



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 21 March 2018

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Dear Councillor

I hereby give you notice to attend the following meeting:

PLANNING COMMITTEE

Date: Thursday 29 March 2018

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 29 March 2018 at 4.30pm
COUNCIL CHAMBER, COUNCIL OFFICES, WILLITON

AGENDA**1. Apologies for Absence****2. Minutes**

Minutes of the Meeting of the 22nd February 2018 - **SEE ATTACHED**

3. Declarations of Interest or Lobbying

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

4. Public Participation

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

For those members of the public wishing to speak at this meeting there are a few points you might like to note.

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

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

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

Report No: Ten

Date: 21 March 2018

<u>Ref No.</u>	<u>Application/Report</u>
3/05/18/001	Erection of balcony and porch to principal elevation plus timber decking (retention of works already undertaken). Newlands, Carhampton Road, Carhampton, Minehead, TA24 6LB.
3/06/17/002	Change of use of agricultural land to equestrian, erection of 1 No. stable/barn with formation of access track. Land at un-named road, Mill Lane to Scotts Hill, Clatworthy, Somerset.
3/09/17/005	Erection of 1 No. detached dwelling with garage and associated works. Land between No's 6 and 8 Battleton, Dulverton TA22 9HT.
3/39/18/002	Siting of a static caravan and installation of a metal fence (retention of works already undertaken). Doniford Farm Park, Doniford Farm, Doniford Road, Watchet, TA23 0TQ.

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

7. **Appeals Lodged**

Appeal against the refusal of planning permission for the erection of 1 No. dwelling and associated works at Combe Water, 29 Manor Road, Alcombe, Minehead, TA24 6EJ (application 3/21/17/091).

Appeal against the refusal of planning permission for an outline planning application with all matters reserved except for means of access for the erection of 1 No. dwelling in the garden to the rear at 22 Whitecroft, Williton, TA4 4RX (application 3/39/17/014).

Appeal against the refusal of planning permission for the erection of one dwelling with detached garage and associated works at Magnolia House, Abbey Road, Washford, TA23 0PR (application 3/26/17/017)

Appeal against the refusal of planning permission for an outline application with all matters reserved, except for means of access, for the erection of five dwellings and associated works on land adjacent to Garlands, Withycombe Lane, Withycombe, TA24 6RF (application no. 3/05/17/016)

8. **Appeals Decided**

No appeals

9. **Reserve date for site visits** – 23 April

10. **Next Committee date** – 26 April

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 22 February 2018 at 4.30 pm****Present:**

Councillor S J PugsleyChairman
 Councillor B Maitland-WalkerVice Chairman

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

Officers in Attendance:

Area Planning Manager – Bryn Kitching
 Assistant Director Planning and Environment – Tim Burton
 Planning Officer – Sue Keal
 Principal Planning Officer (Agency Consultant) – Stephen Belli
 Legal Advisor – Nick Hill – Shape Partnership Services
 Democratic Services Officer – Tracey Meadows

P71 Apologies for absence

There were apologies for absence from Councillor I Jones

P72 Minutes

Resolved that the Minutes of the Planning Committee Meeting held on the 25 February 2018 circulated at the meeting be confirmed as a correct record.

Proposed by Councillor K Turner, seconded by Councillor C Morgan

The **motion** was carried.

P73 Declarations of Interest or Lobbying

Councillor S Dowding declared that he was the agent for application No. 3/01/17/013. He declared that he would speak as a local member then leave the room. Councillors Goss and Morgan declared an interest on application No. 3/32/17/015, declared that this had been debated at Stogursey Parish Council, but had not 'fettered their discretion'.

P74 Public Participation

Min No.	Reference No.	Application	Name	Position	Stance
P75	3/01/17/013	Various internal and external alterations. Almshouses, Woolston Lane, Sampford Brett			
P75	3/06/17/002	Change of use of agricultural to equestrian, erection of 1 No. stable/barn with formation of access track. Land at un-named road, Mill Lane to Scotts hill, Clatworthy, Somerset	Mr Ward Sally Moran	Local Resident Clatworthy Parish Council	Objecting Objecting
P75	3/21/17/115	Demolition of outbuilding/storage building and erection of 1 No. detached dwelling with formation of access, associate parking and garden to the rear. 56 Bampton Street Minehead			
P75	3/21/17/119	Application for approval of reserved matters following outline Application 33/21/13/120 for a residential development of up to 71 No. dwellings, access, landscaping and associated works. Land off Hopcott Road, Minehead	Cllr A Hadley Mr Hutton	Local Councillor Agent	Infavour
P75	3/26/17/023	Variation of Condition No.2 (approved plans) of application 3/26/14/017. Land adjacent to Walnut Tree Cottage, Huish Lane, Washford, Old Cleeve, Watchet	Mr Gannon Mr Roberts	Old Cleeve Parish Council Applicant	Objecting Infavour

P75	3/32/17/015	Flood defence improvement works. Gorpit Lane, Stogursey	Mr Bereton Matt Phillips	Local resident Agent	Infavour
P75	TPO	TPO confirmation at Brushford			

P75 Town and Country Planning Act 1990 and Other Matters

Report nine of the Planning Team dated 14 February 2018 (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

3/01/17/013 - Various internal and external alterations. Almshouses, Woolston Lane, Sampford Brett

The Member's debate centred on the following issues;

- The Alms houses were for elderly residents and the secondary glazing was essential for their good health and wellbeing;
- Concerns that all the windows were not having ventilation grills;

Councillor C Morgan proposed and Councillor B Heywood seconded a motion that the application be **Approved**

The **Motion** was carried

Reference Location, Proposal, Debate and Decision

3/06/17/002 - Change of use of agricultural land to equestrian, erection of 1 No. stable/barn with formation of access track. Land at un-named road, Mill Lane to Scotts Hill, Clatworthy, Somerset

Comments by members of the public;

- There were Livery Stables nearby, why did the owners of this property want to stable horses 10 miles away from their place of residency;
- Concerns that the field gateway been substantially modified as access for tractors and trailers has never been a problem in the past;
- Concerns with passing places in the lane;

- The Local Plan Policy OC1 did not support this application;
- There was no economic or community benefit for this development;
- These types of development needed to adhere the West Somerset Landscape Character Assessment;

The Member's debate centered on the following issues;

- Development of this sort was not suitable in this part of open country side;
- No commercial benefit;
- Detrimental to the neighborhood;
- Sustainability ;
- This was a major application for Clatworthy, a site visit was essential;

Councillor C Morgan proposed and Councillor T Venner seconded a motion that the application be **Deferred** for a site visit.

The **Motion** was carried

Reference Location, Proposal, Debate and Decision

3/21/17/115 - Demolition of outbuilding / storage building and erection of 1 No. detached dwelling with formation of access, associated parking and garden to the rear. 56 Bampton Street, Minehead

The Member's debate centred on the following issues;

- This development would be an Improvement to the area;
- The development was small with no garden, future generations would regret this;
- Concerns that the development would add more cars onto an already congested street;
- Over development of the site;
- Concerns that this development would change the character of the area;
- The old farm building walls would need to be kept for continuity;

Councillor K Mills proposed and Councillor B Maitland-Walker seconded a motion that the application be **Approved**

The **motion** was carried

Reference Location, Proposal, Debate and Decision

3/21/17/119 - Application for approval of reserved matters following Outline Application 3/21/13/120 for a residential development of up to 71 No. dwellings, access, landscaping and associated works. Land off Hopcott Road, Minehead

Comments by members of the public;

- Pleased that the developers have brought forward a site with 35% Affordable Housing which was much needed in Minehead and West Somerset;

- Concerns with the 18% short fall of parking spaces on the site;
- Proposal would provide large safe public open spaces on the site with various items to encourage play;
- Modern methods of construction used to minimalise disruption on the site;

The Member's debate centred on the following issues;

- The Master Plan needed to be implemented before development commenced;
- Not in keeping, properties looked like 'Beach Huts'
- The sympathetic colours used would make the development blend into the landscape;
- Pleased that we were getting 35% affordable housing on this site;
- Concerns that Policy T8, Residential Car Parking was not met;
- Concerns that parking was insufficient to meet the Somerset County Council parking strategy policy for residential development;
- Concerns that no reference had been made to Motor Cycle parking or the installation of electric charging points for cars and mobility scooters;
- Flooding issues;
- Concerns with the colour scheme, muted colouring was needed to blend in with the landscape;
- Concerns that the type of units proposed were the correct mix for the aging population;
- Concerns with injudicious parking on Hopcott Road;
- Concerns with lack of public transport;

Councillor B Maitland-Walker proposed and Councillor R Woods seconded a motion that the application be **Deferred** for consideration of;

- Design issues relating to materials and a greater range of finishes should be included, render and potentially wood cladding;
- Landscaping;
- Parking;

The **motion** was carried.

