

SWT Planning Committee

Thursday, 20th August, 2020,
1.00 pm

The logo for Somerset West and Taunton, featuring the text "Somerset West and Taunton" in white on a teal background with a white curved graphic element at the bottom right.

[SWT VIRTUAL MEETING WEBCAST LINK](#)

Members: Simon Coles (Chair), Marcia Hill (Vice-Chair), Ian Aldridge, Mark Blaker, Sue Buller, Dixie Darch, Roger Habgood, Mark Lithgow, Chris Morgan, Craig Palmer, Andrew Sully, Ray Tully, Brenda Weston and Loretta Whetlor

Agenda

1. Apologies

To receive any apologies for absence.

2. Minutes of the previous meeting of the Planning Committee

Minutes of the previous meeting of the Committee on 6 August 2020 to follow

3. Declarations of Interest or Lobbying

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests or lobbying in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

4. Public Participation

The Chair 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 who have requested to speak, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

Temporary measures during the Coronavirus Pandemic

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will either be answered by the Chair of the Committee, or the relevant Portfolio Holder, or be followed up with a written response.

5. **06/20/0025** (Pages 5 - 12)
Variation of Condition No. 02 (approved plans) of application 06/19/0021 for amendments to the location and design of field gates and to set back the fencing further from driveway on land either side of the driveway at Sandhill Park, South Drive, Bishops Lydeard

6. **38/19/0426** (Pages 13 - 28)
Demolition of Corfield Hall and erection of 11 No. Almshouse flats with community room and ground floor offices for Taunton Heritage Trust with external alterations at Corfield Hall, Magdalene Street, Taunton

7. **41/20/0001** (Pages 29 - 34)
Replacement of agricultural barn with the erection of home studios with agricultural storage at Burts Farmhouse Barn, East Town Lane, Tolland, Lydeard St Lawrence

8. **3/26/19/024** (Pages 35 - 52)
Outline planning application with all matters reserved except for access for the erection of 14 No. dwellings on land to the rear Land north of Huish Lane, Washford, Old Cleeve

9. **3/21/19/034** (Pages 53 - 72)
Demolition of commercial laundry building to construct 7 apartments and 164 sqm of retail / financial and professional services, café / office (A1, A2, A3, B1) with associated cycle parking, refuse facilities, infrastructure and landscaping Julians Laundry, Market House Lane, Minehead, TA24 5NW

10. Latest appeals and decisions received

(Pages 73 - 76)

A handwritten signature in cursive script, appearing to read "James Hassett".

**JAMES HASSETT
CHIEF EXECUTIVE**

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Following Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will be live webcasting our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, but you can also access them on the [Somerset West and Taunton webcasting](#) website.

If you would like to ask a question or speak at a meeting, you will need to submit your request to a member of the Governance Team in advance of the meeting. You can request to speak at a Council meeting by emailing your full name, the agenda item and your question to the Governance Team using governance@somersetwestandtaunton.gov.uk

Any requests need to be received by 4pm on the day that provides 2 clear working days before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Thursday prior to the meeting.

The Governance and Democracy Case Manager will take the details of your question or speech and will distribute them to the Committee prior to the meeting. The Chair will then invite you to speak at the beginning of the meeting under the agenda item Public Question Time, but speaking is limited to three minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group.

Please see below for Temporary Measures during Coronavirus Pandemic and the changes we are making to public participation:-

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will be answered by the Portfolio Holder or followed up with a written response.

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For further information about the meeting, please contact the Governance and Democracy Team via email: governance@somersetwestandtaunton.gov.uk

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06/20/0025

STRONGVOX HOMES

Variation of Condition No. 02 (approved plans) of application 06/19/0021 for amendments to the location and design of field gates and to set back the fencing further from driveway on land either side of the driveway at Sandhill Park, South Drive, Bishops Lydeard

Location: SOUTH DRIVE SANDHILL PARK, BISHOPS LYDEARD, TAUNTON

Grid Reference: 315631.129804 Removal or Variation of Condition(s)

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

1. The fencing hereby granted approval shall be erected before 27th January 2021. Once erected the fence shall be retained and maintained in this fashion in perpetuity.

Reason: In the interests of visual amenity, to ensure consistency of approach to the previous consent which this permission amends and in the interests of the setting of the grade II* Listed Building and its parkland setting.

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

(A1) DrNo Y17421 SLP Site Location Plan
(A1) SH PK 01.200 Rev P7 Site Plan
(A1) SH PK 01.300 Rev P4 Estate Plan Fencing Details

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

3. The fencing and gates hereby granted approval shall be painted black within 3 months of being erected and shall be retained and maintained in this fashion in perpetuity.

Reason: In the interests of visual amenity, the setting of the Grade II* listed Building and for the avoidance of doubt as to the extent of the consent granted..

Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

Proposal

Permission is sought for the replacement fencing along the driveway and to the south of the American Gardens. This application follows on from recently consented application 06/19/0021, and seeks to amend the approved plans drawing numbers SHPK 01.200 Rev P5 Site Plan and SHPK 02.300 Rev P3 Estate Plan Fencing Details.

Site Description

Sandhill Park is a grade II* listed building in a poor state of repair. There is open parkland to the south and west of the building with access to Sandhill Park Estate and the Mansion house running to the south east. The proposal seeks to erect metal railing as the design and materials approved under 06/19/0021, but to install 4 rather than 3 gates which are to be of a 'double' gate design.

Relevant Planning History

06/20/0022 - Erection of a timber post and mesh

06/19/0021 - Replacement fencing along driveway and to south of American Gardens at Sandhill Park, South Drive, Bishops Lydeard (resubmission of 06/18/0015) - Granted 27 April 2020.

06/18/0015 - Erection of fencing along the drive and to the south of the American gardens - Refused.

There have been numerous applications on site but in particular 06/08/0010 granted permission subject to a Section 106 Agreement for the conversion of the mansion house and orangery following some partial demolition to 18 apartments and conversion of outbuildings to 8 apartments, erection of 28 new dwellings, demolition of remaining former hospital buildings and the reinstatement of the site of the buildings and roads to parkland and informal gardens, provision of bat roost buildings, restoration of parkland, formation of parking areas and footways and improvements to access road, access and footways.

Consultation Responses

BISHOPS LYDEARD & COTHELSTONE PARISH COUNCIL - Objection due to lack of any detailed and/or reasoned explanation for the proposal. The Parish Council has been advised the Lewis Brown Site Location Plan is not relevant to this application

SCC - RIGHTS OF WAY - None received

HERITAGE - No further Comments

HISTORIC ENGLAND (FORMERLY ENGLISH HERITAGE) - No comments you should seek the views of your specialist conservation and archeological officers.

SCC - TRANSPORT DEVELOPMENT GROUP - No Observations

WARD MEMBER (CLLR RIGBY) - Objection. Reasoning behind changes not explained properly, existing stakes show the distances to be approximately the same, Plan Y17421 SLP shows a design that has already been rejected in favour of Estate Railings.

Representations Received

14 objections, making the following points -

- The fencing is black steel post and wire which is a discrepancy from that approved
- Gate by Mansion House does not provide access into American Garden
- Gate should be as approved on 06/19/0021 with the owners to maintain the land between the fence line and the driveway
- Why is the relocation of eastern side of fencing necessary?
- Access now from American Garden into inner parkland forming a break in the approved estate railing fence
- Concern agricultural traffic will be very close to Mansion house
- Does the new owner have a right of access over the American Garden
- 3 points of access into inner parkland
- New double gates in new location is this to allow for future development?
- Owner intends to remove trees
- Wish to ensure fencing is as approved under 06/19/0021
- Fencing should be erected at the same time and to the same standard
- No objection to 3 gates as long as they are of Estate Railings type
- Council should keep to previously agreed estate fencing and line
- Discrepancy between description on site notice and agents state,et
- Have checked , and the set back is already equal on both sides of the driveway
- Black post and rail fencing is not in accordance with the approved black estate fencing
- Land has been split into 3 lots
- Grass verges should be am either side to allow for safe pedestrian traffic and should be treated as a footpath
- No objection to gates and changes in size, but object to new field gate which would have a detrimental impact on landscape and view from the Mansion House

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 Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local

Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

SB1 - Settlement Boundaries

SP1 - Sustainable Development Locations

CP1 - Climate Change

CP8 - Environment

DM2 - Development in the Countryside

DM1 - General Requirements

National Planning Policy Framework

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

193 - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194 - Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

The Planning (Listed Buildings and Conservation Areas) Act 1990 (section 66), identifies that "In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

Determining issues and considerations

Principle of Development

Sandhill Park is in an open countryside location where Policy SB1, 'Settlement Boundaries' of the Taunton Deane Site Allocations and Development Management Plan 2016 requires that consideration of any proposal is given to Core Strategy Policies CP1, DM2 and CP8. CP1 'Climate Change' is not relevant to the proposal to erect fencing and likewise DM2 'Development in the Countryside' is silent on such proposals. Policy CP8 'Environment' however aims to conserve and enhance the natural and historic environment and will not permit development proposals that

would harm these interests. Although the site is shown as being within the limits for the Bishops Lydeard and Cothelstone Neighbourhood Plan 2015-2028, the site is not mentioned in any of the documents, objectives or policies.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act further requires that special regard is paid to the desirability of preserving the listed building, its setting and any feature of historic or architectural interest when deciding whether to grant planning permission.

The main consideration is the impact upon the setting of the grade II* listed building. The parkland at Sandhill Park makes a significant contribution to the distinctive character and appearance of the setting of the listed mansion house. The parkland positively contributes to the asset's setting, forming the principle outlook and vista from the main house. Estate railings are evident in early 20th century photographs and are a traditional response to boundary treatment within country estates, they remain permeable allowing for borrowed view from the gardens to the house and back. The principle of the development is therefore accepted.

Design and Landscape Impact

The agent was asked to provide a justification for the need to relocate the fencing and has confirmed that the alterations have arisen from a change in land ownership and that they are not in conflict with the agreed design of the fencing.

This application has the same design of fencing as that approved under 06/19/0021, however there is a change to the size and design of the gates. Historic England have not objected to the scheme, but have offered 'no comment' on the proposal and have instructed that the advice of the this local authority's own specialist should be sought. The Heritage specialist has made no further comment on this application, however on the previous application they confirmed that they had no objection to the final set of drawings.

Site Plan, Drg No SH PK 01.200 Rev P7 shows the siting of the fencing and Drg No SH PK 02.300 Rev P4, Estate Plan Fencing Details show an acceptable design with appropriate materials which are considered not to result in harm to the significance of the grade II* listed Sandhill Park or its setting and with broadly accords with the previously approved application. The materials are metal bars with steel rails for the fencing and although the field gates are more of a decorative design than the standard agricultural gate they are considered acceptable for this particular location. The previously approved gates were approximately 2.86m each, whereas this proposal would see gates with a total width of 4.75m (2 x 2.25m) erected. A new field gate is now proposed to the south-east of the mansion house. It is considered that the most appropriate colour for the new fencing and gates would be black.

The railings that were proposed in an earlier application (06/08/0010) entailed use of pedestrian gates which would have been in line with condition 3 of permission (06/08/0010). The current scheme omits the use of pedestrian gates in favour of agricultural style field gates. The Parish Council, Historic England and the Council's Heritage advisor however have not raised the lack of pedestrian gates within the railings as an issue and it is not considered to have such a severe impact as to warrant the refusal of this application.

