

PLANNING COMMITTEE

THURSDAY 26 SEPTEMBER 2013 at 3.30pm
COUNCIL CHAMBER, COUNCIL OFFICES, WILLITON

AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Meeting of the 29 August 2013 - **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: FIVE

Date: 18 September 2013

<u>Ref No.</u>	<u>Application/Report</u>
3/05/13/006 Full Planning Permission	Townsend Farm, Main Road, Carhampton, Minehead, TA24 6NH Erection Of 25 Dwellings And Conversion Of Barn To 10 Dwellings With Associated Works Including Vehicular Access, Garages, Parking And Landscaping
3/21/13/077 Full Planning Permission	The Beach Hotel, The Avenue, Minehead, TA24 5AP The Proposal Is To Change The Use Of The Building From A Hotel And Pub To A Mix Of Four Distinct But Interrelated Uses; Hotel Accommodation And Ancillary Uses, A "Flexible Use" Area For The Holding Of Various Functions And Community Uses, Short-Term Rented Cluster Accommodation And Flexible Accommodation.
3/21/13/083 Outline Planning Permission	Land Adjoining The Maples, Ellicombe Lane, Alcombe, Minehead TA24 6TR Erection Of A Single Dwelling With Access From Ellicombe Lane.

3/28/13/005 Full Planning Permission	Land at Aller Farm, East of Woodford and North of Monksilver, Williton, TA4 4HH Erection Of A Solar PV Development And Associated Works To Include The Installation Of Ground Based Racking Systems And Mounted Solar Panels (Max 3m High), Power Inverter Stations, Transformer Stations, Sub Station And Comms Building, Fencing And Associated Access Gates, And CCTV Security Cameras Mounted On Free Standing Support Poles.
3/32/13/025 Full Planning Permission	Bullen Drove, Stogursey, Bridgwater, TA5 1QD The Retention Of The Spoil (Approximately 10,000 Tonnes) On Bullen Drove
3/32/13/028 Variation of Conditions	Hinkley Point C, Hinkley Point Road, Stogursey, Briidgwater, TA5 1UF Variation Of Condition 3 (Relating To Time Limit To Infil Trenches) In Respect Of Planning Permission 3/32/12/046 (Retention Of Two Temporary Trial Trenches To Create A New Trial Trench Approximately 72m X82m And Approximately 5m Deep)
3/37/08/036 Full Planning Permission	Commercial Units And Land To Rear, The Mill, Anchor Street, Watchet, TA24 5QE. Conversion Of Commercial Units Into 10 Residential Units, Erection Of A 70 Bedroom Care Home, Redesigned Access And Associated Works

6. **Exmoor National Park Matters**

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

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.

Application No:	3/05/13/006
Parish	Carhampton
Application Type	Full Planning Permission
Case Officer:	Elizabeth Peeks
Grid Ref	Easting: 300430 Northing: 142903
Applicant	Hastoe Housing Association
Proposal	Erection of 25 dwellings and conversion of barn to 10 dwellings with associated works including vehicular access, garages, parking and landscaping
Location	Townsend Farm, Main Road, Carhampton, Minehead, TA24 6NH
Reason for referral to Committee	The application site is owned by West Somerset council and, if approved, the planning permission would be subject to a S106 agreement

Risk Assessment

Description	Likelihood	Impact	Overall
Risk: Planning permission is refused for reason which could not be reasonable substantiated at appeal or approved for reasons which are not reasonable	2	3	6
Mitigation: Clear advice from Planning Officers and Legal advisor during the Committee meeting	1	3	3

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

Site Location:

Townsend Farm, Main Road, Carhampton, Minehead, TA24 6NH

Description of development:

Erection of 25 dwellings and conversion of barn to 10 dwellings with associated works including vehicular access, garages, parking and landscaping

Consultations and Representations:

The Local Planning Authority has received the following representations:

Carhampton Parish Council

Carhampton Parish Council has stated its general support and its significant concerns of many years. These concerns are mainly with the lack of safe pedestrian access to the centre of Carhampton, and no provision of bus stops close to the site.

Environmental Health Officer (DA)

No comments received.

SCC - Ecologist

Thanks for consulting me on this application. I have read and considered the findings presented in three ecological survey reports by Green Ecology submitted in connection with this application, namely:

- Ecological Appraisal (August 2012);
- Reptile Survey Report (October 2012); and
- Bat Survey Report (March 2013).

I would have no objection on wildlife grounds to the application being approved, but I believe that there ought to be conditions imposed to mitigate for impacts on biodiversity.

Although only a single bat was definitely confirmed emerging from the barn on the site, the building must be considered to be a bat roost. The planning authority should seek to secure some mitigation for the loss of roosting opportunities. The bat was not identified to species although it was thought to be a pipistrelle or a whiskered bat. Both types of bat are crevice dwelling species, therefore the suggestion is acceptable that at least one bat box would be mounted on the exterior of (a) building(s) within the development (see page 14).

Given that bird nesting opportunities will be lost with the conversion of the old farm buildings, it would be appropriate to require that replacement opportunities are designed into buildings in the new development. There is little evidence from the plans submitted that I can see that this has been considered in the design stages up to this point, so if this is to be required of the applicants it will have to be through planning condition(s).

A small population of slow-worms was discovered on site in 2012. I recommend that a condition be imposed requiring a statement to be submitted and approved before construction begins stating how slow-worms will be translocated (and to where) as construction proceeds.

I would be pleased to advise on draft conditions if you are minded to approve the application with conditions concerning wildlife.

Environment Agency

The proposal falls outside of the scope where the Environment Agency is a statutory consultee. However it was considered prudent to consult the Environment Agency, but they have confirmed that they will not provide comments in respect of the application.

Housing Enabling Officer

Further to the application submitted as detailed above, I would comment on the affordable housing element as follows.

The scheme is for 35 dwellings, 20 of which are proposed as affordable (4 Shared Ownership and 16 rented).

This scheme has been in discussion for a number of years, with a number of different providers, and the current proposals have been amended to reflect housing need and changes to Government policies.

The Rural Housing Project has worked closely with Hastoe Housing Association to ensure that the mix of size and tenure adequately reflects the housing need identified in Carhampton. In both the survey carried out by the Project in 2007 and the review in 2012, 36 households were identified as having both a housing need and a local connection with the village.

Designs have also recently been amended to include one-bedroom homes following consultation of the plans. This is important due to the fact that as a Housing Authority, in recent years, we have steered away from supporting applications containing proposals for one-bedroom homes, however recent

changes to Legislation governing Benefits mean that under occupying larger accommodation is not an appropriate way to meet the housing needs of some existing or new tenant who will have to either fund the shortfall themselves or seek cheaper and/or smaller accommodation.

Rented Housing

The latest housing needs figures taken from the Somerset Homefinder Choice Based Lettings system shows that there are 18 households who have registered for re-housing and who have selected Carhampton as their first area of preference. All 18 households have an established local connection with West Somerset and 14 of them have an established connection with Carhampton.

As we have demonstrated through the work carried out by the Rural Housing Project, there are a number of households who have indicated that they would like to be re-housed in Carhampton, and who have a local connection with the Village, but have failed to maintain their active applications due to the time it has taken to progress a viable scheme. I have no doubt that these households will begin to re-register if planning approval is granted.

Shared Ownership Housing

Despite the fact that obtaining a mortgage can be difficult, there is still a strong appetite for low cost housing to purchase in West Somerset. At the present time there are 234 households registered with South West Homes for low cost home ownership options in West Somerset and of these 28 have a local connection with the District.

The same comments relating to households failing to maintain their registration made above also apply to low cost home ownership.

Significant work to deliver an affordable housing scheme on this site has taken place over a number of years and I am pleased now to be able to support this application which I believe will meet an identified housing need

SCC - Archaeology

Although the archaeological evaluation has revealed some limited archaeological remains they are primarily associated with boundaries and no further recording work is required on these features. 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.

Somerset Drainage Board Consortium

The location of this proposal is located 3km to the East of the Boards Boundary, therefore we have no comment to make.

Highways Development Control

I refer to the above mentioned planning application received on 10th July 2013 and following a site visit on 15th July 2013 I have the following observations on the highway and transportation aspects of this proposal.

The proposal relates to the erection of 25 dwellings and the conversion of a barn to provide 10 dwellings.

In terms of vehicle movements the average dwelling can generate between 6-8 vehicle movements. As a consequence the proposal has the potential to generate over 280 vehicle movements per day. The proposal will utilise the junction with the A39, the Highway Authority has no issue, in terms of capacity, that the A39 is able to accommodate the additional traffic associated with this proposal as it currently carries a high volume of traffic especially in peak holiday periods. However the Highway Authority does have concerns that the junction with the A39 with Winsors Lane does not have the capacity to accommodate the additional traffic associated with this proposal. Therefore the Highway Authority would require the applicant to submit further information which shows that the junction with the A39 has the capacity to accommodate the level of movement associated with this proposal.

No Travel Plan has been submitted with this proposal. The applicant is advised that for a proposal of this size they would be required to provide a Travel Plan Statement and should confirm to Somerset County Council's guidelines for Travel Plans. The Highway Authority would need this to be secured via a S106 agreement. However if the Local Planning Authority do not believe that such an agreement is required for this site then a Travel Plan would need to be secured via a grant condition.

Turning to the site access the Highway Authority does have some concerns with the current

arrangement shown on Drawing No. 3165-200. With the nature of how the existing junction is designed the Highway Authority is concerned that vehicles turning left from the A39 and into the site would not need to decrease their speed sufficiently to enter into the site. As a consequence the Highway Authority would require the proposed access is re-aligned so it meets Winsors Lane at a right angle. By doing this it would force vehicles to reduce their speed before entering the development.

Turning to the site detail and access the proposed development is located within 30mph limit as a consequence the proposed access should provide visibility splays based on dimensions of 2.4m x 43m in both directions. There shall be no obstruction to visibility within these areas that exceeds a height greater than 300mm above the adjoining carriageway level. The required splays will be adopted by Somerset County Council and should be clearly indicated within all future revisions of engineering layout drawings. The access should also incorporate 6.0m junction radii and where it ties into Winsors Lane allowances should be made to resurface the full width of the carriageway. In addition where Winsors Lane has been disturbed by the extended construction it would need to overlap each construction layer of the carriageway by 300mm. Cores may need to be taken of the existing carriageway to ascertain the depths of the bituminous macadam layers.

In terms of gradient the proposed access road should not, at any point, be steeper than 1:20 for a distance of 10m from its junction with Winsors Lane. Finally the proposed construction of the footways within Winsors Lane must not result in the narrowing of the existing carriageway width.

Regarding the internal site details the applicant should be aware that parts of this proposal would result in the laying out of a private street and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payment Code.

The applicant should note that the first 6.0m of the proposed shared surface road, as measured from the back edge of Winsors Lane, should be constructed as a type 4 bitumen macadam carriageway. The block paved shared surface carriageway can then commence directly off the end of the type 4 carriageway. The shared surface carriageway should be designed with a minimum width of 5.0m. If a shared surface carriageway is to be provided, then it should be constructed in block pavements. Bitumen macadam will not be acceptable for a shared surface carriageway.

An adoptable 2.0m wide margin will be required at the north western end of the shared surface, prior to the access to the parking court serving plots 15-17 and 23-25. The margin shall be free from any form of structure, including pillars etc. It appears from the submitted drawing that plots 10 and 11 appear to have private access gates that will open out over the highway. This will not be permitted, all private gates must be hung so that they open inwards and not out over the highway. The applicant should also be aware that the southern boundary wall to plot 23 must be set back a minimum distance of 450mm from the back edge of the prospective public highway limits. The 'Design & Access Statement' indicates that a private courtyard will serve plots 15-17 and 23-25. The applicant should be made aware that to satisfy Advance Payments Code Legislation, the courtyard must be constructed to an adoptable standard in terms of materials used and depth laid.

Can the applicant please advise the Highway Authority as to the extent of adoption in regards to the access road that extends from the shared surface road towards plots 26-35. If adoption is proposed up to the channel drain, then that length of road will need to be a minimum of 5.0m in width with adoptable service margins.

Manual for Streets recommends that residents should not have to carry waste more than 30m to a refuse storage point and that waste collection vehicles should be able to get within 25m of a storage point without having to reverse more than 12m. The maximum distance over which refuse collectors should transport two-wheeled refuse containers should not exceed 15m and 10m for four-wheeled containers.

No doors, gates, low-level windows, utility boxes, down pipes, porches of garage doors are to obstruct footways/shared surface roads. The Highway limits shall be limited to that area of the

footway/carrageway clear of all private service boxes, inspection chambers, rainwater pipes, vent pipes, meter boxes and steps. Any planting within adoptable areas will require a commuted sum payable by the developer. 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 carrageway. Trees are to be a minimum distance of 5.0m from buildings, 3.0m from drainage services, and 1.0m from the carrageway edge. Root barriers, of a type to be approved by Somerset County Council, will be required for all trees that are to be planted adjacent to the highway to prevent future structural damage to the highway. Any planting immediately adjacent to the back edge of the highway will need to be supported by the submission of a comprehensive planting schedule to Somerset County Council for checking and approval purposes.

The applicant would also need to confirm the future maintenance responsibilities relating to the access to the cottages and the field. The applicant will need to assure Somerset County Council of the safety and durability of any structures that are to be offered for adopted or any structure owned by others within 3.67m of the highway boundary and or which has a retained height of 1.37m above or below the highway boundary. This will involve the submission of an Approval in Principle signed by a Chartered Engineer and submitted before commencement of the detailed design.

Turning to site drainage, a Flood Risk Assessment has been submitted and the Highway Authority is currently reviewing this. Once this audit has been completed we will be in a position to provide comment on this. Regarding the other drainage issues the Highway Authority have the following comments to make.

Where works have to be undertaken within or adjoining the public highway a Section 50 licence under NRSWA 1991 (Sewer Connections) will be required. These are obtainable from Mr Mark Fitzgerald, Streetworks Co-ordinator (01823 483135). Provision shall be made within the site for the disposal of surface water from within private areas from discharging onto the prospective publicly maintained highway.

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 Somerset County Council. It must not be assumed that permission will automatically be granted for any connection into an existing highway surface water carrier drain, depending upon the likelihood of the additional water causing flooding issues. The applicant is strongly advised to contact Peter Owen (Highway Service Manager – West Area) 0845 345 9155 to discuss any proposed connection into a highway drain.

Therefore to conclude the internal layout is generally considered to be acceptable provided the applicant takes into account the estate road comments set out above. The Highway Authority has concerns over the significant increase in vehicle movements at the junction and the non submission of a Travel Plan. The Highway Authority would also require the applicant to amend the access layout as per the details set out above.

Therefore the Highway Authority would require the amended plan and details to be submitted before commenting further on this application. However if the Local Planning Authority were minded to grant planning permission the Highway Authority would require appropriate conditions to be attached.

Email sent on 15/08/2013

Further to the Highway Authority's correspondents on the residential development at Townsend Farm I have now received comments on the Flood Risk Assessment. These are set out below for your information.

As there is a history of flooding in Carhampton in close proximity to the site (at the junction of Winsors Lane with the A39, I emailed Area Highways - West Somerset Office to seek their views, these are also set out below.

The geotechnical appraisal identifies the potential for perched groundwater levels and it may therefore provision should be made for the inclusion of suitable land drains to protect the road formation.

Road gullies will be required on the western side of Winsors Lane on the upstream side of the proposed new access junction to prevent channel line run-off from discharging across the new bellmouth.

It is critical that sufficient gullies are provided within the new access road and its junction with Winsors Lane to minimise the potential for any run-off from the road onto Winsors Lane thereby ensuring that there is no increased burden upon the existing highway drainage system at this location.

The site levels would indicate that the overland flood routes would be towards Winsors Lane and that any exceedance flow would discharge onto the lane exacerbating the known flooding problems at this site. It is accepted that such exceedance flow currently finds its way out on to the lane from the undeveloped land but the new development should achieve a reduction in same.

Subject to the comments from Area Highways, I would think it expected of all parties to investigate the potential to look at ways of alleviating any flooding in close proximity to the site (if this problem still remains) by utilising the proposed surface water management strategy to collect run off from part of Winsors Lane and/or the A39. It is accepted that this could potentially affect the sizing of the surface water drainage system, which will of course increase costs, but I believe it is something that we need to raise for consideration.

The following comments have been made by the Area Highway Office for West Somerset in regards to the proposal at Townsend Farm.

The Highway Authority still has issues at the Winsors Lane junction at the gully adjacent to 'Square House' on the opposite side to the development. A scheme has been completed recently on the opposite side of the A39 adjacent to the Junk Yard but did not cure the problem totally so we are going to replace the gully and check its outfall, this should take place in the next few weeks.

We have in conjunction with the District Council discussed the clearance of ditches in land opposite the development on the A39 with the Crown Estate who have undertaken a significant amount of ditching. I am hopeful that when the gully is replaced this will resolve the remaining problem but I would be concerned at the thought of additional surface water entering our system at the moment.

Public Consultation

The Local Planning Authority has received 19 letters of objection/support making the following comments (summarised):

19 letters have been received objecting on the following grounds:

- Site unsuitable for the proposed number of dwellings and is overdevelopment of the site.
- Increase in traffic generated posing a risk to existing residents and those in the new houses
- The application is factually inaccurate with regard to increased flooding risk
- As families are likely to live in the development they will walk through Millets Close and Carantoc Place which will constitute a major intrusion into the lives of Magna's elderly residents. If not the route into Carhampton is along the A39 which is not safe.
- As turning right at Winsors Lane is difficult at rush hour and in the holidays traffic will go up Winsors Lane instead which is a narrow single track lane with few passing places and listed gate posts.
- Winsors Lane already floods at both ends so residents from the development will become trapped.
- The access point should be at the far end of the proposed development at Townsend Farm with bus stops and a crossing with lights. If the proposed access is to remain a no right turn from the estate into Winsors Lane is needed.

- S106 contributions should be used for flood alleviation of the existing flooding problems in Winsor Lane.
- Developer should accept legal liability for all flood damage to properties in Winsors Lane.
- Children using the route through Carantoc Place and Millets Close will leave litter and parents will park their cars in Millets Close or car parks adding to congestion
- There should be a bus stop within the development with turning facilities to allow them to drive in and out.
- Essential to maintain the rural character through out the development so a stone wall the height of the existing stone wall on Winsors Lane with native trees planted adjacent to it is needed.
- The proposal does not accord with the development plan
- The development does not provide adequate pedestrian access to bus stops and shops and the proposed route through Carantoc Place is not agreeable to all those who live there.
- Loss of on street parking spaces which will adversely affect existing residents.
- My property was flooded within one inch of the threshold and any extra flooding due to the development will flood my property (on Winsors Lane).
- No on site facilities for children are included so children will have to walk along Main Road or through Carantoc Place to access other play facilities or along Park Lane where there are no pavements.
- Winsors Lane historically acts as a channel for water runoff and the existing culverts and ditches cannot cope with heavy rainfall so flooding Winsors Lane and at times the A39 is impassable.

Planning Policy Context

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. The Development Plan for West Somerset consists of the Somerset Minerals Local Plan (adopted April 2004), Somerset Waste Core Strategy (adopted February 2013) and the West Somerset District Local Plan (adopted April 2006).

The following Policies are considered relevant to this application:

UN/2	Undergrounding of Service Lines and New Development
AH/3	Areas of High Archaeological Potential
BD/1	Local Distinctiveness
T/3	Transport Requirements of New Development
SP/5	Development Outside Defined Settlements
SP/3	Development in Villages
SP/1	Settlement Hierarchy
PO/1	Planning Obligations
LC/1	Exmoor National Park Periphery
LB/1	Listed Buildings Alterations and Extensions
H/5	Affordable Housing on Rural Exception Sites
H/4	Affordable Housing
W/5	Surface Water Run-Off
BD/3	Conversions, Alterations and, Extensions
BD/2	Design of New Development
T/8	Residential Car Parking
NC/4	Species Protection
R/5	Public Open Space and Large Developments

National Policy

The National Planning Policy Framework (NPPF) is a material planning consideration

The County Council adopted a Parking Strategy in 2012, this document sets out an up to date parking strategy and parking standards for development. This document is a material planning consideration.

Planning History

The following planning history is relevant to this application:

3/05/90/029	Conversion of agricultural buildings to residential use, demolish extension and boundary wall	Granted	12.8.91
3/05/90/034	Conversion of redundant agricultural buildings.	Granted	12.8.91
3/05/96/011	Proposed conversion of redundant agricultural buildings and private open space with access from Winsors Lane. Renewal of 3/05/90/034.	Granted	17.6.96
3/05/96/012	Proposed conversion of agricultural buildings to residential use, demolish extension and boundary wall	Granted	17.6.96
3/05/03/001	Conversion of barns into dwellings and construction of new houses	Granted	15.9.03
3/05/03/002	Conversion of listed barns into dwellings	Granted	27.3.03
3/05/13/007	Internal and external alterations including the demolition of a lean-to roof	Granted	30.8.13

Proposal

The application seeks planning permission for a total of 35 dwellings including the erection of 25 new dwellings and the creation of 10 dwellings from barn conversions. Of the 25 new build houses, 4 (2 three bedroom houses and 2 two bedroom houses) will be shared ownership properties and 16 will be affordable housing at an affordable rent (7 three bedroom houses, 7 two bedroom houses and 2 one bedroom houses). Five dwellings will be open market houses (3 three bedroom houses and 2 two bedroom houses). The listed barns within the site are also proposed to be converted into 10 open market dwellings (3 three bedroom units, 5 two bedroom units and 2 one bedroom units). The new properties and garages will be constructed from a range of materials including render, stone, red brick and timber boarding for the walls with slate and clay tiles for the roofs. The barns will retain their existing materials of stone and brick with slate and tiled roofs but the one section of corrugated sheeting is proposed to be replaced with natural slate.

Vehicular access to the site will be via the existing access from Winsors Lane with the majority of dwellings being set back from the access road allowing for a small front garden except for three of the new dwellings which will face onto Main Road. Each property will have the benefit of at least 2 parking spaces. Some of these parking spaces are situated in small parking areas adjoining the properties to which the parking spaces relate. A new pavement is proposed along the Winsors Lane frontage. Due to the narrowness and in places lack of a pavement along Main Road it is suggested that pedestrian access could be achieved via Carantoc Place, although this cannot be formally enforced via the planning system. In addition a number of stone walls and wooden fences are proposed around the properties. A communal satellite dish is proposed in an area to the rear of one of the communal parking areas so that each property does not need its own dish. Two future access points to the rear gardens of 1 and 2 Townsend Cottages and to the adjoining field are also proposed.

Site Description

The site lies at the western end of Carhampton adjoining Townsend Farmhouse, a grade II listed building. The majority of the site is the former farmyard for Townsend Farmhouse and the remainder of the site is currently a field. The former farmyard consists of a number of barns that are in the form of two parallel ranges of barns joined by a single storey barn to form a Y. The stone barns that run parallel to Main Road are single storey barns that have various roof heights whereas the stone and brick barns to the south of the front range includes a two storey barn and a single storey barn. The land rises from the rear (south) of the barns and on the higher land there is a steel clad shed and concreted area where it would appear that there were buildings in the past. At the eastern end of the range of barns that fronts onto the A39 are two listed cottages which are not included within the application site. At the junction of Winsors Lane and Main Road, there is a mono pitched rendered modern building that is proposed to be demolished. A stone wall runs along the Winsors Lane frontage running south from the existing entrance to the farmyard and adjoining field.

Planning Analysis

1. Principle of Development

The majority of the site lies within the development limit of Carhampton. Carhampton is defined as a village in the West Somerset District Local Plan and as such policy SP/3 is relevant in the determining of this application. This policy states that development will be limited to that which supports the village's social and economic viability, protects or enhances the environmental quality and is unlikely to lead to a significant increase in car travel. It is considered that the provision of 35 new dwellings will support Carhampton's social and economic viability through the use of local facilities and because a significant number of the dwellings would be affordable homes. The environmental quality of the area will be altered but the development will help to preserve the environmental quality of the area by bringing the barns back into use and by safeguarding the future of the barns and preserving the setting of Townsend Cottages and Townsend Farm. The development will however lead to a significant increase in traffic and the development will not meet the definition of development allowed within Carhampton which is limited to conversions, infilling, the redevelopment of previously developed land and small groups of dwellings. It should be noted however that planning permission has been granted three times since 1990, the latest being in 2003 for residential development and this is a material consideration in determining this application but the weight that can be given is less than if the permission was still extant.

The principle of developing this part of the site for residential development has previously been established through the granting of planning permission for 25 houses (9 through conversion and 16 new build). Twenty five is not a small group of dwellings. Although this proposal would result in an additional 10 dwellings than previously approved, the increase is not greatly significant. Collectively the proposal would also result in a significant increase in car travel. However in view of the significant benefits associated with the development (preservation of the barns and the significant amount of affordable housing), it is considered that the benefits of the proposed development would outweigh the policy concerns in respect of increased car travel and the scale of the development.

Turning to the area of land that is not within the development limits of Carhampton. This is proposed to accommodate 7 affordable houses. This strip of land lies to the south of the site and measures approximately 70m x 12m with the width tapering down to nothing for the 20m at the eastern end of the strip of field. Policy SP/5 of the Local Plan is relevant to this piece of land. This policy is similar to SP/3 in that it states that development will only be allowed if it benefits social and economic activity without leading to a significant increase in car travel and maintains or enhances environmental quality and accords with other local plan policies. As noted above it is considered that the aspects relating to social and economic activity and environmental quality have been complied albeit the car travel aspect of the policy has not. Account however has to be taken of other policies in the local plan. The key policy, relating to the principle of development, is policy H/5 which relates to affordable housing on rural exception sites (i.e. sites outside of development limits). The proposal needs to demonstrate that it meets an identified local need and which cannot be met within development limits, the development respects Carhampton and its landscape setting and the occupation is limited to local needs in perpetuity. With regard to these elements, an identified local need has been established and the total need cannot be met at present within the development limits of Carhampton. The development respects Carhampton and its landscape setting and there will be a legal agreement to ensure that the dwellings are available to meet the local need in perpetuity has been submitted. In addition the housing enabling officer supports the proposal for affordable housing as there is an established need.

Overall for the reasons outlined above it is considered that the principle of development for the whole site is acceptable.

2. Character and Appearance of the Area

Policies BD/1 and BD/2 of the Local Plan requires that development is sympathetic in scale to the surrounding built development and open spaces in terms of layout, design, use of materials, landscaping and use of boundary treatments. The NPPF places a strong emphasis on design and states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people" (paragraph 56).

Carhampton is a village that is located around the A39 with the majority of the older buildings being located around the A39 with newer development radiating away from Main Road. A mixture of mainly two storey dwellings characterise the western end of Carhampton and are constructed either of stone or render. The dwellings and farm buildings located at the western end of Main Road are often sited at the back edge of the pavement. The land to the south of the village rises up towards Exmoor National Park.

The application site is not in or adjacent to a Conservation Area but there are number of listed buildings within the vicinity of the site including Townsend Farmhouse, 1 and 2 Townsend Cottages all located on Main Road and 1 Winsors Lane sited 40m to the south of the application site.

The barn conversion element of the scheme is considered to be appropriate to the character of these listed barns. In general existing openings are utilised with relatively minimal introduction of new openings. The roof scape that fronts Main Road is a key element of the listed barns and this feature makes an important contribution to the character of the village. The proposals involve an uninterrupted roof slope on this elevation (i.e. no rooflights or vents). The materials proposed and landscaping around the barns is appropriate to their character. A simple car port structure is proposed to accommodate cars associated with the converted barns. The proposed materials and simple nature of the structure is acceptable and would result in the setting of the nearby listed buildings being preserved.