Reference Location, Proposal, Debate and Decision

3/26/17/023 - Variation of Condition No. 02 (approved plans) of application 3/26/14/017. Land adjacent to Walnut Tree Cottage, Huish Lane, Washford, Old Cleeve, Watchet

Comments by members of the public;

- Over development of the site;
- A condition to remove all Permitted Development Rights was needed to ensure that no further developments were made on the site;
- Request was only for the garage to be wider to accommodate getting in and out of a vehicle in a wheel chair;
- The garden would be reduced by only 4.3%;

The Member's debate centred on the following issues;

- The variation of this condition seemed reasonable on the needs of the applicant;
- Removal of Permitted Development Rights was needed to prevent further development on the site;

Councillor S Goss proposed and Councillor R Woods seconded a motion that the application be **Approved** with an additional condition for the removal of Permitted Development Rights to prevent over development of the site.

The **motion** was carried.

Councillor B Maitland-Walker took the Chair.

Reference Location, Proposal, Debate and Decision

3/32/17/015 - Flood defence improvement works. Gorpit Lane, Stogursey

Comments by members of the public;

- Supports principle, but concerns with insufficient funding for a proper structure of Rock Armour;
- Concerns with the narrow lane leading up to the site. Work needs to be done on the lane before work commences;
- Safe guards needed to be put in place to protect properties;
- Concerns that funding was tight for this site;
- Requested that Highways undertook surveys to assess the route to the site and for vulnerable properties;

The Member's debate centred on the following issues;

- Access to the site was really difficult, the application should be deferred for a site visit;
- HGV movement would be excessive to this site;
- Pleased that a scheme has been proposed to protect the village;
- No passing places on the lane, lane used by heavy farm machinery and tourists;
- Rock Armour has not been used in this country, it has only been trialled in the Netherlands;
- Can this withstand the silt of the Estuary;

Councillor S Goss proposed and Councillor S Dowding seconded a motion that the application be **Deferred**

The **Motion** was lost

Councillor I Aldridge proposed and Councillor P Murphy seconded a motion that the application be **Approved**. And that Delegated powers be given to the Assistant Director of Planning and Environment to grant planning permission subject to the completion of the Appropriate Assessment under s63 of the Conservation of Habitats and Species Regulations 2017 and views of Natural England; submission of the application to the Secretary of State (under s64 of the above Regulations; and any other planning conditions that are deemed necessary.

The **motion** was carried

P76 Objection to West Somerset District Tree Preservation Order T/3/134, (Brushford No.1) 2017, land north of 2 Orchard Cottages, Brushford

The Tree Preservation Order protects one birch tree, two oaks and four beech trees. The birch, oaks and one beech are on the site of a proposed development, under application 3/04/17/010. The remaining three beech trees are on land to the west, called The Pound.

A planning application has been submitted (3/04/17/010) to develop the land north of 2 Orchard Cottage. It is considered that the trees have amenity value. The TPO aims to ensure that the trees shown to be retained are protected, and that the large beech trees on the land to the west of the development are protected, in anticipation of pressure to prune or fell if planning permission is granted.

Tree Preservation Order comes into force on the day that it is served for a period of 6 months. The TPO lapses after that date unless it has been confirmed by the Council. If there are no objections to the TPO, it can be confirmed. If any objections are received, the points raised must be considered and a decision made as to whether to confirm the TPO, either with or without modification. The decision whether to confirm a TPO that raises objections is taken by members of the Planning Committee.

When deciding whether to serve and confirm a TPO, the present or future public amenity value of the trees must be considered. Tree Preservation Orders are served to protect selected trees if their removal would have a significant impact on the local environment. TPO trees should therefore be visible from a public place, such as a road or footpath.

In assessing a tree's amenity value, consideration must be paid to its visual impact, its health and structural integrity, its life expectancy and its suitability to the location. The tree's potential impact on highways, services and structures should be considered.

An objection to the TPO was received by email on 23rd October, from Mrs Courtnell, owner of The Pound, and therefore three of the protected beech trees. (No objection to the TPO was received from the owner of the development site).

The reasons given for objection can be summarised as follows:

- a) Prior to the development application, the trees had not been classed as having a high amenity value, and had not been protected by the council with a TPO;
- b) The owner has no intention of felling the trees, and would not be swayed by pressure from neighbours;
- c) The owner would like to be able to carry out management works to the trees without the need to seek permission from the council;
- d) Minor pruning would not affect the visual impact of the trees;

A site meeting was held by the owners and Tree Officer on 16th November, at which some management works (to prune low branches) were agreed in principle, subject to an application being made.

It is therefore recommended that the Tree Preservation Order is confirmed, unmodified.

Councillor B Heywood proposed and Councillor P Murphy seconded a **motion** that the Tree Preservation Order be confirmed.

The **motion** was carried

P77 Exmoor National Park Matters

Councillor B Heywood reported on matters relating to West Somerset considered at the meeting on 6 February 2018 of the Exmoor National Park Planning Committee. This included:

Application No. 62/50/17/011 - Proposed reinstatement of hedge bank and alterations to access. As per additional information 15.01.18. (Full) Fair View, Lane from Parracombe Primary School to The Halt, Parracombe. Approved

Appeals decided - Certificate of Lawful use and secondly planning permission was granted for proposed commercial former stables and grooms quarters to create a two bedroom dwelling at Wellfield, Lynton.

No Appeals were lodged.

Stated that members were giving planning training regarding the major development test as this will apply to the forth coming all day meeting planned for the 6 March in Lynton Town Hall to consider the application for the proposed reinstatement of the historic Lynton to Barnstable Railway from Killington Lane to Rathmore Gate a distance of 4.5 miles. This was the most important application the authority had ever considered.

P78 Delegated Decision List (replies from Officers are in italic)

No queries raised

P79 Appeals Lodged

Appeal against the refusal of planning permission for the variation of condition no. 2 (approved plans) on planning application 3/26/14/017, which relates to the erection of a dwelling on a plot adjacent to Walnut Tree Cottage, Huish Lane, Washford, Old Cleeve, Watchet, TA23 0NY (application 3/26/17/020).

Appeal against the refusal of planning permission for the reconstruction and conversion of two derelict buildings into two holiday let accommodation at the former Scarr House, Lydeard St Lawrence, TA4 3RH (application 3/02/16/005).

P80 Appeals Decided

No appeals decided

The meeting closed at 8.38pm

DRAFT

Application No:	3/05/18/001
Parish	Carhampton
Application Type	Full Planning Permission
Case Officer:	Sarah Wilsher
Grid Ref	Easting: 302111 Northing: 143371
Applicant	Mr Martin Kelly
Proposal	Erection of balcony and porch to principal elevation plus timber decking (retention of works already undertaken)
Location	Newlands, Carhampton Road, Carhampton, Minehead, TA24 6LB
Reason for referral to Committee	Contrary to Parish Council recommendation.

Recommendation

Recommended decision: Grant

Recommended Conditions

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

(A4) DrNo KEL/18133/LSP Site Location Plan
(A3) DrNo KEL/18133/ESP Rev B Site Plan received on 7 February 2018
(A3) DrNo KEL/18133/01 Rev C Existing Elevations
(A3) DrNo KEL/18133/02 Porch and Balcony Elevations
(A4) DrNo KEL/18133/04 Rev B Proposed Metal Balustrade

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

- 2 The lower level of the decking area shall be removed within three months of the date of this permission.

Reason: To safeguard the character of the area.

- 3 The materials to be used in the construction of the external surfaces of the development shall be as detailed in the approved plans. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

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

- 4 (i) The landscaping/planting scheme shown on the approved plan shall be

completely carried out within the first available planting season.

(ii) For a period of five years after the completion of the development, the planting shall be protected and maintained in a healthy weed free condition and any shrubs and climbing plants that cease to grow, shall be replaced by plants of similar size and species or other appropriate shrubs as may be approved in writing by the Local Planning Authority.

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

- 5 The hedging along the frontage of Newlands shall be maintained at a minimum height of 1.5 metres high from the higher decking level and thereafter be retained.

Reason: To safeguard the character of the area / In the interests of the amenities of the neighbouring residents.

- 6 The wooden framework of the decking and fencing shall be stained dark brown and thereafter be permanently retained.

