheme and the considerations of parking and access around the site as well as the considerations of the character and appearance and setting of the listed building under reference number ending 075 (full).

The internal road and parking design of the development therefore accords with local policies NH1, NH2, NH5 and NH13 of the West Somerset Local Plan to 2032.

6. PEDESTRAIN CROSSINGS (X2)

The needs of the pedestrian crossings were questioned by Members at the last meeting and it was requested that the pedestrian crossing should be assessed. There have been no objections to the crossings from highways so we have submitted the plan with the crossings. The applicant states that if there is an objection to the crossings and it is preferred to be removed then this is an amendment that can easily be made.

Further views received by SCC Highways on 30/11/17 are as follows;

Proposed pedestrian crossings

Following a safety review, the two proposed uncontrolled crossings have been technically checked and appear generally acceptable however will be subject to a full Safety & Technical Audit as part of the S278 process. The Highway Authority can advise the following at this stage.

- Suitable pedestrian visibility to be achieved based on 85th percentile speeds along Periton Road.
- The correct tactile surface is proposed, the current proposed paving is not acceptable. Blister surface tactile paving in buff colour should be used to provide contrast with the surrounding footway surface. The blister surface should be installed over the full width of the flush dropped kerb and to a depth of 800mm (2 rows deep).

Please note that whilst it is already an existing access the Highway Authority would also prefer swept path drawings of the largest

associated vehicles turning into and out of the proposed access to the site in the interests of highway safety.

This element relates to the overall development scheme and the considerations of access and highway safety outside the site and its connectivity by residents to the surrounding neighbourhood and access to local facilities, under reference number ending 075 (full).

In conclusion it is considered that this part of the overall proposals accords with local policies SD1, MD1, TR1 and TR2 of the West Somerset Local Plan to 2032.

7 CONCLUSION AND RECOMMENDATION

There were a series of six issues raised by Members at their meeting on 2nd November 2017, which required clarification and further information to be submitted.

As mentioned previously these six matters related to;

1. Further examination of Viability to see if a contribution could be made,
2. Further details of Drainage and Flooding,
3. Redesign of Gatehouse,
4. Parking for houses (particularly tandem parking),
5. Realignment of Grass crete road to move and run parallel to eastern boundary,
6. Pedestrian Crossing to be discussed with highways to see if they are wanted or not.

It is considered by Officers that the agent/applicant has provided the additional requested information required to address the 6 points and there is sufficient information to reach a decision on all issues in connection with both applications (075 and 076). The copies of the two original reports presented to Committee are attached to this report for information.

In summary, the applicant has provided additional information regarding the Viability of developing the site and has agreed to lower his expected profit in order to provide a contribution to Affordable Housing (Point 1).

A further FRA Summary has been submitted by the applicant's consultants regarding flood and drainage at the site and the proposed attenuation of surface water and it should be noted that full drainage details are still recommended as a condition. The LLFA, Wessex Water and SCC Highways are all satisfied with the proposed arrangements and have withdrawn previous objections. (Point 2).

The redesign of the Gatehouse (Point 3) has resulted in a more simplified design and the applicant has agreed that matching stone will be used to match the main house. Materials are also the subject of a previously recommended condition. The Councils Conservation Officer has no objections to the amended design.

Parking for Houses (Point 4). This has been further assessed by the applicant/agent and by SCC Highways. Some revisions have been made (re Gatehouse) and SCC Highways do not object to the parking arrangements at the site.

Realignment of the internal Grass Crete (Point 5) road towards the eastern boundary is discussed and assessed as above. This is considered to be an improvement on the layout of the site and will have less impact on the listed building and the formal gardens. Both the tree officer and the Conservation Officer are satisfied with the arrangements as well as SCC Highways.

Point 6 Pedestrian Crossings x2, these have been discussed and assessed with SCC Highways who have technically assessed these elements and advised that they would be subject to a full Safety & Technical Audit as part of the S278, Highway Licence process.

To conclude, it is recommended that Members now have the further information as requested before them in order to determine both applications separately on their own merit (via the usual two separate votes), and accordingly approval is recommended for both 3/21/16/075 (full) and 3/21/16/075.

Recommendations

3/21/16/075 - Recommendation – Members to delegate authority to the Assistant Director for Growth and Development to grant permission subject to a legal agreement to secure the Affordable Housing contribution, of £50,000 as per the applicant’s agreement and the submitted viability Study (dated 27/11/16) and subject to the following conditions:

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

Reason: As required by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved drawings: Drawing Numbers:

(A1) DRNO 8505/602 Conversion Elevations, 1 OF 2 & Cycle Store plans & Elevations (Dated Aug 01).

(A1) DRNO 8505/604 Conversion Floor Plans 1 OF 2 (Dated Aug 01)

(A1) DRNO 8505/600 Rev E, Site, Block & location Plans (Dated Nov 17)

(A1) DRNO 8505/601 Site Sections A-A & B-B (Dated Aug 01)

(A1) DRNO 8505/603 Conversion Elevations 2 OF 2 & Bin Store Plans & Elevations (Dated Aug 01)

(A1) DRNO 8505/605 Conversion Floor Plans 2 OF 2 (Dated Aug 01)

(A1) DRNO 8505/606 Rev A, Floor Plans & Elevations, Units A & B (Dated Nov 17)

(A1) DRNO 8505/607 Floor Plans & Elevations, Unit C (Dated Aug 01)

(A1) DRNO 8505/608 Floor Plans & Elevations, Unit D (Dated Aug 01)
(A1) DRNO 8505/609 Floor Plans & Elevations, Units E-I (Dated Aug 01)
(A1) DRNO 8505/610 Floor Plans & Elevations, Units J-K (Dated Aug 01)
(A1) DRNO 8505/611 Floor Plans & Elevations, Units L-M (Dated Aug 01)
(A1) DRNO 8505/612 Floor Plans & Elevations, Unit N (Dated Aug 01)
(A1) DRNO 8505/613 Floor Plans & Elevations, Unit O (Dated Aug 01)
(A1) DRNO 8505/617 Plans & Elevations, Units 16 & 17 (Dated Aug 01)

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

- 3 No works shall be undertaken on site unless a sample panel of all external walling and roofing materials has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The works shall thereafter be carried out only in accordance with the details so approved.

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

- 4 Prior to the occupation of any of the dwellings hereby permitted, visibility spays measuring 2.4m x 101m to the west and 2.4m by 120m to the east as per the submitted drawing 1403.255-ESKreBenWilmott-Vis101m-16.10.2017 shall be provided and thereafter kept free from obstruction

Reason: In the interests of Highway Safety.

- 5 No dwelling shall be occupied until a Travel Plan, including a timetable for implementation and periodic review has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented as approved.

Reason: In the interests of sustainability, access and highway safety.

- 6 The layout and alignment, widths and levels of the proposed roads, road junctions, and points of access, visibility splays, footpaths and turning spaces shall be provided in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The roads shall be laid out prior to the occupation of any dwelling, or any dwelling in an agreed phase of the development that may have been agreed by the Local Planning Authority and shall thereafter be maintained as such.

Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport.

- 7 The proposed two uncontrolled pedestrian crossing points either side of the proposed access as shown on the site, block and location plans dwg. no. 8505/600, REV A (dated November 17) and mentioned within the submitted

Transport Statement (prepared by Hydrock, dated July 2017) shall be provided prior to the occupation of any of the dwelling on the site, and constructed in a Blister surface tactile paving in a buff colour and be installed over the full width of the flush dropped kerb to a depth of 800mm (2 rows deep) .

Reason; In the interests of Highway and Pedestrian Safety.

- 8 Details of electric vehicle charging points shall be submitted to and agreed in writing to the Local Planning Authority prior to occupation of the dwellings on the site. the charging points shall be provided prior to occupation of the dwelling to which they relate

Reason; In the interests of sustainability of the site.

- 9 The proposed roads, footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling/building before it is occupied shall be served by a properly consolidated and surfaced carriageway and footpath.

Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport.

- 10 No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

- 11 No development shall commence until details of both hard and soft landscape works, including the positions, design, materials and type of boundary treatment to be erected, have been submitted to and approved in writing by the local planning authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of development, or as otherwise extended with the agreement in writing of the local planning authority. The

agreed boundary treatment shall be completed before the building or area to which it relates is brought into use and shall thereafter be retained as such. Any trees or plants which within a period of 5 years from the completion of each agreed landscape phase die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason; To protect the landscape character and appearance of the site.

- 12 Prior to any demolition of any of the buildings taking place, a nesting bird survey shall be carried out and a mitigation strategy shall be submitted to and approved by the Local Planning Authority. the works shall thereafter take place in accordance with the approved strategy.

Reason: In order to protect the habitats and nesting birds.

- 13 No works shall be undertaken on site (other than those required to fulfil this condition) unless details for the sewage disposal have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to any other works being carried out on site. The works shall thereafter be retained in that form.

Reason: To ensure the adequate provision of foul drainage infrastructure.

- 14 No works shall be undertaken on site unless a hard and soft landscape scheme has been first submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs plus positions, species and size of all new trees and the located of grassed areas and areas for shrub planting; details of the hard surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development.

- 15 No works shall be undertaken on site unless details for the provision of parking and servicing of vehicles during the construction phase have been submitted to and approved in writing by the local planning authority. The details shall include plans for the:

(i) parking of vehicles of site personnel, operatives and visitors;

(ii) loading and unloading of plant and materials; and

(iii) storage of plant and materials used in constructing the development

The parking/servicing area(s) shall be provided in accordance with the approved details prior to any other works being undertaken on site. The parking/servicing area(s) shall be retained for the duration of the site clearance and construction phase.

Reason: To ensure that the development does not prejudice the free flow of traffic or highway safety nor cause inconvenience to other highway users.

- 16 No site works, demolition or clearance shall be undertaken on site unless the site has been prepared in accordance with a specification detailing protective measures and methods of working in relation to existing planting on the site and a programme for such work, which has been first submitted to and approved in writing by the Local Planning Authority. Such protected areas shall be kept clear of any building, plant, material, debris and trenching and there shall be no entry to those areas except for approved arboricultural or landscape works. The protective measures as identified within the submitted Arboricultural Survey (Prepared by Guy Lowndes, dated June 2016) and shall be retained until the development, hereby approved, has been completed.

Reason: To safeguard the existing trees and planting to be retained within the site.

- 17 No works shall be undertaken on site until the Local Planning Authority has first approved in writing details of a programme of access which will be afforded to a named archaeologist to observe and record all ground disturbance during construction (such works to include any geological trial pits, foundations and service trenches). The named archaeologist shall thereafter be allowed access in accordance with the details so approved.

Reason: To enable the remains of archaeological interest which may exist within the site to be recorded.

- 18 The mitigation measures in relation to the protected species identified in the Baseline Ecological Survey, Reptile Survey, Reptile Mitigation Strategy and Ecological Site Improvements prepared by GLEC Environmental Consultant, dated July 2017 shall be incorporated into the development in accordance with the schedule of implementation identified in the aforementioned reports and subsequently retained.

Reason: To ensure that suitable mitigation measures are incorporated into the development to minimise the impact on species protected by law.

- 19 No occupation of the dwellings on site shall take place unless details of any external lighting to be erected, placed or operated on the site shall have been first submitted to and approved in writing by the Local Planning Authority. The work shall thereafter be carried out in accordance with the approved details and under no circumstances shall external illumination be operated on the site other than in accordance with the approved scheme.

Reason: To safeguard the character and appearance of the site and maintain the landscape character.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwelling house(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and the character of the building and the surrounding area. For this reason the Local Planning Authority would wish to control any future development to ensure that any alterations do not have a detrimental effect on the listed building.

- 21 Private drives containing tandem parking bays, shall be constructed to a minimum length of 10.5m, as measured from the back edge of the prospective public highway boundary,

Private parking bays that but up against any form of structure (including footpaths or planting), shall be constructed to a minimum length of 5.5m, as measured from the back edge of the prospective public highway boundary

Private single parking bays, not surrounded by any form of structure, shall be constructed to a minimum length of 5.0m, as measured from the back edge of the prospective public highway boundary.

Reason: In the interests of Highway safety and to avoid overhanging of the highway by parked vehicles

3/21/16/076 LB – Recommendation – Grant permission subject to the following conditions:

- 1 The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 18 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved drawings: Drawing Numbers:

(A3) DRNO THWC/03/04 Rev 02 General arrangement details.(29/5/17)
(A3) DRNO Ref HP06/16 Homelight Plus Window frame Profiles (29/5/17)
(A1) DRNO 8505/604 Conversion floor plans 1 of 2 (Dated Aug 01)
(A1) DRNO 8505/600E Site, Block & Location Plans (Dated Nov 21)
(A1) DRNO 8505/601 Site Sections A-A & B-B (Dated Aug 01)
(A1) DRNO 8505/602 Conversion elevations 1 of 2 & Cycle store plans & elevations (Dated Aug 01)
(A1) DRNO 8505/603 Conversion elevations 2 of 2 & Bin store plans & elevations (Dated Aug 01)
(A1) DRNO 8505/605 Conversion floor plans 2 of 2 (Dated Aug 01)
(A1) DRNO 8505/617 Plans & Elevations, units 16 & 17 (Dated Aug 01)
(A1) DRNO 8505/606B Floor Plans & Elevations Units A & B

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

- 3 The hereby approved works for the conversion and the change of use of the main building into 14 units shall not take place until the site has full benefit of Full Planning permission confirming the details of the overall site, including the access and layout of additional structures on this site.

Reason: To maintain the character and appearance of the heritage asset and the landscape character of the overall unique site.

- 4 No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work involving detailed building recording in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the local planning authority.

Reason; To provide archaeological recording of the development and a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141), to understand the significance of any heritage assets to be lost (wholly or in part), in a manner proportionate to their importance and Impact and to make this information publicly accessible.

- 5 No works shall be undertaken in respect of any external lighting to be attached to the listed building, erected, placed around it or operated within the site, unless details of this have been first submitted to and approved in writing by the Local Planning Authority. The work shall thereafter be carried out in accordance with the approved details and under no circumstances shall external illumination be operated on the site other than in accordance with the approved scheme.

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

- 6 No ground works shall be undertaken on site unless a hard and soft landscape scheme of the proposed reinstatement of the former gardens and repairs to the current eastern terrace of the listed building has been first submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs, positions, species and size of all new trees and the located of grassed areas and areas for shrub planting and retained as such thereafter; If any of the proposed planting fails replacements must be planted within the next planting season; details of the hard surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development and to protect the character and appearance of the listed building.

- 7 No materials and finishes to be used in the construction of the external surfaces, including roofs, walls, step and all forms of enclosure and windows, shall be used on site unless samples of the materials have first been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out only in accordance with the details so approved.

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

- 8 No satellite dishes or other residential paraphernalia shall be erected on or close to the main building without the benefit of Listed Building consent.

Reason: To protect the character and appearance of the building.

- 9 Details of all gas and electricity boxes and any external flues to be inserted into the external walls of the listed building shall be submitted to and agreed in writing by the Local Planning Authority prior to such works being undertaken.

Reason: In order to protect the character and appearance of the building.

- 10 Prior to their installation, details of all fire safety improvement works within the listed building and the conversion into flats shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to protect the building and the internal historic fabric of the building.

- 11 The important internal features to be retained as listed within the Heritage Statement shall be retained/repared as listed in the submitted information.

Reason: To protect the important features within the heritage asset.

Previous committee reports and late correspondence/update sheet.

Application No:	3/21/16/075
Parish	Minehead
Application Type	Full Planning Permission
Case Officer:	Sue Keal
Grid Ref	Easting: 295826 Northing: 145510
Applicant	Mr Heffer
Proposal	Erection of 17 No. dwellings with conversion of the main Listed former school building into 14 No. flats (6 x 2 beds + 8 x 1 bed). The 17 No. dwellings are comprised as follows; 1 x 2 Gate House single storey 2 bed dwellings, a terrace of 5 two storey dwellings (1 x 4 bed + 4 x 3 bed), a pair of semi-detached two storey dwellings J & K, (1 x 4 bed and 1 x 3 bed) plus L & M (2 x 3 bed) and 4 x Eco styled detached dwellings, C & D (2 beds) and N & O (4 beds)
Location	Periton Mead, Periton Mead, Minehead, TA24 8DS
Reason for referral to Committee	The views of the Town Council are contrary to the recommendation.

Recommendation

Recommended decision: Grant

Recommended Conditions (if applicable)

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

Reason: As required by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved drawings: Drawing Numbers:

(A1) DRNO 8505/602 CONVERSION ELEVATIONS 1 OF 2 & CYCLE STORE PLANS AND ELEVATIONS (Dated Aug 01)

(A1) DRNO 8505/604 CONVERSION FLOOR PLANS 1 OF 2 (Dated Aug 01)

(A1) DRNO 8505/600 REV C SITE, BLOCK & LOCATION PLANS (Dated Aug 01)

(A1) DRNO 8505/601 SITE SECTIONS A-A & B-B (Dated Aug 01)

(A1) DRNO 8505/603 CONVERSION ELEVATIONS 2 OF 2 & BIN STORE PLANS & ELEVATIONS (Dated Aug 01)

(A1) DRNO 8505/605 CONVERSION FLOOR PLANS 2 OF 2 (Dated Aug 01)

- (A1) DRNO 8505/606 FLOOR PLANS & ELEVATIONS UNITS A & B (Dated Aug 01)
- (A1) DRNO 8505/607 FLOOR PLANS & ELEVATIONS UNIT C (Dated Aug 01)
- (A1) DRNO 8505/608 FLOOR PLANS & ELEVATIONS UNIT D (Dated Aug 01)
- (A1) DRNO 8505/609 FLOOR PLANS & ELEVATIONS UNITS E-I (Dated Aug 01)
- (A1) DRNO 8505/610 FLOOR PLANS & ELEVATIONS UNITS J-K (Dated Aug 01)
- (A1) DRNO 8505/611 FLOOR PLANS & ELEVATIONS UNITS L-M (Dated Aug 01)
- (A1) DRNO 8505/612 FLOOR PLANS & ELEVATIONS UNIT N (Dated Aug 01)
- (A1) DRNO 8505/613 FLOOR PLANS & ELEVATIONS UNIT O (Dated Aug 01)
- (A1) DRNO 8505/614 EXISTING ELEVATIONS (Dated Aug 01)
- (A1) DRNO 8505/615 EXISTING FLOOR PLANS 1 OF 2 (Dated Aug 01)
- (A1) DRNO 8505/616 EXISTING FLOOR PLANS 2 OF 2 (Dated Aug 01)
- (A1) DRNO 8505/617 PLANS & ELEVATIONS UNITS 16 & 17 (Dated Aug 01)

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

- 3 No works shall be undertaken on site unless a schedule of materials and finishes and samples of the materials to be used for all of the dwelling types and in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out only in accordance with the details so approved.

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

- 4 The Highway Authority would prefer to condition visibility splays of 2.4m x 120m in the easterly direction and 2.4m x 110m to the west, both measured to the centreline of the carriageway. Details to be submitted to and agreed in writing by the LPA.

Reason: In the interests of Highway Safety.

- 5 No dwelling shall be occupied until a Travel Plan, including a timetable for implementation and periodic review has been submitted to and approved in writing by the local planning authority. The Travel Plan shall be implemented as approved.

Reason: In the interests of sustainability, access and highway safety.

- 6 There shall be no obstruction to visibility greater than 300 mm above the adjoining carriageway level across the entire site frontage. Such visibility shall be provided prior to the occupation of the dwelling(s). The visibility shall thereafter be retained in that approved form.

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

- 7 The proposed two uncontrolled pedestrian crossing points either side of the proposed access as shown on the site, block and location plans dwg. no. 8505/600 and mentioned within the submitted Transport Statement (prepared by Hydrock, dated July 2017) shall be provided prior to the occupation of any of the dwelling on the site.

Reason; In the interests of Highway and Pedestrian Safety.

- 8 Details of electric charging points shall be submitted to and agreed in writing to the Local Planning Authority prior to occupation of the dwellings on the site.

Reason; In the interests of sustainability of the site.

- 9 The proposed roads, including footways, pathways and turning spaces within the site shall be completed to consolidated base course level prior to occupation of any dwelling on site.
- 10 No building hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii) include a timetable for its implementation; and,

iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason; To prevent unacceptable flooding at the site and crossing the entrance onto the highway.

- 11 No development shall commence until details of both hard and soft landscape works, including the positions, design, materials and type of boundary treatment to be erected, have been submitted to and approved in writing by the local planning authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding

seasons following the commencement of development, or as otherwise extended with the agreement in writing of the local planning authority. The agreed boundary treatment shall be completed before the building or area to which it relates is brought into use and shall thereafter be retained as such. Any trees or plants which within a period of 5 years from the completion of each agreed landscape phase die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason; To protect the landscape character and appearance of the site.

- 12 A further nesting bird survey should be submitted to and approved in writing by the LPA prior to any demolition taking place at the site.

Reason: In order to protect the habitats and nesting birds.

- 13 No works shall be undertaken on site (other than those required to fulfil this condition) unless details for the sewage disposal and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to any other works being carried out on site. The works shall thereafter be retained in that form.

Reason: To ensure the adequate provision of drainage infrastructure and in the interests of Highway safety.

- 14 The development shall not be commenced until a drainage strategy is submitted and approved in writing by the Local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker.

- a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development

- the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property

- 15 No works shall be undertaken on site unless a hard and soft landscape scheme has been first submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs plus positions, species and size of all new trees and the location of grassed areas and areas for shrub planting; details of the hard surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development.

- 16 No works shall be undertaken on site unless details for the provision of parking and servicing of vehicles during the construction phase have been submitted to and approved in writing by the local planning authority. The details shall include plans for the:
- (i) parking of vehicles of site personnel, operatives and visitors;
 - (ii) loading and unloading of plant and materials; and
 - (iii) storage of plant and materials used in constructing the development

The parking/serving area(s) shall be provided in accordance with the approved details prior to any other works being undertaken on site or in accordance with an alternative implementation scheme which has been approved in writing by the local planning authority. The parking/servicing area(s) shall be retained for the duration of the site clearance and construction phase.

Reason: To ensure that the development does not prejudice the free flow of traffic or highway safety nor cause inconvenience to other highway users.

- 17 No site works, demolition or clearance shall be undertaken on site unless the site has been prepared in accordance with a specification detailing protective measures and methods of working in relation to existing planting on the site and a programme for such work, which has been first submitted to and approved in writing by the Local Planning Authority. Such protected areas shall be kept clear of any building, plant, material, debris and trenching and there shall be no entry to those areas except for approved arboricultural or landscape works. The protective measures as identified within the submitted Arboricultural Survey (Prepared by Guy Lowndes, dated June 2016) and shall be retained until the development, hereby approved, has been completed.

Reason: To safeguard the existing trees and planting to be retained within the site.

- 18 No works shall be undertaken on site until the Local Planning Authority has first approved in writing details of a programme of access which will be afforded to a named archaeologist to observe and record all ground disturbance during construction (such works to include any geological trial pits, foundations and service trenches). The named archaeologist shall thereafter be allowed access in accordance with the details so approved.

Reason: To enable the remains of archaeological interest which may exist within the site to be recorded.

- 19 The mitigation measures in relation to the protected species identified in the Baseline Ecological Survey, Reptile Survey, Reptile Mitigation Strategy and Ecological Site Improvements prepared by GLEC Environmental Consultant,

dated July 2017 shall be incorporated into the development in accordance with the schedule of implementation identified in the aforementioned reports and subsequently retained.

Reason: To ensure that suitable mitigation measures are incorporated into the development to minimise the impact on species protected by law.

- 20 No occupation of the dwellings on site shall take place unless details of any external lighting to be erected, placed or operated on the site shall have been first submitted to and approved in writing by the Local Planning Authority. The work shall thereafter be carried out in accordance with the approved details and under no circumstances shall external illumination be operated on the site other than in accordance with the approved scheme.

Reason: To safeguard the character and appearance of the site and maintain the landscape character.

- 21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwelling house(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and the character of the building and the surrounding area. For this reason the Local Planning Authority would wish to control any future development to comply with Saved Policies BD/1, BD/2 and BD/3 of the West Somerset District Local Plan (2006).

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. Pre-application discussion and correspondence took place between the applicant and the Local Planning Authority, which positively informed the design/nature of the submitted scheme. During the consideration of the application issues/concerns were raised by a statutory consultees in respect of the design and the amount of development and impacts on the listed building. The Local Planning Authority contacted the applicant and sought amendments to the scheme to address this issue/concern and amended plans were submitted. For the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

- 2 WILDLIFE AND THE LAW. The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and any activity undertaken on the tree(s) must comply with the appropriate wildlife legislation.

BREEDING BIRDS. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins.

BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Natural Habitats and Species (Amendment) Regulations 2012, also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places.

In the UK badgers are protected under the Protection of Badgers Act 1992. Planning and licensing applications are separate legal functions

All excavations left open at night should either be cover plated or have a means of escape should an animal fall in.

Any chemicals should be stored away from any obvious badger runs, which should not be obstructed with any materials.

Security lights should be directed away from areas of the site where badger runs are evident.

- 3 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. Application forms can be obtained by writing to the Traffic and Transport Development Group, County Hall, Taunton, or by phoning 0300 123 2224. 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.

The fee for a Section 171 Licence is £250. This will entitle the developer to have their plans checked and specifications supplied. The works will also be inspected by the Superintendence Team and will be signed off upon satisfactory completion.

The applicant will need to enter into an agreement with the Highway Authority to ensure that condition no. 7 (pedestrian crossing) is fulfilled with the authority and to the satisfaction of the Highway Authority.

- 4 Please note that some elements of the site will result in the laying out of a private street as a consequence under sections 219-225 of the Highways Act 1980 the Advancement Payments Code (APC) would apply. We would require what areas are up for adoption and achievable visibility splays within the internal layout for safety purposes.

Resin bound gravel is not considered as a consolidated surface suitable for adopted highway. For clarity the gradient of the proposed internal layout would need to be no steeper than 1:14 should block paving be proposed.

Proposal

Erection of 17 new dwellings and conversion of the main Listed former school building into 14 flats (6 x 2 beds + 8 x 1 bed). The proposed 17 new dwellings are comprised as follows; 1 x 2 Gate House single storey 2 bed dwellings, a terrace of 5 two storey dwellings (1x4 bed + 4 x 3 bed), a pair of semi-detached two storey dwellings J & K, (1x4 bed and 1x3 bed) plus L & M (2 x 3 bed) and 4x Eco styled detached dwellings, C & D (2 beds) and N & O (4 beds).

Since the original submission this application has been significantly amended in terms of design and layout of the site. The proposed housing numbers still remain conversion of the main house into 14 flats and 17 dwellings around the perimeter of the site to be provided via a mixture of arts and craft styled dwellings and 4 no. eco styled flat roofed dwellings.

Site Description

The overall site measures 1.47 hectares and rises up to the south from the adjoining A39 from Alcombe towards Woodcombe and Porlock. Beyond the site is open countryside and the foothills of the Exmoor National Park.

Dwellings along this part of Periton Road comprise of a mix of large detached houses in generous plots plus some bungalows. Adjacent to the site (East) is Eastleigh Nursing Home and directly adjacent to the west and open agricultural land and a large house and coach house known as Odell Court.

Historic England have recently confirmed (7/5/15) that the main, early C20, Periton Mead building constructed in Cleeve Stone, with courtyard walls, piers and cobbled surface, raised terrace and steps are now Grade II listed. The existing site is not located within a designated Conservation Area.

The site is located on the south western extremities of the town of Minehead. Buildings at the site are set within an overall site of undulating grounds and on varying levels and terraces, and comprise of various sheds, classrooms and garages. A former Headmasters accommodation is sited to the West of the Coach House and further west is a gym building.

Boundaries to the site consist of existing hedging ranging in height from 1m-2m and several mature trees. The adjoining field on the western boundary is at a substantially lower level of approximately 2m and the adjoining bank has several

large veteran trees along it. The northern boundary again consists of a bank of approximately 1m above a raised grass verge and faces onto Hopcott Road and the main entrance gates.

The substantial former manor house, latterly a residential school is of traditional stone construction under a variety of pitched tile and flat felt covered roofs. Principally arranged over ground and first floors, although there is a basement and attic, the main building comprises approximately 57 rooms including kitchens, dining areas, reception rooms, bathrooms and offices, 28 of which are currently bedrooms.

The residential Coach House building seems to have been constructed in a similar period to the larger building. Again this has cream painted rendered walls with dark oak beams on the underside of the archway adjoining the Coach house and more modern link and leads to a two storey classroom building and small rear courtyard area. The windows of the main buildings are a mix grey powder coated aluminium, crittle and brown upvc which are surrounded with brown stone quoins as per the main building. There are existing iron rainwater goods.

Relevant Planning History

1949, Change of use of Periton Mead for educational purposes approved.
1967, Erection of first timber framed classroom on sunken garden area, Granted
3/21/75/084, Erection of double Pratten classroom with toilets, Granted, 24/09/1975
3/21/79/160, Erection of Gymnasium classroom block and new Staff house, Granted, 20/08/1980
3/21/81/162, Erection of two-storey dwellinghouse, Granted, 23/11/1981
3/21/82/067, Single-storey building for classroom & activities hall, Granted, 13/08/1982
3/21/83/022, Renewal of temporary permission for classroom, Granted, 10/03/1983
3/21/88/273, Retention of temporary classroom, Granted, 30/08/1988
3/21/91/291, Construction of pre-cast garage for craft room material store, Granted, 19/02/1992

Consultation Responses

Minehead Town Council -

meeting date 06/09/16 - Recommend Refusal on plans 3/21/16/075 and 076;

- Overdevelopment
- Concern about surface run-off with the removal of grass areas.

Amended comments following special meeting held on 14/6/17.

1. Nothing has changed since the last decision made by the Planning Committee
2. This is over-development of the site and the listed building will lose character due to overcrowding of the new development

3. Surface water management is inadequate and will impact on the lower water courses which are already overloaded further into the town. The SUDS programme should be used more extensively

4. There are no nearby facilities

5. There is no public transport

Amended comments rec. 31/08/17

Recommend refusal

1. Nothing has changed since the last decision made by the Planning Committee

2. This is over-development of the site and the listed building will lose character due to overcrowding of the new development

3. Surface water management is inadequate and will impact on the lower water courses which are already overloaded further into the town. The SUDS programme should be used more extensively

4. There are no nearby facilities

5. There is a total absence of public transport

Exmoor National Park –

(original comments)

I have discussed the proposals with this Authority's Landscape Officer who has the following comments to make:

In the most up to date site and block plan, the site layout indicates new residential units (no's 8-12) to the south east of the existing Listed Building. These are sited within the formal landscape setting of the original building and its associated landscaped structures including walls, steps and terraces, and extend beyond the building line of the Listed Building.

The careful design of the original site sensitively combined this country house and its formally landscaped grounds to form a significant view from the property and its gardens towards the rising elevated land to the south and south west, encompassing the wider view of what is now the northern edge of Exmoor National Park.

The density and positioning of units 8-12 in the proposed site layout does little to respect the views and setting of this site and their designed connection with the wider landscape to the south. As shown, these proposals are unlikely to have a positive impact on the foreground and setting of the National Park to the south of this proposed development.

The cumulative effect of proposed housing development to the south of the A39 at

Minehead will need to be carefully considered to respect the rising ground that forms the view and wider setting of the protected wooded landscape of Exmoor National Park in this location and the existing buffer of agricultural land to the north of the park boundary.

Conservation Officer –

The NPPF has a suite of policies that are used for us to determine applications for heritage assets. They are as follows.

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

130. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

131. In determining planning applications, local planning authorities should take account of:

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

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to

or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

1. the nature of the heritage asset prevents all reasonable uses of the site; and
2. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
3. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
4. the harm or loss is outweighed by the benefit of bringing the site back into use.

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

I am happy that Paragraph 128 and 129 have been complied with and we have an excellent statement of historic significance. There appears to be a misunderstanding about its purpose. It is intended to be the starting point for the design rather than an informative document that accompanies the application. Just for clarity the list description for a building is used to describe the site for identification purposes. It is not a list of what is protected. It is all protected and includes structures within the curtilage of the property that were constructed before 1948. This is the case for all the stone walls and garden structures.

From our site visit it is clear that paragraph 130 has not been complied with. There is a risk of vandalism and fire as the building is not secure. In cases like this we would require the full reconstruction of the building if it is damaged due to this neglect. This would I suggest, equate to £ millions and there would be no prospect on enabling development on the site. I would urge the applicant to take immediate action to resolve this and protect himself from that liability.

This then leads onto the scheme itself. There are two elements as I see it. The alteration of the listed building to allow residential accommodation and the development of the remaining site. The building has huge potential for conversion for this purpose but must be guided by its heritage significance. The current scheme does not do this. It does not respect the surviving historic structure. In my professional view this element of the scheme would do less than substantial harm but it is at the high end of the category. With revision it is capable of being reduced to a level that is acceptable.

The development surrounding the property is a great concern to me. Paragraph

132 places great emphasis on the setting of a heritage asset. This proposal has little regard to setting and as such, in my professional view is doing substantial harm to a heritage asset. The test for this is extremely high in terms of public benefit and I see very little prospect that this could be satisfied. I do envisage that with careful design a scheme that has less than substantial harm could be designed. This would still need to meet the public benefit requirement. In this case it would be the removal of modern buildings and the restoration of the original house and the replacement of all windows which need to be returned to the original Crittal metal windows.