In general the new build dwellings are of a relatively traditional cottage style design. Some plots (i.e. plots 23 - 26) are designed to have the appearance of a converted barn. The materials for the majority of the dwellings is stone and render with brick detailing. This is in keeping with and appropriate to the character of the village. Some of the plots (plots 1- 3 and plots 4 - 7) have a traditional cottage style design although the materials are render at ground floor level and timber boarding at first floor level.

Plots 1 - 3 are located so that they front onto Main Road. These dwellings are therefore prominent and will form a key part of the street scene. In terms of scale and general design approach it is considered that the dwellings are appropriate, in keeping with the character of the area and will not result in any harm to the setting of the adjacent listed buildings. The timber boarding would introduce a new material to the street scene, where stone and render is more common. However, on balance, particularly in view of the distance of these plots to 1 and 2 Townsend cottages, it is considered that these plots are acceptable.

The other dwellings with the timber boarding (plots 4 - 25) are located within the site and do not have as significant an impact on the street scene. The general layout of the site is considered to be acceptable and the relationship of the new build dwellings to the listed buildings is such that it is considered that their setting is not harmed.

Overall it is considered that the proposal would have an acceptable impact on the character of the area and would not harm the setting of the nearby listed buildings. Materials and detailing should be controlled via condition to ensure a quality appearance of the development.

3. Residential Amenity

Policy BD/2 of the Local Plan requires that the siting of new buildings has regard to the relationship with adjoining buildings and open spaces. 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).

There is no significant overlooking issues between the new dwellings and the existing properties on Winsors Lane and Townsend Farmhouse due to the distance and orientation of the new houses. With regard to the barns however there will be overlooking between the dwellings in the barns due to the proximity of the barns to each other. A distance of approximately 3.5m being the

nearest distance between barns. It needs to be recognised however that as the barns are listed they need to be safeguarded through a new use. It is considered that this overrides the overlooking concern and it is also recognised that this has been minimised to some extent by the use allocated to the rooms overlooking each other.

There will be no loss of light to any habitable rooms as this has been taken into account as part of the design of the new dwellings. With regard to the listed barns the removal of a single storey roof will allow light into two of the proposed new units where if this roof was not to be removed there would be an issue with the amount of day light reaching the habitable rooms.

Each of the new dwellings has a rear amenity area that range in length from 5m to 18m. Whilst a 5m length garden is considered to be short it should be noted that this garden and some of the other short gardens have a side garden as well to help compensate in the short length of the gardens.

Plots 18 - 22 are located to the rear of Townsend Cottages. Plots 21 and 22 have long rear gardens which give a separation distance to the boundary of between 13 and 17 metres. The distance between the existing cottages and the proposed dwellings is in excess of 25 metres. These distances provide a generous separation between plots and as such there would be an appropriate level of amenity. Plots 18 - 20 are located a significant distance from the rear of Townsend Cottages such that there are not any substantive issues with overlooking in this respect. However due to the shape of the gardens of Townsend Cottages and the boundary of the site, these dwellings are much closer to the boundary of the garden. There would be a degree of overlooking to the garden at relatively close quarters. The impact of this has been reduced through the positioning of first floor windows. It is also noted that Townsend Cottages benefit from large gardens and the overlooking would only impact on a portion of the gardens which are also the areas less sensitive to overlooking given the distances from the cottages.

Overall it is considered that the proposed development is would result in an acceptable level of amenity for the nearby residents and the residents of the proposed dwellings.

4. Highway Safety

4.1 Junction Capacity

Initially the Highway Authority raised some concerns about the capacity at the junction of Winsors Lane and the A39. It should be noted that planning permission has been granted for the development of the site in the past where similar issues would have arisen, albeit the previous applications were for a reduced amount of houses. The applicant has commissioned a review of the junction capacity. Ultimately it has been demonstrated that, even in a worst case scenario in terms of traffic generation from the site, there is ample capacity at the junction and the performance of the junction will not be altered significantly.

4.2 Access to the site

Having regard to the initial response from the Highway Authority there were some concerns about the layout of the site access. Alterations to the site access have been provided which addresses these concerns. The modifications to the access would now provide an appropriate access requiring vehicles to decrease speed sufficiently to enter the site safely.

Appropriate visibility at the site access can be achieved and the retention of the visibility can be secured via a condition.

4.3 Internal road layout

Subject to agreement of details, the County Council has confirmed that the internal layout of the estate road is acceptable. The applicant has provided clarity as to the extent of the road layout which is proposed to be adopted and the extent of the estate road that is to be a private road. The section of the site serving the barn conversion element of the proposal is to be a private road, with all other areas adopted. The details of the estate road is a matter for the County Council to deal with through the adoption process (and associated legal agreements). It is not necessary to also agree this detail through a planning condition.

The location of the bin collection areas, in terms of their distance from the affected dwellings and the distance from the highway is broadly in line with the requirements set out in the County Council's consultation response. There are plots where the residents would have to carry waste above the recommendation distance to the collection area. The affected plots are within the barn conversion scheme. There are inherent constraints in providing a scheme through converting buildings. It is considered that the benefits associated with the conversion outweigh the concerns in respect of the distance residents would have to carry waste. The impact of this is also reduced due to the provision of a bin store area within the scheme which is located closer to the bin collection area.

4.4 Parking

Policy T/8 of the Local Plan sets out parking standards. However the County Council has adopted a Parking Strategy in 2012, this document sets out an up to date parking strategy and parking standards for development. The County has been separated into various zones. West Somerset is located predominately within Zone C (low population areas). Carhampton is within zone C.

Having regard to the parking strategy, in zone C the following is considered to be the optimum parking provision:

- 1 bed roomed unit = 2 spaces
- 2 bed roomed unit = 2.5 spaces
- 3 bed roomed unit = 3 spaces

Over the whole site there are 15 three bed units, 16 two bed units and 4 one bed units. This would equate to an optimum parking provision of 93 spaces. In total 78 parking spaces are to be provided. All units are allocated at least 2 parking spaces with several units provided with 3 allocated spaces. There are also three visitor spaces on site. While there is a slight under provision of parking from the optimum it is considered that the parking proposed is sufficient. Having regard to the layout of the site there would also be space within the development to allow for a modest amount of on street parking without having an impact on highway safety.

There have been concerns raised in respect of the loss of existing on-street parking through the creation of the access to the site. However it is considered that the impact on a modest amount of on-street parking does not outweigh the benefits associated with this proposal.

4.5 Pedestrian access

There have been concerns raised in respect of access for pedestrians to the village. Along Main Road (the A39) the pavement provision is not ideal. In places the pavement is narrow and it is necessary to cross the road to stay on a pavement. This is an existing situation, which is not possible to fully resolve. It has been suggested that pedestrian access could be achieved via Carantoc Place. This has resulted in concerns being raised from local residents in respect of the public walking through that housing development. Although the route through Carantoc Place would be available as an option for residents, there are no practical measures that could be put in place through the planning system that would either ensure this route was taken or that it was not taken.

The concern about the impact on residents of additional pedestrians walking through a housing estate is an issue of amenity. Pedestrians walking through an existing housing estate does not give rise to any substantive amenity issues and as such the planning application cannot reasonably be resisted on this basis.

The concerns raised about the difficulties of access to the village, the bus stops etc. is fully appreciated. This was an issue that would have been taken into account when the previous application were approved, although the current proposal is for a larger development and therefore the impact is a little greater. While this is not an ideal situation, these deficiencies must be balanced against the significant benefits of the scheme (the affordable housing and the safeguarding of the listed barns). In this case the significant benefits of the scheme are considered to outweigh the concerns in respect of pedestrian access to the village.

4.6 Travel Plan

Having regard to the County Council's Travel Plan Guidance, as the site is for the provision of greater than 10 but fewer than 50 dwellings, a measures only travel plan is considered to be necessary. Although it is noted that the County Council would prefer to that this be secured via a S106 agreement, it is possible to secure this through a planning condition. In this case, given the relatively small scale of development, it is considered to be appropriate to secure this via a planning condition.

5. Flood Risk/Drainage

The application site is located entirely within flood zone 1 (at low risk of flooding). As the site is located in flood zone 1 development of the site for residential use is acceptable and it is not necessary that either the sequential or exception tests are applied.

The application is supported by a flood risk assessment that examines the risks and suggests mitigation strategies as well as detailing a drainage strategy. It is acknowledged that there are existing flooding problems in the area close to the junction of Winsors Lane and the A39. The Highway Authority has been seeking to deal with these issues. New development should not result in an increase in flood risk to other sites or adjoining land. As such it is important that the proposed development does not increase the run-off from the site and thus exacerbate the existing problems.

There are drainage strategies that can be put in place as part of the proposal to ensure that run-off rates are not exceeded. This matter can be addressed by a condition.

It has been suggested that any S106 contributions be used for flood alleviation. S106 contributions can only be secured where they are necessary to allow a development to proceed (i.e. it mitigates an impact of the development). In this case appropriate drainage solutions would result in the development not contributing the existing problems. As such there is no requirement to secure a contribution for flood alleviation.

6. Affordable Houses

Affordable housing is required as part of the scheme as more than 2 dwellings are proposed and as the site is over 0.1 ha in size (as required under policy H/4). The Planning Obligations SPD provides an up to date policy basis in respect of the provision of affordable housing. This requires that 35% of any housing development (for 2 or more dwellings in the case of Carhampton) comprises of affordable housing.

Sixteen of the dwellings will be affordable housing at an affordable rent (7 three bedroom houses, 7 two bedroom houses and 2 one bedroom houses) and 4 (2 three bedroom houses and 2 two bedroom houses) will be shared ownership properties. This equates to 57% of the dwellings and as such the proposal is significantly above the percentage sought by the SPD. This is a significant benefit associated with the proposal and weighs in favour of the development.

A Section 106 agreement would secure the provision of the affordable housing. In terms of the threshold for the provision of the affordable housing it has been agreed that no open market dwellings will be occupied until 15 of the affordable dwellings are ready for occupation. The remainder of the affordable housing will be ready for occupation before the 7th open market house is occupied.

7. Biodiversity

There is a general thrust in national and local planning policies to seek a net gain in biodiversity. It is therefore important that any ecological impacts are mitigated and that the scheme incorporates a number of ecological enhancements.

Bat, reptile and ecological surveys have been submitted as part of the application. several species of bat were found and the site is considered to have a moderate bat roost potential. Mitigation in the form of bat boxes is required and a condition is recommended to cover this. Slow worms were

also found on various parts of the site but the impact of the proposed development was concluded as being low. The slow worms will need to be translocated prior to development commencing on site and again a condition to cover this is recommended. In addition mitigation in the form of improving the existing hedge alongside Winsors Lane and a new native species shelter belt to the south of the new properties is recommended. This requirement can be included within a landscaping condition. The provision of bird boxes on the rear of the new houses or making 20% of the new houses bird friendly are also required to mitigate the loss of bird nesting opportunities. The County Ecologist and Somerset Wildlife Trust agree with the mitigation recommended in the submitted reports.

Overall the impacts of the development on protected species and biodiversity can be appropriately mitigated and there is scope to provide for ecological enhancements.

8. Archaeological Implications

Having regard to the comments from the County Archaeologist it is considered that there are limited archaeological implications associated with this proposal and the development is acceptable in this regard.

9. Public Open Space and Recreation Contributions

As the proposal is for more than 25 dwellings policy R/5 is relevant. This seeks the provision of onsite public open space. However the policy also allows for contributions towards public open space elsewhere (i.e. rather than on-site provision) where it is in the public interest to do so. No on-site public open space is included as part of the scheme. In this case the applicant has provided evidence that shows that there are viability issues in respect of the new build element of the scheme. This relates to the high percentage of affordable housing to be provided. As such the applicant is not proposing to provide any contribution to provide or enhance off-site open space (or other community facilities). In this case in view of the significant benefits associated with the affordable housing provision, and the viability issues associated with the scheme, the lack of a contribution is considered to be acceptable. On-site provision of open space would also have resulted in cost implications for the development and reduced the area of the site available for housing development. While the lack of provision of open space is not ideal, this is mitigated to a degree by the provision of gardens for all of the new build dwellings. In some cases the gardens are quite generous in their proportions.

It is proposed that there will be a contribution to the provision of community facilities in the parish of Carhampton from the barn conversion element of the scheme.

The SPD sets out an indication of the potential value of planning obligations for contributions above the provision of affordable housing. It details what could be achieved whilst enabling the development to be commercially viable. These contributions would include costs such as community recreation contributions, highway improvements, contributions towards education etc.

For residential development outside of Minehead, Watchet and Williton this range is suggested to be between £2, 000 - £5, 000 per plot although individual applications are assessed on their own individual merits and circumstances. The applicant has proposed to provide £10, 000 as a contribution (i.e. equivalent to £2, 000 per plot). The dwellings within the converted barns do not have any private gardens areas, but do benefit from communal court yard areas. It is considered necessary that a contribution is secured to provide additional or improved community facilities. It is however acknowledged that the conversion of listed barns often has significant viability issues and as such a contribution at the low end of the threshold is considered to be reasonable in this case.

In terms of the trigger points for payment these have been agreed as 50% of the contribution to be paid prior to works commencing on site in respect of the conversion of the barns and the final 50% to be paid prior to the occupation of the 5th dwelling in the barn conversion scheme.

10. Maintenance of communal areas and other matters

All parts of the site that fall outside of the residential curtilage of an individual dwelling which will not become part of the public highway, need to be maintained appropriately. The S106 agreement will secure the provision of a management company to ensure all such areas are managed and maintained in the long term.

The S106 agreement will also secure the provision of a sum to ensure that the S106 agreement can be monitored for compliance.

11. Other issues

The orientation of the new dwellings is partly dictated by the desire to gain the maximum benefit from solar gain as 20 of the 25 new houses are to be built to Passivhaus standards. This type of development is to be encouraged. It is considered that the layout of the site remains acceptable in terms of the impact on the character of the area and the setting of the nearby listed buildings.

It has been suggested that a new stone wall along Winsors Lane should be provided and native tree planting should be provided. These matters are dealt with through the landscaping condition.

11. Environmental Impact Assessment

This development does not fall within the scope of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999 and so Environmental Impact Assessment is not required.

Conclusion and Recommendation

It is recommended that planning permission be granted. Delegated authority is sought for the Planning Manager to grant planning permission and agree any necessary amendments to the S106 agreement and planning conditions.

Reason for Approval:

The majority of the application site is located within the development limits for Carhampton and the portion of the site outside of the development limits will provide affordable housing. The benefits associated with the scheme, through the provision of 20 affordable dwellings and the preservation of listed barns, outweigh the traffic generation impacts associated with the development. The proposal, by reason of its design, scale and layout would be in keeping with its surroundings. The setting of nearby Listed Buildings would not be harmed. The proposal, by reason of its design, scale and layout, would safeguard the amenities of neighbouring residents and adjoining land users. The means of access and parking arrangements meet the required safety standards and will ensure the free flow of traffic on the highway. The proposal makes adequate arrangements for the protection of biodiversity and makes appropriate arrangements for drainage. The proposal has been tested against the following Development Plan policies. In the opinion of the Local Planning Authority, and subject to the conditions below, the proposal is acceptable:-

Saved Policies SP/1, SP/3, SP/5, LC/1, BD/1, BD/2, BD/3, LB/1, H/4, H/5, NC/4, T/3, T/8, R/5, PO/1, UN/2, W/5, AH/3 of the West Somerset District Local Plan (adopted December 2006).

Planning Permission is 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 and to avoid the accumulation of the unimplemented planning permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved drawings: Drawing Numbers: 3165-220 (Location Plan), 3165-200 Rev I (Proposed Site Plan), 3165/201 Rev A (Existing Barns Proposed Floor Plans), 3165-202 Rev A (Plots 16 and 17), 3165-203 Rev A (Plots 3, 4, 5, 6 and 7), 3165-204

Rev A (Plots 8, 11 and 12), 3165-205 (Plot 15), 3165-206 Rev A (Plot 18 and 19), 3165-207 Rev A (Plots 23, 24 and 25), 3165-208 Rev B (Plots 9, 10, 13 and 14), 3165-209 Rev A (Plots 1 and 2), 3165-210 Rev A (Plots 20, 21 and 22), 3165/213 Rev B (Existing Barns Proposed Elevations Sheet 1 of 2), 3165/214 Rev B (Existing Barns Proposed Elevations Sheet 2 of 2), 3165-215 Rev D (Proposed Street Scenes), 3165/216 Rev A (Proposed Carport), 3165/217 (Typical Window Joinery Detail), 3165-218 Rev A (Garage Plots 19, 20, 21 and 22), 3165-220 (Carport for Plots 1, 2, 3 and 18).

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 include sample panels of the walling materials) to be used 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 building having regard to the provisions of Saved Policies BD/1, BD/2, BD/3 of the West Somerset District Local Plan (2006).

- 4 No works shall be undertaken on site unless full details of all new joinery have been first submitted to and approved in writing by the Local Planning Authority. Such details shall include elevations and cross-sections, profiles, reveal, surrounds, and details of the materials, finish and colour in respect of new windows, doors, and other glazed or timber panels. The works shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area having regard to the provisions of Saved Policies BD/1 and BD/2 of the West Somerset District Local Plan (2006).

- 5 No works shall be undertaken on site unless full details of the new roof lights been first submitted to and approved in writing by the Local Planning Authority. Such details shall include cross-sections, profiles, materials, finish and colour. The works shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the buildings having regard to the provisions of Saved Policies LB/1, BD/1, BD/2 and BD/3 of the West Somerset District Local Plan (2006).

- 6 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 treatments and finished ground levels; a planting specification to include 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. Such landscaping scheme shall take into account the requirements for ecological mitigation and enhancements required by condition 19. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure the provision of and implementation of an appropriate landscape setting to the development having regard to the provisions of Saved Policies BD/1 and BD/2 of the West Somerset District Local Plan (2006).

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, roof light, door or other opening, other than those expressly authorised by this permission, shall be constructed, above ground floor level, in the rear (north east) elevations of plots 18, 19 and 20.
Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with Saved Policy BD/2 of the West Somerset District Local Plan (2006).
- 8 There shall be no obstruction to visibility greater than 300 mm above the adjoining carriageway level within the visibility splays shown on the approved plans. Such visibility shall be provided prior to any other works being carried out in relation to the development hereby approved. The visibility shall thereafter be retained in the approved form.
Reason: To ensure suitable visibility is provided and retained at the site access, in the interests of highway safety, having regard to the provisions of Policy T/3 of the West Somerset District Local Plan (2006).
- 9 The gradient of the proposed access from Winsors Lane shall not be steeper than 1 in 10 for a distance of 6 m from its junction with Winsors Lane.
Reason: In the interests of highway safety having regard to the provisions of Saved Policy T/3 of the West Somerset District Local Plan (2006).
- 10 The dwellings shall not be occupied unless the first 10 metres of the access, as measured from the back edge of the adjoining carriageway, has been properly consolidated in accordance with the details shown in the approved plans. The access shall thereafter be retained in the approved form.
Reason: To prevent loose material being carried on to the highway, in the interests of highway safety, having regard to the provisions of Policy T/3 of the West Somerset District Local Plan (2006).
- 11 No dwelling shall be occupied until the parking spaces (including any garage) associated with that dwelling and related turning areas have been provided in accordance with the approved plans. Such parking areas shall not thereafter be used for any purpose other than the parking of the vehicles associated with that dwelling and the garages shall be available for the parking of vehicles associated with that dwelling.
Reason: To ensure that sufficient provision is made for off-street parking and turning of vehicles in the interests of highway safety having regard to the provisions of Policies T/3 and T/8 of the West Somerset District Local Plan (2006).
- 12 No works shall be undertaken on site unless details and specification for the off-site highway works (uncontrolled pedestrian crossings as indicated on drawing number 3165-200) and a programme of implementation 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 and programme.
Reason: To ensure that the offsite highway works are provided to an appropriate standard in the interests of highway safety, having regard to the provisions of Policy T/3 of the West Somerset District Local Plan (2006).
- 13 No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
- Construction vehicle movements;
 - Construction operation hours;
 - Construction vehicular routes to and from the site;
 - Construction delivery hours;

- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason: To prevent pollution to the land and/or water environment, protect the amenities of local residents and occupiers and to safeguard the natural environment within the site and its surroundings having regard to the provisions of Saved Policies PC/1, PC/2, PC/4 of the West Somerset District Local Plan (2006) and in the interests of highway safety.

- 14 No works shall be undertaken on site unless a scheme, to ensure that all vehicles associated with the construction of the development hereby approved are in a condition so that upon leaving the site the vehicles will not emit dust or deposit mud or other debris on the highway, has been submitted to and approved in writing by the local planning authority. Such details shall include sufficient means for cleaning the wheels of all construction vehicles leaving the site. The scheme shall be carried out in accordance with the approved details until the construction of the development has been completed.

Reason: In the interests of highway and pedestrian safety having regard to the provisions of Policy T/3 of the West Somerset District Local Plan (2006).

- 15 The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10.

Reason: In the interests of highway safety, having regard to the provisions of Policy T/3 of the West Somerset District Local Plan (2006).

- 16 The proposed roads, including footpaths and turning spaces, where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: To ensure that the highway works are provided to an appropriate standard in the interests of highway safety, having regard to the provisions of Policy T/3 of the West Somerset District Local Plan (2006).

- 17 No works shall be undertaken on site unless a travel plan has been submitted to and approved in writing by the local planning authority. Such travel plan should include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There shall be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures are being implemented in accordance with the agreed timetable. The measures should continue to be implemented as long as any part of the development is occupied.

Reason: To ensure that sustainable transport options are taken up minimising the impact of the development, having regard to policy requirements of the National Planning Policy Framework.

- 18 No works shall be undertaken on site unless a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. Such a scheme shall include details of gullies, connections, soakaways and means of attenuation, a programme of implementation and details of the appropriate right of discharge for surface water. The drainage works shall be carried out in accordance with the approved details and programme.

Reason: To ensure the adequate provision of drainage infrastructure having regard to the provisions of Saved Policies W/1 and W/3 of the West Somerset District Local Plan (2006).

19 No dwelling within the barn conversion scheme (plots 26 – 35) shall be occupied unless the bin and recycling store area (shown on drawing number 3165/201A) and the bin collection store (shown adjacent to the LPG Tank and the carports on drawing number 3165-200 Rev I) have been provided and are available for use. No dwelling identified as plots 15 – 17 and 23 – 25 shall be occupied unless the bin collection store (shown between the parking spaces allocated to plots 13 and 16 on drawing number 3165-200 Rev I) has been provided and is available for use. Once provided the bin and recycling store area and the bin collection store points shall be retained and available for use for the storage of bins and recycling.

Reason: To ensure the adequate provision bin and recycling storage in the interests of the appearance of the development having regard to Saved Policies BD/1 and BD/2 of the West Somerset District Local Plan (2006) and to ensure adequate arrangements are in place for the collection of waste.

20 No works shall be undertaken on site unless details of ecological mitigation and enhancements, having regard to the Ecological Appraisal (August 2012), the Reptile Survey report (October 2012) and the Bat Survey Report (March 2013), have been submitted to and approved in writing by the local planning authority. Such details shall include the provision of bat boxes, the provision of nesting opportunities for birds, the method for the translocation of slow-worms (including details of the translocation site), improvements/enhancements to the hedgerows and tree planting in and around the site and a programme of implementation. The ecological mitigation and enhancements shall be provided in accordance with the approved details and programme.

Reason: To ensure habitats for protected species are maintained and enhanced having regard to the provisions of saved Policy NC/4 of the West Somerset District Local Plan and Policies within the National Planning Policy Framework.

21 Prior to the occupation of more than 20 of the new build dwellings the works to the barns (plots 26 – 35) shall be complete with the dwellings within the converted barns ready for occupation.

Reason: To ensure that the repair/preservation of the barns is carried out as this is a key component of the scheme and forms part of the justification for allowing the development to proceed without onsite public open space provision and only a limited contribution towards the provision of off-site community facilities.

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking and re-enacting that Order with or without modification) no lines, mains, pipes, cables or other apparatus shall be installed or laid on the site other than in accordance with drawings first submitted to and approved in writing by the Local Planning Authority.

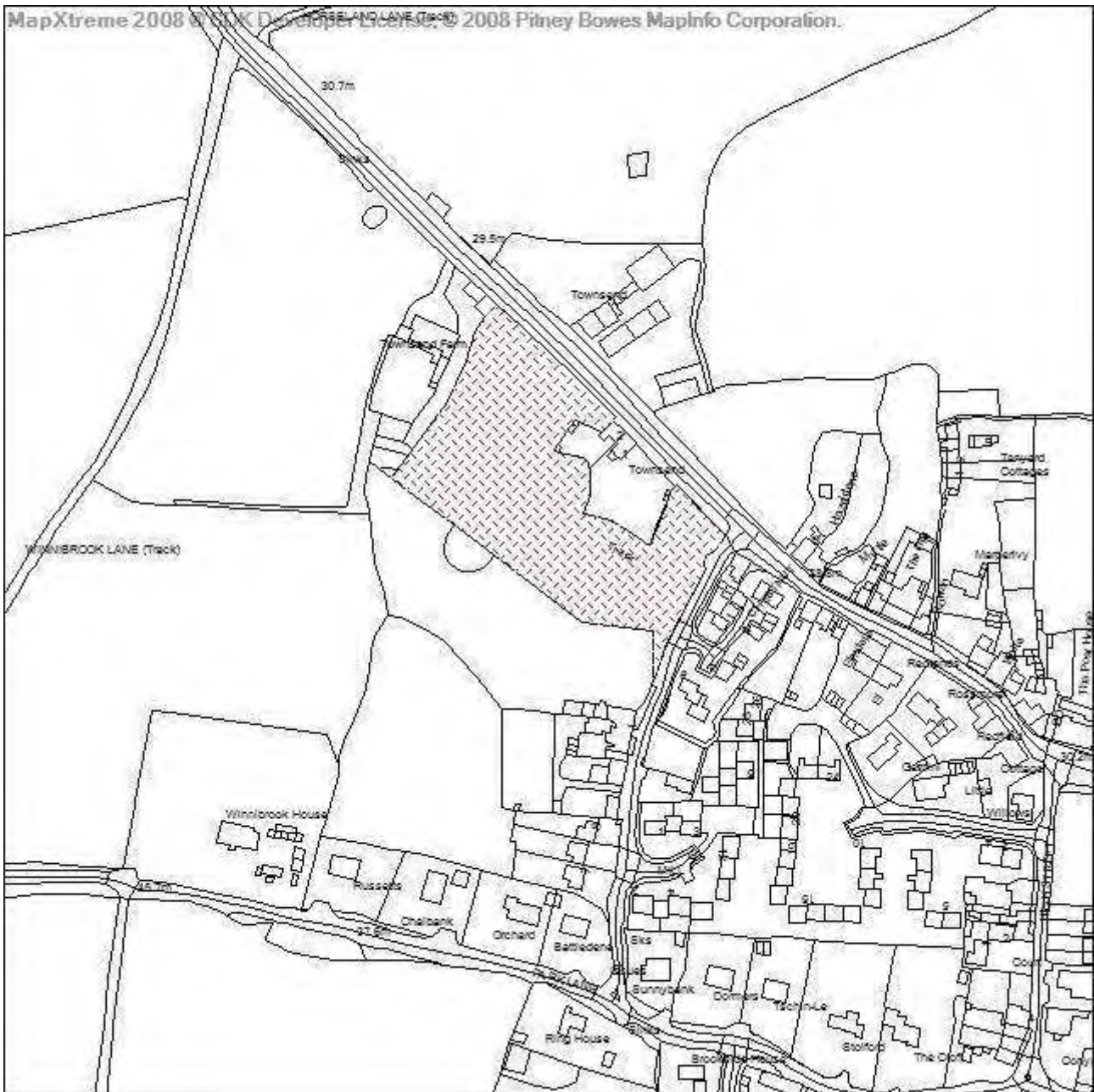
Reason: To safeguard the character of the area having regard to the provisions of Saved Policies BD/1, BD/2 and UN/2 of the West Somerset District Local Plan (2006).

