



To: Members of Planning Committee

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

Our Ref TB/TM

Your Ref

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

Extension 01823 356573

Date 20 September 2017

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OR IN OTHER LANGUAGES ON REQUEST**

Dear Councillor

I hereby give you notice to attend the following meeting:

PLANNING COMMITTEE

Date: Thursday 28 September 2017

Time: 4.30 pm

Venue: Council Chamber, Council Offices, Williton

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

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Yours sincerely

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

BRUCE LANG
Proper Officer

PLANNING COMMITTEE

THURSDAY 28 September 2017 at 4.30pm
COUNCIL CHAMBER, COUNCIL OFFICES, WILLITON

AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Meeting of the 31 August - **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: Four

Date: 20 September 2017

<u>Ref No.</u>	<u>Application/Report</u>
3/18/17/006	Outline planning application with all matters reserved for the erection of 2 No. dwellings with formation of access and parking (resubmission of 3/18/17/001). A Winters Tale, Sea Lane, Kilve, Bridgwater, TA5 1EG
3/21/17/063	Change of use of forecourt for local produce market stalls and part of ground floor to be used as community café. Old Minehead Hospital, 5 The Avenue, Minehead, TA24 5LY
3/21/17/089	Outline application with all matters reserved, except for means of access, for the erection of 1 No. dwelling and associated works within the garden. 1 Periton Way, Minehead, TA24 8AH
3/21/17/091	Erection of 1 No. dwelling and associated works. Combe Water, 29 Manor Road, Alcombe, Minehead, TA24 6EJ

3/26/17/014	Erection of 10 No. single storey self-storage units and relocation of car parking. The Works, Old Cleeve, Minehead, TA24 6HT
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- 6. **Exmoor National Park Matters** - **Councillor to report**
- 7. **Delegated Decision List** - **Please see attached**
- 8. **Appeals Lodged**

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

9. **Appeals Decided**

No Appeals

10. **Reserve date for site visits – Monday 25 September**

11. **Next Committee date – 2 November**

RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

Likelihood (Probability)	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact (Consequences)							

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

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

PLANNING COMMITTEE

Minutes of the Meeting held on 31 August 2017 at 4.30 pm

Present:

Councillor S J PugsleyChairman
Councillor B Maitland-WalkerVice Chairman

Councillor I Aldridge	Councillor K Mills
Councillor S Dowding	Councillor C Morgan
Councillor S Goss	Councillor P Murphy
Councillor B Heywood	Councillor J Parbrook
Councillor I Jones	Councillor K Turner
Councillor A Kingston-James	Councillor R Woods

Officers in Attendance:

Area Planning Manager – Matthew Bale
Planning Officer (Conservation) – Elizabeth Peeks
Legal Advisor – Bryn Higgott – Shape Partnership Services
Democratic Services Officer – Clare Rendell

P26 Apologies for absence

There were apologies from Councillor T Venner

P27 Minutes

Resolved that the Minutes of the Planning Committee Meeting held on the 27 July 2017 circulated at the meeting be confirmed as a correct record.

Proposed by Councillor Turner, seconded by Councillor Morgan

The **motion** was carried.

P28 Declarations of Interest or Lobbying

No declarations of interest or lobbying were declared.

P29 Public Participation

Min No.	Reference No.	Application	Name	Position	Stance
P30	3/26/17/011	Demolition of dwelling and outbuildings and erection of replacement dwelling with single garage and associated works (resubmission of	Mr P Gannon Mr M Lee	Director & Chartered Town & Country Planning Consultant	Objecting In favour

		3/26/16/012). Grooms Cottage, Minehead to Williton Road, Old Cleeve, Minehead,			
P30	3/26/17/019	Erection of first floor extension to the west elevation and two storey extension with balcony on the south elevation. 2 Pillory Cottages, Monks Path, Old Cleeve, Minehead	Mr P Gannon Mrs S Heath		Objecting In favour
P30	3/21/17/080	Raising of the roof structure by 2 metres to increase the first floor living accommodation and create a second floor with balcony roof lights on the east and west elevations (amended scheme to 3/21/17/034) Flat 1, Mc Danas, Warren Road, Minehead			
P30	3/26/17/020	Variation of Condition No. 02 (approved plans) of application 3/26/14/017. Plot Adjacent to Walnut Tree Cottage, Huish Lane, Washford, Old Cleeve, Watchet	Mr P Gannon		Objecting

P30 Town and Country Planning Act 1990 and Other Matters

Report four of the Planning Team dated 23 August 2017 (circulated with the Agenda). The Committee considered the reports, prepared by the Planning Team, relating to plans deposited in accordance with the planning legislation and, where appropriate, Members were advised of correspondence received and subsequent amendments since the agenda had been prepared.

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

RESOLVED That the Recommendations contained in Section 1 of the Report be Approved (in so far as they relate to the above), including, where appropriate, the

conditions imposed and the reasons for refusal, subject to any amendments detailed below:

Reference Location, Proposal, Debate and Decision

3/26/17/011 – Demolition of dwelling and outbuildings and erection of replacement dwelling with single garage and associated works (resubmission of 3/26/16/012). Grooms Cottage, Minehead Williton Road, Old Cleeve, Minehead

Comments by members of the public;

- Grooms Cottage historically was no more than a collection of structures of no archaeological merit;
- New application mirrored the previous application;
- Concerns with the foot print of the area;
- The site was in the grounds of a grade II listed building and therefore sensitive;
- Old Cleeve Parish Council did not feel comfortable in supporting the scheme in light of the incomplete information submitted and the previous site history;
- Compliance with policies SD1, BD1, BD2 alone do not in our opinion ensure a good built environment;
- Grooms Cottage was authorised and an independent residence, it has no connection with the Dragon House Hotel and no condition tying Grooms Cottage to the Dragon House Hotel;
- The current proposal was 20% smaller than the house dismissed on appeal;
- The proposal would not be in open country side as the new house would be built within the curtilage of Grooms Cottage so is on brown field land;
- The Oak tree was pruned by the previous owner was not the subject of a TPO or in a Conservation area. Two new Oak trees would be planted in its place;

The Member's debate centred on the following issues;

- The Oak tree with some attention could be a nice looking tree and I would not like to see this coming down;
- Stone cladding would have been more appropriate than wood cladding as this was not traditional material for Somerset;
- Does not feel that the site had been looked at imitatively, and not a good use of the site;
- The whole site was a mess and needed improving;
- The site would not be seen from the A39;
- Concerns with water surface flooding;

Councillor C Morgan proposed and Councillor K Mills seconded a motion that the application be **Approved** subject to an additional condition 8 requiring; Prior to the erection of the dwelling hereby permitted, full details of the proposed means of disposal of surface water shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented prior to occupation of the dwelling hereby permitted and thereafter maintained as such

The **motion** was carried

Reference Location, Proposal, Debate and Decision

3/26/17/019 – Erection of first floor extension to the west elevation and two storey extension with balcony on the south elevation. 2 Pillory Cottages, Monks path, Old Cleeve, Minehead

Comments by members of the public;

- In Old Cleeve Parish Council's opinion the disproportionate and unbalanced appearance was harmful to the dwelling and the locality and did not meet policy BD3 of extension designs;
- The design in question with more skill and negotiation could be improved;
- The cantilena balcony was considered an alien feature;
- This application was harmful to the vernacular heritage in this location and was not compliant with policy BD3 extension design;
- Trees provided added overlooking issues;
- No comments received by neighbours;

The Member's debate centred on the following issues;

- Wording in the description needs amending;
- Pleased with the symmetry of the proposal;
- Welcomes the evolutionary change in the uniformity of these ex public sector houses;

Councillor P Murphy proposed and Councillor C Morgan seconded a motion that the application be **Approved** subject to the wording in the description being amended to read 'balcony on the **north** elevation'

The **motion** was carried

3/21/17/080 – Raising of the roof structure by 2 metres to increase the first floor living accommodation and create a second floor with balcony roof lights on the east and west elevations (amended scheme to 3/21/17/034) Flat 1, McDanas, Warren Road, Minehead

The Member's debate centred on the following issues;

- Confirmation required that only the design was being changed not the height and width of the building;
- Town Council were under the impression from the plans that the building was to be raised a further 2 metres, this was not the case;

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

The **motion** was carried.

Application No. 3/26/17/020 – Variation of condition No. 2 (approved plans) of application 3/26/14/017. Plot adjacent to Walnut Tree Cottage, Huish Lane, Washford, Old Cleeve, Watchet

Comments by members of the public;

- The application increases the size of the dwelling to a full three storey large dwelling on a small constrained site;
- Due to the site topography surface water could not be contained in the site;
- This was planning by stealth to the detriment of the locality;
- No considerations for the loss of parking for the adjoining property;
- Digging out the wall with further destabilise the bank which joins the proposed building;
- Adjoining property would now have to enter a party wall agreement which will mean that they have to spend money to try to protect their property;
- Parking issues;
- Dangerous road for children's walk to school;

The Member's debate centred on the following issues;

- Concerns with the retaining wall;
- Loss of parking;
- Unsure what we were being asked to approve;
- Was there sufficient parking for a three bedroom house;
- Surface water being discharged onto the highway;
- Concerns with sewage and water at Washford;
- Increase in footprint;
- Overdevelopment of the site;
- Reduction in amenity space for the residents of the site;

Councillor P Murphy proposed and Councillor R Woods seconded a motion that the application be **Refused**.

Reason

The application represents an overdevelopment of the site resulting in a significant reduction in private amenity space available to the future occupiers of the site. It is, therefore poorly designed, contrary to the National Planning Policy Framework.

The **motion** was carried.

P31 Exmoor National Park Matters

Councillor B Heywood reported that there was no meeting of the Exmoor National Park this month. The Committee was informed that Councillor M Dewdney had been appointed as new Chairman for Planning and that there would be a special all day planning meeting in October (date to be confirmed) in Lynton Town Hall for one application from the Lynton and Barnstaple Railway Company.

P32 Delegated Decision List (replies from Officers are in italic)

No queries raised

P33 Appeals Lodged

Appeal against the refusal of planning permission for the variation to planning permission 3/26/14/012 at The White Horse Inn, Torre Rocks, Washford, TA23 0JZ.

The original consent was to remove stables and storage shed from the site and erect a building in a similar place to provide three holiday units. The variation was to add a kitchen to the building and replace the three separate staircases with one staircase (planning application 3/26/17/008).

P34 Appeals Decided

3/37/17/001 – Erection of a first floor extension over the garage and carport to be used as an annex at The Outback, 9A Reed Close, Watchet, TA23 0EE – Appeal Allowed.