I would urge the applicant and agent to discuss my concerns with their Heritage Consultant. Although not NPPF compliant at the moment, this site could be regarded as enabling development for the restoration of the building. Whilst this allows a developer to make a reasonable profit (approx. 20%) it assumes a value of zero for the site. No allowance can be made for paying too much. If this goes to an appeal, the inspector must follow this and can take no account of the late listing. I hope that we could take a more pragmatic approach, but it would require the developer to withdraw the application and engage in the pre-application process.

As submitted, I strongly recommend refusal of this application.

Amended comments -

My view at the moment is that I am happy with the conversion of the listed building into apartments. We also have the issue of the poor quality buildings in the grounds. I am happy that an element of development in the grounds can be used to replace these buildings. It is acceptable for there to be an element of developer profit to make this happen. The area most suited is the south east corner of the site and perhaps 1 small lodge house near the entrance.

Final comments;

Erection of 17 new dwellings (12 two-bed +1 three-bed detached bungalows, 4 two-bed semi-detached dwellings) and the conversion of the listed building into 14 flats (6 two-bed and 8 one-bed) A concurrent application (LB) is referenced as 3 21 16 076. Periton Mead, Periton Mead, Minehead, TA24 8DS

We have been negotiating on this scheme for 12 months now. I believe that we have reached the best possible scheme for the site. The building was built in the early 20th century. It was listed with poor quality windows and extensions and in need of extensive renovation. Also parts of the garden need reinstating.

With careful design and a good conservation plan, it is in my view, possible to convert the house to 14 flats with minimal harm to the building. The main issue would be the location of cars and bins, so a low level car park is being introduced adjacent to the cobbled hard standing.

The subsequent challenge has been to demolish poor quality buildings on the site and relocate them in a more sympathetic fashion. Also funding has to be raised to replace the windows in a sympathetic design on the listed building. Also an element of developer profit is required to make this happen.

To achieve this 3 new building typologies have been introduced onto the site.

At the south corner a range of Arts and Crafts style coach houses has been introduced, These harmonise with the design of the main building, Great care has been taken to ensure that they don't interfere with south facing views from the house up onto Exmoor and the designed garden that runs on that axis.

Near the entrance, a pair of arts and crafts style lodge houses have been introduced, Again these are appropriate to the architectural character of the main building.

The remaining buildings have taken their theme from the gardens and have an 'eco' style. They are designed to be read as part of the garden rather than the historic estate.

The gardens to the south-west of the main house have been lost. As part of the scheme they will be reinstated. This has provided the opportunity for a light access road to open up the development plot in the South West Corner. These are again, eco buildings that take their theme from the landscape.

The heritage benefits of the scheme are the repair and new use of the building. The reinstatement of the gardens, the removal of poor quality later additions to the building and the reinstatement of the windows to the listed building.

The harm to heritage is low end less than substantial as described in chapter 12 of the NPPF for the conversion of the original house. The new development represents medium level harm to the setting of the listed building. I have reviewed the scheme with the officer and understand that this is the lowest quantum of development that will achieve the long term sustainable future for the site. Accordingly I recommend that you approve both the planning and listed building applications.

SCC South West Heritage (archaeology) –

Periton Mead is an early 20th century country house of architectural and historical significance. Despite its various uses, it retains a number of original features including much of the original garden design and layout, which contributes to the significance of the property. Many of these features could be lost or fragmented as a result of the proposed development.

For this reason I recommend that the applicant be required to provide archaeological recording of the development and a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of model condition 55 attached to any permission granted:

'No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work involving detailed building recording in accordance with a written scheme of investigation, which has been submitted by the applicant and

approved by the local planning authority’.

Please get in touch if you require any further information.

Crime Prevention Design Advisor -

No objection subject to comments.

Crime Prevention Design Advisor’s (CPDA) working in partnership within the South West region, have a responsibility for Crime Prevention through Environmental Design projects within the West Somerset District Council area. As a Police Service we offer advice and guidance on how the built environment can influence crime and disorder to create safer communities addressing the potential of the fear of crime and anti-social behaviour.

Sections 58 and 69 of the National Planning Policy Framework March 2012 both require crime and disorder and fear of crime to be considered in the design stage of a development and ask for:-

“Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.”

Guidance is given considering ‘*Crime Prevention through Environmental Design*’, ‘*Secured by Design*’ principles and ‘Safer Places’.

Comments:-

Crime & ASB Statistics – reported crime for the area of this proposed development (within 500 metre radius of the grid reference) during the period 01/09/2015-31/07/2016 is as follows:-

Burglary - 2 Offences (both dwellings).

Criminal Damage - 4 Offences (1 criminal damage to dwelling, 3 to vehicles)

Theft & Handling Stolen Goods - 1 Offence

Violence Against the Person - 6 Offences (incl. 2 assault ABH, 2 Harassment)

Total - 13 Offences

This averages less than 2 offences per month which are considered to be ‘low’ reported crime levels.

ASB reports for the same area over the same period total 4, which is also a ‘low’ level.

- Layout of Development – the enclosed nature of this proposed development with a single vehicular and pedestrian entrance/exit and no ‘through roads’ has some advantages from a crime prevention perspective in that it can help frustrate the search and escape pattern of the potential criminal. The road and footpath appears to be visually open, direct and likely to be well used. The use

of road surface changes by colour or texture also helps reinforce the defensible space of the development giving the impression that this is a private estate.

- Orientation of Dwellings – a large proportion of the proposed bungalows appear to be positioned facing each other enabling neighbours to easily view their surroundings and make the potential offender feel vulnerable to detection. The front of the listed building also faces the main entrance and a forecourt/communal parking area which further assists in this respect.
- Communal Areas – the communal area to the rear and north of the listed building appears to have unrestricted access and so could prove subject to anti-social behaviour e.g. fly-tipping. However, this area is overlooked by the apartments at the rear of the listed building which should provide an element of natural surveillance. Appropriate management and maintenance systems should be put in place in respect of these areas.
- Dwelling Boundaries – it is important that boundaries between public and private spaces are clearly defined and generally speaking this appears to be the case, particularly in respect of the bungalows. It is also desirable that dwelling frontages are open to view to assist resident surveillance of the street and public spaces, so walls, fences, hedging or similar should be maximum height 1 metre and again this seems to be catered for. Vulnerable areas such as side and rear gardens need more robust defensive barriers by using walls, fencing or hedging to a minimum height of 1.8 metres. Access gates to rear gardens should be the same height and lockable. The latter would only appear to be relevant to the proposed bungalows.
- Car Parking – appears to be a mix of in-curtilage garages and hard standings for the bungalows and communal parking spaces for the apartments. The former is the recommended option and where communal parking spaces are essential, they should be in small groups, close and adjacent to the homes they serve and within view of habitable rooms in these homes. In this regard, the 15 car parking spaces to the north and front of the listed building appear to be overlooked to some extent by the apartments in this wing and bungalows 1 and 2.
- Cycle and Bin Stores – appear to be of substantial construction but the communal cycle store in particular is some distance from the listed building and fairly close to the entrance to the estate which makes it potentially vulnerable. I recommend it be relocated to an area of good visibility at the rear of the listed building where it should prove more secure. It should also be lockable.
- Planting/Landscaping – should not impede opportunities for natural surveillance nor create potential hiding places for intruders and, in areas where visibility is important, shrubs should have a mature growth height of no more than 1 metre and mature trees should be devoid of foliage below 2 metres, so

allowing a 1 metre clear field of vision.

- Lighting – all street lighting for both adopted highways and footpaths, private estate roads and footpaths and car parks should comply with BS 5489:2013. With regard to the listed building, appropriate external security lighting should be designed to cover potential high risk areas, including main entrance door, secondary access doors and fire exit doors. All lighting should be automatically controlled by photo-electric cell or time switch.
- Doors/Windows/Rooflights - in order to comply with Approved Document Q:Security - Dwellings, all appropriate doors, windows and rooflights must comply with PAS 24:2012 or equivalent standard.
- Communal Entrances – all communal entrances should be fitted with an access control system e.g. door entry phone system connected to each flat with electronic lock release or similar system.
- Secured by Design(SBD) – if planning permission is granted, the applicant is advised to refer to the additional comprehensive information available in the 'SBD Homes 2016' design guide available on the on the police approved SBD website – www.securedbydesign.com.

Highways –

The proposal relates to the erection of 17 dwellings and the conversion of a listed building to provide 14 flats.

Summary

The Highway Authority has reviewed the submission and considered the overall benefits and dis-benefits of this proposal. On balance although the proposal would not result in a significant increase in vehicle movements there are concerns over the drainage proposals. Consequently the applicant is required to provide a full detailed assessment of the system before the Highway Authority can make a recommendation.

Traffic Impact

The proposed application was accompanied by a Transport Statement (TS) to assess the proposals impact on the adopted highway. The Highway Authority has taken the opportunity to review the document and have the following observations to make.

With regard to trip generation the applicant has utilised TRICS, which is considered to be acceptable. From the details provided in the TS the applicant has separated the categories of privately owned houses and privately owned flats. They have provided trip rates for both uses and having assessed these figures the Highway Authority is satisfied that these are fairly robust. Although it should be noted that it is rare to see mirrored trip rates like those shown in Table 5.1. Consequently in terms of the total forecast for the site the Highway Authority is

satisfied with the level of trip rates being put forward in Table 5.3.

In terms of public transport the TS identifies that there is a train station in Minehead however this can be categorised as tourist attraction whilst the bus service runs every hour. Consequently it is likely the people who occupy this site would be reliant by the private car. In terms of the point of access the applicant has indicated that the proposal would utilise the existing point of access onto the A39. As stated in the TS this is subject to a 40mph as a consequence Design Manual for Roads and Bridges would be considered the most appropriate guidance to use in this instance. With regard to visibility the applicant has indicated that a splay of 2.4m x 43m but from visiting the site the Highway Authority is satisfied that when looking to the right the splay is well in excess of this. To the left the applicant has indicated that a splay of 2.4m x 75m can be achieved to the nearside carriageway but a splay of 2.4m x 101m can be provided if it is taken to the centre of the carriageway. The Highway Authority notes the comments that has been raised by the applicant in regards to this point however it is our opinion that visibility should be taken from the nearside carriageway. Therefore the splay proposed is considered to be sub-standard.

Finally in regards to parking the applicant will provide parking in accordance with the standards set out in Somerset County Council's Parking Strategy which is considered to be acceptable.

Therefore to conclude in traffic impact terms the proposal will result in an increase in vehicle movements, however this is not considered to be severe enough to warrant an objection on traffic impact grounds. With regard to visibility the Highway Authority notes the points raised by the applicant however we will require visibility to be taken to the nearside carriageway edge.

Travel Plan

The applicant has provided a Travel Plan Statement as part of their submission it is apparent that some of the issues raised during pre-application discussions have now been addressed. However the following points still remain outstanding.

- A Travel Plan Statement fee of £700 + VAT is required.
- Further information is required with regard to the Travel Plan Co-ordinator role.
- Further details is required in terms of the cycle and motorcycle parking i.e. size of sheds and provision of locking points, access to storage and whether there will be communal cycle storage.

Please note that this Travel Plan Statement will need to be secured via a S106 agreement.

Internal Layout

The Highway Authority has assessed the information shown on Drawing No. 8505/200 and has the following observations to make.

Firstly please note that some elements of the site will result in the laying out of a private street as a consequence under sections 219-225 of the Highways Act 1980 the Advancement Payments Code (APC) would apply.

With regard to the point of access it is noted from the plan that there appears to be a section which the applicant has identified as a shared surface space. Please note that this needs to be amended so that it is finished in tarmac. The applicant has also proposed a couple of uncontrolled pedestrian crossings either side of the access. Both the point of access and these crossing points would fall outside the S38 process and will therefore need to be secured via a S278 agreement. The gradient of the access will need to be 1:20 over the first 10m.

The applicant has indicated that the internal layout will take the form of a shared surface with widths ranging from 4.1m to 5.5m. The Highway Authority has no objection to this approach however the applicant would need to identify what elements of the layout that will be offered up for adoption. The applicant would need to make sure that the shared surface would need to have a 1.0m margin.

It is noted that the proposed turning areas appear to include land which the Highway Authority believes will not fall under the S38 adoption process. The applicant would need to amend this so that the turning heads/areas are in accordance with the design standards set out in our Estate Roads in Somerset Design Guidance document. From the design details it is apparent that the main access road is over 70m in length. It is recognised that the layout has been designed with a 20mph in mind however the Highway Authority is concerned that this straight section of highway will lead to an increase in vehicle speeds. Therefore the applicant is requested to amend this section so to reduce the vehicle speeds in this location. The applicant will also need to provide visibility splays through the bends based on a vehicle speed of 20mph. Please note that anything within the splay would be subject to adoption.

Finally it is noted that a number of trees and other planting are shown on the plan. Whilst it is appreciated that this is indicative however we would require a planting scheme to be submitted and any existing trees or bushes in close proximity to the highway will likely need root protecting barriers put in place.

Drainage

The applicant has submitted a Flood Risk Assessment as part of this proposal this has been assessed by the Highway Authority and we have the following comments to make.

The method of discharging surface water run-off from the site proposed under paragraph 4.11 is via an existing highway drain located in Periton Road to eventually outfall into the unnamed watercourse along Periton Combe some 300m to the west of the site. The e mail exchange between RMA Environmental and the Flood Risk Management Team (FRMT) set out in Appendix B is noted. In particular the question was raised as to whether it would be feasible to connect to an unnamed watercourse via the highway drains located in Periton Road. It is

understood that the FRMT believe that in theory it could be permissible to discharge surface water from the site into this watercourse but it would require that the implications upon capacity and flood risk of such a proposal would need to be fully assessed.

The Highway Authority would like to add further comment to the FRMT's observations that having reviewed the West Somerset Strategic Flood Risk Register it shows that there is a historic flood event at Periton Cross, where this watercourse passes beneath the A39 to run south in a piped system. There are still concerns with surface water run-off flowing across the main road from the north during heavy sustained rainfall events when the unnamed watercourse surcharges or when the track is inundated. As this watercourse itself is designated as having a 1 in 100 or greater annual probability of flooding and is associated with a known flood risk, the Highway Authority would ask whether it is appropriate to be considered as the point of outfall for further direct discharge.

In terms of utilising the highway drain, having interrogated our records and the only information we have relates to the presence of the gullies in the carriageway. As these records are delivered from intrusive interrogation or maintenance operations they cannot be considered to be definitive and it remains that the means by which the surface water from the A39 is conveyed downstream is currently unrecorded.

The legal stance of the Highway Authority is that at the point which surface water from any source other than from the public highway enters our system it, in effect, ceases to be a 'highway drain' and becomes a 'sewer'. In essence we would not be prepared to accept the increased liability of having to maintain a drainage system that directly serves private properties. There is however potential for the existing highway drain to serve to collect run-off from prospective public highway areas in the site should they be the subject of an adoption agreement under S38 of the Highways Act 1980. Although this is subject to flood risk matters being satisfactorily addressed and the system being hydraulically and structurally capable of taking the additional flow. A full assessment of the system would need to be undertaken by the applicant to determine whether this proposal remain viable.

Notwithstanding the above, it is important to appreciate that whatever system of highway drains presently serving Periton Road, they would not have been sized to accommodate any further catchments only being installed for their then intended purpose. If you couple this with the constraints of our reactive maintenance regime and the implications of climate change on drainage design the Highway Authority would need to take the pragmatic view which would assume that the system would need to be upgraded to accommodate any additional flow.

Therefore taking into account the above information it may be beneficial for the applicant to consider the potential of requisitioning a sewer from Wessex Water to serve this development.

However it is noted that there is a pond on the land adjacent land to the west of

the site and wondered whether any consideration has been given to the potential for this to be utilised to serve the development. The conceptual drainage strategy includes the use of permeable paving couple with a porous sub-base to collect and store surface water prior to discharge. It is important to note that permeable paving is currently not considered appropriate for prospective public highway design and should it be used for estate road construction then the Highway Authority will not be able to adopt.

Recommendation and Conclusion

To conclude in traffic impact terms the proposal would result in an increase in traffic movements on Periton Road but it is not considered to be significant enough to warrant an objection on traffic impact grounds. Although it should be noted that visibility should be taken to the nearside carriageway edge. With regard to the Travel Plan this is broadly considered to be acceptable although there are some elements that would need to be addressed but this can be carried out prior to the Travel Plan being secured via a S106. With regards to the internal layout this is broadly considered to be acceptable but the applicant will need to take note of the comments raised above prior to any further design submission.

However there are concerns over site drainage and in particular the increased discharge into the existing highway drain in Periton Road. As a consequence before the Highway Authority can be satisfied that the proposed means of discharge the applicant would need to carry out a full assessment of the system to make sure that there is capacity to accommodate their proposal.

Therefore with this in mind the Highway Authority is not in a position to make a decision on this proposal until this work has been carried out.

Amended plans:

I refer to the amended plans for above planning application received on 25th May 2017. The following comments from the Highway Authority are in relation to the amended plans to the internal layout only. Our previous comments regarding drainage, point of access and visibility splays onto Periton Road (dated 7th October 2016) remain unchanged:

When considering amended Drawing No. 8505/500 against previous drawing No 8505/200 (assessed in our previous response dated above) the Highway Authority have the following comments:

Please note that

some elements of the site will result in the laying out of a private street as a consequence under sections 219-225 of the Highways Act 1980 the Advancement Payments Code (APC) would apply. We would require what areas are up for adoption and achievable visibility splays within the internal layout for safety purposes.

Resin bound gravel is not considered as a consolidated surface suitable for adopted highway. For clarity the gradient of the proposed internal layout would

need to be no steeper than 1:14 should block paving be proposed.

There appears to be a localised narrowing shortly before the first turning when entering the proposed access site, however the purpose for this is unclear. The Highway Authority would recommend that this is removed from the scheme. Whilst in our previous comment a shared surface of 4.1m was acceptable, a minimum shared width of 4.8m would be more appropriate.

The proposed turning head to the south of the site appears acceptable for adoption subject to agreeing the detail.

As stated in our previous comment (dated 7th October 2016) it is recognised that the layout has been designed with a 20mph in mind however the Highway Authority is concerned that this straight section of highway will lead to an increase in vehicle speeds. Therefore the applicant is requested to amend this section so to reduce the vehicle speeds in this location. The applicant will also need to provide visibility splays through the bends based on a vehicle speed of 20mph. Please note that anything within the splay would be subject to adoption.

Given our previous comments and with the above in mind, the Highway Authority would require further information before making

a
decision
on this proposal.

Final amendments

I refer to the amended plans to the above planning application received on 29th August 2017.

It appears, when assessing the amended Drawing (8505/600), our previous comments dated 16th June 2017 (for Dr No: 8505/500) in relation to the internal layout of the site are still applicable. However it is noted that the layout to the southern section of the site has been altered in regards to proposed residential layout and turning head arrangement. The Highway Authority would require a swept path analysis of this area of the site for the largest vehicles that will be using the proposed turning head.

It is also noted by the Highway Authority that proposed visibility splays on Dr No 8505/600 at the proposed access appear to have been reduced and are considered substandard by the Highway Authority.

When assessing the Travel Plan, the proposals appear generally acceptable however Highway Authority would like to highlight the following:

- Whilst most facilities appear within cycling distance of the proposed site, no details of cycle lanes or gradients between the town centre and the site have been provided. This is necessary to assess suitability of cycling routes to local facilities.
- Details local bus stop infrastructure or further travel by bus has not been

provided. Town service 11 has been included but what is the potential for travel to Taunton (for example)?

- The Travel Plan needs to include Travel Plan Coordinator/Managers role and duties in implementing and promoting a sustainable travel within the Travel Plan. The amount of time per week that the TPC will have to manage the Travel Plan must also be specified.
- The Travel Plan should indicate potential to work with other developments and organisations where possible to share ideas to reduce costs.
- A commitment to electric vehicle charging points has not been included in the Travel Plan. This is an SCC policy requirement.
- The number of spaces to be provided for all dwellings for all modes has been outlined in the Travel Plan. Paragraph 2.5.1 states that motorcycle and cycle parking levels will be 'broadly in line with the prevailing standards...'. These parking levels must be in line (remove 'broadly') with parking standards i.e. a minimum of 1 cycle parking space per bedroom.
- Brief details have been given regarding bicycle and motorcycle parking. Further details regarding shed sizes, access and communal cycle parking are required, including if ground anchors will be provided for motorcycles parked in communal areas.
- The Travel Plan, its associated measures and contributions must be secured by S106 agreement. This has not been committed to in the Travel Plan.

Please note that a Flood Risk Assessment was submitted by the applicant within the amended plans, it is currently under review and Highway Comments will be submitted at a later date.

Further comments;

In relation to the ongoing application above at Periton Mead the Highway Authority can update you on the following:

The proposed drainage strategy from the agent in your email dated 6/10/17 has been sent to our Flood and Water Management Team for further assessment.

The Highway Authority is currently in consultation with representatives of the applicant regarding proposed visibility.

19/09/17

Following on from Highway Authority comments dated 15/9/17 and my voicemail I left you the Highway Authority can provide additional information regarding drainage and the internal layout when referring to submitted drawing number 8505/600 the Design & Access Statement and the Flood Risk Assessment :

Drainage

The surface water management strategy now proposes to discharge surface water run-off from the site via a new connection to either Periton Coombe Brook or the surface water sewer at the junction of Higher Park and West Park, thereby abandoning the proposal to utilise the existing highway drainage system on Periton Road. Whilst this revised proposal addresses our previous concerns dated 7th October 2016 in this regard, our previously documented reservations in our initial response (dated 7th October 2016) for any proposal to directly discharge surface water into the site into Periton Coombe Brook remain relevant (repeated below).

The Highway Authority would like to add further comment to the FRMT's observations that having reviewed the West Somerset Strategic Flood Risk Register it shows that there is a historic flood event at Periton Cross, where this watercourse passes beneath the A39 to run south in a piped system. There are still concerns with surface water run-off flowing across the main road from the north during heavy sustained rainfall events when the unnamed watercourse surcharges or when the track is inundated. As this watercourse itself is designated as having a 1 in 100 or greater annual probability of flooding and is associated with a known flood risk, the Highway Authority would ask whether it is appropriate to be considered as the point of outfall for further direct discharge.

Internal Layout

The Design and access statement indicates that existing retaining walls within the site boundary will have to be removed and rebuilt to accommodate the site entrance. If the wall is to be retained and subsequently adopted, then it will be necessary for an Approval in Principle to be submitted to SCC, signed by a Chartered Engineer (Civil or Structural) prior to the commencement of the detailed design. Any structure to be adopted by SCC will require the payment of a commuted sum by the developer. If the retaining walls are to remain within private ownership, but will be located within 3.67m of the highway boundary and/or which will have a retained height of 1.37m above or below the highway boundary, it will be necessary for detailed design drawings/calculations to be submitted to SCC for checking/approval purposes.

An adoptable 17m forward visibility splay (based on anticipated vehicle speeds of 15mph) will be required across the corner of the plot throughout the 90 degree bend at the southern end of the development site. There shall be no obstruction to visibility within the splay that exceeds a height greater than 300mm above the adjoining carriageway level.

Adoptable hardened margins will be required at the ends of all proposed turning arms within the carriageway. 2.0m wide margins will be required for bituminous macadam carriageways and 1.0m wide margins will be required for block paved shared surface carriageways.

Private drives containing tandem parking bays, should be constructed to

a minimum length of 10.5m, as measured from the back edge of the prospective public highway boundary, to avoid overhanging of the highway by parked vehicles.

Private parking bays that but up against any form of structure (including footpaths or planting), should be constructed to a minimum length of 5.5m, as measured from the back edge of the prospective public highway boundary.

Private single parking bays, not surrounded by any form of structure, should be constructed to a minimum length of 5.0m, as measured from the back edge of the prospective public highway boundary.

The applicant/developer would need to clarify the extent of the prospective public highway boundary in regards to the dwellings located within the middle of the site (shaded in grey)

Where an outfall, drain or pipe will discharge into an existing drain, pipe or watercourse not maintainable by the Local Highway Authority, written evidence of the consent of the authority or owner responsible for the existing drain will be required, with a copy forwarded to SCC.

Surface water from all private areas will not be permitted to discharge onto the prospective public highway. Private interceptor drains must be provided to prevent this from happening.

No doors, gates or low-level windows, utility boxes, down pipes or porches are to obstruct footways/shared surface roads. The Highway limits shall be limited to that area of the footway/carriageway clear of all private service boxes, inspection chambers, rainwater pipes, vent pipes, meter boxes (including wall mounted), steps etc.

Tie into existing carriageway – Allowance 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. It may be necessary to take cores within the existing carriageway to determine the depths of the existing bituminous macadam layers.

�. Where works are to be undertaken within or adjoin the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority (01823 359504). Applications should be made at least four weeks in advance of works starting in order for Statutory Undertakers to be consulted concerning their services. A proposed start date, programme for works and a traffic management layout will be required prior to approval being given for the commencement of any works within the highway.

Section 50 NRASWA 1991 (Sewer connections) – Where works have to be undertaken within or adjoining the public highway a Section 50 licence will be required. These are obtainable from the Streetworks Co-ordinator (01823 357525).

The developer will be held responsible for any damage caused to the public highways by construction traffic proceeding to/from the site. Construction traffic will be classed as 'extra-ordinary traffic' on public highways. Photographs shall be taken by the developer's representative in the presence of the SCC Highway Supervisor showing the condition of the existing public highways adjacent to the site and a schedule of defects agreed prior to works commencing on site.

Any proposed planting either within or immediately adjacent to the prospective public highway boundary will need to be supported by the submission to SCC of a comprehensive planting schedule for checking/approval purposes. Any planting within the highway will require a commuted sum, payable by the developer. Proposed planting immediately adjacent to parking bays/drives, shall be of the low-level variety so as not to obstruct visibility for users of the bays.

Adoptable visibility splays based on dimensions of 2.4m x 25m in each direction will be required at the junctions of the 2 no. side roads with the road that runs north/south through the site. There shall be no obstruction to visibility within the splays that exceeds a height greater than 300mm above the adjoining carriageway level.

Under Section 141 of the Highways Act 1980, no tree or shrub shall be planted within 4.5m of the centreline of a made up carriageway. Trees are to be a minimum distance of 5.0m from buildings, 3.0m from drainage/services and 1.0m from the carriageway edge. Root barriers of a type to be approved by SCC will be required for all trees that are to be planted either within or immediately adjacent to the highway.

A 5.0m wide carriageway with adoptable margins will be required for the first side road on the left hand side, approximately 30.0m into the development site.

Further comments

To reiterate and for the avoidance of any doubt, the Highway Authority are not currently satisfied with the visibility splays being proposed, this being 65.5m x 2.4m and we believe that there is no technical reason why the applicant cannot improve upon these proposed splays to achieve a safe and satisfactory access in line with the NPPF.

With the above in mind and in an attempt to move this proposal forward, I would refer you back to my former work colleagues previous response dated 7th October 2016 at which time he made the following comments:

'To the left the applicant has indicated that a splay of 2.4m x 75m can be achieved to the nearside carriageway but a splay of 2.4m x 101m can be provided if it is taken to the centre of the carriageway.'

As such, I can confirm that the Highway Authority will accept the original proposal

of 2.4m x 75m as a minimum, which was the applicants originally proposed visibility splay.

I hope this clarifies the situation with regards to the visibility splay.

Final comments

It has only become apparent today to the Highway Authority in the email below that, according to the acting client the maximum visibility achievable to the wests nearside carriageway is 2.4m x 68m or 2.4m x 101m if measured to the centre line of the carriageway.

The Highway Authority is confused about how the applicant can now reduce the proposed visibility splays from what was originally submitted in 2016 as part of the original planning application, furthermore when referring back to the original Design and Access Statement, section 5.10 clearly states the following:

‘It has been demonstrated that safe and appropriate access arrangements (for pedestrians, cyclists and vehicles), can be implemented to the appropriate standards to serve the development site from the A39 Periton Road. The site access junction will have visibility splays of 2.4m x 120m in the easterly direction and 2.4m x 110m to the centreline of the carriageway in the westerly direction.’

In addition when reference is made to Drawing No 8505/200 exactly the same visibility splays are being proposed and this accords with the text in the Design and Access Statement as mentioned above.

There appears therefore to be a degree of confusion on the applicants side about what visibility actually can be provided on site and in an attempt to avoid any abortive work I would suggest to bring the matter to a close by referring back to the Drawing No: 8505/200, unless the developer can justify the change in position between the original submission of plans to the current situation within the body of the emails below.

In light of the above the Highway Authority would prefer to condition visibility splays of 2.4m x 120m in the easterly direction and 2.4m x 110m to the west, both measured to the centreline of the carriageway. However, if this isn't technically possible from the applicant as stated by the acting client, then the Highway Authority will be prepared to condition visibility splays of 2.4m x 101m to the west and 2.4m x 120m to the east, both measured to the centreline of the carriageway. To avoid any further confusion this would have to be agreed and conditioned via a new, suitably scaled drawing to be sent to the Local Planning Authority for approval.

Wessex Water Authority -

I advise the following on behalf of Wessex Water as sewerage and water supply undertaker for the area in question:

Water Supply and Waste Connections .

New water supply and waste water connections will be required from Wessex water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk.

Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

S105a Public Sewers

On 1st October 2011, in accordance with the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011, Wessex Water became responsible for the ownership and maintenance of thousands of kilometres of formerly private sewers and lateral drains (section 105a sewers).

At the date of transfer many of these sewers are unrecorded on public sewer maps. These sewers can be located within property boundaries at the rear or side of any premises in addition to the existing public sewers shown on our record plans. They will commonly be affected by development proposals and we normally advise applicants to survey and plot these sewers on plans submitted for Planning or Building Regulations purposes.

More information relating to this transfer can be found on our website. It is important to undertake a full survey of the site and surrounding land to determine the local drainage arrangements and to contact our sewer protection team on 01225 526333 at an early stage if you suspect that a section 105a sewer may be affected.

Separate Sewer Systems

Separate systems of drainage will be required to serve the proposed development.

No surface water connections will be permitted to the foul sewer system.

Please find attached an extract from our records showing the approximate location of our apparatus within the vicinity of the site.

Email comments to and from applicants consultant recorded as Appendix B5, dated 25/07/17.

Applicants drainage consultant

I am emailing you regarding a planning application for the conversion of a school to residential use at Periton Mead School, Minehead. The LPA reference is 2/21/16/075 and your ref is SS94NE/80. You responded to a recent consultation request, so I hope you are still the most relevant contact.

In the process of preparing the FRA for the application, we undertook consultation with WW and it was confirmed that there was available capacity for foul flows. At the time, a surface water connection was discussed, but not taken much further because the discharge rates we were seeking were too high (only a 40% reduction on existing rates). Please see attached correspondence for reference.

The proposed development has been reduced in size and this has presented the opportunity to restrict surface water runoff to greenfield rates. The 1 in 100 year greenfield runoff rate is 11.6 l/s and we would like to enquire to the possibility of discharging this to WW's surface water sewer network. The point of connection discussed at the time was at the junction of Higher Park and West Park. Could you advise if there is sufficient capacity to accept a peak flow of 11.6 l/s or advise of an alternative point of connection?

We have ruled out soakaways due to unfavourable percolation test results from nearby sites with a similar geology. We are discussing a discharge to the Periton Coombe watercourse with SCC; however, there are existing capacity issues with this watercourse and, as such, we are seeking an alternative connection to sewer.

Wessex response.

I can't see a problem in accepting greenfield run-off flows into the SW sewer at the junction of Higher Park and West Park. It's 300mm and will have capacity.

Final amended comments

Sewerage infrastructure

- Foul Water and Surface Water discharges must be drained separately from the site.
- Surface Water connections to the public foul sewer network will not be permitted.
- Points of connection are to be agreed in consultation with Wessex Water. Please see Wessex Water's guidance notes 'DEV011G – Section 104 Sewer Adoption' and 'DEV016G - Sewer Connections' for further guidance and contacts.
- Surface water discharge must be disposed of in accordance with Suds Hierarchy and NPPF Guidelines and should be directed to local land drainage systems where possible. A connection to the Wessex Water surface water network should be considered as a last resort, but if proven necessary there is currently a limited amount of capacity available to accept a restricted 'greenfield runoff' discharge to the public surface water network at the junction of Higher Park and West Park (MH 9902), connection will be subject to application and approval from Wessex Water. The restricted discharge rate and flood risk measures will require the approval of the LLFA and IDB and Wessex Water.
- Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system

We would request that if you are minded to grant consent that the condition below is included within the consent to ensure no detriment to existing residents, the environment and to Wessex Water assets.

Sewerage Condition

The development shall not be commenced until a drainage strategy is submitted and approved in writing by the Local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker.

•a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development

•the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property

Water Infrastructure

A local connection can be provided to supply the proposed development. The applicant should consult the Wessex Water website for further information, www.wessexwater.co.uk/Developers/Supply/Supply-connections-and-disconnections. Buildings above two storeys will require on site boosted storage.

I trust that you find the above of use, however please do not hesitate to contact me if you require further information or clarification.

Somerset County Council - Lead Local Flood (LLFA)

The development indicates an increase in impermeable areas that will generate an increase in surface water runoff. This has the potential to increase flood risk to the adjacent properties or the highway if not adequately controlled.

The site slopes steeply from south to north towards the A39 Periton Road. Minehead has known surface water flooding issues caused in main by the lack of capacity of the surface water drainage systems, and culverted watercourses that flow through the town, this is further exacerbated by the issue of tide locking at the outfall areas.