Notes

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 consultee. 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 committee report, the application was considered acceptable and planning permission was granted.

2. 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, Environment Department, County Hall, Taunton TA1 4DY, or by telephoning 01823 355645. Applications should be made at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services. A proposed start date, programme for works and traffic management layout will be required prior to approved being given for commencement of works on the highway.
3. With regard to Condition 6 it is considered that the existing 2m high panel fencing along the western boundary between plot 35 and the rear (South) of the car ports is unacceptable as it affects the setting of the barns and Townsend Farmhouse. A stone wall is considered to be more appropriate.



Application No 3/05/13/006
 Erection of 25 Dwellings and
 conversion of barn to 10 dwellings
 with associated works including
 vehicular access
 Townsend farm, Carhampton
 08/07/2013

Planning Manager
 West Somerset Council,
 West Somerset House
 Killick Way
 Williton TA4 4QA
 West Somerset Council
 Licence Number: 100023932



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 Easting: 300451 Northing: 142837 Scale:
 1:2500

Application No:	3/21/13/077
Parish	Minehead
Application Type	Full Planning Permission
Case Officer:	Kenneth Taylor
Grid Ref	Easting: 297388 Northing: 146326
Applicant	Mr Hodgson Bridgwater YMCA
Proposal	The proposal is to change the use of the building from a hotel and pub to a mix of four distinct but interrelated uses; hotel accommodation and ancillary uses, a "flexible use" area for the holding of various functions and community uses, short-term rented cluster accommodation and flexible accommodation.
Location	The Beach Hotel, The Avenue, Minehead, TA24 5AP
Reason for referral to Committee	Having regard to the importance of the site to the tourism character of Minehead

Risk Assessment

Description	Likelihood	Impact	Overall
Risk: Planning permission is refused for reason which could not be reasonable substantiated at appeal or approved for reasons which are not reasonable	2	3	6
Mitigation: Clear advice from Planning Officers and Legal advisor during the Committee meeting	1	3	3

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

Site Location:

The Beach Hotel, The Avenue, Minehead, TA24 5AP

Description of development:

The proposal is to change the use of the building from a hotel and pub to a mix of four distinct but interrelated uses; hotel accommodation and ancillary uses, a "flexible use" area for the holding of various functions and community uses, short-term rented cluster accommodation and flexible accommodation.

Consultations and Representations:

The Local Planning Authority has received the following representations:

Minehead Town Council

The committee have concerns before a recommendation can be given:

The short term rented cluster accommodation - where is the evidence of how this will be managed and operated? What detrimental effects will there be to local residents with this.

Highways Development Control

Standing advice applies.

Housing Enabling Officer

The Planning Application proposes to change the use of the building from a hotel and pub to a mix of four distinct but interrelated uses: Hotel accommodation and ancillary uses, A 'Flexible use' area for the holding of various functions and community uses, Short-term rented cluster accommodation and Flexible accommodation.

This response specifically supports the affordable housing element of short term cluster accommodation. This will also be the only element of the project to be funded with S106 monies, as approved by Council on 14th August 2013, should Planning Permission be granted. However, the proposal for an element of 'Flexible Accommodation' is also welcomed.

Housing Need

Minehead is, without doubt, the area of highest housing need in West Somerset. As at today's date there are a total of 1,238 households registered on the Somerset Homefinder Choice Based Lettings system for re-housing within the District and 536 of them have chosen Minehead as their First Option for Re-housing. Of these, 56 applicants are single people within the relevant 16-24 year age range for this particular scheme.

Of these 56, 22 are currently being accommodated by parents or other friends and relatives and have been awarded a Silver banding for housing need, 20 of them are classed as Non-statutory homeless. This means that the Council does not have a duty to accommodate them but they are, nonetheless in a homeless situation. This is the group of people who are most likely to benefit should this scheme come to fruition as there are currently very few options within West Somerset for young people who find themselves in this position.

There are a further 4 applicants who are ready to move-on from existing supported housing. Such applicants are assessed as having a Gold Band need for housing; however, there is currently a gap within the housing market for the provision of suitable move-on accommodation which this project will go some way towards filling. This has the double benefit of freeing up existing supported housing for those that need it.

Only 10 of the 56 single applicants within the relevant age range have been assessed as currently being adequately re-housed.

Homelessness

Since January 2011, West Somerset Council has issued 428 Decision Notices following Homeless Applications made to its Housing Options Team. Of these, the Council accepted a full statutory duty to 76 applicants 16 (over 20%) of which fell into the 16-24 age range.

There is clearly a need for this type of affordable housing in West Somerset and, with continuing changes to the Welfare Benefit Programme, this demand will only increase.

Alongside increasing demand there is a historic under provision of single person accommodation in the area. The smaller affordable housing that does exist is becoming more and more in demand from existing tenants downsizing, reducing the availability for young people even further.

For the reasons stated above I would fully support this Planning Application.

Economic Regeneration & Tourism Manager

I am supportive of this planning application.

I have met with the YMCA and explored their proposals in detail with them.

The project is multi-faceted, and very exciting, and I am convinced that it will be of great socio-economic value to Minehead and West Somerset.

The positive points in more detail include:

- It will provide supportive housing opportunities for young people, potentially linked to employment and training opportunities.
- Within this proposal the Beach Hotel continues to operate a facility for tourism. Given its location, this is of particular importance to Minehead.
- The scheme is set to provide a number of new jobs, and at least 12 new apprenticeships per annum.
- The YMCA are set to secure good working and partnership relationships with West Somerset College, that will add value to their provision, and ensure extensive use of their training facilities.
- The YMCA proposals will provide excellent work experience and professional opportunities for WS College students.

- The YMCA intend to diversify the current tourism offer available in Minehead, which should add value to current provision without providing additional competition, or saturation of current facilities.

I wish the applicant well, and the Economic Development Team would wish to continue the dialogue with the YMCA during implementation of the scheme, to support and add value where possible.

Community Safety Officer

I am pleased to confirm that the proposed management measures that we discussed during our recent meeting with Inspector Carey appear to very robust and are based upon tried and tested measures in place elsewhere within other YMCA premises. The feasibility of remote CCTV monitoring of any external CCTV will be explored.

Public Consultation

The Local Planning Authority has not received any letters of objection or support.

Planning Policy Context

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. The Development Plan for West Somerset consists of the Somerset Minerals Local Plan (adopted April 2004), Somerset Waste Core Strategy (adopted February 2013) and the West Somerset District Local Plan (adopted April 2006).

The following Policies are considered relevant to this application:

- SP/1 Settlement Hierarchy
- SP/2 Development in Minehead and Rural Centres
- W/6 Flood Plains
- CA/1 New Development and Conservation Areas
- BD/1 Local Distinctiveness
- BD/2 Design of New Development
- BD/3 Conversions, Alterations and, Extensions
- TO/1 Sustainable Tourism Development Within Settlements
- TO/2 Tourism Development in Minehead
- T/3 Transport Requirements of New Development
- T/7 Non-Residential Development Car Parking
- R/6 Public Open Space and Small Developments
- AD/1 Access for Disabled People
- PC/1 Air Pollution
- PC/2 Noise Pollution

National Policy

The National Planning Policy Framework (The Framework) is a material consideration

The County Council adopted a Parking Strategy in 2012, this document sets out an up to date parking strategy and parking standards for development. This document is a material planning consideration.

Planning History

The following planning history is most relevant to this proposal:

3/21/07/006	Change of use of hotel accommodation to 14 flats and conversion of ground floor unit into A1, A3 and A5 uses.	Refused	2007
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The above application was subject to an appeal (ref: APP/H3320/A/2044037) which was dismissed (i.e. planning permission refused) in October 2007.

The applicant submitted pre-application proposals to the local planning authority and detailed advice was provided by officers.

Site Description

The site relates to a currently disused hotel with accommodation over three floors. To the rear of the building there is additional accommodation which provides hotel accommodation and accommodation for employees. Within the building there is a separate bar/pub which, although has been operated separately from the hotel use (and continues to operate), nevertheless forms an integral part of the building. The Beach Hotel lies opposite the sea front and railway station and it is immediately connected to both. The building is located in a prominent location. The building effectively acts as a gateway to the town centre and forms part of the key frontage along the seafront within the Wellington Square conservation area.

Proposal

The proposal is to change the use of the building from a hotel and pub to a mix of four distinct but interrelated uses as follows:

- Hotel accommodation. This would be contained in the ground floor areas currently used as the pub, reception area, bar, kitchens and service areas and the 13 bedrooms and corridors on the first and second floors at the front of the building from the corner and along northern portion of the building.
- A "flexible use" area for the holding of various functions and community uses. This would be located on the ground floor in the southern portion of the building and the restaurant area.
- Short-term rented cluster accommodation. This is indicated in blue on the submitted plans in parts of the ground, first and second floor and takes up 18 bedrooms, part of the existing staff accommodation and associated storage rooms and corridors. It is understood that a part of the hotel kitchen would be utilised by the residents of the rented cluster accommodation for their kitchen facilities.
- Flexible accommodation. This is located on parts of the first and second floors indicated in green on the submitted plans. This consists of 16 bedrooms and associated corridors. The intended use of this area is for a variety of accommodation needs. Within this there would be types of tourism accommodation (back packers accommodation, and accommodation rented to schools, colleges and businesses) and non-tourism accommodation (to students attending training and apprenticeship courses). It is understood that in the future an additional internal staircase may be provided in the building which would result in the loss of two of these rooms. Those rooms currently provide access to the fire escape and so are not really usable as rentable accommodation.

It is proposed that the bar/lounge/restaurant area and the pub be used as cafe/restaurant accommodation for residents of the hotel and flexible accommodation and this would also be open to the public for meals etc.

Planning Analysis

1. Principle of Development

Policy SP/1 of the Local Plan designates Minehead as a town. Policy SP/2 of the Local Plan states that within the development limits of Minehead commercial or residential development will be permitted where:

- It does not result in the loss of land specifically identified for other uses.
- There is safe and convenient access by bus, cycle or on foot to facilities and employment.
- It involves infilling or small groups of dwellings, conversion, subdivision or redevelopment of an existing building or buildings or the redevelopment of previously developed land.

In general terms the proposed mix of uses is in accordance with the strategic policies. The site is not designated for any specific use. The site is located immediately adjacent to the Minehead Town Centre area and as such there is convenient access by bus, cycle and on foot to facilities and employment. The proposal would be for the reuse of an existing building. As such the proposal would accord with the criteria of Policy SP/2.

Policy TO/2 relates to tourism development in Minehead. This policy states that for proposals for

development in the vicinity of tourist accommodation or facilities in the Quay West, Quay Street, Esplanade and Warren Road areas of Minehead will be permitted provided that:-

- (i) The design, layout, scale and siting is acceptable in landscape and conservation terms.
 - (ii) In relation to the criterion (i) no adverse effects to the tourism character of such areas ensue.
 - (iii) The level of impact in terms of noise, pollution or light pollution is acceptable.
 - (iv) Satisfactory existing or proposed provision for access and on-site parking* is made to meet the needs of visitors.
- (* As detailed in Policy/7 and Appendix 4, Table 3).

Within Policy TO/2 the most significant issue for this proposal is whether the development would harm the tourism character of the area. This was one of the key issues for the previous application and subsequent appeal at the site. In order to assess the impact on the "tourist character" it is necessary to define what that is. The important attributes of Minehead is that it is a resort based around the seafront which includes Quay West, Quay Street, The Esplanade and Warren Road and has the terminus of the West Somerset Railway, a thriving steam train attraction. The Beach Hotel lies opposite the sea front and railway station and it is immediately connected to both. These elements are the defining characteristics of the tourism area of Minehead and form part of what is locally distinctive of Minehead.

Having regard to this it is clear that the Beach Hotel, and its use as a hotel, is an essential and inseparable element of the tourism character of the area. The Beach Hotel is at the heart of the tourist area where the beach and the railway meet and is a key element of the tourist character of the area and should be protected. The Beach Hotel is located on a prominent corner and has a pleasant unity as the whole building is within a single use. This unity contributes to the character of the area. The use of areas to the front of the building, to provide tables and chairs for patrons, gives a feeling of active frontage and adds to the overall character of the area. As such any changes to the use of the building should seek to retain the unity of the building particularly along the frontage and an active frontage should also be retained.

The proposal seeks to retain a significant element of the tourism offer. The majority of the ground floor is retained as part of the hotel use and around 13 bedrooms on the first and second floors. The rooms proposed to be within the "flexible accommodation" would also add to the tourism offer when the rooms are in use as tourism accommodation (i.e. as backpackers accommodation and if rented as accommodation to schools and businesses). Collectively the hotel rooms and the "flexible accommodation" rooms make up a significant portion of the existing hotel rooms. These are also the rooms that have an outlook onto the frontage. The use of the ground floor areas as part of the hotel, providing a reception, cafe and restaurant (with associated kitchens and service areas) would protect the use of the building and preserve the unified appearance of the frontage of the building as well as retaining the active nature of the frontage with the hotel entrance and outside seating. It is important that the use of the "flexible accommodation" is used for tourism accommodation for a reasonable period throughout the year. If these areas were solely used for accommodating students on apprenticeships etc. the tourism offer would be diminished. It is considered that this can be controlled through appropriate conditions (as outline below in condition 03).

The use of the remainder of the ground floor (formally a night club) as a space for holding functions and community uses is acceptable in principle and is an appropriate use for a site located immediately adjacent to the town centre area. In order that this is managed appropriately and the unity of the building is retained events etc. uses within this area should be managed by the operator of the hotel.

The short term cluster accommodation would not add to the tourism offer of the site. Having regard to the comments from the Housing Enabler it is acknowledged that this would provide a

type of accommodation that is needed and as such there are social benefits associated with this element of the scheme. This accommodation is generally located in the more discrete areas of the building and as such would have limited impacts on the character of the building and thus the tourism character of the area. Taken collectively with the retained tourism uses as well as the benefits associated with providing the rented cluster accommodation it is considered that, subject to suitable controls, the proposed mix and proportion of uses is acceptable in principle.

Although not directly a planning issue it would be prudent for the operator to ensure that the kitchen area to be used for the proposed rented cluster accommodation is kept physically distinct from the kitchen for the restaurant from both a practical and hygiene standards perspective given that the kitchen for the restaurant will be operated on a commercial basis.

2. Character and Appearance of the Area

Policies BD/1 and BD/2 of the Local Plan requires that development is sympathetic in scale to the surrounding built development and open spaces in terms of layout, design, use of materials, landscaping and use of boundary treatments. Policy BD/3 of the Local Plan requires that the scale, proportions, detailing and use of materials for extensions and alterations to buildings are in character with the buildings to which they relate.

Policy CA/1 of the Local Plan requires that proposals would preserve or enhance the architectural and historic character or appearance of the conservation area. This Policy sets out a criteria which requires that:

- The proposal must be in keeping with the scale, architectural quality and features of the area and not detract from the setting of historic or architecturally important buildings.
- External building materials must be appropriate to those that are traditional in the conservation area.
- The proposal should not detract from the existing landscape elements of the conservation area including trees, hedgerows, walls, banks, footpaths and open spaces.

The Framework cites “contributing to protecting and enhancing our ... built and historic environment” as a key element of sustainable development (Paragraph 7). Chapter 12 of the Framework states that “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”.

It is noted that there is currently no intention to make any physical external alterations to the building. However changes of use can have an impact on the character of a building. The character and appearance of the conservation area is so intimately tied up with the tourism character as to be inseparable. Therefore any harm to the tourism character would result in harm to the conservation area and would not be acceptable. Having regard to the conclusion reached above, subject to suitable controls though planning conditions, it is considered that the character of the conservation area would be preserved.

Although not forming part of the current proposal any alterations to the signage at the hotel may require advertisement consent and the signage would need to be sensitive and appropriate to the character of the building and conservation area.

3. Residential Amenity

Policy BD/2 of the Local Plan requires that the siting of new buildings has regard to the relationship with adjoining buildings and open spaces. One of the core principles of the Framework 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).

No external physical alterations to the building are proposed as part of the development. The proposed changes of use would not result in a significant change which would have an impact on residential amenity. The significant portion of the building would be retained within its existing use. The use of a portion of the building for flexible accommodation would not be dissimilar to a hotel use and would not bring about any significant amenity issues. The use of a portion of the building for rented cluster accommodation is appropriate for the location of the site and surrounding land uses.

4. Highway Safety

Paragraph 32 of the Framework makes it clear that decisions should take into account whether the opportunities for sustainable transport modes have been taken up. The Framework requires that, where practical, development should be located and designed to consider the needs of people with disabilities by all modes of transport and that decisions should take into account whether a safe and suitable access to the site can be achieved.

One of the core principles for the planning system, set out in paragraph 17 of the Framework, is to focus significant development in locations which are or can be made sustainable. Planning policies should also aim for a balance of land uses so that people can be encouraged to minimise journey lengths (paragraph 37).

This site is located within the development limits of Minehead and immediately adjacent to the town centre area. The site is sustainable in transport terms. There is a service area located to the rear of the building. Within this service yard, and the area of land adjacent to the access to this yard, the applicant has shown that 13 parking spaces can be provided. These spaces are not marked out within the site and parts of some of the spaces fall outside the application site boundary. The majority of the spaces, as shown, are also not in full accordance with the Parking Strategy in terms of their dimensions.

Having regard to the Parking Strategy this site is located within zone B where the minimum parking level for a hotel should be one space for every two bedrooms. The rented cluster accommodation does not neatly fall into any category within the Parking Strategy. Due to the nature of the rented cluster accommodation proposed, it is acknowledged that this is unlikely to lead to a significant demand for parking and considering this type of accommodation as similar to a 1 bed roomed dwelling (where 1.5 spaces per unit is required) would be inappropriate. The closest match is arguably a "residential institution" where 1 parking space for each 6 bedrooms is required by the Parking Strategy.

Having regard to the strategy this proposal ought to provide between 15 and 16 spaces for the hotel and flexible accommodation (depending on whether a discount is provided for the two rooms likely to be lost in the provision of an additional staircase) and an additional 3 spaces for the cluster accommodation. As such overall there is an under provision of car parking within the site. However regard must be had to the existing lawful use as a hotel where there is already a significant under provision of parking. The introduction of cluster accommodation would result in a net decrease in the need for parking facilities. The location of the site, adjacent to the town centre area and a large car park is such that the existing use could (and did) function well with limited on site parking. The proposed mix of uses should equally be able to function well with limited parking facilities.

In view of the above the parking provision is considered to be acceptable.

5. Flood Risk

Policy W/6 of the Local Plan only permits development within areas at risk of flooding where environmentally acceptable measures are provided to mitigate risks. The Framework requires that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk of flooding and where development is necessary, it should be made safe without increasing flood risk elsewhere.

This site is located within flood zones 2 and 3. It is noted that the proposal is for a change of use. The proposal will also not result in a change in flood risk vulnerability (a hotel and residential accommodation both falling within the vulnerability class of "more vulnerable"). As such a detailed flood risk assessment is not required and the proposal is acceptable in this regard. In carrying out internal alterations to the building the applicant should be mindful of the Environment Agency's standing advice and any appropriate mitigation measures should be included in the alterations.

6. Biodiversity

Policy NC/4 of the Local Plan prohibits development that would give rise to harm to protected species unless the harm can be avoided through the use of planning conditions. One of the facets of sustainable development as defined by the Framework is "helping to improve biodiversity" (paragraph 7). Within chapter 11 of the Framework the overarching aim is that in making decision on planning applications, biodiversity should be maintained and enhanced. In this case it is noted that no works are proposed to the exterior of the building and the proposed mix of uses are relatively similar to the existing use of the site. As such it is unlikely that the proposal will have any significant impacts on protected species or the biodiversity value of the site.

7. Planning Obligations

West Somerset Council adopted a "Planning Obligations", Supplementary Planning Document in December 2009. This document is available on the Council's website.

The SPD covers a range of potential planning obligations including the provision of affordable housing for residential schemes and the provision of community infrastructure. Affordable housing is also dealt with under policy H/4 of the Local Plan and public open space is dealt with under policy R/6 of the Local Plan.

In this case the non-tourist accommodation elements of the scheme is for a specialist type of affordable/supported accommodation rather than the provision of dwellings. As such there will be no requirement for any contribution towards additional affordable housing. The use of the accommodation can be controlled via condition.

There would be no requirement for a community infrastructure contribution as a result of the tourism elements of the proposal. There is provision within planning policy to secure contributions from residential schemes. However the "cluster accommodation" does not result in the provision of dwellings, albeit it is a type of residential accommodation. It is noted that the provision is quite small and as such it is considered that it would not be necessary for a contribution to be provided in this case.

8. Other Implications

The Town Council has raised a query in respect of how the short term cluster accommodation would be managed and the potential for detrimental impacts on local residents. The applicant has provided details of management arrangements for the site. The use of the cluster accommodation is proposed as moved-on accommodation and will be used to accommodate residents in training, education and/or in work with continued support and guidance from the YMCA against their established support plans. The management measures have been discussed with the Council's Community Safety Officer and the police. The Community Safety Officer has confirmed that the management measures appear to be very robust and based upon tried and tested measures. This information has been passed to the Town Council.

Accommodation of this nature is appropriate to a site within a town. The operators of such accommodation, in partnership with other agencies, can put management measures in place to ensure that the accommodation operates appropriately. It is not considered to be necessary to secure management procedures through a planning condition as this is more appropriately handled by other agencies.

9. Environmental Impact Assessment

This development does not fall within the scope of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999 and so Environmental Impact Assessment is not required.

10. Conclusion and Recommendation

It is considered that, subject to suitable controls through conditions, the proposal would be acceptable and it is recommended that planning permission be granted.

Reason for Approval:

The proposal development would result in the retention of a significant amount of hotel and tourist accommodation uses, the extent and location of these uses within the building would retain the tourist character of the area and the unified appearance of the building. The provision of rented cluster accommodation is a type of move-on affordable accommodation for which there is an identified need and is appropriately located on an edge of town centre site. The character and appearance of the Conservation Area would be preserved. The setting of nearby Listed Buildings would not be harmed. The proposal, by reason of its use would not result any significant impact on neighbour amenity above that associated with the lawful use of the building. The level of parking is acceptable having regard to the lawful use of the site. The proposal has been tested against the following Development Plan policies. In the opinion of the Local Planning Authority, and subject to the conditions below, the proposal is acceptable:

Saved Policies SP/1, SP/2, W/6, CA/1, BD/1, BD/2, BD/3, TO/1, TO/2, T/7, R/6, PO/1, AD/1, PC/1 and PC/2 of the West Somerset District Local Plan (adopted December 2006).

Planning Permission is 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 and to avoid the accumulation of the unimplemented planning permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved drawings: Drawing Numbers: P01, P02 and P03 entered 15 August 2013.
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 The use of the building shall be limited to the following:
 - The areas of the building, outlined in orange and marked with cross hatching on drawing number P01, and outlined in orange on drawing numbers P02 and P03 shall be used as hotel accommodation (C1) and ancillary uses. The ground floor areas shall be used as hotel accommodation (C1) or as a mixed use of hotel accommodation (C1) and restaurant/cafe/bar (A3 and A4) uses and part of the kitchen areas may also be used as kitchen facilities for the rented cluster accommodation (identified in blue on the approved plans). Within the hotel accommodation, at first and second floor level, there shall be a minimum of 13 bedrooms.
 - The areas of the building, outlined in orange and marked with diagonal hatching on drawing number P01 shall be used for uses ancillary to the hotel use and/or for functions and community uses falling within use class D/1 which are operated and managed by the operator of the hotel.
 - The areas of the building, outlined in green on drawing numbers P02 and P03 shall be used as flexible accommodation limited to tourist accommodation (hotel accommodation, backpacker accommodation and tourist accommodation for groups such as schools, colleges and businesses) and short term rented student-style accommodation. The flexible accommodation shall have a minimum of 14 bedrooms. The flexible accommodation shall only be used for student-style accommodation for a maximum 9 months in any calendar year and must be available for tourist accommodation for at least a 60 day period within the months of June, July and August.

- The areas of the building, outlined in blue on drawing numbers P01, P02 and P03 shall be used as rented cluster accommodation.
- The hotel accommodation and flexible accommodation (other than when used as short term student-style accommodation) shall not be occupied other than for purposes of holiday accommodation and shall not be occupied by the same person(s) for more than 28 days in any calendar year, in accordance with written records of occupancy to be available for inspection by the Local Planning Authority at any time.

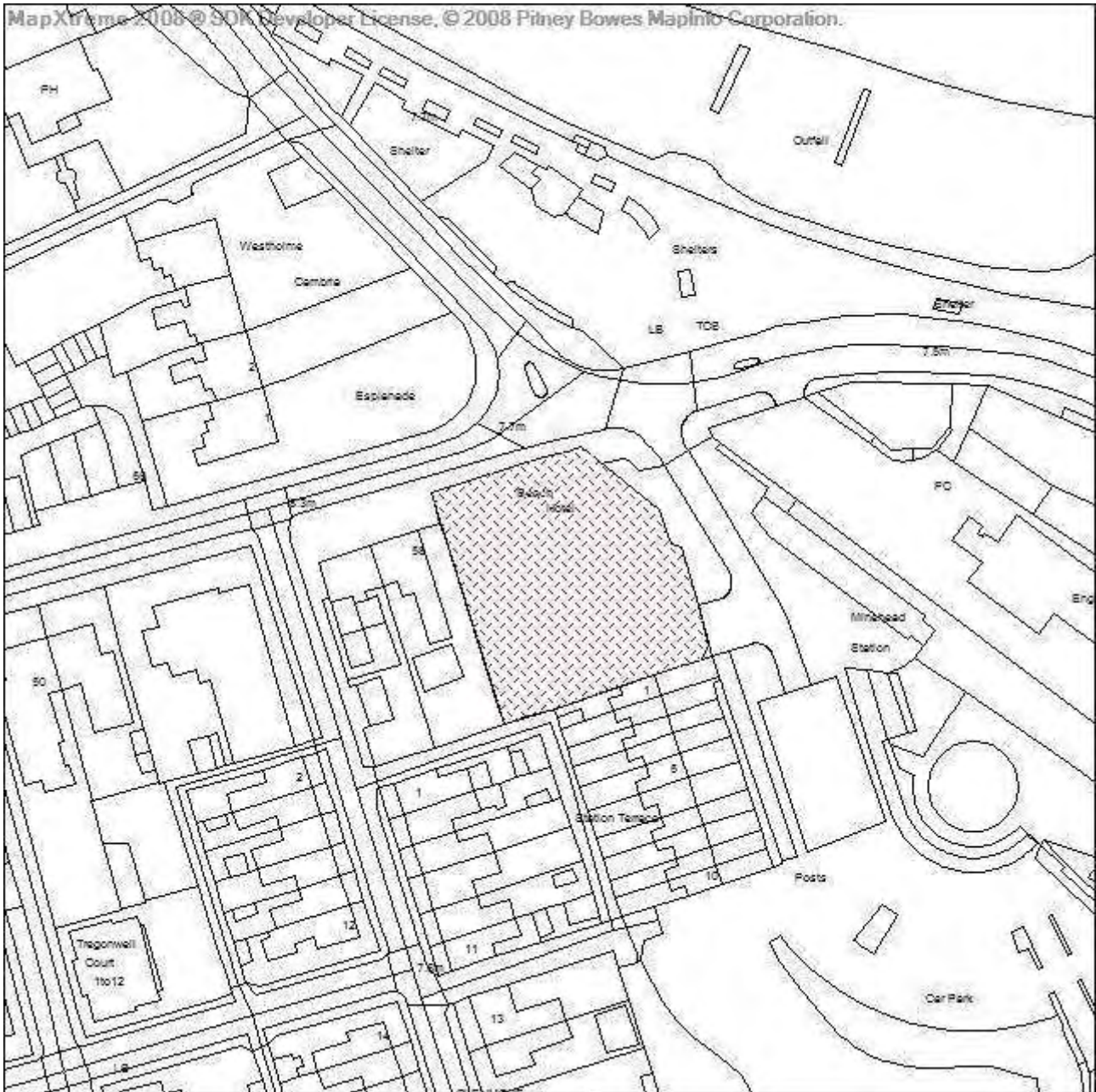
Reason: To ensure that the tourist character of the area is retained, the character of the conservation area is preserved and the integrity of the unity of the building is maintained having regard to the provisions of Policies TO/2 and CA/1 of the West Somerset District Local Plan.