3/37/17/012 – Erection of a first floor extension over the garage and carport to be used as an annex (resubmission of 3/37/17/001) at The Outback, 9A Reed Close, Watchet, TA23 0EE – Appeal Allowed.

Councillor P Murphy mentioned that both appeals for The Outback, 9a Reed Close were allowed. And was interested which permission the applicant would use. He also queried whether there was any cost to the appeals and it was confirmed that there was none.

The meeting closed at 7:03pm

Application No:	3/18/17/006
Parish	Kilve
Application Type	Outline Planning Permission
Case Officer:	Denise Grandfield
Grid Ref	Easting: 314982 Northing: 143361
Applicant	Mr C Wain
Proposal	Outline planning application with all matters reserved for the erection of 2 No. dwellings with formation of access and parking (resubmission of 3/18/17/001)
Location	A Winters Tale, Sea Lane, Kilve, Bridgwater, TA5 1EG
Reason for referral to Committee	The application is considered to be controversial and should be determined by the Planning Committee

Recommendation

Recommended decision: Refuse

Reasons for refusal:

- 1 The proposed development is not well related to the existing essential services and community facilities, there is no safe and easy pedestrian access to the essential services and community facilities and the proposal does not complement the environment and character of the existing settlement. As such the proposed development would be contrary to policy SV1.4.A, B and C and policy NH14 of the West Somerset Local Plan to 2032

Proposal

The application submitted in outline is to establish the principle of development for the construction of two dwellings with all matters reserved for subsequent approval. The site has a frontage to Sea Lane of approximately 55m and is bounded by a mature hedgerow.

Site Description

The site lies to the east of Sea Lane with residential properties to the north and south and open countryside to the east and west. The site slopes away from the road down to a stream and part of the site lies within Flood Zone 2. This part of the site is at high risk from surface water flooding.

The site comprises a detached dwelling, a garage/workshop, store and garden. The existing house, A Winters Tale, is located on the southern side of the site with domestic curtilage to the north.

Relevant Planning History

3/18/77/005 - Erection of dwelling - Refused - 13 June 1977
3/18/93/003 - Improvements to existing vehicular access - Approved - 29 July 1993
3/18/97/012 - Erection of dwelling - Approved - 24 July 1997
3/18/05/005 - Tea garden 5/6 tables - Approved - 26 April 2005
3/18/12/003 - Recreational tennis court with change of use of land - Approved - 7 June 2012
3/18/13/004 - Conversion of garage to ancillary accommodation - Approved - 31 January 2014
3/18/17/001 - Erection of two dwellings with formation of access and parking - Refused - 12 May 2017

Consultation Responses

Kilve Parish Council - object

1. Sea Lane is a narrow single lane country road, it is the only access to Kilve Beach a popular destination throughout the year. It has a speed limit of 30mph from the A39 for a short distance where it changes to 60mph. The lane is used all year by large farm vehicles, lorries, cars, horse riders, pedestrians and parties of school children from Kilve Court. The traffic flow increases significantly during the summer months. There are very few places where two vehicles can pass each other without having to pull into driveways or the occasional gap in the side of the road. The road is often blocked by delivery vehicles. Fire tenders can park in Sea Lane and meet the requirement however they would completely block the lane to any other emergency services. NB There is a lack of fire hydrants on the proposed site.

2. A car is essential in Kilve as there is no official public bus service to and from Kilve, there is a courtesy bus which runs Mon-Fri 3 times a day between Bridgwater and Minehead, however it is not suitable for commuters. There is a neighbourhood car scheme which can be booked to take parishioners to appointments, although it cannot be used to take people to work and back. The only other service is the bus which takes students to Bridgwater College during term time, however other passengers are not allowed.

3. The proposed driveway access onto Sea Lane from A Winters Tale will be from a driveway with a steep incline joining a 60mph lane near the top of a steep gradient. To the Parish Council, this situation appears to be unsafe due to lack of visibility impaired by high hedgerows in both directions. The Parish Council would also expect Somerset Highways to conduct their own survey as to the suitability and safety of access.

3. Flood Risk-Policy W/6: The proposed development is in an area prone to

flooding. According to the Flood Risk Assessment (nijhuis Industries) the rate at which the water runs off the site could increase and hence increase flood risks to the site further downstream. The recommendation that a Sustainable Drainage Scheme (SUDs) should be included appears to have been ignored by the applicant. The statement that 'there is potential for overland flow to be intercepted and directed towards the site along Sea Lane from the main residential area of Kilve. However it is expected that surface flows heading from the south will be managed by the existing surface water network within the urbanised area of Kilve' is optimistic. In recent years flooding, primarily in winter has been an issue, the Sea Lane as recently as November 2016 being impassible since the surface water drainage network could not cope.

4: If any properties are connected to main drainage system it should be ensured that Wessex Water have confirmed that the current 6" Sea Lane Sewer is of adequate capacity. Concerns have been raised over the years as to its remaining capacity, if any.

Previous Planning Permissions: The construction of a recreational tennis court which change of use of land 3/18/05/003 has now lapsed with no work having started, presumably this was done to secure the change of use of land. In Planning Statement 1017/c it correctly stated that the use of curtilage as Tea Gardens 3/18/05/005 was implemented, this is not the case.

Biodiversity and Landscaping Officer -

Quantocks Ecology carried out an Ecological Assessment of the site in February 2017. Findings are as follows

Bats - The mature tree and building on site did not appear to provide any suitable roosting habitat for bats. However it is highly likely that bats are using the neighbouring woodlands and hedgerow for commuting and foraging. The use of outside lighting on site should be controlled. I support the erection of two bat boxes

Dormice- There is a low possibility that dormice could be present within the area. I support the recommendation to remove the section of hedge in two stages.

Birds - Birds are likely to be using vegetation on site. Any clearance should take place outside of the bird nesting season. I support the erection of four bird boxes and three insect boxes
If permission is granted conditions are appropriate.

Tree Officer - No comments received

Environment Agency -

The Environment Agency has no objection in principle to the proposed

development, subject to the inclusion of a condition relating to the location of the proposed dwellings

Quantock Hills AONB -

The AONB Service's primary purpose is to conserve and enhance the protected landscape. The application involves extending the 'developed' edge of the village, cutting, moulding and levelling the landform, erecting two detached properties, removing hedgerow to create new access onto a rural lane, realigning the hedgerow for visibility splays, creating areas of hardstanding for a driveway and parking for several vehicles, building retaining walls and erecting close board fencing.

National Planning Policy Framework states that "**115. 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**".

We do not believe the construction of two houses at the undeveloped edge of this village will conserve the landscape and scenic beauty of the area.

Whilst this is an outline application for development, if a principle is set for conversion for agricultural land to domestic curtilage (and for that land to then later be given over to the development of residential properties beyond the developed edge of a village) then we believe this will be to the detriment of the AONB; where creeping suburbanisation into the rural environment threatens the character of this nationally protected landscape.

West Somerset Local Plan to 2032 (adopted)

The West Somerset Local Plan states that:

"Planning applications that accord with the policies in this local plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise".

The application site sits within the Quantock Hills AONB and as such the following material considerations apply:

Policy NH14: Nationally Designated Landscape Areas West Somerset Local Plan to 2032:

"... applications for development should have regard to location, siting, orientation and landscaping to achieve high quality design and to ensure that the proposals conserve or enhance the natural beauty, wildlife, cultural heritage and tranquillity of the AONB or the National Park and their settings. Development which would conflict with the achievement of the statutory purposes of the AONB or the National Park, or their settings ... will not be permitted".

The current Quantock Hills AONB Management Plan (2014-2019) states that "**A significant element of the changes development brings is the cumulative effect of comparatively minor developments such as new individual structures or barn conversions – over time a series of such changes can alter the character of the wider area**" (pg13).

The AONB Management Plan (2014-2019) also states that, "**...the more intimate landscape of the lower slopes and coastal strip, the irregular hedged fields, and small stone-built hamlets and villages, can be stripped of its special character by inappropriate development and the cumulative effect of**

insensitive changes over time” (Pg33).

In relation to rural lanes, the AONB Management Plan states that: ***“The network of small roads and lanes around the lower slopes of the hills forms a distinctive element of the AONB. The organic nature of these routes, their rural character and distinctive traditional road signs are a significant element of the attractiveness of the area...”(Pg34).*** Creating a new access into the lane and realigning the hedgerow for visibility requirements is likely to alter the character of the lane in this location.

The AONB Service asks that the above be taken into consideration alongside the following Management Plan Objective Point D14 which is ***“To support the protection of local distinctiveness in AONB settlements and Quantock lanes and roads”.***

Section 85 of the CRow Act 2000 states that “In exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty”.

Wessex Water Authority - No comments received

Office of Nuclear Regulation - With regard to planning application 3/18/17/006, ONR makes no comment on this proposed development as it does not lie within a consultation zone around a GB nuclear site.

Highways Development Control - Standing advice applies

Representations Received

Thirteen submissions have been received objection to the proposal, raising some or all of the following comments:

- CCTV placed in Sea Lane by the applicants representatives did not have the necessary permission
- lack confidence that the applicant will ensure this development is sympathetic to the beautiful environment
- future development potential if application is allowed

Traffic and Access

- there are a number of inaccuracies in the traffic consultants reports
- as a frequent walker, runner and cyclist up and down sea lane, care is needed travelling down the road, additional development would add traffic and therefore hazards for highway users
- the road is a single lane road with limited visibility because of high hedgerows, the site is at brow of a hill, cars can only pass where there are existing gateways
- the majority of the site frontage is outside the 30mph restriction
- evidence submitted with the application in relation to traffic speeds is unscientific

- and should not be relied on for making a decision
- holiday traffic and farm machinery has not been factored into the traffic consultants report
- level of traffic using the lane is higher than the report suggests
- vehicular traffic often moves much faster than the posted speed limit
- there is no bus service in the village
- lack of accessibility for emergency services, lack of fire hydrants on site, does not meet LGA minimum requirements for availability of water

Flooding

- proposed development is in an area prone to flooding. The application does not include a SuDS. Any additional built form will increase the risk of flooding
- the village has a recent history of flooding
- concern whether the existing sewer has sufficient capacity for additional development

Visual Amenity and Impact on the AONB

- the site lies within the AONB where the development would change the landscape character to a more urban form and adversely affect the visual amenity of the AONB
- the proposed dwellings would be located in close proximity to the 18/19th century Parkhouse Farm and not in harmony with the area as a whole
- the site is not well related to existing services, additional housing should be located off the A39 within the 30mph speed limit area
- loss of hedgerow to provide visibility splay would have a detrimental impact
- the use of agricultural land for development would not be sustainable
- the site is not well located to existing services and facilities
- it is not appropriate to grant outline planning permission in this location without details of the materials to be used

Development History

- the previous approval for the tennis court has lapsed
- the application for the tea rooms has not been implemented
- appears to be development by stealth
- there are a number of unfinished projects currently on the site
- ancillary accommodation was approved on the basis it was used for occupiers of the main dwelling as the vehicular access was inadequate to accommodate an additional dwelling

Planning Policy Context

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

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

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

SD1	Presumption in favour of sustainable development
SC1	Hierarchy of settlements
SV1	Development at primary and secondary villages
NH14	Nationally designated landscape areas

Determining issues and considerations

It is acknowledged that the site lies within 50m of the contiguous built up area of Kilve, a primary village. The West Somerset Local Plan to 2032 allows limited housing development in primary villages, which is envisaged to be 11 houses in Kilve over the plan period to 2032.