Land Use

In the past the agricultural use of the land was for the grazing of sheep and cattle. However the intention under the approved application 06/08/0010 was to restore the parkland to sheep meadows. Under condition 21 of 06/08/0010, permitted development rights for gates, fences, walls and other means of enclosure were removed. This current application for replacement fencing along the driveway and south of the Pleasure Gardens makes reference to this restriction and has been submitted for that very reason.

Landscape

The landscape officer confirmed that this application is largely consistent with that approved (06/19/0021) therefore they had no objection to the scheme. They noted that a condition of the 2019 approval was that it should be erected within 9 months and the landscape officer considers that the original time scale should be retained as it is important that the works are completed urgently.

The landscape officer further stated that the approved application partially supersedes the more robust park fencing detail approved as part of the 06/08/0010 fencing but as far as they were able to discern the earlier application only required the fencing to be installed adjacent to the American Garden in the north-western part of the parkland. They consider the proposal to be potentially a good compromise as there was originally park fencing along the whole of the driveway.

Other Matters

The Parish Council and Ward Member have objected to the application due to the lack of any detailed and/or reasoned explanation for the proposal. However the agent has confirmed that the proposal has been submitted due to a change in land ownership. It is unclear why the Parish Council and Ward Member consider the Lewis Brown Site Location Plan not to be relevant to this application, as it clearly identifies the site in relation to its surroundings. The plan for the rails SHPK 02.300 P4 show the same design and details for the railings as previously approved under 06/19/0021, however the size and therefore the design of the gates have altered.

14 letters of objection have been received, many of which have included reference to the unauthorised wooden fencing (being considered under application 06/20/0022), therefore these comments have been excluded as not relevant to this application.

It is clear from the comments that there is confusion over what has been approved, with some objectors stating the Council should ensure that estate railings as approved under 06/19/0021 are erected and not those proposed under this application which they consider to be a discrepancy from that approved. The fencing details have not changed, merely their location and the size/design of the field gate.

The owners intention to remove trees and the separation of the land into 3 sections are not matters to be considered by this application which relates only to fencing. These matters would be dealt with if/when removal of trees were proposed whilst enforcement action may arise from the fencing used to create 3 separate lots. The new land owners legal rights is not a planning consideration and it would be a matter for the new owners to establish their rights of way over the American Garden.

The issue of why this application has been submitted was also raised, and has been

addressed above. It is simply a matter of change in the ownership of the land.

Regarding the use of agricultural traffic in close proximity to the Mansion House, this is considered unlikely as the land use is for the grazing of animals, not for ploughing etc. However any possible breach in land use would be considered by this authority's enforcement team if and when they occur.

Conclusion

The boundary treatment will not result in significant harm to the grade II* listed Sandhill Park in terms of its design, location and materials and therefore the proposal accords with policy CP8 of the Taunton Deane Core Strategy 2011-2028 and paragraphs 193 and 194 of the National Planning Policy Framework. There are no substantive reasons for refusing permission in this case. For these reasons it is recommended that permission is granted.

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

Contact Officer: Denise Todd

38/19/0426

TAUNTON HERITAGE TRUST (PROPERTIES MANAGER)

Demolition of Corfield Hall and erection of 11 No. Almshouse flats with community room and ground floor offices for Taunton Heritage Trust with external alterations at Corfield Hall, Magdalene Street, Taunton

Location: CORFIELD HALL, MAGDALENE STREET, TAUNTON, TA1 1SG

Grid Reference: 322942.124636

Full Planning Permission

Recommendation

Recommended decision: Subject to a S106 agreement to secure affordable housing, conditional approval.

Recommended Conditions (if applicable)

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

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

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

DwgNo 1252/00A - Location Plan
DwgNo 1252/01 - Existing Site Plan
DwgNo 1252/06B - Proposed Site Plan
DwgNo 1252/07A - Proposed Ground Floor
DwgNo 1252/08A - Proposed First Floor
DwgNo 1252/09A - Proposed Second Floor
DwgNo 1252/10B - Proposed Elevations
DwgNo 1252/11A - Proposed Sections and Street Elevation
DwgNo 1252/12B - Landscape Plan
DwgNo 1252/13A - Proposed Railings and Bin Store

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

3. A cluster of five Schwegler 1a swift bricks or similar built into the wall at least 60cm apart, at least 5m above ground level and away from windows

on one of the east facing gable ends. Photographs of the installed features will be submitted to Local Planning Authority prior to the completion of construction works.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

4. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work (POW) in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

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

Reason for pre-commencement: Any works on site have the potential to disturb archaeological interests.

5. No building shall be occupied until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under the programme of archaeological work (POW) condition and the financial provision made for analysis, dissemination of results and archive deposition has been secured.

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

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

Reason: In the interests of highway safety

7. The area allocated for parking and turning on the submitted plans shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interest of highway safety.

8. Prior to first occupation of the development hereby permitted, access to covered cycle and electric vehicle charging points will need to be available. They shall be in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety

10. The bin storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of the dwellings hereby permitted, and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities exist for the future residents of the site and that the proposed development does not harm the character and appearance of the area.

11. (i) A landscaping scheme shall be submitted to and approved in writing by the local Planning Authority prior to 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.

12. Prior to the construction of the building, samples of the materials to be used in the construction of the external surfaces of the development, including surfaces for parking areas and railings details 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 area.

13. Prior to the commencement of the development, a construction management plan shall be submitted to and agreed in writing with the Local Planning

Authority. All subsequent works shall accord with the agreed details.

Reason: To protect the amenity of nearby residential properties.

14. No demolition shall commence until a contract for the development of the site is in place and details of the contract submitted to and approved in writing with the Council.

Reason: To protect the visual amenity of the conservation area.

15. No development shall be commenced until details of the surface water drainage scheme, based on sustainable drainage principles, together with details of a programme of implementation and maintenance for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. This scheme should aim to enhance biodiversity, amenity value, water quality and provide flood risk benefit (i.e. four pillars of SuDS) to meet wider sustainability aims, as specified by The National Planning Policy Framework (July 2018) and the Flood and Water Management Act (2010). The drainage scheme shall ensure that surface water runoff post development is attenuated on site and discharged at a rate no greater than 2 l/s and agreed with Wessex Water. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Details for provision of any temporary drainage during construction. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system.
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the sustainable methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Any works required on and off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company

or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development

Reason: To ensure that the development is served by a satisfactory, sustainable system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National Planning Policy Framework (July 2018) and the Technical Guidance to the National Planning Policy Framework.

Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of any highway works necessary as part of this development. The developer should contact the Highway Authority to progress this agreement well in advance of commencement of development.
3. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.
4. Your attention is drawn to the agreement made under Section 106 of the Town and Country Planning Act 1990, relating to this site.

Proposal

The application proposes the demolition of the existing Corfield Hall and the erection of a three storey building to accommodate 11 no. one bedrooomed flats (Class C3). The ground floor would contain one flat, an ancillary community space and offices to be used by the managers of the units and also include an area for mobility scooter storage and charging and a laundry. Outdoor amenity space is proposed to the north-west and south-west. The first and second floor would contain the remainder of the flats.

Three off-street car parking spaces are proposed to the front courtyard area, with access from Magdalene Street.

Railings measuring approximately 1.25 m high will be erected on top of the existing boundary wall along the south-western boundary of the site. A new pedestrian entrance is proposed in the south-western boundary wall from the churchyard. Railings are also proposed along the lower boundary walls facing the car park.

The accommodation is proposed to be for independent living for people over the age of 60. The dwellings are managed by Taunton Heritage Trust, an Almshouse charity. All the flats are to provide affordable housing.

The application is supported with the following information:

- Ecology survey
- Daylight and sunlight assessment
- Archaeological assessment
- Tree survey
- Design and Access Statement

Prior to submission of the application, the proposal was considered by the South West Design Review Panel.

Site Description

The site lies in a central location within the town and within the St Mary and St James Conservation area. St Mary Church to the south-west is a Grade I listed building. A number of other listed buildings are located in close proximity to the site, including the Almshouses on the south-eastern side of Magdalene Street.

Magdalene Court , a three storey development of flats lies to the north-east. Cannon Street car par is located to the north.

The site lies within an area of high archaeological interest, located over the original town ditch.

Relevant Planning History

38/19/0427/LB - Listed building associated with this application

38/10/0438 - Change of use to mixed use A1/A3/D2 - Approved 15 March 2011

38/07/0542 – Retention of part of ground floor to be used as a café, Corfield Hall. Granted conditional approval on 21st Dec 2007.

38/06/0029 – Change of use to A3 restaurant use at Corfield Hall. Refused on 27th March 2006.

38/06/0009 – Change of use of retail shop to restaurant (class A3) at Corfield Hall. Refused 3rd March 2006.

Consultation Responses

SCC - TRANSPORT DEVELOPMENT GROUP -
Parking.

The proposal would see the creation of eleven one bedroom dwellings on site, as well as dedicated office space. It is also intended that the communal area could be

used as external meeting space.

The properties proposed here are almshouse accommodation for the over 60's on a means tested arrangement. This would strongly suggest that the level of parking required, particularly in an area such as this would be minimal. There are several public car parks on the area that could be used by visitors, as well as a proposed area for three visitor spaces to the front of the property.

With regards to vehicle parking provision the Highway Authority would normally require that the parking provision reflects that of the Somerset County Council – Parking Strategy (amended September 2013) (SPS).

Additionally, as part of the Somerset County Council Parking Strategy, new residential development is required to provide cycle storage facilities and electric charging points for each property. To comply with the SPS standards there is a requirement for appropriate, accessible and secure storage for 1 bicycle per bedroom, the cycle parking should be secure, appropriate and accessible.

The submitted proposed site plan shows the provision of three parking spaces for visitors to the dwellings, electric charging points should be provided for the visitor spaces in line with the SPS.

The office use would replace existing nearby office use, at the existing location there is car parking for the members of staff, this parking provision is to be retained and used for staff at the new location.

Due to the nature of the proposed use the Highway Authority does not wish to raise an objection on parking level grounds.

Vehicle Movements

The average dwelling generates 6-8 vehicle movements per day. However, it is noted that in this case due to the nature of the proposed dwellings there is unlikely to be many vehicle movements associated with the residential elements of the proposal. The office use is to replace existing office use nearby and as such there would be minimal direct increase in the associated vehicle movements, however, the existing office space is likely to have a future use and as such this would lead to an increase in vehicle movements. The low number of associated staff is unlikely to lead to a large increase in vehicle movements and due to the town centre location it is unlikely to be a noticeable increase in traffic.

Visibility

Due to the location of the site and the high level of pedestrian activity to and from the town centre it is important that pedestrian visibility to and from the visitor parking spaces is maintained.

Other matters

The submitted proposed site plan, drawing No 1252.PL.06, shows an area of landscaping to the front of the site between the visitor parking spaces and the existing footway. This landscaping is on highway dedicated land and would therefore need to be removed from the proposal or the area stopped up by the appropriate mechanism.

Conclusions

Taking the above comments into account the Highways Authority does not object to the proposal in this application, subject to the imposition of conditions.

Further comments received from SCC -

Highways indicates that the land to the front of the site is not highway land.

COUNTY ECOLOGIST -

An Ecology Survey and Preliminary Roost Assessment of the application site was carried out by Quantock Ecology in November 2019. This found negligible opportunity for roosting bats in the building to be demolished. An informative has been included.

The National Planning Policy Framework (170d) requires biodiversity enhancement to be provided within development. A condition is included.

SOUTH-WEST HERITAGE TRUST

The site lies on the line of the medieval town's defensive ditch and bank which investigations have shown was re-used in the Civil War both as a defensive structure and to bury casualties if the siege. Therefore this proposal has the potential to impact on relatively significant archaeology.