Notes

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. No substantive issues were raised by consultees through the application process. For the reasons given above and expanded upon in the committee report, the application was considered acceptable and planning permission was granted.

- 2 The Planning Authority is required to erect a Site Notice on or near the site to advertise development proposals which are submitted. Could you please ensure that any remaining Notice(s) in respect of this decision are immediately removed from the site and suitably disposed of. Your co-operation in this matter is greatly appreciated.



Application No 3/21/13/077

The proposal is to change the use of the building from a hotel and pub to a mix of four distinct but interrelated uses; Hotel accommodation and ancillary uses A "flexible use" area for the holding of various functions and community uses Short-term rented cluster accommodation Flexible accommodation. The Beach Hotel, The Avenue, Minehead, TA24 5AP

15 August 2013

Planning Manager

West Somerset Council

West Somerset House

Killick Way

Williton TA4 4QA

West Somerset Council

Licence Number: 100023932



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Easting: 297390 Northing: 146337

Scale: 1:1250

Application No:	3/21/13/083
Parish	Minehead
Application Type	Outline Planning Permission
Case Officer:	Sue Keal
Grid Ref	Easting: 298115 Northing: 144659
Applicant	Mr L, P, D & W Gurnett
Proposal	Erection of a single dwelling with access from Ellicombe Lane.
Location	Land adjoining The Maples, Ellicombe Lane, Alcombe, Minehead TA24 6TR
Reason for referral to Committee	This site is outside of the development limits, if permission were granted, this would be a departure from the development plan

Risk Assessment

Description	Likelihood	Impact	Overall
Risk: Planning permission is refused for reason which could not be reasonable substantiated at appeal or approved for reasons which are not reasonable	2	3	6
Mitigation: Clear advice from Planning Officers and Legal advisor during the Committee meeting	1	3	3

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

Site Location:

Land adjoining The Maples, Ellicombe Lane, Alcombe, Minehead TA24 6TR

Description of development:

Erection of a single dwelling with access from Ellicombe Lane.

Background

This application relates to a single dwelling located outside the development limits of Minehead. In such circumstances the granting of planning permission would amount to a decision that is contrary to the development plan. The Council's scheme of delegation requires that decisions contrary to the development plan are considered by the Planning Committee. This report sets out the relevant issues and seeks delegated authority to determine the application following the end of the consultation period.

Consultations and Representations:

The Local Planning Authority has received the following representations:

Minehead Town Council - No comments received at time of writing.

Highways Development Control - Standing advice applies.

Planning at Exmoor National Park - No comments received at time of writing.

Public Consultation

The Local Planning Authority has received 2 letters of objection making the following comments (summarised):

- The narrow existing access lane known as Ellicombe Lane.
- Concerns regarding construction traffic gaining access to the site.
- Owners of Ellicombe Manor were not notified.
- Ellicombe Lane is not suitable for the building of any more properties and vehicles movements in the lane.

- Old Chapel Cottage has had two recent collapses due to insufficient foundations and a) being hit by a delivery lorry and b) during restoration work.
- Ellicombe Lane is used by school children walking to school, dog walkers, horse riding, cyclists and there are no pavements.
- There is no mention of the size of the proposed dwelling.
- The Maples has an agricultural tie.
- Loss of a green belt land.
- The site is outside of development limits.
- Plenty of other sites identified not yet developed.
- Inaccuracies in the application

Planning Policy Context

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. The Development Plan for West Somerset consists of the Somerset Minerals Local Plan (adopted April 2004), Somerset Waste Core Strategy (adopted February 2013) and the West Somerset District Local Plan (adopted April 2006).

The following Policies are considered relevant to this application:

SP/1	Settlement Hierarchy
SP/5	Development Outside Defined Settlements
LC/1	Exmoor National Park Periphery
LC/3	Landscape Character
BD/1	Local Distinctiveness
BD/2	Design of New Development
T/3	Transport Requirements of New Development
T/8	Residential Car Parking

The County Council adopted a Parking Strategy in 2012, this document sets out an up to date parking strategy and parking standards for development. The County Council also published standing advice "Highways Development Control - Standing Advice" in June 2013. These documents are a material planning consideration.

National Policy

The National Planning Policy Framework (NPPF) is a material planning consideration.

Planning History

The following planning history is relevant to this application:

3/21/74 024	Land adjoining part residential, part small holding	Refused	23/09/1974
3/21/80/204	Erection of agricultural bungalow	Granted	22/06/1981
3/21/83/072	Erection of bungalow	Refused	02/06/1983
3/21/83/148	Erection of bungalow	Granted	15/07/1983
3/21/89/258	Erection of small bungalow	Refused	23/11/1989
3/21/05/011	Removal of agricultural tie	Refused	29/03/2005

The Council is also dealing with an application (3/21/13/084) for the erection of 29 dwellings and 8 flats on land adjacent to this application site. That application will be referred to a later Planning Committee.

Site Description

The existing site known as The Maples has an existing bungalow constructed in the mid 80's in the top corner of the site immediately to the left of the existing road access off Ellicombe Lane. The site is accessed via a wooden field gate with wooden post and rail fencing. The existing site was a former horticultural nursery site. The proposed development site for the new single dwelling would be located at the lower end of the site. Currently at the site there is a collection of old outbuildings that are constructed in wood with corrugated sheeting to the roof. The existing boundaries around the site and between the site and the larger adjoining field are established boundary hedging.

Proposal

The application seeks outline planning approval for the erection of a single dwelling with access from Ellicombe Lane. Approval of the access is sought at this stage with all other matters (appearance, landscaping, layout and scale) reserved for later consideration. The access to the site is proposed from Ellicombe Lane utilising the existing access to The Maples. The indicative information submitted with the application shows a possible siting of the dwelling located to the west of the existing out buildings located on the site.

Planning Analysis

1.0 Principle of Development

1.1 Overview

Policy SP/1 of the Local Plan designates Minehead as a town. Policy SP/2 of the Local Plan states that within the development limits of Minehead commercial or residential development will be permitted where:

- It does not result in the loss of land specifically identified for other uses.
- There is safe and convenient access by bus, cycle or on foot to facilities and employment.
- It involves infilling or small groups of dwellings, conversion, subdivision or redevelopment of an existing building or buildings or the redevelopment of previously developed land.

The settlement policies within the Local Plan seek to focus the majority of development within the town (Minehead) with some development in the Rural Centres (Watchet and Williton) and modest development in some of the larger villages. The Local Plan specifically identifies the extent of the development limits. The application site is located outside, but in close proximity to the development limits of Minehead. The site is roughly oblong in shape and adjoins a larger field to the west of the site and further on a residential development known as Ellicombe Meadows. The existing development limits run along the eastern boundary of Ellicombe Meadows.

When considering sites outside of the development limits Policies SP/1 and SP/5 of the Local Plan are the relevant settlement policies. These policies direct that development on sites outside of the development limits are strictly controlled and limited to development that benefits social or economic activity, maintains or enhances the environment and does not significantly increase car travel.

However Paragraph 49 of the NPPF identifies that Development Plan policies that specifically deal with supply of housing should not be considered up to date where a local planning authority cannot demonstrate a 5 year housing land supply. In this scenario the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

1.2 Five Year Land Supply implications

In view of the current progress in relation to the emerging Local Plan 2012-2032, it is acknowledged that the local planning authority is currently not in a position to demonstrate a five-year housing land supply in accordance with the paragraph 47 of the NPPF.

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. The NPPF is a strong material consideration that indicates that, in view of the current position in respect of the five-year housing land supply, the current application should not be judged against criteria within Policy SP/5 but rather the main issue in this case (in respect of the principle of the development) is whether the proposal constitutes sustainable development as defined by the NPPF.

Paragraph 7 of the NPPF is the crucial test in determining whether or not a development proposal is sustainable. This sets out the three dimensions to sustainable development. An economic role, a social role and an environmental role. Transport sustainability is also a key component of sustainability (paragraphs 17 (11th bullet point), 29, 30, 32 (1st and 2nd bullet points), 35 and 37 of the NPPF) .

The NPPF clearly sets out that, even when the Development Plan is absent, silent or the relevant policies are out of date planning permission should not be granted where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of doing so when assessed against the policies in the NPPF (paragraph 14 of the NPPF).

As such notwithstanding the fact that the site is located outside of the development limits consideration must be given to whether the proposed development is suitable having regard to the principles of sustainable development and other material considerations.

2.0 Principles of sustainable development

2.1 Location of the site (transport links/proximity to services and facilities)

The site is located approximately 1.6 miles from the town centre of Minehead, where there is a good range of services and facilities. The small settlement of Alcombe is located 0.9 miles from the development site where there are a range of facilities and services.

These distances are beyond what is considered to be easy walking distance but is a relatively easy cycling distance. The site is located around 330m from a bus stop that provides regular buses to town. The distance to the town centre and other services and facilities is such that the site is not the most ideal in terms of transport sustainability. However other sites within the development limits are located equally as distant from the town centre. New sites to meet the housing need are likely to come forward on land that is similarly distant from the town centre and other service areas. As such it is considered that the location of the site is acceptable in transport sustainability terms.

2.2 Impact of the built and historic environment.

The NPPF cites “contributing to protecting and enhancing our ... built and historic environment” as a key element of sustainable development (Paragraph 7). Chapter 12 of the NPPF states that “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 impact on the setting of a heritage asset must also be given consideration.

In considering this application, the impact on this area of open space and the impact of the proposed development on the wider area needs to be given consideration. Consideration must be given to whether the proposal will lead to harm to the nearby heritage assets (the listed buildings located to the east of the site). If it is considered that harm would arise then consideration must be given to the extent of the harm and then the benefits of the proposal need to be weighed against the harm (paragraphs 132 - 134 of the NPPF).

The adjoining uses of the site are mainly residential, with some agricultural use and the Minehead Barbarians Rugby Club to the north of the site. Adjacent to the lane and opposite the access to The Maples and the proposal site is Ellicombe Manor, which is a Grade II listed building, Ellicombe House is also a listed building. The proposed siting of the new dwelling has been shown on an indicative site plan, and shows that it would be sited along a similar building line to the existing bungalow at the site (The Maples). This is an outline application and further details such as siting and design etc. would need to be confirmed in a reserved matters application. In dealing with this outline application, a determination must be reached as to whether the site can accommodate a single dwelling without harm to the heritage assets.

There is a change in land levels at the site, with the land dropping from the existing dwelling. In the context of changing land levels it is considered that a dwelling on this site would not appear incongruous. This is a relatively large site (0.34 ha), that is well screened from the road. Overall, taken into account the existing boundary treatments at the site, the size of the site and thus the distances that can be achieved from the listed buildings it is considered that the proposed development would result in the character and appearance of the area being maintained without harm to the setting of the heritage assets. As the existing access would be utilised, the access arrangements would not have any substantive impacts on the setting of the heritage assets.

2.3 Other Matters

In considering a proposal against sustainable development principles the provision of a supply of housing to meet the needs of present and future generations is an important factor. Although only a single dwelling is proposed the development would make a small contribution to the housing need.

3.0 Emerging Policy

The emerging West Somerset Local Plan 2012 -2032 (Revised Draft Strategy) can only be afforded extremely limited weight due to the early stage of the consultation/ adoption process. However of relevance to housing land supply are:

- Policy SC1 which envisages that new development will be concentrated in Minehead, Watchet and Williton, with limited development in some villages.
- Policy SC2 envisages the provision of 2,900 dwellings over the plan period, of that 1, 450 would be provided on key strategic allocated sites at Minehead, Watchet and Williton.
- Policy MD2 envisages 750 dwellings on land to the south of Hopcott Road as the key strategic development site for Minehead.
- Policy OC1 strictly controls development in the open countryside which is defined as land not adjacent to or in close proximity to the major settlements and villages.

Having regard to the above the new Local Plan continues the designation of Minehead as the primary settlement where the majority of new housing will be focused. The housing need for the plan period is 2, 900 dwellings. The key allocated sites will only provide for approximately 1/2 the housing need. The remainder of the housing need will be met through windfall sites. Land that is adjacent to or within close proximity to major settlements and villages is not subject to the strict controls in the open countryside and as such, in principle, sites close to the built up edge of these settlements is acceptable for development.

The application site is a small windfall site located close to the edge of Minehead (around 80m from the current development limit). As stated above only extremely limited weight can be given to these emerging policies, however the trajectory of the emerging policies is such that sites in a similar position to the application site are likely to be considered to be acceptable for development in principle.

4.0 Residential Amenity

Policy BD/2 of the Local Plan requires that the siting of new buildings has regard to the relationship with adjoining buildings and open spaces. 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).

The scale of the site and the distances that can be achieved to other dwellings is such that there would not be any significant impacts on neighbour amenity. Although in outline form, the indicative siting shows a dwelling sited broadly in line with the neighbouring dwelling, The Maples and the established building line. The indicative siting is such that the distances to existing boundaries and nearby dwellings would mean that there would be no significant impacts through overlooking, overbearing or overshadowing. The size and design of the proposed new dwelling would need to be considered within a reserved matters application. This outline proposal and the indicative siting demonstrates that the site can accommodate a single dwelling without undue harm to neighbour amenity. This would be further considered in any reserved matters application.

5.0 Highway Safety

This site is located on an unnumbered classified road. The Highway Authority has confirmed that their standing advice applies. The proposal is for the erection of a single dwelling utilising the existing access to the site. In terms of traffic generation a single dwelling would see a modest increase in traffic movements (likely to be around 6 - 8 additional movements per day). The existing access is relatively wide and well made. In view of the limited increase in traffic generation it is considered that the use of the existing access is acceptable.

There have been concerns raised in respect of the narrow nature of Ellicombe Lane. While this concern is understood, in view of the modest increase in traffic brought about by the proposal, it is considered that this is acceptable. There are also concerns in respect of construction traffic entering the site. The proposal is for a single dwelling and as such the degree of construction traffic would be relatively limited. If necessary a developer could utilise smaller vehicles for the delivery of materials etc. Damage by vehicular traffic is a material planning consideration

There is sufficient room for the site to accommodate parking in accordance with the Parking Strategy.

Concerns have also been raised that Ellicombe Lane is not suitable for the building of any more properties and vehicle movements in the lane. Somerset County Highways have referred to Standing Advice and have raised no concerns regarding a further 6-8 vehicle movements a day that would be associated with the development of one single dwelling.

6.0 Flood Risk

The application site is located outside of flood zones 2 and 3 and as such is not in an area at significant risk of flooding.

7.0 Landscape Character.

This application site is adjacent to the boundary of the Exmoor National Park Boundary and as such Local Plan policies LC/1 and LC/3 would be applicable, which state:

- "Development proposals in areas bordering Exmoor National Park, which may harm the landscape character of the Park will not be permitted".
- "Where development is permitted outside development limits, particular attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development, which does not respect the character of the local landscape will not be permitted".

In view of the size of the site and existing landscaping it is considered that a single dwelling can be accommodated without harm to the Park or wider area. The proposed dwelling would relate well to the existing dwellings on site and would form part of the sparse residential development along Ellicombe Lane.

There will be no loss of green belt land as there is no designated green belt in West Somerset.

8.0 Agricultural occupancy condition

The existing bungalow known as The Maples is subject to an agricultural occupancy condition. The dwelling was granted planning permission in 1980 to accommodate workers at the horticultural nursery site. The current applicant's purchased the site in 1984 and have not developed the nursery, but the surrounding land was used for grazing animal stock. An application to removal the agricultural tie was refused in 2005. The reason for refusal related to a lack of evidence that there was no need for a dwelling to accommodate a rural worker.

While the site has historically been used for agricultural purposes and the land to which this site relates forms part of the land of the holding associated with the dwelling, the policy consideration outlined above (in respect of housing land supply) outweigh the limited impact the loss of a section of agricultural land would have on the holding.

9.0 Other Issues

Concerns have been raised in respect of various perceived inaccuracies in the application documents. However these do not relate to any substantive issues.

9.0 Conclusion and Recommendation

It is considered that the proposal, is acceptable and it is recommended that outline planning permission be granted. Delegated Authority is sought for the Planning Manager to determine the application following the end of the consultation period.

Reason for Approval:

Although the application site is located outside of the development limits for Minehead, as the local planning authority is currently unable to demonstrate a 5 year housing land supply, the proposal should be judged on sustainable development principles. Having regard to the location of the site, nearby the development limits of Minehead, it is considered that the site is suitably located in transport sustainability terms. The site can accommodate a single dwelling which would be in keeping with its surroundings, would not harm the setting of the nearby listed buildings or the setting of the National Park and would safeguard the amenities of neighbouring residents and adjoining land users. The existing means of access is considered sufficient to accommodate the modest increase in traffic brought about by the provision of a single dwelling and adequate parking can be accommodated on the site. The proposal has been tested against the following Development Plan policies. In the opinion of the Local Planning Authority, and subject to the conditions below, the proposal is acceptable:

Saved Policies SP/1, SP/5, BD/1, BD/2, LC/1, LC/3, T/3 and T/8 of the West Somerset District Local Plan (adopted December 2006).

Planning Permission is subject to the following conditions:

1. The development hereby approved shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.
Reason: As required by Section 92 of the Town and Country Planning Act 1990 and to avoid the accumulation of unimplemented planning permissions.
2. Approval of the details of the (a) layout (b) scale (c) appearance and (d) landscaping of the site (hereinafter call 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: This is an outline permission and these matters have been reserved for the subsequent approval of the Local Planning Authority, and as required by Section 92 of the Town and Country Planning Act 1990 (as amended).
3. The development hereby permitted, in so far as it relates to access, shall be carried out in accordance with the approved drawings: Drawing Numbers: Location Plan, dwg. no. 1133/92 and Red line Plan, dwg. no. 1133/91 submitted on 03/09/2013.
Reason: For the avoidance of doubt and in the interests of proper planning.

Notes

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 committee report, the application was considered acceptable and planning permission was granted.

2. The Planning Authority is required to erect a Site Notice on or near the site to advertise development proposals which are submitted. Could you please ensure that any remaining Notice(s) in respect of this decision are immediately removed from the site and suitably disposed of. Your co-operation in this matter is greatly appreciated.



Application No 3/21/13/083
Erection of a single dwelling with
access from Ellicombe Lane.
Land adjoining The Maples,
Ellicombe Lane, Alcombe,
Minehead TA24 6TR
3 September 2013
Planning Manager
West Somerset Council
West Somerset House
Killick Way
Williton TA4 4QA
West Somerset Council
Licence Number: 100023932



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Easting: 298153 Northing: 144721 Scale:
1:1250

Application No:	3/28/13/005
Parish	Sampford Brett
Application Type	Full Planning Permission
Case Officer:	Elizabeth Peeks
Grid Ref	
Applicant	Mr McLaren TGC Renewables Ltd
Proposal	Erection of a solar PV development and associated works to include the installation of ground based racking systems and mounted solar panels (max 3m high), power inverter stations, transformer stations, sub station and comms building, fencing and associated access gates, and CCTV security cameras mounted on free standing support poles.
Location	Land at Aller Farm, East of Woodford and North of Monksilver, Williton, TA4 4HH
Reason for referral to Committee	Given the scale and nature of the development proposal

Risk Assessment

Description	Likelihood	Impact	Overall
Planning permission is refused for reason which could not be reasonable substantiated at appeal or approved for reasons which are not reasonable	2	3	6
Clear advice from Planning Officers and Legal advisor during the Committee meeting	1	3	3

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

Site Location:

Land at Aller Farm, East of Woodford and North of Monksilver, Williton, TA4 4HH

Description of development:

Erection of a solar PV development and associated works to include the installation of ground based racking systems and mounted solar panels (max 3m high), power inverter stations, transformer stations, sub station and comms building, fencing and associated access gates, and CCTV security cameras mounted on free standing support poles.

Consultations and Representations:

The Local Planning Authority has received the following representations:

Sampford Brett Parish Council

Sampford Brett Parish Council has carefully considered the above application. We have met with the developers at pre-application stage, at a public exhibition in the village hall, and again since the application was submitted. We have also participated in a site visit with the Wyndham Estate's land agents. TGC's willingness to enter into genuine consultation both with the parish council and with local residents has been exemplary and we are extremely grateful to them for that.

In principal we are supportive of renewable energy, but have concluded below that the proposed development is inappropriate in terms of scale and location. Our reasons are set out below.

Planning Guidance

On 11th July it was announced by Greg Barker, the minister for energy and climate change, that new guidelines will be issued 'in the next few weeks' 'to ensure that renewable projects do not automatically override environmental protections and the planning concerns of local communities'.

He also said 'Solar has a big bright future in the UK, but not in any place and not at any price. I want UK solar targeted on industrial roofs, homes and on brownfield sites, not on our beautiful countryside. The public are rightly keen on clean solar power but we mustn't lose that support by deploying enormous arrays in the wrong places. Our new planning guidance will make this crystal clear.' The proposed development clearly does not meet the minister's aspirations for siting as it is in a completely rural area with expansive views.

Natural England issued a technical information note (TIN101) on maximising the environmental benefits of solar parks in September 2011. The note includes the following table (columns 1 to 3) which summarises landscape factors that increase and reduce the chance that solar parks can be accommodated in the landscape. Column 4 is the parish council's assessment of this site; in every case we consider the proposed development falls into the 'reduced chance' category.

Factor	Increased chance that solar parks can be accommodated in the landscape	Reduced chance that solar parks can be accommodated in the landscape	Proposed development (Parish Council's opinion)
Landform (also related to visual factors such as elevation and viewing angle)	Absence of strong topographical variety. Featureless convex and flat.	Presence of strong topographical variety or distinctive landform features	Strong topographic variation
Landscape pattern and complexity	Simple, regular or uniform	Complex, rugged and irregular	Complex, varied and irregular landscape pattern which is rugged in places
Settlement and man-made influence	Presence of contemporary structures, for example utility, infrastructure or industrial elements. Presence of roads and tracks in the landscape	Absence of modern development, presence of small scale, historic or vernacular settlement, roads and tracks	Absence of modern development in views (excepting Butlins). Visible settlements are small historic/ vernacular villages.
Inter-visibility with adjacent landscapes	Little inter-visibility with adjacent sensitive landscapes or viewpoints	Strong inter-visibility with sensitive landscapes. Forms an important part of a view from sensitive viewpoints	Expansive 360' views from the site including the Quantock Hills AONB and Exmoor National Park
Perceptual aspects (sense of remoteness, tranquility)	Close to visible signs of human activity and development	Physically or perceptually remote, peaceful or tranquil	Physically remote, peaceful and tranquil.

Grid Connection

We understood from pre-application consultations that one of the benefits of the proposed site is the direct access it provides to a grid connection using the overhead cables that cross the site. However we have now heard from TGC that there is no spare capacity in these cables so it will be necessary to install a buried cable to connect into the grid at a location closer to Aller Farm. This begs the question as to why the solar panels could not be located closer to Aller Farm or Orchard Wyndham where they could be on lower ground which would be less visible to the general public. We are disappointed that no assessment of alternative locations has been included in the application.

In addition, the grid connection does not appear to be shown on the submitted plans or mentioned in the supporting documents. We accept that the cables will be installed by a third party and

constitute permitted development, but they are an integral part of the proposed scheme, and should therefore be shown on the drawings so that potential impacts associated with installation can be properly considered.

Visual impact

Our primary concern relates to the visibility of the site which is in an elevated position with expansive rural views in all directions. We consider that the landscape and visual impact assessment underplays the potential impacts. The proposed development will cover 20.26ha of agricultural land with solar panels which will be visible from both Exmoor National Park and the Quantock Hills AONB. We accept that the views from these locations will be relatively distant, but anticipate that they will none-the-less be out of keeping with the very rural character of the area.

At a closer distance, the panels will be clearly visible from the two houses at Jacobs Pond and from the Sampford Brett to Monksilver Road.

Closer still, the panels will be adjacent to the Coleridge Way Bridleway and very near to the Coleridge Way footpath, both of which are important recreational routes (see below).

Agricultural Land

Although it is stated that the land is classified as grade 3b, we note that it is productive and supporting an apparently healthy crop of winter wheat. The loss of productive agricultural land should be taken in to consideration.

Flood risk

Residents have expressed concern about the potential for surface water run-off along the green lanes to Monksilver and via Capton Stream to Sampford Brett. This appears to have been taken into account in the flood risk assessment, but we ask that in the event of the development proceeding that the efficiency of the drainage system is monitored and there is a requirement for the developer to take corrective action should it prove to be less effective than anticipated.

Coleridge Way / Tourism

The Coleridge Way bridleway runs along the edge of the site and the footpath within one field of the boundary. This is an important local amenity that is well used by local people and visitors. Even with the planting of a hedge between the panels and the edge of the site, such close proximity of major built development would inevitably detract from the very rural nature of the Coleridge Way and could adversely affect local tourism.

Conclusion

Sampford Brett Parish Council **recommends refusal** to the above application as it is an industrial development in a particularly rural and visible part of the parish.

Quantock Hills AONB

The primary purpose of AONB designation is to conserve and enhance natural beauty. The AONB Service is concerned with any proposed development that may threaten the character and quality of the Quantock Hills - England's first designated Area of Outstanding Beauty (1956).

Please accept the following in this context.

While part of this potential solar PV development will be visible from the Quantock Hills AONB it is at a distance that will reduce its impact on views from the hills. I am concerned however that I don't have the technical resources to check whether there will be glint or glare reflection issues for those

enjoying the views from the Quantock hilltops, making it even more important that the planning authority considers this when deciding the application.

We therefore ask that, as the Local Planning Authority, you will have regard to the purpose of conserving and enhancing the natural beauty of the AONB (in line with Section 85 of the Countryside and Rights of Way Act 2000).

On further inspection, the AONB service feel it is higher impact for the Quantocks than I previously realised. I would like to add the following to the AONB's current comment if possible: Having now had the opportunity to consider this application in more detail, including site visits and a viewshed analysis from the AONB, I am concerned that the scale and elevation of the site make it unsuitable for the intended use. The impact on views from the Quantock Hills AONB is potentially damaging.

Rights of Way Protection Officer

Thank you for consulting us on the above application.

I can confirm that there is a public right of way (PROW) recorded on the Definitive Map that runs along the access to the site at the present time (footpath WL 20/18). There is also an extant permissive path agreement between SCC and Wyndham Estate for a footpath & bridleway. Both are shown on the attached plan.

No disturbance of the surface of these paths should take place and construction traffic should use alternative routes and utilise these paths.

The health and safety of walkers and horse riders must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of the footpath, but only to a standard suitable for pedestrians. SCC will not be responsible for putting right any damage occurring to the surface of the footpath resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group.

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would

- make a PROW less convenient for continued public use (or)
- create a hazard to users of a PROW

then a temporary closure order will be necessary and a suitable alternative route must be provided. A temporary closure can be obtained from Sarah Hooper on (01823) 483069.

Environment Agency

Thank you for referring the above application to the Environment Agency which was received on 05 July 2013. We have **no objection** to the application subject to the following condition and informative being included within the decision notice:

CONDITION:

No development approved by this permission shall be commenced until a detailed surface water run-off limitation scheme, together with supporting calculations, has been submitted to, and approved in writing by the Local Planning Authority. The submitted details shall clarify the intended future ownership and maintenance for all drainage works serving the site.