Policy SC1 of the Plan states that development within...primary villages...will only be considered where it can be demonstrated that:

A It is well-related to existing essential services and social facilities within the settlement, and;

B There is safe and easy pedestrian access to the essential services and social facilities within the settlement, and;

C It respects the historic environment and complements the character of the existing settlement, and;

D It does not generate significant additional traffic movements over minor roads to and from the national primary and county highway route network, and;

E It does not harm the amenity of the area or the adjoining land uses

A. Kilve was identified in the Town and Village Centre Study 2011 as having a single shop and some community facilities (Hood Arms). There is no primary school in the village. The bus stop is located near the convenience shop on Lager Hill. The site is approximately 500m from these services, which is not considered to be well-related, especially given the information below regarding the lane

B. The site is located a minimum of 500m from the essential services and social facilities. Pedestrian access to the services would be along the narrow Sea Lane, part of which is outside the 30mph restricted area. There is no footpath along the lane. Given the narrowness of the lane, it is likely that pedestrians using the lane would not be able to pass a car safely without stepping into the verge, especially if pushing a pushchair. Pedestrian safety along the lane is compromised and it is considered that there is no safe and easy pedestrian access to the essential services and social facilities from the application site and that future occupier would therefore be unlikely to walk to the limited facilities, especially during times of darkness. The agent has made submissions in relation to the previous refusal that it is commonplace not to have a comprehensive footpath network in villages. Walking along the road is the expectation for such locations and therefore any additional

residential development would need to use this method of pedestrian access to services and facilities elsewhere in the village. A traffic survey was submitted with the application which concluded there are no significant highway safety or transportation matters that should prevent the local planning authority from approving the application.

C This area of the settlement has a more open character than the main centre of the village. There are a scattering of houses on either side of the road, with stretches of agricultural land between. The properties are generally of a traditional character, primarily stone with pitched tiled roofs. It is considered that the development of the site with two houses would result in the continuation of the built form would significantly change the landscape character to a more urban form, which would not complement the character of the existing settlement. As stated by the AONB officer the lane provides access to Kilve Beach one of the most frequently visited sites in the Quantock Hills and it is imperative that the character and quality of the lane is properly considered to protect the visual amenity of the area. Whilst it is acknowledged that the site lies within 50m of the contiguous built up area of Kilve, it is considered that the introduction of additional built form and vehicle access into an area of relatively open countryside and within an Area of Outstanding Natural Beauty would detrimental to the local distinctiveness of this area of the village and would adversely affect the visual amenity of the area.

Highways Development Control have advised that standing advice applies. The advice requires a minimum access width of 5m over a length of 6m. The gradient of any driveway shall not exceed 1 in 10 for at least the first 6m from the edge of the adopted highway. Due to the nature of the road, visibility of 2.4 x 43m in either direction would be applicable with no obstruction to visibility greater than 600mm above the adjoining road level. Details of the access will be required to be submitted at reserved matters stage and there is no reason the visibility splay requirements could not be met. The AONB service have raised concerns that the creation of such an access with the associated visibility splays would alter the character of the lane in this location

As this is an outline application with all matters reserved, there is no detailed design or vehicle access to be considered, but a judgement would need to be made as to whether it would be possible to site 2 dwellings on this site without unacceptable affecting the character and appearance of the area.

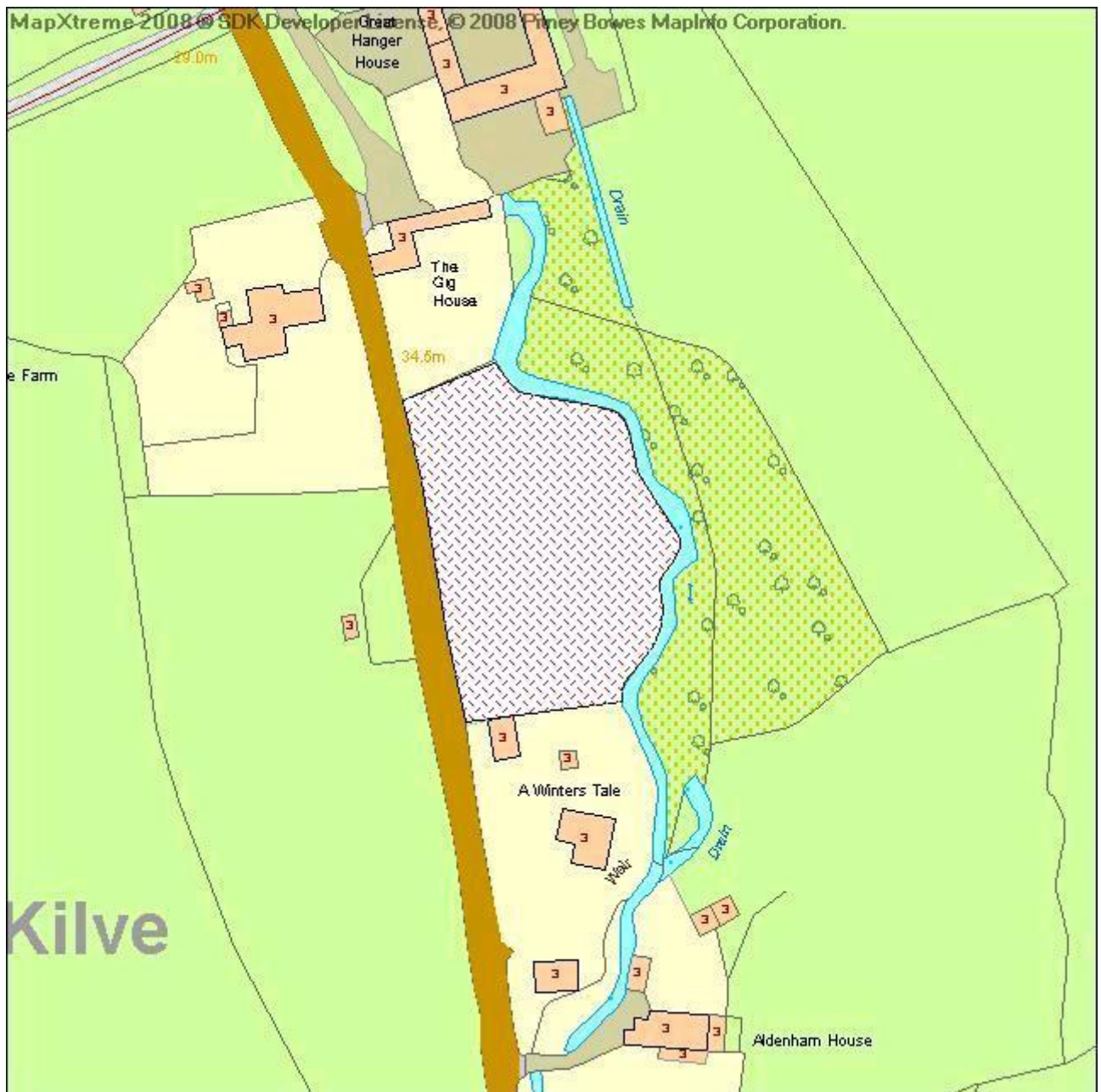
The site for the dwellings are not in a location that is at flood risk and the Environment Agency has raised no objection in principle subject to a condition.

A number of submissions referred to the previous planning history of the site and the extension of the suburban form. The application for the construction of a tennis court (3/18/12/003) included the change of use of land to domestic curtilage. Whilst the tennis court has not been constructed, the change of use of the land has taken place and the land is now part of the domestic curtilage of A Winters Tale. It is understood that the application for tea gardens has also been implemented and is therefore an extant consent.

The scale of the development for two houses is considered to meet with the intent of policy SC1:2 of the plan. However it is considered that the proposal fails to comply with criteria set out in SC1.4. A, B & C for the reasons stated above.

Given the above the proposal is recommended for refusal.

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



Application No 3/18/17/006
Outline planning application with
all matters reserved for the
erection of 2 No dwellings with
associated access (resubmission
of 3/18/17/001)
A Winters Tale, Sea Lane, Kilve
Planning Manager
West Somerset Council,
West Somerset House
Killick Way
Williton TA4 4QA
West Somerset Council
Licence Number: 100023932

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Northing: 143361



Application No:	3/21/17/063
Parish	Minehead
Application Type	Full Planning Permission
Case Officer:	Elizabeth Peeks
Grid Ref	Easting: 296964 Northing: 146291
Applicant	Ms C Sturman
Proposal	Change of use of forecourt for local produce market stalls and part of ground floor to be used as community cafe
Location	Old Minehead Hospital, 5 The Avenue, Minehead, TA24 5LY
Reason for referral to Committee	The views of the Town Council are contrary to the recommendation

Recommendation

Recommended decision: Grant

Recommended Conditions (if applicable)

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

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

- 2 The cafe hereby approved shall be discontinued by 1 October 2020.

Reason: To ensure that planning permission and listed building consent (3/21/15/113 and 3/21/15/0114) can be fully implemented.

- 3 The market hereby approved shall only operate between the hours of 7am - 6pm Thursday - Monday and Bank Holidays. The stalls shall be dismantled on the closure of the market each day that the market is in operation.

Reason: To safeguard the setting , character and appearance of the Conservation Area and listed buildings.

- 4 Prior to the use of the land as a market commences details of the design including the size, colour and materials to be used for the stalls shall be submitted to and agreed in writing by the Local Planning Authority. Only the

approved details shall be used.

Reason: To safeguard the setting, character and appearance of the Conservation Area and listed buildings.