For this reason I recommend that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 199). This should be secured by the use of the following conditions attached to any permission granted.

Further comments received 28 May 2020

The applicant has submitted documentation to address the issues raised by Historic England (HE) in response to an email from this office. The documents include, an assessment of approaches to foundation design including a piling design and a Written Scheme of Archaeological Investigation (mitigation plan).

It is clear that development on this site will have an impact on remains relating to the medieval town ditch and possibly the re-use of the ditch as a fortification in the Civil War. The piling design document details the likely impacts based on current knowledge of the archaeological deposits and describes the methodology adopted to assess the impacts.

Based on these submissions it is advised that the sufficient information has been submitted to enable the significance of the asset, and the impacts on the asset to be understood as required by the NPPF paragraph 189.

In light of the information it is advised that two conditions be placed on permission to ensure the archaeology is dealt with as described in the WSI.

HERITAGE -

The proposal is for redevelopment of the Corfield Hall demolishing the existing 2 storey flat roofed hall and replacing with a residential block of 2 storeys with an additional storey part within the roof space with dormers. The accommodation would provide 11 units with community space and office. The building will be almshouses run by the Taunton Heritage Trust.

The site is located adjacent to the Church of St Mary Magdalene and within the

conservation area of St Mary and St James. Proposals will affect the setting more specifically of St Mary Magdalene, war memorial, Richard Huish homes, St Mary's vicarage and cottage adjoining; it will also affect the medieval town defences.

The current building is a flat roofed two storey building that currently is harmful to the designated assets due to its poor design and a pitched roofed building is preferable in this location as it will be more sympathetic to the design of buildings around it and fenestration and the overall design will respond better to local vernacular. Raising the roof of the two storey section will inevitably increase the mass of the building and it will be more conspicuous against the church however the higher levels of pitched roof would be preferable to the rather harsh flat roof; to incorporate the third storey is where there is greater impact.

The height overall however will blend in well with adjoining properties in Magdalene Street and the conservation area and it will have a softer appearance due to having a pitched rather than flat roof. Overall there is some harm from the greater height as identified by Historic England and this should be balanced against the public benefit of providing alms houses and community facilities. As Historic England have discussed the quantity of flats should be justified and I acknowledge there is a level of public benefit in providing community facilities and alms house flats. The following comments are more detailed comments on the design.

- The wider dormers seem heavy but unavoidable for this number of flats as they are the kitchens - particularly flat 10.
- The bin provision looks minimal for this number of flats and viewable from Magdalene Street. The detail design of these should be provided.
- Surface treatment of paving and visitors parking area should be agreed
- I question a dwarf wall, north facing onto the car park as views of the air source heat pumps and scooter store will be seen and that archway leading to the graveyard is attractive. It may need raising on the right hand side though it will make the seating area darker. The view through from the east side to scooter etc needs a bit of thought. It is questionable to have a scooter park where the elderly will be reversing opposite wall mounted air source heat pumps. What will be the material of the coping that the railings will be set into? A large scale detail/materials including railings (diam and heads) would be useful.
- The choice of brickwork and colour of pointing is crucial and should be conditioned.

I concur with Historic England recommendations on the scheduled monument.

DEVELOPMENT ENABLING SPECIALIST -

A S106 agreement would be required to secure the future tenure of the building as affordable housing.

PLACEMAKING SPECIALIST-

This has been well considered and I am largely happy with the scheme apart from the roofscape.

The oversized central dormer in the north and south elevations would appear very bulky and clumsy. This would be better treated as a stepped gable as shown below in the Design & Access Statement. This change would also visually help to

tie the design of the other elevations together, particularly the view facing the church tower.

There is little in the Design & Access Statement regarding sustainability and I do wonder whether solar slates could be incorporated.

No bike parking is shown for visitors and given this sustainable location this should be encouraged.

I would also encourage that more thought be given to the enclosure of Magdalen Street. Whilst this is shown as 'green' on the landscape plan, there may be an opportunity to have railings to the frontage.

LEAD LOCAL FLOOD AUTHORITY -

All SuDS requires maintenance, and due to the nature of the development, and we are disappointed that permeable paving could not be included within the design.

However, we are satisfied that in this instance the applicant has include further sustainable features within the design including rainwater reuse, rainwater planters and a green roof which we encourage for multi functional benefits. Therefore, we are satisfied to advise the LPA of a suitable condition to be applied to the application.

HISTORIC ENGLAND -

Following receipt of the latest amendments, we would refer you the council to our previous response provided on the 9th March 2020. The advice contained within that letter is still relevant in light of these latest revised drawings.

Recommendation

Historic England has concerns regarding the applications on heritage grounds.

Please see our previous letter for details of our recommendations dated the 9th March 2020 and attached to this letter for ease of reference.

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments,

Representations Received

Thirteen representations received, including one on behalf of Magdalene Court Management Committee, raising concerns regarding the following:

- increase in shade and loss of sunlight to living room, bedroom and garden area
- noise and disturbance from the occupiers of the proposed building
- location and access to the community facilities located close to residents
- height of building would be unacceptable and result in overlooking
- noise and dust during construction

- inappropriate location of bins, plant room and laundry room

Six representations in support:

- accommodation needed for aging population
- design is in keeping with the surrounding area
- would provide surveillance of adjoining churchyard

Planning for Nature - Recommend conditions as recommended by the County Council Ecologist.

Following re consultation on amended plans a representation was received on behalf of Magdalene Court Management Committee:

Having considered the revised plans, we are pleased to see that the double doors at the rear of the community room have now been removed. This amendment is welcomed.

Notwithstanding this amendment, it is disappointing to see that no other changes are proposed to directly address the concerns of our clients. For that reason, we can confirm that the objections made on behalf of Magdalene Court Ltd (CAMP Planning Objection February 2020) in respect of the following matters are maintained:-

- The visual dominance of the three storey elements of the proposed building;
- The impacts of extraction and associated noise and smells from the plant and laundry room; now exacerbated by the addition of a door on the Magdalene Court facing elevation;
- The proposed location of the bin store;
- The need to mitigate the impacts of construction through the planning process.

In respect of the daylight and sunlight assessment, we would urge the Council to seek independent verification of the content of this report to ensure that it is an accurate representation of the likely outcome of the proposed development. Those living in the apartments of Magdalene Court facing the proposed development site are vulnerable residents who spend a significant proportion of their day in their homes. Any actual or perceived adverse impacts in respect of loss of light and/or overbearing will have a significant impact on their living conditions. For the Colliers report to state that impacts would not be material and would be de minimis is considered to be an understatement, particularly when the vulnerability of the residents and the importance of protecting their living conditions is given the appropriate weight.

We are of the opinion that the only way in which the actual and perceived impacts of the proposed development can be properly experienced is for the decision makers (planning officer and committee members) to undertake a site visit and view the application site from within the apartments of the facing elevation of Magdalene Court and from the intervening garden area. However we quite appreciate that the current circumstances mean that there is no possibility of this happening for the time-being. For that reason, we would strongly urge the Council to delay the determination of this planning application until such time that this essential site visit can be carried out.

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 Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

ENV4 - Archaeology,
A1 - Parking Requirements,
D10 - Dwelling Sizes,
D7 - Design quality,
D12 - Amenity space,
SP1 - Sustainable development locations,
SB1 - Settlement Boundaries,
CP8 - Environment,
DM1 - General requirements,
D8 - Safety,
A5 - Accessibility of development,
NPPF - National Planning Policy Framework,

Local finance considerations

Community Infrastructure Levy

Creation of dwellings is CIL liable.
Proposed development measures approx. 635sqm.

The application is for residential development in Taunton where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £44,500.00. With index linking this increases to approximately £63,250.00.

Determining issues and considerations

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act requires that special regard is paid to the desirability of preserving the listed building, its setting and any features of historic or architectural interest when deciding whether to grant planning permission.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act requires that special regard is paid to the desirability of preserving or enhancing the character

and appearance of the conservation area when deciding whether to grant planning permission.

Principle of development

The site lies within a central location in the town centre. The principle of residential is considered acceptable.

The existing building is unoccupied and has fallen into disrepair. Its demolition would not be considered to be a loss to the character of the area.

The last approved use of the building was for A1/A3/D2, but is not located in a primary or secondary shopping frontage. The loss of the potential retail uses would be outweighed by the benefits of providing affordable housing on this town centre site.

Residential amenity

A number of issues have been raised by the occupiers of nearby residential properties.

- Loss of daylight and sunlight

The applicants have submitted a Daylight and Sunlight study in support of the application, which concludes:

The results indicate a significantly high level of compliance overall and Colliers do not view Daylight and Sunlight as a constraint to the buildability of the proposals at Corfield Hall.

The results of the technical assessment indicate that there will be a single breach of the BRE Guidelines in respect of a Living Room on the ground floor within Magdalene Court which is identified as 'Room 6' on the technical results that can be located within Appendix C.

Although there will be a minor breach in respect of the VSC (Vertical Sky Component) and APSH (Sunlight) methodology, the overall room exceeds the target criteria when reviewing the NSL (No Sky Line) results and for this reason, along with the fact that the APSH results surpass the guidelines annually, we do not consider this to result in a material breach. Furthermore, the loss of light to the window within 'Room 6' is highly unlikely to be noticeable to the human eye.

The overshadowing assessment for the external amenity area at Magdalene Court indicates that the space will surpass the recommended target values.

In any event, it is important to consider that the BRE Guidance is designed to be applied flexibly and should be used as a guide in understanding impacts and should not be rigidly applied.

- Overlooking

The number of windows on the north-east elevation above ground floor level (facing Magdalene Court) is limited to those serving the staircase and therefore the privacy of adjoining residents would not be significantly impacted upon.

- Reuse of site for residential purposes

The reuse of the site for residential purposes would result in activity and occupation for 24 hours a day, which would result in additional surveillance of the area.

- The location of the plant room and laundry room

The applicants agent has stated that the laundry room contain three washing machines and three dryers, less than if each flat had their own. Similarly, the plant room will provide heating and hot water for all flats rather than each flat having their own. The overall impact of noise and emissions would therefore be lower.

A condition requiring the submission of a construction management plan has been included, to provide clear expectations in terms of all aspects during the construction phase.

The use of the community space will be accessed via the cloisters to the south-west. The space will be managed by the Trust and will be for the benefit of the residents. The Trust will ensure that the residents are not disturbed by users of the community space and therefore occupiers of Magdalene Court should also not be disturbed.

Design

The design has been considered in the context of its location adjacent to listed buildings, within a conservation area and in close proximity to other residential dwellings.

The proposal was considered by the South West Design Review Panel. Their observations informed changes to the design prior to the submission of the application.

Raising the roof of the two storey section will increase the mass of the building and it will be more conspicuous against the church however the higher levels of pitched roof would be preferable to the rather harsh flat roof; to incorporate the third storey is where there is greater impact.

The height overall however will blend in well with adjoining properties in Magdalene Street and the conservation area and it will have a softer appearance due to having a pitched rather than flat roof.

Whilst the increase in height will have a visual impact on the adjoining residents in Magdalene Court, the impact would be limited to loss of views and some additional overshadowing of outside amenity areas.

A number of points raised by the Conservation Officer, Placemaking Specialist and local residents regarding the design have been taken on board and incorporated into amended plans.

The design has been amended to remove the doors to the rear (north-eastern elevation) to address the concerns of the residents of Magdalene Court. Cycle parking has been provided within the Cloisters area. The bin store, located to the front of the building, is overlooked by the offices in the proposed building and in close proximity to the pickup point on the street.