The scheme shall be fully implemented and subsequently maintained, in accordance with the

timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON:

To prevent any increased risk of surface water flooding associated with installation of the solar farm development.

Condition Guidance:

The submitted Flood Risk Assessment does not contain any storage calculations which should be provided prior to discharge of this condition. We would also request clarification over the use of different soil values within the drainage calculations. It is also unclear as to which calculation sheet is being used in conjunction with the final run-off rate. It looks like it is the 221 (100 year) rate where it should really be the QBAR rate.

INFORMATIVE:

There must be no interruption to the existing surface water and/or land drainage arrangements of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.

SCC - Ecologist

Comments 29/07/2013 - The table on page 7 of the report has been revised so that County Wildlife Sites (CWSs) are mentioned now. The conclusion reached in the report is that the five CWS sites within 2 km of the application site will not be affected directly or indirectly by the development. I would tend to agree with this assessment as well as with the view stated in the report that no statutory designated sites will be affected.

If the application is approved the large fields that form the bulk of the application site would no longer be used for arable farming. In relation to the potential impacts of this, the report assumes that the arable land contributes little to overall biodiversity. For example, although evidence is presented that a range of bat species is likely to be using the site, it is assumed that the intensively-farmed land will not support bat foraging. Generally, I think this is true, so provided the field margins, trees and hedges are kept, there would not be such a significant negative impact on biodiversity as to justify an objection. Nevertheless, even though they are intensively farmed, such large fields will contribute something towards overall insect biomass, for example, and this would strengthen the case for measures to be taken to enhance the habitats that would be left if the development goes ahead.

The enhancement measures that are listed in paragraph 10 (page 14) of the report are all good suggestions, but I am unclear to what extent the recommendations have been incorporated into the final development proposal. (For example, I can find no bat roosting features incorporated into any of the buildings shown in submitted plans as is suggested in the ecological survey report). Therefore, assuming the application is approved, I would recommend that conditions be imposed to secure the enhancement/mitigation measures that are detailed in the survey report in the section to which I have already referred. This might be achieved through the requirement for submission, approval and subsequent implementation of a biodiversity management plan for the site as suggested in the ecological report. I would be pleased to advise on the wording of such a condition if required.

Initial Comments

Thanks for consulting me on this application. One thing that I have picked up on immediately is that the Phase 1 Habitat Survey omits any details of non-statutory Local Wildlife Sites (i.e. County Wildlife Sites - CWS) that should have been revealed by the desk top study. According to the County Council's GIS there are three CWSs within 1km of the application site (Blackdown Wood, Orchard Wyndham Park and Embro Copse & Jacob's Pond CWSs). The first of the sites listed is mentioned in the table where impacts on receptors is considered (see page 7 of the 'Extended

Phase 1 Habitat Survey' report) but the text in the table deals only with SSSIs and woodland immediately to the east of the application site, so does not address the CWSs.

It is stated that the desk top study is based partially on data obtained from Somerset Environmental Records Centre (SERC) but the raw data is not provided, so it would be worth asking SERC for a standard data search in relation to the site. Does West Somerset Council have a current Service Level Agreement with SERC? If so, would you be happy for me to request a data search from SERC on WSC's behalf?

The Phase 1 survey has identified a number of potential ecological receptors on site or in the vicinity of the site. In most cases it is assumed there will be no impact on the receptor, so follow-up surveys are not recommended. In assessing the application there will be a need to test the assumptions and to check that the details submitted do not invalidate the assumptions made in the Phase 1 survey report. I will look into these issues and report back to you in due course.

SCC Energy Projects

No Comments Received

NHS South West

No comments received

Wessex Water Authority

Thank you for consultation in respect of the proposed solar farm at Monksilver, Williton. Our main concern with developments of this nature is protection of any of Wessex Water apparatus in the vicinity of the site. Please refer to the attached extract from our records. There are no public sewers / water mains crossing the site and as such we have no concerns.

Highways Development Control

I refer to the above mentioned planning application received on 10th July 2013 and following a site visit on 15th July 2013 I have the following observations on the highway and transportation aspects of this proposal.

The proposal relates to the erection of a solar photovoltaic development.

Somerset County Council is generally supportive of alternative energy development and as such there is no objection in principle to the proposal.

In regards to vehicle movements it is presumed that there will be an increase in vehicle movements through Williton. However this will be for a limited period during the construction phase of the development. From the route details provided on site plan the proposed site will be accessed via an un-adopted track, which connects to Bridge Street.

Bridge Street provides adequate visibility at the junction with the A39 but beyond this it can be characterised as being narrow and single width in places. It is noted that there are double yellow lines in place along one side of the carriageway whilst there is provision for on street parking on the other side. Based on this the Highway Authority would have concerns over large vehicles i.e. HGVs utilising this route during the construction phase as it has the potential to damage the adopted highway. As a consequence if this proposal is granted planning permission the application would be required to provide a condition survey of this section of highway before and after the construction phase.

Part of the submission included a Construction Management Plan the Highway Authority has assessed the document and has the following observations to make. The applicant has provided a

breakdown on the number of vehicles that would be associated with the construction phase of the development. It is noted that the applicant has stated that the proposed numbers have been calculated from the number of movements on a similar proposal. As a consequence they might be liable to change, therefore there is potential that these numbers could actually go up. The table itself does not make it clear whether final figure is the total number of vehicles or the total number of movements. The applicant would need to clarify that point.

The applicant has indicated that during the build period there will be there will be approximately 5-7 vehicle movements per day. This equates to approximately 2-3 vehicles per day. Although I would question that the number of movements provided would generally indicate that some vehicles will be kept on site over night, would the applicant be able to confirm this? The report has indicated that the applicant would be happy to restrict the delivery hours to the site. The Highway Authority would want to see the delivery hours restricted to those outside the peak hours. The applicant has indicated that warning signs will be sited in advance of the development. The Highway Authority would need the applicant to submit a plan showing the location and details of the signage.

The applicant provided a Flood Risk Assessment as part of there submission. The Highway Authority has reviewed this document and has not comments to make on the document as the site is remotely located from the adopted highway and will therefore have no impact.

Therefore to conclude the Highway Authority has no objection in principle to this proposal but does have concerns over the increase in traffic movements on the approach roads during the build period. However the Highway Authority does recognise that this would be for a limited period of time and once completed the level of movement would be minimal. Therefore it must be a matter for the Local Planning Authority to decide whether these concerns outweigh the planning merits of the proposal.

In regards to the submitted traffic management document the Highway Authority requires the applicant to clarify or address the points that have been set out above. Therefore if the Local Planning Authority were minded to grant planning permission the Highway Authority would require the following conditions to be attached.

- A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
- No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
 - Construction vehicle movements;
 - Construction operation hours;
 - Construction vehicular routes to and from site;
 - Construction delivery hours;
 - Expected number of construction vehicles per day;
 - Car parking for contractors;
 - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
 - A scheme to encourage the use of Public Transport amongst contractors; and

Measures to avoid traffic congestion impacting upon Strategic Road Network.

SCC - Archaeology

While the desk-based assessment provides a thoroughly detailed analysis of the historical

development of the landscape and known archaeological potential, it does not fully address the potential for previously unrecorded archaeological remains.

The primarily agricultural use of the application area, and its immediate environs has resulted in the fact that very few detailed archaeological investigations have been carried out in the vicinity. The level of information currently recorded on the Historic Environment Record is therefore not truly representative of the archaeological potential of the area. The application area has a predominantly south facing aspect on a prominent knoll. Locations such as these within this part of West Somerset are frequently the preferred focus for prehistoric and Roman activity. The presence of a concentration of undated cropmark enclosures to the southeast of the application area is an example of this pattern of activity. Whilst long term agricultural activity can disturb in-situ archaeological deposits it does not negate the potential for archaeological remains.

A detailed settings assessment does not seem to have been carried out in accordance with existing guidance (English Heritage The Setting of Heritage Assets 2011). Consequently the desk based assessment does not appear to address specifically any potential impacts upon the setting of a range of designated heritage assets, which lie within relatively close proximity to the proposed application area. I would therefore recommend that English Heritage are further consulted regarding these issues.

The application area is therefore still considered to have some potential for the presence of buried archaeological remains. For this reason I would recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application, as indicated in paragraph 128 of the National Planning Policy Framework. This fieldwork should initially comprise a geophysical survey, which depending upon the results, may need to be followed up by further intrusive investigations in the form of a trial trench evaluation.

Monksilver Parish Council

At a meeting held on 22nd July, Monksilver Parish Council unanimously agreed to submit an objection to the above planning application.

We have numerous reasons for our objection, but initially we would draw your attention to a point already made by a local resident commenting on the application. This is the comment made by Energy Minister Greg Baker on 11th July 2013 to the effect that "solar has a big bright future in the UK, but not in any place and at any price. I want UK solar targeted on industrial roofs, homes and on brownfield sites, not on our beautiful countryside. The public are rightly keen on clean solar power but we mustn't lose that support by deploying enormous arrays in the wrong places. Our new planning guidance will make this crystal clear."

In a recent case (Oxford Diocesan Board of Finance v Secretary of State for Communities and Local Govt.) expert legal opinion determined that a ministerial statement can be material in the determination of a planning application. Government policy statements are not the sole consideration in such matters.

A number of national newspapers have stated that new guidance on renewable energy is to be issued to local councils in late summer clarifying that the need for green energy does not automatically override environmental protections and the planning concerns of local communities. The new planning guidance will, it is claimed, state that 'care should be taken to preserve heritage assets, including the impact of planning proposals on views that are important to their setting.

We would fully endorse such an approach when considering applications for renewable energy sites.

Our objections to this particular application are as follows:

- 1). The 55-acre site is unacceptably large and is located on a highly visible site that can be seen from miles around. A number of Parish Councillors have visited the site. It is 165 metres above sea

level and comprises 2 of the largest fields around. The topography comprises of a small low ridge situated in a very beautiful valley between 2 higher areas designated as AONB's. This makes the proposed location for these panels on this low ridge totally inappropriate in our opinion.

2) Tourism is vital to the West Somerset economy. The sort of tourism we attract is low-key, whereby holidaymakers visit the area because of the peace and quiet and the stunning scenery. If this proposal is allowed it is likely to adversely impact tourism and would be economically detrimental to the area.

3) The site is only a few hundred metres from Exmoor National park and is highly visible from the whole length of the Quantocks and the surrounding area. Whilst acknowledging the proposed location is not currently designated as an AONB - mistakenly in our opinion - the impact upon the ENP and Quantocks is significant.

4) There is no economic benefit to the West Somerset area. Unlike the Hinkley Point nuclear plant installation, there is no prospect of provision of jobs, education and training. We feel that it is fair to say that West Somerset is already making a major contribution to the country's energy needs through Hinkley Point, without a further input from a major solar panel installation.

5) The very popular Coleridge Way footpath and bridlepath goes alongside the designated fields. The detrimental impact caused by solar panels and associated buildings and installation will be plain to see.

6) The 2 fields in question are designated as Grade 3 for agricultural purposes. However, they have been successfully used for growing crops for many years. Acceptance of this application will result in it being transformed from a pleasing fields of constantly changing colours into a black field totally out of place to the surrounding environment.

7) Whilst accepting the principle of renewable energy, the chosen sites need to be in the right place from an aesthetic viewpoint. In this instance the use of '**grade 3 land with a grade 1 view**' makes this site location inappropriate for such a development.

8) On the basis of the panels facing south, the resulting reflection will be very conspicuous from within the parish of Monksilver.

This objection is not based on any 'nimbyism' on our part. We acknowledge the need for a consistent policy with regard to our future energy needs and the part that renewables have to play. We would give consideration to an application proposing a significantly smaller development that is appropriate to the West Somerset landscape where small fields predominate. This application site is too large, and in an entirely topographically inappropriate location. We all have a responsibility to preserve our natural heritage for future generations.

It is understood that the applicants have indicated that anything smaller than 55-acres would not be economically viable. We note that another application has been submitted by a different applicant at nearby Capton for a 5-acre solar farm. Presumably, therefore, this shows that a farm as small as 5 acres can be economically viable.

We urge the WSC Planning Committee to reject this application.

Bicknoller Parish Council

This site is within Sampford Brett Parish, but is visible from several places within Bicknoller Parish.

Bicknoller Parish Council met on 24

From discussions with the developer and with the Smiths Gore agent for the Orchard Wyndham estate, it appears that the site was chosen in preference to less prominent sites closer to Aller Farm for the following reasons; it has an electricity line running across it (but the developer now

says that they cannot connect to this and will have to make a new connection some distance away); because it is Grade 3 agricultural land (but we can see that it does produce a good crop of wheat); and because the Inland Revenue would not permit the 'heritage land' of the estate to be used. In other words, the site seems to have been chosen without regard to the visual impact. If minimising visual impact were a priority, it would be obvious to anyone standing on the top of the site that it is most unsuitable.

We suggest that the application should be determined by the Planning Committee following a full site visit.

Old Cleeve Parish Council

The site is too large at this location

Concerns about the viability of access for heavy lorries during works – the bridge is not suitable for this purpose

Before making a visit to an area, people research on the web via Google Earth and other sites. 55 acres of solar panels would not be an incentive to come to this district and could be very detrimental to local trade – B&Bs, tea rooms, shops etc.

It is hoped these comments are taken into consideration when the decision for this application is made.

Williton Parish Council

Planning Application 3/28/13/005 – Erection of solar PV development at land at Aller Farm, east of Woodford and north of Monksilver.

It was unanimously **resolved** to object to the application on the grounds of the comments raised by the neighbouring parishes as it did not support the Government advice regarding location within an outstanding natural environment and on the grounds of the implication of heavy traffic that would need to access the site at Bridge Farm.

I hope you will take these comments into consideration.

CPRE Somerset

CPRE Somerset is concerned about the impact of this development on the important long distance footpath the Coleridge Way, which passes close by, linking the Quantock Hills AONB with Exmoor National Park. This route is very popular with walkers, riders and cyclists. The Coleridge Way has also boosted the local economy in the peaceful vale between the two protected landscapes. If the Council approves this PV farm, despite much local opposition, then every effort should be made to mitigate its impact on the Coleridge Way. Full screening of the site should be a condition; hedges around the site must be allowed to grow up. Full screening will also have a beneficial effect on the longer views from the ridge of the Quantock Hills. I hope you will take our views into account

Friends of Quantock

Friends of Quantock are the amenity society for the Quantock Hills AONB. Our objective is the preservation of the natural landscape of the hills and we consider planning applications on the basis of their impact on the landscape. Our attention has been drawn to this application and while it is some distance from the Quantocks we are concerned that because of its size and elevated position, it could have a significant visual impact from the hills. We do not have the resources to carry out a proper impact assessment and trust that the Planning Committee will properly consider the risks from this proposal to the protected landscape of the Quantock Hills AONB.

Somerset Gardens Trust

We would like to submit the following comments for consideration in regard to this application.

There is no consideration of the English Heritage Grade I listed Orchard Wyndham House and Park in the applicants Landscape and Visual Impact Assessment. We feel this is an important site and should not be overlooked.

The North facing slope of the site is in direct line with Orchard Wyndham House and is therefore part of the distant landscape which contributes to the setting of the House. Blackdown Wood with the Roundabout, Giants Cave (Grade II) and Mother Shipton's Stone (Grade II) all serve to indicate the extent of the Designed Historic Park.

The buildings associated with the solar array, such as the converter building, will be considerably taller than the 3m panels. These appear to be sited on the same North facing slope at the most northerly extent of the site and therefore even more noticeable than the solar panels themselves.

There appears to be no proposal to screen this collection of buildings other than the existing vegetation which will be sparse and patchy during the winter months. It is generally recognised that newly planted hedgerows will take 5 – 10 years to establish and because of the height of these buildings, an effective screen will take considerably longer.

While acknowledging that the proposal would follow the existing field pattern, the array will nevertheless be an alien feature on the present beautiful rural landscape which has formed an important and historic setting for Orchard Wyndham.

Somerset Wildlife Trust

We have noted the Planning Application submitted by TGC Renewables as well as the Phase 1 Habitat survey produced by Ecosulis. In general we would support the main outcomes of that report. In particular we would fully support the recommendations made in Section 10 of the report, in particular the recommendation for hedgerow enhancement, the enhancement of the retained grassland margins, long term site management to enhance biodiversity, the provision of bat and bird boxes on trees and any new buildings and the provision of log piles. We would also support the recommendations made elsewhere in the report for any lighting schemes to be strictly directional and we would also ask that planting schemes should include nectar-rich plants to support and encourage bees. We would request that all these proposals should be included in the Planning Conditions should it be decided to grant Planning Permission

Planning at Exmoor National Park

Exmoor National Park Authority wishes to OBJECT to the above development proposal on the following landscape grounds:

1. The proximity of the development to the protected landscape
 2. The scale of the development
 3. The nature of the development
 4. The proximity of the development to Nettlecombe Court, an important asset of historic significance within the National Park.
 5. Impacts upon the enjoyment of the special qualities of the National Park
-
1. The proposed development is within 1km of Exmoor National Park. It is within land that can be described as forming the setting of the protected landscape.
 2. The scale of the proposed development and the significance of arising impacts upon the character of land forming the setting of the National Park.

3. The visual intrusion and appearance of PV installations that contrast with the predominantly pastoral and verdant character of this landscape. This is especially true when viewed from land towards the boundary of the National Park in addition to the landscape experience of the approach to the National Park from the north east.
4. The affected landscape is valued for its scenic quality and distinctive rural character. The proposed development would impose significant adverse direct impacts upon the valued characteristics of the area.
5. The development would introduce a new feature into the landscape that will be discordant with the existing landscape character. The development would be visible from a number of locations within the National park which include numerous public rights of way. Views to and from the protected landscape are valued as a special quality. The cumulative impacts of multiple views of the development are considered to amount to a substantial adverse effect on the enjoyment of views out of the protected landscape**.

Contextual Information

The designation of Exmoor as a National Park gives it the highest level of protection in terms of its landscape and scenic beauty. Exmoor was designated a National Park in 1954. The purpose of National Park designation is to conserve and enhance the natural beauty, wildlife and cultural heritage of the park and to promote opportunities to understand and enjoy the area's special qualities.

Exmoor National Park Authority seeks to conserve and enhance the character and distinctiveness of the protected area and also recognises the potential impacts of development outside of the National Park on Exmoor's special qualities.

The National Park is of high sensitivity to the affects of development (or change) of a nature that contrasts with the defining characteristics of associated landscape character types, and that with potential to significantly alter the visual amenity perceived by people. People within the National Park are of a high sensitivity to landscape change that is noticeable from the protected area.

The landscape of Exmoor National Park benefits from a prevalent absence of development within the visual *setting* of the protected area that endangers the integrity of the special qualities of the landscape or its perceptual qualities valued by people notably, peace and tranquility.

Special qualities of Exmoor National Park that are sensitive to change include:

- Large areas of open moorland providing a sense of remoteness, wildness and tranquillity rare in southern Britain
- A landscape mostly free from intrusive development such as major roads, power lines, military activities, quarrying, mining, large scale developments, light pollution and clutter
- An exceptional rights of way network and extensive areas of open country, providing superb opportunities for walking, riding and cycling
- A landscape that provides inspiration and enjoyment to visitors and residents.

Adverse impacts upon the special qualities can arise from change that affects the integrity of these qualities.

Land surrounding the Exmoor National Park is of importance for its Landscape character and quality, where it functions as the setting of the protected landscape.

Development proposals that affect views into and out of the National Park need to be carefully assessed to ensure that they conserve and enhance the natural beauty and landscape character of the protected landscape and the enjoyment of its special qualities.

The setting of the protected landscape can be subjected to impacts arising from a variety of changes, impacts are far ranging and not confined to the landscape visible from the National Park.

Negative impacts that do not conserve or enhance landscape, typically include the following;

- Loss of tranquillity through the introduction or increase of intrusive lighting, noise or traffic movement or other environmental impacts. Development that affects spatial associations of landscape or historical features;
- The introduction or intensification of an abrupt change of landscape character ;
- Loss of biodiversity or habitat quality particularly for species of importance to the National Park or affecting the natural movement of species;
- Loss of features of historic or landscape interest, or typical of the dominant landscape character, particularly if features are contiguous with those within the National Park.
- Development that affects spatial associations or historic relationships;
- Change of use of land where of such consequence in scale or nature to cause significant harm to landscape character or condition;
- Development resulting in loss of tranquility and erosion of the character of rural roads and lanes through for example the movement of larger vehicles or increased traffic volumes in close proximity or within the National Park.
- Introduction of addition of incongruous features
- The cumulative impact of development alongside others within land forming the setting of the National Park.

** The TZVI map illustrates the substantial area of the National Park from where the development could be visible. The LVIA has based the evaluation of visual effects upon the National Park from a single viewpoint. However this does not take into account the impacts upon the wider landscape. Given the sensitivity and importance of the National Park we would have expected the assessment to include a wider range of viewpoints.

West Quantoxhead Parish Council

This site is not within our Parish, but is visible from West Quantoxhead.

West Quantoxhead Parish Council met on 11 September and discussed the impact of the development within the parish and would like to express the following concern.

1. It would have a significant visual impact on our Parish due to it's size and position, which is within the Quantock Hills Area of Outstanding Natural Beauty.
2. The development may reduce tourism in the area and reduce house prices.

Public Consultation

The Local Planning Authority has received 17 letters of objection/support making the following comments (summarised):

15 letters have been received objecting on the following grounds:

- Out of keeping with the area
- The site is visible from many places on the Quantocks and Exmoor National Park including

from Williton, West Quantoxhead, Weacombe, Bicknoller, Capton Cross, Willet Hill, Bird's Hill, north of the B3224 and beyond Raleigh's Cross and Kingswood Clump as well as from North Hill, Withycombe Hill and Black Hill

- The fields are visible from parts of the Coleridge Way and West Somerset Coast path which traverse the Quantock hills as well as from the Macmillan Way and Samaritan Way so impairing the enjoyment of the users of these routes due to impaired views.
- The user quality of the routes around the site will be affected by the solar panels, fences and buildings and views from the permissive footpath will be detrimentally affected.
- habitat will be destroyed
- Will set a precedent if approved.
- The panels would be better placed along motorways or on industrial units eg Morrisons, Bridgwater. Brownfield sites should be looked at.
- The proposal will industrialise prime agricultural land
- Flooding from run off. The adjoining two green lanes were either submerged last year or were damaged by excess water, a house in Monksilver was flooded by water from the green lanes. The development will exacerbate this and will also increase runoff into Capton Stream that goes to Sampford Brett, a village affected by flooding.
- Loss of arable land
- Not efficient use of land as the panels need to face south so as the site is not south facing fewer panels can be erected.
- Inappropriate development
- The visual impact has been underplayed by the applicant as the proposal will be highly visible
- Sheep grazing under the panels is not viable and impractical. At Halse, grass has not grown under the panels
- No employment created
- Proposal will threaten the area's attractiveness to tourists.
- Doubtful that the use of solar is the best solution for national power.
- Water pollution, noise, dust and nuisance during the construction stage.
- Will not support the vitality or viability of the rural economy
- Will be on Grade 3a land (Note the site is grade 3b land).
- Not compatible with the agricultural operations of Aller Farm
- There are currently 5 applications for solar farms within a 5 mile radius.
- Should take account of local residents views as noted in the Government's document, Planning Practice Guidelines for Renewable and Low Carbon Energy.
- Site can be seen from Weacombe House. The setting of this listed building has not been assessed and the views from the property are very important to its setting. Considered that the setting will be substantially harmed.
- Site can be seen from the Country Park at Combe Sydenham so detracting from the enjoyment of the users of the Country Park.
- The Visual Impact Assessment is inadequate as the proposed buildings and poles are not shown on the photo montages, a glint and glare assessment has not been provided and sensitive receptors have been ignored.
- Many residents and Parish Councils have objected to the proposal
- Contrary to national policy as set out in the NPPF and Planning Practice Guide for Renewable and Low Carbon Energy and local plan policies LC/1 and LC/3
- English Heritage has not been consulted. (Note: They have been consulted).
- Close to Nettlecombe Court, a grade I listed building and registered park.
- The roads to the site are not able to accommodate the likely increase in heavy construction traffic.

Planning Policy Context

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. The Development Plan for West Somerset consists of the Somerset Minerals Local Plan (adopted April 2004), Somerset Waste Core Strategy (adopted February 2013) and the

West Somerset District Local Plan (adopted April 2006).

The following Policies are considered relevant to this application:

AH/2 Locally Important Archaeological Remains
BD/1 Local Distinctiveness
TW/2 Hedgerows
TW/1 Trees and Woodland Protection
T/9 Existing Footpaths
SP/5 Development Outside Defined Settlements
LC/3 Landscape Character
LC/1 Exmoor National Park Periphery
LB/3 Historic Parks and Gardens
W/5 Surface Water Run-Off
BD/2 Design of New Development
NC/4 Species Protection
A/2 Best and Most Versatile Agricultural Land

National Policy

The National Planning Policy Framework (March 2012) and Planning Practice Guidance for Renewable and Low Carbon (July 2013) are a material planning consideration.

Planning History

The following planning history is relevant to this application:

EIA/28/13/001	Proposed Solar PV farm development	EIA not required	20.2.13
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Proposal

The application seeks planning permission for a 8.27MW solar farm on 20.3 hectares of Grade 3b agricultural land, approximately 400m east of Woodford and 900m north from the centre of Monksilver. Williton is approximately 2.2km to the north of the application site and Sampford Brett is approximately 1km northeast of the site. Access to the site is via Williton along a private road from St Peter's Church and unmetalled public right of way. Part of this route is incorporated within the Coleridge Way. The access is approximately 2.4km long.

35,200 panels are proposed running in an east - west direction in 48 rows. The panels will be mounted on a ground based racking system. The panels will be no higher than 3m and will be generally 2.4m in height. The panels will be of a blue or black colour. In addition there will be 7 power inverter stations, one substation, a switch gear building and a comms building plus security fencing and ten 4m high free standing poles for CCTV cameras around the perimeter of the site. A 4m wide permeable track (likely to be grass) to allow access to the buildings is also proposed.

The 7 power inverter buildings will be 9.8m x 3m in size. The flat roof buildings will be 3.6m tall, installed onto a concrete base and will be painted either green or grey. Four of these buildings are to be positioned around the perimeter of the site and three will be in line and between the overhead power lines that cross the site in a northwest - southeast direction.

The L shaped substation will be 4.9m high with a pitched roof for the main part of the building and will be 3.4m high with a monopitched roof for the smaller section. This building will be sited alongside the southern side of the northern most hedge together with a power inverter station, the comms building and the switch gear room. The flat roofed switch gear room will be 4m x 2.6m and 3.1m high. The flat roofed comms building will be 7.2m x 3m and 2.4m tall. Both buildings are proposed to be dark green or grey.

The proposed paladin security fencing is painted green mesh, 2.4m tall located around the edge of the area where the solar panels are situated. A hedge between the fence and the adjoining permissive footpath along the eastern boundary is proposed.

An area of an adjoining field to the north of the site is proposed to be used during the construction phase for the site construction compound where materials for the solar farm would be off loaded and for the parking of vehicles required during the construction phase. The construction period is expected to be about 3- 4 months.

The proposed solar farm has a life expectancy of around 25 years after which the panels and buildings would be removed unless a planning permission was granted to extend the life of the solar farm.

Site Description

The site comprises of two fields currently in arable use. Each field is bordered by native hedgerows. A permissive footpath runs within the site along the western, southern and eastern boundaries. The section along the eastern boundary is included as part of the Coleridge Way. The undulating fields range in height from 120m (eastern part of the site) to 160m (western side of the site) and are sited in essence at the top of the hill. Adjoining part of the northern boundary is a mature woodland. The unmetalled track (and public right of way) from The Lodge in Williton is also used as the access to Aller Farm and to access the adjoining fields.