- 5 If the storage of the stalls is to be within the grounds of the Old Hospital, prior to the use of the land commencing as a market, details for the storage of the stalls shall be submitted to and agreed in writing by the Local Planning Authority. Only the approved details shall be used.

Reason: To safeguard the setting, character and appearance of the Conservation Area and listed buildings.

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

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

Proposal

It is proposed to use the forecourt of the Old Hospital for a local produce market four days a week (Thursday - Monday) with occasional additional days during the holidays and during events. If the weather is inclement the stalls may be relocated to the proposed community cafe area. The proposed community cafe would be located on the ground floor of the Old Hospital within the old day ward section (the flat roof side extension with the ramped access). The community cafe is only proposed for a temporary period of three years or until the old day ward extension is demolished whichever is the sooner. The community cafe is envisaged by the applicant to be one where visitors and members of the community can meet informally to get information, learn and participate in events, projects, volunteering and other services happening at the hub. The cafe will be run by Minehead Connect together with members of the general community; as such any surplus funds generated will be put towards the community projects and services being developed by Minehead Connect.

The market is proposed to be open between the hours of 7am - 6pm. The opening hours of the Community Cafe are currently not known by the applicant. Two full time and three part time employees (equating to four full time equivalent employees) will be employed.

No off street parking is to be provided as part of the proposal.

Site Description

The Old Minehead Hospital, a Grade II listed building lies in the centre of Minehead with two accesses from The Avenue (which in the past has been used as an in and out system), lies with a designated Conservation Area and is situated within Minehead's primary retail area. The main building of the Old Hospital is stone under a slate roof. The adjoining church, a Grade II listed building is also constructed of stone with a slate roof. Both of these buildings are set back from the pavement with low stone boundary walls and in the case of the Old Hospital there are railings on top of the wall. The adjoining building to the west is also constructed of stone and is set on the back edge of the pavement. On the opposite of the The Avenue are a number of shops in varying designs and age.

Relevant Planning History

3/21/15/114	Internal and external alterations in order to convert the existing hospital to a community hub with four residential apartments	Grant	30 September 2016
3/21/15/113	Change of use from community hospital (Class C2) to community hub (Class D1), Assembly Room (Class D2), café (Class A3) four apartments (Class C3), associated parking and public open space.	Grant	30 September 2016
3/21/17/062	Various internal alterations	Grant	15 August 2017

The two applications granted in 2016 relate to use of The Old Hospital as a community hub and four residential units. As part of the proposal the area of the hospital to be used as the Community Cafe is to be demolished. The 2017 consent relates to alterations to the proposed toilets that will be available for users of the Community Cafe.

Consultation Responses

Minehead Town Council - Recommend refusal.

1. What is meant by Community Café? Is it non-profit-making?
2. There is a lack of information on the effect on surrounding businesses
3. More information is needed – an impact statement on the standard of stalls

Highways Development Control - Standing advice applies.

Environment Agency - The site is located within an area which is known to be at risk from flooding. The Environment Agency has considered whether the proposed development would be exposed to an unacceptable flood risk or would increase the risk or extent of flooding to other properties/uses. It has been concluded that there would be no material exacerbation of flood risk as a consequence of this development.

Therefore, the Agency would have no objection in principle to the proposed development

Economic Regeneration and Tourism - We would see the type of use proposed for the forecourt and ground floor of the Old Hospital as positive to both the economy and community. Such use has great potential to add vibrancy to a key central area of Minehead.

Representations Received

No representations received.

Planning Policy Context

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

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

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

CC2	Flood Risk Management
EC1	Widening and strengthening the local economy
EC8	Tourism in settlements
NH1	Historic Environment
NH2	Management of Heritage Assets
SD1	Presumption in favour of sustainable development
EC12	Minehead primary retail area and central areas for all uses

Determining issues and considerations

The main issues in the consideration of this application are the principle of development, the affect on the character, appearance and setting of the Conservation Area and listed buildings and flooding.

1. The principle of development

The proposed market and community cafe are sited within the primary retail area where Local Plan policy EC12 is the relevant policy in determining whether the principle of retail is acceptable. This policy states,

Within Minehead primary retail area, as defined on the policies map, business activities will be restricted to retail and retail-related activities in the A-class uses (excluding A2) at ground floor level. Other retail and retail related activities will be permitted in addition to these in the secondary retail area as defined on the policies map.

As the proposed uses fall with in Use Classes A1 (market) and A3 (Community Cafe) the proposed uses comply with this policy.

Local Plan Policy EC1 is concerned with strengthening and widening the local economy and as part of that policy proposal for all types of employment generating activities will be encouraged. The Council's Economic and Tourism Officer supports the proposal partly on these grounds

As the proposal complies with both of the above Local Plan policies it is considered that the principle of development is acceptable.

2. The affect on the character, appearance and setting of the Conservation Area and listed buildings.

The proposed community cafe will preserve the character and appearance of the Conservation Area and the setting of the Old Minehead Hospital and adjoining listed buildings as it is within a building and no external alterations are proposed. With regard to the market however, the erection of stalls within the forecourt will change the character and appearance of this part of the Conservation Area when the market stalls are in place as it is currently an open space. It was formerly used for the parking of vehicles and by ambulances. In order to preserve the character and appearance of the area and the setting of the listed buildings it is considered that the stalls should be removed when not in use and the design of the stalls needs to be conditioned as it is not known what the design and size of the stalls are. The applicant has recognised that the appearance of the market is important as has stated that, " the quality and presentation of proposed market offerings will, naturally, be strictly controlled by Minehead Connect to ensure they respect both the heritage of the site and the expectations of the community. The primary objective of the market is to attract more footfall and trade into the town centre - this can only be achieved if the offering is "right". "

3. Flooding

The application site lie within Flood Zones 2 and 3 and as such a Flood Risk Assessment and including a Sequential Test has been submitted as part of the application. The Environment Agency has assessed the application and is of the opinion that there would be no material exacerbation of flood risk as a consequence of this development and so have no objection in principle to the proposed development. It is therefore considered that the proposal is acceptable in terms of flooding issues.

4. Other issues

Minehead Town Council has objected to the proposal and two of the grounds put forward relates to the lack of information on how the proposal will affect surrounding businesses and that an impact statement is required on the standard of the stalls. With regard to the effect on businesses as the proposal is to be located within the primary retail area for Minehead and complies with the Local Plan policy EC12 there is no requirement to assess the impact on existing businesses. This is reiterated in the guidance contained with the NPPF which states that planning policies should be positive, promote competitive town centre environments and as part of this the extent of town centres and primary shopping areas should be based on a clear definition of primary and secondary frontages and policies should be formed that make clear which uses can be permitted. This has been incorporated within Policy EC12.

Turning to the quality of the stalls, as noted in point 2 above it is recommended that a condition controlling the design and size of the stalls is imposed.

In conclusion, it is considered that the proposal complies with local plan policies, will preserve the character, appearance and setting of the Conservation Area and listed buildings and with not exacerbate the existing flood risk. It is therefore recommended that planning permission be granted.

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



Application No 3/21/17/063
Change of use of forecourt for
local produce market and part of
ground floor for use as
community cafe
The Old Hospital, The Avenue,
Minehead

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Northing: 146282

Scale: 1:1250

Application No:	3/21/17/089
Parish	Minehead
Application Type	Outline Planning Permission
Case Officer:	Karen Wray
Grid Ref	Easting: 295830 Northing: 145856
Applicant	Mrs E Woodhouse
Proposal	Outline application with all matters reserved, except for means of access, for the erection of 1 No. dwelling and associated works within the garden
Location	1 Periton Way, Minehead, TA24 8AH
Reason for referral to Committee	The views of the Town Council are contrary to the recommendation

Recommendation

Recommended decision:

Recommended Conditions (if applicable)

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

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

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

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

(A2) DRNO 1528/201 PROPOSED ELEVATIONS
(A1) DRNO 1528/200 PROPOSED SITE PLANS

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

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

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

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

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

- 5 No wall or roof construction shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out only in accordance with the details so approved.

Reason: To safeguard the character and appearance of the area in accordance with Policy NH13 of the West Somerset Local Plan up to 2032.

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

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

- 7 Prior to the dwelling hereby approved being occupied, a hard and soft landscape scheme which shall have previously been submitted to and approved in writing by the Local Planning Authority and which shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include [numbers, density, size, species and positions of all new trees and shrubs] [positions, species and size of all new trees and the location of grassed areas and areas for shrub planting]; details of the hard surface treatment of the open parts of the site, shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.

For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or appropriate trees or shrubs as may be

approved in writing by the Local planning Authority

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policy NH13 of the West Somerset Local Plan up to 2032.

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

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

- 9 Details of existing and proposed site levels shall be submitted to and approved by the Local Planning Authority as part of the details required by Condition (1). The approved details shall be implemented prior to the occupation of the dwelling hereby permitted and shall thereafter be retained as such.

Reason: To enable the Local Planning Authority to give proper considerations to the effect of alterations in the site levels.

- 10 The area allocated for parking on the approved plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety.

- 11 The car parking area shall be constructed utilising pile foundations, details of which shall have previously been submitted to and approved in writing by the Local Planning Authority before the development of the car parking area commences.

Reason: To ensure the protection of the adjacent lime tree in the interests of the visual amenities of the surrounding area.

- 12 A scheme for the protection of the lime tree to be retained the south western boundary of the site shall be submitted to and approved in writing by the Local planning Authority prior to the commencement of the car parking area.

Reason: To ensure the protection of the lime tree in the interest of the visual amenities of the surrounding area.

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

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

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

Proposal

Application for outline permission (with some matters reserved) to erect a detached dwelling to the south east of 1 and 3 Periton Way. The application indicates a 3 bedroomed, two storey dwelling that would run parallel with the existing dwellings along Periton Way. Access is to be determined at this stage.

Indicative plans show that the dwelling could comprise a WC, living /dining room and kitchen at ground floor with three bedrooms and bathroom at first floor. The internal floor area would be approximately 90 sqm within a 500 sqm site area.

In terms of access and parking, it is proposed to create a vehicle hard standing adjacent to the existing dropped kerb in the north west corner of the site adjacent to a lime tree. The parking would provide for 3 parking spaces with the use of retaining walls due to the sloping ground. The hard standing would be formed with a tarmac surface with an Aco drain at the abutment to the highway.

Site Description

The application site is a triangular parcel of slightly sloping residential garden and amenity land to the south east of 1 & 3 Periton Way (flats within a two storey building). The site is bordered to the east and north west by a native hedge and open to the street frontage to the south west, Periton Way. A pedestrian urban footpath beyond the hedgerow to the east runs along the length of the eastern boundary.