Parking and access

Car parking for three vehicles is proposed to the front of the building using the existing vehicular access. These are to be used for visitors to the site. Cycle parking will be provided below the entrance cloister. Mobility scooter and charging will be accommodated on site. Car parking for the proposed offices will be retained at the Almshouse site.

The proposal complies with policy A1.

Archaeology

The issues raised by Historic England regarding the protection of archaeology have been resolved. South West Heritage Trust are satisfied that sufficient information has been submitted to enable the significance of the asset, and the impacts on the asset to be understood as required by the NPPF paragraph 189. In light of the information it is advised that two conditions be placed on permission to ensure the archaeology is dealt with as described in the Written Scheme of Archaeological Investigation (WSI).

Conditions have been included accordingly.

Affordable Housing

The applicant and future manager of the site is a Registered Affordable Housing Provider and 100% of the accommodation is proposed for that purpose. A S106 agreement is required to secure affordable housing provision on the site should the ownership change hands in the future.

Conclusion

The proposal provides much needed affordable housing in a central location in the town, giving easy access for residents to services and facilities.

Whilst in a sensitive location, it is considered that the design and scale of the development would blend well with the existing streetscape and the conservation area.

Subject to the applicant entering into a S106 agreement to secure the future provision of affordable housing, approval is recommended.

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

Contact Officer: Denise Grandfield

41/20/0001

MR & MRS D BIRT

Replacement of agricultural barn with the erection of home studios with agricultural storage at Burts Farmhouse Barn, East Town Lane, Tolland, Lydeard St Lawrence

Location: BURTS FARMHOUSE, EAST TOWN LANE, TOLLAND, LYDEARD
ST LAWRENCE, TAUNTON, TA4 3PW

Grid Reference: 310850.132107 Full Planning Permission

Recommendation

Recommended decision: Refusal

- 1 The proposed domestic building is located in the open countryside where development is strictly controlled. The proposed domestic building in this open countryside location by reason of its use, scale and appearance would introduce an incongruous domestic form within the open countryside which would cause harm to the character and appearance of the locality. As such the proposal is not supported by Policy DM2 and is contrary to Policies SP1, CP8 and DM1 of the Taunton Deane Core Strategy.

Recommended Conditions (if applicable)

Notes to Applicant

Proposal

The application seeks consent for the demolition of an agricultural building and the erection of a replacement two storey building to accommodate an agricultural store and 'home studio'.

The existing, partially open sided building is very insubstantial in its construction and consists of timber posts, timber cladding and a corrugated metal roof. It measures 14.8 by 12.4 metres in area. It has a mono-pitch roof with a maximum height of 4.6 metres.

The proposed building would measure 13.5 metres in length by 12 metres in width and would have a total floor area of 223.7 square metres. It would have a mono pitch roof with a maximum height of 6.5 metres. The ground floor would accommodate two separate uses, an agricultural store for machinery and fodder and the home studio areas. The application states that the store would accommodate farm vehicles and general agricultural storage. The application states that the home

studio is required to accommodate the applicants business activities as they currently run a business from home. The application further states that the space is not required to accommodate employees, there are no visits from members of the public and there would not be regular visits from clients. This area would accommodate a 'studio', print room, bathroom, video conference room and utility on the ground floor and a second studio, W/C and photography room on the first floor. External materials would consist of timber cladding to the walls and a corrugated metal roof.

During the course of the application the plans have been amended in response to comments from the County Ecologist which has resulted in a reduced amount of glazing to the South East elevation.

Site Description

The site is located in an isolated countryside location. The subject site consists of agricultural land located to the east of the dwelling known as Burts Farm. The site is accessed via a grass track which runs adjacent to the northern boundary of the domestic curtilage to the dwelling. The agricultural field is bound by hedgerow and trees. There is a public right of way (footpath T28/3) located approximately 30 metres to the North of the proposed building.

Relevant Planning History

41/19/0004 - Change of use of existing barn to accommodate a workshop, home studio/office and a holiday let. Application withdrawn by agent 9th January 2020.

Consultation Responses

LYDEARD ST LAWRENCE & TOLLAND PARISH COUNCIL –

No objections.

SCC - ECOLOGY –

Second response:

Still a lot of glass! Permanent measures such as Solyx Bird Safety Film

<https://www.solyxfilms.eu/product/sx-bsfv-bird-safety-film-vertical/> need to be

applied. However, I would consider proceeding on the basis of the following condition being applied.

- Glazing on the southeast and northwest elevations shall be bird-friendly. A specification for the glazing will be submitted to and approved by the Local Planning Authority. The approved glazing will be installed strictly in accordance with the specifications and shall be maintained thereafter in accordance with the design. Under no circumstances should any other type of glazing be installed without prior consent in writing from the Local Planning Authority.
Reason: In the interests of priority bird species listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with policy CP8 of the Taunton Deane Core Strategy

A Preliminary Ecological Appraisal for the application site was carried out by Nash Ecology in September 2019. This considered the site present negligible opportunity for roosting bats. However, the following condition also needs to be applied. As no bat activity surveys have been carried out I must assume that light averse species are present commuting and foraging around the application site.

- Prior to first occupation of the dwelling, a “lighting design for bats” shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.
Reason: In the interests of the ‘Favourable Conservation Status’ of populations of European protected species and in accordance with policy CP8 of the Taunton Deane Core Strategy

Mitigation measures re proposed for badgers and brown hares. However, as provision of planks, etc to allow badgers, etc. to escape cannot in reality be reasonably enforced through a condition the following informative should be applied to the planning permission:

- The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

First response:

This survey found that the barn lacked features that would support roosting bats. However, it was considered that the boundary tree line was likely to provide structure for commuting bats. I am therefore concerned about the large expanse of glass on the southeast elevation of the proposed dwelling. This elevation is at 90° to the hedgerow and is likely to cause light spill along this potential flight line.

In addition, as located the large expanse of glass is also likely to pose a threat to bird strike in this location due to its reflective quality. Birds see reflections of vegetation and sky and respond to it as if the reflections are reality. There is no barrier perceived and they fly into the glass causing instant death or severe head trauma that they eventually die from, or because they are injured, fall prey to scavengers. Also note as no bird surveys have been provided and therefore I must assume the presence of priority species listed on s41 of the Natural Environment and Rural Communities Act 2006 for which the local planning authority has a duty of conservation for in carrying out its role. I therefore object to the application.

SCC - TRANSPORT DEVELOPMENT GROUP -
Standing Advice applies

Representations Received

Following consultation representations have been received from 5 nearby residential occupiers writing in support of the proposal. The following comments are raised:

- Development will be an improvement on the existing building/sympathetic to the area.
- Applicants were misled by the previous case officer at pre application stage.
- No objections from local residents

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 Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

CP8 - Environment,
DM2 - Development in the countryside,
DM1 - General requirements,
SP1 - Sustainable development locations,

Community Infrastructure Levy

Creation of residential extensions of 100sqm or more are CIL liable. This proposed development measures approx. 126sqm. The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £15,750.00. With index linking this increases to approximately £22,500.00.

Determining issues and considerations

Principle of development/visual amenity:

The site is identified as being within the open countryside as defined by Policy SP1 of the Taunton Deane Core Strategy. Accordingly Policy DM2 of the Taunton Deane Core Strategy applies to the proposal.

Policy DM2 references the national policy requirement to strictly control new development in the open countryside in order to protect its intrinsic character, beauty, diversity, heritage, wildlife and resources. Policy DM2 lists 8 uses that will be supported in principle in the countryside. These are community uses, class B business uses, holiday and tourism, agriculture, forestry and related, replacement dwellings, affordable housing, the general principle of the conversion of existing building (subject to further limitations) and development for essential utilities and

infrastructure. The above categories are subject to further specific limitations and requirements that must be met within the policy. In addition to the above, DM2 requires that all development in the countryside does not harm neighbour amenity and the landscape and ecology of the area.

This proposal is for a replacement building to accommodate a home studio as the applicants work from home. The supporting text within the design and access statement also refers to the development accommodating ancillary spaces which are lacking in the main house, including a utility. The agricultural store is understood to be for accommodating farm vehicles and for storing fodder. The amount of active farming within the applicants land is not known and therefore the agricultural need for such a store is uncertain. However the overall building will have a mixed domestic/agricultural use.

The siting of a domestic building in an open countryside location is not within the list of uses that are supported by Policy DM2. The usual expectation would be to locate such a building within the domestic curtilage of the host dwelling or to extend the dwelling in order to provide additional floor space. In this instance the domestic curtilage is relatively substantial and therefore is likely to be able to accommodate additional development, including under permitted development rights.

Given the domestic nature of the proposal as set out in the application it is not considered that the unit would have a B class use as it is more akin to an ancillary domestic building. If it were accepted as a Class B use, policy DM2 sets out an additional test; that the building is adjacent to a rural centre within which there is no suitable alternative site. Policy SP1 defines major and minor rural centres and these include settlements such as Wiveliscombe, Bishops Lydeard and Cotford St Luke. The application site is located 9 miles from Bishops Lydeard which is the nearest 'minor rural centre' and as such the application would fail this test.

Where a proposal is not supported by Policy DM2, significant weight is given to Policy CP8 in order to consider the environmental impact of a proposal. CP8 requires that development conserves and enhances the natural environment and amongst other criteria is appropriate in terms of scale, siting and design and protects and conserved landscape character. The general thrust of planning policy in the open countryside is one of restraint to avoid and redirect the significant amount of development that would occur, which would cumulatively erode rural landscape character. The NPPF sets out the environmental objective as a key pillar of sustainable states that policies and decisions should contribute to and enhance the natural and local environment; "to contribute to protecting and enhancing our natural, built and historic environment." (para. 8). The recognition of the overall need to preserve the countryside further follows through to paragraph 79 which instructs Local Planning Authorities to 'avoid the development of isolated homes', although it should be noted that this paragraph is not relevant as this proposal is not for a new independent dwelling.

Having regard to the above context, the building is relatively significant in scale. Whilst it is designed in an agricultural style, its appearance and use would nevertheless be domestic in character. The associated activity and lighting, including light spillage from the building would introduce a form of development that is not appropriate in the countryside. The siting to the rear of the domestic curtilage in a backland situation would further appear incongruous against the linear form of

development in the locality.

A pre-application submission was submitted to the Council on the basis of the conversion of the existing building under permitted development rights. Advice was provided which gave a generally positive response to the conversion of the existing building, however this response was based on the development being no larger than the existing and the potential for the change of use of the existing building under permitted development rights as a fall back position may have also been considered.

Having regard to the above, it is considered that the proposed use would not be appropriate in an open countryside location. Its scale and appearance would appear incongruous within this context and would not conserve or enhance landscape character. Accordingly it is considered that the proposal is not supported by Policy DM2 and would be contrary to Policies SP1, DM1 and CP8 of the Taunton Deane Core Strategy.

Ecology:

The County Ecologist initially raised an objection on the basis of the amount of glazing within the building. Following the receipt of amended plans this objection has been withdrawn, subject to additional condition requiring bird friendly glazing which is designed to reduce incidence's of birds striking the glass. A further condition requiring a scheme for external lighting to ensure that the impact on bats is mitigated is requested. An informative relating to the protection of badgers during construction is recommended. Subject to the above conditions it is considered that there would be no harm to protected species in accordance with Policy CP8 of the Taunton Deane Core Strategy.

Highway safety:

The proposed development would utilise the existing vehicular access which is also shared with the existing dwelling. The lane is unclassified and considered to be lightly trafficked. Visibility is substandard in both directions for vehicles exiting the access. However as this is an existing access, the lane is lightly trafficked and the building is for ancillary purposes to the existing dwelling, it considered that there would be no harm to highway safety. Having regard to the above it is considered that the proposal would comply with Policy DM2 of the Taunton Deane Core Strategy.