Planning Analysis

1. Principle of Development

The site lies within open countryside where policy SP/5 is the relevant local plan policy. This policy states that "development will only be permitted where it both benefits economic or social activity without leading to a significant increase in car travel and maintains or enhances environmental quality and accords with other policies of the West Somerset District Local Plan."

In terms of the generation from renewable sources paragraph 98 of the National Planning Policy Framework (NPPF) states that

98. When determining planning applications, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- approve the application if its impacts are (or can be made) acceptable...

Guidance within the NPPF sets out, in relation to conserving and enhancing the natural environment, that "The planning system should contribute to and enhance the natural and local environment by...protecting and enhancing valued landscapes" (para. 109). The NPPF also sets out that "Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty..." (para 115). Paragraph 116 of the NPPF adds that planning permission should be refused for major development in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Whilst the proposed development is not located directly in either the Quantocks AONB or within the Exmoor National Park paragraphs 115 and 116 highlight the level of protection that is afforded to the landscape and scenic beauty of the areas. In terms of Local Policy, development in the periphery of Exmoor National Park needs to be considered against Policy LC/1 "Development proposals in areas bordering Exmoor National Park which may harm the landscape character of the park will not be permitted. Policy LC/3 states that... "Development which does not respect the character of the local landscape will not be permitted." The proposed development will be visible from these areas and it is important to consider whether or not there will be an adverse effect on the setting of these valued landscapes or the character of the local landscape.

In July 2013 the Government published Planning Practice guidance for renewable and low carbon energy, this provides advice on the planning issues associated with the development of renewable energy and should be read alongside the NPPF. Paragraphs 26 and 27 of this guidance provide advice on the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms.

26. The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.

27. Particular factors a local planning authority will need to consider include:

- encouraging the effective use of previously developed land, and if a proposal does involve Greenfield land, that it allows for continued agricultural use and/or encourages biodiversity improvements around arrays
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use
- the effect on landscape of glint and glare (see guidance on landscape assessment at paragraphs 39-40) and on neighbouring uses and aircraft safety
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun
- the need for, and impact of, security measures such as lights and fencing
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect

The criteria above within the guidance are assessed below within relevant sections of the report.

In terms of the principle of the development Government advice is clear that low carbon energy generation schemes are to be supported if the impacts of the proposal are or can be made acceptable and that in principle solar farms cannot be resisted. However, the importance of landscape designation and the protection afforded to such areas is significant in assessing the impacts of a development proposal. The Government do acknowledge that the deployment of large scale solar farm can have a negative impact on the rural environment, particularly in very undulating landscapes. Local Policies LC/1 and LC/3 remain consistent with the approach set out in the NPPF and require that proposals do not have a negative landscape impact - either in terms of their effects on the National Park nor in terms of the impact on the character of the local landscape.

In considering the proposal against Policy SP/5 it is considered that the generation of the energy required to power 2,281 houses from renewable sources does undoubtedly have benefits in helping to increase the use and supply of renewable and low carbon energy. However, it is considered that there would be limited social activity over and above this wide objective and not at a local level where the impact would be most felt. It is considered that the proposal would not benefit economically in the medium to long term as the operation of the solar farm would not provide significant employment. It is acknowledged that there will be an initial benefit through the manufacture and installation of the equipment and through recycling the materials at the end of the solar farm's life however, these are not so significant as to weigh in favour of the proposal if there are other material concerns. It is accepted that in principle there will not be a significant increase in car travel as only 1-2 vehicle trips will be required per quarter.

The most important factor in relation to the principle of the development in this case, based on

national guidance and local policy, is undoubtedly the effect on the character of the local and designated landscape and the environmental quality of the area. The visual impact of the proposal is an intrinsic part of whether or not the landscape and environmental quality of the area will be affected. Overall, should the visual impact of the proposal be acceptable then the proposal would be acceptable in principle in accordance with national and locally relevant policies. The impact on the character of the area, the landscape and the visual impact of the development are assessed in detail below.

2. Character and Appearance of the Area

The area is rural in character with rolling fields bounded by hedgerows and interspersed by areas of woodland. An overhead power line traverses the application site. The fields adjoining the application site are predominantly arable whereas the fields to the south of the site are situated within Exmoor National Park and are mainly parkland and/or used for grazing. The land to the south falls steeply down to the B3188 (Fair Cross to Monksilver road). The nearest properties are approximately 350m away at Woodford and are Grade II listed buildings, given the distances and height differences between the application site and the cottages involved the setting of these cottages will not be adversely affected. Nettlecombe Court and St Mary's Church and the adjoining Grade II registered garden are approximately 1.2km to the southeast of the application site. Glimpses and more sustained views of the site can be seen from land higher than the application site including from within the AONB and Exmoor National Park. In addition the site can be seen from Weacombe House, a Grade II* listed building which is approximately 3.5km northeast of the application site and from land at Combe Sydenham estate where the house is a grade I listed building, approximately 5km to the south of the application site. The site however cannot be seen from Orchard Wyndham.

Overall, the site is considered to be within a "very undulating landscape" where Government guidance notes that the deployment of large-scale solar farms can have a negative impact on the rural environment. Clearly there are a range of sensitive receptors in the locality where the impact of the development needs to be considered carefully.

3 Visual Impact.

The visual impact of the proposed solar farm is clearly one of the main issues that needs to be assessed. The applicant has prepared a Landscape and Visual Impact Assessment (LVIA) that is based on the Guidelines for Landscape and Visual Assessment 2002. This involved assessing the impact on the landscape, ancient woodland, public rights of way and recreational routes, open access areas and registered common land, views from 6 points together with the effect on listed buildings, registered gardens, roads, the West Somerset Railway line and a number of villages within a 5km radius of the application site. The conclusions reached are appended at Appendix A but in summary concludes that the proposal:

- Adds another built element to the landscape;
- Avoids designated landscapes;
- Is set within the regular landscape pattern which is suited to the uniformity of a solar scheme;
- Is set within a well-hedged field boundary, which has been enhanced through additional planting, including infill planting to the existing boundaries;
- Is situated within two fields on level ground with the intervening hedge retained to maintain the field pattern that equates to typical field sizes of the wider landscape;
- Will involve no removal of trees or hedgerows but will result in the additional provision of 390m of new species rich hedging, which will enhance both the landscape pattern and increase screening for surrounding visual amenity receptors;
- Will only be intermittently overlooked from the high ground of the AONB to the east, and only partially from the National Park to the west where although perceived, will be a relatively minor built element, set within an expansive rolling agricultural, well-vegetated landscape;

- Will have very limited impacts on landscape relevant designations, landscape character or visual amenity receptors.

To ensure that this significant issue was considered carefully and in the correct way the Council engaged a consultant to advise on the contents of the submitted LVIA. They have concluded that,

"Overall, the LVIA submitted in support of this application is considered to be inadequate in several areas. It is considered that the sensitivity of users of Public Rights of Way and open access land identified in the assessment methodology should be high for all receptors (not varied as the methodology proposes).

The assessment of construction effects and decommissioning effects is considered to be insufficiently detailed and does not consider the effects on the full range of receptors.

The assessment of effects of the Landscape Character Areas (LCAs) identified within the study area is considered to have been underestimated for certain LCAs and should be reviewed.

The quality and locations of photomontages is not considered suitable to provide a sufficient assessment of the likely effects of the scheme. It is also considered that the assessment for viewpoints has been underestimated and in certain instances the mitigating effect of a 2.5m high hedge overplayed.

Mitigation measures should be increased to include allowing existing hedges to grow to a minimum height of 3m and to be maintained at this height, especially in locations where horse riders can look into the site and where views are possible from lower locations as this would further the screening of the site. In addition tree/woodland planting around the north east of the site should be undertaken to help screen views from the north east.

The landscape masterplan submitted is confusing and should, as a minimum, clearly show the location of the solar PV panels and any access tracks. A second plan should also be prepared to show what the site will be restored to following the decommissioning of the site.

With regards the Site Design plan and wider information further clarity is required regarding the CCTV cameras in terms of numbers, location and a confirmation of height of pole for mounting the cameras. The CCTV cameras, as well as the proposed buildings on site, should be taken into account in the LVIA.

A glint and glare assessment or a clear justification as to why one is not required should be provided.

Overall, due to the omissions and lack of clarity within the documents submitted the suitability of the proposed development in this location cannot be fairly judged in landscape and visual terms."

Correspondence between the applicant and the Council's consultant has since taken place and the Council's consultant's comments concerning the height of the poles for the CCTV has been clarified as being 4m tall. In addition the Council's consultant considers that suitable conditions to avoid any adverse impacts from glint and glare should be included if permission is granted. Overall however it is still considered that the LVIA has not fully assessed the effects on the landscape, that the effect may be greater than envisaged by the LVIA and that the mitigation effects have not been fully assessed. It is therefore concluded that the applicant has not demonstrated that the proposed solar farm will protect the scenic quality and distinctive local character of the landscape by respecting the character of the local landscape as required by Local Plan Policy LC/3. In addition policy LC/1 states that development that may harm the landscape character of Exmoor National Park will not be permitted.

Given the nature of the local landscape and the protection afforded to it by both Local Policy and national guidance it is considered that lack of a sufficient assessment prevents the local planning

authority from considering the proposal favourably. The views of the Quantocks AONB service and Exmoor National Park are noted in that they raise concerns and objections about the impact of the proposal on these important landscape designations. In considering the merits of the application it is very clear that the site and the proposed solar farm will be visible due to the elevated nature of the site and, importantly, because of the undulating nature of the surrounding landscape, from both the Exmoor National Park and from the Quantocks AONB. Whilst the issues set out above with regards to the impact assessment submitted with the application is concerning in itself, the proposal will undoubtedly have an adverse and harmful affect on both nationally designated and protected landscapes and the character of the local landscape.

The applicant did not engage in pre-application discussions and did not seek guidance or agreement on the scope and nature of the assessment prior to the application being submitted. Since the conclusions reached by the Council's consultants have been known and shared with the applicant they have been offered the opportunity to withdraw the application to undertake the assessment to address the concerns set out by the Council's consultant. The applicant has declined to do this and has requested that the application be determined in accordance with the plans and assessments submitted.

4. Residential Amenity

It is considered that there is no significant affect adverse on residential amenity in terms of overlooking, overbearing impact or loss of light to habitable rooms due to the distance from the site to the dwellings and the difference in height of the site to the location of the dwellings. Whilst the proposal would be visible from a large number of properties, there are no direct adverse impacts on these dwellings from a residential amenity perspective.

5. Highway Safety

The Highway Authority do not object in principle but do have concerns over the increase in traffic movements on the approach roads during the build period and have suggested that various conditions be imposed including a Construction Management Plan. This plan would control the number of vehicle movements including the operating hours which the Highway Authority have indicated should be outside of peak hours. This would help to control the effects of the extra construction traffic in the area which the applicant has indicated would equate to 5-7 vehicle movements per day (articulated lorries).

6. Flood Risk

A Flood Risk Assessment has be submitted as part of the application. The assessment also includes details of a sustainable drainage system to help mitigate any increase in run off resulting from the proposal. The proposed system involves the installation of swale (300mm deep) and scrape features running parallel to the site contours. These features will intercept flows, create storage as well as attenuate run off and promote infiltration across the site. The Environment Agency have no objection to the proposal subject to a condition being imposed requiring a detailed surface water run off limitation scheme.

7. Biodiversity

As part of the application an Extended Phase 1 Habitat Survey has been submitted. This report concludes that there are protected species on site and as the application site comprises of intensively managed agricultural land with well managed hedgerows. As a result there is a significant opportunity to provide gains in biodiversity including enhancing the existing hedgerows such as planting up gaps with native species, using locally sourced species rich seed mix in the landscaping scheme to increase species diversity, a site specific management plan, the inclusion of bat and bird boxes as part of the new buildings or on retained trees together with log or rubble piles to create extra habitat for invertebrates, reptiles and small mammals. The Council's advisor on ecology has advised that there would be no significant negative impact on biodiversity to justify an objection and would recommend that conditions be imposed to incorporate the suggested biodiversity improvements noted above. Somerset Wildlife Trust also concur with the Council's ecologist's recommendations.

8. Archaeological and Heritage Assets Implications

A desktop assessment forms part of the application and concludes that the site offers a low potential for the survival of archaeologically significant buried deposits and structures. The County Archaeologist has advised that whilst the assessment is a thoroughly detailed analysis it does not fully address the potential for previously unrecorded archaeological remains and considers that fieldwork needs to be undertaken and, if required after the results of this work is known, further intrusive investigations such as a trial trench evaluation should be carried out. In addition a detailed settings assessment of the existing heritage assets does not seem to have been carried out and so consider that English Heritage should be consulted. English Heritage has been consulted and their comments are awaited at the time of writing this report and will be reported verbally.

Paragraph 128 of the NPPF states "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."

It is considered that as further archaeological work is required this aspect of the application cannot be properly assessed at this time and as such the applicant has not demonstrated that the archaeological aspects of this proposal have been fully taken into account in the proposal, as such the proposal is contrary to paragraph 128 of the NPPF.

9. Public Rights of Way

The proposal will affect a public footpath, a permissive footpath and a permissive bridleway. None of these routes however are to be rerouted or closed as part of the proposal. The public footpath (which part is also a permissive bridleway) is proposed to be used as the access to the site during the construction phase. Around the perimeter of the site (eastern, southern and western boundaries) are a permissive footpath and a permissive bridleway. A section of the public footpath and permissive bridleway also form part of the Coleridge Way. The County Rights of Way Officer has not reached a view as to whether these routes have been adversely affected but have advised that various works to the routes or if the routes are made less convenient for continued public use authorisation for these works will be required from Somerset County Council. It is considered that whilst additional vehicles during the construction period will use the public footpath the additional number involved is not so significant that it will inconvenience existing users. The permissive bridleway on the eastern boundary will be screened from the solar panels by a new hedge and the proposal to allow the existing hedges around the site to grow to 2.5m may restrict some of the current views that current users have. In addition, views from other rights of way and recreational routes will be affected but the extent has not been clearly established by the applicant (see 10 below) and as such it is considered that this aspect has not been fully taken into account in the proposal and so further assessment is required. The applicant has therefore not demonstrated that the effect on the rights of way have been considered.

10. Other Implications

Government Guidance

Government guidance was published in July 2013 (Energy Planning Practice Guidance for Renewable and Low Carbon Energy). Eight particular factors are noted that local planning authorities need to consider. A number of these are discussed above. Those that have not already been discussed above are as follows:

- encouraging the effective use of previously developed land, and if a proposal does involve Greenfield land, that it allows for continued agricultural use and/or encourages biodiversity improvements around arrays

- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun
- the need for, and impact of, security measures such as lights and fencing
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect

a. Encouraging the effective use of previously developed land, and if a proposal does involve Greenfield land, that it allows for continued agricultural use and/or encourages biodiversity improvements around arrays

This proposal involves Grade 3b agricultural land and so is not previously developed land. Biodiversity improvements with the provision of new hedgerows and thickening up of existing hedgerows are proposed. It has also been noted that sheep or other small livestock could graze under the solar arrays but no evidence has been submitted that illustrates that this will occur. It should also be noted that local plan policy A/2 states that Grades 3b, 4 and 5 should be used rather than higher grade land. This proposal accords with this policy and paragraph 112 of the NPPF which states "Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality."

b. That solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use

Should planning permission be granted for the proposed solar farm conditions would be recommended that ensures that the land would be restored to its current state. The applicant has indicated that the buildings would be removed from site as would the underground cables and foundations if required.

c. the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun

As the solar arrays are static this factor is not relevant to this application.

d. the need for, and impact of, security measures such as lights and fencing

2.4m high security fencing and CCTV on 4m high poles are proposed. No lighting is proposed. The effect of these on the landscape have not been fully assessed within the LVIA, it is noted that the fencing however will be green in colour to help assimilate it into the landscape.

e. The potential to mitigate landscape and visual impacts through, for example, screening with native hedges

As part of the proposed scheme the submitted landscape masterplan shows a new hedgerow along the permissive bridleway on the eastern boundary and that all the existing hedgerows will be maintained at a height of 2.5m. The hedgerow on the eastern boundary will have the existing gaps planted up. The Council's consultant has raised concerns as to whether this mitigation is sufficient as some of the solar panels may be 3m high. The associated buildings will also range in height from 3.4m - 4.9m .and as such hedges of 2.5m height are unlikely to screen the panels or buildings. If the hedgerows were increased in height to 3m as suggested by the Council's consultant it will take time for the existing hedges to grow to this height. An area of woodland planting has been suggested by the Council's consultant around the north east corner of the site. The reality of this site is that the site resides in a prominent location and will be highly visible in this location and especially can be viewed from range of sensitive and nationally designated and protected landscapes. The mitigation offered by the applicant will not screen or mitigate against the adverse effects of the proposal.

f. the energy generating potential, which can vary for a number of reasons including, latitude and aspect

The proposed solar farm would generate 8.27MWp per year that would provide electricity for approximately 2,281 homes. This is a significant number of dwellings that would benefit but this has to be weighed against the visual effects on the area and in particular on Exmoor National Park, The Quantock Hills Area of Outstanding Natural Beauty, the impact on the character of the local landscape and the setting of heritage assets.

11. Affect on Tourism

A number of Parish Councils and local residents are concerned that the proposed solar farm would detract from the landscape beauty of the area and that tourism in the area is reliant on this, so if the landscape is degraded by the proposed solar farm fewer people will visit the area and the economic benefit to the area from tourism will be reduced. This concern is understood. It is considered however, that the effect on tourism is not known as the effect on the landscape has not been adequately assessed in the LVIA.

Environmental Impact Assessment

This development does not fall within the scope of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999 and so Environmental Impact Assessment is not required.

Conclusion and Recommendation

It is considered that the proposal, is unacceptable and it is recommended that planning permission be refused.

Reasons for Refusal :

- 1 In the opinion of the Local Planning Authority the applicant has not demonstrated that the proposed solar farm will not adversely harm the character of the landscape. The submitted Landscape and Visual Impact Assessment is insufficient due to lack of information and clarity to fully assess the degree of harm to the landscape character of the area. Notwithstanding this the proposal will have an adverse and harmful affect on both nationally designated and protected landscapes and the character of the local landscape, in particular to Exmoor National Park and the Quantock Hills Area of Outstanding Natural Beauty. The proposal therefore is not in accordance with saved policies LC/1 and LC/3 of West Somerset District Local Plan and Government guidance contained in the National Planning Policy Framework, in particular paragraphs 109,115 and 116.
- 2 In the opinion of the Local Planning Authority the effect of the proposal on the setting of historic assets has not been fully assessed as part of the application and further archaeological work is required to enable a full assessment of the impact of the development on any heritage assets on the application site. The proposal is therefore not in accordance with Government guidance contained in the National Planning Policy Framework, in particular paragraphs 128, 131, 132, 133 and 135.

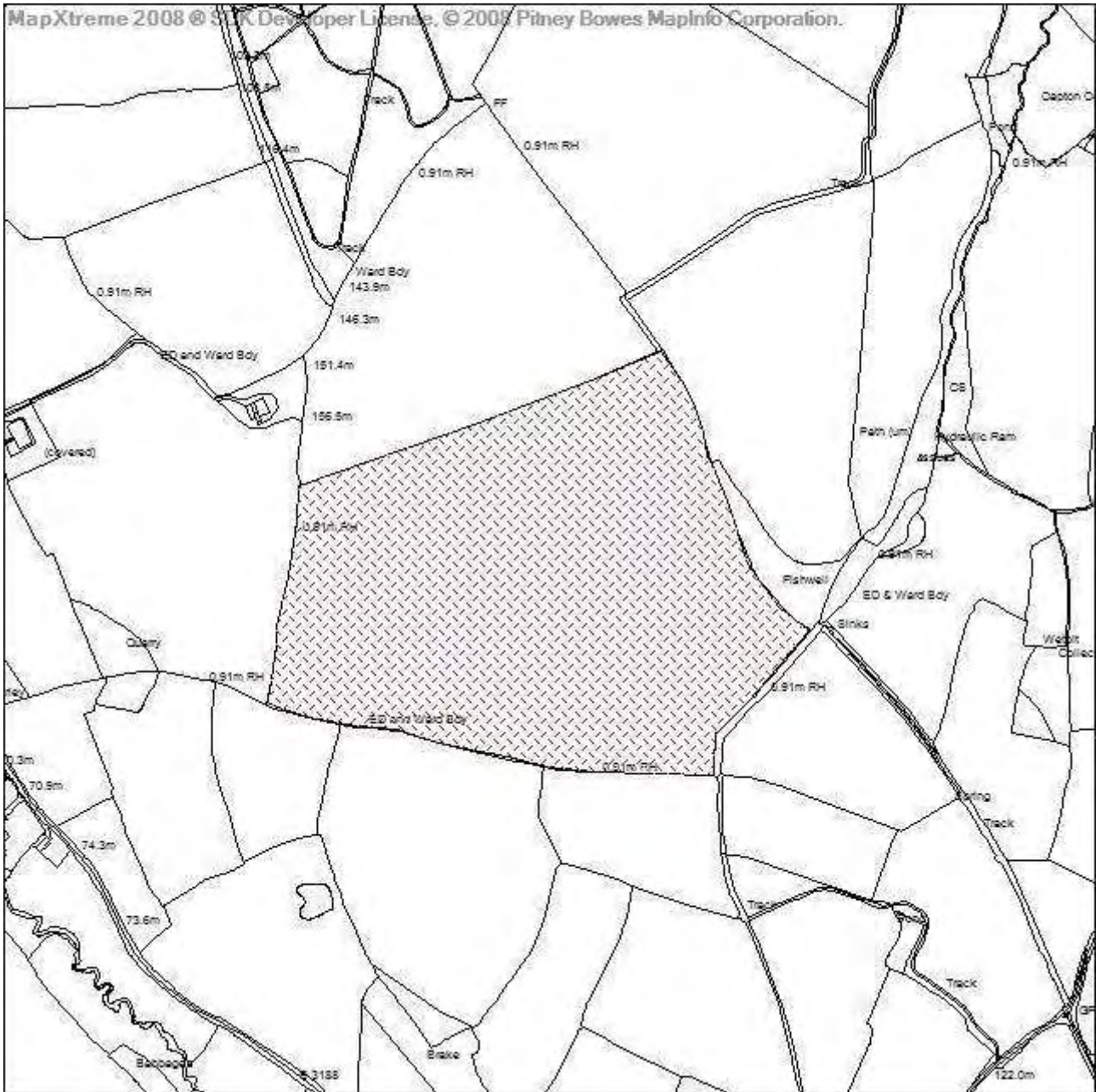
Notes

- 1 This decision relates to Drawing Numbers: GSC0015-1, TGC/PV001 Rev A1, TGC/PV002 Rev A1, TGC/PV003 Rev A1, TGC/PV004 Rev A1, TGC/PV009/01, TGC/PV010/01 Rev A2, PV1.00 Rev A3 details of Canadian Solar panels and Yingu Solar panels, 3 photographs of solar panel arrays and 1 photograph of fencing, Design and Access Statement, Landscape and Visual Impact Assessment dated May 2013, Flood Risk Assessment incorporating Sustainable Drainage System dated May 2013, Extended Phase 1Habitat Survey version 2, dated 27 July 2013, Traffic Management Information and Archaeological Desk Based Assessment dated May 2013 only.

2. 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. Despite the Local Planning Authority's approach to actively encourage pre-application dialogue, the applicant did not seek to enter into pre-application discussions/correspondence with the Local Planning Authority. The proposal was considered to be unacceptable in principle because it was contrary to [the strategic policies within the Development Plan / policies within the National Planning Policy Framework] and the applicant was informed of these issues and advised that it was likely that the application would be refused. Despite this advice the applicant choose not to withdraw the application.

For the reasons given above and expanded upon in the planning officer's report, the application was considered to be unacceptable and planning permission was refused.



Application No 3/28/13/005
 Erection of a solar PV development and associated works to include the installation of ground based racking systems and mounted solar panels (max 3m high), power inverter stations, transformer stations, sub station and comms building, fencing and associated access gates, and CCTV security cameras mounted on free standing support poles.

Land at Aller Farm, East of Woodford and North of Monksilver, Williton, TA4 4HH

4 July 2013

Planning Manager
 West Somerset Council
 West Somerset House
 Killick Way
 Williton TA4 4QA
 West Somerset Council



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Easting: 307214

Northing: 139932

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Application No:	3/32/13/025
Parish	Stogursey
Application Type	Full Planning Permission
Case Officer:	Lisa Bullock
Grid Ref	Easting: 319341 Northing: 144498
Applicant	Lady Gass Fairfield Estate
Proposal	The retention of the spoil (approximately 10,000 tonnes) on Bullen Drove
Location	Bullen Drove, Stogursey, Bridgwater, TA5 1QD
Reason for referral to Committee	At the request of the Ward Member

Risk Assessment

Description	Likelihood	Impact	Overall
Risk: Planning permission is refused for reason which could not be reasonable substantiated at appeal or approved for reasons which are not reasonable	2	3	6
Mitigation: Clear advice from Planning Officers and Legal advisor during the Committee meeting	1	3	3

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

Site Location:

Bullen Drove, Stogursey, Bridgwater, TA5 1QD

Description of development:

The retention of the spoil (approximately 10,000 tonnes) on Bullen Drove

Consultations and Representations:

The Local Planning Authority has received the following representations:

Stogursey Parish Council

The drove as it was before the dumping of spoil was a deep undulating rutted stone path between banks which helped to maintain a micro-climate in which cowslips, wild orchids, scabious, knap-weed and other wildflowers and grasses grew. It had a rhythm and a charm of its own that echoed the curves of the landscape. Stogursey Parish Council regrets the loss of this mini-habitat and the encroachment of spoil upon hedges which may have sustained wild-life peculiarly suited to that habitat. The Council would also like to raise the question of the part played by the drove-as-it-was in maintaining a bat corridor. Should the drove be restored as demonstrated in section by the applicant then the Parish Council requests that the sides of the centre section be seeded and maintained for wild-flowers and native grasses rather than as a mono-culture of grazing grass.

3/32/13/026 on Re-siting of livestock buildings and 3/32/13/025 on Retention of Spoil

In both applications on Bullen Drove the Parish Council bases part of the justification for its observations on the recent draft of the West Somerset Plan which specifically introduces a policy on development in the vicinity of Hinkley Point and whose every other policy works towards sustaining and enhancing the rural environment while remaining sympathetic to those who work in it.

While the applicant explained to the Parish Council that he had heard approval of his actions from parish residents the Parish Council, equally, has heard many expressions of dismay.

Highways Liaison Officer

No comments.

Environment Agency

The Environment Agency has no objections, in principle, to the proposed development but recommends that if planning permission is granted appropriate informatives should be included in the Decision Notice.

SCC - Archaeology

No comments received.

Health and Safety Executive

ONR has no comment on this application, since it does not fit our consultation criteria.

Somerset Drainage Board Consortium

No comments received.

SCC - Public Rights of Way

I have visited the site of public footpath WL23/45, Bullen Drove on which the spoil has been deposited.

I checked with colleagues in Rights of Way on their response to the original planning application and they do not seem to have been consulted on the original application. Had they been so, part of their response would have been;-

“Any proposed works must not encroach on to the current available width of the footpath.

The health and safety of the public using the footpath must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of the footpath, but only to a standard suitable for pedestrians. SCC will not be responsible for putting right any damage occurring to the surface of the footpath resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a footpath unless the driver has lawful authority (private rights) to do so.

In addition, if it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from SCC Rights of Way Group.