Reason: To safeguard the character of the 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, during the consideration of the application certain elements of the proposal were deemed to be unacceptable in respect of appearance and impact on the street scene. The Local Planning Authority contacted the applicant and sought amendments to the scheme to address this issue and amended plans were submitted. For the reasons given above and expanded upon in the planning officer's report, the application, in its revised form, was considered acceptable and planning permission was granted.

Proposal

It is proposed to retain a balcony on the front (west) elevation, forward of the bay window which incorporates newly installed patio doors. The balcony protrudes about 1.27 m from the front elevation and is 1.785 metres wide, making an area of 2.27 square metres. It has a wooden base with a 1.16 metre high wrought iron balustrade. The balcony sits approximately 0.8 metres above ground level.

It is also proposed to retain a porch canopy over the front door on the west elevation. This is a timber framed dual-pitched canopy with plain clay tiles which is 3.45 metres high to the ridge from ground level and supported by two timber posts. It protrudes 1.7 metres from the west elevation.

In addition, it was originally proposed to retain an area of L-shaped decking which lies forward of the front elevation, approximately 62 square metres in size. This includes a higher level closer to the house of about 17 square metres with a height of 1.7 m and a lower level further to the west and away from the house of about 43 square metres with a height of 2m . The decking is enclosed by a timber ranch style 0.89 m high balustrade. To hide the supporting structure there is a picket fence which runs beneath the north elevation of the decking. Due to sloping ground levels this ranges from 0.7 m high at the eastern end of the decking to 1.3 m to the western end. The entrance to the decking is via a metal arch style pair of gates to the east. Following concerns as to the extent of the decking in the front garden, amended plans were sought and received to retain only the higher decking area closer to the house, replacing the existing timber ranch style balustrading with metal railings and for the lower decking area to be removed.

A 1.8 metre timber fence and gate has been erected on land between the dwelling and the decking. As it is not over the 2 metres this does not require planning permission.

Site Description

Newlands is a detached rendered dwelling under a dual-pitched plain clay tiled roof with two gables on the front elevation and upvc fenestration. It lies on the eastern side of Carhampton Road, a main road which leads to the seafront in Blue Anchor.

Relevant Planning History

No relevant planning history.

Consultation Responses

Carhampton Parish Council - The above retrospective Planning Application was discussed at the 1st February 2018 meeting of Carhampton Parish Council and a number of concerns were raised in respect of same. I hereby detail the Parish Council's objections to the proposed development.

1. We emphasise that the development is totally out of keeping with the area, the property, surrounding properties and the village of Blue Anchor. The decking area is substantial as it covers over 50% of the total footprint of the property itself and is extremely high in places, overlooking adjacent properties and those opposite. It is close to the to the boundaries of neighbouring properties, many of which are used for letting and bed and breakfasts. Some of their rooms have

this extensive decking as their main view which will have an impact on these local businesses.

2. There are concerns over the eventual use of the property. It has been unoccupied for a long period with extensive works being carried out by builders. This has created significant noise within the village and to neighbouring properties. The size of the decking would suggest that, potentially, it could be used for large gatherings. This would create significant noise and therefore impact on the neighbouring businesses who market their properties as quiet retreats.
3. Blue Anchor is a village that is known for being very special and historic and attracts many visitors for these reasons. There are concerns that allowing this development to continue would set a precedent for others in the village to develop their properties potentially ruining a very special village.

To summarise; the Parish Council feel the proposed development would have a significant impact on local business, surrounding properties and residents and the village of Blue Anchor. This is due to the sheer volume of the works to be carried out and concerns over the eventual use of the property.

Please accept this letter as Carhampton Parish Council's objection to the proposed development of the site.

Following the receipt of amended plans, the following was received from the Parish Council:

The above amended retrospective Planning Application was discussed at the 8th March 2018 meeting of Carhampton Parish Council. A number of concerns still remain in respect of same. I hereby detail the Parish Council's continued objections to the proposed development.

1. We emphasise that the amended retrospective plans for the development remain totally out of keeping with the area, the property, surrounding properties and the village of Blue Anchor.
The amended decking area is extremely high in places, overlooking adjacent properties and those opposite. It is close to the boundaries of neighbouring properties, many of which are used for letting and bed and breakfasts. Some of their rooms have this decking as their main view which will have an impact on these local businesses.
2. There are concerns over the eventual use of the property. It has been unoccupied for a long period with extensive works being carried out by builders. This has created significant noise within the village and to neighbouring properties. The continued development of the property will create significant noise and therefore impact on the neighbouring businesses who market their properties as quiet retreats.
3. Blue Anchor is a village that is known for being very special and historic and attracts many visitors for these reasons. There are concerns that allowing this development to continue would set a precedent for others in the village

to develop their properties potentially ruining a very special village.

To summarise; the Parish Council feel the amended plans for the retrospective development would have a significant impact on local business, surrounding properties and residents and the village of Blue Anchor. This is due to the sheer volume of the works to be carried out and concerns over the eventual use of the property.

Please accept this letter as Carhampton Parish Council's objection to the proposed development of the site.

Representations Received

Nine letters of objection have been received, giving the following comments:

- The changes made to Newlands have adversely altered the appearance and outward character of the house.
- The decking area has created an intrusion for all the immediate neighbours and those over the road.
- The huge decking area is inappropriate and unnecessary.
- The decking area is very extensive, over 65 square metres (which constitutes more than 50% of the total footprint of Newlands house itself). It is inappropriate and very high (over 1m in places, 2m above Newlands house itself and 3m above the highway, the B3191).
- The decking is close to the highway and our boundary and visible from a number of our B&B and letting rooms and overlooks our land which we feel compromises our privacy and the value of our property.
- The height of the decking allows overlooking of properties across the road, which are at a lower level.
- The decking area is of such a height and proximity that it allows anyone using it to look directly into the windows of Merlin House, Fairholm and Western View.
- The hedge restricts views but there is nothing to say that the hedge will remain. Use of binoculars would further compromise privacy.
- Being sited at the front of the property in an elevated and open position any noise arising from the use of the decking as a social area would carry and compromise the rights of close neighbours.
- The balcony, porch and decking area are all built forward of the building line and are out of character with the local environment. No other properties have such features.
- Approval of these alterations will set a precedent for any future applications and the character and charm of the village will be lost forever.
- The decking is not in keeping with its surroundings and the scale of the original property and overlooks neighbouring properties.
- The property has been unoccupied for 3.5 years and there are concerns over how the property will be used.
- The attractive frontage has been totally ruined by the hideous cottage style porch and the modern balcony and patio doors.
- The intimate and timeless aspect of the village will be lost and we will lose

business as a result.

- In the past structures beyond the building line have been resisted by residents and planners.

Following amendments the following seven letters of objection have been received:

- Although the decking is a smaller size the basic look of the structure and its overlooking position still remain the same.
- The deck will still be close to 1 metre above ground, 1.6 metres above Newland's driveway and 3 metres above the highway and still affords overlooking views into properties on the other side of the road.
- Lines of sight will still fall across the front of our house, including kitchen, hall and front bedroom windows.
- Concerns over how the property will be used.
- Substantial work has been undertaken within the site including a loft conversion and velux windows to the rear, rear conservatory and three sheds to the rear. These are not shown on the plans.
- The distance between The Langbury and Newlands is shown as 5/6 metres on the plans, whereas it is much closer, averaging 1.5 metres.
- The footprint and height of the remaining decking area is still substantial, providing significant outdoor socialising space at the front of the property.
- Potential noise levels particularly if the property is used for holiday or weekend party lettings.
- Negative reviews could be received about my business, which is opposite Newlands, regarding noise and lack of privacy.
- The modified decking, balcony and porch still go beyond the building line of the property and were constructed with no intention of acquiring permission in advance. If planning permission is now granted, it sets a precedent for more future extensions on this site, which would not be in keeping with the surroundings, the scale of the original property or planning guidance.
- Newlands is a classic style Edwardian property and the changes are definitely not in keeping with this property.
- The scale, proportions and detailing of the unauthorised structures are not in character and are not appropriate to the building to which they relate - they do not therefore comply with the District's Local Plan requirements.
- Potential reduction in value of our businesses.

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
SC1 Hierarchy of settlements

Retained saved policies of the West Somerset Local Plan (2006)

BD/3 Conversions, Alterations and, Extensions

Determining issues and considerations

The determining issues are the affect on the amenity of neighbouring properties, the appearance of the development and the impact on the street scene.