The applicant has submitted an outline proposal for the surface water drainage system that utilising permeable paving coupled with a porous sub-base to provide the total required attenuation for the site, it should be noted that permeable pavers would not be adopted by the LLFA as a surface water drainage system or by the SCC Highways as they do not meet the adoptable standards for highway construction.

Within section 4.3 (and others) of the submitted Flood Risk Assessment, the applicant has stated that the post development runoff rates and volumes would be reduced to 60% of the existing runoff rates and volumes, thereby offering a 40% betterment over existing, however, within section 4.25 the applicant contradicts this statement by stating that *“surface water runoff rates and volumes for the proposed development are limited to equivalent Greenfield rates and volumes for the operational lifetime of the development”* the proposed achievable runoff rates and volumes will need to be confirmed by the applicant. The LLFA would be looking for a minimum 40% reduction over existing runoff rates and volumes post development.

At the time of submission the applicant has not undertaken any infiltration testing within the site boundary although adjacent sites have been tested and found to be

unsuitable, within the LLFA pre application response of 19 April 2016 (included as an appendices to the submitted flood risk assessment), the LLFA agreed that this type of testing could be undertaken at detailed design stage, provided that an alternative drainage strategy was set out at outline stage, the applicant has failed to provide any alternative drainage strategies.

Wessex water have made note in their pre application response that whilst they would consider accepting surface water runoff from the site to the existing combined sewer on Periton Road, this would have to be as a last resort and also noted that the existing system has no further capacity.

The Internal Drainage Board should also have been consulted with regards to this application as the ultimate outfall for the surface water systems and culverted watercourse in the Minehead area all fall within an area under their jurisdiction.

The LLFA would OBJECT to this application at this junction for the following reasons: -

- The applicant has not provided a feasible alternative drainage strategy within the application.
- The area lower downstream has known flooding issues with the culverted watercourses and combined sewers surcharging, the applicant has not provided evidence that discharging surface water (even at the proposed reduced rate and volume) from the site via the unnamed watercourse at the Eastern boundary will not have any adverse effect on the downstream watercourse.

Further comments following amendments

Thank you for re-consulting the LLFA following amendments to the application. The LLFA would maintain their OBJECTION at this time and refers the applicant and the LPA back to original response dated 05/07/16 for details of our objection.

Further comments following amendments

The development indicates an increase in impermeable areas that will generate an increase in surface water runoff. This has the potential to increase flood risk to the adjacent properties or the highway if not adequately controlled.

The site slopes steeply from south to north towards the A39 Periton Road. Minehead has known surface water flooding issues caused in main by the lack of capacity of the surface water drainage systems, and culverted watercourses that flow through the town, this is further exacerbated by the issue of tide locking at the outfall areas.

The applicant has submitted an outline proposal for the surface water drainage system that utilising permeable paving coupled with a porous sub-base to provide the total required attenuation for the site, it should be noted that permeable pavers would not be adopted by the LLFA as a surface water drainage system or by the SCC Highways as they do not meet the adoptable standards for highway

construction.

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At the time of submission the applicant has not undertaken any infiltration testing within the site boundary although adjacent sites have been tested and found to be unsuitable, within the LLFA pre application response of 19 April 2016 (included as an appendices to the submitted flood risk assessment), the LLFA agreed that this type of testing could be undertaken at detailed design stage, provided that an alternative drainage strategy was set out at outline stage, the applicant has failed to provide any alternative drainage strategies.

Wessex water have made note in their pre application response that whilst they would consider accepting surface water runoff from the site to the existing combined sewer on Periton Road, this would have to be as a last resort and also noted that the existing system has no further capacity.

The Internal Drainage Board should also have been consulted with regards to this application as the ultimate outfall for the surface water systems and culverted watercourse in the Minehead area all fall within an area under their jurisdiction.

The LLFA would OBJECT to this application at this junction for the following reasons: -

- The applicant has not provided a feasible alternative drainage strategy within the application.
- The area lower downstream has known flooding issues with the culverted watercourses and combined sewers surcharging, the applicant has not provided evidence that discharging surface water (even at the proposed reduced rate and volume) from the site via the unnamed watercourse at the Eastern boundary will not have any adverse effect on the downstream watercourse.

Email to applicant consultants (referenced as Appendix B7) dated 26/7/17

Thank you for the update. We are pleased to see that you are proposing betterment by reducing the footprint and implementing the use of on-site attenuation, with flows held back to greenfield rates we would have no objection to

the discharge into Periton Coombe Brook. Dependent upon the detail included in the revised layout and FRA it is likely that we would ask for a condition for detailed

design but other than that I see no immediate issue with what you are proposing in your email.

Final comments

Further to additional information and a revised Flood Risk Assessment submitted to the LLFA from the applicant the LLFA would like to withdraw our objection to this application.

The applicant has now shown a reduction in impermeable area, hence a reduction in surface runoff volumes, along with confirmation from Wessex Water that they have the capacity within their current system to accept the surface water runoff at Greenfield Rates.

The LLFA therefore has no objection to the application subject to the following construction condition being applied should the application be approved.

Condition: No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

Tree Officer -

My comment regarding this application, and its effect on existing trees, is as follows.

The site contains a variety of trees of differing quality and landscape impact. On the whole, I would agree with the assessments and categorisations in the tree survey, although certain trees shown to be removed I would ask to be retained.

The trees that are shown to be removed on drawing 8505/200 that I would like to see retained are the Coast Redwood, T45, the Mulberry T12 and the Strawberry Tree T25. There are mature Redwoods at three corners of the site. There may well once have been one in the north west corner as well. T45 is actually shown to be retained on the Tree Protection Plan. These are quite rare trees as mature specimens. The Mulberry is a fine old specimen, as is the Strawberry Tree. These are typical of very old gardens. They are slow-growing, and these ones are veterans. Although they are relatively small trees, especially the Strawberry Tree, I

believe that their value should be recognised and they should be considered an asset to the site, and designed around.

There are many Macrocarpas along the north and east boundaries. I welcome the retention of the trees along the northern boundary, but I don't believe it is essential to retain T1 in the north west corner, even though it is quite a good specimen. I do not think that the removal of group T27-44 on the eastern side would be too detrimental to the landscape in the long term. These trees are mature, and are prone to shedding branches and looking unsightly. Their replacement with native hedgerow with standard oaks or similar would be preferable long-term.

I would like to see the scheme re-designed to allow the retention of trees T12, T25 and T45, and to allow more space between the houses and trees T45 and T53 so that their Root Protection Areas were avoided. This would also lessen the effect of shading, leaf-drop and perceived threat from these trees on the residents of the new houses.

Further comments following amendments

Re Periton Mead, most of my comments of last October still apply. I'm disappointed to see that the mulberry tree (T12) is still to be felled on the site plan. Glad that strawberry tree (T25) is retained. I think that the houses in the south west corner are too close the coast redwood, T53. They are only just outside the RPA line, so the reality of constructing those houses on site is going to cause issues with the roots. Also, there will be pressure from potential residents to fell because of shading and perceived threat of the tree falling.

22/09/17 - TPO at Periton Mead has been served.

Biodiversity and Landscaping Officer –

The proposal is to develop the site for housing. The main house and the attached coach house will remain and be converted to flats. All other buildings will be removed.

Helix Ecology carried out a bat and nesting survey of all the buildings on site followed by follow up roost and activity surveys. The latest report is dated July 2016.

Bats

Small numbers of seven different bat species roost in the buildings on site.
The main school building- serotine, common pipistrelle, soprano pipistrelle and natters bat

Sports hall -- serotine, common pipistrelle and whiskered bats

Garage- lesser horseshoe bats and myotis bats and common pipistrelle

Science Block - limited number of features with bat roost potential

Coach House - limited number of features with bat roost potential

There is no evidence of a maternity roost on site. Serotine and pipistrelle bats are likely to hibernate.

Two further bat surveys should be carried out between July and August to inform

use of the site by commuting and foraging bats, in order to develop a lighting plan for the site.

Trees on site need to be surveyed for bats and nesting birds

A European Protected Species Licence will be required to develop the site.

Details of proposed mitigation should be shown on architectural drawings

Birds

Two pairs of house martins nest under the eaves in the science block

A nesting bird survey should precede demolition.

3/21/16/075 Further comments

Biodiversity

Further to comments made since September 2016, are arrangements underway to carry out the recommended further bat surveys?

Have trees on site been surveyed for bats and nesting birds?

Landscape

I support comments made by Minehead Conservation Society that the revised proposal still fails to adequately protect the listed building and its unique garden setting.

The density of the proposed new bungalows is still too great, thus impacting on this Lutyens style garden, mature trees and the views towards and off site.

Several trees, which help to contribute to the setting of the listed building and the landscape character of the area by forming a backdrop to the town of Minehead, will need to be felled to accommodate this development

The site is part of an important buffer between the town and Exmoor National park.

Further comments following amendments

Biodiversity

The proposal is to develop the site for housing. The main house and the attached coach house will remain and converted to flats. All other buildings will be removed.

Helix Ecology originally carried out a bat and nesting survey of all the buildings on site followed by follow up roost and activity surveys.

GLEC Environmental Consultant carried out a report in July 2017

Badgers

There are no badger setts on the site, but it is anticipated that there are setts within 100m of the site, probably to the east of the site. Several latrines and

badger runs were encountered in the north east corner of the site.

Dormouse

Dormice have been recorded 2km to the west of the site in deciduous woodland. The site is connected to the woodland where the record was made. There is insufficient habitat on site to hold a population of Dormouse. However, there is significant high growth coniferous woodland which would act as a commuting barrier between the record site and Periton Mead. The hedges to the south of the site, which connect it to the coniferous wood 250m away are largely species poor of mostly Elm which are cut annually and thus are unlikely to be used by Dormice.

Reptiles

The grassy and scrub habitats within and around the site make it likely that reptiles are present on site. A full reptile survey was undertaken in July/August 2015 when one slow worm was found. I support the proposed mitigation for reptiles.

Great Crested Newt

There is one pond on the site, though only 1m² in area and with vertical concrete sides and slabs overhanging the edges, no amphibians could usefully use this pond. There are no records of GCN within 10km of the site.

Birds

Two pairs of house martins nest under the eaves in the science block

A nesting bird survey should precede demolition. As the majority of the site is likely to be used by nesting birds clearance of vegetation should take place outside of the bird nesting season

Bats

In the initial surveys, Small numbers of seven different bat species were found to roost in the buildings on site.

The main school building- serotine, common pipistrelle, soprano pipistrelle and natters bat

Sports hall -- serotine, common pipistrelle and whiskered bats

Garage- lesser horseshoe bats and myotis bats and common pipistrelle

Science Block - limited number of features with bat roost potential

Coach House - limited number of features with bat roost potential

There is no evidence of a maternity roost on site but Serotine and pipistrelle bats are likely to hibernate

Two further bat surveys should be carried out between July and August to inform use of the site by commuting and foraging bats, in order to develop a lighting plan for the site. This does not appear to have taken place to date. In addition Trees on site need to be surveyed for bats and nesting birds. A European Protected Species Licence will be required to develop the site.

Details of proposed mitigation should be shown on architectural drawings.

SOMERSET WILDLIFE TRUST –

We have noted the above mentioned Planning Application as well as the supporting Ecological surveys provided by Helix Ecology and Guy Lowndes as well as the comments made by the Authority's Ecology Officer. In general we would be in agreement with the findings of the Ecological surveys. We would fully support the proposed bat and House Martin Mitigation measures as outlined in Section 5 of the Helix report as well as in Section XI of the summary. We would also fully support the proposed Ecological Site Improvements outlined in the Guy Lowndes report. In addition we would also request the provision of a number of Sparrow Terraces at suitable locations in the site. Reference has been made in the Planning, Design and Access Statement, Section 4.26 and 4.27 to the Wildlife Area within the site which is initially to be used as a receptor area for Slow-Worms during the construction phase. We would like to see this area retained as a Wildlife area and properly managed for that purpose. We would request that all of these proposals for Mitigation and Enhancement should be included in the Planning Conditions if it should be decided to grant Planning Permission.

Amended comments

We commented on this Application on 13th September 2016. We have noted that Helix Ecology have provided further information and that it is intended to provide a revised plan of required mitigation and outstanding survey reports in due course. On this basis we may wish to amend our previous response even if it is after the official closing date for the public consultation.

THE GARDENS TRUST -

The Gardens Trust (GT) has had the above application brought to its attention by Minehead Conservation Society. The GT is a Statutory Consultee with regard to proposed development affecting a site included by Historic England (HE) on their Register of Park & Gardens. Although the gardens at Periton Mead are not listed in their own right some features are mentioned in the HE Register entry for the house and the whole ensemble of house and garden was conceived as one by the architect Percy Morley Horder. Photographs from Country Life of 1923 show Lutyens' like terracing, steps and walls, all of which remain, although in a neglected state.

The GT welcome the removal of the unsympathetic modern school buildings around the main house, the demolition of the modern extension and mentioned within the *Heritage Appraisal with Impact Statement (HAIA)* of the conservation of the East Terrace, Sunken Garden, repairs to the retaining walls, steps and replacement of the tarmac playground with lawns. However, much of the benefit of this work will be completely undone if the demolished modern extension is replaced by units 16 & 17 immediately adjacent to the southern formal terrace and numerous housing units, especially number 8-15, are constructed within the formal landscape setting. Nos. 8-12 in particular will be visible from the main windows of the listed building as they extend beyond the building line of the main house. They will also impact negatively upon the setting of the northern edge of Exmoor

National Park. There is also mention in the HAIA of a feature tree to be placed to "close the unfinished south vista" of the southern garden. Whether this was part of Horder's original intention is not made clear and the GT would welcome far more detail with regard to the proposed restoration of these important landscaped areas and information regarding future management and maintenance, especially as it would appear that yew hedging and a mature mulberry are due for removal. There is also mention of removal of the 'macrocarpa' trees on the eastern boundary (LVIA p2). There is no such tree that I am aware of and I wonder if the author means *Cupressus macrocarpa* (common name Monterey Cypress), which was presumably planted especially as it is 'excellent for coastal planting in the teeth of the wind'. (Burncoose Nurseries on-line catalogue). If this is indeed the correct tree it demonstrates that much thought went into the planting of the garden and the GT is not convinced that sufficient consideration and weight has been given to the restoration of the designed landscape around the house, which is so integral to the architect's original vision and indeed to the wider setting of the property. Notwithstanding the inclusion of the land around Periton Mead in the emerging West Somerset Local Plan 2032 - Submission Draft July 2015 as a post 2026 strategic development site (allocation LT1) such dense building in the immediate vicinity of a listed building and its curtilage listed features can only be detrimental to its significance and setting.

The Gardens Trust Objects to this application, and we would be glad if you would keep us informed as to the outcome of this application.

Housing Enabling –

I would advise that my comments from an enabling perspective are as follows.

Minehead remains the highest demand area for West Somerset for affordable housing – particularly affordable housing for rent. The predominant need is for smaller one and two bedroom properties.

At the time negotiations started with the Agent, it was agreed that, in this particular case, an off-site financial contribution in lieu of affordable housing would be acceptable.

This decision was made for a number of reasons including the lack of finance available to deliver affordable housing for rent and the uncertainty at the time of Housing Provider development capacity. It was also likely that any on-site provision would be delivered as a form of low cost home ownership and, whilst there is a need for this in West Somerset, I had concerns given the amount of new-build and re-sale properties which currently exist and the affordability of the product given its design and location.

I note that the Agent has suggested a figure which is payable in viability terms but would confirm that negotiations are currently on-going. I would, however, advise that Vacant Building Credit is likely to have a significant impact in this case.

Further comments following amendments

Further to the above application, I would firstly refer back to my comments made

in respect of these applications in September 2016. They were :-

Minehead remains the highest demand area for West Somerset for affordable housing – particularly affordable housing for rent. The predominant need is for smaller one and two bedroom properties.

At the time negotiations started with the Agent, it was agreed that, in this particular case, an off-site financial contribution in lieu of affordable housing would be acceptable.

This decision was made for a number of reasons including the lack of finance available to deliver affordable housing for rent and the uncertainty at the time of Housing Provider development capacity. It was also likely that any on-site provision would be delivered as a form of low cost home ownership and, whilst there is a need for this in West Somerset, I had concerns given the amount of new-build and re-sale properties which currently exist and the affordability of the product given its design and location.

I note that the Agent has suggested a figure which is payable in viability terms but would confirm that negotiations are currently on-going. I would, however, advise that Vacant Building Credit is likely to have a significant impact in this case.

These comments remain relevant but, by way of an update I would add the following:-

- Vacant Building Credit remains an issue to take into considerations even though it has been largely ignored by the Applicant. This would particularly be the case in the application 3/21/16/076 – conversion of the listed building into 14 flats, as there would be no net gain in floor space and no affordable housing contribution would be payable
- Negotiations took place regarding the level of affordable housing payment required and an offer was made by the Applicant which was far lower than the Policy requirement.

The viability assessment submitted with this offer was flawed and a further copy was requested in October 2016. This was never received and so agreement was never reached on an appropriate figure

- I note that the Draft Heads of Terms contains a revised figure which has dropped dramatically since the first proposal but no justification has been given for the applicant who refers back to the original flawed viability assessment.
- The National Planning Policy Framework is clear that local planning authorities, when requiring obligations, should be sufficiently flexible to prevent planned development being stalled. It also states that evidence based judgements should be made and, in my opinion, the evidence available relating to this particular site is not adequate to make such a judgement, and is why further information has been requested.

Amended final comments on revised scheme;

Further to recent revisions made to the above application, please find below an up-dated Housing Enabling response.

I have reviewed the figures as follows and would make the following comments:-

- The Council does not have a requirement to provide affordable housing at a rate of 54% (as stated in the S106 Affordable correspondence dated 31st July 2017). To be Policy compliant affordable housing is sought on a ratio of 35/65 (or 35%)
- In this case, the affordable housing contribution figure has been calculated as £1,466,772
- Vacant Building Credit can be applied to this case as the existing buildings will be brought back into lawful use or demolished
- The figure quoted of £365,858 is irrelevant as this has been calculated on the number of affordable housing units, whereas Vacant Building Credit is calculated as a percentage of the required contribution

- Calculation should read
 - Existing buildings = 2160 (m2)
 - New-build and Conversion = 2778.9 (m2)
 - Net Gain = 618.9 (m2)
 - Net Gain 22%

- This is the percentage of affordable housing contribution we can ask for
 - Vacant Building Credit applied = £1,144,082
 - Affordable Housing Contribution = £322,690 (22% of £1,466,772)

I appreciate that the attached viability assessment shows that the scheme will be making a small deficit, I would, however, have expected to see all Obligations detailed in the calculations (including the affordable housing contribution) to transparently detail the unviability of a policy compliant scheme.

There is no evidence provided for the open market values of the properties. In particular, the value of the three bedroom house (£251,932) is stated as being lower than that for the 2 bedroom house (£259,392). This is completely at odds with what I would expect to see and, without evidence, it is impossible to ascertain whether there is a valid reason for this or whether there is a mistake in the viability information. There are no visible multiples or unit types in the Revenue calculations

In addition, whilst I have only looked at the figures from an affordable housing perspective, there is very little information contained in them regarding the development costs as a whole, which would also impact a viability assessment.

Planning Policy –

With reference to our conversations about the above-mentioned item I can confirm the following points in respect of the requirements of the relevant policies in the West Somerset Local Plan to 2032 (WSLP to 2032);

- The development proposal is consistent with the requirements of Policy SC1: Hierarchy of Settlements in respect of its location and proximity to a settlement identified in that policy. This is notwithstanding any other relevant policy considerations.
- The proposal is not consistent with the requirements of Policy SC4: Affordable Housing, with regard to the provision of the level of affordable housing to be provided as a consequence of the development or the provision of adequate evidence to demonstrate why the proportion of such housing could not be met on development viability grounds.
- The proposal is not consistent with the requirements of Policy ID1: Infrastructure Delivery, with regard to the provision of other items (e.g. contributions towards recreation and community facilities) usually secured through an appropriate Section 106/Planning Obligations agreement or, the provision of adequate evidence to demonstrate why such items could not be met on development viability grounds.

With regard to the second item no information/evidence has been provided as to the overall cost of the development if the affordable housing element was included at the proportion included in the policy (35%) so that a fuller understanding of the viability issues affecting the proposal could be determined. The LPA is required as part of its Local Plan policy formulation to compile an evidence-base which provides the relevant information that informs and demonstrates how criteria and thresholds used in policies were arrived at. In respect of Policy SC4: Affordable Housing, West Somerset commissioned two Strategic Housing Land Viability Assessments in 2008 and 2014 to determine the appropriate proportion of affordable housing that could be provided from qualifying developments. It is acknowledged that on a case-by-case basis some development proposals will not be able to meet the requirements set out in Policy SC4. Where this is the case, applicants are expected to provide clear evidence and construct a case as to why the policy requirements cannot be met. It is these aspects that appear are currently missing or not fully explained amongst the material submitted with the application. The Council has provided two sources/suggestions which could assist the applicant as to how this, and those included in the third item, could be determined through the following documents that are available on its web-site;

- West Somerset Strategic Housing Viability Assessment 2014 – <https://www.westsomersetonline.gov.uk/getattachment/Planning---Building/Planning-Policy/Evidence-Base-Information/Housing---Community-Evidence/Strategic-Housing-Viability-Assessment/West-Somerset-Strategic-Housing-Viability-report-final-draft-14MAR14.pdf.aspx>
- West Somerset Council Planning Obligations Supplementary Planning Document – <https://www.westsomersetonline.gov.uk/Planning---Building/Planning-Policy/>

Minehead Conservation Society - 2/9/16

We note that the applicant is based in Bournemouth. Is he an agent for LLK Property Ltd. based in Malaysia? We can find very little evidence of work by LLK Property Ltd, Core Planning Services Ltd 28c Beauford Road, Dorset other than an application submitted by the same agent for a property in Uplyme.

History of Periton Mead.

Our society is fully conversant with the history of this house which is fully described in the listing document. We, in fact, contributed photographic and other information towards getting it listed so we are fully aware of the important aspects of the recent listing.

Below are set out our objections to the two listed components of the application.

Objections to the proposed conversion of Periton Mead House into 14 Flats

MSC strongly objects to this proposal which it considers to be an ill-thought out scheme that is inappropriate for this newly listed building and fails to adequately protect all original internal and garden features.

1. Periton Mead was only listed in May 2015. The listing which comprises of 12 pages includes original internal features as well as much of the garden and certain features such as the courtyard walls, piers, cobbled courtyard, raised terrace and sunken garden. All these must be kept yet the Design and Access Statement accompanying the application uses weasel words' as the internal layout, is carefully designed to retain AS MUCH of the original features.
2. This is not acceptable. ALL the original features MUST be kept. Listing includes any object or structure fixed to it and any object or structure that has been within the curtilage since 1948. Any buildings built before 1914 & 1939 which are selected to be listed are of high quality interest or historic interest. Listing means that both the exterior and the interior are protected.

In our view the proposal put forward would impact adversely on the character of the special architectural interest of Periton Mead. Architectural interest is defined as – design decoration and craftsmanship.

3. Dividing the property up into 14 little boxes will inevitably mean the loss of valuable heritage features and the division of former principle rooms. Listing was introduced as a form of control to prevent alteration, demolition or extension to designated buildings.
4. We can see no need other than to make additional money, for the proposal to extend the original house. It has only been listed for its architectural merit so it would seem perverse to permit an extension that alters it façade

simply to cram in another flat.

- There were other local people who were interested in purchasing Periton Mead so it cannot be claimed that this proposal is necessary to save the building. We fully appreciate the need for affordable and first time buyer housing and would not object to the conversion of a large non-listed property of indifferent architecture for such a purpose, but we do object to a listed building with a number of high quality historical features and quality garden structures being compromised by such an ill-thought out scheme. There can be no justification for this when so much other land has been earmarked for that type of development.
- The listed elements of the garden cannot be safeguarded if there are 14 different residents none with direct responsibility. The turnover of one bed flats is very high which would exacerbate the problem.
- Minehead has multiple 1 & 2 bed flats, as well as residential homes and much sheltered accommodation. Whilst these are needed so are family homes. First time buyers move onto larger properties. Should Hinkley C be built, not all those who might come to work there are single or in need of affordable housing; many will be professional family people wanting quality family homes.
- This is a golden opportunity for Periton Mead to be brought back to its former glory by an appropriate development that will maximise its assets; make the best of its historic features, restore some of the lost features like Oak doors and enhance its newly listed status.
- We consider that the integrity of this fabulous house and its listed features can best be preserved by being divided vertically into 4 large family homes. Each elevation is distinctive which means that each of the four houses would be individual. Each would benefit from some of the original features. If one included the kitchen it might only gain a slate floor and original tiling; if the servants hall a fireplace. Yet each one is desirable and adds character to the home. It also keeps the heritage of this imposing house alive and intact. Each would gain spacious rooms, separate entries, and privacy. There are several staircases and bathrooms already, waiting to be utilised. There are many examples of large houses being divided in this way (in Porlock for example) and they make extremely sought after desirable residences. Just the type of individual homes many moving to the area are looking for.
- Each of the four homeowners would be responsible for the listed parts of the garden either collectively or by having an individual garden, each of which might incorporate a listed feature e.g. the walled courtyard with its cobbles in geometric pattern could belong to one of the properties. Again this would be the best way to safeguard our heritage.
- Limiting the conversion to 4 residential dwellings would reduce the number

of car movements on to a busy road with difficult sight lines due to its undulating nature at that point.

- 14 flats would generate a great deal of light and change the nature of the landscape.

Proposal for 17 new dwellings in the grounds of Periton Mead

We have very serious concerns with regards to this application.

The Planning Policy Framework implicitly states that:

When considering the impact of development on the significance of a designated heritage asset great weight should be given to the assets conservation.

The proposed development is in the curtilage of a LB. Its design does not appear to accord with the vernacular architecture of Minehead or Somerset and certainly will not blend with the existing Arts & Crafts LB. One unit is shown with a tree 'Tesco-type turret'? Why is that?

This developer based in Dorset which has some excellent examples of new & affordable housing built using traditional materials. We, too, have access to local materials. There is no excuse for inferior design particularly in such a sensitive location. Presumably all architects are aware of the traditional architectural styles of each county?

More importantly, the site is in an Area of Special Landscape, close to ENP and outside of the defined development limits of Minehead. The properties on the north side of Periton Road are large and set in spacious surrounds, it's hard to see how a cluster of bungalows could sit comfortably between two of these large houses without having an adverse impact on their character and the character and appearance of the landscape. The site can be clearly seen from North Hill so any impact would be far ranging.

The density is too great. A maximum of 8 new dwellings might be considered. At Combe Sydenham, for example there is a delightful terrace of small cottages within the curtilage of the historic house. An example in Minehead is at the top of Periton not far from the site. These sit comfortably within the setting and have no adverse impact as they are discreet and attractive. This type of development being timeless might be acceptable if carefully designed and situated.

This would eliminate the need for the felling of mature trees and the extraordinary suggestion of 'translocation of yew hedges to suitable locations to fit in with the new layout' another way of saying it will allow more land for housing and car parking!

The trees in the grounds not only contribute to the setting of the LB but to the overall landscape value. They make a statement and being situated on a slope are seen from a great distance enhancing the view for many people. Mature trees cannot be replaced. They provide a very valuable service by taking up huge amounts of water that would otherwise drain down to the road. The talk of

replanting is easy but trees take years to grow and there is no mention of species. The current ones are important and significant species. If land is to be limited such species, that require space, will not be replaced. Trees for small gardens will be the type of replacements and the landscape will be destroyed. Time was when developers were made to incorporate large existing trees into their schemes not cut them down. Minehead is the gateway to Exmoor and many people bought here because of its tree cover. We all know that trees need management but it is never acceptable to fell healthy trees especially in an Area of Special Landscape Value. The trees are one of the most vital elements in securing that designation.

Lighting that will inevitably accompany this development and its roads will drastically change the setting of the LB. It will spoil the darkness currently enjoyed by residents to the south of Periton Road.

The potential for flooding will be increased with so much land being concreted over. In 2014 some properties opposite the site had problems.

How many people will want to buy into this unsustainable development. Elderly people will not want properties on sloping ground that are beyond walking distance of any shops and be forced to drive everywhere. People who need affordable housing often cannot afford a car. They are not big enough for families. There is no bus services passing the site.

Additional Points _

Whilst the former Head Teacher's house is not of any great architectural merit it is nevertheless a substantial detached property with its own garden and garage. It is certainly comparable to many other Minehead homes. There is nothing wrong with it. With very little effort to its exterior could be cosmetically improved so that it would not impact adversely in any way on the LB. It is already part of the scene and has been for many years. It is in a very desirable & peaceful situation. Proceeds from the sale of this house alone would fund restoration of some of the missing original features within the main house and much of the conversion work.

We would have no objection to the removal of the former workshop/machinery garage and portable classrooms, the single storey teaching block and sheds.

We ask that you will reject both of the submitted applications. Minehead deserves far, far better than this scheme. So does the former Percey Morley Horder's beautiful Arts & Crafts home Periton Mead.

Further comments

Further to our previous letter of September 2nd we wish to make the following additional points;

- a) We consider the description of the new build homes as bungalows to be misleading. From the plans they appear as two storey with dormers in the roof.
- b) There seems to be a lack of appreciation of the importance of the listed garden areas. From the plans it look to us as though part of the listed elements are to be

built over. If so, this is surely a disregard of the importance of those features to the overall contribution they make to the LB. The design of the garden was revered in its day and it is essential that the remaining features are seen, protected and restored.

c) The site was not included in the local plan for possible development. We were disappointed that some of the garden was excluded from the listing. We should prefer no residential development in the grounds. We did suggest a possible maximum of eight dwellings, should the planners be minded to grant some development, but more than that would be a gross over development. Even that many would have to be subject to an appropriate design and layout that would sit comfortably with the existing building and its setting and not detract from its character and appearance.

d) A house the size and scale of Periton Mead needs a large space around it to retain its appeal. This undoubtedly would be drastically diminished if the garden was to be reduced by cluttering it with domestic buildings and their associated trappings.

e) The proposal to be built along the drive would adversely impact on the setting of Periton Mead House. The character and appearance of such a large house set well back from the road is enhanced by a sweeping drive. This long undeveloped drive enables the house to make a grand statement and must have contributed to the overall impact to the house when it was assessed for listing.

For these reasons together with those already submitted we ask that these applications are recommended for refusal.

Response to agent email sent on 31st Oct regarding amended details for proposed development at Periton Mead, sent December 1st 2016

In this the agent states that in his opinion these amendments are sufficient to overcome all objections relating to the impact on the setting of the listed building.

Our Society does not consider that its objections have in any way been addressed particularly with regard to the conversion of the LB. We still adhere to the view that 14 flats within the LB are far too many to adequately safeguard the heritage assets of this property and there appears to be no inclination to accept this but rather to tinker with their former proposed lay-out.

In flat 4, for example it is proposed to retain the former library with a note to say that shelves will be kept! Why anyone think of removing the most important element of the library beggars belief. It is hard to conceive that anyone with any modicum of conservation experience would ever consider not retaining a library in tact in an LB. Secondly, it is proposed to make the 'most' of the original drawing room in the SAME one bed flat. We really cannot accept this as a serious proposal.

Whilst the number of bungalows has been reduced, although not enough in our opinion, it is only down to the number that the developers probably thought they

might get. We are all familiar with the ploy of putting in for far more than it is thought acceptable, and when people object to the number, it is reduced down to what the developers really want. However, there has been no acceptance that so-called bungalows are not the appropriate type of dwellings to build in a road typified of large houses in large plots. They will frankly look incongruous. The only one that might be acceptable is the gatehouse if situated at the end of the drive. We must re-iterate that we are surprised that a Dorset based developer has so little feel for the attractive nature of this site when so many developments in rural Dorset blend in so sympathetically with their surroundings.

It appears that whoever, wrote up the flood report has not actually visited the site. It is a great pity that he did not come on November the 21st when we had such a deluge of rain and watched which way the water actually did flow.

There are so many questionable proposals in this application that we firmly believe the developers should withdraw their application and either sell their property on or seriously re-appraise their approach to this heritage property and take local concerns more fully on board.

It is Minehead's heritage that we are fighting to preserve from insensitive development.

Mcs cmts 18 oct

MCS has persistently argued that the number of new builds proposed for the grounds of Periton Mead is too high. In light of the obvious pressure on both the sewage and drainage systems the most sensible solution would seem to be to do exactly as we have consistently suggested and reduce the number of new builds.

Representations Received

26 comments received (of which 21 are objections) raising the following points;

Support

I am in favour of housing application, this property has been out of use for years and is a blot on the landscape. However, it is important as a part of any approval that road improvements, either a roundabout for access or traffic lights will be beneficial for road safety.

General Comments

- If there is a proposal to cut a new access point to the site in close proximity to the entrance to my property, this would create an intolerable risk to all road users due to the A39 road layout in this vicinity and the current speed of vehicles along the A39.
- I feel that the scheme has not been thought through in a very constructive way. Periton Mead House itself is a particularly beautiful and iconic old Listed country house, that needs to be considered in a very sensitive way.

- With regard to the access, more detail of this is required – will any of the existing bank, planting etc. need to be removed.
- Mention is made of the removal of some trees, bushes, etc., but it is not obvious which trees would be trimmed or lowered – trimming/lowering would have the effect of opening the site up - what is intended to happen to the large laurel hedge at the top of the existing bank opposite our property.
- The item of great concern to me is the drainage of the site.
- This development, if allowed to proceed, will have the effect of intensifying traffic use to an even greater alarming rate.