- A PRoW being made less convenient for continued public use.
- New furniture (gates/stiles) being needed along a PRoW.
- Changes to the surface of a PRoW being needed.
- Changes to the existing drainage arrangements associated with the PRoW”.

Although first sight, the impact of what had been done to the path was quite a shock, but I now believe that the footpath may eventually benefit from what has been done. As set out above, the issues the RoW Service look at in any planning application is whether the legal line or the surface of the path is going to change and any impact on drainage. It is these matters which I have considered.

Despite the difference in height, I am led to believe that the legal line of the path will not change. There is no width recorded on the Definitive Statement which accompanies the Definitive Map but the width measured from the historic Map which is the base for the Definitive Map, shows the path

to be approximately 3 metres wide. I am told that verges will be re-instated and from what is shown in the attached photograph (1) I am satisfied that the path will be re-instated to the correct width.

The photograph also shows that the surface is likely to be an improvement to what was there previously (see photo number 2 which shows that path prior to the material being deposited there). I am therefore satisfied that the surface of the footpath will be no worse than it was before and is likely to be considerably improved.

The third issue is drainage and due to the raised level of the path I also do not envisage any drainage problems. I note from the planning application that both ends of the limit of application site where the material has been deposited will be graded to the previous ground level.

For the reasons set out above, I have no objection to the granting of this planning permission.

Natural England

Statutory nature conservation sites – no objection

This application is in close proximity to the Blue Anchor to Lilstock Coast Site of Special Scientific Interest (SSSI). This SSSI forms part of the Severn Estuary Special Area of Conservation (SAC).

Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Severn Estuary has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.¹

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Blue Anchor to Lilstock Coast SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Soils, Land use and Reclamation

In view of the small size of the site, Natural England does not propose to make any comments. If you consider that the proposal has significant implications for the further loss of agricultural land or other considerations which we should take into account, we would be pleased to discuss these matters further.

Advice for planning authorities on the agricultural aspects of site working and reclamation can be found in the Defra Guidance for successful reclamation of mineral and waste sites.

Protected Species

If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or Biodiversity Action Plan (BAP) species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided advice on BAP and protected species and their consideration in the planning system.

Biodiversity Enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that '*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 40(3) of the same Act also states that '*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*'.

Landscape Enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

Public Consultation

The Local Planning Authority has received 2 letters of objection making the following comments (summarised):

- The quantity of spoil placed on Bullen Drive and the raising of the ground level to the top of the adjacent hedges is totally out of character with the landscape.
- There are numerous unproductive hollows in adjacent fields that could have been filled with this spoil.
- However rather than remove this spoil I would suggest the damage to the landscape could be mitigated by the planting of trees and sowing with a wild flower seed mix. I believe that historically there was an avenue of elm trees on Bullen Drive.
- I read that Samuel C. would have walked down Knighton Lane to Shurton Bars, the book described the three dips and rises past Knighton Farm that used to give the walk such a lovely rhythmic swing and they skylarks.
- The connections of Samuel C. to Stogursey are underrated as part of the Coleridge Way. Work is being undertaken to include areas through ArtLife etc and as such an additional reason for landscape planting and wild-flower habitat around Knighton Farm.

Planning Policy Context

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. The Development Plan for West Somerset consists of the Somerset Minerals Local Plan (adopted April 2004), Somerset Waste Core Strategy (adopted February 2013) and the West Somerset District Local Plan (adopted April 2006).

The following Policies are considered relevant to this application:

- SP/1 Settlement Hierarchy
- SP/5 Development Outside Defined Settlements
- LC/3 Landscape Character
- NC/4 Species Protection

National Policy

The National Planning Policy Framework (March 2012) is a material planning consideration

Planning History

The following planning history is relevant to this application:

3/32/12/070	Erection of a steel portal frame building to be used as a livestock building, to incorporate concrete yard area to allow slurry to be scrapped to the slurry store.	Granted	21/12/2012
3/32/12/069	The construction of a 30m x 30m uncovered earth bank slurry store, with part concrete panelled wall. The spoil dug out from the store will be used as the earth banks around the store, it is projected that these banks will be 2m to 3m in height.	Granted	21/12/2012
3/32/13/003	Erection of replacement livestock building	Granted	14/02/2013
3/32/13/021	Erection of a steel portal frame building to be used as a hay/straw store.	Granted	30/08/2013

3/32/13/026	The re-siting of the livestock buildings (granted under application nos 3/32/12/070 and 3/32/13/003). The excavation of the site of the building and surrounding yard area and the regrading of the slurry pit walls.	Granted	10/09/2013
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Background

Over the last year three planning applications have been granted approval at Knighton Farm. One for a slurry store (3/32/12/069), another for a livestock building 24.38m x 27.43m (3/32/12/070) and another livestock building 22.86m x 24.38m (3/32/13/003). The livestock buildings will be located together making the one building 50.29m x 24.38m.

None of the three applications contained any site level plans, none of the Design and Access Statements indicated that the ground level of the site would change. One of the applications for the livestock building (3/32/13/003) was titled "Erection of replacement livestock building" this building was to be located at the previous ground level. Permission was not granted to lower the site level.

Work on site commenced and involved reducing the site level by approximately 4m over an area of approximately 3,600m². The location of the buildings at a substantially different ground level meant that the erection of these buildings would not be as per the permission granted and as such it was necessary for the applicant to submit a new application. An application incorporating all three of the previously approved applications with amended details has been submitted and now approved (3/32/13/026).

The reduction in ground level also involved removal of approximately 10,000 tonne's of spoil on to Bullen Drove which forms this planning application.

Proposal

The application seeks permission for the distribution (retention) of approximately 10,000 tonnes of spoil along Bullen Drove. This will include levelling out and compressing the spoil to reform the public footpath that runs through the centre of the drove which leads to the beach. Grass seeded topsoil will be placed either side between the path and the hedgerow which runs both sides of the drove, stone will be distributed along the path.

Site Description

The application site is located on land owned by the Fairfield Estate but forms part of the agricultural holding known as Knighton Farm. Knighton Farm is located within the hamlet of Burton which falls within the Parish of Stogursey. The hamlet of Burton lies to the north west of the village of Stogursey and to the west of the hamlet of Shurton.

Planning Analysis

1. Principle of Development

The proposal is located within the hamlet of Burton, which is not a defined settlement as provided by Local Plan Policy SP/1. As such all land within the hamlet is located within the 'Open Countryside' and therefore all proposals must comply with the requirements of Local Plan Policy SP/5. As such the policy requires proposals to have either an economic or social benefit whilst not leading to a significant increase in vehicle movements to the site. Finally it requires that the environmental quality of the area should be maintained or enhanced.

The proposal is a bi product of recent development on the farm for an additional building and slurry store which has an economic benefit in so far as it allows an existing agricultural holding to expand its business by managing additional livestock. The proposal does not result in any increase in vehicle movements to and from the site, other than during the construction period. The proposal does not result in any degradation of the environmental quality of the holding.

2. Character and Appearance of the Area

The proposal is to regrade an area which is regularly used by the public for access to the beach.

The distribution of approximately 10,000 tonnes of spoil along the drove has re-landscaped this area raising the ground level some 1.5 metres. At present the work is unfinished with the levelling incomplete and the replacement of the grass verges not being undertaken, once this work is complete the end product will provide a similar facility with a smoother gradient than previously. The hedgerow either side of the track is still visible although at a lower level due to the increase in the ground level. Once all the work is complete and the grass verge and hedgerow has been re-established it is considered that the proposal will be in character with the surrounding area.

3. Residential Amenity

The proposal has caused disruption to users of the public footpath throughout the placing of the spoil. Although left open the use of large equipment in the same vicinity made walking along the path hazardous. This has since been addressed by the Public Rights of Way Officer. Once complete there will be no adverse effects on users of the public footpath a condition requiring the works to be undertaken within a reasonable amount of time should be added to any grant of planning permission.

4. Highway Safety

The proposal does not include any changes to the highway. The Highway Authority has confirmed that it has no observations to make on this proposal. It is therefore considered that the proposal does not have any impact on highway safety.

5. Flood Risk

The site is located within Flood Zone 1 (area of lowest risk). The proposal does not therefore require a flood risk assessment or to be sequentially tested. The proposal is therefore acceptable in this regard.

6. Other Implications

Stogursey Parish Council has requested that the verges of the track are seeded with wild-flower and native grasses rather than as a mono-culture of grazing grass. Paragraph 109 of the NPPF requires the protection and enhancement of valued landscapes, in addition to this policy also seeks net gains in biodiversity, as such the planting of a mixture of species native to the local area would contribute to the protection and enhancement of the local environment whilst being in accordance with national policy. It is considered necessary to condition that the verges are planted with appropriate species.

Environmental Impact Assessment

This development does not fall within the scope of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999 and so Environmental Impact Assessment is not required.

Conclusion and Recommendation

It is considered that the proposal, is acceptable and it is recommended that planning permission be granted.

Reason for Approval:

The proposal accords with the Council's settlement strategy for the location of new development. The proposal, by reason of its design, scale and layout would be in keeping with its surroundings. The proposal makes adequate arrangements for the protection of biodiversity. The proposal has been tested against the following Development Plan policies. In the opinion of the Local Planning Authority, and subject to the conditions below, the proposal is acceptable:-

Saved Policies SP/1, SP/5, LC/3 and NC/4 of the West Somerset District Local Plan (adopted December 2006).

Planning Permission is subject to the following conditions:

- 1 The development hereby permitted shall be carried out in accordance with the approved drawings: Drawing Numbers: 3215-03 and 3215-01 submitted on 05/08/2013.

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

- 2 The development hereby permitted shall be completed before the expiration of six months from the date of this permission.

Reason: In the interests of the appearance of the development and the surrounding area and to minimise the impact of the development on biodiversity having regard to the provisions of Saved Policies BD/1 and NC/4 of the West Somerset District Local Plan (2006).

- 3 A planting scheme shall be submitted within three months of this hereby permission and approved in writing by the Local Planning Authority. The scheme shall include the planting of wild flowers and native grasses along the topsoil as identified on plan 3215-03, the planting specification shall include the method of planting, species, positions and a programme of implementation. The works shall be carried out in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the development and the surrounding area and to minimise the impact of the development on biodiversity having regard to the provisions of Saved Policies LC/3 and NC/4 of the West Somerset District Local Plan (2006).

- 4 The existing hedges, adjoining the regarded drove, shall be retained and allowed to grow to a height of at least 1.8 metres from the ground level of the drove.

Reason: To safeguard the appearance of the development and the surrounding area having regard to the provisions of Saved Policies LC/3 of the West Somerset District Local Plan (2006).

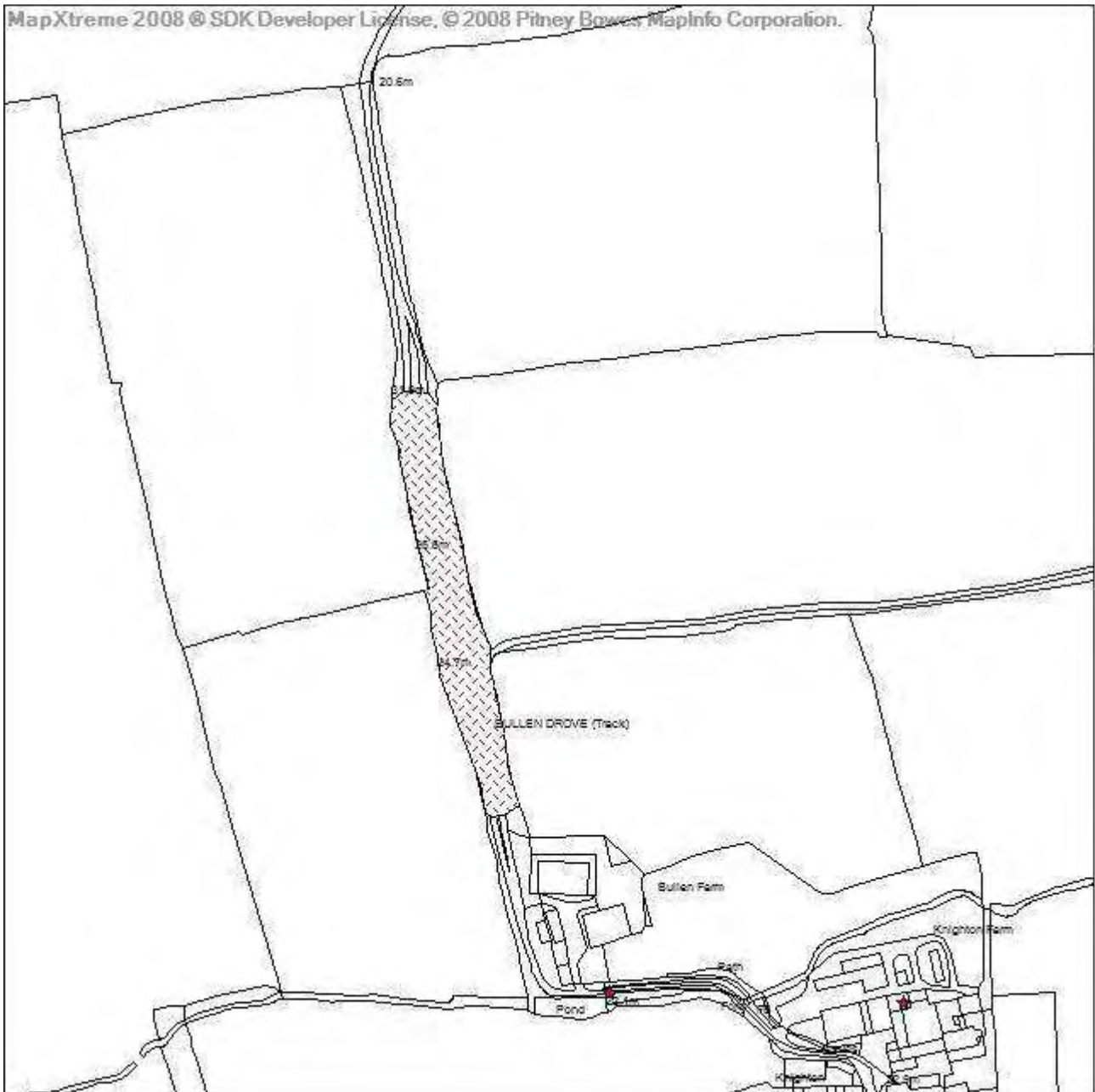
Notes

- 1 The Environment Agency have advised that the proposed development will require either an exemption or Environmental Permit from the Environment Agency. For more information the applicant should refer to the following website:

<http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>

- 2 **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. For the reasons given above and expanded upon in the committee report, the application was considered acceptable and planning permission was granted.



Application No 3/32/13/025
Retention of spoil on Bullen Drive
Bullen Drive, Knighton Farm,
Stogursey
05/08/2013



Planning Manager
West Somerset Council,
West Somerset House
Killick Way
Williton TA4 4QA
West Somerset Council
Licence Number: 100023932

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Scale: 1:3210

Application No:	3/32/13/028
Parish	Stogursey
Application Type	Variation of conditions
Case Officer:	Lisa Bullock
Grid Ref	Easting: 320538 Northing: 145965
Applicant	Mr Hemmingsley EDF Energy NNB
Proposal	Variation of condition 3 (relating to time limit to infill trenches) in respect of planning permission 3/32/12/046 (Retention of two temporary trial trenches to create a new trial trench approximately 72m x82m and approximately 5m deep)
Location	Hinkley Point C, Hinkley Point Road, Stogursey, Briidgwater, TA5 1UF
Reason for referral to Committee	By prior agreement of the Committee for applications associated with Hinkley Point C due to public interest.

Risk Assessment

Description	Likelihood	Impact	Overall
Risk: Planning permission is refused for reason which could not be reasonable substantiated at appeal or approved for reasons which are not reasonable	2	3	6
Mitigation: Clear advice from Planning Officers and Legal advisor during the Committee meeting	1	3	3

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

Site Location:

Hinkley Point C, Hinkley Point Road, Stogursey, Briidgwater, TA5 1UF

Description of development:

Variation of condition 3 (relating to time limit to infill trenches) in respect of planning permission 3/32/12/046 (Retention of two temporary trial trenches to create a new trial trench approximately 72m x82m and approximately 5m deep)

Consultations and Representations:

The Local Planning Authority has received the following representations:

Stogursey Parish Council

No observations.

Highways Liaison Officer

No comments received.

Environment Agency

Thank you for consulting the Environment Agency on the above. We have no objections to this application.

Public Consultation

The Local Planning Authority has not received any letters of objection or support.

Planning Policy Context

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. The Development Plan for West Somerset consists of the Somerset Minerals Local Plan (adopted April 2004), Somerset Waste Core Strategy (adopted February 2013) and the West Somerset District Local Plan (adopted April 2006).

The following Policies are considered relevant to this application:

- NC/1 Sites of Special Scientific Interest
- NC/3 Sites of Local Nature Conservation and Geological Interest
- W/6 Flood Plains
- SP/1 Settlement Hierarchy
- SP/5 Development Outside Defined Settlements
- LC/3 Landscape Character
- BD/1 Local Distinctiveness

National Policy

The National Planning Policy Framework (March 2012) is a material planning consideration.

Planning History

The following planning history is relevant to this application:

DCO	Application for the proposed Hinkley Point C (Nuclear Generating Station) Order	Order made *	09/04/2013
3/32/12/046	Retention of two temporary trial trenches to create a new trial trench approximately 72m x 82m and approximately 5m deep.	Grant	28/09/2012
3/32/11/045	Retention of two temporary trial trenches for a period of a further six months.	Grant	27/01/2012
3/32/11/016	Retention of two temporary trial trenches for a period of a further six months.	Grant	01/07/2011
3/32/10/037	The proposed development involves the following activities: site clearance (including fencing, vegetation removal, demolition of existing structures and creation of alternative footpaths); earthwork's (including soil stripping and storage, site levelling, spoil screening, storage for re-use on site); provision of earth retaining structures; deep excavations; provision and relocation of drainage infrastructure (including culverts, outfall's, balancing ponds); the provision and operation of plant and machinery (including concrete batching); site establishment works (including layover facilities, car parks, haulage roads, site access points and roundabouts and laying replacement and/or diversion of apparatus); and other associated works, in the event that Hinkley Point C is not consented all structures would be removed and the site reinstated.	Grant	27/01/2012
3/32/10/023	Retention of two temporary trenches for vibration testing for a period of a further six months.	Grant	29/10/2010
3/32/10/021	Temporary excavation of eleven trenches in order to investigate the depth & nature of the subsoil above the rock/	Grant	20/09/2010
3/32/10/007	Temporary excavation of two trenches in order to investigate the depth & nature of the subsoil above the rock.	Grant	24/06/2010
3/32/10/003	Temporary excavation of twenty trenches in order to investigate the depth & nature of the subsoil above the rock.	Refuse	29/04/2010
3/32/09/035	Two temporary trenches for vibration testing & temporary removal of top soil for three trial areas for compression testing.	Grant	02/03/2010
3/32/09/028	Temporary excavation of six trenches to investigate the depth & nature of the subsoil above the rock.	Grant	23/11/2009

3/32/08/025	Temporary excavation of twenty six trenches for the purpose of investigating the depth & nature of the subsoil above the rock.	Grant	10/10/2008
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* Not determined by the Local Planning Authority, determined by the Secretary of State.

Proposal

NNB GenCo has consent in place for the creation of development platforms upon which any future Power Station at Hinkley Point C will sit, by virtue of planning permission 3/32/10/037. Permission for the Power Station has been given by virtue of Statutory Instrument 2013 No. 0000, Infrastructure Planning, The Hinkley Point C (Nuclear Generating Station) Order 2013. The Development consent Order was determined by the Secretary of State following the examination process carried out by the National Infrastructure Directorate of the Planning Inspectorate.

In order to ensure that as much of the excavated material as possible can be re-used for fill, trial works have been carried out to test it's suitability. These tests focus on how soils and rock (weathered and unweathered), perform during screening, crushing and compaction and determine what treatments are required to achieve the appropriate stability and durability.

NNB GenCo have already undertaken site trials involving the excavation of two trenches of approximately 25m x 40m, and approximately 7m deep including vibration and compression testing of the material excavated from the trial pit (3/32/09/035). Initial vibration testing took place in May 2010 with further testing occurring during that summer. West Somerset has granted three consecutive separate extensions to this original permission (3/32/10/023 - 29th October 2010, 3/32/11/016 - 1st July 2011 & 3/32/11/045 - 27th January 2012). On the 28th September 2012 permission (3/32/12/046) was granted to extend one of these trial pits by 72m x 82m, approximately 5m deep. Condition 3 of planning permission 3/32/12/046 states that both trial pits (including the extended area) be backfilled and restored within twelve months of commencement of the excavation of the extension of the trench. This application seeks to vary condition 3 of planning permission 3/32/12/046 to extend the time by an additional 18 months.

Site Description

Land to the west of Hinkley Point, Near Bridgwater.

Planning Analysis

1. Principle of Development

A Development Consent Order for The Hinkley Point C Nuclear Generating Station was given consent and an order was issued on the 19th of April this year. NNB GenCo Ltd was granted consent by West Somerset Council (3/32/10/037) to undertake Site Preparation Works on the Hinkley Point C site. The main purpose of the Site Preparation Works is to clear the application site and undertake the earthwork's necessary to create the development platforms required for the subsequent construction of Hinkley Point C Power Station. The proposed works that form this application are linked to the wider development of the site but do not form part of works granted consent under the Site Preparation Works application.

Prior to the Site Preparation Works application NNB GenCo undertook via several different consents a number of site investigation works including: -

- Trial pits;
- Boreholes; and
- Vibration testing excavations.

The results of these investigations helped inform the detailed design and material as submitted as part of the DCO submission. The trial embankments enable NNB GenCo to gain a better understanding of the need for soil treatment whilst gaining a further understanding of other characteristics of the soil. Extending the time period will enable NNB GenCo to continue gathering

further data about the site and evaluate the soil make up, compaction performance, weathering effect and weathering protection.

The benefit of continued data collection and further testing will provide NNB GenCo with a more robust set of data, over a longer period of time which will assist in: -

- De-risking the project and providing greater certainty;
- Further determination the stability of, and the weather effects on, the excavated embankments and the various compaction types and stability mixes employed;
- Review weather effects on the varying soil layer types, in particular the Blue Lias layer;
- To help determine the weathering protection required for proposed Hinkley Point C excavations; and
- Understand the potential of settlement properties of the treated embankments.

The proposed retention of these works and ongoing site investigations are consistent with the wider works that have taken place and are scheduled to take place on site. The works are also consistent with the key underlying principle as expressed by NPS EN-6 and Sedgemoor & West Somerset Council's Joint Hinkley Point C Supplementary Planning Document (October 2011) which gives support to site investigation works. Therefore the proposed development is acceptable in principle.

2. Archaeology

The existing trenches are not within an area of high archaeological priority as the location of the trenches has been cross checked with geophysical survey results and no archaeological remains have been found.

3. *Landscape Character of the Area*

The trenches and embankments require planning permission as they are considered to be engineering operations. It should be noted that whilst intrusive, the trenches and the trial embankments are temporary in nature currently in situ and will be backfilled/reinstated. It should also be noted that NNB GenCo already benefit from a consent which allows them to undertake substantial earthwork's in this location, therefore the extension of time provision needs to be considered with this back drop. It is therefore considered that the temporary nature of the investigative works will not be detrimental to the character of the existing site and surrounding landscape.

4. *Highway Safety*

The proposal will not result in an increase in vehicle movements to or from the site. Nor does the proposal change access arrangements at the site. The Highway Authority has confirmed that it is happy with the proposals. Therefore the proposed works are acceptable in highway safety terms.

5. *Flood Risk*

The site is not within an area liable to flooding and the development is temporary. The Environment Agency has reviewed the application and have confirmed that they have no objection to the development.

6. *Contaminated Land*

The proposed works have already taken place; the extension of time is to enable further testing and monitoring of the trenches and the excavated spoil. There will be no works involving any further movement of spoil.

Environmental Impact Assessment

This development does not fall within the scope of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999 and so Environmental Impact Assessment is not required.

Conclusion and Recommendation

It is considered that the proposal, is acceptable and it is recommended that consent be granted.

Reason for Approval:

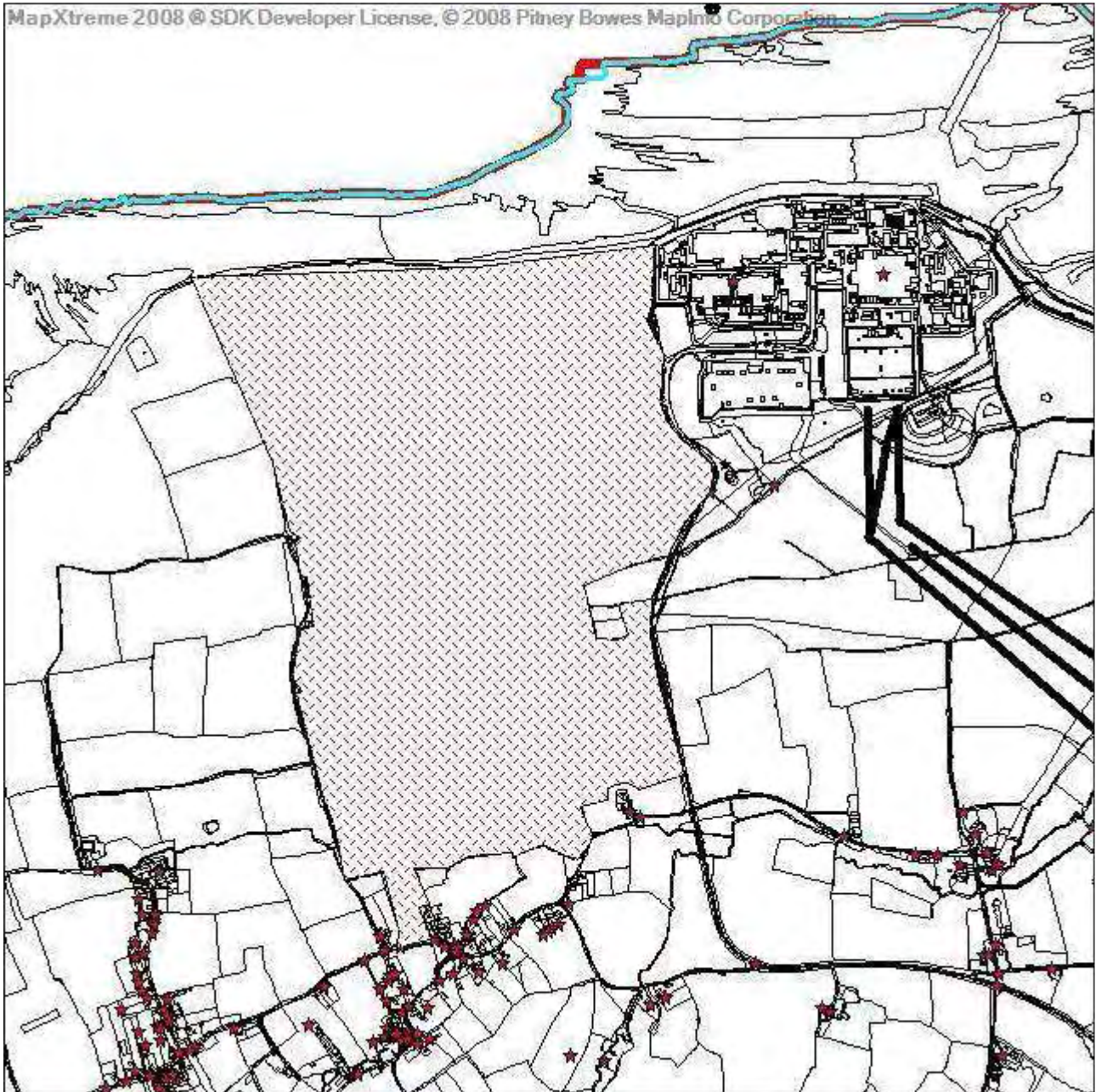
The proposed variation of condition number 3 of planning permission 3/32/12/046 is deemed to be acceptable as the development is considered to have a minimal impact on the landscape and the temporary nature of the works will not be detrimental to the character of the existing site and surrounding landscape. The proposal is therefore in accordance with the relevant policies and proposals of, respectively, the West Somerset District Local Plan and the Somerset & Exmoor National Joint Structure Plan Review. The proposal has been tested against the following Development Plan policies. In the opinion of the Local Planning Authority, and subject to the conditions below, the proposal is acceptable:-

Saved Policies SP/1, SP/5, BD/1, LC/3, NC/1, NC/3 and W/3 of the West Somerset District Local Plan (adopted December 2006).