The site is primarily laid to lawn with a mature lime tree to the south western limits of the site.

Relevant Planning History

None

Consultation Responses

Minehead Town Council – Recommend refusal of the application due to lack of information and the comment on the website does not relate to this application.

Highways Development Control - Recommend Standing Advice.

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

Representations Received

None

Planning Policy Context

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

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

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

SD1 Presumption in favour of sustainable development

SC1	Hierarchy of settlements
SC2	Housing Provision
MD1	Minehead Development
TR2	Reducing reliance on the private car

Determining issues and considerations

As this is an outline application other than the access details all other information provided is purely indicative. Detailed information will be provided at the reserved matters stage were outline permission granted. The main issues for consideration under this application are the principle of the development and the proposed access. All other matters are reserved.

Principle

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

Highways

The adjacent flats do not have off street parking and rely on the abundance of on street parking along Periton Way. The site however is well served by public transport with good pedestrian links to the variety of facilities and services within Minehead.

The proposed dwelling will have its own parking however. The County Council's car parking strategy, stipulates the parking provision for new residential development. The dwelling is indicated to be a 3 bedroomed property and as the site is located within a zone B, a 3 bedroomed dwelling would require the provision of 2.5 parking spaces. The application proposes the formation of 3 parking spaces which would clearly satisfy the parking standards. One of these spaces however would be in very close proximity to a lime tree. The lime tree although not protected provides amenity value to the site and to Periton Way. Its loss would have an effect on the character of the surrounding area. In order to protect the tree and avoid its root system during the construction of the parking area, it is proposed to use pile foundations that would avoid a strip foundation next to the existing tree thus avoiding root damage. Details of the pile foundation construction can be made a planning condition were outline permission granted.

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

In terms of access, the application site already has a dropped kerb in the north western corner but no hardstanding where the parking area would be formed.

Periton Way has a 30mph speed limit and is a residential street branching off Parkhouse Road. The car parking area would rely on roll off, roll on parking but there is good visibility and the speed limit is low. For these reasons the highway safety aspects of the scheme are considered acceptable.

Character and appearance

The properties surrounding the application site are a mixture of flats, terraces, semi-detached and detached dwellings primarily. The adjacent dwellings 1 & 3 Periton Way are two storey bedroomed flats split over two floors of painted rendered construction under concrete tiled roofs. To the east, 7-10 Periton Court are red brick terraced dwellings with painted render or timber cladding. The indicative plans show that a dwelling could be accommodated within the site boundary without appearing cramped or out of character with the surrounding pattern of development. The two storey dwelling would run parallel with the adjacent dwellings to the north west and it is considered that the scale and massing of the building could reflect the neighbouring properties. A sufficient amount of amenity space would remain to the rear and front of the existing dwellings and there would also be amenity space for the proposed dwelling to the rear and to the side.

The appearance of the property is a reserved matter, although it is anticipated that the dwelling would be of materials to reflect 1 and 3 Periton way which would not result in an adverse impact on the surrounding area.

Amenity

The layout shown in drg, 1528/200, which is only indicative shows that a detached dwelling can be accommodated well within the site. Any dwelling will be separated to the closest dwellings by pathways and a native hedge between. The proposed dwelling is shown set some 5 metres from the existing dwellings.

In terms of loss of privacy, there are both first floor and ground floor windows which are all bedroom windows that would face towards the proposed dwelling. No elevation details are available under this outline application and such matters of overlooking and loss of privacy would be dealt with in assessing the design of the dwelling, however, it would be possible to design the dwelling so that the elevation facing the closest building did not have any windows facing directly into these bedrooms.

Concerning loss of light and given there are bedroom windows would face the dwelling, each bedroom also has another window either to the rear (north east) or front (south west) which would still enable a sufficient amount of light into the bedrooms.

The orientation of the building as indicated would also not result in any direct overlooking of the rear gardens of the adjacent properties resulting in further loss of privacy.

The site is clearly capable of accommodating one detached dwelling as indicated. The site is surrounded by residential development and it is considered that there will

be no significant impacts on residential amenity.

Other matters

New connections will be required by the development and further details will be considered at the reserved matters stage.

Conclusion

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

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



Application No 3/21/17/089
 Outline application with all matters reserved, except for means of access, for the erection of 1 No. dwelling and associated works within the garden
 1 Periton Way, Minehead, TA24 8AH

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

West Somerset Council
 Licence Number: 100023932



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Easting: 295835
 Northing: 145845

Scale: 1:1250

Application No:	3/21/17/091
Parish	Minehead
Application Type	Full Planning Permission
Case Officer:	Karen Wray
Grid Ref	Easting: 297502 Northing: 144814
Applicant	Mr and Mrs P Davis
Proposal	Erection of 1 No. dwelling and associated works
Location	Combe Water, 29 Manor Road, Alcombe, Minehead, TA24 6EJ
Reason for referral to Committee	The views of the Town Council are contrary to the recommendation

Recommendation

Recommended decision: Grant

Recommended Conditions (if applicable)

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

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

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

(A3) DRNO 1317/1 GROUND AND FIRST FLOOR PLANS
(A3) DRNO 1317/2 ELEVATIONS
(A4) DRNO 1317/3 SITE LAYOUT AND STREET ELEVATION
(A4) DRNO F101/1317 TIMBER FENCING DETAILS
(A4) DRNO S101/1317 Recycling and cycle store/shed
(A4) Site Location Plan

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

- 3 The parking area /driveway shall be fully provided and consolidated (not loose stone or gravel), surfaced and drained in accordance with the approved plans before the dwelling is first occupied and shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that sufficient provision is made within the site for off-street parking of vehicles clear of the highway in the interests of highway safety.

- 4 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, positions, species and size of all new trees and the location of grassed areas and areas for shrub planting; and, details of the hard surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development having regard to the provisions of Policy NH13 of the West Somerset Local Plan up to 2031. These details are required at pre-commencement stage to ensure that all approved details for the landscaping of the site are appropriate to the character and setting of the area and in the interests of visual amenity.

- 5 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 that the landscape scheme is implemented and maintained having regard to Policy NH13 of the West Somerset Local Plan up to 2032.

- 6 Before any of the materials to be used in the construction of the external surfaces, including roofs, are used or placed on site, a schedule of materials and finishes shall 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 Policy NH13 of the West Somerset Local Plan up to 2032. These details are required at the pre-commencement stage to ensure that they respect the character of the area and in the interests of visual amenity.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that

Order with or without modification), no extension, enlargement or other alteration of the dwelling house other than that expressly authorised by this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and the character of the building and the surrounding area. For this reason the Local Planning Authority would wish to control any future development to comply with policy NH13 of the West Somerset Local Plan to 2032 and retained policy BD/3 of the West Somerset District Local Plan (2006).

- 8 Prior to the erection of any external lighting, details of such lighting shall have been first submitted to and approved in writing by the Local Planning Authority. The work shall thereafter be carried out in accordance with the approved details and under no circumstances shall external illumination be operated on the site other than in accordance with the approved scheme.

Reason: To safeguard the character and appearance of the area having regards to the provisions of Policy NH13 of the West Somerset Local Plan up to 2032 and to ensure that the development does not cause detriment to the amenities of the occupiers of nearby properties.

- 9 The windows to the north -east elevation shall be obscure glazed to a level equivalent to Pilkington privacy level 5 and shall be maintained with such glazing at all times.

Reason: To protect the residential amenity and privacy of occupants..

- 10 The gradient of the approved parking area / driveway shall not be steeper than 1 in 10.

Reason: In the interests of highway safety.

- 11 The recycling and cycle store shed as shown on the approved plans shall be provided before the dwelling hereby permitted is first occupied. The approved storage facility shall thereafter be used for no other purpose than the storage of refuse or bicycles associated with the use of the development hereby approved.

Reason: To ensure that sufficient provision for bicycle parking is provided in accordance with the Somerset Parking Strategy 2013 and sufficient space for refuse storage is provided.

- 12 Prior to the formation of the new parking area/ driveway, details of the access works to include the finish to the section of boundary wall to be removed, shall be submitted to and approved in writing with the Local Planning Authority. The

access shall be carried out in accordance with the approved details unless prior written agreement is given from the Local planning Authority to any variation.

Reason: In the interests in highway safety and to protect the character and appearance of the surrounding area

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

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

2 Water Supply and waste connections

New water supply and waste water connections will be required from Wessex Water to serve this development. Application forms and guidance information is available from Developer Services web pages at www.wessexwater.co.uk. Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333. for waste water.

Buildings near to a water main

No building will be permitted within the statutory easement width of 5m from the pipeline without agreement from Wessex Water. Please contact our Development Engineer Simon Lipscombe 01823 225219.

Proposal

The proposal is for the erection of a three bedroomed detached dwelling within the residential curtilage of No. 29 Manor Road, Alcombe. The dwelling will be sited to the side of the existing dwelling, fronting the public highway. The dwelling will be of white rendered external walls with a brown Redland tiled pitched roof. The fascia doors and windows will be of white upvc and a chimney and plinth will be of red facing bricks.

A 1.8m x 2.4m timber shed would be erected to the rear of the dwelling to be used as a recycling/cycle storage shed.

A 1.8m high close board fence would delineate the residential curtilage of the dwelling separating it from No.29 to the rear.

The proposal also includes the removal of a section of the boundary stone wall

which fronts the highway to create a new driveway to the front of the existing dwelling. A 0.9m high post and rail fence would be erected to separate the driveways to the existing and proposed dwelling.

To accommodate the development, a single flat roof concrete detached garage would be demolished.

Site Description

No. 29 is a semi-detached dwelling in white painted render with Double Roman concrete roof tiles and upvc windows. Along Manor Road there is a mixture of housing from small 19th Century cottages and large Victorian properties, plus a considerable number of post war housing in single and two-storey dwellings. No. 29 is one of a pair of semi-detached properties which sits within the row of three pairs of semi-detached rendered and hipped roof houses set back from the edge of the highway.

Relevant Planning History

3/21/16/077 – Erection of two storey extension together with a garage and conservatory. Granted September 2016.

Consultation Responses

Minehead Town Council – Recommend refusal due to general access and lack of construction statement and anecdotal flood risk.

Highways Development Control – Recommend Standing Advice.

Wessex Water Authority –

Water Supply and waste connections

New water supply and waste water connections will be required from Wessex Water to serve this development.

Buildings near to a water main

No building will be permitted within the statutory easement width of 5m from the pipeline without agreement from Wessex Water.

Tree Officer - No objection with regards to trees. The new house should not affect any significant trees. There has been some recent clearance of small trees and shrubs at the rear of the garden, but I understand that the remaining larger trees are to be retained.