The balcony and porch

There is a wall of approximately 1.37 m in height between Newlands and Bradbury House to the north. The wall will screen the balcony from view and as there is about 20 metres between dwellings there will be no direct overlooking. There may be some overlooking of the curtilage of the neighbour from the balcony, however, due to the relatively low height of the wall it is considered that there may already be some overlooking and this is unlikely to be exacerbated with the erection of the balcony.

There is a tall hedge along the frontage of Newlands, which is about 1.4 metres in height from Newland's ground level. This hedge obscures the balcony and porch from view.

In terms of appearance, the metal balustrade of the balcony is considered to be aesthetically pleasing and unobtrusive, and in keeping with the appearance of the west elevation. The porch canopy roof protrudes 1.7 metres from the front elevation , coming forward of both the bay windows. However, the style and design of the framing echoes that of the two gables on the dwelling and the clay tiles are in keeping with the existing roof so it is considered to be acceptable in terms of design and materials. It cannot be seen from the highway and so has no impact on the street scene. It is considered to be acceptable.

The decking area

The decking area, as built, is sited forward of the dwelling house. The lower deck which is sited away from the dwelling house and close to the front boundary hedge is 2 m high. As such overlooking could be an issue. From the deck it is possible to

see the upstairs windows of Merlin House, the closest dwelling on the opposite side of the road from Newlands. However, these windows can be seen from elsewhere within the curtilage of Newlands and as there is a distance of 25 metres between the decking and Merlin House it is considered that the decking will not lead to overlooking. Indeed with the proposed removal of the lower deck the distance has increased between the neighbour and the higher level decking and there is now approximately 30 metres between the decking and Merlin House. Overlooking is therefore not considered to be an issue.

The front hedge was at a height of 1.5 metres above the decking when the site visit was undertaken and the other property to the west, Fairholm could not be easily seen from the decking. With the lower deck removed the distance between the decking and Fairholm has increased and it is considered that the height of the hedge at 1.5 metres is sufficient to prevent any potential overlooking problems. The hedge will therefore be conditioned to be at a minimum height of 1.5 metres and permanently retained thereafter.

To the south of Newlands is Langbury House, a bed and breakfast establishment. Due to the different land levels between the two properties, the decking brings the level of the land at Newlands up to the same height as the parking area to the front of Langbury House. There is a fence with trellis above the decking which lies adjacent to the fence belonging to Langbury House. The fence with trellis is about 1.8 metres high and effectively prevents any significant overlooking between the two curtilages. However, with the reduction of the lower deck this associated fence and trellis will be removed, leaving only the higher deck which is sited 2.3 metres from the boundary with Langbury House. There is a mature walnut tree and vegetation between the south elevation of the decking and Langbury House which effectively prevents any overlooking from the decking to the neighbouring property.

Comments have been made about the future use of Newlands and the decking and the potential for noise levels. The house is considered to have a C3 residential use. There is a table with bench seating situated on the higher decking level, but as this is situated close to the house and away from the hedgeline to the front it is considered that any noise would be similar to any house owners/occupiers enjoying their front garden. The hedge to the west and vegetation to the south will also help to stifle any noise from the decking area.

The decking as built is rather unsightly and is considered to adversely affect the character of the streetscene. The picket fence beneath the height of the decking and the ranch style balustrade to the north elevation of the decking can be seen from the road through the vehicular access. To improve this view of the decking, amended plans and a landscaping plan were sought. There is already mixed shrub ground cover below the picket fencing along the north elevation and climbing plants, such as virginia creeper, will be planted at 1 metre intervals to cover the fencing. In addition, the ranch style open balustrade will be replaced with a metal balustrade of 1.17 metres in height from the floor level of the decking. The fencing will also be conditioned to be stained dark brown so that it more easily assimilates into the landscape and is less visible within the street scene.

With the reduction in decking to the higher level only, the proposed metal balustrade

will run along the north and west elevations of the decking and the Virginia Creeper will be planted at 1 metre intervals along the west elevation of the decking which will improve the appearance of the decking and the street scene. As stated above, the hedging will be conditioned to be a minimum height of 1.5 metres to ensure there is no potential overlooking and no future impact on the street scene.

A reduction in size of the decking to solely the higher deck, is sited partly to the side and forward of the dwelling, yet set back approximately 9 metres from the hedge boundary with the highway. This is considered to be a much more appropriate size. It will be mainly hidden from view by the hedging and what can be seen will be conditioned to be more in keeping with the landscape and the street scene. It is therefore considered that there will be little impact on the appearance or character of Blue Anchor.

Objection comments have included mention of a rear conservatory, loft conversion and outbuildings in the back garden. It is to be noted that these have already been investigated by Planning Enforcement and are considered to be permitted development.

It is therefore considered that the proposed development is acceptable as the proposed retention of the one section of decking will not adversely affect the amenities of neighbours, the streetscene or the design of the property and is therefore in accordance with policy SC1 of the West Somerset Local Plan to 2032 and policy BD/3 of the West Somerset District Local Plan (2006). It is recommended for conditional approval.

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



Application No 3/05/18/001
 Erection of balcony and porch
 to principal elevation and
 timber decking (retention of
 works already undertaken)
 Newlands, Carhampton Road,
 Carhampton, Minehead, TA24
 6LB

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



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Application No:	3/06/17/002
Parish	Clatworthy
Application Type	Full Planning Permission
Case Officer:	Elizabeth Peeks
Grid Ref	
Applicant	Mr Clatworthy
Proposal	Change of use of agricultural land to equestrian, erection of 1 No. stable/barn with formation of access track.
Location	Land at un-named road, Mill Lane to Scotts Hill, Clatworthy, Somerset
Reason for referral to Committee	The views of the Parish Council are contrary to the recommendation.

Recommendation

Recommended decision: Grant

Recommended Conditions

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

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

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

Dr No. 1602/100 (A1) Existing Site Plan (A1) (Site Location & Site Block Plan)
Dr No. 1602/203 (A1) Proposed Plans and Elevations

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

- 3 The development hereby permitted shall only be used for private recreational purposes and shall not be used in connection with any commercial livery or other equestrian enterprise.

Reason: In view of the location of the site in the open countryside the Local Planning Authority does not consider the site suitable for anything other than private use having regard to the provisions of Policy OC1 of the West Somerset Local Plan

- 4 Notwithstanding the submitted landscaping details, prior to the commencement

of the stabling building hereby permitted, details of a landscape planting scheme to include details of species, siting and numbers of species to be planted, shall be submitted to and approved in writing by the Local Planning Authority. The landscape planting shall be completely carried out within the first planting available season following approval of the scheme unless otherwise extended within the agreement in writing with the Local Planning Authority. For a period of five years after the completion of the planting all 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 the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the character and appearance of the 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, during the consideration of the application. Certain elements of the proposal were deemed to be unacceptable in respect of landscape impact. The Local Planning Authority contacted the applicant and sought amendments to the scheme to address this issue and amended plans were submitted. For the reasons given above and expanded upon in the planning officer's report, the application, in its revised form, was considered acceptable and planning permission was granted.

- 2 The principle for the proposed landscaping scheme submitted with the letter dated 27 February from Mr and Mrs Robinson is acceptable in principle. Further details relating to the number and size of plants together with details of the Devon bank and the the inclusion of the young Oak tree are required.

Proposal

The proposal is for a change of use of two small agricultural fields to enable the keeping of horses.

The application also originally proposed to erect a field shelter in one field and a larger building in the second to provide stabling and storage. The buildings were to be accessed by the formation of a 3m wide gravel track that would run from the field access off the public highway along the northern boundary of the fields to the

buildings. Works to widen the field access and the laying of a short section of the hardcore track within the field entrance have been undertaken.

Following concerns raised during the consultation process, the scheme has been amended. The field shelter has been omitted and a smaller traditional style stable building will now replace the larger stable building and has been resited adjacent to the roadside boundary hedge. A short section of trackway is now proposed to the proposed building.

The proposed stable building will comprise one stable and a store room and will be of feather edge boarded walling with a dark grey metal sheet clad roof. Due to the sloping nature of the field, the building will require cutting into the slope and the formation of a small retaining wall to the northern elevation and the formation of a Devon bank to the south. Planting will be carried out to the rear between the building and the hedge.

Site Description

The application site is an 8 acre (3.24 ha) parcel of agricultural land accessed off an unclassified road between Clatworthy and Huish Champflower.

The land is laid to grass and slopes to the south to a woodland and river (tributary to the River Tone) running along the southern boundary. The site is split into two fields with a post and wire fence dividing them.