Conclusion:

The site is located outside the domestic curtilage of the dwelling. This development would be for a domestic use in the open countryside which is not supported by Policy DM2. The building would be larger than the existing and whilst it is set back from the road, would be an incongruous domestic development in the open countryside contrary to the rural character of the area. Accordingly the proposal is not supported by Policy DM2 and would be contrary to Policies SP1, DM1, and CP8 of the Taunton Deane Core Strategy.

Application No:	3/26/19/024
Parish	Old Cleeve
Application Type	Outline Planning Permission
Case Officer:	Alex Lawrey
Grid Ref	Easting: 304684 Northing: 141289
Applicant	Savills (UK) Ltd
Proposal	Outline planning application with all matters reserved except for access for the erection of 14 No. dwellings on land to the rear
Location	Land north of Huish Lane, Washford, Old Cleeve,

Recommendation

Recommended decision: Subject to a legal agreement under s106 of the Act to secure affordable housing and protection for trees and hedgerows, conditional approval.

Recommended Conditions

- 1 Approval of the details of the (a) layout (b) scale (c) appearance and (d) landscaping of the site (hereinafter call 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

Reason: This is an outline permission and these matters have been reserved for the subsequent approval of the Local Planning Authority, and as required by Section 92 of the Town and Country Planning Act 1990 (as amended).

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

(A3) DrNo 1829 0110 Rev D SITE LOCATION PLAN
 (A3) DrNo 1829 0111 Rev D EXISTING SITE PLAN
 (A3) DrNo 1829 0112 Rev D PROPOSED SITE LAYOUT
 (A4) DrNo 11341-T01 Rev P01 SITE ACCESS GENERAL ARRANGEMENT & VISIBILITY SPLAYS

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

- 3 No development shall be commenced until details of the surface water drainage scheme, based on sustainable drainage principles, together with details of a programme of implementation and maintenance for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. This scheme should aim to enhance biodiversity, amenity value, water quality and provide flood risk benefit (i.e. four pillars of SuDS) to meet wider sustainability aims, as specified by The National Planning Policy Framework (July 2018) and the Flood and Water Management Act (2010). The drainage scheme shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Details for provision of any temporary drainage during construction. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system.
- Details on how the system will operate appropriately under flood conditions and surcharged outfall, and further investigation into any flood risk considerations in the area.
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the sustainable methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Any works required on and off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant). This should also demonstrate any works offsite are within the applicant's ownership,
- Where it is proposed to discharge to a drainage system maintained/operated by other authorities' evidence of consultation and the acceptability of any discharge to their system should be presented for consideration
- Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- A management and maintenance plan for the lifetime of the development

which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development for all of the system. This should also include any system outside the site boundary constructed as part of the development to ensure adequate discharge of water.

- Infiltration testing, soakaway/infiltration system detailed design and construction in accordance with Building Research Digest 365. Soakaways must be located more than 5m from building and road foundations. If soakaways/infiltration features are shown as unviable after further testing, a suitable sustainable drainage scheme shall be shown.

Reason: To ensure that the development is served by a satisfactory, sustainable system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National Planning Policy Framework (July 2018) and the Technical Guidance to the National Planning Policy Framework.

- 4 The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement of the construction phase, and thereafter maintained until that phase ceases.

Reason: In the interests of highway safety

- 5 The proposed access shall be constructed in accordance with details shown on the submitted plan, drawing number 1829 0112 Rev D, and shall be available for use before first occupation. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety and to ensure adequate access to the development is available prior to occupation

- 6 Prior to occupation of the development hereby permitted the proposed access over at least the first 6 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety and to ensure adequate access to the development is available prior to occupation

- 7 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been

submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before construction above damp-proof-course level and thereafter maintained at all times.

Reason: In the interests of highway safety and to prevent surface water discharging onto the public highway

- 8 The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety

- 9 The Development hereby permitted shall not be commenced until the parking spaces for the dwellings in accordance with current policy standards and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and to prevent on-street parking

- 10 The approved Measures-Only Travel Statement shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority

Reason: In the interests of the promotion of sustainable transport

- 11 There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is first occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety

- 12 No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local

Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.
- Protection of retained features and surface water bodies on or adjacent to the site, including control of surface run-off.
- Details of waste management and offsite disposal

The approved Construction Environmental Management Plan shall be implemented throughout the period of work on site including any preparatory works.

Reason - In the interests of highway safety, environmental protection and residential amenity, and in accordance with policy SD1 of the adopted West Somerset Council Local Plan to 2032

- 13 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with policy NH4 of the West Somerset Local Plan

- 14 Prior to occupation, a "lighting design for bats shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed, including amenity and or security lighting, (through the provision of lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with policy NH4 of the West Somerset Local Plan

- 15 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to occupation of the first dwelling. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) On-going monitoring and remedial measures.
- The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and

objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with policy NH4 of the West Somerset Local Plan to 2032

- 16 The following will be integrated into or mounted upon buildings:
- a) A Habitat 001 bat box or similar will be built into the structure at least four metres above ground level and away from windows of the southwest facing elevation of three plots
 - b) Four Vivra Pro Woodstone House Martin nests or similar will be mounted directly under the eaves and away from windows of the northeast elevation of three plots
 - c) Two Schwegler 1SP Sparrow terraces or similar at least one metre apart directly under the eaves and away from windows on the northeast elevations of two plots
 - d) A bee brick built into the wall about 1 metre above ground level on the southeast elevation of ten plots
 - e) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site
- Plans showing the installed features will be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of construction works.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

- 17 No development (other than that required by this condition) shall be undertaken on site unless a programme of archaeological work, including excavations, has been implemented in accordance with a written scheme of investigation (WSI) which has been first submitted to and approved in writing by the Local Planning Authority. The WSI shall include details of the archaeological investigation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development shall be carried out at all times in accordance with the agreed scheme.

Reason: To ensure the preservation of archaeological remains.

Reason for pre-commencement: Any works on site have the potential to disturb archaeological interests.

Informative notes to applicant

- 1 In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.
- 2 Section 171 License

Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning 0300 123 2224. Application should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.
- 3 The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. The developer should contact the Highway Authority on tel: 0300 123 2224 to progress this agreement well in advance of commencement of development.

Proposal

Outline planning application with all matters reserved except for access for the erection of 14 No. dwellings on land North of Huish Lane, Washford.

Site Description

Open field to the rear of Huish Mews, in Washford. Land is fairly flat and is accessed via a private metalled track. There are mature hedgerows and trees to the boundaries

Relevant Planning History

none

Consultation Responses

Old Cleeve Parish Council -

Old Cleeve Parish Council note:

The site is backland development, not identified under the previous West Somerset Forward Plan and could erode the viability of the tenanted Kentsford farm holding owned by the Wyndham Estates.

The Housing Needs survey identified a very limited demand for housing (social/affordable), being only 2 in the whole of Old Cleeve Parish

There is at present, consent for 24 dwelling units of various tenures and other sites

outstanding or not occupied, the cumulative effect of the three applications that are all linked and adjacent to each other can only be detrimental unless significant infrastructure improvements are included as part of the development, Foul water flooding occurs on the site by the surcharge of the foul sewer (225 mm) which is comparatively shallow in depth. Whilst it is easy for Wessex Water Authority to say a sewer is available, it does not address the true issues when they occur. The foul sewer traverses the proposed development site but has not been plotted to take account of the dwelling positions and requirement of Wessex Water Authority to have a 30m exclusion zone and access each side of the sewer. No judgement can be made at present - even if the sewer requires diversion, this may not be possible

Layout:

A robust management plan and the co-operation of residents would be required for all of the 14 dwellings

A minimum of 1.2m³ per dwelling would be necessary as being the required standard

Tandem and 'siamesed' parking arrangements could lead to many cars parking in the road and as the swept paths show, there is no room for this to take place Provision has to be made for electric car charging as part of the design. Adequate provision is required for fire fighting vehicles (2 of) and turning space.

Should the new roads be adopted and require the services of a road sweeper, certain sections are unlikely to be accessible by a conventional sweeper.

The Hydrock report indicates only the proposed improved access to Huish Lane. It is considered to be poor and less than an acceptable standard - particularly for pedestrians, those with disabilities and those requiring the use of a mobility aid This access is also used by; the farmer to access the fields (tractors and combine harvesters), allotment holder vehicles, pedestrians including - children, older people and people with disabilities, cyclists, vehicles from Huish Mews and in addition the previously approved housing development on the allotment site and nursery site will also use this access

Huish Lane does not have continuous adequate and safe footways to access the school, village hall, the distant part-time post office or the Public House

For the reasons given above, Old Cleeve Parish Council cannot support this application and suggest that it is rejected as it is not sustainable under the present criteria or with regards to the other adjacent proposed developments.

Highways Development Control -

The road layout will utilise an existing vehicular access, with a new 1.8 metre footway proposed, along with a new dropped crossing onto Huish Lane and 2.4 metres x 43.0 metres visibility splays in both directions. These works should be carried out under a Section 278 agreement along with a S171 licence. The internal 5.5 metre carriageway with a 0.5 metre margin on one side, 1.0 metre margin on the other at the access and within the site, and a mix of footway/margin and no margin or footway is not suitable for adoption. The applicants need to provide a continuous footway on both sides of the carriageway (1.8 metre) if the road is bituminous construction. If a block paved road is proposed then x2 1.0 metre margins will be required throughout with a 2.0 metre overhang at the termination of the turning head.

The road serving plots 1/8/9, 10 and 11, 12/13 and 14 will be private.

Turning head shown is not of standard dimensions and needs to be proven for

tracking of a refuse vehicle, measuring 11.4 metres long.

The layout, if bituminous requires a 1.8 metre footway on both sides throughout the layout- a 1.5 metre footway has been shown in places.

The separate turning head shown for the adjacent existing houses would not be adopted.

The proposals as shown would not be suitable for adoption.

The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such, under Sections 219 to 225 of the Highway Act 1980, will be subject to the Advance Payment Code (APC). Given the constraints of the existing access, it will not be possible to construct an estate road to a standard suitable for adoption. Therefore, in order to qualify for an exemption under the APC, the road should be built and maintained to a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Streetworks Code. If the applicant would like to offer this road for adoption appropriate amendments to the layout will be required.

In the event of permission being granted, it is recommended that conditions are imposed for: Wheelwashing; consolidation of access; surface water; estate roads; parking spaces; travel plan; visibility splays

SCC - Ecologist -

A Preliminary Ecological Appraisal of the application site was carried out by Geckoella between January and August 2019. Most of the site consists of a paddock of improved grassland. The site is bounded by two species rich hedgerows associated with a farm track to the west of the site and species poor hedgerow to the north and east of the application site. The hedgerows were considered to form potential commuting and foraging bats. As no bat activity surveys have been undertaken it is assumed that the presence of light averse species. A condition is required for a lighting design for bats.

In addition, the site is on the edge of a settlement and overall the potential for Hazel Dormouse is considered low. The paddock grassland and nearby gardens and allotments are all good potential habitats for hedgehog. A Construction Environmental Management Plan covering how the above features will be protected and maintained during the construction period is recommended by Geckoella . This needs to be conditioned for hedgerow and vegetation clearance

The area for swales and surrounding habitat could provide enhancement for biodiversity as set out in the National Planning Policy Framework. In order for this area to provide this enhancement it would need to be subsequently managed for wildlife. This can be achieved through a condition for a Landscape and Ecological Management Plan.