Representations Received

Nine letters of representation have been received either objecting to or raising concerns to the application. The reasons are due to existing on street parking problems along Manor Road, often blocking residents accessing their drives. Increased traffic and restricted access along Manor Road for emergency vehicles and refuse lorries. Further concerns relate to surface water run off and floodrisk, over development of the site and the development being out of character with the area. Loss of amenity through noise disturbance from an additional family living in the road has been raised and further objections on the grounds of loss of an ancient wall and steps which are believed to be part of an old chapel.

Minehead Conservation Society - This property was previously granted planning permission for a substantial extension which would have been in keeping with other properties in the road which have also had extensions. The reason was to provide more accommodation for family living.

This application is for a new detached property. Does this mean that the family no longer needs the enlarged living space or will another application for an extension on the back of the existing house be forthcoming once this application has been determined?

The conservation society has a number of concerns with regard to this proposal.

1. The proposed building is set back from the existing building line the rationale being that it will look like an extension. This seems contradictory. Either you want an extension or you want a new detached house.
2. The semi-detached houses, of which Combe Waters is one, were built as a group in a particular architectural style. In village situations the corner plot was traditionally larger as this extra space gave the development an individuality and allowed a view between them and the next property. Infilling was very much frowned upon in the not too distant past. A property of a totally different style squeezed into this corner plot would serve to unbalance the harmony of the whole group. We take it that aesthetics still play a part in planning.
3. Whilst the adopted Local Plan has a principle of development in urban areas such as Minehead this does not automatically mean that every site is suitable for development. There are constraints.
4. Alcombe is an ancient settlement with a history going back to Domesday. The stone wall bordering the frontage of the application site was erected when a small Chapel of Rest existed on it. The original steps that lead to it can still be seen abutting the wall. The aperture was filled in when the Chapel became redundant. The wall is well over 150 years old, a feature of the road and bounding a site of historic interest. We strongly believe that this wall should remain intact.
5. It is claimed the site is suitable as an easy walking route to the Alcombe shops on the far side of the main road. Manor Road is a difficult one for pedestrians to use. It has no pavement and so children, pensioners and disabled persons are particularly vulnerable. The sight line is obscured as the road is narrowed by parked cars most of the time. The slope is quite steep on the return journey and especially noticeable when carrying shopping.

6. It seems irresponsible to keep saying that the traffic generated by just one more dwelling will make no difference. When does a time come to say one more is too much in such a narrow and congested road?

7. We sincerely hope that there is no intention to fell the remaining two trees on site as they make an important contribution to the local scene.

Planning Policy Context

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

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

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

SD1	Presumption in favour of sustainable development
SC1	Hierarchy of settlements
SC2	Housing Provision
MD1	Minehead Development
TR2	Reducing reliance on the private car
NH2	Management of Heritage Assets

Determining issues and considerations

The main issues to consider are the principle of the development, design and visual impact, and the impact on the character and appearance of the area, residential amenity, floodrisk and drainage, heritage impact and highway safety.

Principle of development

The application site is located within a residential area of Alcombe. Policy SC1 'Hierarchy of Settlements' of the West Somerset Local Plan up to 2032 states that new development will be concentrated in the district's main centre Minehead and Alcombe'. The proposed development is to provide a dwelling in the garden of a residential property which was subject to a previous planning permission granting the erection of two storey extension, with a garage. The principle of the development is therefore accepted.

Design and visual impact and impact on the character and appearance of the area

Along Manor Road there is a mixture of housing from small 19th Century cottages and large Victorian properties, plus a considerable number of post war housing in single and two storey dwellings. No. 29 is a pair of semi-detached properties set back from the edge of the carriageway forming part of a row of semi - detached dwellings which have seen expansion through extensions.

Planning permission was granted in 2016 (3/21/16/17) for a substantial 2 storey extension with attached garage to No.29 which would have converted No.29 into a 5 bedroomed property. The extension was to be set back from the existing dwelling by 3.15m and would have been 1m lower in roof height. It would have had a hipped roof in line with the existing dwelling and was to be of a design and materials to match.

The proposed dwelling although detached and of a smaller scale than the larger semi-detached properties has been designed to resemble the extent of the extension previously permitted and almost entails the same footprint. In fact the garage to be attached to the side of the extension was to be closer to the western boundary of the site than the proposed dwelling. The approved extension had a total floor area of 95.64 sqm and the proposed dwelling will have a footprint of 102.66 sqm thus marginally larger.

The dwelling, like the extension has also been set back off the line of the existing property and has been purposely separated by only a short distance from the existing dwelling to provide a building that would not appear dissimilar than what was approved under permission 3/21/16/17. On approaching the site from the north east, the dwelling would not be seen to be much different from the extension that was permitted and it would be mostly seen as a continuation to the row of semi-detached properties. It would only be when directly facing the site when on Manor Road that it would be seen as a separate dwelling.

The site is outside of the Conservation Area and not within close proximity to any Listed Buildings and it is of a design and of materials that would be in keeping with the existing dwelling and the other semi-detached properties along the road. The proposal therefore will not be visually intrusive and affect the character and appearance of the area.

Reference has been made to the impact the development will have on Exmoor National Park. Although the National Park boundary is to the south, this is a considerable distance away further along manor Road and the erection of a dwelling within an existing row of residential properties will not be detrimental to the setting of the National Park.

Following concerns raised over possible loss of trees and the impact this could have on the character of the area, it can be conformed that the proposal does not involve the loss of trees.

Residential amenity

The land is currently part of the curtilage of a residential property. The closest dwelling to the north east is some 19 metres away and separated from the site by an access track that runs up the entire north eastern boundary of the site. There will be one first floor window serving the stairs and a downstairs window for a toilet on the north eastern elevation, both of which will be of obscure glazing and can be conditioned accordingly.

The proposed dwelling will only be separated from the existing dwelling by a side passageway accessed by a closeboard gate to the front. There will be no windows directly facing each other between the existing and proposed dwelling and the only window in the elevation of the proposed dwelling will be a first floor window serving a shower room.

In terms of noise impact, although the development would give rise to an additional family living at the site, this is not likely to give rise to an increase in noise disturbance to the detriment of the surrounding area. It is a residential area, where the principle of a residential use is acceptable and furthermore the separate dwelling will be on the end of the row of semi-detached properties, bordered by an access track and the existing dwelling. The curtilage of the proposed dwelling is already curtilage to No.29.

Highway Safety

The majority of concerns and objections relate to existing parking problems along Manor Road as a result of on street parking which is causing difficulties apparently for people accessing their driveways and for larger vehicles such as emergency vehicles and dustbin lorries to pass up the road. Reference has been made to a care home and a youth hostel at the end of the Combe and difficulties in accessing these due to parked cars. Although this existing problem is acknowledged, one additional house on top of all the existing properties along Manor Road and the care home and youth hostel will not materially alter the traffic conditions. The determination of this application should not be based on a pre-existing situation that is outside of the planning system's remit and ability to overcome. The highway safety aspects of the proposed development must be assessed in accordance with standing advice.

In terms of parking provision, the site is located within a Zone B as identified in the Somerset County Council Parking Strategy 2013 and a three bedroomed property should provide the optimum standards of 2.5 car parking spaces. Three car parking spaces would be provided on the existing driveway to the front curtilage of the new dwelling. A new driveway would also be created to the existing property to provide 2 parking spaces separated from the parking of the new dwelling by a post and rail fence. The existing property is also a 3 bedroomed dwelling and therefore in total 5 parking spaces would be provided to serve both dwellings which is considered acceptable for a Zone B location.

The proposal includes the removal of 2m of the boundary wall abutting the public highway to create the access to the new driveway, this would achieve the required

visibility splay of 33 x 2.4m.

The new driveway can achieve a gradient of 1 in 10 and surface water runoff will be accommodated via a kerb gulley/channel discharging into a soakaway beneath.

Although the site is in close proximity to the centre of Alcombe where there are services and facilities available, it is accepted that there is no footway along Manor Road and it is not a level walk. However this situation would be no different for all the other occupants of Manor Road who would also need to walk in the highway and it would be unreasonable to refuse the application on this basis. Furthermore objectors have also referred to the amount of walkers and horse riders who regularly use Manor Road which clearly shows this road is well used and capable of being used by those other than in vehicles.

The Highway Authority have raised no objection, recommending referral to Standing Advice which has been achieved. Therefore on this basis, the proposal is acceptable on highways safety grounds.

Floodrisk and Drainage

The application site lies within a floodzone 1 and as such is at low risk of flooding. As stated previously, the extent of the dwelling almost follows the same footprint as the previously approved extension and therefore the erection of the dwelling would not further increase the flood risk in the area with surface water from the dwelling directed to a soakaway. Given under this application a new parking area/driveway is also proposed which could have the potential for increased surface water run off from the site, such water would be directed from the driveway to a kerb gulley/channel which will discharge into a soakaway beneath. Therefore the surface water drainage for the site is considered acceptable and there will be no increase in flood risk.

Heritage impact

Although Manor Road is an old road fronted by some listed buildings, part of which falls within the Alcombe Conservation Area, the application site does not fall within the Conservation Area boundary or is in close proximity to a listed building.