Relevant Planning History

None

Consultation Responses

Clatworthy Parish Council – The Parish Council having reviewed revised plans continue to object to the application, both as inappropriate for the declared use and as an unwarranted development in an area designated as open countryside in the Local Plan.

Highways Development Control – Recommend Standing Advice

Economic Regeneration and Tourism – No comments received.

Tree Officer - I think that these proposed works will be OK with regards to trees. Although they have already enlarged the entrance to the south by cutting away some hedge- bank, they are still far enough away I think to have avoided damaging the oak tree significantly.

Having met the owners who happened to be on site, I understand that no excavation will be necessary for the track.

The proposed barn and stable block appears to be far enough away from the nearest hedgerow oak so as not to damage it. It might be worth requesting that the drawing is amended to show the hedgerow oak in relation to this building.

They have created a new hedge-bank into the field south of the gate. I have requested that some of this is removed, as it is on top of oak tree roots, which they have agreed to do.

Landscape Officer – Following objections to the design, scale and siting of the proposed development the scheme was amended based on the recommendations of the Council's Landscape Officer who suggested the siting of a traditional timber style stable building adjacent to the roadside boundary hedgerow by cutting into the slope of the field.

Following the receipt of a landscaping scheme - happy in principle with the scheme but require further details and the young Oak tree should be included within the scheme.

Representations Received

Three letters of representation have been received which related to the original scheme. These stated that the development was inappropriate in a scenic valley and that the size of the stable building was excessive for the field size. The design of the barn was considered inappropriate for stabling horses with limited ventilation and natural light and concerns of effluent pollution from a muck heap. Further objections related to the formation of the widened access and the stone track which would have an effect on flood risk due to surface water run-off onto the road. It was also stated that the development would set a precedent and give rise to future approvals.

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
SC1	Hierarchy of settlements
NH13	Securing high standards of design

Determining issues and considerations

The main issues to consider in determining this application are the principle of development, design and landscape impact, highways, flood risk and pollution.

Principle

The site is in an open countryside location where Policy OC1 of the West Somerset Local Plan up to 2032 would guide development and in such locations development is generally not acceptable. Policy OC1 does not specifically cover equestrian developments however the use of agricultural land for the keeping of horses is an accepted and common use in such rural locations, in particular where there is good access to off road riding or quieter country lanes away from busier trafficked roads as is the case with this application. The proposed building would provide for stabling for private use in association with the use of land. There are no other buildings suitable for conversion within the landholding. The proposed scale of the building is commensurate with the size of the landholding and the proposed use of land and therefore the principle of the development is considered acceptable.

Design and Landscape impact

The scheme has been amended to address concerns regarding the design, scale and siting of the proposed stable/store building and the visual impact of associated development. This has seen the removal of both the isolated field shelter and the formation of the trackway along the northern field boundary from the scheme. The proposed stable building has also been redesigned, reduced in scale and resited. As a result, the building is now of a scale commensurate with the size of the associated landholding. The building now reflects a traditional timber stable building which is a common feature of rural landscapes.

On the advice of the Council's Landscape Officer the building has also been resited against the roadside boundary hedge utilising this natural boundary for screening. The building will be cut into the slope of the land to further reduce its height and its prominence in the landscape. As the public highway is a sunken lane with tall hedgerows either side, views of the stable building whilst on the road will be minimal.

In addition a landscaping scheme has been submitted following the February Committee meeting showing new hedgerows to the west and south of the stable and store and along part of the southern side of the existing stone track. A Devon bank along part of the proposed access to the building is also proposed. The hedgerows would consist of Blackthorn, Hazel, Hawthorn, Beech and Hornbeam. The Council's

Landscape Officer is happy in principle with the proposed landscaping scheme but requires more information (including size and number of plants and the inclusion of the young Oak tree). A landscaping condition is therefore recommended.

There is a public footpath however that leads from the public highway in a north/south direction across fields the other side of the road to the site. The footpath rises through the fields passing the site however the roadside boundary hedge will assist in screening the development. With additional planting proposed to the rear of the stable building the affect the development would have on the visual amenities of the area and the subsequent amenity value of using the footpath is considered minimal.

Highways

Concern has been expressed at the works which have already been carried out at the field entrance. These works however can be carried out as permitted development under Part 2 Class B of Schedule 1 of the Town and County (General Permitted Development) Order 2015.

The Highways Authority have recommended standing advice. The use of the land for the keeping of horses and the erection of a stable block will not give rise to any significant increase in traffic using this access and the public highway. Any concerns that relate to any future use of the site cannot be taken into account in the determination of this application. To ensure however that the development is solely used for private use and not DIY livery, it is recommended that a condition is attached accordingly should permission be granted.

Flood Risk and Pollution

There is a stream that runs along the southern boundary of the site but the grazing of horses would have no further pollution risk than when the field is grazed by livestock.

The stables will be a considerable distance from the stream and with one stable, both the distance involved and the amount of waste produced would not give rise to any effluent run off concerns.

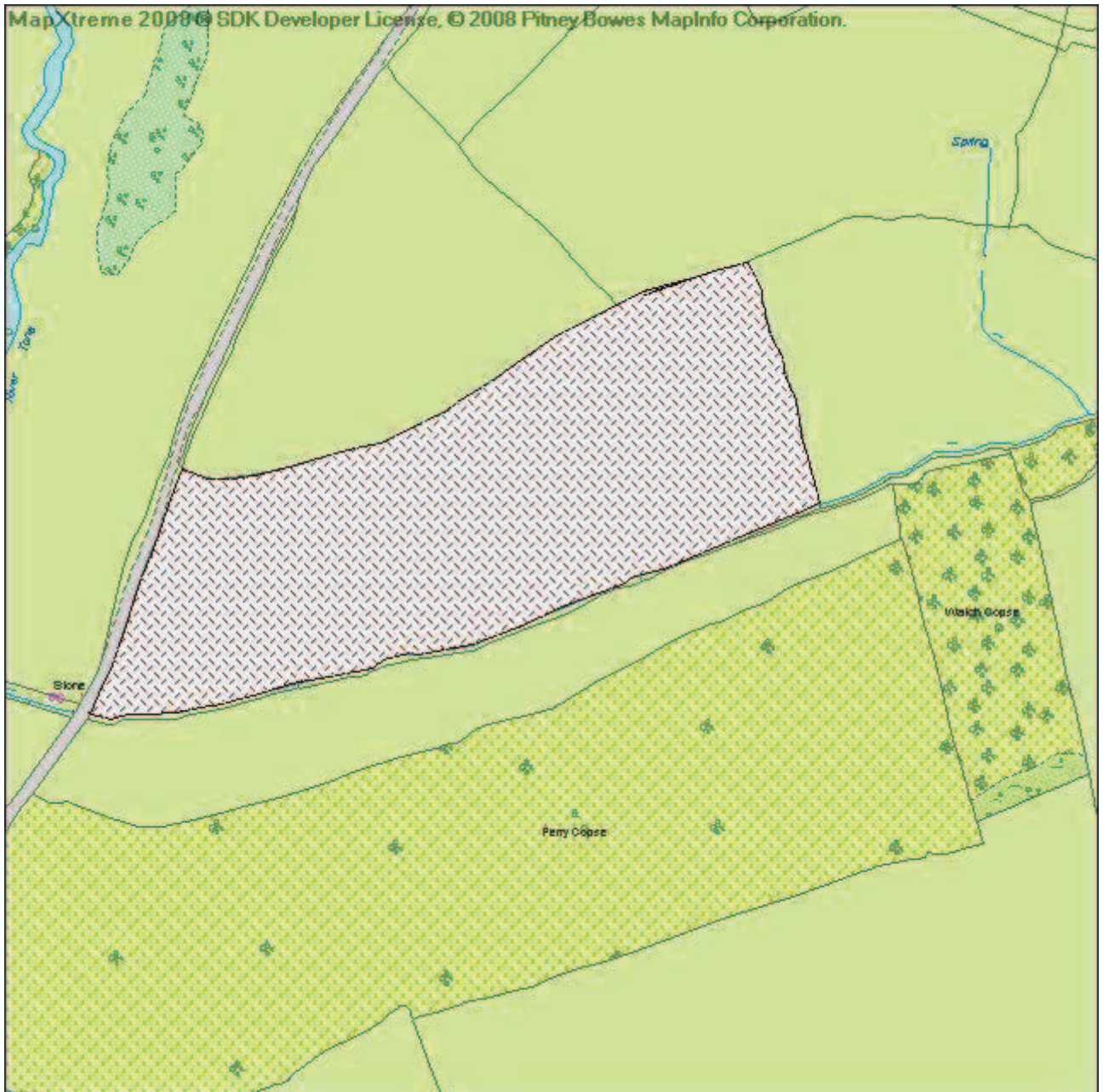
The site is located within a flood zone 1. With the stables sited on the upper slopes and the increase in ground levels there would be no risk of flooding from the stream to the south.