Objections;

- On flooding grounds.
- Special Landscape Area and proximity to ENP.
- Violation of the Arts & Craft plus loss of integrity of the LB
- More homes sharing current infrastructure?
- Higher volumes of traffic in the area will result from this development.
- Proposed pedestrian crossings on a busy dangerous road.
- Archaeological survey required as neolithic and mesolithic flints found sw of Periton House.
- Location of the new dwellings forward of principle of the main house are unacceptable.
- New development would unbalance the proportions of the historic building.
- Location of units beyond rear elevation of the house will overshadow the historic gardens and landscaping.
- Removal of the existing eastern tree boundary should be retained to screen site.
- Proposed dwellings are not in keeping with local vernacular or historic setting.
- Removal of unsympathetic additions would be a great benefit.
- Chalet style designed dwellings in poor materials unacceptable.
- Would be better to divide the main house vertically to provide decent sized homes retaining special features.
- How will listed garden areas and features be maintained.
- It is unbelievable that interior features of the main building could be lost when divided into so many units.
- Minehead is becoming multiple flat land.
- If the proposed number of trees are removed this will scare the landscape.
- Biodiversity aspects need further investigation.
- Cramming 31 dwellings on this site in a confined area is completely unacceptable.
- Concerns re visibility at the access and also within the site, are the turning heads appropriate.
- Design & Access Statement (sec. 4.9) mentions creation of a new junction but plans do not show it.
- It is presumed that lighting will be provided, existing street lights already cause problems.
- It does not seem appropriate to build two units onto the main house which will unbalance the design and these should be removed.
- Fewer houses would mean felling fewer trees, less traffic and less potential for flooding.
- The large coach house is too close to the main building

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

West Somerset Local Plan

SD1	Presumption in favour of sustainable development
SC1	Hierarchy of settlements
SC2	Housing Provision
SC3	Appropriate mix of housing types and tenures
SC4	Affordable Housing
NH1	Historic Environment
NH2	Management of Heritage Assets
NH5	Landscape character protection
NH6	Nature conservation & biodiversity protection & enhancement

Emerging West Somerset Local Plan

R/6	Public Open Space and Small Developments
T/8	Residential Car Parking
TW/1	Trees and Woodland Protection

Determining issues and considerations

- **Principle of Development**
- **Impact on Character and appearance of the area**
- **Impact on the setting of the listed building**
- **Biodiversity**
- **Arboricultural Report**
- **Impacts on residential amenity**
- **Highway Safety**
- **Transport Statement/Travel Plan**
- **Flooding/Drainage/Waste**
- **Planning Obligations**
- **Conclusion**

Principle of Development

This site is located outside of the former development limits of Minehead but is however, close to the contiguous built up area opposite the site. It is understood that the current lawful use of the site is (C2) a Residential School which has been vacant since this last use. Previously in terms of local policy the site was classed as being outside the settlement limits. However, since the adoption of the recent West Somerset Local Plan to 2032, the site is now within the 50m contiguous build up under SC1. Also close to site allocation for housing M2 (Hoptcott extension), and LT1 as part of M2 is also applicable

The following National Policies contained within the National Planning Policy Framework (2012) NPPF are primary considerations;

Sustainability

Paragraph 7 of the (NPPF) is the crucial test in determining whether or not a development proposal is sustainable. The three tests associated with sustainability are economic, social and environmental considerations of future development. Therefore it must be considered whether this scheme provides economic benefit to the local economy, including the provision of any infrastructure. Whether a social role, will be met in terms of supporting a strong vibrant healthy community with housing meeting needs of the current and future generations by creating a high quality built environment accessible to local services and reflects the community's need. The environmental test seeks that development protects and enhances the natural, built and historic environment whilst also helping to improve biodiversity and use of natural resources. Paragraph 49 of the NPPF guides that housing applications should be considered in the context of the presumption in favour of sustainable development. The location of a site is a key determining factor of sustainability.

Planning policy seeks to ensure that maximum use of public transport, cycling and walking can take place (paragraphs 17 and 35 of the NPPF). The site is located approximately 1.490m (11/2km) from Minehead Town Centre and Alcombe is located some 1.780 (1.7km) from the site which has more limited basic services. Future occupants of the site would be reliant on their own private vehicles, cycling or walking, or on the available local public transport for everyday essential and access to services.

Chapter 12 of the NPPF contains the relevant guidance relating to conserving and enhancing the historic environment particularly relevant are paras 128 and 129 (significance of harm to asset). This element will be discussed further in the report and is a crucial consideration in this case as it is paramount that the proposal meets the test of the benefits of approving the proposal in order to retain the listed building and that the development outweighs disadvantages of harm caused to the fabric and setting of the listed building.

Housing supply

In considering a proposal against sustainable development principles and the provision of a supply of housing to meet the needs of present and future generations is an important factor. This development would make some contribution towards housing supply. In terms of making a planning judgement, these benefits have to be weighed against the adverse impacts as discussed below in the report. The NPPF Chapter 6, guides on delivering future housing supply (para 47) and (paras 50 and 51) regarding a future provision of a 'wide choice of quality homes' and bringing back into residential use empty housing and buildings. Paragraph 53 particularly advises that local planning authorities should resist inappropriate development of residential gardens where it would cause harm to the local area. The need to provide a mix of housing within the West Somerset District must therefore be weighed against the harm that the scheme would cause to the Heritage asset.

Listed Building

The scheme also seeks advice on the development of 17 dwellings via a mix of terrace, semi-detached and eco styled dwellings around the main Periton Mead House and the main house being divided into 14 apartments. In consideration of the above (Section 66) of the (Listed Building and Conservation Areas) Act 1990 and para 133 of the NPPF (substantial harm to heritage assets) are relevant and in this instance. The proposed dwellings should also be weighed against para 134 of the NPPF, (less substantial harm to a heritage asset), the harm is weighed against not only the harm caused but also public benefits of the proposal.

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special regard is paid to the desirability of preserving the listed buildings their settings, and any features of historic or architectural interest that they possess when considering whether to grant planning permission. The current proposal is for the demolition and removal of the more modern parts of the now Listed Building, such as the removal of old temporary classrooms, the 1960's style science block and the gym building are subject of this and the concurrent LB proposal (ref ending 076). These works would be an improvement to the fabric of the building and also to the setting of the listed building and can be considered as a public benefit and a consideration in enabling development, to be discussed further.

Design

Chapter 7 of the NPPF, contains national guidance on the importance of good design and is appropriate in this case and advises that good design is a key aspect of sustainable development, and also to achieve high quality inclusive design. Negotiations has taken place and the scheme has recently been amended in terms of the design of the new build elements around the listed building. The design of the new dwelling now include Arts and Style groups of dwellings and a small number of eco styled units to a high quality inclusive design. The relationship of the new build elements in relation to the heritage asset have now largely been contained to the eastern side of the site (with the exception of two eco units). The new site layout has been developed in order to upgrade and enhance the rear (eastern side) of the main house, where the heritage gardens will be provided and upgraded, and this will also further protect the vista and views from the main house towards the southern boundary and Exmoor National Park beyond.

The new art and craft style elements are considered to be more in-keeping with the

design and vernacular of the main house itself, whilst the eco styled units are designed to be read as part of the garden rather than the historic estate. A light access road to the south west of the main house has been designed to open the development in the south western corner. It is therefore considered that the recent design change better relates to the listed building as opposed to the original bungalow styles.

Local Policy

Since this and the concurrent application for listed building consent ref 3/21/16/076 were submitted to the LPA, the West Somerset Local Plan to 2032 has been formerly adopted as of November 2016. There are also some remaining saved applicable policies of the adopted West Somerset District Local Plan (WSDLP) 2006 relevant in this case. These include;

R/6 (Public Open Space and Small Developments) - This policy guides not only on large sites but also smaller ones with regards to the types of dwellings, location, size of the scheme and the existing residential provision in the area. It guides that on residential development of less than 25 dwellings can be sought to provide open space including the following elements;

i) Amenity and Informal areas - to include well lit space with seating and servicing. It can be considered in this case that the provision of sensitive parking provision, communal spaces to include the upgrading and instatement of the formal gardens around the main building could go some way to address this.

ii) Children's play space - No provision has been suggested or proposed in this respect.

It is also noted that the Open Space should be well related and easily accessible and include good pedestrian and cycle routes on the site plus clear access to service and emergency vehicles. It is also accepted that conditions and/or agreements maybe required and indeed agreements for contributions toward the provision on or off site could be requested if it is impossible to provide these elements on the site. This will be discussed further in the report under Planning Obligations.

Policy T/8 (Residential Car/cycle Parking) is also applicable and the developer should also provide secure and cover cycle storage and if a reduced level of car parking is appropriate, the developer would be required to provide a contribution towards in improving deficiencies in public services cycleways or pedestrian facilities associated with the development.

Relevant polices in the West Somerset Local Plan to 2032, include;

Policies SD1 (Presumption in favour of sustainable development) and policy MD2 (key Strategic Development Allocation at Minehead/Alcombe).

Policy MD2, in the local plan identifies a strategic housing allocation site to the south of the A39 along the Hopcott Road for approximately 750 dwellings in the future.

However, it is not clear how this proposal relates to this, or whether development of this site would result in a high density in this particular area, should additional schemes located under policy LT1 be developed in future. It is also noted that each proposal is judged on its own merits.

Policy LT1 (Post 2026 Key Strategic Development Sites) relates to land to the south of Periton Road and access via a distributor road through the site linking the distributor road for the MD2 site with frontages with the sites A39. This area of land earmarked for development completely wraps around the Periton Mead site on three sides with the exception of the adjoining road. This land is mostly to the north of the boundary of the Exmoor National Park where it partly directly adjoins in the south western corner of the allocation.

Policy SC1 of the Local plan is relevant. Guidance under policy SC1, for development within or close proximity (within 50m) to the contiguous built-up area of Minehead/Alcombe, will only be considered where the following criteria can be demonstrated;

- It is well related to existing essential services and social facilities within the settlement;
- There is safe and easy pedestrian access to the essential services and social facilities within the settlement;
- It respects the historic environment and complements the character of the existing settlement;
- It does not generate significant additional traffic movements over minor roads to and from the national primary and county highway route networks; and
- It does not harm the amenity of the area or the adjoining land uses.

It is my opinion that the proposal is consistent with the above requirements of SC1, in terms of the location of the site and to the proximity to the settlement of Minehead.

The nearest pavement is on the opposite side of the busy road and would be accessed via uncontrolled pedestrian crossings (x2) as shown on the submitted dwg. no. 8505/600 (Site, Block & Location Plan).

The proposed new built development around the periphery of the site does not respect the historic environment and the number of units to be developed are required in order to repair and reinstate historic features and save the heritage asset. I therefore consider that the current scheme complements the character of the existing settlement on this site in particular. It is noted however, that policy MD2 is now in place and could alter the character and appearance of the surrounding land.

The proposal will generate significant additional traffic movements to and from the site. This would be the case in connection with the future use of the main building alone and in this case also includes the additional development. It is not considered the residential development would significantly harm the amenity of the area or adjoining land uses (Nursing Home adjacent and agricultural land).

West Somerset Council is in the process of finalising the review of the SHLAA. The Council has demonstrated under examination of the recent West Somerset Local Plan that a five year housing land supply does exist.

Policies SC2 and SC3 advise on an appropriate mix of housing types and tenures. It is noted that currently all of the dwellings (plus flats) are for the open market and there are a mix of semi-detached, terraced and detached dwellings. The maintains that the developer was advised to build bungalows as these would sell easily although no evidence has been provided to back this up.

TR2, retained policy, (Reducing reliance on the private car), advises that development should complement current service and facility provision in and out of the settlement without generating new unsustainable transport patterns or generate significant additional traffic movements, this has been discussed previously.

Two policies, NH1 (Historic Environment) and NH2 (Management of Heritage Assets) guides on sustaining or enhancing development to historic heritage including the contribution the significance of the setting and understanding the significance to allow potential impacts to be adequately assessed. Extensive pre app negotiations and correspondence with the agent/developer have been undertaken and advice was given about the amount of development acceptable at the site as well as the type of built form and the location of it. The views from the main building and the reinstated terraced garden to the southern elevation has important views towards this and the open countryside beyond to the south and it has been advised that development should not impinge on these views, as discussed earlier and will also be considered further.

Whilst the dereliction of the site and building cannot be considered in any decision(as guided in the NPPF, para 130), this is a general concern regarding the existing built form at the site.

NH6, (Nature Conservation and the protection and enhancement of Biodiversity), is a consideration especially as this site has been vacant for some considerable time and the buildings at the sight have been vandalised and in a poor state of disrepair. Whilst the dereliction of the site and building cannot be considered (as guided in the NPPF, This is to be considered further in the Ecology section of the report in respect of mitigation measures.

NH13, requires consideration of design of new development along with the constraints and opportunities of the site and its surroundings and how it responds positively to its neighbours and local context. There are only a few bungalows along this part of Periton Road, most properties are large detached dwellings. The new dwellings proposed are now a mixture of flats in the main building and houses around the periphery. Materials have been considered in order to match the main building, however, the eco styled units will mean the introduction of flat and mono-pitched zinc roofs, timber boarding and painted render. The style of the eco dwellings are a new introduction in the design of dwellings in this area and have been added to compliment this important unique site. It is also noted that some of the existing buildings on the site (headmaster house and coach house) are finished in render.

NH14, (Nationally designated Landscape Areas), includes the Exmoor National Park and guides on likely affects to their statutory purposes and where conflicts of statutory purposes and the affects to such areas will not be permitted. Exmoor National Park is located to the south of the development. The National Parks comments are shown previously in this report.

SC4, is relevant in regards to the provision of Affordable Housing to be provided as a result of the proposed development or provision of justified evidence that must demonstrate why a proportion of Affordable Housing on site cannot be met on the development on viability grounds. This is to be discussed further in the report.

ID1, (Infrastructure Delivery), guides that developments should ensure efficient and effective use of existing infrastructure and contribute towards new or improved transport, education, health, cultural, sport or recreation and green infrastructure. This should be delivered through appropriate Section 106/Planning Obligations agreement or by providing justified evidence to demonstrate why this cannot be met on viability grounds. This will be discussed further in the report.

Following considerations of the above policy and within the following report, it is considered that the proposed development is not entirely policy compliant and for this reason, the proposal must be weighed against other material considerations such as the harm caused to the heritage asset and the retention of it against the public benefits of the scheme and the enabling of the development at this site.

Impact on Character and appearance of the area

The site has an open generous feel around the current former school building and there is evidence of the once formal gardens when the building was previously a single Manor House.

The site, it is within a Special Landscape Area as defined in the document Landscape Character Assessment of Potential Strategic Locations for Development, policy document dated May 2014 as part of the West Somerset Local Plan to 2032. This has been mentioned in the applicants Landscape and Visual Impact Assessment (ref 1403.90, dated 11 August 2016). This document confirms the character of the landscape as 'field patterns, hedge, trees and woodland'. This document also mentions the former local policy LC/3 which has been replaced with NH5 in the now local plan. The report concludes that the development would have a minimal and positive impact on the wider landscape. It is also noted that the land surrounding the site and on part of the Exmoor fringe is necessary to meet future housing need.

Landscape Character Assessment Of Potential Strategic Locations For Development, policy document dated May 2014 as part of the West Somerset Local Plan to 2032 guides that;

A6 (South of A39 Hopcott Road) future development would have a low impact if only the lower more northerly part of the site is developed. This is principally due to their proximity to the

Exmoor National Park boundary and the high visibility of the land from within Minehead and the surrounding countryside. The study of heritage assets in West Somerset noted that the land between the existing southern built-up urban edge of Minehead and the northern boundary of the Exmoor National Park (affecting sub-areas, A4, A5 and A6 in particular) was not part of the traditional historic land-use associated with the area.

It is noted from the submitted proposal that the existing roadside boundary hedge is to be cut back, that new 1.8m high hedges are to be planted within the site around the site as a screen to the buildings and that some of the existing trees are to be retained but some will be removed. The trees at the site are to be discussed further in the arboricultural section.

The proximity to Exmoor National Park (ENP) is relevant and local policy NH14 guides on the protection of these designated areas from affects to these settings. Comments received recently from ENP raised concerns about the new dwellings 8-12 on the original scheme, south east of the main building, as being sited in the formal landscape setting of the building. In the amended design these have been removed. ENP consider that the design of development should be sensitive to the former country house and its formal landscape grounds in order to form significant views from the property and this can now be achieved. The gardens and towards the elevated land to the south and south west to encompass the wider view of the northern edge of Exmoor National Park. Therefore, the proposals would have a positive impact on either the foreground or setting of the Exmoor National Park to the south.

Comments of objection from the Gardens Trust (on the original scheme) can be seen above. They welcome the removal of the unsympathetic modern school buildings around the main house, including the modern extension (science block), plus the proposed conservation of the East Terrace, sunken garden plus the repairs to the retaining walls and steps and replacing the tarmac playground with lawns. They object to the new extension units 16 & 17 in place of the former science block and units which would be visible from the main house (especially nos 8-12), however, since these comments the agent has amended the proposal following advice and the scheme portrays the majority of the development to be on the south and western side of the site with two flat roofed eco style buildings in the top south eastern corner. This re-design is to protect the views and vistas on this side of the house and the views towards Exmoor National Park.

The garden trust also consider that sufficient consideration and weight had not been given to the restoration of the designed landscape around the house. Further comments from this consultee have not been received on the amended scheme, it is noted that the Councils Tree Officer and the Landscape officer have commented on the proposed landscape and whose comments are discussed further in this report.

Comments from the Councils Landscape Officer agree with the Minehead Conservation Society, that the proposal fails to adequately protect the listed building and its unique garden setting due to the high density of the dwellings and the impacts on the Lutyens style garden, mature trees and views in and out of the site. The Landscape Officer also notes that there are several trees, which help to

contribute to the setting of the listed building and the landscape character of the area by forming a backdrop to the town of Minehead, will need to be felled to accommodate this development. The site is part of an important buffer between the town and Exmoor National park. The Council's tree officer has commented on the trees around the site and has some reservations (please see comments). They have assessed the submitted Arboricultural Survey and has requested that a condition be appended to any approval regarding the protection of trees to remain on the site. Similarly a condition has been appended to ascertain details of the final hard and soft landscaping at the site.

Comments received from the Archaeology group at SCC South West Heritage also raise concerns regarding the loss of a number of original features that contribute to the significance of the property which could be lost or fragmented by the development. They recommend that the applicant is required to provide archaeological recording of the development and report any new discoveries made (as per NPPF, para 141) via condition in this regard.

Comments from the council's tree officer are discussed in the Arboricultural section of the report.

Given the statutory comments received as above it is considered that the development as currently submitted would have an impact on the character and setting of the site itself and the amended site layout and design has taken this into consideration. It is therefore considered that the development accords with local policies NH5 and NH14 of the West Somerset Local Plan to 2032.

Impact on the setting of the listed building

The NPPF and local planning policies NH1 (Historic environment) NH/2 (Management of heritage assets) are relevant in this case and a Heritage Impact Statement has been submitted with this and the concurrent application 3/21/16/076.

It is accepted that the proposed removal of the several of the current structures at the site are acceptable in terms of being a public benefit and to the benefit of the character and setting of the listed building. This includes the removal of the temporary classrooms, the removal of the 1960's Science block, the modern gymnasium and the former headmasters accommodation and other ancillary sheds and garages. The removal of these elements will tidy up the site and also enable the retention of the Listed terraced garden to the south of the main building plus the formation of a new formal garden on the eastern elevation to the rear of the house instead of the tarmaced playground. Comments returned from the council's heritage officer can be seen above in this report. They conclude that the 'heritage benefits of the scheme are the repair and new use' of the main building, the reinstatement of the gardens and the removal of poor quality later additions to the site. They further advise that the harm to the heritage is less than substantial (as described in Chapter 12 of the NPPF) for the conversion of the main house and a medium level of harm to the setting of the listed building. It is therefore concluded that this development would achieve a long term future for the site.

Enabling development

Within the 'Draft Historic Environment Good Practice Advice in Planning' (dated 16th march 2017), is guidance to assist local planning authorities, planning and other consultants owners and applicants in implementing historic environment policy in the NPPF (para 140) and related guidance in PPG (Planning Practice Guidance) relating to enabling development. Core Principles are that "Local Planning Authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from these policies" (Para 140 of the NPPF).

The 'Good Practice Advice', advises enabling development is not sustainable development contrary to planning policy, however, the NPPF notes that breaching policy may be justified if the development proposed secures the future conservation of a heritage asset. Therefore, enabling can be considered a public subsidy to protect general public interest. However, it is not in the public interest if other alternatives such as other sources of public or private investment to raise monies to conserve the heritage asset. Harm done to the heritage asset is likely to be permanent, irreversible and significant and is why enabling is the last resort.

It is usually required that market testing exploring possible different owners of different uses as an alternative to enabling development or offer a partial solution and a reduction of the scale of development maybe needed. Evidence is usually required of public or charitable grant funding or ownership to assess possible displacement or reduction of the need for enabling development. Enabling development should therefore be provided to solve the conservation needs of the heritage asset and not the financial needs of owners or to compensate for the purchase price paid for the site and would be calculated on the minimum amount necessary to address any 'conservation deficit' or the costs of repair and development required to exceed the market value of the asset after repair and development.

The submitted information based on the Quantities Surveyor report contains the costings of the proposed development to inform the cost of borrowing during the scheme that is drawn on in phases and not borrow in one lump sum. Typical developer profits of 17.5% are permitted, however, this does not allow for a high purchase price, and indeed this should not be added into the finances and the value of the site starts at zero. The submitted revised costings (dated 31/7/2017) conclude in the figures that the total overall operating profit will cost £7,972,628 and will leave a surplus (deficit) of £7,292 allowing for an 18% profit.

It is accepted that listing the building with poor quality windows requires some development to rectify this situation, and that development around the periphery of the Grade II listed building is required in order to fund the repair and upgrade this heritage asset. However, it is still noted that the development should not be required because they have paid too much for the building, and that the conversion costs as this should have been addressed in the purchase price. An exemption from Listing was not applied for, even though the council contacted the agent to advise that the

building was being considered for listing. Development that is harmful to the setting of the historic building. In particular the development around the formal garden to the south and east of the main building with the important strategic views of Exmoor should not be accepted as this is not good planning. As previously stated the amended (current) scheme does address this. Currently, it is accepted that some works maybe necessary in order that the scheme is acceptable however, the Local Planning Authority does not have a legal mechanism to ensure that appropriate works happen or that any profit raised is channelled back into an appropriate restoration of the listed building and its curtilage.

An updated Quantified Schedule of Works and Elemental Cost Plan for the Conversion of the Listed Building and Development Viability Report has not been submitted since 23 May 2017. These were prepared by David Richards Practice (RICS surveyors), to determine the amount of enabling development needed. Good practice suggests that two development appraisals are undertaken one after another and which are then audited by an independent firm of chartered surveyors. This has not been provided at this stage the proposed new development (not the conversion).

The applicant maintains that (in an e-mail dated 31/5/17) the proposal is in accordance with the English Heritage guidance for enabling development which states - *"The key public benefit to significant places is usually the securing of their long-term future."* Furthermore, the applicant states that *"If a local authority does not have the professional valuation and development expertise 'in house', it is important that the appropriate external professional advice is obtained from specialist consultants."* On this basis the agent maintains that any further independent viability assessment required is the responsibility of the applicant. The Council disagree that this is not the responsibility of the agent/applicant.

The harm done in breaching the other planning concerns is likely to be permanent, irreversible and significant. Enabling development is the last resort and not ideal for raising funds to conserve heritage assets because only a small percentage of value of new development can be assigned towards repairs and long term maintenance of a heritage asset.

Whilst it is accepted that some form of development in the grounds of the Grade II listed building would be required in order to fund the repairs and maintenance of the main structure, the new development proposed is considered to be an over development of the site which would have overbearing significant impacts on the character and the setting of the Listed building. The building of an internal road and unit 12 are of particular concern as they would impinge on the important views from the main house from first floor and above and these elements need further consideration or indeed removal.

It is also noted that at the time of the officers site visit and from following contacts from the community and agent that the site has been vandalised. The agent was informed of this and replied that the local police were patrolling the area. At the site visit it was clear that the efforts to secure the buildings on site and especially the main grade II house were inadequate. Comments from the Minehead Conservation Society also evidence vandalism. The agent in an email dated 31/5/17 comments that; " Periton Mead has been under attack by local youths and despite security and

the involvement of the police there seems little we can do about it. Any further delays could be disastrous and could result in further damage to this asset". However, the NPPF (para 130) guides that 'where there is evidence of deliberate neglect or damage to a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

A concurrent application for the conversion of the listed building (ref 3/21/16/076) will be determined on its own merits. However, this scheme has not been fully justified under the enabling development aspect. However, it is noted that an HCA development summary and an Affordable Housing Viability Update has been submitted and is based on the financial assumptions used in the viability report dated May 2017, and will be further mention in the planning obligations section.

Biodiversity

The site is classed as having medium Ecological importance and includes semi-improved grassland that has previously been managed as part of the ground of Periton Mead (house) along with scattered tree cover and a small area of Orchard. Also within the existing site there are Yew hedges, landscaped ground with shrub banks and brambles under existing trees which could provide habitats for protected species. Adjacent to the site is existing agricultural land. Much further to the south is Hopcott Brake and Periton Plantation that is part of a managed forest.

The biodiversity value of the site is an important planning consideration. It is noted that A Phase 1, habitat survey has been submitted which was prepared by Core Planning Services Ltd (dated February 2015), however, this is now considered out of date.

The initial Helix Ecology carried out a bat and nesting survey of all the buildings on site followed by follow up roost and activity surveys. The latest report is dated July 2016 and this has been assessed by the Councils Landscape and Biodiversity Officer whose comments can be seen above. They have concluded from the report that although no Bat roosts were found on the site, two further bat surveys should be carried out between July and August to inform use of the site by commuting and foraging bats, in order to develop a lighting plan for the site.

A new Baseline Ecological Survey, Reptile Survey, Reptile Mitigation Survey and Ecological Site Improvements Survey (prepared by GLEC Environmental Consultant, dated July 2017) has been submitted by the applicant. This document recommends that demolition of several buildings at the site will create opportunities for habitat creation suitable by reptiles. Site boundary treatments will also allow reptile populations to migrate into and out of the site via connecting agricultural land the south and east.

It is recommended that tree clearance is undertaken prior to the commencement of demolition and outside of bird nesting season or if during nesting season each tree is checked by a qualified ecologist and declared free of nesting birds before works commence. The route of machinery used for clearance will also be approved by Ecologists. .

The Ecological Site Improvements within the submitted documentation advises the following enhancement measures are undertaken prior to the completion of the project;

- works undertaken to ensure reptile population remains viable on-site
- works undertaken on site to ensure the site remains viable for bat populations
- An additional 20 no.2FF Schwegler Bat Boxes will be installed in retained trees around the site and the Bat Mitigation strategy that will be required
- 20 no. wooden bird boxes will be installed in retained trees around the site
- 8 no. Orchard-style tree planting in the main receptor site (north east corner linking eastern & southern boundaries) to include no less than 1 Medlar, 1 Mulberry, 3 Pear and 3 Apple.
- Native trees are encouraged within landscaping schemes
- Hedges are encouraged to be used as ownership boundaries, using native species
- Existing yes hedges will be translocated where possible and reused within the landscaping scheme
- Fences that are erected to separate properties should be installed with wooden footings rather than concrete to allow passage of mammals and reptiles

Local policy NH6 of the West Somerset Local Plan to 2032, guides that development should be granted subject to the application demonstrating it -

1. Does not generate unacceptable adverse impacts on biodiversity,
2. Mitigation measures to protect or mitigate to acceptable levels adverse impacts on biodiversity,
3. Protects, enhances and restores the ecological network in West Somerset, and
4. Habitat Regulations assessment is required for development which directly affects European and international designated sites and for areas that support the integrity of these sites.

A European Protected Species Licence will be required to develop the site and details of proposed mitigation should be shown on architectural drawings.

Following the submission of the recently amendments to the scheme, it has not been confirmed whether arrangements underway to carry out the recommended further bat surveys, or that the trees on site been surveyed for bats and nesting birds.

It is considered from the consultee comments that further information is required to establish an up to date record of any protected species which might be at the site along with further details of mitigation measures. Without these details it is not possible to determine whether the development as a whole would accord with local policy NH6.

Arboricultural Report

It is understood that a Tree Preservation Orders has been prepared and served on

the 21st September 2017 and is to be confirmed within the next 6 months in respect of the trees within the boundary of the site and all of the trees included in the TPO are now protected. This means protection for the trees and especially the much mentioned the veteran Mulberry tree, currently being shown on the proposal plans as being removed in order to site the new semi-detached Coach houses. Should permission be granted this would need to be taken into account. It is also noted that no Hedgerow notices on existing hedges at the site and the applicants submitted Arboricultural report that some of the trees on site will remain but others are proposed to be removed.

Comments from the Councils Tree Officer, following assessment of the Arboricultural Report, mostly agrees with the assessments and categorisation's in the tree survey, but asks that the trees shown to be removed are retained. These trees that are wished to be retained are the Coast Redwood, T45, the Mulberry T12 and the Strawberry Tree T25. The Mulberry is a fine old specimen, as is the Strawberry Tree. These are typical of very old gardens. They are slow-growing, and these ones are veterans. Although they are relatively small trees, especially the Strawberry Tree, I believe that their value should be recognised and they should be considered an asset to the site, and designed around (not removed).

There are mature Redwoods at three corners of the site. There may well once have been one in the north west corner as well. T45 is actually shown to be retained on the Tree Protection Plan. These are quite rare trees as mature specimens. There are many Macrocarpas along the north and east boundaries. I welcome the retention of the trees along the northern boundary, but I don't believe it is essential to retain T1 in the north west corner, even though it is quite a good specimen. I do not think that the removal of group T27-44 on the eastern side would be too detrimental to the landscape in the long term. These trees are mature, and are prone to shedding branches and looking unsightly. Their replacement with native hedgerow with standard oaks or similar would be preferable long-term.

The tree officer would like to see the scheme re-designed to allow the retention of trees T12, T25 and T45, and to allow more space between the houses and trees T45 and T53 so that their Root Protection Areas were avoided. This would also lessen the effect of shading, leaf-drop and perceived threat from these trees on the residents of the new houses.

The agent has returned comments on the above (email dated 31/5/17) stating the following;

"The Arboricultural Officer was largely happy with the proposed approach, but it is not possible to retain T12, which is unfortunate but on balance is considered acceptable." This does not address all of the concerns, as the houses in the south west corner are too close the coast redwood, T53. They are only just outside the RPA line, so the reality of constructing those houses on site is going to cause issues with the roots. Also, there will be pressure from potential residents to fell because of shading and perceived threat of the tree falling.

Impacts on residential amenity

One of the core principles of the NPPF is to “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings” (paragraph 17).

Local policy NH1 (Historic Environment) also relates to the need to contribute to heritage of the district, contribute appropriately to the regeneration of communities as well as to a distinctive character and sense of place. Securing high standards of design (policy NH13), seeks that new development take into account constraints and opportunities of a site and its surroundings and how the design responds positively to its neighbours and local context.

The site is well screened from the adjoining neighbours (Eastleigh Care Home) on the adjoining western boundary and also from the residential dwellings on the opposite side of the site Hopcott Road. The existing buildings are also arranged over varying levels and accessed from Hopcott Road via its own separate access track/road. In terms of impacts on residential amenity adjoining the site, there is only one immediately adjoining neighbour which is well screened. Increasing housing units would have some but it is not considered significant impacts on residential amenity in terms of loss of light or overlooking.

The proposed new dwellings as shown on drawing number 8505/600 comprise of a pair of semi-detached dwellings in a coach house style just inside the entrance and to the north of the main building. To the west of the main building are two eco styled homes, beyond which on rising ground is an arts & crafts styled terrace (5 units) and approximately 14m behind (south) are two pairs of semi-detached dwellings in arts & crafts style. There are a further two eco styled dwelling proposed in the south western corner. The amended design and location of the new dwelling units are considered to be better spaced across the site and have a more segregated development line from the main building. I therefore conclude that this scheme will not have significant impacts on residential amenity in terms of loss of light and overbearing impact on other dwellings within the site.

Several comments have been received from the local community raising the concerns as shown above in the representation section. These centre around many of the issues already discussed within this report.

The agents response to third party comments (email of 31/5/17) note that the Applicant purchased this site before it became a listed building and always intended restoring the building to its former glory and making it a valuable centre piece of this development. Whilst the agent appreciates the concerns expressed, he hopes that the submitted and amended information will reassure these interested parties that this proposal has been designed to respect the listed building and its setting whilst balancing this with the need to make sure the proposal is viable. A viable proposal will ensure the long term future of Periton Mead.

Highway Safety

In Minehead there exists a range of services such as Supermarkets, GP Surgery, Post Office, Banks, Pharmacies, Primary Schools and a Middle School. Minehead

Middle School is located approximately 2.180m (2.1km) metres from the site. The distance to Minehead Town Centre is slightly above those identified within the manual for Streets (2007) which specifies approximately 800 metres as being the upper limit for a walkable neighbourhood. It is noted that Manual for Streets (2007) specifies 800 metres as the upper limit for 'easy walking distance'. It is further noted that 800 metres is identified as the 'preferred maximum' for acceptable walking distances to a town centre within the Institution of Highways and Transportation publication 'Guidelines for Providing for Journeys on Foot' (2000).