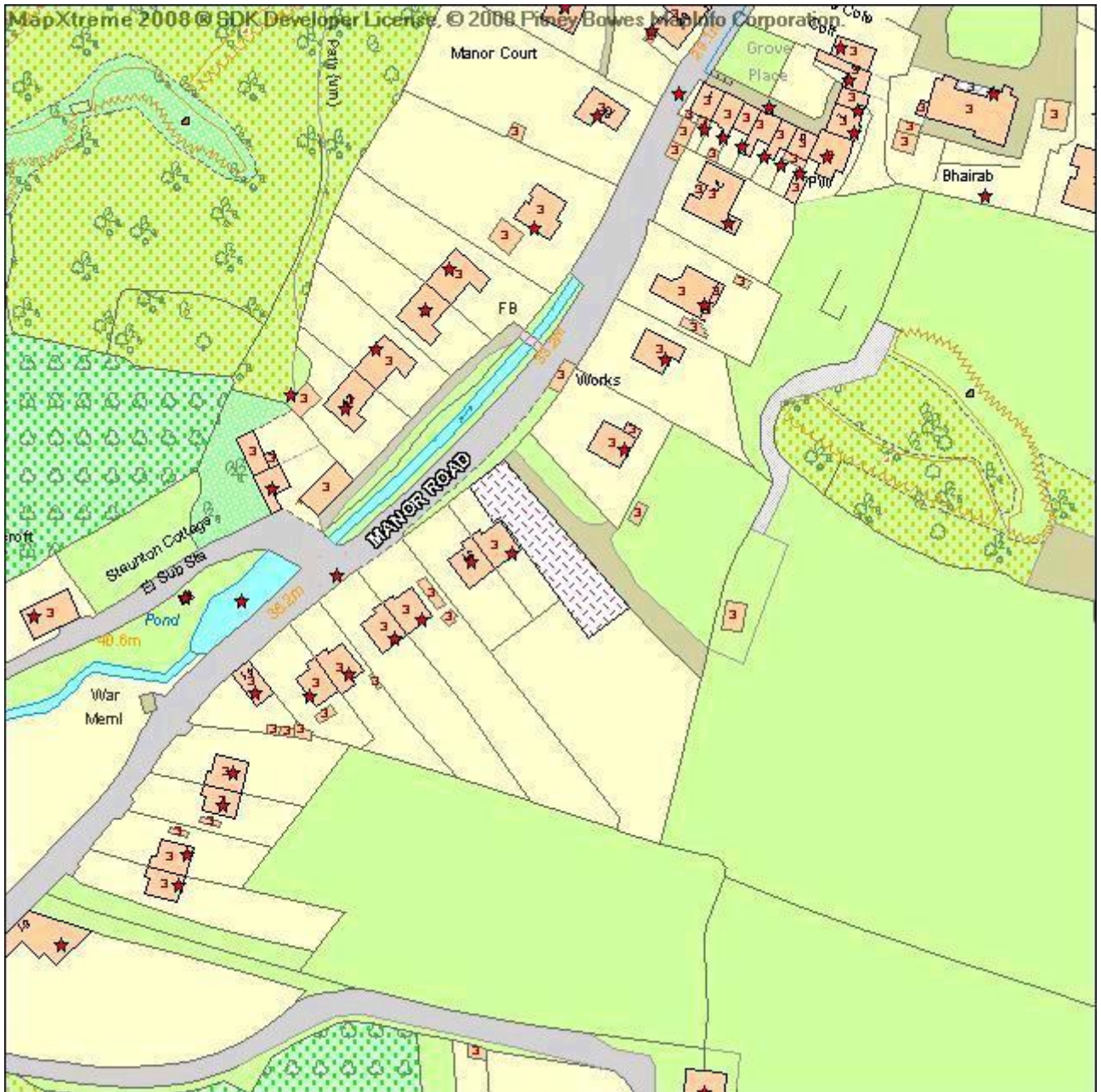
Reference has been made to the boundary wall which fronts the highway being part of an old chapel of rest with steps to the front of No.29 which led up to that chapel. 2m of this section of wall are to be removed to create the new driveway. The steps however are within the highway verge, on highway land and would not be affected by this proposal.

It is accepted that the boundary wall, is an old wall and the loss of 2m is regrettable however it is not protected or stands within the conservation area. Other sections of the wall have clearly been breached in the past to create vehicular access to existing properties. The majority of the wall would still remain to the front of No. 29 and therefore on this basis the heritage impact is not considered sufficient to warrant refusing the application.

Conclusion

The proposed dwelling will be sited predominantly on a site that would have accommodated a large 2 storey extension. The proposed building is of a design and in materials in keeping with the existing dwellings along this stretch of Manor Road. The development will not result in a significant increase in vehicle movements and with off street parking, it will not exacerbate the existing parking problem along Manor Road. There will be no increased flood risk or significant impact on heritage features and for these reasons it is recommended that planning permission is granted.

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



Application No 3/21/17/091
 Erection of 1 No. dwelling and
 associated works
 Combe Water, 29 Manor Road,
 Alcombe, Minehead, TA24 6EJ



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

West Somerset Council
 Licence Number: 100023932

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Easting: 297503
 Northing: 144816

Scale: 1:1250

Application No:	3/26/17/014
Parish	Old Cleeve
Application Type	Full Planning Permission
Case Officer:	Karen Wray
Grid Ref	Easting: 303491 Northing: 141918
Applicant	Mr Dorrill
Proposal	Erection of 10 No. single storey self storage units and relocation of car parking
Location	The Works, Old Cleeve, Minehead, TA24 6HT
Reason for referral to Committee	The views of the Parish Council are contrary to the recommendation

Recommendation

Recommended decision: Grant

Recommended Conditions (if applicable)

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

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

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

(A1) DRNO IPL_127_201 REV 02 - 201 GENERAL ARRANGMENT UNITS
01-06

(A1) DRNO IPL_127_201 REV 02 - 202 GENERAL ARRANGMENT UNITS
07-10

(A3) DRNO IPL_127_002 REV 03 - SITE PLANS (Existing and Proposed)

(A3) DRNO IPL_127_101 REV 02 - SITE LOCATION PLAN

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

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

Reason: In the interests of highway safety.

- 4 Prior to the occupation of the development hereby permitted the proposed access over at least the first 5 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local planning Authority. Once constructed the access shall thereafter be maintained in that conditions at all times.

Reason: In the interests of highway safety.

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

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

2

Wales & West Utilities have pipes in the area. Their apparatus may be affected and at risk during construction works. The developer of these works should contact them directly to discuss any requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable.

Proposal

The proposal is to erect 10 No. metal framed and cladded, single storey, self-storage units. The scheme initially proposed 12 units but has been reduced to overcome concerns raised during the planning process. Each unit will measure 500 sq/ft, accessed by a 3m x 3m roller shutter door to the front. The units will have a mono pitch roof measuring 4m to the front and 3m to the rear. 6 No. units will be sited to the frontage (south) of the site and 4No. units to the rear (northern) end of the site. A loading/unloading zone will be provided to the front of each unit.

The existing car parking area, to the front of the main premises will be relocated to the rear.

Site Description

The site is to the west of Old Cleeve. The site comprises a range of traditional stone with concrete portal frame buildings under profiled sheet roofing with established Class B2 Industrial use. Formerly a tannery, the site has been used for product storage and manufacture. The site is accessed from the Old Cleeve road to the east.

Relevant Planning History

Pre/26/16/006 – Pre-application advice sought.

Consultation Responses

Old Cleeve Parish Council – Object to the proposal for the following reasons:

1. The premises are located in an open countryside (Policy OC1) accessed by narrow lanes and a no through road.
2. An inspection of the premises as part of the consultation process reveals that the premises have been recently altered, extended and divided into numerically twenty one units of business accommodation. Old Cleeve Parish Council were unaware of any consents, planning or Building Regulations for such work. The last application was for certain works for the Brooks Foods only.
3. Various uses are in place including interior design furnishers, car sales, equine services, fitness studio, Minehead kitchens, bespoke joinery workshop and two builder depots.
4. The 26 car parking spaces allocated to the south of the site is currently reduced by the occupation of ten steel shipping containers, negating the capacity stated. Are these authorised? Will they remain and are they currently in use?
5. Whilst the premises are in zone 1 of the Environment Agency mapping, the site historically has flooded on numerous occasions from surface water. The previous tannery process used water supplied by the water courses bounding the site to the west and east, these appear to have been culverted or diverted in part of unknown capacity?
6. The whole site premises is listed on the contaminated land register, reference should be made to Environmental health for specific details and recommendations. It is noted that on the eastern boundary, a surface water ditch is choked with debris/scrap metals and general waste, this in our opinion should be removed to prevent further flooding and contamination.
7. The north site boundary appears incorrect. The existing residential property 'Linton' has a two storey extension and tree screen to its southern side, this would appear to conflict with the proposed storage units numbered eleven and 12? Which is correct? If the boundary is incorrect this will have a negative impact upon the parking capacity.
8. The application form states 26 existing parking spaces, it is noted none are suitable for persons with disability/mobility issues. The proposed site layout indicates 24 spaces plus those in front of the proposed units (12) the total being 36 not 38 as stated. No provision is made for disability bays. The

parking bays to the western boundary restrict access to one of the existing altered units (large loading door). As a single road (narrow lane) approach, access for fire appliances (2 engines) and turning space is required. The allocated parking area will restrict these movements if full occupancy is in place. With multiple users there will be no management control.

9. The hours of working and use is not controlled and has a negative impact on the two residential properties. There will be an increase in traffic frequency. No direct employment benefit is demonstrated from self-storage units.
10. Surface (roof water) is noted to discharge to soakaway? However the allocated sites are laid to concrete with unqualified drainage provisions. It is preferable for roof water to discharge to the west and east water courses, to reduce both the flood risk and possible pollution from spillages on the concrete surfaces. As self-storage units, no control is exercised over the potential items or substances that maybe stored?

Highways Development Control – The proposal is situated off an unclassified no through road a little west of Old Cleeve. The speed limit on the no through road is 30mph, although observed speeds appeared to be 20- 25mph. The site is approximately 400m from the classified Old Cleeve road. It's largely of singular vehicle width although does consist of vehicle passing areas to allow two way vehicle flow.

It is the opinion of the Highway Authority that the proposal is considered acceptable. However, any future proposals for example, an increase in storage units or a proposed change of classification of the proposal that would cause a material increase in vehicle movement from its present or past usage would be likely to attract recommended refusal from the Highway Authority.

Given the above, it is inevitable that the proposal will result in a material increase in the number of vehicle movements generated by the site as a whole compared to its current usage. I do not consider however the main issue to be the enforceability of any conditions on the site to limit the impact on the surrounding network. If the Local Planning Authority is satisfied that conditions can be applied then I would raise no objection subject to the following conditions.

1. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before construction commences and thereafter maintained at all times.
2. Prior to the occupation of the development hereby permitted the proposed access over at least the first 5 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local planning Authority. Once constructed the access shall thereafter be maintained in that conditions at all times.

Economic Regeneration and Tourism – No comments received.

Biodiversity and Landscaping Officer – No comments received.

Tree Officer- A much better scheme following the reduction in the number of units. Unit number 1 may have some impact on the neighbouring trees, if they are excavating by 30cm. However, those trees are relatively young, and are not of particular value, except perhaps to the neighbour as screening – certainly not worthy of TPO. As the surface there is currently tarmac, with units on top, I suspect that the roots will not be well extended into that area anyway. No objection.

Representations Received

One letter of representation has been received from one of the two neighbouring properties who sought clarification that access to their sewer inspection manhole would not be affected by the development.

Wales and West Utilities also state that they have pipes in the area and their apparatus may be affected and at risk during construction works. Should permission be granted they require the developer to contact them to discuss their requirements before any works commence. No development must be built over any of their plan or enclose their apparatus.