In terms of surface water run-off from alterations to the field access as stated previously such works can be undertaken as permitted development and could be carried out regardless of this application.

Conclusion

The proposed stable building is of a scale and design that would be commensurate with the size of the landholding and the keeping of horses for personal use. The building is well sited adjacent to the road side boundary hedge and with additional planting to the rear of the building will result in minimal landscape impact. For these reasons it is recommended that planning permission should be granted.

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



Application No 3/06/17/002
 Change of use of agricultural
 land to equestrian, erection of 1
 No. stable/barn and 1 No. field
 shelter with formation of access
 track
 Land at unnamed road, Mill Lane
 to Scotts Hill, Clatworthy
 Planning Manager
 West Somerset Council,
 West Somerset House
 Killick Way
 Williton TA4 4QA
 West Somerset Council
 Licence Number: 100023932



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Application No:	3/09/17/005
Parish	Dulverton
Application Type	Full Planning Permission
Case Officer:	Sue Keal
Grid Ref	
Applicant	Mr Wilson
Proposal	Erection of 1 No. detached dwelling with garage and associated works
Location	Land between No's 6 and 8 Battleton, Dulverton TA22 9HT
Reason for referral to Committee	The Chairman considers that there is significant local interest and should be referred to the Planning Committee

Recommendation

Recommended decision: Grant

Recommended Conditions

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

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

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

(A4) SITE LOCATION PLAN

(A3) BLOCK PLAN

(A2) DRNO 17/BAT/01 REV B SITE SECTIONS

(A2) DRNO 17/BAT/02 REV C, SITE PLAN AND BLOCK PLAN

(A2) DRNO 17/BAT/03 REV A POSSIBLE ELEVATIONS

(A3) DRNO 17/BAT/04 REV A, ACCESS

(A3) DRNO 17/BAT/05 ACCESS ELEVATIONS

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

- 3 The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of DC

Boyce's submitted report, dated December 2015 and include:

- Details of the timing of works to avoid periods of work when species could be harmed by disturbance
- Measures for the retention and replacement and enhancement of places of rest for bats and birds

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats and birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat and bird boxes and related accesses have been fully implemented

Reason: To protect and accommodate wildlife.

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

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

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

(ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development.

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

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

- 6 Prior to occupation of the dwelling, works for the disposal of sewage (septic tank details) and surface water drainage shall be provided on the site (in connection with rainwater harvesting) to serve the development, hereby permitted, in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be retained and maintained in that form.

Reason: To ensure the adequate provision of drainage infrastructure.

Informative notes to applicant

1 STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. Pre-application discussion and correspondence took place between the applicant and the Local Planning Authority, which positively informed the design/nature of the submitted scheme. During the consideration of the application [issues/concerns were raised by a statutory consultee / neighbour in respect of xxx]. 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 It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

Proposal

Erection of 1 No. detached, 4 bed dwelling with garage and associated works. The proposed dwelling is a split level modern construction on steeply rising land. The 4 bed dwelling is to be constructed in a combination of light coloured render and some timber cladding to the walls, the dual low mono-pitched roof is to be clad in a metal standing seam roof with integrated metal gutters. the windows and doors are to be black coated aluminium. Boundary treatments are to be constructed in natural stone. At part of the front boundary of the site a new footpath is to be provided to link with pavement opposite.

Site Description

The site lies at the northern end of Battleton, between the B3222 and Andrews Hill. The site is not within any designated conservation area. There are a mixture of former Local Authority two storey terraced and semi-detached houses, as well as detached two storey houses and detached bungalows/cottages, as well as terraced cottages throughout the settlement of Battleton. The dwellings are constructed in a varying mix of materials. Adjacent to the boundary of the proposal site approximately 22m to the north (Battleton House) and to the south (no.12) Battleton are listed buildings and the wall opposite the site ending on the boundary with the garage is also listed.

It is a steeply sloping site – approximately 4 in 10 – that rises up steeply to west, up from the road and is currently laid to grass. Electric lines run along the site, with a pole positioned centrally in the site frontage. Opposite the site is a strong tree line along the edge of the River Barle. There is a short length of footway on the opposite side of the road that terminates adjacent to the parking area for ‘Moor Motors’ garage and opposite Battleton House to the north.

Adjacent to the front boundary of the site, on the (SW) side of the road B3222, there is currently no linked footpat, however there is a footpath opposite the site which ends at Moor Motors garage. On the same south western side of the site and past the adjoining cottages is the roadside pedestrian access to the bus stops and the centre of the settlement of Battleton. The two bus stops are located outside of numbers 36 and 46 Battleton.

Relevant Planning History

Planning permission was refused in 1983 and 1991 (refs. 3/09/83/015 and 3/09/91/009) for the residential development of this land.
3/09/16/005, Outline planning permission for the erection of two dwellings. All matters are reserved, refused on 04/11/16

Consultation Responses

Dulverton Parish Council -

Members welcome the proposal to build on this plot of land. However, they made the observation that the design is not in keeping with the surrounding buildings. It would not appear to meet the criteria of Policy SC1.

Exmoor National Park - No comments received.

Highways Development Control - Standing Advice requires the provision of turning, visibility splays of 2.4 x 43m and an access not to be steeper than 1 in 10.

Biodiversity and Landscaping Officer -

DC Boyce carried out a wildlife survey of the land in December 2015. The site consists of a field comprising of tall ruderal vegetation with scattered hazel and grey willow scrub. At the top of the steep slope is a bank with hazel- bramble hedge with young to mid aged oak and ash standards.

The surveyor concluded that the vegetation on site is rather species poor and comprises of common and widely distributed species.

Dormice and bats

Woodland close to the site are known to support dormice and bats. The surveyor

considers that these species are unlikely to be present on site.

Birds

It is likely that birds nest or forage on site

Suggested Condition for protected species:

The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of DC Boyce's submitted report, dated December 2015 and include:

1. Details of the timing of works to avoid periods of work when species could be harmed by disturbance
2. Measures for the retention and replacement and enhancement of places of rest for bats and birds

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats and birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat and bird boxes and related accesses have been fully implemented

Reason: To protect and accommodate wildlife.

Informative Note

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation

Conservation Officer - Verbal comments only.

The officer did not consider that the development would have significant impacts on the character of the area and setting of the nearby listed buildings.

Wessex Water Authority - The site lies within a non sewered area of Wessex Water.

Water Supply Connections

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

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

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

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

Representations Received

Three letters of objection have been received raising the following points;

- Concerns re months of noise mess and disruption the build on the edge of the road will have,
- Steep topography of the site and scale of excavation, with machinery blocking up of busy road,
- The main road at the bottom of Andrews Hill has no footpath and extremely dangerous for pedestrians.
- An increase in works traffic will endanger pedestrian at this point.
- The modern design is not in-keeping with the surroundings or village.
- The majority of the dwellings in this area are nearly 200 years old and object on grounds of the village setting and landscape,
- The ground does not seem suitable for a septic tank and the levels imply that the tank would be sited higher up the plot,
- We may in future get a discharge from overflow pipes down into our property,
- We have been advised that the owners of Battleton House own the apron of the driveway and if incorporated into the driveway of the new dwelling could cause access problems,
- The driveway to Battleton House belongs to my wife and myself, with rights to pass over it, in and out of their parking spaces, granted to Stable Cottage and Coach House,
- We have not been consulted about utilising our drive, and we do not agree to it.
- We are concerned that this proposed development, which seeks to narrow the drive and introduce more traffic would make access more dangerous,
- We can currently turn within the driveway and/or use the current lay by to avoid reversing onto the main road.
- This a very busy and narrow stretch of road not suitable for two vehicles other than cars to pass,
- The proposed driveway will “run parallel to the road” and so will not allow for cars leaving the proposed dwelling to meet the B3222 at a right angle, leading to visibility issues,
- There is no safe walking route to the facilities in Dulverton from the proposed development,
- The application talks of creating a ‘virtual footway’ c. 12 metres in length in front of the site, but this does not address the issue. There is already a full pavement opposite the site,
- The problem with walking to Dulverton exists further along, where there is c. 70 metres of road without a pavement or ‘virtual footway’ and this application does nothing to help with this, in fact by increasing traffic, it makes it worse,

- The proposal is for a modern upside down house with a metal clad roof in between 18th & 19th century houses, numbers 1 to 7 Battleton are listed, at the end of Battleton where houses are mostly traditional built, attractive and of historic interest,
- The development will have a negative impact on the setting and character of Battleton House, which is a Grade II listed building, being out of keeping with all the surrounding houses, many of which are also Grade II listed,
- The planned dwelling is disproportionately large and not sympathetic to the character of the settlement or the scale, style and layout of existing buildings.
- A local knowledge of the site also indicates a spring rising towards the rear or the existing parking places, this floods water down the drive onto the road at times of high rainfall.
- Without a detailed geological survey excavating of this mass of earth could destabilize the existing drive and parking spaces,
- No mention is made as to storm drainage, land stability, sewerage system position and run off.
- In order to enable the developer to cover costs and make a profit the proposal is to build a house that will be unaffordable to most local people and have no benefit to the local community.