The National Planning Policy Framework (170d) requires biodiversity enhancement to be provided within development. A bee brick would contribute to the Somerset Pollinator Action Plan. Research shows that bees will live in the bricks and there is no risk associated with their installation as solitary bees do not live in hives or have a queen, and do not sting. The bricks have a solid back with the cavities placed on the outside wall. It is recommended that this is set by condition.

Environment Agency -
Below threshold for comments

Tree Officer -

I have no major concerns about this one, so long as most of the existing hedgerows are retained as indicated. These will not be protected by the Hedgerow Regulations if the site is developed, so can they be protected by condition or section 106? Can we have more trees in areas that are outside the private gardens – eg. around the swales and near to the southern boundary? Scope for some good new hedgerow oaks in the new hedge to the north.

Housing Enabling Officer -

The policy requirement in the West Somerset Local Plan to 2023 is that a minimum of 35% of all new housing should be in the form of affordable units. Based on a development scheme size of 14 homes this would mean that 5 affordable homes would be required.

Ideally the affordable housing on this site would consist of 60% social rented and 40% shared ownership i.e. 3 social rented and 2 shared ownership.

The Housing Need Report, 20 May 2019, for Old Cleeve (inc Washford Parish) states that 3 households with a local connection are in housing need.

As there is a current planning permission for 5 x 2 bed affordable homes the social rented units that would be required would be a mix of 1 and 3 bed homes.

This application proposes to deliver 5 homes for affordable home ownership. The housing need survey identified 5 households with a need for low cost homeownership. For the reasons above affordable home ownership units provided on this site must be at a 40% discount to the open market value in perpetuity to ensure these homes are affordable for local people. All the affordable home ownership homes should be 2 and 3 bedroom properties.

The affordable homes should be integral to the development and should not be visually distinguishable from the market housing on site. In addition, the affordable housing is to be evenly distributed across the site.

Due to the size and location of the scheme there would be a requirement for a local connection clause in relation to the affordable housing.

The affordable housing scheme must be submitted to and approved in writing by the Development Enabling Specialist at Somerset West and Taunton Council. Early engagement to agree the affordable housing provision is recommended.

Somerset County Council - flooding & drainage -

We would advise the LPA that the cumulative impact of developments in this area are considered. Due to the small size of several developments proposed within this area, and the practical minimum discharge rate, this could potentially increase the amount of flow into the receiving watercourse, and could have implications downstream. In these instances, using source control measures to ensure no or minimal runoff from the development in smaller storms is important so that when they do discharge it will likely be for much greater events. The Washford is a rapidly responding watercourse so ensuring the surface water runoff peak gets away before the peak on the watercourse will most likely be important. We would encourage the applicant to assess the SuDS suggested in more detail and indicate where these could be implemented on the site. Currently the plans seem to indicate that the attenuation features are isolated from the site rather than being

incorporated into the design for wider benefits.

We would also encourage a wider exploration of other sustainable drainage features which could be incorporated for amenity, biodiversity, water quality and flood risk benefits. This could include further SuDS conveyance features from the site to outfall, and a smaller conveyance feature between the two larger swales.

We advise that these features are indicated on the plans to demonstrate any constraints and commitment to delivery. Please note that consent may be required from the EA as there is formal connection into a Main River proposed.

We would advise the above be considered, however should the LPA be minded to grant permission, we would advise that a condition for SUDS is applied as per the suggested wording

Representations Received

4 letters of objection have been received, the issues raised are:

- dwellings are very squashed with little garden space
- traffic impacts
- lack of pavements/footpaths
- lack of local services such as GPs and shops in the village
- parking impacts on surrounding streets
- excessive parking within the development
- need pedestrian crossings and more pavements

One neutral letter was received from the Somerset Wildlife Trust supporting recommendations in the ecological survey

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

CC6	Water Management
SC1	Hierarchy of settlements
SV1	Development at primary and secondary villages
NH13	Securing high standards of design

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

LB/1 Listed Buildings Alterations and Extensions
T/8 Residential Car Parking

Determining issues and considerations

Main issues are the principle of development, affordable housing, access and parking, amenity, landscape and trees, biodiversity, heritage, drainage and legal agreement.

Principle of development

This is an outline application with all matters reserved except for access for 14 dwellings on a site bordering onto the minor settlement of Washford. The applicants engaged with the LPA prior to submission of an application under pre-application reference PRE/26/18/004. The pre-application was based on a scheme of 16 residential units which has been reduced to 14 for this application. The pre-application gave guarded support for the proposal. Relevant policies include WSC Local Plan to 2032, SC1 Hierarchy of Settlements, SC4 Affordable Housing, and SV1 Development at Primary and Secondary Villages. Policy SC1 allows for limited development (up to ten dwellings) in identified primary/secondary villages, which includes Washford and up to 50 metres from built-development limits. The majority of the site is within 50 metres of the edge of contiguous built development in Washford, although the area shown on indicative plans as proposed for surface water attenuation features is significantly beyond this 50m limit. However it is not considered that water features are relevant to the 50 metre limit. In regards to proposed dwellings shown on the indicative site plan plot 1 is just outside of 50 metres from the nearest dwelling (Huish Mews) and plot 8 is partially within the 50 metre line. Given that the majority of the site proposed for new dwellings is within 50 metres of contiguous built development, as at the date of the adoption of the Local Plan to 2032, the spread and quantum of development is considered acceptable, in this instance, to make best use of the plot in an efficient manner.

Policy SC1 allows for 'limited development' in 'primary villages' of which Washford is one. Limited development is defined as for residential developments of up to ten units, however the Local Plan to 2032 must be read in conjunction with the National Planning Policy Framework (2019) which has significant weight in consideration of the current application. The figure of 14 dwellings is evidently over the local plan limit of 10 dwellings, but has to be seen in the context of the NPPF which requires that local planning authorities support sustainable development. In considering the efficient use of land required in the NPPF at paragraphs 117 and 118 (d), it is stated that policies and decisions should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively". Paragraph 122 notes that "planning decisions should

support development that makes efficient use of land", and paragraph 123 states that "planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site". The NPPF (2019) therefore promotes the efficient use of land at capacities and densities which should not be arbitrarily imposed as result of rigid adherence to local plan policies which may have some elements that are not fully in conformity with the aims of the NPPF. It is therefore considered that to restrict the proposed development to 10 dwelling units would not be in accordance with the NPPF and that the LPA can support the proposed quantum of development.

Policy SC1 further requires that numbers of new dwellings approved should be "about a 10% increase in a settlement's total dwelling number during the Local Plan period" and this total dwelling number for Washford, at the date of the Local Plan adoption year of 2016 was at 304 dwellings. There are considered to be 16 dwellings at some stage of approval since the adoption of the Local Plan in November 2016 in Washford, comprised of two single dwellings (3/26/19/003 Belle Vue, and 3/26/18/003 Ashcroft), 5 affordable dwellings at the adjacent site (3/26/19/015) and 9 open market dwellings at the former nursery site, which has been approved at committee but has not yet had decisions issued due to a delay in drafting the section 106 agreement (but is of relevance to the current application in regards to numbers of dwellings with a staged approval in Washford). This overall totals up to 16 dwellings, so an application for 14 dwellings is within the 10% of 304 dwellings (approximately 30/31 dwellings) given as an approximate figure for new approvals in policy SC1.

It is acknowledged that the application provides for more than ten dwellings so has some policy conflicts with SC1. However the application would provide for 35% affordable units or 5 dwellings which, it is considered, on balance, allows the LPA to provide in principle support to the application given the benefits to the local area of an increase in the availability of affordable housing. The number at 5 units equates to 35.7% of numbers proposed, so is considered to be fully in conformity with policy SC4 for affordable housing. As the application is submitted in outline, the main issues remaining are concerned with landscape, biodiversity, heritage, access and parking, and are discussed below.

Affordable housing

The applicants have agreed to provide 35% of dwellings as affordable units. This would be set through a section 106 agreement. Housing enabling specialists have recommended the dwelling tenures are split 60% social rent (3 units) to 40% shared ownership (2 units). Further the enabling specialists recommend a local connection clause and noted at least eight households in the wider locality registered for affordable housing. On this basis, the proposal is considered to be in compliance with requirements under policy SC4 Affordable Housing.

Amenity

The site is relatively close to Huish Mews, a small terrace of dwellings but with sufficient distance to ensure there are no significant impacts on amenity for existing residents. Subject to details of design at the reserved matters stage the application

is not considered to have significant issues related to residential amenity.

Access and parking

The site would utilise a pre-existing access onto Huish Lane and private road servicing houses on Huish Mews. The Highways Authority have not objected to the proposal but have noted that a highways section 171 license would be required and commented that the estate roads are unlikely to be adopted. They have recommended conditions which will be appended to any permission granted. One condition, for a Travel Plan to accompany any reserved matters application, has been amended as per the recommendation to ensure compliance with the submitted Travel Plan which has been reviewed by the Highways Authority. The proposed access is considered suitable for the proposed scale of use and any highways impacts are considered to be less than 'severe', as stipulated in the NPPF. Accordingly the development is considered acceptable from a highways perspective.

The proposal shows on the indicative layout up to 43 parking spaces. This is 15 in excess of the level stipulated in WSC retained policy T/8, which only allows for 2 spaces per dwelling (equating to 28 spaces). However it should be noted that several of the individual spaces are in-line double spaces which may not be capable of providing two full spaces, especially for longer cars and as such cannot be definitively included as representing full spaces. Additionally the indicative plan shows 3 visitor spaces. As the layout plan is indicative and this application seeks only consent for the quantum of dwellings and access it is considered that the proposed parking whilst not in compliance with policy T/8 does not represent a substantive reason to refuse the application.

Landscape and trees

The site is relatively level and is an open pasture field located behind existing housing. An adjacent site has a recent approval for reserved matters for the delivery of affordable housing. There are some trees and hedgerows bordering the site and these should be protected during construction and retained where possible. The SWaT Tree officer has recommended that hedgerow and tree protection is included in the section 106 agreement. Any reserved matters application would need to include details of hard and soft landscaping and it is considered that the proposed development, at this outline stage, would not have significant adverse impacts beyond the control of the LPA.

Heritage

There are grade II listed barns located to the south-east of the site. With a good landscaping scheme it is not considered that the setting of these designated heritage assets would be unduly harmed by the proposed development. The site has some archaeological potential and the South West Heritage Trust has recommended a condition for a written scheme of investigation which will be included in any outline permission granted.

Drainage

The application includes indicative plans for above-ground surface water attenuation features. The Lead Local Flood Authority have recommended that the LPA conducts a masterplan for the area with consideration given to a wider drainage strategy. However SWaT policy and strategy colleagues have stated that this will not be possible. The LLFA have not objected to the proposal but have requested a reserved matters condition for details of a SUDS to be included with any outline permission granted.

Biodiversity

The application included an ecological assessment which has been reviewed by the County ecologist who has recommended appropriate conditions. These will be included with any outline permission granted.

Legal agreement

The application will require signing of a legal agreement (section 106) to provide confirmation for affordable housing and tree/hedgerow protection measures. Any permission granted will be contingent upon signing of a suitable legal agreement, which has been agreed in principle with the agent.

Other matters.

The parish council have objected to the proposed development citing concerns about lack of facilities in the village, traffic impacts and other matters. Additionally 4 letters of objection have been received raising concerns including parking and traffic impacts, lack of pedestrian crossings and over-development. These matters are addressed above.