In relation to accessibility, regard should also be given to the convenience and safety of any particular pedestrian route. Overall, the location provides a footways on the opposite side of the site on the busy Hopcott Road and there is no pavement existing adjoining the access side of the site. Therefore there would be a requirement for pedestrians to cross the road on at least two occasions. The route into the town centre is level outside the site to Hopcott Road with the land dropping steeply down towards the town centre, and whilst lit and wide for a significant length, it provides reasonably acceptable facilities for to walk to Alcombe which is some 1.780m away.

Public buses passing the site are limited, including a bus service between Alcombe and Porlock which passes the site. The occupants of the proposed dwellings would therefore be reliant on private vehicles.

Original comments received on the proposal relates to the erection of 17 dwellings and the conversion of a listed building to provide 14 flats, considered both the benefits and drawbacks of the proposal. They accepted that on balance, the development would not result in a significant increase in vehicle movements. However, there were concerns over the drainage proposals (to be discussed further in this report).

The Highway Authority has accepted that on balance, the development would not result in a significant increase in vehicle movements. However, there are concerns over the drainage proposals (to be discussed further in this report).

The traffic impacts were discussed in the accompanying Transport Statement (TS) to assess the proposals impact on the adopted highway. Observations on this aspect, are that trip generation has utilised TRICS, and is considered to be acceptable. From this Statement, the categories of privately owned houses and privately owned flats have been separated and trip rates for both uses are confirmed as fairly robust and satisfactory to the Highway Authority in terms of details shown in tables 5.1 and 5.3.

In terms of the point of access the applicant has indicated that the proposal would utilise the existing point of access onto the A39. This is subject to a 40mph as a consequence Design Manual for Roads and Bridges would be considered the most appropriate guidance to use in this instance. Visibility at the access is indicated that a splay of 2.4m x 43m, but from visiting the site the Highway Authority is satisfied that when looking to the right the splay is well in excess of this. To the left the applicant has indicated that a splay of 2.4m x 75m can be achieved to the nearside carriageway but a splay of 2.4m x 101m can be provided if it is taken to the centre of

the carriageway. The opinion of the Highway Authority notes the comments raised regarding the point of measurement of visibility, however it is our opinion that visibility should be taken from the nearside carriageway. Therefore the splay proposed is considered to be sub-standard. The amended site location plan (dwg. no. 8505/600) indicates a visibility splay of 65m in each direction. This measurement to the right (towards Alcombe) could be slightly longer across the grass verge to the east, however, the visibility to the west is constrained by the adjoining site (Eastleight Care Home) and the existing front boundary walls and which is outside of the applicants ownership and control.

In this case the site is located within Zone B (mid-range population areas). The required parking spaces are as follows: 1.5 spaces per 1 bed dwellings, 2 spaces per 2 bed dwellings and 2.5 spaces per 3 bed dwellings plus visitor parking plus 1 cycle space per bedroom. The dimensions for cycle and car parking bays are set out in table 7.1 of the parking strategy. The strategy also requires minimum of 1 motorbike space per five dwellings or 1 per 20 car spaces whichever is greater. The motorcycle space provision is accepted. Provision of parking space in this development, per cars should be 12 spaces for the 8 x 1 bed units, 44 spaces for the 22 x 2 beds and 2.5 for the 1 x 3 bed. Total of 54.5.

Parking at the site is shown on the site location plan (dwg. no.8505/600) shows 50 car parking spaces plus a grass crete driveway to the two dwellings in the south eastern corner and where the additional four spaces (54 in total) can be provided. Bin and cycle stores are also located within the parking area to the north west of the main building. The required motorbike spaces are to be located on the edge of the cobbled area in front on the main building. These parking details are provided in accordance with the standards set out in Somerset County Council's Parking Strategy which is considered to be acceptable.

A travel statement by Hydrock dated July 2017 has been submitted with this proposal which concludes that It is anticipated that cyclists would utilise the carriageway both internally and externally. Parkhouse Road, just 50m west of the site access provides the most convenient, accessible route to take to cycle to and from the town centre. This document also guides on Vehicular access to the site and recommends the following;

"The existing access serving the site will be upgraded to include 10m junction radii. The access road leading into the site will be 5m wide and utilised as a shared use surface. The site access junction will have visibility splays of 2.4m x 65.5m in the easterly direction and 2.4m x 65.5m in the westerly direction. The proposed visibility splays are considered to be in line with the standards set out in *Manual for Streets 2* and appropriate at this location given the fact that a number of existing residential properties are accessed via the A39 Periton Road. The site access design is shown on Proposed Site Access – General Arrangement and Visibility". Splays Plan, dwg ref: 14929/VIS01, included as Appendix G. The gradient of the site access is currently shown as 1:12 which is broadly in line with SCC design standards and is consistent with other access points within close proximity to the site onto the A39 Periton Road. The site access at the currently gradient has been utilised previously for the sites former use as a school and is therefore considered suitable for residential development.

At Section 3.1 of the Travel Statement document, the applicant confirms the following in respect to existing service and facilities;

Manual for Streets (paragraph 4.4.1) states that 'walkable neighbourhoods' are typically characterised by having a range of facilities within 10 minutes (up to 800m) walking distance of residential areas which residents may access comfortably on foot. This 800m distance is clearly not an upper limit, a distance of 2 km (1.24 miles) has been supported by previous planning policy and this figure is still accepted as being suitable for walking to replace short car journeys, which are generally the least efficient in terms of fuel consumption and emissions. This distance is referenced in *Manual for streets*.

Cycling has the potential to replace short car journeys for distances under 5 km (3.1 miles) and could form part of linked trip using public transport. The "acceptable" walking and cycling distances present in *Manual for streets* are generally recognised as being appropriate distances.

The distances to a range of services and facilities (taken from the centre of the site and provided as actual walking/cycle distances), as outlined in Table 3.1, are within the recommended distance that *Manual for Streets* states is 'walkable', and well within the 2km and 5km distances generally regarded as having the potential for walking/cycling to replace short car trips.

The site access arrangement for pedestrian and cycle access includes two uncontrolled pedestrian crossing points either side of the proposed site access, so that residents can safely cross the A39 Periton Road to reach the existing footway on the northern side of the carriageway. The crossings are shown on the Proposed Site Access – General Arrangement and Visibility Splays plan, dwg ref: 14929/VIS01, included as Appendix G.

Internal Layout -

Some elements of the site will result in the laying out of a private street as a consequence under sections 219-225 of the Highways Act 1980 the Advancement Payments Code (APC) would apply.

Highways request that the shared surface space needs to be finished in tarmacadam and not brick pavers as shown on the drawings. The applicant has also proposed a couple of uncontrolled pedestrian crossings either side of the access. Both the point of access and these crossing points would fall outside the S38 process and will therefore need to be secured via a S278 agreement. The gradient of the access will need to be 1:20 over the first 10m.

The new internal layout at the site will be utilised as a shared use surface, including the proposed site access. The Highway Authority has no objection to this approach but identification of which elements of the layout that to be offered up for adoption will need to be confirmed and any shared surface would need to have a 1.0m margin. The internal roads are to be finished in resin bound gravel (colour to be confirmed). The recently amended plans also show a change in the new road which ends at the southwestern corner of the site. A new grass crete driveway would

serve the two dwelling in the south eastern corner only.

Proposed turning areas appear to include land which the Highway Authority believes will not fall under the S38 adoption process. This would require amendment so that the turning heads/areas are in accordance with the design standards set out in our Estate Roads in Somerset Design Guidance document. From the design details it is apparent that the main access road is over 70m in length. It is recognised that the layout has been designed with a 20mph in mind however the Highway Authority is concerned that this straight section of highway will lead to an increase in vehicle speeds. It is requested that this section be amended in order to reduce the vehicle speeds in this location. The applicant will also need to provide visibility splays through the bends based on a vehicle speed of 20mph. Please note that anything within the splay would be subject to adoption.

Highways note that a number of trees and other planting are shown on the plan and any existing trees or bushes in close proximity to the highway will likely need root protecting barriers put in place.

To conclude the original comments from SCC Highways (as shown above) confirm that in traffic impact terms the proposal would result in an increase in traffic movements on Periton Road but it is not considered to be significant enough to warrant an objection on traffic impact grounds. Although it should be noted that visibility should be taken to the nearside carriageway edge. In the amended comments as shown above, and conclude that the layout to the southern section of the site has been altered in regards to proposed residential layout and turning head arrangement, for which a swept path analysis of this area of the site for the largest vehicles that will be using the proposed turning head would be required. Highways also note that the proposed visibility splays on Dr No 8505/600 at the proposed access appear to have been reduced and are considered substandard by the Highway Authority. This has been discussed earlier in this section.

When assessing the Travel Plan, the proposals appear generally acceptable

Travel Plan -

The applicant has provided a Travel Plan Statement as part of their submission. It is apparent that some of the issues raised during pre-application discussions have now been addressed. However the following points still remain outstanding. The Highway Authority advise that when assessing the submitted travel plan, the proposals are generally acceptable. They also request that full details as outlined below are secured via a S106 agreement. However, this has been covered by adding a condition requiring this work rather than a legal agreement.

- A Travel Plan Statement fee of £700 + VAT is required.
- Further information is required with regard to the Travel Plan Co-ordinator role.
- Further details is required in terms of the cycle and motorcycle parking i.e. size of sheds and provision of locking points, access to storage and whether there will be communal cycle storage. (Discussed previously).

The agents response to the Highways comments in a recent email (31/5/17) are as follows;

The response from your highways officer concludes: "the proposal would result in an increase in traffic movements on Periton Road but it is not considered to be significant enough to warrant and objection on traffic impacts grounds...With regard to the Travel Plan this is broadly considered to be acceptable although there are some elements that would need to be addressed but this can be carried out prior to the Travel Plan being agreed.

Amended comments on the drainage/flooding at the access in connection with the current scheme are awaited from SCC Highways at the time of writing this report.

In terms of both the national and saved local policy T/8 is applicable and accepted and policy TR2, (reducing reliance on the private car) is also acceptable subject to the confirmation of the points raised by SCC Highways.

Flood Risk

The site is located within flood zone 1 at low risk of flooding. The applicant has submitted a Flood Risk Assessment to accompany this submission (Prepared by LLK Property Ltd, RIMA-C1408, dated February 2015). This report confirms that the elevation of current buildings to the south of the site is 88m above Ordnance Datum and reduces to 71m along the northern boundary. The site is also 500m away from the nearest river in Hopcott Combe.

The existing site rises steeply from the road towards the south and Exmoor National Park beyond, and the submitted flood risk and drainage report is acceptable and reports that surface water or foul water flooding will not be significantly affected by developing this site.

The application form states that surface water is to be disposed of via Sustainable drainage system, mains sewer and soakaway and that the proposal will not increase flood risk elsewhere.

Amended comments received from the SCC Local Lead Flood Authority (LLFA) can be seen above in the report. They have now withdrawn their previous objection to the proposal due to further information on the reduction in impermeable area and therefore the reduction in surface run off volumes. This, together with confirmation from Wessex Water that there is capacity within the currently proposed system to accept surface water run off at Greenfield Rates.

The LLFA have no objection to the proposal subject to a construction condition being appended to the decision.

A Flood Risk Assessment (Prepared by RMA environmental, project no. RMA-C1408, dated 31/07/17) accompanies the amended details. This report concludes that the site lies entirely within Flood Zone 1 and at low risk of flooding as defined in the NPPF. The local SFRA also confirm that there are no records of

flooding incidents either at the site or in the immediate vicinity nor have other sources of flooding i.e. from reservoir or sewers been identified for either the site or the surrounding area.

As a requirement within the West of England Sustainable Drainage Developer Guide (March 2015) and guidance contained within the NPPF, it must be ensured that there is no increase of run-off rates resulting from the development and if possible this should be reduced. The applicants intention is to limit run-off to Greenfield run-off rates and volumes.

The proposed outline drainage strategy connected with this development is to include two geo cellular storage tanks which will collect and store surface water with an overall storage volume of 518m³, and to use filter drains and proprietary treatment systems as detailed in the drainage design. A condition is appended to this recommendation requiring the drainage details (SuDS) are to be submitted and agreed by the Local Planning Authority.

SCC Highways also raise concerns regarding flooding due to the discharging of surface water run-off from the site proposed under paragraph 4.11 is via an existing highway drain located in Periton Road to eventually outfall into the unnamed watercourse along Periton Combe some 300m to the west of the site. The e mail exchange between RMA Environmental and the Flood Risk Management Team (FRMT) set out in Appendix B is noted. In particular the question was raised as to whether it would be feasible to connect to an unnamed watercourse via the highway drains located in Periton Road. It is understood that the FRMT believe that in theory it could be permissible to discharge surface water from the site into this watercourse but it would require that the implications upon capacity and flood risk of such a proposal would need to be fully assessed. Consequently the applicant is required to provide a full detailed assessment of the system before the Highway Authority can make a recommendation.

The Highway Authority would like comment further comment to the FRMT's observations that having reviewed the West Somerset Strategic Flood Risk Register that shows that there is a historic flood event at Periton Cross, where this watercourse passes beneath the A39 to run south in a piped system. There are still concerns with surface water run-off flowing across the main road from the north during heavy sustained rainfall events when the unnamed watercourse surcharges or when the track is inundated. As this watercourse itself is designated as having a 1 in 100 or greater annual probability of flooding and is associated with a known flood risk, the Highway Authority would ask whether it is appropriate to be considered as the point of outfall for further direct discharge.

The legal stance of the Highway Authority is that at the point which surface water from any source other than from the public highway enters our system it, in effect, ceases to be a 'highway drain' and becomes a 'sewer'. In essence we would not be prepared to accept the increased liability of having to maintain a drainage system that directly serves private properties. There is however potential for the existing highway drain to serve to collect run-off from prospective public highway areas in the site should they be the subject of an adoption agreement under S38 of the Highways Act 1980. Although this is subject to flood risk matters being satisfactorily addressed

and the system being hydraulically and structurally capable of taking the additional flow. A full assessment of the system would need to be undertaken by the applicant to determine whether this proposal remain viable.

Whatever the system of highway drains presently serving Periton Road, they would not have been sized to accommodate any further catchments only being installed for their then intended purpose. This coupled with the constraints of our reactive maintenance regime and the implications of climate change on drainage design the Highway Authority would need to take the pragmatic view which would assume that the system would need to be upgraded to accommodate any additional flow.

There are also concerns over site drainage and in particular the increased discharge into the existing highway drain in Periton Road. As a consequence before the Highway Authority can be satisfied that the proposed means of discharge the applicant would need to carry out a full assessment of the system to make sure that there is capacity to accommodate their proposal. With this in mind the Highway Authority is not in a position to make a decision on this proposal until this work has been carried out.

Comments on this from a local third party and the RMA Environmental, responds to the RMA comment " run-off from the existing site drains into a combined sewer and any exceeding flows are considered to enter Periton Coombe via Periton Road and also any run-off that is not directed into the combined sewer is expected to flow overland onto Periton Road flowing west wards with the fall of the road towards Periton Cross". Periton Cross is 300m west of the site with the road falling to the east from the entrance to Periton Mead. The 'brow' is east wards in the vicinity of Eastleigh Care Home before it drops in a westerly direction. Therefore how can the road water gravitate to Periton Cross from the entrance to Periton Mead? It is acknowledged that a survey of the site has been undertaken.

Drainage of this site is a great concern, and needs much closer examination. In 2013/14 a property to the east of Catkins on the northern side of Periton Road was severely flooded by water pouring from the field to the east of Periton Mead during heavy rainfall. It is suggested that RMA obtain further accurate information on the site details and submit a further response, as constructing new properties with tiles paths and hard standings roads etc will greatly increase the impermeable areas and accelerate the rate of run-off.

In response, the agent in his email dated 31/5/17 responds accordingly;

"The Flood Risk Assessment prepared by RMA Environmental submitted as part of this application was also assessed by the Highway Authority who expressed a number of concerns regarding Flood Risk. A response was prepared by RMA Environmental and submitted on 27 October 2016. We are not aware of any further comments from Somerset County Council.

One of the neighbour responses also expressed concern about the flood risk strategy and questions the response of RMA to Highways. RMA made the following additional comments:

“The brow of Periton Road is located outside the site entrance, so it’s arguable that water could flow either way. However, what is most relevant is the proposed development will reduce runoff rates from the site by 40% through the inclusion of storage within the site. This can be routed to Periton Coombe and it is anticipated to have an insignificant impact on the existing flows within the watercourse. In other words, there would be less water leaving the site post-development than existing and this would be contained within a suitably designed drainage system, rather than flowing directly on to Periton Road.

Furthermore, the camber of Periton Road is such that water is shed to the southern side of the road, away from the properties mentioned in Mr Jones’ response. The southern edge of the road is approximately 400 mm lower than the driveways of these properties.

It is also noted that no comments have been made by the Environment Agency on this matter. As mentioned previously the applicant has submitted a Flood Risk Assessment and full drainage details are required by condition.

In considering the above flooding issues more accurate information and confirmation of no issues of additional flooding by the development cannot be guaranteed at this point, however, a condition requesting full drainage details. In respect of drainage and the Highway, at the time of writing this report, the SCC Highways Drainage Team are currently assessing the submitted details and on this basis provided that they are satisfied, there would be no drainage issues and on the Highway. It is also noted that no comments have been made by the Environment Agency on this matter. As mentioned previously the applicant has submitted a Flood Risk Assessment and full drainage details are required by condition.

It is considered therefore that the proposal accords with local policies CC2 (Flood Risk Management) and CC6 (Water Management) of the West Somerset Local Plan to 2032.

Drainage/Waste

New water and waste connection will be required from Wessex Water. Comments from Wessex Water can be seen above.

It is stated that foul sewage is to be disposed of via mains sewers and it is proposed to connect to the existing drainage system. The applicant state that the Flood Risk Assessment provides details on drainage.

The statutory provider (Wessex Water) have advised that separate systems of drainage will be required and no surface water connections will be permitted to the foul sewer system.

Amended comments have been received from Wessex Water regarding the need for new connections at this site and also in relation to additional water connection and also regarding sewerage connection. They have requested that a condition is appended to the decision that requiring the submission of a Drainage Strategy to be

submitted in writing to the Local Planning Authority (LPA) prior to the commencement of works on site.

Provided that the applicant contacts Wessex Water regarding the connecting to existing facilities and provides details of new separate systems of drainage which are confirmed in writing to the Local Planning Authority as well as Wessex it is considered on the issue of drainage and waste water connection is in accordance with local planning policy NH13 design and CC6.

Planning Obligations

West Somerset Council adopted a "Planning Obligations", Supplementary Planning Document in December 2009. This document is retained Council policy and relates to both Affordable Housing under local policy and contributions towards recreational and community facilities under policy ID1.

If agreement is reached on policy and heritage issues, then it is likely that a Section 106 agreement will be required to secure the following:

- The provision of 35% of the total number of dwellings on site as affordable housing
- The provision of a commuted sum towards community infrastructure and the local natural environment of £5,000 - £10,000 per dwelling.
- The provision of a contribution towards the administration and monitoring of planning obligations of £100 per dwelling/ £1.25 per square metre of commercial floor space.

Affordable Housing

Minehead remains the highest demand area for West Somerset for affordable housing – particularly affordable housing for rent. The predominant need is for smaller one and two bedroom properties.

The Council's Housing Enabler has been consulted regarding the Affordable Housing requirements for this proposal for a total of 31 dwelling units (14 x flats and 17 bungalows). They confirm that an on-site contribution would be sought at a starting point of 35% in line with West Somerset Councils adopted Supplementary Planning Document. Therefore for a total of 31 dwellings, 10 of these would need to be provided as affordable and further negotiations should be sought to ascertain a mix of the affordable housing needs required.

A local registered provider could be found if the applicant does not have a preferred partner in place.

The applicant should also note that from November 2014, there have been amendments to the National Planning Practice Guidance, on the way affordable contributions are sought and this is known as Vacant Buildings Credit (in respect of Affordable Housing). This is a financial credit that is calculated by the amount of

gross floorspace of vacant building that are brought back into lawful use or demolished for re-development. This is then deducted from the affordable housing contributions.

The Council's Housing Enabler, has commented that;

"At the time negotiations started with the Agent, it was agreed that, in this particular case, an off-site financial contribution in lieu of affordable housing would be acceptable.

This decision was made for a number of reasons including the lack of finance available to deliver affordable housing for rent and the uncertainty at the time of Housing Provider development capacity. It was also likely that any on-site provision would be delivered as a form of low cost home ownership and, whilst there is a need for this in West Somerset, I had concerns given the amount of new-build and re-sale properties which currently exist and the affordability of the product given its design and location.

I note that the Agent has suggested a figure which is payable in viability terms but would confirm that negotiations are currently on-going. I would, however, advise that Vacant Building Credit is likely to have a significant impact in this case".

Previously, on the original scheme, the applicant had submitted a Draft Heads of Terms (S106 Agreement) offering an offsite contribution for affordable housing. However, since the redesign of the scheme this is not now applicable. The applicant has submitted an Affordable Housing Viability Update which concludes that the viability of the development means that there will be a deficit of £7,292 meaning that 'no surplus will be generated to viably support any affordable housing provision or other planning obligations on this site' due to the costs involved with securing the renovation of the heritage asset.

Recreational/Community Facilities Contribution

As the second bullet point above states, the current adopted Council Obligations policy requires a commuted sum of between £5,000 and £10,000 per new dwelling which can be negotiated through a S106 agreement. However, this does not seem to have been fully taken into account by the developer, who, whilst providing an Elemental Cost Plan for the conversion and alteration to the main house plus a Draft Heads of Terms for both Affordable Housing and Recreational/Community Facilities is shown to be offering an Off site contribution for both elements of only £5,643.00 (As shown by the extract below). Saved policy R/6 of the adopted West Somerset District Local Plan 2006 is relevant and guides on the need for open space recreational provision on small developments. This is highlighted in the policy section at the beginning of this report. For reasons mentioned in the above section no payments for community facilities are forthcoming and not able to provide due to the heritage constraints at the site.

As mentioned above in the policy section no childrens play area is proposed to be provided under retained local policy R/3. It is noted that retained policy R/5 Public

Open Space, is to be provided by the upgrading and reinstatement of the formal gardens adjacent to the main house.

Conclusions to the Planning Obligations.

It is accepted that the proposed development should be where possible, viable to enable development, it is considered that the developer has fallen a long way short of expected contributions according to Council adopted policy. It is also apparent that Vacant Buildings Credit has not been fully taken into consideration. It could therefore be concluded that the proposal does not accord with policy ID1 of the West Somerset Local Plan to 2032, or R/6 of the adopted West Somerset District Local Plan 2006. However, please note the comments below on enabling development.

Conclusion

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that all development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This leads me to the conclusion that your proposal for the current number of dwellings on this prestigious site in a Special Landscape Area, close to the Exmoor National Park and within the curtilage of an important historic asset is not acceptable. This is due to the wrong type and design of proposed new units together with the 14 units in the main building and further consideration should be given to an alternative scheme coming forward.

The Council has worked pro actively with this agent and applicant and have undertaken extensive pre application work and given and forwarded comments on the proposal but this development is still not right for the site or the area. The scheme now being considered for 14 flats and 17 dwellings is as the original proposal 12 months ago. This was then revised to 14 flats and 12 dwellings and at one point it was suggested by the agent that ideally to make the scheme viable they were considering amending the scheme further to 14 flats and 19 dwellings but this was discouraged.

It is accepted that the site will be costly to develop and that the alteration and renovation of the land and main building might mean that the site becomes unviable. However, new development must accord with not only the adopted local policies but also national policies within the NPPF. These and the comments returned from statutory consultee are material considerations.

It is also noted that 'Good Practice Advice', advises enabling development is not sustainable development contrary to planning policy, however, the NPPF notes that breaching policy may be justified if the development proposed secures the future conservation of a heritage asset. Enabling development is development which would not normally be given planning permission other than to secure the future conservation of a heritage asset. Further comments returned from the council heritage officer advises that the heritage benefits of this scheme are the repair and

new use of the main building (Periton Mead) plus the re-instatement of the gardens and removal of poor quality later additions.

The heritage harm is considered to be at the low end of less than substantial harm in connection with the conversion of the main house and the development would be medium level in harm when assessing the setting of the listed building. This of course has to be measured against the amount of development in and around the site. Therefore following the issues and considerations in this case and the desire to maintain the recently listed Periton Mead building, it is recommended that approval be granted to this application.

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



Application No 3/21/16/075
 Erection of 17 new dwellings (12
 two-bed +1 three-bed detached
 bungalows, 4 two-bed semi-detached
 dwellings) and the conversion of the
 listed building into 14 flats (6 two-bed
 and 8 one-bed)
 Periton Mead, Periton Mead, Minehead,
 TA24 8D
 11 August 2016
 Planning Manager
 West Somerset Council
 West Somerset House
 Killick Way
 Williton TA4 4QA
 West Somerset Council
 Licence Number: 100023932



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 Easting: 295826 Northing: 145510 Scale: 1:2500

Application No:	3/21/16/076
Parish	Minehead
Application Type	Listed Building Consent
Case Officer:	Sue Keal
Grid Ref	Easting: 295826 Northing: 145510
Applicant	Mr Heffer
Proposal	Conversion of the listed building into 14 flats (6 x two-bed flats and 8 x one-bed flats).
Location	Periton Mead, Periton Road, Minehead, TA24 8DS
Reason for referral to Committee	The views of the Town Council are contrary to the recommendation

Recommendation

Recommended decision: Grant

Recommended Conditions (if applicable)

- 1 The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 18 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved drawings: Drawing Numbers:

(A3) DRNO THWC/03/04 Rev 02 General arrangement details.(29/5/17)
(A3) DRNO Ref HP06/16 Homelight Plus Window frame Profiles (29/5/17)
(A1) DRNO 8505/604 Conversion floor plans 1 of 2 (Dated Aug 01)
(A1) DRNO 8505/600 REV C, Site, Block & Location Plans (Dated Aug 01)
(A1) DRNO 8505/601 Site Sections A-A & B-B (Dated Aug 01)
(A1) DRNO 8505/602 Conversion elevations 1 of 2 & Cycle store plans & elevations (Dated Aug 01)
(A1) DRNO 8505/603 Conversion elevations 2 of 2 & Bin store plans & elevations (Dated Aug 01)
(A1) DRNO 8505/605 Conversion floor plans 2 of 2 (Dated Aug 01)
(A1) DRNO 8505/617 Plans & Elevations, units 16 & 17 (Dated Aug 01)

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

- 3 The hereby approved works for the conversion and the change of use of the

main building into 14 units shall not take place until the site has full benefit of Full Planning permission confirming the details of the overall site, including the access and layout of additional structures on this site.

Reason: To maintain the character and appearance of the heritage asset and the landscape character of the overall unique site.

- 4 'No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work involving detailed building recording in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the local planning authority.

Reason; To provide archaeological recording of the development and a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141), to understand the significance of any heritage assets to be lost (wholly or in part), in a manner proportionate to their importance and Impact and to make this information publicly accessible.

- 5 No works shall be undertaken in respect of any external lighting to be erected, placed or operated on the site, unless details of this have been first submitted to and approved in writing by the Local Planning Authority. The work shall thereafter be carried out in accordance with the approved details and under no circumstances shall external illumination be operated on the site other than in accordance with the approved scheme.

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

- 6 No ground works shall be undertaken on site unless a hard and soft landscape scheme of the proposed reinstatement of the former gardens and repairs to the current eastern terrace of the listed building has been first submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs, positions, species and size of all new trees and the located of grassed areas and areas for shrub planting; details of the hard surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development and to protect the character and appearance of the listed building.

- 7 No materials and finishes to be used in the construction of the external surfaces, including roofs, walls, step and all forms of enclosure, shall be used on site unless samples of the materials have first been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out only in accordance with the details so approved.

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

- 8 No satellite dishes or other residential paraphernalia shall be erected on or close to the main building without the benefit of Listed Building consent.

Reason: To protect the character and appearance of the building.

- 9 Details of all gas and electricity boxes and any external flues to be inserted into the external walls of the listed building shall be submitted to and agreed in writing by the Local Planning Authority prior to such works being undertaken.

Reason: In order to protect the character and appearance of the building.

- 10 Details of all fire safety improvement works within the listed building and the conversion into flats shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to protect the building and the internal historic fabric of the building.

- 11 Important internal features to be retained as listed within the Heritage Statement shall be retained/repaired as listed in the submitted information.

Reason: To protect the important features within the heritage asset.

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. Pre-application discussion and correspondence took place between the applicant and the Local Planning Authority, which positively informed the design/nature of the submitted scheme. During the consideration of the application issues/concerns were raised by a statutory consultees in respect of the design and the amount of development and impacts on the listed building. The Local Planning Authority contacted the applicant and sought amendments to the scheme to address this issue/concern and amended plans were submitted. For the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

- 2 This Listed Building consent cannot be implemented without the relevant, related full planning permission for the site being granted.

Proposal

The proposal seeks Listed Building consent for the conversion of the two storey Grade II listed building into 14 flats (6 x two-bed flats and 8 x one-bed flats).

This Listed Building Consent proposal also seeks the removal of several curtilage structures in the grounds such as the former pratten classrooms small sheds and garage a modern gym building and the former Headmasters accommodation. The proposal also involves the formal garden restoration and enhancement.

With regards to the works to the main house itself and the conversion into 14 flats the works are detailed within the (applicants Outline Project Brief) and will include the following;

- Removal of all buildings on the site other than the listed building and the Coach House.
- The removal and disposal of asbestos on the site.
- Remove and replace upvc windows with Crittal metal windows.
- Remove timber boarding over doors/windows and existing gutters.
- Repair/replace ceilings walls and floors as required.
- Form new openings and doors as per the drawings for formation of new units.
- Remove vegetation growth on exterior of building and the cobbled area (embed any loose cobbles) in front of the entrance to the house.
- Repair works required to roof structure, repair to coverings and replacement lead flashings.
- Re pointing and removal of nails and screws from mortar and lintels.
- Remove existing mechanical and electrical installations internally and externally.
- Redecorate Coach House with lime based external grade paint.
- Repair and re-varnish main staircase, plus removal of section of staircase between upper ground floor and first floor and insertion of new stairs in units 5 and 13.
- Remove tarmac playground and replace with lawns.
- Conserve eastern terrace.
- Restore the sunken garden, plus the retention and repair of the retaining wall and steps and part of the grassed walkway extending south of sunken garden.

Site Description

The overall site measures 1.47 hectares and rises up to the south from the adjoining A39 from Alcombe towards Woodcombe and Porlock. Beyond the site is open countryside and the foothills of the Exmoor National Park.

Periton Mead is a large early C20 country house, which is a grade II (Listed in 2015) building, constructed before 1948, on an open plot on the outskirts of Minehead. It is now vacant, becoming increasingly derelict and has had recent vandalism to most of the structure .

The last substantial use of the building was as a children's residential home owned

by Avon County Council but it has been vacant for some time. The proposed future use for the main building is to be for residential use and will involve the internal subdivision of the house into 14 apartments. In order to save this important local building and to achieve the proposed works, it will be necessary to undertake external renovation to the building in the form of repairs to the external fabric of the building, replacement of rainwater goods, repairs/replacement of windows and doors and repairs where required to the roof.

Within the grounds of the main house there also existing 2 portakabin classroom blocks, stores, a more modern gym building, and headmasters house which are proposed to be removed. The former Lutyen's style walled gardens and terraces are also to be upgraded and reinstated.

Dwellings along this part of Periton Road comprise of a mix of large detached houses in generous plots plus some bungalows. Adjacent to the site (East) is Eastleigh Nursing Home and directly adjacent to the west and open agricultural land and a large house and coach house known as Odell Court.

Historic England have recently confirmed (7/5/15) that the main, early C20, Periton Mead building constructed in Cleeve Stone, with courtyard walls, piers and cobbled surface, raised terrace and steps is Grade II listed. The existing site is not located within a designated Conservation Area.

The site is located on the south western extremities of the town of Minehead. Buildings at the site are set within an overall site of undulating grounds and on varying levels and terraces, and comprise of various sheds, classrooms and garages. A former Headmasters accommodation is sited to the West of the Coach House and further west is a gym building.

The substantial former manor house, latterly a residential school is of traditional stone construction under a variety of pitched tile and flat felt covered roofs. Principally arranged over ground and first floors, although there is a basement and attic, the main building comprises approximately 57 rooms including kitchens, dining areas, reception rooms, bathrooms and offices, 28 of which are currently bedrooms.

The residential Coach House building seems to have been constructed in a similar period to the larger building. Again this has cream painted rendered walls with dark oak beams on the underside of the archway adjoining the Coach House and more modern link and leads to a two storey classroom building and small rear courtyard area. The windows of the main buildings are a mix grey powder coated aluminium, crittall and brown upvc which are surrounded with brown stone quoins as per the main building. There are existing iron rainwater goods.

Boundaries to the site consist of existing hedging ranging in height from 1m - 2m and several mature trees. The adjoining field on the western boundary is at a substantially lower level of approximately 2m and the adjoining bank has several large veteran trees along it. The northern boundary again consists of a bank of approximately 1m above a raised grass verge and faces onto Hopcott Road and the main entrance gates.