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
SC3	Appropriate mix of housing types and tenures
SC5	Self containment of settlements
SV1	Development at primary and secondary villages
TR2	Reducing reliance on the private car
CC6	Water Management
NH5	Landscape character protection
NH1	Historic Environment
NH2	Management of Heritage Assets
NH13	Securing high standards of design

Retained saved policies of the West Somerset Local Plan (2006)

T/8 Residential Car Parking

Determining issues and considerations

The main issues in the consideration of this application are the principle of the development, the impact on visual amenity, the National Park and heritage assets.

Principle of development

Since the adoption of the new local plan, Battleton is now an identified settlement in its own right in the adopted West Somerset Local Plan to 2032. Policy SC1 identifies Battleton as a secondary village and criterion 4 indicates that development within or in close proximity to the contiguous built up area of the village will be considered where it is well related to existing essential services and social facilities within the settlement, there is safe and easy pedestrian access to those services, it respects the historic environment, does not generate significant additional traffic and does not harm the amenity of the area or the adjoining land uses.

Secondary villages such as Battleton, (as described in the local plan) identify the number of houses to be provided at the start of the plan period and for Battleton the number of new houses to be provided over the total 5 year plan period is about 4 dwellings (10% of 43). Further it is guided under this policy (SC1), that the purpose of the policy is 'to achieve a beneficial distribution of new development within the Local Plan area, so as to maintain or strengthen the current service roles and functions of the various settlements'. It also 'provides clear guidance about the appropriate scale and location of new development within the Local Plan area'.

The site itself is located between existing pockets of built development between nos. 6 and 8 Battleton and therefore can be considered as an infill site. It is also adjacent to the main road through the settlement.

Battleton does not, itself, have any services to speak of, save for the very low key Moor Motors opposite the site. Instead the services are located within adjoining Dulverton to the north. This site is at the northern end of Battleton, so it is fair to say that the site is fairly well related (geographically) to those existing services and social infrastructure. It is also noted from the agent that the nearest bus stop in Battleton is located to the south of the site.

In the new Local Plan adopted in November 2016, Battleton became classed as its own settlement (Inset map 23 - Battleton), under adopted policy SC1 and the Hierarchy of Settlements and is classed as secondary village. In secondary villages, policy SC1 guides that development will be permitted where it can be demonstrated that it will contribute to wider sustainability benefits for the area. It is noted that

Battleton, itself does not have essential services, apart from two bus stops, located to the south at a distance of approximately 240m and 300m respectively and provides a link to the essential services in Dulverton to the North, and to Brushford and Tiverton in a southerly direction. Most of the inhabitants of Brushford either walk or use their own private vehicles to local services as in many other of the smaller rural areas.

Criterion 4B of Policy SC1 requires there to be safe and easy pedestrian access to those essential services and social facilities. In Battleton there is a 'virtual footway' (of varying width) running from just south of the site for the length of Battleton, however, this does not provide any access to the essential services in Dulverton to the North. It is also noted that within this submission, (site plan & block plan dwg, 17/BAT/02 Rev B), that a new footpath (measuring a length of 10.2m) is to be provided along part of the north eastern front roadside boundary, between the telegraph pole and the adjoining property. At the adjoining property (no. 8) there is also a new pathway measuring 6.2m in situ. The new pathway would allow pedestrians to use the existing footway opposite the site which ends at the boundary with the existing garage, and then to cross the road to use the footway in front of the proposal site and onward through Battleton. This is considered to be of public benefit and an improvement to the former application (ref 3/09/16/003).

A length of formal footway on the opposite side of the road gives access to the north but this stops opposite Battleton House a short distance from the site. There is no footway from this point until one reaches the 'Riverside Walk' alongside the recreation ground to the north of the junction of the B3222 with Andrews Hill and this existing situation is outside of the control of the applicants.

Given the above considerations, development of this vacant infill site will benefit the local and wider economy and is within the settlement of Battleton. The development is for one modern house on the site and the applicant is providing a footpath as a link between pathways on both adjoining land to no 8. and to opposite the site, and these footways link up with the virtual pathway through Battleton to the designated bus stops.

The provision of this (limited x 1) additional house is considered acceptable in terms of the built form in the area and that it will not significantly impact on the varied character of dwellings in this non designated area. It is also considered that the new dwelling will not have significant impacts on the character or the settings of listed buildings in the area. The development therefore accords with local planning policy SC1.

Visual amenity and the National Park

The site is a steeply sloping and prominent site. It is also noted that comments returned from the councils landscape and biodiversity officer (shown above) following assessment of the submitted Wildlife Survey (dated 2/2/16 and prepared by DC Boyce) and they have suggested a condition and an informative be appended to the decision regarding protected species. The Conservation officer has given verbal comments that the development will not have significant impacts on the

character or setting of the area or the setting of the listed buildings. It is therefore considered that the proposal accords with local policies NH13 and NH14.

The development is a split level house to be incorporated into a steeply rising topography from south to north and also the site changes levels across the site from north to south. Boundary treatments of the site will be retained on the border with St Andrews Hill and also the adjoining boundary with no. 8 Battleton to maintain the rural appearance of the site. The roadside boundary will be the existing stone wall plus a new retaining wall behind the new section of footway. A section of stone wall will retain the bank around the proposed new access and parking area and the existing retaining wall around the parking spaces for the adjacent Coach House and The Stables will remain. Additional landscaping across the site will be conditioned accordingly.

NH13 of the local plan considers the design of new development and advises; 'new development should complement but not seek to mimic existing development and should be of its time and that, The Council, will encourage a contemporary approach to new designs which respect and respond positively to the context, local distinctiveness and sense of place in terms of layout, scale, form, space and materials'. The local vernacular is of a varied mix of styles and construction materials and includes light coloured render and slate roofs and black painted timber windows and the proposal seeks to respect this as well as to introduce some timber cladding and a low contemporary roof design to respect the existing ridge heights and the rising ground to the rear of the site. It is also noted that following previous advice and that a previously approved for replacement dwellings (refs 3/09/04/005, 3/09/13/002 and 3/09/15/002) for a two storey house replaced a former bungalows to the south of the proposal site, the mixed vernacular has been steadily evolving.

Comments from Dulverton Parish Council welcome the development of the site and comment that the design is not in keeping with its surroundings as have several other local representations from the local community. However, in relation to the previous discussion and the other consultee comments received, together with the developer having sought advice for one dwelling rather than two on this site, it is considered that the design of the new house is acceptable under policy NH13.

No comments have been returned from the National Park on this submission. It is noted that the Exmoor national Park boundary is located to the rear of the site at Andrews Hill and also on land opposite the proposal site. The officer considers that the development will accord with local planning policy NH14 (Nationally designated landscapes), and the principles set out in the NPPF, and does not significantly harm the visual amenities in the area or the landscape characteristic of the landscape and the local vernacular will be retained and enhanced.

Heritage assets

There are listed buildings close to the site to the north and south, although they do not directly adjoining the site. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act requires that special regard is paid to the desirability of preserving the listed buildings, their settings and any features of historic or

architectural interest when deciding whether to grant planning permission.

The listed buildings are considered to be sufficiently separate from the site for their settings to not be directly affected by the proposal as discussed previously above. The proposal therefore accords with policy NH2 of the West Somerset Local Plan.

Highway Safety and Access

The provision of access, however, has been the cause of greater concern and several comments have been received on this aspect of the development. The necessary visibility splays can be achieved, highway requirements are such that the gradient should not exceed 1 in 10, these details have been mentioned (above) in the SCC comments under their adopted Standing Advice. Details of the new access drive, the parking and turning area are shown on submitted drawings 17/BAT/04 A and 02C. as shown part of the drive wraps up behind the new house and a new small flight of steps and pedestrian path will be linked from the new pavement and along the front elevation of the dwelling.