Planning Permission is subject to the following conditions:

- 1 The trench and trial embankments hereby approved shall be backfilled and restored and the land reinstated by re-soiling and grass seeding as appropriate, prior to 31st April 2015.

Reason: Having regard to the special circumstance of the case permission is granted for a temporary period only.



Application No 3/32/13/028
Variation of condition 3 (relating to
time limit to infil trenches) in respect
of planning permission 3/32/12/046
in order to undertake internal
alterations
Hinkley Point C
09/08/2013
Planning Manager
West Somerset Council,
West Somerset House
Killick Way
Williton TA4 4QA
West Somerset Council
Licence Number: 100023932



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320538

Application No:	3/37/08/036
Parish	Watchet
Application Type	Full Planning Permission
Case Officer:	Elizabeth Peeks
Applicant	Anchor Street Ltd.
Proposal	Conversion of Commercial units into 10 Residential units, erection of a 70 bedroom care home, redesigned access and associated works
Location	Commercial units and land to rear, The Mill, Anchor Street, Watchet, TA24 5QE.
Reason for referral to Committee	The application would be subject to a S106 agreement. The revision to the planning conditions must be approved by the Planning Committee

Risk Assessment

Description	Likelihood	Impact	Overall
Risk: Planning permission is refused for reason which could not be reasonable substantiated at appeal or approved for reasons which are not reasonable	2	3	6
Mitigation: Clear advice from Planning Officers and Legal advisor during the Committee meeting	1	3	3

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

Site Location:

Commercial units and land to rear, The Mill, Anchor Street, Watchet, TA24 5QE

Description of development:

Conversion of Commercial units into 10 Residential units, erection of a 70 bedroom care home, redesigned access and associated works.

Consultations and Representations:

The Local Planning Authority has received the following representations:

SCC - Ecologist

I have read the Extended Habitat Survey dated 'June/July 2013'. Aside from recommendations relating to protected species licensing the mitigation that is recommended within the report consists of the following:

- Suitable bat roosting sites provided prior to and throughout any restoration and conversion works (paragraph 3.4.3. page 8);
- On completion of restoration and conversions permanent provisions for roosting bats must be made (paragraph 3.4.3. page 8);
- All roofing materials to be removed by hand and checked by a licensed batworker (paragraph 3.4.4. page 8);
- No wall cavities or crevices to be filled without first being checked by a licensed batworker (paragraph 3.4.5. page 8);
- Tree and vegetation removal along the river bank to be kept to the minimum required to allow development (paragraph 3.4.6. page 8 and paragraph 5.4.4 page 11);
- Planting schemes to be predominantly of native species (paragraph 3.4.7. page 8);
- If development does not start within 12 months of July 2013 there are to be further bat emergence/activity surveys (paragraph 3.4.8. page 8);
- Any work which could disturb nesting birds should be timed to avoid the nesting season (defined in the report as beginning of march to beginning of August) (paragraph 4.4.1. page 9);

- Should an active nest be found work must be suspended until the young have fledged (paragraph 4.4.2. page 9);
- At least five swift nest boxes or nesting sites for swifts must be incorporated into 'buildings 4 and 5' (paragraph 4.4.3. page 10);
- Six nest boxes for other bird species should be installed within the site (paragraph 4.4.4. page 10);
- In consideration of Otters, no work shall commence before dawn or extend until after dusk (paragraph 5.4.1. page 10);
- Any Otters encountered must be left undisturbed and expert advice taken (paragraph 5.4.2. page 10);
- Artificial lighting on the site, either during or subsequent to development, should not illuminate the watercourse or sides of the riverbank (paragraph 5.4.3. page 11)
- A method statement to be produced and agreed with the Planning Authority and instructed to contractors providing protection for the watercourse from pollution or contamination during works (paragraph 5.4.5, page 11);
- A robust fence to be installed to prevent access by development vehicles and plant within 3 metres of the site boundary where a badger sett is located (paragraph 7.4.1. page 12);
- Site boundary fencing along the eastern and southern boundaries to have gates or gaps within to allow badger access to foraging areas (paragraph 7.4.2. page 12);
- Construction excavations to be cover plated or provided with a means of escape for badgers (paragraph 7.4.3. page 12);
- If reptiles or amphibians are found a mitigation/compensation scheme must be agreed and implemented to protect them (paragraph 8.4.1 page 13).

I understand from you that the developer has agreed to all of the above. Is there a mechanism within the s106 process that West Somerset Council has initiated to ensure that compliance with these measures can be checked and enforced if necessary?

There ought to be clarification on some of the points. For example, on the plans that you sent me ('Amended Site Layout Received 14 December 2010') I cannot find locations in relation to physical constructions which need to be put in place (bat roost sites, bird nest boxes, fencing to protect a badger sett). There is no finalised detail of the landscaping work to be done in the plan and no details concerning boundary treatments that show provisions for badger access. I assume that this information will be supplied by the developer but until this comes I cannot comment further on the feasibility or adequacy of the mitigation package. I would urge the Authority not to sign the s106 agreement that would allow work to proceed until at the very least there is clarification about how the mitigation will be implemented in relation to European Protected Species (bats and Otters) which are covered by the Conservation of Habitats and Species Regulations 2010.

I note that the December 2010 plan indicates that there will be thinning of vegetation on the eastern boundary of the site (see note 7 on the plan). I would request that you ask the developer why this is deemed to be necessary and the extent of the works proposed. The Google Earth aerial photographs in the ecological survey report seem to show established trees along this boundary that are likely to be features that support foraging bats.

Public Consultation

No comments received from members of the public in relation to the Extended Habitat Survey.

Planning Policy Context

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. The Development Plan for West Somerset consists of the Somerset Minerals Local Plan (adopted April 2004), Somerset Waste Core Strategy (adopted February 2013) and the West Somerset District Local Plan (adopted April 2006).

The following Policies are considered relevant to this application:

POLICY SP/1 Settlement Hierarchy
 POLICY SP/2 Development in Minehead and Rural Centres
 POLICY TW/1 Trees of Significant Landscape or Amenity Value
 POLICY NC/4 Protection of Species
 POLICY W/5 Surface Water Run-Off Management
 POLICY W/6 Flood Plains
 POLICY AH/3 Areas of High Archaeological Potential
 POLICY CA/1 New Development in Conservation Areas
 POLICY CA/2 Demolition in Conservation Areas
 POLICY BD/1 Local Distinctiveness
 POLICY BD/2 Design of New Development
 POLICY BD/3 Conversions, Alterations and Extensions
 POLICY BD/5 New Industrial and Commercial Buildings
 POLICY BD/8 Reuse of Existing Building Materials
 POLICY BD/9 Energy and Water Conservation
 POLICY E/7 Retention of Employment Use
 POLICY T/3 Transport Requirement of New Development
 POLICY T/7 Non-Residential Development Car Parking
 POLICY T/7A Residential Car Parking
 POLICY AD/1 Access for Disabled People
 POLICY UN/2 Undergrounding of Service Lines and new Development
 POLICY PO/1 Planning Obligations

National Policy

The National Planning Policy Framework (March 2012) is a material planning consideration.

Planning History

The following planning history is relevant to this application:

3/37/08/005	Conversion of Commercial Units into 10 Residential Units, Erection of a 61 Bedroom Care Home, Redesigned Access and Associated Works.	Withdrawn	26/06/2008
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Proposal

The application is to convert the stone and brick mill buildings in Anchor Street into 10 dwellings of which 3 will be affordable. It is also proposed to erect a 3-storey, rendered and stone residential care home with a natural slate roof, in the adjoining field. The site is 0.933ha in size.

Access to the residential units will be via a redesigned access from Anchor Street. Access to the care home would be from the redesigned access and then through an access created through one of the mill buildings.

Site Description

The site is situated a short distance (200 metres) to the south of the centre of Watchet. It abuts residential and commercial premises on three sides. The fourth side (to the south) is bordered by the West Somerset Railway. To the south of the railway there is more open ground leading up to the Watchet Paper Mill. The western boundary is also marked by Washford River.

Planning Analysis

The application was approved by committee in May 2009 subject to the completion of a Section 106 Agreement to secure the following:

- a) Contribution towards off site recreational provision
- b) Provision of Affordable Housing
- c) Contribution towards Public Art
- d) Access to the riverside as shown on drawing no. 2295 101G

In advance of the Agreement being signed, amended plans were submitted and taken to the January 2011 Planning Committee. Key amendments to those approved were as follows:

- An increase in the number of bedrooms to 70 instead of the originally proposed 61.
- Additional roof lights (28 instead of the originally proposed 18), required for the additional bedrooms.
- Minor changes to the position, size and fenestration details of some windows
- The original balconies changed to Juliette balconies.
- Powder coated aluminium windows instead of wood
- Deletion of buggy store
- Addition of a trade access running along the south side of the care home.

1. *Principle of Development*

As the Planning Committee has previously resolved to grant planning permission for this application, subject to the signing of a S106 Agreement, the proposal is acceptable in principle. However, this scheme is being presented to committee for a third time for two main reasons:

- Submission of an Extended Habitat Survey (dated June/July 2013); and
- Significant policy changes since the Committee made the previous decision in January 2011 due to the National Planning Policy Framework now being a material consideration and that this has replaced the Structure Plan and Planning Policy Guidance/Planning Policy Statements (PPG's/PPS's).

2. *Wildlife*

A further Habitat Survey was submitted to the Local Planning Authority (dated June/July 2013) providing up to date Ecological Surveys. The Extended Phase 1 Habitat Survey that was used in support of the previous committee presentations was dated April 2007 and considered to be out of date. The updated Extended Habitat Survey put forward a number of recommendations which, following consultations with Ecology Officers at Somerset County Council, required an additional condition to be included. This is to ensure that mitigation measures outlined in the Extended Habitat Survey are adequately implemented and retained.

The recommendations proposed are to ensure adequate mitigations for bats, nesting birds, otters, badgers and reptiles or amphibians.

It is a requirement that the Local Planning Authority protects and enhances the natural environment when determining planning applications as set out in the National Planning Policy Framework.

3. *Policy Changes*

The new National Planning Policy Framework (NPPF) was published on the 27th March 2012, replacing most of the existing national Planning Policy Guidance notes (PPG's) and Planning Policy Statements (PPS's).

The last adopted Structure Plan for West Somerset (and the County of Somerset as a whole) was the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011. Along with the Regional Spatial Strategy (RSS), all of its policies except Policy 6 (Bristol/Bath Green Belt) were revoked by the Government on 20th May 2013.

Therefore, the Local Plan prepared by West Somerset Council (dated 2006) and the NPPF have to be taken into account in arriving at any decision. It should also be noted that conditions that have been previously presented to the Planning Committee have been updated or revised (where applicable) to take into account these changes to policy.

Environmental Impact Assessment

This development does not fall within the scope of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999 and so Environmental Impact Assessment is not required.

Conclusion and Recommendation

It is considered that the mitigations measures outlined in the Extended Habitat Survey (June/July 2013) that has been submitted can be adequately controlled by the inclusion of an additional condition. The proposal is acceptable and it is recommended that planning permission be granted subject to the completion of the Section 106 legal agreement and subject to the following conditions.

Reason for Approval:

In the opinion of the Local Planning Authority the proposed development is considered to be in sympathy with the character of the existing buildings, site and the designated Conservation Area. The proposal is therefore in accordance with the relevant policies of the West Somerset Local Plan (2006).

Planning Permission is 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 and to avoid the accumulation of the unimplemented planning permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved drawings: Drawing Numbers: 2295 101 Rev J, 2295 102 Rev A 2295 305 Rev B, 2295 306 Rev A, 2295 307 Rev A, 2295 308 Rev A, 2295 309 Rev B, 2295 310 Rev A, 2295 400 Rev D, 2295 401 Rev D, 2295 402 Rev D, 2295 403 Rev C, 2295 404 Rev C.
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 in the construction of the external surfaces, including Natural Slate, Natural Slate Hanging, Dressed Stone, Natural Stone, Stone Cobbles, Slabs, Block Paving, Colour of Render and Balconies 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 Conservation Area having regard to the provisions of Saved Policy CA/1 of the West Somerset District Local Plan (2006).
- 4 All the dwellings hereby approved in the mill buildings shall be completed and ready for occupation prior to the first occupation of the care home hereby approved.
Reason: To ensure that the mill buildings are safeguarded as they make a significant contribution to the Conservation Area in accordance with Saved Policy CA/1 of the West Somerset District Local Plan (2006).
- 5 Prior to the installation of windows and external doors, joinery details shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details (and shall thereafter be permanently retained in that form).
Reason: To safeguard the character and appearance of the building having regard to the provisions of Saved Policy CA/1 of the West Somerset District Local Plan (2006).
- 6 Windows and external doors shall be recessed a minimum of 100mm from the external face of the wall and shall be painted within one month of their installation and thereafter retained as such.
Reason: To safeguard the appearance and character of the Conservation Area in accordance with Saved Policy CA/1 of the West Somerset District Local Plan (2006).
- 7 Notwithstanding the details submitted the fascia and bargeboards on the hereby approved care home shall be painted wood and thereafter retained as such.

Reason: To safeguard the appearance and character of the Conservation Area in accordance with Saved Policy CA/1 of the West Somerset District Local Plan (2006).

- 8 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; details of the hard surface treatment of the open parts of the site; and a programme of implementation. The scheme thereby approved shall be completed not later than the first planting season following the completion of the buildings ready for use. If at any time during the five years any tree, shrub or hedge forming part of the scheme shall die, be removed or felled it shall be replaced with another tree, shrub or hedge of the same species during the next planting season.

Reason: To ensure the provision of an appropriate landscape setting to the development having regard to the provisions of Saved Policies BD/1 and BD/2 of the West Somerset District Local Plan (2006).

- 9 No site works or clearance shall be undertaken until protective fences which conform with British Standard 5837:2005 have been erected around any existing trees and other existing or proposed landscape areas in positions shown to be retained on the approved landscaping scheme. Until the development has been completed these fences shall not be removed and the protected areas are to be kept clear of any building, plant, material, debris and trenching, with the existing ground levels maintained, and there shall be no entry to those areas except for approved arboricultural or landscape works.

Reason: To safeguard the areas to be landscaped and the existing trees and planting to be retained within the site having regard to the provisions of Saved Policies TW/1 of the West Somerset District Local Plan (2006).

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwelling houses 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 character of the building and the surrounding area and for this reason would wish to control any future development to comply with Saved Policies BD/1, BD/2 and CA/1 of the West Somerset District Local Plan (2006).

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking and re-enacting that Order with or without modification) all lines, mains, pipes, cables or other apparatus shall be installed or laid underground.

Reason: In the interests of visual amenity and in accordance with Saved Policy UN/2 of the West Somerset District Local Plan (2006).

- 12 No works shall be undertaken on site unless a scheme of sound insulation to the buildings (including floors, walls and ceilings) has been first submitted to and approved in writing by the Local Planning Authority; all works which form part of the scheme shall be completed before any part of the building is occupied and shall be permanently retained thereafter.

Reason: To safeguard the residential amenities of prospective occupiers having regard to the provisions of Saved Policy PC/3 of the West Somerset District Local Plan (2006).

- 13 No works (other than that required by this condition) shall be undertaken on site unless

a programme of archaeological work, including excavations, has been implemented in accordance with a written scheme of investigation which has been first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that archaeological remains and features are adequately recorded having regard to the provisions of Saved Policy AH/3 of the West Somerset District Local Plan (2006).

- 14 No works shall be undertaken on site unless details for the proposed boundary treatments on the application site have been first submitted to and approved in writing by the local planning authority. Such details shall include the location of all boundary treatments shown in a scaled plan, the existing and proposed site and floor levels and details of the height, type, materials, finish and colour of the proposed boundary treatments. The works shall be carried out in accordance with the approved details, prior to the occupation of the development.

Reason: To ensure that the appearance is in harmony with the traditional character of development in the area and in the interests of visual amenity, in accordance with Saved Policy CA/1 of the West Somerset District Local Plan (2006).

- 15 No external meter cover shall be placed on any building without the prior written agreement of the Local Planning Authority on the siting, material and colour of such cover.

Reason: To safeguard the appearance of the building in the interests of local visual amenities and to accord with Saved Policy CA/1 of the West Somerset District Local Plan (2006)

- 16 All guttering and rainwater pipes to be used on the development shall be of black painted metal in accordance with details which have been first submitted to and agreed in writing by the Local Planning Authority. Only the agreed details shall be used.

Reason: To safeguard the character of the Conservation Area in accordance with Policy CA/1.

- 17 No works shall be undertaken on site (other than those required to fulfil this condition) unless details for the 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 the first occupation of the dwellings and care home. The works shall thereafter be retained in that form.

Reason: To ensure the adequate provision of drainage infrastructure having regard to the provisions of Saved Policies W/5 of the West Somerset District Local Plan (2006).

- 18 No building shall be occupied or otherwise used for any purpose until properly consolidated and surfaced parking and turning spaces for vehicles have been constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The dwellings hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plan(s) for the parking and turning of vehicles, and such area(s) shall not thereafter be used for any purpose other than the parking and turning of the vehicles associated with the development.

Reason: To ensure that sufficient provision is made for off-street parking and turning of vehicles in the interests of highway safety having regard to the provisions of Policies T/3 and T/8 of the West Somerset District Local Plan (2006).

- 19 At the proposed access from Anchor Street there shall be no obstruction to visibility greater than 600mm above the adjoining carriageway level within the visibility splays shown on the approved plans (Drawing No. 2295 101 J). Such visibility shall be provided prior to any other works being carried out in relation to the development hereby approved. The visibility shall thereafter be retained in the approved form.

Reason: To ensure suitable visibility is provided and retained at the site access, in the interests of highway safety, having regard to the provisions of Policy T/3 of the West Somerset District Local Plan (2006).

- 20 The development shall not be brought into use until a travel plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan shall include a list of elements to promote sustainable travel. No part of the development shall be occupied prior to the implementation of the Approved Travel Plan (or implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.
Reason: In the interests of sustainability in accordance with Saved Policy T/3 of the West Somerset District Local Plan (2006).
- 21 No development approved by this permission shall be commenced until a scheme for flood resilience in the construction of the mill buildings redevelopment has been submitted to and approved in writing by the Local Planning Authority. The scheme must incorporate flood resilience up to 1.0 metres above the Environment Agency's 1 in 100 year flood levels.
Reason: To reduce the impact of any flooding on the development in accordance with Saved Policy W/6 of the West Somerset District Local Plan (2006).
- 22 No works approved by this permission shall be undertaken on site until a scheme for flood defence improvements has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be used and these shall be implemented prior to the first occupation of the development hereby approved.
Reason: To minimise the impact of flooding having regard to the provisions of Saved Policy W/6 of the West Somerset District Local Plan (2006).
- 23 The access road shall be raised to the levels shown on Drawing No. 2295 101 J prior to the first occupation of the development hereby permitted and thereafter be retained as such.
Reason: To ensure that the majority of the access road is above the predicted flood levels and provides safe, dry access where practicable and in accordance with Saved Policy W/6 of the West Somerset District Local Plan (2006).
- 24 The buildings shall not be occupied unless a Flood Emergency Plan and procedures are developed, submitted to and approved in writing by the Local Planning Authority. The Flood Emergency Plan must include suitable warning and emergency/evacuation procedures and a drawing plan identifying flow routes and safe refuge.
Reason: To limit the risks from flooding by ensuring the provision of a satisfactory means of flood management on the site having regard to advice contained within the National Planning Policy Framework (2012).
- 25 There shall be no new outbuildings, extensions, walls or fences erected within 8 metres of the top of the bank of Washford River (with the exception of the flood wall alterations).
Reason: To prevent the increased risk of flooding in the locality by allowing vehicular access to maintain the flow of the watercourse and in the event of an emergency in accordance with Saved Policy W/6 of the West Somerset District Local Plan (2006).
- 26 Before the development with regard to the dwellings hereby approved commences on the site, a soil survey of that part of the site shall be undertaken and the results provided to the Local Planning Authority. The survey shall be undertaken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any residential units hereby permitted are occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those controlled waters and property, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Saved Policy W/3 of the West Somerset District Local Plan (2006).

- 27 All render and repointing of the hereby-approved dwellings shall be lime render/mortar.
Reason: To safeguard the character and appearance of the Conservation Area having regard to the provisions of Saved Policy CA/1 of the West Somerset District Local Plan (2006).
- 28 Prior to the installation of the public art as shown on Drawing No. 2295 101 J details of the public art shall be submitted to and agreed in writing by the Local Planning Authority. Only the agreed details shall be implemented and thereafter retained.
Reason: To ensure that the development preserves the character of the Conservation Area in accordance with Saved Policies BD/1 and CA/1 of the West Somerset District Local Plan (2006).
- 29 No works shall be undertaken on site unless details of the mitigation measures and a programme of implementation in relation to wildlife identified in the Extended Habitat Survey (June/July 2013) has been submitted to and approved in writing by the local planning authority. The approved mitigation measures shall be incorporated into the development and subsequently retained.
Reason: To ensure that suitable mitigation measures are incorporated into the development to minimise the impact on species protected by law having regard to the provisions of Saved Policy NC/4 of the West Somerset District Local Plan (2006).

Notes

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. For the reasons given above the application was considered acceptable and planning permission was granted.



Application No 3/37/08/036
CONVERSION OF COMMERCIAL UNITS INTO 10
RESIDENTIAL UNITS, ERECTION OF A 70
BEDROOM CARE HOME, REDESIGNED ACCESS &
ASSOCIATED WORKS

19 December 2008

Planning Manager
West Somerset Council
West Somerset House
Killick Way
Williton TA4 4QA
West Somerset Council LN: 100023932



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Delegated Decision List

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
3/02/13/002	Brompton Ralph Cricket Club, Pitsford Hill, Wiveliscombe, Somerset, TA4 2RP Replacement clubhouse, together with regularisation of change of use of field to cricket pitch (upper pitch) (amended scheme to 3/02/12/004)	30 August 2013	Grant
3/02/13/005	Spring View, Brompton Ralph, Wiveliscombe, Taunton, TA4 2SE Erection of agricultural building in order to store agricultural machinery and equipment	30 August 2013	Prior approval not required
3/04/13/005	Lower Langridge Farm, Dulverton, Somerset, TA22 9RR Erection of agricultural livestock building	06 September 2013	Grant
3/07/13/008	The Well House, Flaxpool, Taunton, Somerset, TA4 4AW Retention of garden room	27 August 2013	Grant
3/07/13/011	Dairy Cottage, Crowcombe, Taunton, TA4 4AE Removal and replacement of render to repair external and internal cracks	03 September 2013	Grant
3/17/13/011	Stolford Farm, Brendon Hills, Watchet, TA23 0LP Proposed extensions and alterations to existing farmhouse and barn	15 August 2013	Grant
3/17/13/012	West Shute Farm, Huish Champflower, Taunton, TA4 2HB Erection of barn for storing animal feed, hay, tools and farm equipment	15 August 2013	Prior approval not required
3/21/13/067	Starhanger, Beacon Road, Minehead, TA24 5SE Extension of time in order to implement outline planning permission 3/21/10/068 for erection of dwelling and vehicular access	11 September 2013	Grant

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
3/21/13/069	The Retreat, Quirke Street, Minehead, TA24 5TZ Conversion of one existing 4-bed dwelling into two 2-bed dwellings	28 August 2013	Grant
3/21/13/069	22 King George Road, Minehead, TA24 5JD Demolition of existing rear lean-to storage building and erection of a single storey rear lean-to extension	27 August 2013	Grant
3/21/13/070	45 Regents Way, Minehead, TA24 5HS Demolition of existing garage and erection of single storey extension with integral garage (amended scheme to 3/21/12/080)	28 August 2013	Grant
3/21/13/071	Oakwood, Martlet Road, Minehead, TA24 5QE Erection of a small observatory at the bottom of the garden	16 September 2013	Grant
3/21/13/073	Minehead & West Somerset Golf Course, Warren Road, Minehead, TA24 5SJ Deposit of soils and course improvements (consultee)	28 August 2013	Raise No Objection
3/21/13/075	9B King Edward Road, Minehead, TA24 5EA Erection of a conservatory	12 September 2013	Grant
3/26/13/005	4 Willow Grove, Washford, Somerset, TA23 0PT Reconstruction of a collapsed retaining wall supporting the west embankment of the Washford river	15 August 2013	Grant
3/26/13/009	Cherry Trees, Warren Bay Caravan Park, CLEEVE HILL, WATCHET, TA23 0JR Extension to existing bungalow	16 September 2013	Grant
3/31/13/010	Caption Farm, Williton, Taunton, TA4 4LX Erection of ground mounted solar array	23 August 2013	Grant

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
3/32/13/008	The Old Coach House, Stolford Farm, Gorpitt Lane, Stogursey, Bridgwater, TA5 1TW Replacement of all windows and doors. Front door to be replaced by stable style door and large bedroom window to be replaced by french doors with Juliet style balcony.	28 August 2013	Grant
3/32/13/011	Mill House, Castle Street, Stogursey, Bridgwater, TA5 1TG Internal and external works to alleviate flood damage	30 August 2013	Grant
3/32/13/021	Knighton Farm, Knighton, Stogursey, TA5 1QD Erection of a steel portal frame building to be used as a hay/straw store	30 August 2013	Grant
3/32/13/022	Upalane, Shurton, Stogursey, TA5 1QF Erection of a single storey porch with ramp	28 August 2013	Grant
3/32/13/026	Knighton Farm, Knighton Lane, Stogursey, Bridgwater, TA5 1QD The re-siting of the livestock buildings (granted under application nos 3/32/12/070 and 3/32/13/003). The excavation of the site of the building and surrounding yard area and the regrading of the slurry pit walls.	10 September 2013	Grant
3/32/13/027	ZINE FARM, ZINE, STOGURSEY, BRIDGWATER, TA5 1TL Erection of building to store hay and straw for livestock bedding and feed, and store agricultural machinery such as tractor and baler used to make such items.	05 September 2013	Prior approval not required
3/37/13/019	54 Swain Street, Watchet, TA23 0AG Removal of brick-built closet and addition of partition wall and door to kitchen.	27 August 2013	Grant
3/39/13/023	Bengal Spice, 7 Fore Street, Williton, Taunton, TA4 4PX Display of illuminated fascia signage and projecting sign	03 September 2013	Grant

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
CA/21/13/006	Blenheim Park, 41 Blenheim Road, Minehead, TA24 5QA To prune Beech Tree. The tree will be pruned all the way around by no more than 10-15 %, details rec 30/8/13.	02 September 2013	Raise No Objection

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
CA/21/13/007	1 and 2 Northwood, Burgundy Road, Minehead, TA24 5QJ Removal of two Conifers	27 August 2013	Raise No Objection

<u>Ref No.</u>	<u>Application</u>	<u>Date</u>	<u>Decision</u>
T/26/13/007	67 CLEEVE PARK, CHAPEL CLEEVE, OLD CLEEVE, MINEHEAD, TA24 6JG Remove double stem ash tree and sycamore with double stem.	15 August 2013	Grant