Conclusion

Whilst there are issues with this outline application in relation to the quantum of development and stipulations in policy SC1 for limited development it is considered that, on balance, the provision of new affordable housing is a planning benefit outweighing any perceived policy conflicts. All other matters relevant to the outline stage are considered acceptable subject to approval with conditions cited above and the signing of a section 106 legal agreement.

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

Application No:	3/21/19/034
Parish	Minehead
Application Type	Full Planning Permission
Case Officer:	Alex Lawrey
Grid Ref	Easting: 296806 Northing: 146284
Applicant	Avison Young
Proposal	Demolition of commercial laundry building to construct 7 apartments and 164 sqm of retail / financial and professional services, café / office (A1, A2, A3, B1) with associated cycle parking, refuse facilities, infrastructure and landscaping
Location	Julians Laundry, Market House Lane, Minehead, TA24 5NW

Recommendation

Recommended decision: Conditional approval.

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:

(A3) DRNO 3377-TBC-A0001 P3 LOCATION PLAN
 (A1) DRNO 3377-TBC-A0050 P1 PROPOSED SITE PLAN
 (A1) DRNO 3377-TBC-A0200 P1 PLAN LEVEL 00-PLOT A
 (A1) DRNO 3377-TBC-A0201 P1 PLAN LEVEL + 01 PLOT A
 (A1) DRNO 3377-TBC-A0202 P1 PLAN LEVEL + 02 PLOT A
 (A1) DRNO 3377-TBC-A0203 P1 PLAN LEVEL 00, +01 & +02 PLOT A
 (A1) DRNO 3377-TBC-A0204 P1 ELEVATIONS -PLOT A
 (A1) DRNO 3377-TBC-A0205 P1 COURTYARD ELEVATIONS -PLOT A
 (A1) DRNO 3377-TBC-A0210 P1 ROOF PLAN -PLOT A
 (A1) DRNO 3377-TCB-A3020 P1 PROPOSED SITE SECTIONS PLOT

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

- 3 Prior to the construction of the building/extension 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. Notwithstanding drawing number 33773-TBC--A0204 P1 the east elevation shall use rubble stone and details or material samples shall be provided to the Local Planning Authority as per the requirements detailed above.

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

- 4 Prior to first occupation of the development hereby permitted, access to covered cycle parking, numbers and spaces to be fully in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority. This will show a minimum number of 15no. of secure cycle storage spaces to be provided to serve the development.

Reason:

In the interests of promoting sustainable transport

- 5 During the construction phase the applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement and thereafter maintained until the use of the construction of the site discontinues.

Reason:

In the interests of highway safety

- 6 No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
- Construction vehicle movements;
 - Construction operation hours;
 - Construction vehicular routes to and from site;
 - Construction delivery hours;
 - Expected number of construction vehicles per day;
 - Car parking for contractors;
 - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
 - A scheme to encourage the use of Public Transport amongst contractors;
 - and Measures to avoid traffic congestion impacting upon the Strategic Road Network if required.

Reason:

In the interests of amenity and highway safety

- 7 Prior to occupation of the building, works for the disposal of sewage (or

confirmation of connections to the mains sewerage network from the relevant utility company) and surface water drainage shall be provided on the site 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.

- 8 Demolition of buildings may not in any circumstances commence unless the local planning authority has been provided with either:
- a) a statement in writing from the licensed bat ecologist to the effect that she/he does not consider that the development will require a licence; or
 - b) a copy of the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead

Reason: In the interests of the strict protection of European protected species and in accordance with policy NH6 of the West Somerset Local Plan

Prior to commencement reason: Any works of demolition could damage or destroy habitats of European protected species.

- 9 The following features will be installed into the structure of Plots A and B:
- a) A Habitat 001 bat roost or similar will be integrated into the structure below the apex on the west elevation's southern gable end at least 4 metres above ground level of Plot A.
 - b) Three Schwegler Type 1A swift boxes or similar) will be integrated into the structure at least 5 metres above ground level, at least 1 metre apart and away from windows on the north elevation of Plot A
 - c) Two Schwegler 1SP house sparrow terraces will be installed under the eaves of a north facing elevation
 - d) A bee brick built into the wall about 1 metre above ground level on the southern elevation of Plots A and B.
- Photographs of the installed features will be submitted to the local planning authority prior to completion of construction

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

- 10 No demolition of buildings or structures shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of buildings for active birds' nests immediately before the buildings are demolished and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason:

In the interests of nesting wild birds and in accordance with policy NH6 of the West Somerset Local Plan

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

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

Reason for pre-commencement: Any works on site have the potential to disturb archaeological interests.

- 12 Prior to the commencement of demolition operations the developer shall provide written evidence of a contract to build out the development hereby approved. The details of the contract must indicate that works for building the approved development will commence no later than three calendar months after the completion of demolition works and any associated ground clearance.

Reason:

To prevent a gap being formed after demolition in the Conservation 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 paragraph 38 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 The Highway Authority would like to remind the applicant that they should seek to alter the Traffic Regulation Order in order to remove any confusion regarding parking arrangements in front of the access junction. This will help to guarantee the rights of residents to safely access the site in perpetuity.

Proposal

This application seeks consent for the demolition of a commercial laundry building to construct 7 apartments with 164m² of retail, financial & professional services, cafe / office (A1, A2, A3, B1) with associated cycle parking, refuse facilities, infrastructure and landscaping, at Julians Laundry, Market House Lane, Minehead.

Site Description

The site is a long commercial building in central Minehead with a gable end facing the road in brick and stone, with double-doors to the front. To the side of the building is a pedestrian lane leading up North Hill. A two storey element of the building is further up the hill. Market House Lane is narrow with yellow lines and there is only very limited vehicular access. The site is in current use as a commercial laundry service and has had previous uses which appear to be related to a garage and fruit and vegetable warehouse. The building maybe Edwardian but has little architectural merit. It is set within the Wellington Square Conservation Area and is close to listed buildings and the listed market cross to the east on Market House Lane. No internal inspection of the site was undertaken due to Covid 19 restrictions.

Relevant Planning History

3/21/83/070 - additional use of the premises for ancillary retail sale of fruit and vegetables - refused - 24/06/1983

3/21/88/120 - vacant stores Market House lane: residential development - granted - 26/05/1988

3/21/96/113 - change of use from vacant garage/warehouse to laundry - granted - 25/07/1996

Consultation Responses

Minehead Town Council -

Minehead Town Council has concerns about access for construction vehicles and, if the application is granted, the residents access and lack of parking facilities for such a development. As this building is in a Conservation Area, it has concerns regarding the style of the building not being in keeping with that of the rest of this most unique and ancient area of Minehead. The committee also feels it is an overdevelopment of the site. The committee recommends that a site visit should be carried out by the SW&T committee, so that it can see first hand the issues such as the area and access to the site.

Comments in response to revised plans: Recommend refusal. RE: West Somerset Local Plan policies NH1 & NH2 concerns regarding: lack of parking, access for construction, height of three storeys, shared amenities, (states spill out for retail space), development not in keeping with local area. Recommend site visit for committee.

Highways Development Control -

Comments have been received from the highway authority which cover access, parking, traffic impact, internal layout and construction matters. The conclusion of

their comments states: The Highway Authority does not object to the principle of development on this site. However there is a lack of clarity regarding the proposals as it pertains to the access junction and access road. The Highways Authority would wish to see a plan indicating the geometry of the proposed layout on Market House Lane, the access junction and the access road before giving their final conclusion.

Comments in response to revised plans:

It is noted that the this proposed is a revised scheme from the original proposal where the Highway Authority originally provided comment dated 20 June 2019. The current proposal is for the demolition of an existing commercial building and erect 7 residential apartments and 164 SQM for a mixed A1, A2, A3, B1 usage. The proposal site lies off the unclassified one way, Market House Lane in Minehead. It is the understanding of the Highway Authority that the existing site currently accommodates 2 vehicle parking spaces and 0 cycle parking spaces for the current use as an active laundry building.

This proposal would see no vehicle spaces provided but a number of cycle spaces to be included as part of the residential and mixed use classification, however the exact number does not appear to of been specified. Cycle parking needs to be provided at a rate of one space per bedroom and a rate of one space per 20m² (on the basis of the mixed use operating completely under A3 classification). All cycle parking needs to be safe, secure and sheltered.

Given the proposal site lies in Zone B of the Somerset Parking Strategy (SPS), the SPS optimum standard for vehicle parking for this proposal is 19 in total (11 for the residential development and 8 for the mixed use classification).

Whilst there are public car parks within Minehead, the LPA should be mindful that the nature of the development proposed without any vehicular parking, in particular the residential development would only encourage the increase the likelihood of informal parking on the local highway network system.

Vehicle parking on Market House Lane appeared to be exercised and given the nature of the carriageway the development proposed may increase this level activity and as such more likely to cause vehicle confliction.

To reiterate from our previous comments dated 20 June 2019 for a previous proposed scheme at the site, the existing access to and from the site is narrow and constrained and offers very limited forward visibility onto Market House Lane where Non-Motorised Users would have to walk on the local carriageway to access the site. It is accepted however, that footfall to and from the site is already exercised given the extant use of the site with no recorded accidents at the site over the past 5 years.

The Highway Authority would like to remind the applicant that ideally, they also seek to alter the TRO in order to remove any confusion regarding parking arrangements in front of the access junction. This would help to guarantee the rights of residents to safely access the site in perpetuity.

With the above in mind, the Highway Authority do not consider the proposal as the most practical in this instance, where sustainable travel opportunities have their limitations. It would appear technically possible for the applicant to provide a level of parking and improve the current access arrangement.

Whilst finely balanced, the LPA will need to decide if the benefits of the scheme outweigh the disbenefits of the development. In the event therefore of planning consent being granted, the conditions are recommended for covered cycle spaces, wheel-washing, disposal of surface water, CEMP and scheme for use of public

transport by contractors.

Tree Officer -

Comments to revised plans: No objections

Conservation Officer -

Has visited the site and noted that there was a pre-app on this case. Questioned whether the applicants justified that no other use can be put to the existing buildings. They could be regarded as being non designated heritage assets. There is some substantial areas of historic stone. Is not convinced by the design solution. There is no clear understanding of the local vernacular even allowing for a contemporary interpretation.

The existing gable facing the road is a strong feature in the street scene in the conservation area. This element should be replicated in the new development. The proportions of the windows in the locality should also be respected.

The Juliet balconies do not have any resonance with the local vernacular and are not appropriate . The officer could not support this proposal in this form .

It is that the applicants should rethink the design and access statement and carry out a more thorough observation of the local traditional built forms.

The new buildings should incorporate a significant proportion of the historic walls

SCC - Ecologist -

An Ecological Impact Assessment of the application site was carried out by the Landmark Practice in February 2019. The application site predominately comprises existing built commercial and residential structures, with some associated amenity landscaping in the residential garden. The garden around the existing residential dwelling (The White House) is quite typical of a residential garden. While it does not include amenity lawn, it has extensive planting beds dominated by a range of ornamental shrub and flower species and numerous potted plants and hanging baskets.

The buildings were surveyed for their potential as bat roosts. Landmark Practice considered that these had low potential to support roosting bats and recommend a single emergence survey to determine presence / absence and status. This was carried out in August 2018 and no bats were found to emerge, although some activity by common and soprano pipistrelles were observed on the eastern boundary. The Landmark Practice however state that 'While no evidence of roosting bats was noted during the building inspection of emergence survey, bats were noted flying over/around the site application site. As a precaution, and due to the transitory nature of bat roosts, if the demolition works are delayed by more than one year from the date of the bat surveys in August 2018 that have been carried out to inform this assessment, the buildings should be subject to a pre-demolition update emergence survey to confirm the absence of bats. Given that the local planning authority has duty of strict protection of European protected species under the Habitats Regulations I would condition this as follows in order our legal obligations are fulfilled.