Planning Policy Context

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

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

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

OC1	Open Countryside development
SD1	Presumption in favour of sustainable development
EC1	Widening and strengthening the local economy
EC5	Safeguarding existing employment uses
CC2	Flood Risk Management

Determining issues and considerations

The main issues in determining this application are the principle of the development, highways and parking, flooding and drainage, economy, contamination and impact on residential amenity.

Principle of development

The site lies in an open countryside location where policy OC1 (Open Countryside Development) of the West Somerset Local Plan up to 2032 would apply. Development in such locations is strictly controlled however, Policy OC1 allows for new development where it would 'benefit existing employment activity already established in the area which could not be easily accommodated within or adjoining a nearby settlement ...'. The site was formerly a tannery and has an established B2 use class. There are a number of different businesses already renting units on the site. The erection of the storage units on this established commercial site would not only provide storage needs for new or existing businesses in the area but would ensure the viability of the existing premises which is in line with Policy EC5 'Safeguarding existing employment uses'. The principle of the development is therefore supported.

Highways and Parking

The scheme has been amended by reducing the number of units at the northern end of the site to ensure sufficient turning and manoeuvrability and access is maintained to the existing premises. The existing car parking provision to the southern end of the site will be relocated to the north onto an existing hardstanding area. Following a resurvey of the site, there are currently 15 useable car parking spaces at the site and as a result of the development 18 car parking spaces will be provided. Unloading and loading spaces for use with the units is allocated immediately to the front of each unit.

In terms of the Parish Council's objection regarding lack of disabled parking, it is true that the existing car parking allocation does not include disabled parking. As a result the relocated parking likewise does not include such parking as this relates solely to the pre-existing use of the site. This parking is not proposed for use in conjunction with the new storage units and the lack of such parking based on the existing use of the site is not a reason to refuse the current application. However it has been confirmed that should tenancy change within the existing premises there is sufficient space to accommodate disabled parking and the applicant would provide this if necessary.

Concerning access for emergency vehicles, the access into the Old Works will remain unaltered and will not be affected by the siting of the units or the relocation of the car park. The fire assembly point will also be maintained to the front of the site. Access within the site to the existing premises will be maintained with the same turning curve provided to the frontage of the existing units. The storage units are likely to attract a large estate car or transit van and turning curves to the front and rear of the site can accommodate such vehicles.

As stated, the application was initially to erect 12 self-storage units. The comments of the highways officer were based on the initial proposal of 12 and on this basis the development was considered acceptable. Concern was only expressed over any future increase in vehicle movements to/from the site. As the proposal is now for even less units, the number of vehicle movements will be less and therefore subject to the conditions as recommended by the highway officer, the proposal is considered acceptable on highway safety grounds.

Floodrisk and drainage

The proposed units will be located within a floodzone 1 and therefore will not be at risk of flooding. As the units will be sited on hardstanding there will be no increased risk of flooding.

In terms of surface water, this is to be disposed of to soakaways formed using Marley Storage / attenuation cages installed below the concrete parking surfaces. These attenuation units will provide sufficient strength to support vehicle loads and the ground conditions are suitable to receive such provision. The drainage systems will be fully compliant with Building Regulations ensuring that no roof water could be contaminated whilst it passes between the roof and the surface of the cage.

Economic Benefit

The site was a former tannery and hence has established historic rights which result in its current use for commercial activity. The applicant has investigated a variety of alternative uses of the site but these have not been supported in principle by the Local Planning Authority due to the location of the site within the open countryside. To ensure the future of the site, the applicant proposes the erection of the storage units to compliment the existing businesses at the site to ensure the viability of the site, thus preventing the site and premises from falling into a poor state of disrepair

Policy EC1 'Widening and Strengthening the Local Economy' supports new development for all types of employment generating activity. Although not directly generating employment, the proposal would provide storage space for either new or existing commercial enterprises in the area thus supporting the local economy. The development would provide financial support to ensure the continued use of this commercial site to the benefit of the existing businesses that operate from the site and thus should be supported on economic grounds.

Contamination

The site was formerly a tannery which would have used chemicals. Since purchasing the site, the applicant has used it for product storage and manufacture and items relating to that use are stored out in the open on the hardstanding area to the rear.

The proposed units are steel framed and will be sited on a new concrete base which will be raised approximately 75mm above external ground level and 125/150mm deep on a hardcore base, so only a 300mm excavation is likely from existing ground

levels. The ground will not be 'opened' up in order to erect the units and will be sealed either through the siting of the units on a concrete base or the hardstanding car parking. As stated earlier the soakaways to be provided in the car park will be designed so as to ensure no contamination of rainwater entering the soakaways.

In terms of contamination risk from goods stored within the units, the Local Planning Authority would have no control over such use but the applicant has a duty of care outside of the planning system and appropriate risk assessments would be made and such matters dealt with under the terms of the leases.

Amenity

The site is in an isolated location however there are two properties that abut the site. 'Linton' to the north and 'Lynwood' to the south. The owners of Lynwood have raised no objection only seeking clarification that their access to their sewer inspection manhole is maintained. Whilst this is a matter that would be dealt with from a technical viewpoint under Building Regulations, the applicant has stated that they would be happy to accept a planning condition to reassure the resident that stipulates that any access to drainage manhole covers should accord with Building Regulations before the units are first brought into use. However, such a condition would fail the tests set out in the NPPF as it would not be relevant to planning.

The dwelling 'Linton', is separated from the site by some planting consisting of a mix of young trees and shrubs planted on a low bank. These trees are not of high amenity value but they provide crucial screening between the house which has a storey extension almost abutting the boundary of the site and the industrial site. Following the amendment to the scheme and the removal of two of the units from the northern end of the site, there is now a greater distance from the dwelling to the closest unit. This greater distance will not only ensure the protection of the valuable tree screening but will reduce any impact the development may have on the amenities of 'Linton'.

In addition, the northern part of the site adjacent to 'Linton' is currently used for the open air storage of large catering equipment and building materials, all stored at quite a height, waste skips etc. To the south, the boundary of 'Lynwood' abuts a row of ships containers. These items would be removed to accommodate the new units and the relocated car parking which will significantly improve the visual amenity of the area to the benefit of both the adjoining neighbours.

Concerning the Parish Council's objection that the site is not controlled through hours of use, this relates to the existing use and is as a result of the historic use of the site as a tannery. It would be unreasonable to impose a restrictive hours condition for the use of the units at either ends of the site when the remainder of the site is not restricted and furthermore would be very difficult to enforce.

Conclusion

Although there is no direct employment gained from self-storage units, the proposed development would become part of an established, local business enterprise supporting the West Somerset Economy and would increase the potential viability of

the existing employment activity already established on the site. The development will not impact on the visual and residential amenities of the surrounding area, impact on highway safety or increase flood risk and therefore for these reasons it is recommended that planning permission is granted.

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



Application No 3/26/17/014
Erection of 12 No. single storey
self storage units and relocation
of car parking.
The Works, Old Cleeve,
Minehead, TA24 6HT

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

West Somerset Council
Licence Number: 100023932

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Northing: 141917

Scale: 1:1250



Delegated Decision List

Ref No.	Application	Proposal	Date	Decision	Officer
3/04/17/011	Gilmore Farm, Brushford, Somerset, TA22 9RT	Erection of two-storey extension	07 September 2017	Grant	SW
3/07/17/013	Poundisford Cottage, Cookley Lane, Crowcombe, TA4 4BQ	Erection of recreational building	01 September 2017	Grant	SW
3/09/17/003	Chilcott Woods Barn, Chilcott Lane, Dulverton, TA22 9QQ	Conversion of outbuilding into ancillary accommodation, replacement of conservatory with garden room and erection of stables/equestrian building (resubmission of 3/09/17/001)	05 September 2017	Grant	KW
3/16/17/003	Willoughby Cleeve, Hodders Combe Road, Holford, Bridgwater, TA5 1SA	Change of use of land from agricultural to domestic curtilage and the erection of 1 No. yurt	01 September 2017	Grant	DeG
3/17/17/003	Brendon Edge, Tanners Hill, Huish Champflower, Taunton, TA4 2EY	Change of use of building from drain laying business to domestic store, workshop and stables (retention of works already undertaken)	15 September 2017	Grant	KW

Ref No.	Application	Proposal	Date	Decision	Officer
3/21/17/074	Minehead Middle School, Ponsford Road, Minehead, TA24 5RH	Replacement of temporary classroom and store with the erection of a single storey extension to the main school building	11 September 2017	Grant	KW
3/21/17/076	11 The Avenue, Minehead, TA24 5AY	Display of 1 no. internally illuminated logo panel (retention of works already undertaken)	11 September 2017	Grant	KW
3/21/17/078	11 The Avenue, Minehead, TA24 5AY	Installation of an ATM (retention of works already undertaken)	11 September 2017	Grant	KW
3/21/17/082	Morningside, Barton Road, Minehead, TA24 6BZ	Erection of a conservatory to the front of the property	04 September 2017	Grant	SW
3/21/17/084	1 Moorlands, Moor Road, Minehead, TA24 5RT	Engineering works to create additional car parking	07 September 2017	Grant	SW
3/31/17/012	Whitmoor Farm, Willett Hill Cross to Thornbush Cross, Elworthy, TA4 3QD	Erection of a detached 3 vehicle carport/garage	01 September 2017	Grant	SW
3/32/17/011	Pixies Field, Wick Moor Drove, South of Hinkley Point Complex	Construction of a 225 space car park and access for Hinkley Point B outages (retention of works already undertaken)	21 September 2017	Grant	ND

Ref No.	Application	Proposal	Date	Decision	Officer
3/33/17/001	Stringston Farm, Barnsworthy Farm Road, Stringston, Bridgwater, TA5 1SX	Replacement of an agricultural building	18 September 2017	Grant	DA
3/37/17/018	Quietways, 14 St Decumans Road, Watchet, TA23 0HR	Erection of single storey utility extension on the south-east elevation	04 September 2017	Grant	SW
3/39/17/019	Treboro, 6 Catwell, Williton, Taunton, TA4 4PF	Erection of single storey rear and side extension and adjustments to vehicular access	24 August 2017	Grant	SW
3/39/17/020	34 Whitecroft, Williton, Taunton, TA4 4RX	Erection of a single storey extension to the rear elevation	05 September 2017	Grant	SW
RTC/21/17/001	5 Parkhouse Road, Minehead, TA24 8AB	Prior approval for proposed change of use from shops (Class A1), financial and professional services (Class A2), betting offices (Sui Generis) to restaurants and cafes (Class A3)	05 September 2017	Prior approval required and given subject	SK