The provision of an access and parking area will clearly require some very significant ground works and the proposed new retaining walls as previously discussed above. The two parking spaces associated with the Coach house and the Stables are to be retained and the new access will be formed within the applicants land ownership and this will lead to an extended width of the existing access to the rear of Battleton House and besides the boundary of the Coach house. This will improve the visibility when entering and leaving the said dwellings and parking areas.

It is therefore considered that the proposal accords with retained planning policy T/8 of the West Somerset District Local Plan 2006 and policies TR1 and TR2 of the West Somerset Local Plan to 2032.

Drainage

Foul water will be connected to a proposed septic tank to be installed at the site further details of which are required by an appended decision.

The topography of the site will enable rainwater harvesting and grey water recycling for the flushing of toilets, the washing machine and for use in the garden. The proposed new driveways and parking will be constructed in permeable materials for enhanced drainage. Subject to the confirmation of the precise details, this accords with local policy CC5 (Water efficiency) of the West Somerset Local Plan to 2032.

Conclusion

There have been fundamental changes to the design of the development of this site since the previously refused application for two houses on the site in that only one dwelling is now proposed and its siting has been carefully considered to incorporate the topography of the land and the constraints that this brings.

With the adoption of the West Somerset Local Plan in 2016 the site is now classed

as being within the secondary village and settlement of Battleton and is a material consideration that weighs in favour of the grant of permission. The proposal, by reason of its design, scale and layout would be in keeping with its surroundings and would safeguard the amenities of neighbouring residents and adjoining land users. The means of access and parking arrangements meet the required safety standards and will ensure the free flow of traffic on the highway.

The requirements of the NPPF and policies contained in the West Somerset Local Plan to 2032, have been met as have the policy requirements of Saved Policies in the West Somerset Local Plan 2006. The proposal is acceptable and it is 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:	3/39/18/002
Parish	Williton
Application Type	Full Planning Permission
Case Officer:	Elizabeth Peeks
Grid Ref	Easting: 308789 Northing: 142982
Applicant	Mrs Cottrell
Proposal	Siting of a static caravan and installation of a metal fence (retention of works already undertaken)
Location	Doniford Farm Park, Doniford Farm, Doniford Road, Watchet, TA23 0TQ
Reason for referral to Committee	The views of the Parish Council are contrary to the recommendation.

Recommendation

Recommended decision: Refuse

Reasons for refusal:

In the opinion of the Local Planning Authority, it has not been demonstrated that there are exceptional circumstances to retain the caravan which is sited in open countryside and the retention of the caravan does not meet any of the criteria contained in Policy OC1 of the West Somerset District Local Plan to 2032. The proposal is therefore contrary to Policy OC1 and is not in accordance with the guidance contained in the National Planning Policy Framework, in particular paragraph 55.

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

the application.

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

Proposal

It is proposed to retain the two bedroom caravan that is sited between two modern farm buildings. The proposal is also for the retention of a 3m high metal fence that joins the two farm buildings together when viewed from the road that runs through Doniford.

Site Description

Doniford Farm Park comprises of a number of modern farm buildings and a stone barn with access off of Doniford Road. These barns have recently been sold away from the adjoining Doniford House, a Grade II listed building. The stone barn is a curtilage listed building. There is a field to the north of the buildings which acts as a buffer to the Bristol Channel.

Relevant Planning History

3/39/11/023	Change of use to farm park with six craft workshops, shop, cafe, exhibition area and animal enclosures	Grant	20 December 2011
3/39/11/024	External and internal alterations to buildings associated with the change of use to a farm park with six craft workshops, shop, cafe, exhibition area and animal enclosures.	Grant	20 December 2011

The planning permission and listed building consent relate to using the application site as a farm park together with Doniford House and the stone barns now associated with Doniford House.

Consultation Responses

Williton Parish Council - Agree in principal only on a temporary measure for the personal use of Mrs Cottrell whilst work is carried out, and removed once works are complete.

Highways Development Control - Standing advice applies.

Representations Received

One letter has been received objecting to the caravan being retained on a permanent basis but considers that as a temporary measure for a maximum of one year for personal use by the applicant is acceptable. The fence and caravan however block a fire exit and any further structures will adversely affect the listed curtilage.

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
NH1	Historic Environment
NH2	Management of Heritage Assets
SC1	Hierarchy of settlements
SD1	Presumption in favour of sustainable development

Retained saved policies of the West Somerset Local Plan (2006)

BD/3	Conversions, Alterations and, Extensions
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Determining issues and considerations

The main issues in the determination of this application are the principle of development and the affect on the setting of Doniford House.

1. Principle of Development

Doniford is situated within open countryside where local plan policy OC1 is the relevant policy. This policy states that development is generally not considered to be appropriate except in exceptional circumstances where this is beneficial for the community and local economy. Permission will only be permitted where it can be demonstrated that the site is:

- Essential for a rural worker,
- Conversion of a building as part of a live work unit in association with employment or tourism use,
- Is new build to benefit an existing employment activity that could not be easily accommodated in a nearby settlement,
- Meets an ongoing in a nearby settlement which can not be met in that settlement or closer to that settlement identified need for affordable housing or
- Is an affordable housing exception scheme

The reasoning submitted for the retention of the caravan is to accommodate the operator of the Farm Park to provide on site security and 24 hour care for farm animals. Prior to the Farm Park being separated from Doniford House, the previous operator lived in Doniford House. Prior to stationing the caravan the applicant contacted local estate agents to determine the viability of renting or purchasing a property nearby. The applicant was unable to find a nearby residence but ut known that ther are properties for sale in Doniford. The applicant considers that it is unacceptable for the operator of the Farm Park to live in Williton or Watchet due to the travel distance involved.

No information has been submitted that demonstrates that there is an exceptional need to live on site such as why 24 hour care is required for the animals or why 24 hour on site security is necessary and why this can not be achieved through, for example the use of CCTV. In addition it has not been demonstrated that the retention of the caravan is beneficial for the community and local economy. It is considered that as the applicant has not demonstrated that there are exceptional circumstances that Policy OC1 of the Local Plan has not been complied with.

In addition, the NPPF state that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. These special circumstances include rural worker's dwellings, the optimal use of heritage assets or appropriate enabling development to safeguard heritage assets, reuse of buildings that would enhance the immediate setting or new build that is of exceptional quality or innovative design. It is considered that the retention of the caravan does not meet any of these criteria and is therefore contrary to the advice contained in the NPPF

The principal of the retention of the metal fence is accepted as the fence complies with policies NH/1 and NH/2 of the local plan and saved policy BD/3.

2. Affect on the setting of Doniford House.

Due to the location of the caravan between two modern farm buildings that help to screen the caravan from Doniford House as well as being some distance from Doniford House, it is considered that the siting of the caravan does not adversely affect the setting of Doniford Farm. The affect on the setting of the curtilage stone barns is considered to be minimal due to the fact that the caravan is located within the area of modern farm buildings. The fence has also screened the caravan from the road and whilst it is currently shiny in appearance this will tone down over time and the design of the fence has taken account of the design of the adjoining farm buildings.

3. Other issues

It is noted that the Parish Council and a neighbour consider that the stationing of the caravan while the alterations are being carried out to the site is acceptable but not permanently. Under The Town and Country Planning (General Permitted Development) (England) Order 2015, Part 4, Class A the caravan can however be stationed on the land provided that is required temporarily in connection with the building works on site. The caravan however must be removed once the building works are completed. It is therefore considered that as the applicant occupies the caravan and is involved in the building operations the applicant is currently complying with the legislation. It should be noted however that the applicant has applied to retain the caravan on a permanent basis and for the reasons given above this is not considered acceptable.

As this proposal is for the retention of the caravan, if it is still in situ once the building works are completed and if planning permission is refused for its retention, enforcement action to ensure the removal of the caravan will be required.

4. Conclusion

In conclusion, the caravan is sited in open countryside where development is not generally appropriate but in exceptional circumstances provided the proposal is beneficial for the community and local economy it may be appropriate. It is considered, however, that it has not been demonstrated that there are exceptional circumstances to retain the caravan that will be beneficial for the community and local economy and as such is contrary to policy OC/1. The proposal is also contrary to the advice contained in the NPPF relating to new dwellings in the open countryside. The retention of the fence does not adversely affect the setting of the nearby listed building. It is therefore recommended that the retention of the caravan is refused.

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