Relevant Planning History

1949, Change of use of Periton Mead for educational purposes approved.
1967, Erection of first timber framed classroom on sunken garden area, Granted
3/21/75/084, Erection of double Pratten classroom with toilets, Granted, 24/09/1975
3/21/79/160, Erection of Gymnasium classroom block and new Staff house,
Granted, 20/08/1980
3/21/81/162, Erection of two-storey dwellinghouse, Granted, 23/11/1981
3/21/82/067, Single-storey building for classroom & activities hall, Granted,
13/08/1982
3/21/83/022, Renewal of temporary permission for classroom, Granted, 10/03/1983
3/21/88/273, Retention of temporary classroom, Granted, 30/08/1988
3/21/91/291, Construction of pre-cast garage for craft room material store, Granted,
19/02/1992

Consultation Responses

Ancient Monuments Society -

No comments received.

Council for British Archaeology -

No comments received.

Minehead Town Council –

*Listed Building – listed 15 months ago, now planning application which is not in the Minehead Development Plan.

*Very close to the Exmoor National Park Boundary

*Concern about small, cramped buildings

*14 units within house – overcrowded

*Historic Listed Building value diminishes

*Removal of established trees in a special landscape

Further comments following amendments

1. Nothing has changed since the last decision made by the Planning Committee
2. This is over-development of the site and the listed building will lose character due to overcrowding of the new development.
3. Surface water management is inadequate and will impact on the lower water courses which are already overloaded further into the town. The SUDS programme should be used more extensively.
4. There are no nearby facilities.
5. There is no public transport.

The Georgian Group -

No comments received.

Historic England -

Original comments.

Thank you for your letter of 4 August 2016 notifying Historic England of the above application. We now write to provide a written response.

Summary

This application proposes the conversion of the listed building into 14 flats.

The remit of Historic England in the context of this consultation is the localised demolition proposed to the Grade II building, it does not address the subdivision of circulation routes or principle rooms. Beyond this the associated planning application proposes substantial residential development within the setting of the house, again this response does not address the impact on setting that this development would have.

The application proposes the puncturing of external walls; the blocking off of external openings and the reconfiguration of the existing floor plan. The justification for this is briefly covered however this does not create a clear and convincing justification. Further information is critical if a case is to be made. In addition the information submitted does not include information to identify the significance of the internal partitions that we see today - a plan indicating which are original and which are later would assist. At this stage cumulatively there would appear to be harm which is avoidable. Subject to the submission of a clear and convincing justification additional information and discussion should take place to minimise harm.

Historic England Advice

The significance of Periton Mead is explained in some depth within the accompanying Heritage report and so is not repeated here. In summary though its significance stems from its aesthetic importance as a small country house in the Arts and Crafts tradition employing local materials and in its connection to an architect of note, Percy Morley Horder.

With regards to the detail of the house the accompany report states that “otherwise the house remains remarkably intact, with the treatment of each elevation distinct, the only alteration being the replacement of casement windows.” Internal the report notes that the “house retains a number of good features expressive of the original style, notably fireplaces and the main stair.”

Impact of the proposals

Removal of all buildings on the site other than the listed building.

Externally :

Front (northwest): removal of the door to the north of the octagonal courtyard and an additional window and door into the north-western elevation of the Coach House.

Rear (southeast): removal of the door on the ground floor which would divide the window in two.

Northeast : removal of a door, closing off of an existing window and the creation of a large one, alteration to the position of one window.

Southwest : replacement of the science block.

Internally the plans show a reconfiguration with localised demolition of partitions.

Statute and Policy

Key to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to “have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses”. Paragraph 132 of the National Planning Policy Framework states that in considering the impact of proposed development on significance great weight should be given to the asset’s conservation. It goes on to say that clear and convincing justification is needed if there is loss or harm.

Consideration.

Demolition of the Science block is supported. At present it detracts from the significance of the house in design terms alone.

With regard to the cumulative impact of the localised demolition to external walls and internal walls, as set out within the NPPF at Paragraph 132, any harm or loss should require clear and convincing justification. Within the accompanying Design and Access statement the schools departure in 2013 is explained and brief details given of the marketing. The case made within the report is not convincing, further explanation is therefore required. Whilst we are aware that at the date of sale the house was not listed the purchase price paid should have reflected the open market value, i.e. with existing permissions and in line with planning policy. An analysis of the sale figure and an understanding of the current development economics has not been provided.

If the need for a change of use were to be proven then the significance of the internal plan and elevations needs to be understood in detail. In this context, and in line with the NPPF, some interpretation to show which elements of the internal arrangement are historic and which are later additions is needed. At this early stage there do appear to be a number of avoidable alterations which would cause harm. In Flat 1 for instance the solid wall beside the stairs appears to be unnecessarily cropped and the chimney breast taken from the bedroom. To off-set harm to significance the Heritage appraisal notes that there are alterations which could be implemented. The possible removal of the later wall in the hallway is commented on, though we note that this isn’t shown as a change. A review of the detailed alterations is needed.

The heritage report specifically identifies that a number of good features, expressive of the original style, notably fireplaces and the main stair are present. At present whether features are to be retained or not is not clear. The plans are not explicitly annotated; we recommend that they should be.

Recommendation

In its present form the justification for change is not clear and convincing and whilst the heritage assessment is positive in many respects it does not provide sufficient clarity on the significance of internal partitions or whether specific features are to be

retained. The application, and specifically the demolition proposed, would result in harm to the significance of Periton Mead.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted. If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the committee and send us a copy of your report at the earliest opportunity.

Society for the Protection of Ancient Buildings -

No comments received.

Exmoor National Park -

Thank you for consulting Exmoor National Park Authority on the above mentioned application. I have discussed the proposals with this Authority's Landscape Officer who has the following comments to make:

In the most up to date site and block plan, the site layout indicates new residential units (no's 8-12) to the south east of the existing Listed Building. These are sited within the formal landscape setting of the original building and its associated landscaped structures including walls, steps and terraces, and extend beyond the building line of the Listed Building.

The careful design of the original site sensitively combined this country house and its formally landscaped grounds to form a significant view from the property and its gardens towards the rising elevated land to the south and south west, encompassing the wider view of what is now the northern edge of Exmoor National Park.

The density and positioning of units 8-12 in the proposed site layout does little to respect the views and setting of this site and their designed connection with the wider landscape to the south. As shown, these proposals are unlikely to have a positive impact on the foreground and setting of the National Park to the south of this proposed development.

The cumulative effect of proposed housing development to the south of the A39 at Minehead will need to be carefully considered to respect the rising ground that forms the view and wider setting of the protected wooded landscape of Exmoor National Park in this location and the existing buffer of agricultural land to the north of the park boundary.

Conservation Officer - This application proposes the construction of 17 houses and the conversion of the main listed site into 14 flats.

The main building and all curtilage structures within the grounds including the walls built before 1948 are designated as grade II listed buildings.

The NPPF has a suite of policies that are used for us to determine applications for heritage assets. They are as follows.

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

130. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

131. In determining planning applications, local planning authorities should take account of:

- 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
- a. the desirability of new development making a positive contribution to local character and distinctiveness.

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is

necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

I am happy that Paragraph 128 and 129 have been complied with and we have an excellent statement of historic significance. There appears to be a misunderstanding about its purpose. It is intended to be the starting point for the design rather than an informative document that accompanies the application. Just for clarity the list description for a building is used to describe the site for identification purposes. It is not a list of what is protected. It is all protected and includes structures within the curtilage of the property that were constructed before 1948. This is the case for all the stone walls and garden structures.

From our site visit it is clear that paragraph 130 has not been complied with. There is a risk of vandalism and fire as the building is not secure. In cases like this we would require the full reconstruction of the building if it is damaged due to this neglect. This would I suggest, equate to £ millions and there would be no prospect on enabling development on the site. I would urge the applicant to take immediate action to resolve this and protect himself from that liability.

This then leads onto the scheme itself. There are two elements as I see it. The alteration of the listed building to allow residential accommodation and the development of the remaining site. The building has huge potential for conversion for this purpose but must be guided by its heritage significance. The current scheme does not do this. It does not respect the surviving historic structure. In my professional view this element of the scheme would do less than substantial harm but it is at the high end of the category. With revision it is capable of being reduced to a level that is acceptable.

The development surrounding the property is a great concern to me. Paragraph 132 places great emphasis on the setting of a heritage asset. This proposal has little regard to setting and as such, in my professional view is doing substantial harm to a heritage asset. The test for this is extremely high in terms of public benefit and I see very little prospect that this could be satisfied. I do envisage that with careful design a scheme that has less than substantial harm could be designed. This would still need to meet the public benefit requirement. In this case it would be the removal of modern buildings and the restoration of the original house and the replacement of all windows which need to be returned to the original Crittal metal windows.

I would urge the applicant and agent to discuss my concerns with their Heritage Consultant. Although not NPPF compliant at the moment, this site could be regarded as enabling development for the restoration of the building. Whilst this allows a developer to make a reasonable profit (approx. 20%) it assumes a value of zero for the site. No allowance can be made for paying too much. If this goes to an appeal, the inspector must follow this and can take no account of the late listing. I hope that we could take a more pragmatic approach, but it would require the developer to withdraw the application and engage in the pre-application process. As submitted, I strongly recommend refusal of this application.

Further comments following amendments -

My view at the moment is that I am happy with the conversion of the listed building into apartments. We also have the issue of the poor quality buildings in the grounds. I am happy that an element of development in the grounds can be used to replace these buildings. It is acceptable for there to be an element of developer profit to make this happen. The area most suited is the south east corner of the site and perhaps 1 small lodge house near the entrance.

Further comments:-

We have been negotiating on this scheme for 12 months now. I believe that we have reached the best possible scheme for the site. The building was built in the early 20th century. It was listed with poor quality windows and extensions and in need of extensive renovation. Also parts of the garden need reinstating.

With careful design and a good conservation plan, it is in my view, possible to convert the house to 14 flats with minimal harm to the building. The main issue would be the location of cars and bins, so a low level car park is being introduced adjacent to the cobbled hard standing.

The subsequent challenge has been to demolish poor quality buildings on the site and relocate them in a more sympathetic fashion. Also funding has to be raised to replace the windows in a sympathetic design on the listed building. Also an element of developer profit is required to make this happen.

To achieve this 3 new building typologies have been introduced onto the site.

At the south corner a range of Arts and Crafts style coach houses has been introduced, These harmonise with the design of the main building, Great care has been taken to ensure that they don't interfere with south facing views from the house up onto Exmoor and the designed garden that runs on that axis.

Near the entrance, a pair of arts and crafts style lodge houses have been introduced, Again these are appropriate to the architectural character of the main building.

The remaining buildings have taken their theme from the gardens and have an 'eco' style. They are designed to be read as part of the garden rather than the historic

estate. The gardens to the south-west of the main house have been lost. As part of the scheme they will be reinstated. This has provided the opportunity for a light access road to open up the development plot in the South West Corner. These are again, eco buildings that take their theme from the landscape.

The heritage benefits of the scheme are the repair and new use of the building. The reinstatement of the gardens, the removal of poor quality later additions to the building and the reinstatement of the windows to the listed building.

The harm to heritage is low end less than substantial as described in chapter 12 of the NPPF for the conversion of the original house. The new development represents medium level harm to the setting of the listed building. I have reviewed the scheme with the officer and understand that this is the lowest quantum of development that will achieve the long term sustainable future for the site.

Accordingly I recommend that you approve both the planning and listed building applications.

Landscape and Biodiversity Officer -

The proposal is to develop the site for housing. The main house and the attached coach house will remain and converted to flats. All other buildings will be removed. Helix Ecology carried out a bat and nesting survey of all the buildings on site followed by follow up roost and activity surveys. The latest report is dated July 2016.

Bats - Small numbers of seven different bat species roost in the buildings on site. The main school building- serotine, common pipistrelle, soprano pipistrelle and natters bat

Sports hall -- serotine, common pipistrelle and whiskered bats

Garage- lesser horseshoe bats and myotis bats and common pipistrelle

Science Block - limited number of features with bat roost potential

Coach House - limited number of features with bat roost potential

There is no evidence of a maternity roost on site. Serotine and pipistrelle bats are likely to hibernate.

Two further bat surveys should be carried out between July and August to inform use of the site by commuting and foraging bats, in order to develop a lighting plan for the site.

Trees on site need to be surveyed for bats and nesting birds

A European Protected Species Licence will be required to develop the site.

Details of proposed mitigation should be shown on architectural drawings

Birds

Two pairs of house martins nest under the eaves in the science block

A nesting bird survey should precede demolition.

Further comments following amendments:

Biodiversity

Further to comments made since September 2016, are arrangements underway to carry out the recommended further bat surveys?

Have trees on site been surveyed for bats and nesting birds?

Landscape

I support comments made by Minehead conservation Society that the revised proposal still fails to adequately protect the listed building and its unique garden setting.

The density of the proposed new bungalows is still too great, thus impacting on this Lutyens style garden, mature trees and the views towards and off site.

Several trees, which help to contribute to the setting of the listed building and the landscape character of the area by forming a backdrop to the town of Minehead, will need to be felled to accommodate this development

The site is part of an important buffer between the town and Exmoor National park.

Tree Officer -

My comment regarding this application, and its effect on existing trees, is as follows.

The site contains a variety of trees of differing quality and landscape impact. On the whole, I would agree with the assessments and categorisation's in the tree survey, although certain trees shown to be removed I would ask to be retained.

The trees that are shown to be removed on drawing 8505/200 that I would like to see retained are the Coast Redwood, T45, the Mulberry T12 and the Strawberry Tree T25. There are mature Redwoods at three corners of the site. There may well once have been one in the north west corner as well. T45 is actually shown to be retained on the Tree Protection Plan. These are quite rare trees as mature specimens. The Mulberry is a fine old specimen, as is the Strawberry Tree. These are typical of very old gardens. They are slow-growing, and these ones are veterans. Although they are relatively small trees, especially the Strawberry Tree, I believe that their value should be recognised and they should be considered an asset to the site, and designed around.

There are many *Macrocarpas* along the north and east boundaries. I welcome the retention of the trees along the northern boundary, but I don't believe it is essential to retain T1 in the north west corner, even though it is quite a good specimen. I do not think that the removal of group T27-44 on the eastern side would be too detrimental to the landscape in the long term. These trees are mature, and are prone to shedding branches and looking unsightly. Their replacement with native hedgerow with standard oaks or similar would be preferable long-term.

I would like to see the scheme re-designed to allow the retention of trees T12, T25 and T45, and to allow more space between the houses and trees T45 and T53 so that their Root Protection Areas were avoided. This would also lessen the effect of

shading, leaf-drop and perceived threat from these trees on the residents of the new houses.

The Victorian Society -

No comments received.

Twentieth Century Society –

Thank you for consulting the Twentieth Century Society on the above listed building consent application. We wish to object to the application, and our comments are as follows;

- Overdevelopment of the site. The number of proposed new units will impact the setting of the heritage asset. They are numerous and in our view will seriously detract from the grand character of the listed heritage asset as a country house, as well as fundamentally altering the relationship of the house to its surrounding gardens and grounds, which is an important part of its interest as demonstrated by the listing of the garden structures. We consider that as the application stands, Periton Mead would become overwhelmed by smaller units, losing its visual status as a landmark on the site.
- This is particularly true for units 3, 4, 5, 6, 7 and 15. These are located in very close proximity to the house and some stand ahead of the building line, obstructing important views toward Periton Mead from the approach and the west of the site.
- We support the removal of the later modern school extension, but are deeply concerned that the application proposes a new extension (unit 16) in its place. The modern extension was constructed before the building was listed. Its removal would be a positive intervention, but any new proposal to build in its place must be assessed rigorously in the context of the NPPF, where it would require clear and compelling justification and demonstrable public benefit. Neither of these are provided in this instance.
- We are concerned about changes to plan form through extensive subdivision and with this the loss of original detail and fabric, particularly to the first floor. There is a lack of visual information in the application to give an idea as to architectural features and internal detailing on the first floor. We would welcome further photographic information to better inform our judgement, but drawings show these proposals to be substantial and we urge that this is revised.

The Twentieth Century Society objects to the application as it stands. We strongly recommend that the application is withdrawn and significantly revised. I would appreciate being kept informed about the progress of this application.

Further comments following amendments

Thank you for providing us with a link to the application which contains updated plans. Providing your conservation adviser recommends the application is granted approval, we are happy to withdraw our objection to the scheme.

Garden Trust -

The Gardens Trust (GT) has had the above application brought to its attention by Minehead Conservation Society. The GT is a Statutory Consultee with regard to proposed development affecting a site included by Historic England (HE) on their Register of Park & Gardens. Although the gardens at Periton Mead are not listed in their own right some features are mentioned in the HE Register entry for the house and the whole ensemble of house and garden was conceived as one by the architect Percy Morley Horder. Photographs from *Country Life* of 1923 show Lutyens' like terracing, steps and walls, all of which remain, although in a neglected state.

The GT welcome the removal of the unsympathetic modern school buildings around the main house, the demolition of the modern extension and mentioned within the *Heritage Appraisal with Impact Statement (HAIA)* of the conservation of the East Terrace, Sunken Garden, repairs to the retaining walls, steps and replacement of the tarmac playground with lawns. However, much of the benefit of this work will be completely undone if the demolished modern extension is replaced by units 16 & 17 immediately adjacent to the southern formal terrace and numerous housing units, especially number 8-15, are constructed within the formal landscape setting. Nos. 8-12 in particular will be visible from the main windows of the listed building as they extend beyond the building line of the main house. They will also impact negatively upon the setting of the northern edge of Exmoor National Park. There is also mention in the HAIA of a feature tree to be placed to "close the unfinished south vista" of the southern garden. Whether this was part of Horder's original intention is not made clear and the GT would welcome far more detail with regard to the proposed restoration of these important landscaped areas and information regarding future management and maintenance, especially as it would appear that yew hedging and a mature mulberry are due for removal. There is also mention of removal of the 'macrocarpa' trees on the eastern boundary (LVIA p2). There is no such tree that I am aware of and I wonder if the author means *Cupressus macrocarpa* (common name Monterey Cypress), which was presumably planted especially as it is 'excellent for coastal planting in the teeth of the wind'. (Burncoose Nurseries on-line catalogue). If this is indeed the correct tree it demonstrates that much thought went into the planting of the garden and the GT is not convinced that sufficient consideration and weight has been given to the restoration of the designed landscape around the house, which is so integral to the architect's original vision and indeed to the wider setting of the property. Notwithstanding the inclusion of the land around Periton Mead in the emerging West Somerset Local Plan 2032 - Submission Draft July 2015 as a post 2026 strategic development site (allocation LT1) such dense building in the immediate vicinity of a listed building and its curtilage listed features can only be detrimental to its significance and setting.

The Gardens Trust Objects to this application, and we would be glad if you would keep us informed as to the outcome of this application.

South West Heritage Trust -

No comments received.

Minehead Conservation Society -

Further to our previous letter of September 2nd we wish to make the following

additional points;

- a) We consider the description of the new build homes as bungalows to be misleading. From the plans they appear as two storey with dormers in the roof.
- b) There seems to be a lack of appreciation of the importance of the listed garden areas. From the plans it look to us as though part of the listed elements are to be built over. If so, this is surely a disregard of the importance of those features to the overall contribution they make to the LB. The design of the garden was revered in its day and it is essential that the remaining features are seen, protected and restored.
- c) The site was not included in the local plan for possible development. We were disappointed that some of the garden was excluded from the listing. We should prefer no residential development in the grounds. We did suggest a possible maximum of eight dwellings, should the planners be minded to grant some development, but more than that would be a gross over development. Even that many would have to be subject to an appropriate design and layout that would sit comfortably with the existing building and its setting and not detract from its character and appearance.
- d) A house the size and scale of Periton Mead needs a large space around it to retain its appeal. This undoubtedly would be drastically diminished if the garden was to be reduced by cluttering it with domestic buildings and their associated trappings.
- e) The proposal to be built along the drive would adversely impact on the setting of Periton Mead House. The character and appearance of such a large house set well back from the road is enhanced by a sweeping drive. This long undeveloped drive enables the house to make a grand statement and must have contributed to the overall impact to the house when it was assessed for listing.

For these reasons together with those already submitted we ask that these applications are recommended for refusal.

Response to agent email sent on 31st Oct regarding amended details for proposed development at Periton Mead, sent December 1st 2016

In this the agent state that in his opinion these amendments are sufficient to overcome all objections relating to the impact on the setting of the listed building.

Our Society does not consider that its objections have in any way been addressed particularly with regard to the conversion of the LB. We still adhere to the view that 14 flats within the LB are far too many to adequately safeguard the heritage assets of this property and there appears to be no inclination to accept this but rather to tinker with their former proposed lay-out.

In flat 4, for example it is proposed to retain the former library with a note to say that shelves will be kept! Why anyone think of removing the most important element of the library beggars belief. It is hard to conceive that anyone with any modicum of conservation experience would ever consider not retaining a library in tact in an LB. Secondly, it is proposed to make the 'most' of the original drawing room in the SAME one bed flat. We really cannot accept this as a serious proposal.

Whilst the number of bungalows has been reduced, although not enough in our

opinion, it is only down to the number that the developers probably thought they might get. We are all familiar with the ploy of putting in for far more than it is thought acceptable, and when people object to the number, it is reduced down to what the developers really want. However, there has been no acceptance that so-called bungalows are not the appropriate type of dwellings to build in a road typified of large houses in large plots. They will frankly look incongruous. The only one that might be acceptable is the gatehouse if situated at the end of the drive. We must re-iterate that we are surprised that a Dorset based developer has so little feel for the attractive nature of this site when so many developments in rural Dorset blend in so sympathetically with their surroundings.

It appears that whoever, wrote up the flood report has not actually visited the site. It is a great pity that he did not come on November the 21st when we had such a deluge of rain and watched which way the water actually did flow.

There are so many questionable proposals in this application that we firmly believe the developers should withdraw their application and either sell their property on or seriously re-appraise their approach to this heritage property and take local concerns more fully on board.

It is Minehead's heritage that we are fighting to preserve from insensitive development.

Further comments dated 07/06/2017 following amendments

We have looked at the peripheral alterations to the original application and whilst we welcome the fact that the developers have at last recognized Periton Mead as a LB our stance has not altered as there are still huge shortcomings, which we shall itemise below.

Firstly, we should like to address the question of security. At one time there was a security notice with a number which people could ring if they saw anything untoward happening but this was never replaced after it blew off the gate. Whilst a padlock was eventually placed on the gate the fact that there was a gap between the gate post and the gate was not addressed. Having dealt with planning applications for both listed & non-listed buildings for over 30yrs I have never experienced such a laid back approach to security. Many have a guard dog sign up to deter would be miscreants. Why were the local schools not immediately informed of possible criminal damage by some of its pupils.

We now know that a resident has contacted the schools but this should have been done right at the outset. Why did the police not charged the perpetrators if they found them on the premises. None of this can be used as an excuse to push through an unsatisfactory application. It is the duty of the developers to adequately secure the site just as any house owner has to do. The only issue is whether it is either good planning or it is bad planning.

October 18th 2017

Reference Application 3/21/16/075 & 076 Periton Mead, Minehead

MCS has persistently argued that the number of new builds proposed for the

grounds of Periton Mead is too high . In light of the obvious pressure on both the sewage and drainage systems the most sensible solution would seem to be to do exactly as we have consistently suggested and reduce the number of new builds .

Representations Received

Five letters of objection are shown from the community on this proposal raising the following concerns;

- Strongly object to the conversion of this beautiful listed building into 14 flats.
- The internal fireplaces, staircases etc. should be preserved.
- The building is of considerable local interest, once home of Col. Hartley-Maud with well kept grounds and house and an architectural asset to Minehead.
- There are few if any buildings of this quality left in the town.
- The grounds and house should be restored.
- The erection of other buildings in the ground would greatly detract from the main edifice.
- There has been no reduction in the number of houses to be built on site which will overcrowd the listed building.
- The risk of flooding remains, even with the proposed on-site water storage.
- The number of houses and associated cars will cause a dangerous situation when entering and exiting Periton Mead.
- A semi-detached Gothic gatehouse with no gate?
- An extension to a listed building is unacceptable.
- The garden is also is also listed where heritage needs to be maintained. There is mention of cutting down 33 trees with some replacement, numbers and species need to be clarified.
- Object on aesthetic grounds and example of the arts and crafts movement.
- Drainage - water run-off will cross the A39 and cause problems for residents, as the southern side of the highway is 400mm lower than the Periton Mead entrance..
- Additional traffic flow will be a hazard with additional houses and cars.
- There will be a great increase in impermeable areas.
- The brow of the hill is not outside the site entrance as stated and is outside of the adjoining Eastleigh Care Home. Water entering Periton Road from Periton Mead is directed towards Alcombe in an easterly direction not westerly as stated.
- Far too much development planned around the listed building and the very large Coach House is close to the main house and will adversely impact on its character and appearance and should be sited further away.
- Overdevelopment will adversely impact on the setting and on Exmoor National Park.
- Fewer houses would mean fewer trees being felled, less traffic and less potential of flooding.
- The amended plans are an improvement but still desecrate the listed building.
- There is no guarantee that the extensive internal alterations will be overseen or monitored.
- The prominent position of the site can clearly be seen from North Hill.
- The garden features including the terraces and walls are also listed and no

mention has been made of the listed garden or how they are to be maintained or whose responsibility that will be. These external features contribute enormously to the overall importance of the site.

- Concerns regarding large areas of car parking at the site.
- This is a golden opportunity for Periton Mead to be brought back to its former glory with appropriate development to maximise its assets and make the best of the historic features, restore lost features and enhance the listed status.
- Lighting will inevitably accompany this development and its roads will drastically change the setting of the LB.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

West Somerset Local Plan to 2032

SD1	Presumption in favour of sustainable development
SC1	Hierarchy of settlements
SC2	Housing Provision
NH1	Historic Environment
NH2	Management of Heritage Assets
NH5	Landscape character protection
NH6	Nature conservation & biodiversity protection & enhancement

Determining issues and considerations

The main issues and consideration of this proposal are;

- **Planning Policy.**
- **Impacts on the character and appearance of the Grade II Listed building.**
- **Impacts on the historic fabric of the building.**

Listed Building National Policy

In determining this application for listed building consent, only the works to the listed building are to be considered - which include the conversion of the existing building to residential apartments and the demolition of some of the modern

curtilage listed structures. This application does not include the erection of the additional 17 dwellings or the impacts on the setting of the listed building which are to be considered as part of the accompanying planning application. As the applications have been submitted together, some of the consultation responses refer to both applications.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when deciding whether to grant Listed Building Consent, the Local Planning Authority should have regard to the national statute requirement and policy of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) to “have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses”. Paragraph 132 of the National Planning Policy Framework states that in considering the impact of proposed development on significance great weight should be given to the asset’s conservation. It goes on to say that clear and convincing justification is needed if there is loss or harm.

When considering applications connected with heritage assets, and in this case the Grade II listed building and associated listed building elements including the terraced gardens and walls, Chapter 12 of the NPPF (National Planning Policy Framework) sections 128-134 guides on the policy importance of such sites. This guidance takes into account sustaining and enhancing the significance of the heritage asset and the viable uses for their conservation. Positive contributions can contribute to sustainable communities and economic vitality as well as the development making a positive contribution to local character and distinctiveness.

Local Policy

Since the original proposal was submitted back in July 2016, the West Somerset Local Plan to 2032 has since been adopted in December 2016. The relevant policies in connection with this proposal are specifically;

NH1, Historic Environment, NH2, Management of Heritage Assets, NH3, Areas of High Archaeological Potential and NH4, Archaeological sites of significance.

Impacts on the character and appearance of the Grade II Listed building.

The works to the listed building itself include repair or replacement of the roof and rainwater goods the repair/replacement of the windows/doors on the building and repairs to the external fabric (walls) where required. These works will reinstate the character and appearance of the listed building.

Also involved will be the removal of several existing structures either adjoining or surrounding the main building. These include the removal of a 1960's styled science block extension to the south elevation and a replacement more appropriate extension in its place to match the main building. Two pratten school buildings are to be removed from the current tarmaced area in the north eastern corner of the site, along with the removal of existing storage sheds, headmasters house and garage and a more modern gym building located in the south western corner.

The removal of the science block located on the southern elevation of the main building this is proposed to be replaced by a new arts and style extension on the same footprint and the match the main building shown on the submitted detail as units 16 and 17 on the floor plans. This is viewed as a more sympathetic alternative that is in keeping with the character of the listed building rather than the poor 1960's style current element which detracts from the overall appearance of the main structure.

Advice returned from Historic England at the original stage confirm in their consideration that demolition of the science block is supported as it detracts from the buildings significance. The removal of the other demolition including external walls and internal walls requires further explanation to assess the harm to the significance. No further amended comments have been received since their original submission. They also state the significance of the current former school building, stems from its aesthetic importance as a small country house in the Arts and Crafts tradition employing local materials and in its connection to an architect of note, Percy Morley Holder.

Comments returned from the Twentieth Century Society following amendments to the scheme are confirmed above and state :- Providing your conservation adviser recommends the application is granted approval, we are happy to withdraw our objection to the scheme.

The garden restoration and enhancements proposed within the scheme within the immediate setting of the building will involve significantly enhancement by restoring and repairing retaining walls and steps plus the grassed walkway that extends to the south of the sunken garden. A feature tree is also proposed to be planted in this area to close the unfinished southern vista from the sunken garden. Other enhancement measures include conservation of the eastern terrace and also the removal of the current tarmac playground and removal of two classrooms in this area and new lawn being planted as direct replacement. These works are considered to enhance through restoration key elements of the garden which will compliment the character and appearance of this heritage asset.

Alterations to the exterior of the building itself also include the blocking up of a rear door to the service wing (NW, elevation) and replacement with two new windows (flats 1& 2), side (NE) service elevation a new back door is to be inserted. An existing side door on the western elevation is to be blocked up as is the doorway in the drawing room into the garden on the south east elevation.

The proposed works for the sub-division of the main building involves few alterations to the exterior and include repairs and replacement the replacement extension as previously discussed. Therefore not only is the character and appearance of the building assessed in these considerations it is also necessary to assess the balance between the harm caused by the conversion and the public benefit of finding a use and restoring the listed structure and required by paragraph 134 of the NPPF.

The Councils Conservation Officer advises that in their opinion, it is possible to convert the house into 14 flats with minimal harm to the building, The main issues of

the location of parked cars and bin storage are an important consideration on the character and appearance of the building and a low level car park is to be sited adjacent to the existing cobbled hard standing at the entrance of the building. The officer confirms that the heritage benefits (including the reinstatement of the gardens) are acceptable and the conversion of the original house is at low end, less than substantial harm as described in Chapter 12 of the NPPF (National Planning Policy Framework).

To conclude, having taken into account the comments returned and the advice of the councils Conservation Officer, it is considered that the proposed works to re-instate the formal gardens areas as well as the repairs and replacement extension to part of the heritage asset are acceptable in terms of the character and appearance of the listed building. The proposal therefore is in accordance with both national planning policy within the NPPF and local policies NH1, Historic Environment, NH2, Management of Heritage Assets, NH3, Areas of High Archaeological Potential and NH4, Archaeological sites of significance.

Impacts on the historic fabric of the building.

It is noted from the submitted Heritage information, that the interior of the building has been altered significantly from the article shown in the Country Life publication when the building was altered from a single residence to a residential school and which included rooms being partitioned in order to provide classrooms as well as living accommodation. Nevertheless, there are key areas within the building which do remain unaltered and are features of importance in their own right and which have been assessed individually such as ornate fireplaces and historic original doors and door surrounds as described in the submitted in Appendix A - Outline Project Brief (by David Richards Practice, dated March 2017). The applicants 'Heritage appraisal & impact assessment – Heritage vision July 2016' also lists the internal alterations as follows;

Entrance hall

This has been altered through the insertion of a curved reception wall. This wall is not of significance and could be removed. If the bathroom, en suite and store were removed from flat 3, and the study used as a bathroom then the entrance hall would nearly regain its original form and character and allow a large area of the Treborough slate floor to be exposed. This is a matter to be considered as part of the planning balance.

Stairs

These remain unaltered and their retention serves to preserve an important part of the character of the listed building.

Service area – flat 1

This area, which is used mainly by flat 1, is altered anyway so no concern is raised with the alterations to achieve flat 1.

Dining room – flat 2

While the dining room has been significantly altered it does today still retain its important fireplace, figures 18, 36. It is considered unfortunate for the fireplace to be reduced in its status to a location in a bedroom. It is suggested that by reducing flat 2 to a one bedroom flat that the fireplace and dining room would be better preserved. This is a matter to be considered as part of the planning balance

Inner hall – flat 3

The inner hall reception room is retained as one space that relates well to its fireplace, figure 20. The room could be better preserved through the removal of the partition wall that creates a passageway to the garden door thereby retaining the garden door in the inner hall as originally planned. This is a matter to be considered as part of the planning balance.

Drawing room & library – flat 4

The proposed conversion of the drawing room to a bedroom, en suite and bathroom destroys the character of the room and the setting of the fireplace, figure 21. It is appreciated why this has occurred as the best preserved room in the house, the library is preserved as a living room for flat 4. It is suggested that as the library, figure 37 and the drawing room are the best preserved rooms that they are taken out of the conversion and are left and restored for communal use. This also gives resident a route through to the communal garden. This is a matter to be considered as part of the planning balance.

Flats 5 & 6

These conversions raises no concerns.

First floor – landing & general retention of circulation through the building.

The only feature of interest considered to remain on the first floor is the long landing with slate window cills that looks down into the entrance courtyard, as described in the list description. This landing if left open could provide access through the first floor of the house and keep an attractive part of the house generally accessible. It could be retained if the front door to flat 10 was moved into the existing bedroom wall rather than being placed across the passageway allowing a degree of the character of the first floor and general circulation within the house to remain. The room above the front door, suggested as a private study for flat 10, could then be an interesting feature for all residents to be able to access and enjoy leaving part of the house open for circulation as originally planned. This is a matter to be considered as part of the planning balance.

First floor apartments

No record of the historic layout has been found. The first floor has been significantly subdivided, as noted in the list description. The proposed subdivision does not raise any concerns.

It is considered that the new windows and doors cause no harm in principle to the listed building as those changes are in keeping with the character of the house and are of a minor nature. The works to block up doors are more significant as they remove an ability to interpret how the building was designed to function originally. It is desirable to block up these doors in a manner that makes their past function apparent. Overall the proposed alterations are remarkably few and the designer is to

be commended for achieving so many apartments with such little change to the exterior.

The internal conversion/sub division of Periton Mead into 14 flats will require significant intervention internally, not least due to the former use and the current vacant/damaged internal state of the building. The works will therefore mean extensive repair, reinstatement and fitting of internal new facilities. The enhancement of altered fabric and access through the house along the principle hallway is to be retained as common space. The existing front entrance door is to be repaired and retained and the more modern former reception enclosure is to be removed and the main staircase is to be retained. A wall in the basement of the building is also to be removed as shown on submitted drawing no. 8505/604.

Historic England raise concerns that the plans are not explicitly annotated, with the internal plans showing a reconfiguration with localised demolition of partitions and they feel that the demolition proposed would result in harm to the significance of Periton Mead. They therefore consider that the internal plan and elevations need to be understood in more detail. It is also noted that there have been several amendments to this and the associated full proposal and that Heritage Reports, Design & Access Reports and several other documents have been updated since the receipt of Historic England's comments.

Several comments have been expressed by the local community objecting to both associated applications (including this one) and the concerns are listed above. These have been taken into consideration in respect of the main listed building and the alterations to the fabric of the building and the character and appearance and along with the advice of the statutory consultees comments. It is also noted the in terms of the overall setting of the listed building this is considered under the full planning application and not under listed building consent.

The Councils Conservation Officer advises that the building was listed with poor quality windows and extension and is in need of extensive renovation plus reinstatement of the garden. However, it is concluded that it would be possible to convert the main house and cause minimal harm to the building. The most recent amendments and redesign of the scheme will see the repair and new use of the currently vacant building including the reinstatement of the windows plus the reinstatement of the gardens associated with the main listed structure. The officer advises that the harm to the heritage asset is less than substantial (as per guidance in the NPPF) and recommend approval of this scheme. It is on this basis and as discussed in the conclusion to follow that the building is to be retained with sympathetic conversion and a new residential use which accords with both national policy and local policies NH1, Historic Environment, NH2, Management of Heritage Assets, NH3, Areas of High Archaeological Potential and NH4, Archaeological sites of significance.

Conclusions

Key to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to “have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses”. Paragraph 132 of the National Planning Policy Framework states that in considering the impact of proposed development on significance great weight should be given to the asset’s conservation. It goes on to say that clear and convincing justification is needed if there is loss or harm.

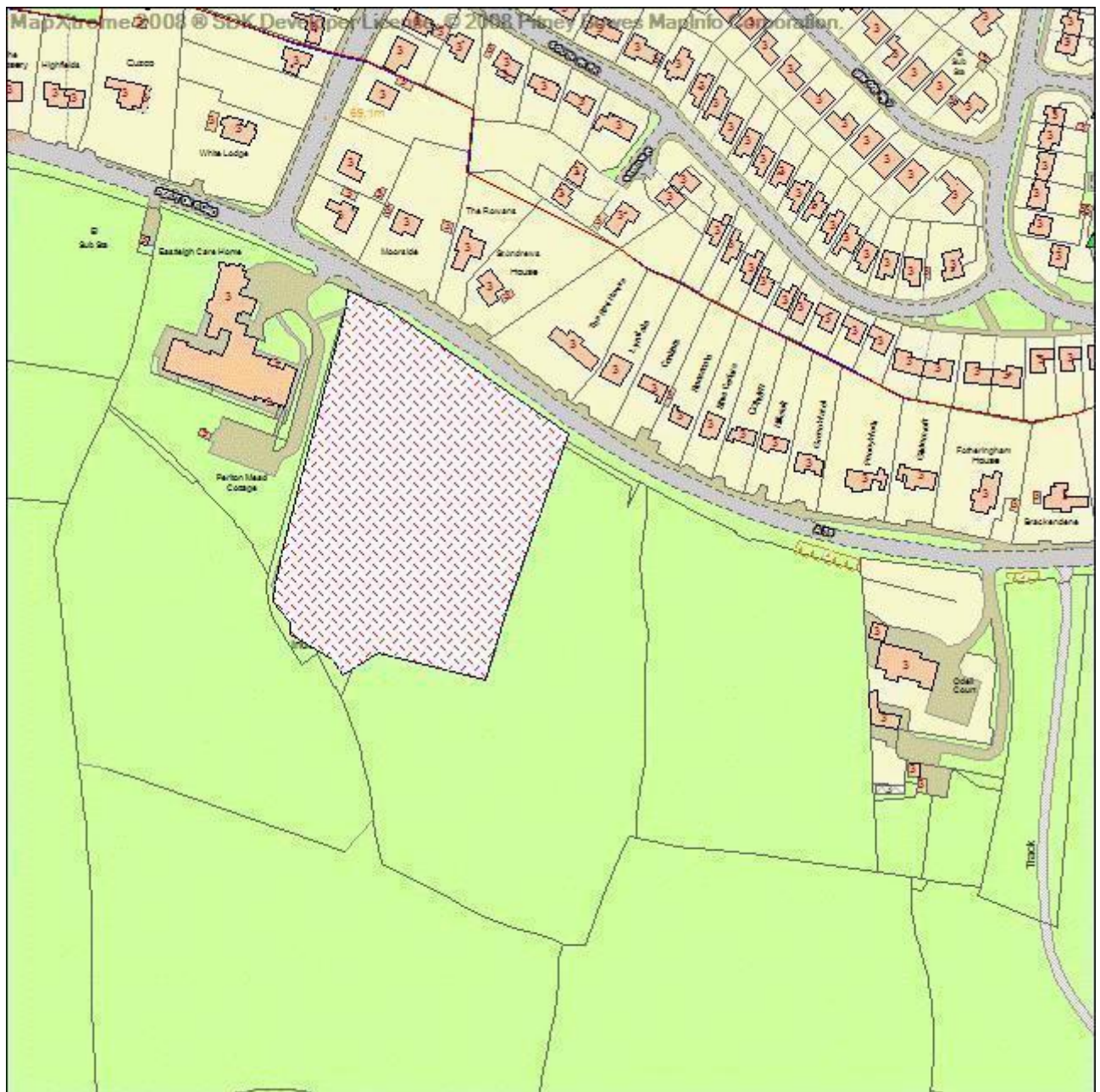
Comments returned from the local community are also published in this report and relate to the amount of new development at the site, flooding, highways and flooding issues as well as the impacts on the building itself. It is important to note that this proposal must consider the impacts on and the character of the listed building only and that most of the aforementioned concerns will be covered in the associated full application (ref. no. 3/21/16/075). With regards to the comment about the internal and external alterations being overseen or monitored, this would be a Building Regulations matter as well as the need for the development to be carried out in accordance with any approved plans.

The planning balance to be determined in this case under listed building consent, has to consider the identified harm of the proposed development with the public benefits that the development would bring in terms of the NPPF paragraph 134, and that advises that “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”. As previously mentioned the councils conservation officer considers that the proposed benefits of the scheme are the repair and use of the building, the reinstatement of the gardens and the removal of poor quality later additions plus the reinstatement of metal windows. He concludes that the harm to heritage is low end less than substantial when considering the conversion of the building (as Chapter 12 of the NPPF).

Given the above consideration it is considered that the works to the listed building and the associated demolition around the structure is acceptable and will preserve and enhance the character and appearance of and any features of historic or architectural interest, in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is accepted that a new sustainable use for the heritage asset, and the list description guides that the formal garden was not completed but some elements do still remain to the east and west of the house. Therefore the introduction of the tarmac playground, with two classrooms on it, the large gymnasium building and the 1960's science block and other more modern school buildings do detract from the original form of this important country house circa 1915-22 and later additions in 1925.

It is also considered that the listed building application is in accordance with the national planning policy framework and local planning policies NH1, Historic Environment, NH2, Management of Heritage Assets, NH3, Areas of High Archaeological Potential and NH4, Archaeological sites of significance of the West

Somerset Local Plan to 2032 and approval is recommended.



Application No 3/21/16/076
Conversion of the listed building
into 14 flats (6 x two-bed flats
and 8 x one-bed flats).
Periton Mead, Periton Road,
Minehead, TA24 8DS
29/07/2016
Planning Manager
West Somerset Council
West Somerset House
Killick Way
Williton TA4 4QA
West Somerset Council
Licence Number: 100023932



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Easting: 295826 Northing: 145510 Scale: 1:1250

WEST SOMERSET COUNCIL PLANNING COMMITTEE

2 NOVEMBER 2017

LATE CORRESPONDENCE SHEET

3/21/16/075 and 076

UPDATE ON PERTION MEAD FROM THE PLANNING AGENT

Update and Clarification Further to Committee Site Meeting – 01/11/2017

Tree Preservation Order

A tree preservation order was served on 21 September 2017, which states: “Regarding the site at Periton Mead, we are about to serve a Tree Preservation Order to protect some of the best trees on the site. **All the trees included in the TPO, except one, are shown to be retained on the latest scheme, so the TPO simply aims to ensure that these trees are protected during the development process, and for the future.**

I understand that the latest scheme is being recommended for approval. I have included the mulberry tree, T12 of the tree survey, in the TPO, in case the final decision goes the other way after committee or appeals. If planning permission is granted, this will over-ride the inclusion of this tree in the TPO.” (Attachment 1403.216.1-1TPO-DavidGalley-18.09.2017)

The general implication of this letter is that this notice is a formality and would not affect this proposal.

Gate House

The Gate House design was agreed with the Conservation Officer prior to the submission of the amended details and are an improvement on the original submission. The Conservation officer states in his consultee comments:

“Near the Entrance, a pair of arts and crafts style lodge houses have been introduced. Again these are appropriate to the architectural character of the main building.” (Page 22 of the committee report)

The Applicant has worked with the local authority to create a development they can support and the Applicant would be happy to amend the finer details through condition to ensure these Gate House buildings area appropriate.

Existing East Garden Wall to the rear of the Listed Building

Having discussed the removal of this wall with the architect I can confirm that the wall at the east of the site is proposed to be removed and that area is to be levelled to reinstate the garden and provide access to units N and O. The stones from this wall will be reused in other parts of the site and the paving stones will be used to replace the concrete paving slabs in the raised sections of the garden which have been retained to protect the views into and out of the site.

Development Viability

The amount of development on site is based on the viability of the scheme. The applicant had calculated the level of development at being a minimum 17 dwellings.

This was questioned by the Conservation Officer who was concerned that not enough development was being proposed to compensate for the restoration of the listed building, enabling development.

A Quantified Schedule of Works and Elemental Cost Plan were prepared by an **independent** firm of Chartered Surveyors, David Richards Practice Limited (DRP). DRP assessed the level of work needed and organised at least two quotes for each element of the work to be done and calculated the costs involved. This information was submitted 23.05.2017.

The findings of this report were used by another **independent** consultant, Simon Corp of S106 Affordable Housing, who specialises in planning obligations. Simon Corp calculated that there would be a small surplus of £5,643. Questions were asked by Heather Crockford, Housing Enabling Officer regarding "Vacant Building Credit" and viability report was recalculated showing a negative viability position of -£7,292. Both the above were **independently** assessed and calculated. Both the above demonstrate a need for at least 17 additional dwellings to make this proposal viable. With regard to land value, the purchase price of the site was lower than the District Valuer's adopted base benchmark land value as set out in the submitted Viability Report, paragraph 3.2.

With regard to viability the conservation officer states on page 22 of the committee report:

"I have reviewed the scheme with the planning officer and understand that this is the lowest quantum of development that will achieve the long term sustainable future for the site. Accordingly I recommend that you approve both the planning and listed building applications."

Highway Safety

I can confirm that the internal highway arrangements have been agreed to be dealt with conditionally. In response to Ben Willmott's email (attached 1403.255-ESKreBenWillmott-Vis101m-16.10.2017), I can confirm that visibility splays of 2.4m x 101m can be achieved to the west and 2.4m by 120m can be achieved to the east, see attached. This is also confirmed in point 2.3.3 of the submitted Transport Statement and I can confirm that adjustments are proposed to the frontage bank to allow at least 120m to the east. We agree that a new suitably scaled drawing can be submitted for approval as a condition.

Flood Risk

A summary of the proposed drainage strategy for managing surface water runoff is:

- Rain falling on the proposed development will be collected and stored in underground modular storage tanks which will be designed to drain slowly at a rate similar to if the site was just a field – this will reduce the current peak flow of surface water from the site by **more than 90%**; and
- The surface water draining from the tanks could be discharged to Periton Coombe Brook or the surface water sewer at the junction of Higher Park and West Park.

This has been agreed by Wessex Water and the Flood Risk Management Team subject to conditions.

The Flood Risk Management Team welcomes the proposed reduction in runoff rates and would have no objection to a discharge into Periton Coombe Brook at greenfield rates.

Drainage/Waste

With regard to foul drainage, it has been confirmed with our flood risk and drainage advisors, RMA Environmental, that there is capacity for foul drainage within the local system and there are

3/21/16/075, Erection of 17 no. dwellings with conversion of the main listed former school building into 14 no. flats (6 x2 beds + 8x1 bed). The 17 no. dwellings are comprised of 1 x 2unit gate house, single storey 2 bed dwellings, a terrace of 5 no. two storey dwellings (1x4 bed = 4x3 bed0, a pair of semi-detached two storey dwellings J & K (1x4 bed + 1x3 bed) plus L & M (2 x 3bed and 4 no. eco style (contemporary) detached dwellings C & D (2beds) and N & O (4 beds). Periton Mead, Minehead.

Comments rec by email from Highways Drainage Team, on 31/10/17

'In regards to the ongoing application above, the Highway Authority can inform you of the following:

We previously mentioned our concerns with any proposal to discharge surface water from the development into Periton Coombe Brook due to historical flooding problems (see attached) and whilst we still retain these concerns, the Highway Authority are satisfied with the pre-construction condition requested by our Lead Local Flood Authority colleagues.'

Further Highways Response

Following on from Highway Authority comments dated 15/9/17 and my voicemail I left you the Highway Authority can provide additional information regarding drainage and the internal layout when referring to submitted drawing number 8505/600 the Design & Access Statement and the Flood Risk Assessment :

Drainage

The surface water management strategy now proposes to discharge surface water run-off from the site via a new connection to either Periton Coombe Brook or the surface water sewer at the junction of Higher Park and West Park, thereby abandoning the proposal to utilise the existing highway drainage system on Periton Road. Whilst this revised proposal addresses our previous concerns dated 7th October 2016 in this regard, our previously documented reservations in our initial response (dated 7th October 2016) for any proposal to directly discharge surface water into the site into Periton Coombe Brook remain relevant (repeated below).

The Highway Authority would like to add further comment to the FRMT's observations that having reviewed the West Somerset Strategic Flood Risk Register it shows that there is a historic flood event at Periton Cross, where this watercourse passes beneath the A39 to run south in a piped system. There are still concerns with surface water run-off flowing across the main

road from the north during heavy sustained rainfall events when the unnamed watercourse surcharges or when the track is inundated. As this watercourse itself is designated as having a 1 in 100 or greater annual probability of flooding and is associated with a known flood risk, the Highway Authority would ask whether it is appropriate to be considered as the point of outfall for further direct discharge.

Internal Layout

- . The Design and access statement indicates that existing retaining walls within the site boundary will have to be removed and rebuilt to accommodate the site entrance. If the wall is to be retained and subsequently adopted, then it will be necessary for an Approval in Principle to be submitted to SCC, signed by a Chartered Engineer (Civil or Structural) prior to the commencement of the detailed design. Any structure to be adopted by SCC will require the payment of a commuted sum by the developer. If the retaining walls are to remain within private ownership, but will be located within 3.67m of the highway boundary and/or which will have a retained height of 1.37m above or below the highway boundary, it will be necessary for detailed design drawings/calculations to be submitted to SCC for checking/approval purposes.
- . An adoptable 17m forward visibility splay (based on anticipated vehicle speeds of 15mph) will be required across the corner of the plot throughout the 90 degree bend at the southern end of the development site. There shall be no obstruction to visibility within the splay that exceeds a height greater than 300mm above the adjoining carriageway level.
- . Adoptable hardened margins will be required at the ends of all proposed turning arms within the carriageway. 2.0m wide margins will be required for bituminous macadam carriageways and 1.0m wide margins will be required for block paved shared surface carriageways.
- . Private drives containing tandem parking bays, should be constructed to a minimum length of 10.5m, as measured from the back edge of the prospective public highway boundary, to avoid overhanging of the highway by parked vehicles.
- . Private parking bays that but up against any form of structure (including footpaths or planting), should be constructed to a minimum length of 5.5m, as measured from the back edge of the prospective public highway boundary.
- . Private single parking bays, not surrounded by any form of structure, should be constructed to a minimum length of 5.0m, as measured from the back edge of the prospective public highway boundary.

- . The applicant/developer would need to clarify the extent of the prospective public highway boundary in regards to the dwellings located within the middle of the site (shaded in grey)

- . Where an outfall, drain or pipe will discharge into an existing drain, pipe or watercourse not maintainable by the Local Highway Authority, written evidence of the consent of the authority or owner responsible for the existing drain will be required, with a copy forwarded to SCC.

- . Surface water from all private areas will not be permitted to discharge onto the prospective public highway. Private interceptor drains must be provided to prevent this from happening.

- . No doors, gates or low-level windows, utility boxes, down pipes or porches are to obstruct footways/shared surface roads. The Highway limits shall be limited to that area of the footway/carrage way clear of all private service boxes, inspection chambers, rainwater pipes, vent pipes, meter boxes (including wall mounted), steps etc.

- . Tie into existing carriage way – Allowance shall be made to resurface the full width of the carriage way where disturbed by the extended construction and to overlap each construction layer of the carriage way by a minimum of 300mm. It may be necessary to take cores within the existing carriage way to determine the depths of the existing bituminous macadam layers.

- . Where works are to be undertaken within or adjoin the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority (01823 359504). Applications should be made at least four weeks in advance of works starting in order for Statutory Undertakers to be consulted concerning their services. A proposed start date, programme for works and a traffic management layout will be required prior to approval being given for the commencement of any works within the highway.

- . Section 50 NRASWA 1991 (Sewer connections) – Where works have to be undertaken within or adjoining the public highway a Section 50 licence will be required. These are obtainable from the Streetworks Co-ordinator (01823 357525).

- . The developer will be held responsible for any damage caused to the public highways by construction traffic proceeding to/from the site. Construction traffic will be classed as 'extra-ordinary traffic' on public highways. Photographs shall be taken by the developer's representative in the presence of the SCC Highway Supervisor showing the condition of the existing public highways adjacent to the site and a schedule of defects agreed prior to works commencing on site.

- . Any proposed planting either within or immediately adjacent to the prospective public highway boundary will need to be supported by the submission to SCC of a comprehensive planting schedule for checking/approval purposes. Any planting within the highway will require a commuted sum, payable by the developer. Proposed planting immediately adjacent to parking bays/drives, shall be of the low-level variety so as not to obstruct visibility for users of the bays.
- . Adoptable visibility splays based on dimensions of 2.4m x 25m in each direction will be required at the junctions of the 2 no. side roads with the road that runs north/south through the site. There shall be no obstruction to visibility within the splays that exceeds a height greater than 300mm above the adjoining carriageway level.
- . Under Section 141 of the Highways Act 1980, no tree or shrub shall be planted within 4.5m of the centreline of a made up carriageway. Trees are to be a minimum distance of 5.0m from buildings, 3.0m from drainage/services and 1.0m from the carriageway edge. Root barriers of a type to be approved by SCC will be required for all trees that are to be planted either within or immediately adjacent to the highway.
- . A 5.0m wide carriageway with adoptable margins will be required for the first side road on the left hand side, approximately 30.0m into the development site.

Further email from Highways re Visibility rec. 1/11

In reference to Mr Rowe's email below the Highway Authority will accept the proposed splays on the basis that it isn't technically possible to achieve greater visibility splays as set out in our previous comments attached. I have also attached Mr Dunkley's previous comments which would indicate splays greater than 101m to the west could be achieved to the centre.

However, as already mentioned the Highway Authority are prepared to condition the proposed splays by Mr Rowe set out below, to the centreline on the basis that this is the **maximum** visibility achievable without encroaching on any 3rd party land in regards to the visibility splay to the west.

3/37/17/024

Revised block plan has been received to show on-site parking provision for three cars which meets with Somerset County Council's Highways Standing Advice requirement for a 4-bed house in Watchet.

Condition 2 – has been amended accordingly.

Application No:	3/05/17/011
Parish	Carhampton
Application Type	Full Planning Permission
Case Officer:	Sarah Wilsher
Grid Ref	Easting: 300684 Northing: 142769
Applicant	Mr Keith Andrews
Proposal	Erection of two storey side extension
Location	1 Tanyard, Carhampton, Minehead, TA24 6NG
Reason for referral to Committee	The views of the Parish Council are contrary to the recommendation

Recommendation

Recommended decision: Grant

Recommended Conditions (if applicable)

- 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 approved plans:

(A1) DrNo IPL_238_101 Plans and Elevations
(A3) DrNo LPA_IPL_238_102 3D Images of the Proposal

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

- 3 All external walling and roofing materials to be used shall be carried out in accordance with the details as stated on the hereby approved plans.

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

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraphs 186 and 187 of the National

Planning Policy Framework. Pre-application discussion and correspondence took place between the applicant and the Local Planning Authority, which positively informed the design/nature of the submitted scheme. For the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

Proposal

It is proposed to remove the existing conservatory and lean-to single storey extension on the south elevation and erect a two-storey side extension. This extension will be 5.65 metres wide at the south elevation and will project 3.7 metres to the south, narrowing to fit the boundaries so that it will be 3.2 metres in width at the outer edge. It will provide a new dining area and kitchen at ground floor level and a master bedroom and ensuite at first floor level. It will have a dual-pitched roof to match the existing, 4.9 metres to the ridge and 3.9 metres to the eaves, and the corners of the extension and roof sections will be chamfered to fit the boundaries, provide a neater finish and maintain a clear vehicular access way to the west. The west facing wall and corner of the extension will be rendered to match the existing dwelling whilst the south facing central wall will be a solid aluminium panel housing a first floor window and patio doors at ground floor level, with timber panels flanking to the west side and the east including the eastern corner. These timber boards will provide a modern appearance and that on the eastern corner is designed to reduce glare for oncoming traffic, whilst being easily replaceable in the potential case of vehicular impact. The east facing wall forming the front elevation will be finished externally with artificial slate to match the roof of the main dwelling and the dark colour will enhance its subservience to the main dwelling.

The extension will be set back 150mm to provide subservience and to increase the vehicular access available along the access lane. It will also be set down from the main ridge of the dwelling by 0.25 metres in line with the pre-application advice provided, which will further increase the subservience of the proposal.

The windows in the west elevation will be upvc to match the existing window on this elevation whilst those on the south and east elevations will be powder coated grey aluminium to match the contemporary materials on these elevations and to fit in with the darker colours. The first floor window on the south elevation will be installed in the gable as a feature window and there will be patio doors below of the same width. The window on the east elevation will be the same design as those on the front elevation.

The existing fence running along the eastern corner will be replaced with a concrete retaining plinth wall with plastic coated steel railing. This will protect the dwelling from any accidental vehicular impact whilst continuing the contemporary features of the extension.

Site Description

1 Tanyard comprises an end of terrace rendered dwelling with an artificial slate dual-pitched roof situated at the end of a narrow private lane, on the north side of the A39. This lane is a cul-de-sac serving six properties. The end gable of the property faces onto the lane and onto a small side garden.

Relevant Planning History

None.

Consultation Responses

Carhampton Parish Council - Members of the Parish Council considered this application at the November meeting. This proposed extension is considered to be a wholly inappropriate design for this style of building. Its shape and materials are unsympathetic to this cottage and those around it. It would also probably be visible from the main road, appearing as what Prince Charles would call 'a carbuncle'.

Highways Development Control - Standing Advice applies.

South West Heritage Trust - As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

Representations Received

None received.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

SV1	Development at primary and secondary villages
NH3	Areas of high archaeological potential
SC1	Hierarchy of settlements

Retained saved policies of the West Somerset Local Plan (2006)

SV1	Development at primary and secondary villages
NH3	Areas of high archaeological potential
BD/3	Conversions, Alterations and, Extensions
SC1	Hierarchy of settlements

Determining issues and considerations

The determining issues are the affect on the amenities of the neighbours, the appearance of the dwelling and the impact on the terrace and highway safety.

The proposed first floor window on the south elevation will look towards the boundary of Hideaway, but as there is a wall with fence atop providing a boundary height of 2 metres with a hedge of mature trees behind there will be no overlooking of this property, which is a bungalow, and there is also a distance of approximately 30 metres between the properties. The two windows on the proposed west elevation will face the rear garden of Rowan, but there is a hedge of approximately 1 metre high between the dwellings which will effectively screen these windows, and as the two proposed windows are just 1.1 metre high compared to the conservatory glazing of about 1.35 metres high, it is considered that the impact on Rowan will be reduced.

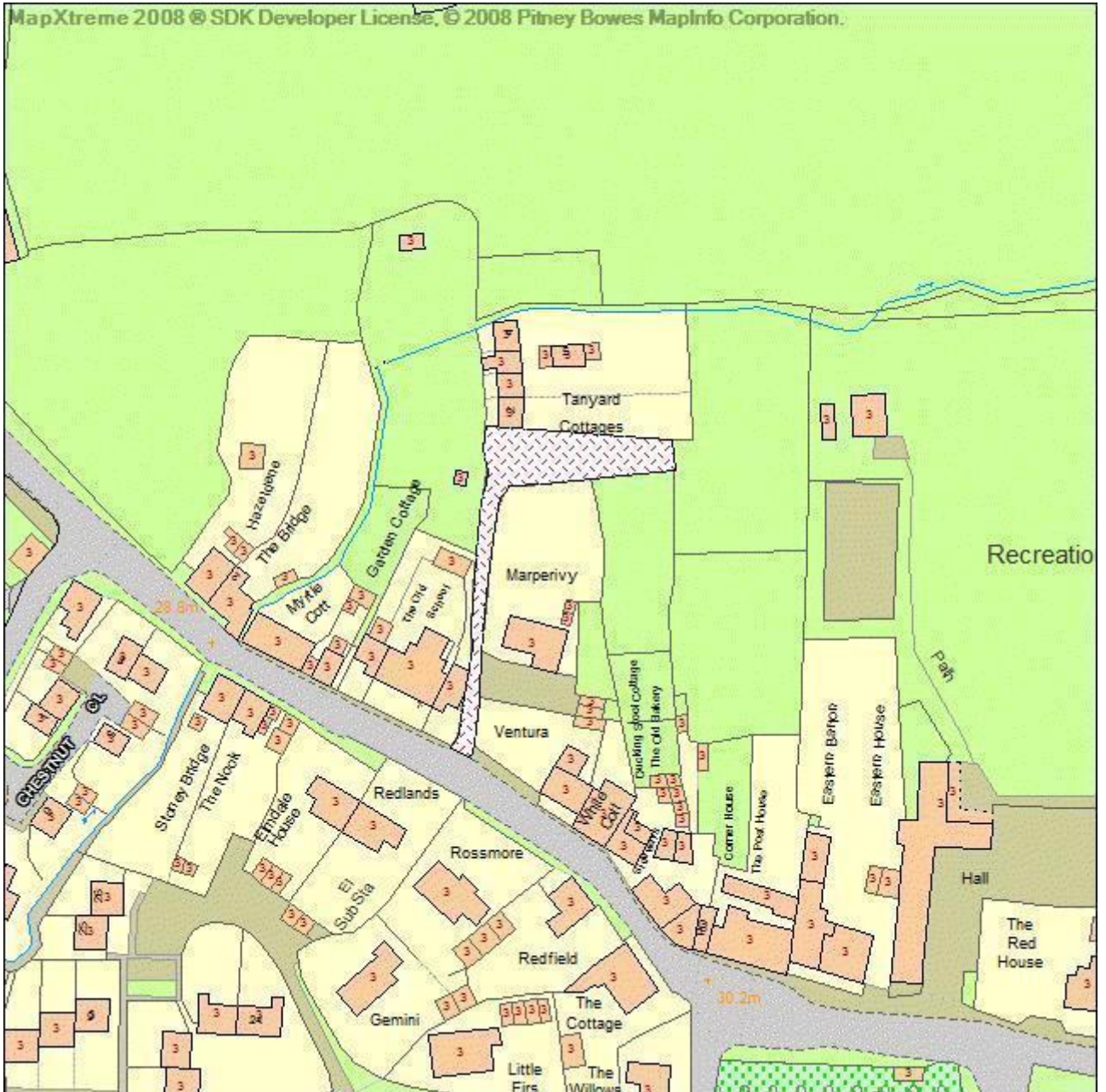
The two-storey extension will be an improvement on the existing conservatory and single storey lean-to on the end elevation and the gabled design and scale will be in keeping with the dwelling. It will be subservient to the main dwelling, which is welcomed and in line with pre-application advice. The addition of the new materials and the chamfered corners will provide different textures and modernity to the property giving the dwelling a contemporary and neater feel, which will make the dwelling more attractive when approaching from the south.

The dwelling is the end property in a five-dwelling terrace which consists of four painted rendered and one stone finished dwelling under a continual artificial slate roofline. The last dwelling on the other end of the terrace is finished in stone with a rendered gable. The frontages of the cottages look very similar with varying designs of windows and porch canopies. The main front elevation of no. 1 will not be affected. It will remain rendered and provide the same frontage appearance as existing. With the proposed two-storey extension being set back and set down and in darkened materials it is considered that the proposal will not adversely harm the setting of the terrace. Indeed as the other end of terraced cottage already differs in materials and is of a dark colouring the proposed change to no. 1 will provide balance to the terrace whilst not upsetting the harmony of the main frontage.

The use of chamfered corners, timber boarding and the new retaining wall will enable an increase in width of the access lane for vehicular traffic, in line with pre-application advice, and practically help to reduce the potential impact of any vehicular collisions. As such, these aspects of the proposed development are welcomed as they will increase highway safety.

The proposed development is thus considered to be acceptable and in accordance with policies SV1 and NH3 of the West Somerset Local Plan to 2032 and policy BD/3 of the West Somerset District Local Plan (2006) and is recommended for conditional approval.

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



Application No 3/05/17/011
Erection of two storey side
extension
1 Tanyard, Carhampton,
Minehead, TA24 6NG

Planning Manager
West Somerset Council
West Somerset House
Killick Way
Williton TA4 4QA
West Somerset Council
Licence Number: 100023932



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Application No:	3/05/17/015
Parish	Carhampton
Application Type	Full Planning Permission
Case Officer:	Sarah Wilsher
Grid Ref	Easting: 301095 Northing: 142428
Applicant	Mr & Mrs D Grimmett
Proposal	Installation of waiting bay (resubmission of 3/05/17/008)
Location	Fourways, Carhampton, Minehead, TA24 6LZ
Reason for referral to Committee	The views of the Parish Council are contrary to the recommendation

Recommendation

Recommended decision: Refuse

Reasons for refusal:

- 1 The proposal is contrary to Section 4 of the National Planning Policy Framework (NPPF) and Policy SD1 of the West Somerset Local Plan to 2032 since the proposed development does not permit suitable visibility to be achieved in both directions when entering the highway which is essential in the interests of highway safety.

Informative notes to applicant

Proposal

It is proposed to remove the existing southern boundary wall to the front of the property and form a waiting bay with a stone faced wall to the north of 0.8 metres and a timber fence of 1.7 metres beyond and a pedestrian ramp and gateway to the west. The waiting bay will be 2.4 metres wide and will link with the existing waiting bay of Hur Wood, making a total length of approximately 17 metres. The created hardstanding will be Marshall Priors red/grey permeable paving.

Site Description

Fourways is a semi-detached rendered dwelling with a concrete tiled roof. The house is set back by 5 metres from the A39 and the stone boundary wall is at the edge of the highway with road edge white lines approximately 800mm from the boundary wall.

Relevant Planning History

3/21/17/008 - Installation of waiting bay - withdrawn 18 September 2017.

Consultation Responses

Carhampton Parish Council - Members of the Parish Council looked again at this application at the November meeting last night. It was noted that previous concerns have been dealt with, and the applicant has also attended a meeting to explain the project. This is now felt to be a good design to improve safety for road users and residents to two properties.

Highways Development Control - I refer to the above planning application received on 31st October 2017 have the following observations on the highway and transportation aspects of this proposal:-

It is noted that the application is a resubmission of application 3/05/17/008 which was subsequently withdrawn.

For clarity the previous comment from the Highway Authority was meant to refer to the A39 not the A358 and apologies for any confusion.

Whilst the acting consultant refers to the adjacent dwellings and their parking arrangements the Highway Authority would like to draw attention that the Highway Authority did raise concerns for planning application 3/05/05/005 (for the proposed garage and vehicular access at Eastern Corner, the property to the west) which the Local Planning Authority approved.

The current application wouldn't allow vehicles the scope to safely park and turn prior to entering the highway which could lead to excessive movement on the highway. It is important to again note that the proposal is situated off the classified A39 road, which carries a heavy amount of traffic on a daily basis and in particular during the summer months. It is paramount that suitable visibility can be achieved in both directions when entering the highway and therefore our previous comments dated 29th August 2017 apply. However it is up to the Local Planning Authority to consider this within the overall planning balance.

The previous comments from the Highways Authority on 3/05/17/008 are:

I refer to the above planning application received on 8th August 2017 and after a site visit on 22nd August have the following observations on the highway and transportation aspects of this proposal:-

The applicant proposed to install a waiting bay at the above address.

The proposal is situated off the classified A39 in Carhampton. The speed limit in the settlement is 30mph where observed speeds appeared to be at or around this.

Given the proximity of the proposed development and the heavy use of the A39 (A358 amended to A39), the Highway Authority would not recommend designs where vehicles do not enter or exit the highway perpendicular to the highway. This doesn't allow the necessary visibility splays in both directions onto the highway. Whilst the applicant claims that the dwellings either side of the proposal site are served by waiting bays, the two dwellings also have private parking within their internal layout to allow vehicles the opportunity to enter the highway in a forward gear whilst being perpendicular to the running carriageway.

Furthermore there is no mechanism to control the use of the proposed development as it would be off the public highway. This could lead to unlawful long term parking off a classified, heavily used road where vehicles wouldn't be perpendicular to the highway and consequently appropriate visibility splays wouldn't be achievable.

On balance of the above the Highway Authority would recommend refusal for the following:

The proposal is contrary to Section 4 of the National Planning Policy Framework (NPPF) and Policy SD1 of the West Somerset District Local Plan (adopted November 2016) since the proposed development restricts the necessary visibility splays for neighbouring properties which are essential in the interests of highway safety.

Representations Received

Support has been received from the neighbouring property to the east, Hurwood, as follows:

- Removal of the front wall of Fourways will substantially increase our visibility splay towards Minehead and therefore make it much safer for us to exit Hurwood.
- The increased off-highway area would also make it significantly safer for deliveries to Hurwood, for example, oil deliveries as the vans/lorries would be able to draw, almost entirely, off the road.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

SD1	Presumption in favour of sustainable development
SV1	Development at primary and secondary villages
SC1	Hierarchy of settlements

Retained saved policies of the West Somerset Local Plan (2006)

BD/3	Conversions, Alterations and, Extensions
------	--

Determining issues and considerations

The determining issues are the highway safety implications and enforceability issues.

It is understood that Fourways has no parking provision and that loading/off-loading therefore takes place to the front of the property on the A39, which is a dangerous situation for those doing the loading/unloading due to the oncoming traffic from the west and an obstruction is created for the vehicles travelling to the east. The A39 is the main route through this part of West Somerset and is a particularly busy road. It is noted that the speed limit is 30mph at this point, however, it is close to the junction with the B3191 to Blue Anchor and it is close to the approach to Withycombe Straight where the speed limit increases to 40mph. It is therefore not considered acceptable to install a waiting bay onto a classified road at this point, where the vehicle would not be able to enter or exit the highway perpendicular to the highway and, as such there would be inadequate visibility in both directions.

It is stated that the bay will only be used for waiting (off-loading and loading) and not for parking, but unfortunately there is no mechanism to enforce this and, as such, the bay could be used for indeterminate periods of time.

In line with the Highways Authority's objection, the proposal is therefore contrary to Section 4 of the National Planning Policy Framework (NPPF) and Policy SD1 of the West Somerset Local Plan to 2032 since the proposed development does not permit suitable visibility to be achieved in both directions when entering the highway which is essential in the interests of highway safety.

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



Application No 3/05/17/015
 Installation of waiting bay
 (resubmission of 3/05/17/008)
 Fourways, Carhampton,
 Minehead, TA24 6LZ



Planning Manager
 West Somerset Council
 West Somerset House
 Killick Way
 Williton TA4 4QA
 West Somerset Council
 Licence Number: 100023932

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Application No:	3/21/17/095
Parish	Minehead
Application Type	Full Planning Permission
Case Officer:	Sue Keal
Grid Ref	Easting: 296701 Northing: 146229
Applicant	Mr Dorrill
Proposal	Conversion of 3 No. first floor flats into 6 No. 1 bedroom flats with associated parking and removal of chimney
Location	Flats 5, 9 & 11 Tythings Court, Minehead, TA24 5NT
Reason for referral to Committee	The views of the Town Council are contrary to the recommendation

Recommendation

Recommended decision: Grant

Recommended Conditions (if applicable)

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

Reason: As required by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved drawings: Drawing Numbers:

(A3) DRNO LPA_IPL_247_003 SOUTH ELEVATIONS
(A1) DRNO IPL_247_002 REV 03 - WIP PROPOSED PLANS & ELEVATIONS

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the use of any existing garage, or garage hereby permitted as part of this development, shall not be used other than for the parking of domestic vehicles and shall not be used for further ancillary residential accommodation, business use or any other purpose whatsoever.

Reason: To ensure that adequate off-street parking is provided and kept permanently available for use, in the interests of highway safety, and in order to protect the residential amenities of the neighbourhood.

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. Although the applicant did not seek to enter into pre-application discussions/correspondence with the Local Planning Authority in advance of submitting the application, for the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

- 2 In view of the potential flood risks in this locality, the Environment Agency advise that any developer gives consideration to the use of flood resilient construction practices and materials in the conversion of this building. Choice of materials and simple design modifications can make the development more resistant to flooding in the first place, or limit the damage and reduce rehabilitation time in the event of future inundation. Detailed information on flood proofing and mitigation can be found by referring to the DCLG free publication 'Improving the Flood Performance of New Buildings'. The Council's Emergency Planners should be consulted in relation to flood emergency response and evacuation arrangements for the site. We strongly recommend that the applicant prepares a Flood Warning and Evacuation Plan for future occupants. As part of the Flood Warning Evacuation Plan, we recommend the future occupants contact the Environment Agency on 0345 988 1188 to sign up for our free Floodline Warnings Direct service.

Proposal

Sub-division of 3 x 2no. bed flats forming 6 x 1 bed flats plus the removal of 1 chimney, Flats 5, 9 and 11, Tythings Court, Minehead. No alterations are proposed to the external appearance of the building as the proposal only involves internal reconfiguration. The current flats are 3 first floor flats accessed from 3 ground floor staircase enclosures and one workshop premise plus associated commercial storage and 12 lock up storage spaces/garages.

Site Description

The site is within the town of Minehead, close to the town centre. It contains an 'L' shaped existing built form with a mix of 2 storey traditional stone buildings, linked with a single storey flat roofed element. The application site contains two properties storey with residential accommodation at first floor above lock up storage spaces/garages at ground floor. The building is accessed from Tythings Court access lane from Watery Lane in Minehead.

There is a small pedestrian lane from Holloway Street into the Tythings Court area.

Currently there are 4 external car parking spaces plus 12 internal garage spaces.

Relevant Planning History

3/21/13/124, Erection of two 3 no. bed dwellings, Refused, 14/02/14.

3/21/14/024, Erection of two 3 no. bedroom dwellings (resubmission of 3/21/13/124), Granted, 28/04/14.

3/21/17/065, Change of use & conversion of storage units into 4 no. 1 bed flats & conversion of 2 no. first floor flats into 4 no. 1 bed flats with associated parking & removal of chimney, Withdrawn by applicant, 21/07/17.

Consultation Responses

Minehead Town Council - Recommend refusal as the application represents overdevelopment of the existing site and the units appear to be too small for decent living standards. No dimensions are given.

Environment Agency - New flatted style dwellings are now proposed only at first floor level, each will be accessed using existing doorways and staircases meaning that the dwellings are not at risk of flooding. It is expected that the EA objection will be continued as the location of the premises cannot be changed but the nature of the works and the exposure to risk have been amended suitably for the LPA to consider the submitted proposal favourably.

Wessex Water Authority - No comments received.

Highways Development Control - I refer to the above planning application received on 12th September 2017 have the following observations on the highway and transportation aspects of this proposal:-

The application is a resubmission of application of 3/2117/065. The applicant proposes to convert 3 first floor flats into 6 No.1 bedroom flats. The proposal site sits in a private courtyard arrangement area off the unclassified no through road of Tythings Court in Minehead. It was noted that the no through road is subject to on street parking and regular use by multiple businesses and drop offs including HGVs given its proximity within the town.

In terms of traffic impact the current TRICS datasets indicates that the average dwelling would generate 6-8 vehicle movements per day. Consequently the proposed development based on the worst case scenario this site would generate an additional 24 movements per day compared to its current usage (given there are already three existing flats).

The proposed development would generate an increase in vehicle movement to the local highway predominantly via Tythings Court. However, the application isn't

considered to have a severe impact on the local highway.

The applicant has stated that there's sufficient parking spaces to serve the proposed development, which includes occasional shared commercial use. Referring to Somerset County Council's Parking Strategy Minehead falls into Zone B which requires that the proposal provides 9 parking spaces. This is based on a breakdown of 1.5 spaces per one bed unit. The proposal would normally require an additional visitor parking space.

The Statement also highlights that one allocated space may be used for private parking for an existing tenant subject to agreement by the applicant. As such the Highway Authority regards the allocated space for this arrangement as affectively unavailable for residents of the proposed development. Sheet No: IPL-247-002 2 REV 03-WIP also indicates that numbered parking areas 3 and 6 have restricted access due to car space 14 and an unnumbered parking space sited being positioned in front of them. As such, these spaces cannot be considered for the proposed development.

The Design and Access Statement states that the site will continue to be access/egressed by pedestrians & vehicles from Tythings Court however it appears on Sheet No: IPL-247-002 2 REV 03-WIP indicates that garages 4 & 5 are only accessible from a separate narrow singular private access to the south.

When consulting Sheet No: IPL-247-002 2 REV 03-WIP the submitted garage/parking plans provided don't appear to demonstrate suitable dimensions for every proposed parking space to accommodate adequate parking. When consulting the Somerset Parking Strategy, minimum dimensions for garages/car ports are 6m x 3m. Please note 1 cycle space per bedroom should be allocated. The Local Planning Authority should also be aware that the SPS also encourages developers to accommodate greener methods of travel such as incorporating facilities for charging plug-in and other ultra-low emission vehicles.

Whilst the proposed parking areas/garage spaces don't appear to meet minimum dimensions within the Somerset Parking Strategy, it is to our understanding that the proposed garage spaces have had previous use as garages. Our concern however, would be residents of the proposed development not utilising the allocated space for parking which could encourage further parking on the local highway. If there is an opportunity for the applicant to improve the dimensions and layout of the proposed covered parking spaces it would be recommend by the Highway Authority.

It is noted that the existing access onto Tythings Court is not ideal however given that the proposed garages have had previous use for this purpose and the access is already in use for vehicle access on these premises which also serves a number adjacent units on this basis it may be seen as unreasonable for the Highway Authority to object on these grounds.

On balance of the above, if the Local Planning Authority is minded to grant planning permission, the Highway Authority would recommend the following conditions:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the use of any existing garage, or garage hereby permitted, as part of this development shall not be used other than for the parking of domestic vehicles and not further ancillary residential accommodation, business use or any other purpose whatsoever.
2. Prior to first occupation of the development hereby permitted, access to covered electric vehicle charging points will need to be available to all dwellings. This is to be provided within the garages or through shared charge points. They shall be in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Representations Received

One letter of Objection raising the following;

- The applicant converted flats nos. 5 & 11 into 1 bed flats without planning permission and I think they should be reinstated as before.
- Increase of more cars in an unsuitable access road, making it difficult for refuge carts to negotiate.
- Welfare of existing residents will be compromised if Emergency Services.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

MD1	Minehead Development
SC1	Hierarchy of settlements
SD1	Presumption in favour of sustainable development
NH1	Historic Environment
NH13	Securing high standards of design
TR2	Reducing reliance on the private car
CC2	Flood Risk Management

Retained saved policies of the West Somerset Local Plan (2006)

T/8 Residential Car Parking

Determining issues and considerations

The application site is within the town of Minehead in a sustainable location close to the town centre and therefore the principle of development is acceptable.

The proposal involves the internal reconfiguration of the buildings in order to form the 1 bed units.

The proposed internal reconfiguration will not have significant impacts on the visual appearance of the area which is adjacent to but not within the designated Wellington Square Conservation Area, because there is only minimal external alterations proposed by this application. The loss of the chimney is unfortunate but is not considered to actually require planning permission. Therefore could not form a reason for refusal. The proposal is not considered to have significant impacts on current residential amenity in the area.

Comments returned from the Highways Authority consider that the proposed development would generate an increase in vehicle movement to the local highway predominantly via Tythings Court. However, the application is not considered to have a severe impact on the local highway. The applicant has specified that there are sufficient parking spaces to serve the proposed development, including some occasional shared commercial use. The adopted SCC Parking Strategy guides that Minehead is in parking zone 'B' and seeks that the development provides 9 parking spaces, based on 1.5 spaces per each 1 bed unit plus an additional visitor space. As mentioned above there are 4 external car parking spaces plus 12 internal garage spaces, and the site is located close to the town centre. the proposal therefore complies with the County's parking standards.

Highways have suggested two conditions are appended to the decision. 1. Use of the garages retained for the parking of vehicles only and, 2. Electric charging point should be installed within the garages or shared point prior to occupation. Suggested condition 1 is appropriate and has been added. In respect of condition 2, the highway Authority have confirmed that the requirement for electric charging points is discretionary with the LPA, based on appropriateness and feasibility. It is of course right that planners should seek to ensure that electric cars can be used where ever possible as this will have good benefits for the environment. However, in this instance, the proposal only seeks 3 additional units in total and the other existing units would not have the benefit of electric charging points. With this in mind, it is not considered that the charging points are necessary to this development or that it is reasonable to request in this instance.

The proposal accords with the SCC Parking Strategy and retained policy T/8 of the West Somerset District Plan 2006 and local policy TR2 of the West Somerset Local

Plan to 2032.

The site is located within floodzone 2, on the WSC SFRA mapping, however, the Environment Agency consider that the proposal falls within Flood Zone 3 with a high probability of flooding. The applicant has submitted a Flood Risk Assessment as part of this proposal and it is noted that the proposal relates to residential redevelopment to form additional units at first floor only. The finished floor levels are to be retained at the existing floor levels which are above the 0.9m depth of possible flooding as mentioned by the Environment Agency. Comments returned from the Environment Agency can be seen above in the report and they conclude that this first floor development and the exposure to risk has been amended from the previous scheme to enable the LPA to consider the proposal favourably. It is considered therefore that the proposal accords with local policy CC2 of the West Somerset Local Plan to 2032.

Given the discussion above, it is considered that the scheme is acceptable and conditional approval is recommended.

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



Application No 3/21/17/095
 Conversion of 3 No. first floor
 flats into 6 No. 1 bedroom flats
 with associated parking and
 removal of chimney
 Flats 5, 9 & 11 Tythings Court,
 Minehead, TA24 5NT
 Planning Manager
 West Somerset Council,
 West Somerset House
 Killick Way
 Williton TA4 4QA

West Somerset Council
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Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/01/17/014	Halsway Manor, Hill Lane, Bicknoller, Taunton, TA4 4BD	Various internal and external alterations	09 Novem ber 2017	Grant	EP
3/02/17/006	Brompton Ralph Cricket Ground, Pitsford Hill to Moor Mill Farm, Brompton Ralph, Taunton, TA4 2RP	Erection of cricket practice net and roadside safety netting	27 Octobe r 2017	Grant	SK
3/07/17/015	1 Hillcrest, Stickle Hill, Crowcombe, Taunton, TA4 4AN	Application for a Lawful Development Certificate for the proposed loft conversion	07 Novem ber 2017	Grant	SW
3/10/17/002	8 Marsh Street, Dunster, Minehead, TA24 6PN	Various internal and external alterations	27 Octobe r 2017	Grant	EP
3/18/17/007	Pardlestone Bungalow, Pardlestone Lane, Kilve, Bridgwater, TA5 1SQ	Erection of rear extension with a living roof and carport below plus replacement verandah, construction of gable roof with a dormer and extension of chimney	20 Novem ber 2017	Grant	SW
3/21/17/094	Bridgeway,	Erection of timber	26	Grant	SW

Burgundy Road, Minehead, TA24 5QJ decking and balcony to the south east elevation, replace timber windows with aluminium frames and replace the roof with grey fibreglass October 2017

Ref No.	Application	Proposal	Date	Decision	Officer
3/21/17/099	The Sun & Moon Pub, Butlins Skyline Limited, Warren Road, Minehead	Replacement of 1 No. illuminated fascia sign	17 November 2017	Grant	BM

Ref No.	Application	Proposal	Date	Decision	Officer
3/21/17/101	Blue Cedars, Periton Road, Minehead, TA24 8DR	Erection of a single storey extension to the rear, covered bin store to the side with canopy forward of front elevation and construction of rear patio (retention of works partly undertaken) (amended scheme to 3/21/17/038)	02 November 2017	Grant	SW

Ref No.	Application	Proposal	Date	Decision	Officer
3/21/17/107	22 Paganel Road, Minehead, TA24 5EX	Erection of single storey side and rear extensions (retention of works partly undertaken)	22 November 2017	Grant	SW

Ref No.	Application	Proposal	Date	Decision	Officer
3/21/17/108	Colwyn, Periton Road, Minehead, TA24 8DR	Erection of a single storey extension to the rear elevation	28 November 2017	Grant	SW

Ref No.	Application	Proposal	Date	Decision	Officer
3/28/17/006	Higher Thornes Farm, Weacombe Road, West Quantoxhead, Taunton, TA4 4ED	Conversion of stable building to a holiday unit (resubmission of 3/28/16/005)	17 November 2017	Refuse	SK

Ref No.	Application	Proposal	Date	Decision	Officer
3/37/17/023	Land between 12-14 Werren Close, Watchet	Variation of Condition No. 02 (change of construction material specification) and No. 03 (approved plans) of application 3/37/17/006	25 October 2017	Grant	ANP

Ref No.	Application	Proposal	Date	Decision	Officer
3/39/17/021	15 Dovetons Drive, Williton, Taunton, TA4 4ST	Outline application with all matters reserved, except for means of access, for the erection of 1 No. dwelling and associated works in garden to the rear	16 November 2017	Refuse	JB

Ref No.	Application	Proposal	Date	Decision	Officer
3/39/17/029	Brambles, Bridge Street, Williton, Taunton, TA4 4NR	Application for a Lawful Development Certificate for a two storey rear extension and single storey rear extension	06 December 2017	Refuse	SW

Ref No.	Application	Proposal	Date	Decision	Officer
CA/16/17/003	Heathercott, Combe Lane, Holford, Bridgwater, TA5 1RZ	Notification to fell one Beech tree within Holford Conservation Area	16 November 2017	Raise No Objection	DG



Appeal Decision

Site visit made on 24 October 2017

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16th November 2017

Appeal Ref: APP/H3320/Y/17/3176522

10 The Parks, Minehead TA24 8BS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Mills against the decision of West Somerset Council.
 - The application Ref 3/21/16/124, dated 15 December 2016, was refused by notice dated 3 April 2017.
 - The works proposed are to replace the existing 4 sliding sash windows on the principal elevation with slimlite double glazed sliding sash windows.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellants have stated that they wish to appeal both the listed building and the planning application refusals within their evidence. However, the submitted appeal form relates only to the refusal of the listed building consent and I am not aware of a linked appeal in relation to the planning application refusal. I have dealt with the appeal on the basis that it relates solely to the refusal of the listed building consent.
3. The appellants have referred to Policy BD/3 of the West Somerset District Local Plan but this is not cited within the reason for refusal on the listed building consent and I have not been provided with a copy of that policy. As such I have given this policy little weight in the determination of this appeal, in so much as it is a material consideration.

Main Issue

4. The main issue in this case is whether the proposed works would preserve the grade II listed building known as 10 The Parks (listed as The Parks (North East side) Nos.8 and 10) or any features of special architectural or historic interest that it possesses and whether it would preserve the significance of the heritage assets.

Reasons

5. 10 The Parks (No 10) forms one half of the listed building which dates from the first half of the 19th Century. In common with some of its neighbours it is constructed in stucco with a slate roof and sash windows on the principal elevation. However, unlike many of the adjacent properties the sash windows in the appeal property are not divided by glazing bars. I note that the list description describes them as 19th century plate-glass sash windows. From the details available to me, including the listing description, I consider that the significance and special interest of the listed building is largely derived from its age, form, fabric and architectural features which include the windows.

6. The majority of buildings on this side of The Parks, in close proximity to the appeal site, are set behind short front gardens and as such they are prominent within the Wellington Square Conservation Area (WSCA). From the details available to me I consider that the significance of the WSCA is largely drawn from the historic buildings that it contains together with the use of materials, pattern of development and the relationship of buildings to the spaces around them.
7. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
8. Paragraph 132 of the National Planning Policy Framework (the Framework) advises that significance can be harmed or lost through alteration or destruction of the heritage asset.
9. Windows are often among the most prominent features and an integral part of the design of a listed building and can be indicators of when the building was built. The design, materials and details of construction of historic windows are all important to the significance of a heritage asset and its special interest.
10. In this case it is contended that the sash windows have had glazing bars removed from their design and that the removal is quite recent but there is little evidence other than that statement to indicate on what basis this assertion is made. The adjoining part of the listed building also has sash windows but each sash is divided into 6 panes by glazing bars. The top sash of each of those windows also has 'horns' at the joint of the horizontal meeting rail and the stiles. Again there is little evidence before me to indicate whether these windows are original to the building.
11. Taking into account the slim sections of the rails and stiles of the sashes in No 10 I consider that it is highly likely that they date from the 19th Century. As such the replacement of the sashes with modern timber ones would involve the loss of historic fabric. The existing windows are in need of repair but there is little evidence before me to indicate that they are beyond repair. The appellants consider that there is an extant listed building consent for the replacement of the sash windows. However, the Council have provided evidence to indicate that the listed building consent was amended during its determination to repair the windows rather than replace them. This evidence has not been contended by the appellants and I have no reason to dispute this.
12. It is proposed to replace the 4 sash windows on the front elevation with a design of sash based on that of the adjoining property but incorporating 'slimlite' double glazing. The double glazing at 12 mm would be thinner than standard double glazing but it would be significantly thicker than that of single glazing. The submitted details also indicate that the meeting rail of the top sash would be appreciably wider (top to bottom) than that of No 10's windows to be replaced.
13. The reflective characteristics of the windows would clearly identify them as double glazed units and not historically accurate replacements. This would be added to by the uncharacteristic appearance of the depth of the double glazing which would be seen within the frame. Whatever the colour of the spacers used in the units they would also be visible within the frame even though the glazing would be secured by putty. Even if the window design in the adjoining building

is original to the listed building the proposed design would not be historically accurate. Moreover, the proposed windows would be clearly identifiable as non-traditional modern fixtures, at odds with No 10's historic character and appearance and that of the other half of the listed building.

14. Taking into account all of the above the proposed works would fail to preserve the special architectural and historic interest of the listed building contrary to the expectations of the Act. I must attach considerable importance and weight to these considerations when reaching my decision. In this case I conclude that the harm caused to the designated heritage asset, would be, in the context of the significance of the asset as a whole and in the language of the Framework, less than substantial. In those circumstances, paragraph 134 of the Framework says that this harm should be weighed against the public benefits of the proposal.
15. Whilst the Council make no reference in their reason for refusal to the effect of the works on the character and appearance of WSCA, as a statutory consideration, I am required to have regard to this matter when determining the appeal. In my view it follows that if the special interest of a listed building within a conservation area, prominently located such as in this case, is materially diminished, it follows that the character and appearance of that conservation area as a whole is also similarly incrementally harmed. Whilst the magnitude of that harm may be concluded as also less than substantial, in the context of the conservation area as a whole, it would nevertheless fail to preserve it, and so be in conflict with the requirements of the Act.
16. The appellants wish to improve the thermal performance, minimise heat loss and improve sound resistance from the highway. Whilst these matters, may reasonably be considered public benefits it has not been demonstrated that such improvements could not be achieved through alternative means, so avoiding the harm identified to the designated heritage asset. As such, I consider that little weight can be given to these modest benefits.
17. Furthermore, I consider that there is insufficient evidence to provide clear and convincing justification that the window design of the adjoining building reflects that of the original windows in the appeal building. As such, this means that the weight to be afforded to the introduction of glazing bars is limited in terms of public benefit.
18. Even though I have found that the harm to the significance of the designated heritage assets is less than substantial it is not to be treated as a less than substantial objection to the proposal. The public benefits attributable to the proposal would not outweigh the considerable importance and weight to be given to the harm to the heritage asset. As such the proposal would not comply with paragraph 134 of the Framework. Insofar as they are a material consideration, it would also conflict with Policies NH1 and NH2 of the West Somerset Local Plan To 2032, which, amongst other things, seek proposals that sustain the historic rural, urban and coastal heritage of the district and preserve the character or appearance of a conservation area.

Conclusion

19. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

D. Boffin

INSPECTOR



Appeal Decision

Site visit made on 14 August 2017

by Mrs J Wilson BA BTP MRTPI DMS

Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22nd November 2017

Appeal Ref: APP/H3320/W/17/3175634

The Stables, Chilcombe Lane, Bicknoller TA4 4ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Johnson against the decision of West Somerset Council.
 - The application Ref 3/01/16/003, dated 13 July 2016, was refused by notice dated 23 January 2017.
 - The development proposed is the change of use of land and building from equestrian stabling to residential and conversion of stable building to three bedroom dwelling house with associated building and engineering operations.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr and Mrs Johnson against West Somerset Council. This application is the subject of a separate Decision.

Procedural Matter

3. During the life of the planning application amended plans were received (in July and October 2016), these include sections indicating the extent of works required to adjust the access in order to achieve appropriate visibility splays. I have taken these drawings into account in the consideration of this appeal.

Main Issues

4. The main issues in this appeal are:
 - whether the site is an appropriate location for residential development, in the context of the development plan and national policy and with particular regard to accessibility to services;
 - the effect of the development on the character and appearance of the area and the Quantock Hills Area of Outstanding Natural Beauty (AONB).

Reasons

Whether the site is an appropriate location for residential development

5. It is common ground that the appeal site is outside the development limits for Bicknoller, beyond which new development is generally restricted under the

provisions of Policies SC1 and OC1 of the West Somerset Local Plan to 2032 (2016) ('the Local Plan'). The site is located beyond the southern extremities of the village, separated by a rural lane with high banks which are densely planted on both sides. The land on the south side of the lane largely comprises open fields screened from view by banks and vegetation. The land rises up beyond the appeal site where the existing stables are cut into the slope. In this area buildings are sporadic, and include the stables on the appeal site and much further east a farm with associated agricultural buildings. Existing dwellings are also found much further west close to the main road.

6. Amongst other things, Policy SC1 of the Local Plan sets out criteria for new development within or in close proximity¹ to primary villages such as Bicknoller. The criteria include ensuring that proposals are well related to existing essential services and social facilities within the settlement and safe and easy pedestrian access to them can be achieved, Chilcombe Lane has no footways or lighting and no safe or easy pedestrian access to the village, particularly during hours of darkness and in inclement weather. These factors, coupled with the distance from the centre of the village, limit the accessibility of the appeal site to services and makes reliance on the private car to reach them highly likely.
7. The appellants contend that as the site is within 50 metres of the village boundary it is not classed as within open countryside. This is not my understanding of the policy. Policy OC1 is very specific in that "The open countryside includes all land outside of existing settlements, where development is not generally appropriate". The policy does not extend development limits; what is clear is that it qualifies that where sites are within close proximity of village limits, development will only be considered where it meets the relevant criteria. Furthermore, Policy OC1 only permits development in the open countryside where it can be demonstrated that it meets an essential need. It is no part of the appellants' case that the proposal would satisfy any of the criteria in the policy.
8. The appellants also argue that the proposed development should not be measured against retained Policy H/6 of the West Somerset District Local Plan (2006) as Policy OC1 excludes the site from the open countryside. I take the contrary view. The site is beyond the development limits, albeit that it may be treated differently where qualifying criteria apply; it is nonetheless still in open countryside. As such, Policy H/6 permits the conversion or change of use of buildings outside designated settlements to holiday accommodation or residential use provided that, amongst other things, every reasonable attempt has been made to secure a business use of the building. I have not been provided with evidence that the site has been marketed for such a use and thus the scheme is in conflict with Policy H/6.
9. In support of their case the appellants cite a recently approved development on a nearby plot adjacent to 30 Trendle Lane and which I saw was under construction at the time of my visit. Whilst the approved access for that development and the one proposed in the appeal proposal would both be from Trendle Lane, the circumstances are different. The Trendle Lane plot is within the development limits of the village and much more closely related to existing dwellings such that the two sites are not directly comparable.

¹ Defined as within 50 metres of a development limit.

10. For the above reasons the development would not be an appropriate location for residential development and would conflict with: Policies SD1, OC1, SC1 and NH14 of the Local Plan; retained Policy H/6 of the 2006 Local Plan and the National Planning Policy Framework (the Framework) which together limit development in the open countryside and particularly in the AONB other than in exceptional circumstances.

Character and appearance

11. The site is located low in the field and would be partially obscured from the upper part of the field as it is cut into the slope of the land. It is also screened from the lane by the bank and vegetation. Alterations to the bank are proposed to improve access visibility which would deplete some of the vegetation. This, along with the introduction of residential curtilage, the domestication of the stable building, the parking of cars and other domestic paraphernalia would adversely impact on the character and appearance of the site and the AONB. It would change the appearance of the site and represent a significantly more intensive and intrusive development than that existing. Moreover, the proposed development would not be screened to the extent that its impact would be completely nullified.
12. The appellants contend that the site is not isolated, and the proposal represents sustainable development where the environmental role would be fulfilled by enhancing the built environment through the delivery of housing in an existing building, thereby minimising the need to travel, reducing pollution and mitigating and adapting to climate change.
13. I am not persuaded by these arguments. Paragraph 7 of the Framework sets out three dimensions of sustainable development: economic social and environmental, which are mutually dependant. The economic benefits of a single additional market dwelling would be modest. I have no substantive evidence that the proposal would deliver specific social or economic benefits in the village, for example affordable housing, and any economic and social benefits are more than outweighed by the environmental disadvantages. The development would be at odds with, rather than enhance, the prevailing rural character of the area, as well as the AONB which the Framework accords the highest status of protection in relation to landscape and scenic beauty.
14. The appellants note that the Council's landscape and arboricultural advisors did not object to the proposal, and they suggest that the comments of the Quantock Hills AONB Service should be judged in this context. I am mindful that the AONB Service revised their comments on the impact of the development on the lane but maintained that a residential use would be out of character and harmful to the area. I have given significant weight to these comments as they have continuing relevance given the strong policy base for this approach, where the Local Plan seeks to protect the countryside in general and AONBs in particular in accordance with the Framework. Any new development, however small, in an AONB requires strong justification to overcome the effects of built development and intrusion into the countryside that I have referred to above. No such justification is proven here.
15. The appellants have submitted a landscape statement, though this was commissioned for the dwelling currently under construction at Trendle Lane and not in relation to the appeal site. Whilst the sites are close to one another and the statement analyses the lane and general surroundings, they have

different characteristics and the conclusions drawn relate to the specifics of the Trendle Lane site and not to the appeal proposal. I thus give this document little weight in my consideration of the appeal.

16. The appellants' Arboricultural Assessment concludes that the trees on the site are individually unremarkable and of limited merit, and suggests that their loss can be readily mitigated by replacement planting. However these trees are significant in height and their abundant number and cumulative impact serve to provide robust screening to the site from the lane. Their loss would weaken the screening and increase the prominence of the stable building. The planting scheme refers to seven new individual trees of around 1.8m height across the frontage. However it would be likely to be several years before this foliage would provide the degree of maturity and screening to offset to any significant extent the harm that I have identified.
17. The Framework makes it very clear (in paragraph 11) that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise². The duty under section 38 (6) is not displaced or modified by the Framework and whilst the provision of additional housing is an important objective so too is the protection of the countryside and the AONB.
18. For the above reasons, the proposal would cause severe harm to the character and appearance of the area and the AONB. As such, it would be in conflict with: Policies SD1, SC1, OC1 and NH14 of the Local Plan and retained policy H/6 of the 2006 Local Plan which, amongst other things, seek to protect the character and appearance of the countryside and the Quantock Hills AONB.

Other Matters

19. Local residents have raised concerns regarding increased traffic on what is a very narrow lane. However, there is no highway reason for refusal and no evidence has therefore been advanced by the Council in relation to highway safety. The proposal would utilise an existing access which would be amended to improve visibility. Any increase in vehicles using the lane as a result of the proposal would not materially harm highway safety.
20. Concerns regarding the Councils handling of the appellants' pre-application enquiry and the subsequent application relate to procedural matters and have no bearing on the planning merits of the case.

Conclusion

21. For the above reasons and having regard to all other matters raised the appeal is dismissed.

Janet Wilson

INSPECTOR

² Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990