- Demolition of buildings may not in any circumstances commence unless the local planning authority has been provided with either:
 - a) a statement in writing from the licensed bat ecologist to the effect

that she/he does not consider that the development will require a licence; or

b) a copy of the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead

Reason: In the interests of the strict protection of European protected species and in accordance with policy NH6 of the West Somerset Local Plan

The habitats present, coupled with the small scale of the site and the limited evidence of bird species during survey work indicates that the site is likely to offer some opportunities for common foraging and nesting bird species in an urban context. The following needs to be conditioned:

- No removal of hedgerows, trees or shrubs or demolition of buildings or structures shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation and buildings for active birds' nests immediately before the vegetation is cleared or buildings demolished and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In the interests of nesting wild birds and in accordance with policy NH6 of the West Somerset Local Plan

The residential garden of The White House offers some limited opportunities to common reptile species such as slow worm. As such, to ensure that reptiles are not injured or killed during development works, the following staged approach should be implemented during site clearance. This should be conditioned as follows:

- Prior to any vegetation clearance or ground works, any vegetation in the construction area should initially be reduced to a height of 15 centimetres above ground level by hand, brushings and cuttings removed and left for a minimum period of 48 hours of warm suitable weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land in the active period. Written notification of the date of the initial cut should be submitted to the local planning authority prior to the work being carried out.

Reason: In the interests of UK protected species and in accordance with policy NH6 of the West Somerset Local Plan

The Elevation drawing of Plot B appears to be damaged and I cannot open it on the web. However, I recommend that the following is conditioned. The National Planning Policy Framework (170d) requires biodiversity enhancement within development.

- The following features will be installed into the structure of Plots A and B:
 - a) A Habitat 001 bat roost or similar will be integrated into the structure below the apex on the west elevation's southern gable

- end at least 4 metres above ground level of Plot A.
- a) Three Schwegler Type 1A swift boxes or similar) will be integrated into the structure at least 5 metres above ground level, at least 1 metre apart and away from windows on the north elevation of Plot A
 - b) Two Schwegler 1SP house sparrow terraces will be installed under the eaves of a north facing elevation
 - a) A bee brick built into the wall about 1 metre above ground level on the southern elevation of Plots A and B.

Photographs of the installed features will be submitted to the local planning authority prior to completion of construction

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

Bee bricks built into the southern elevations would contribute to the Somerset Pollinator Action Plan. Research shows that bees will live in the bricks and there is no risk associated with their installation as solitary bees do not live in hives or have a queen, and do not sting. The bricks have a solid back with the cavities placed on the outside wall.

Response to revised plans: Comments and recommendations still apply.

Housing Enabling Officer -

The pre-app does not make any reference to affordable housing. However, as the application is based on 13 dwellings it is over the threshold and therefore a requirement for 35% of the dwellings to be affordable. This would equate to 4.5 affordable homes which should be rounded up to 5. Based on the recent Housing Needs figures from Homefinder, there is a high level of demand for both 1 and 2 bed units and therefore the requirement is for a mix of 2 x 1 bed and 3 x 2 bed homes social rented units.

Comments in response to revised plans:

No further comments received [NOTE: revised plans reduce number of dwellings to 7 which is below policy threshold for affordable housing]

Wessex Water Authority -

No objections.

Somerset County Council - flooding & drainage -

This application is now a minor application it falls below the requirements for LLFA statutory consultation. Therefore, we have no comments to make regarding this application, however we would advise the LPA that this application should still be accompanied by a viable surface water drainage strategy.

South West Heritage Trust -

The site lies within the Minehead Area of High Archaeological Potential as identified by the retained Local Plan policy. This area encompasses the Lower Town area of the former medieval town, which formed the market and administrative centre for Minehead in the later medieval and post medieval period. A review of the Somerset

Historic Environmental Record has demonstrated that there are a number of heritage assets lying within or adjacent to the application site which have not been considered as part of this application. The submitted Heritage Impact assessment appears to only address impacts upon the built environment and not archaeological potential. There is currently insufficient information contained within the application on the nature of any archaeological remains to properly assess their significance. For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of the application. This is likely to require initially a desk based assessment and further fieldwork evaluation as indicated in the NPPF paragraph 189.

Development Enabling Specialist (Public Open Space) -

West Somerset Local Plan policy CF1 requires the appropriate provision of formal sports facilities and / or informal public amenity open - space / play space as an integral part of new development. The West Somerset Council Play Provisions Audit (2008) found that there are distinct gaps in the amount of designated play spaces in West Somerset. The audit also highlighted that overall quality of designated play spaces is only considered "fair". It is recommended that as this development will increase local need for play space this development should achieve improvements to the closest play area. The Council recommends the following standard of provision:

Childrens space 20 square metres per family dwelling (a dwelling with 2 or more bedrooms) to comprise casual play space LEAPS and NEAPS to the required standard as appropriate. This standard excludes space required for noise buffer zones. For a development of 13 dwellings of which 6 would be 2 bed + off site childrens play contribution should be sought and calculated as £3263 per each 2 bed + dwelling. The contribution will be indexed and spent on additional play equipment for the play area closest to the development.

Response to revised plans - no response received

Representations Received

Minehead Conservation Society have written a letter of objection noting that the area is the 'most historically significant part of Minehead' and part of the town's 'heritage tourism offer', that the existing building is 'far less intrusive in height and scale', the proposed design has no relationship with buildings in the surroundings, impacting on the cottages and other buildings and being an 'act of vandalism'

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

NH13	Securing high standards of design
EC5	Safeguarding existing employment uses
TR1	Access to and from West Somerset
EC1	Widening and strengthening the local economy
NH2	Management of Heritage Assets

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

T/8	Residential Car Parking
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Determining issues and considerations

The main issues are: the principle of development and change of use; design and materials; amenity; access, sustainable transport and parking; heritage; and biodiversity

Principle of development

This application is for a change of use from a commercial laundry to a mixed use with 7no residential units and mix of A1/A2/A3/B1 uses (shops, professional services, offices, café), entailing demolition of the building. The site is in Market House Lane, Minehead in a very central location and just off the Parade, Minehead's central shopping area. The application has been amended since first submitted, significantly reducing the quantum of proposed development and red line area. Relevant policies for this application include MD1 Minehead development, which notes that proposals must "support and strengthen the settlement's role as the main service and employment centre in West Somerset, particularly in terms of the diversity and quality of its historic and natural environment, services and facilities". The site is in current use as a commercial laundry, which is considered to be likely to be a B1 light industrial use. As the proposed development would entail the loss of B1 employment land with the creation of A1/A2/A3/B1 facilities, policies of relevance include EC1 'Widening and strengthening the local economy' which supports developments which will make the local economy stronger and more diverse and increase the proportion of higher paid jobs, and further notes that new developments, "...redevelopment and, conversion proposals for all types of employment generating activities will be encouraged". It is therefore considered that the proposed creation of new employment space for mix uses including office and

professional services represents a positive diversification of the employment offer in central Minehead, meeting the tests of policy EC1. The application also includes 7 apartments at one-bedroom each. The site is within central Minehead so is considered to be a sustainable location for residential development. The development is proposed with no allocated parking for either commercial or residential uses. This is discussed in detail below in relation to policy TR2 'Reducing reliance on the private car', which is 'designed to minimise additional transport demand arising from new development maximise modal choice', offers some support for this type of 'car-free development as does retained policy T/8 which (at appendix 4) notes that for town centre dwellings the standard of one space per dwelling may be varied if there are public car parks and public transport in the vicinity. Accordingly it is considered that the proposed development does benefit from 'in principle' policy support.

Change of use

The site is proposed for a change of use from a B1 employment land use to the mix of uses as described above. Policy EC5 'Safeguarding existing employment uses' protects employment uses from changes to 'residential or other non-employment generating uses' except where it is demonstrated that the 'activity is no longer appropriate or sustainable in that location'; the site has been marketed for twelve months; any new use would not prejudice adjacent or existing uses; and would not result in undesirable transport patterns over minor roads. It is noted that no marketing of the building for other B1 light industrial employment uses has been undertaken. However the site has very problematic vehicular access on a very narrow, single-lane road (Market House Lane) and would be unsuitable for access by large HGV's. There is also limited direct access for parking on-site for cars or vans. The current users are intending to move to alternative premises on an industrial estate in Minehead where there is far better access for large vehicles. The proposed commercial uses would be unlikely to require the numbers of vehicular movements from large vans/small HGVs as the current use. It is acknowledged that the site, if it continues with the existing light industrial usage, would have significant issues in relation to road widths, parking and access for large vehicles. Additionally the surrounding buildings are primarily in residential use except for the neighbouring advice centre, which is now closed and has consent for conversion to a solely residential use. If implemented this would leave only the Julian's Laundry building as an ongoing commercial (B1) site except for the rear sides of buildings which have accesses on Market House Lane but frontages onto the Parade, (and in most cases have residential apartments above and/or behind commercial frontages, shops, etc on the Parade).

Therefore, the proposed uses fit in well with the national government's general direction of travel in terms of planning policy and the rejuvenation of high streets through the inclusion of residential uses above shops and professional services outlets, as well government policy towards re-use of semi-redundant upper floor areas for residential purposes, which is evident in existing and proposed changes to the General Permitted Development Order. Accordingly it is considered that there are clear planning benefits to the proposed uses in terms of increasing the available number of residential apartments, especially for lower cost (although not technically 'affordable' or 'social' rent) one bedroom units, and providing employment space

suitable for professional services which would increase the availability of higher paid jobs, an aim of policy EC1. The proposed mix of uses is considered to strike a good balance between retaining some appropriate small-scale commercial uses to the lower floors and frontage, and residential uses above and is considered by the local planning authority (LPA) to be acceptable.

Design and materials

The proposed design and footprint of development has been subject to considerable reductions since the application was first submitted and now only includes the area currently occupied by the Julian's Laundry building (plot A), not the dwelling behind the site known as the White House (plot B). The site is at the bottom of a hill and the land is steeply sloping in places, so the design has mixed one, two and three storey joined blocks (respectively to the rear/north, side/east and front/south), arranged around an inner courtyard with an undercroft gateway entrance and apartment block above. The ground floor would feature the retail/office unit, with areas for secure cycle storage and bins, and the internal open courtyard area, and two doorways for pedestrian access located inside the courtyard and on the adjoining lane. The design is contemporary but pays reference to vernacular materials with the use of brick and stone. The main aesthetic is of a contemporary rendition of converted industrial buildings, similar to the Docklands development in east London, or Albert Dock in Liverpool. Although contemporary and a marked change from the building as existing the design keeps elements of the original building in its use of a double-gate wide entrance and a brick front façade. As the area around the site is densely packed the changes are not considered to be harmful to the area and would be in-keeping with the rear entrances to shops and flats (whose ground-level front elevations are along the Parade) which are located opposite to the site.

The building's height at three storey is a notable increase over the existing building at Julian's laundry but is no higher than the Queens Head Inn located very close to the site on the corner of Market House Lane and Holloway Street. The design is considered to be acceptable with a minor amendment to the proposed materials to the eastern side elevation to continue the use of stone, which has been agreed with the agent but has not been amended on drawings so will be set by a condition accordingly. The increase in height is considered to have relatively limited impacts at street level as the road is very narrow and features buildings with some variety in heights but is bounded by the start of the hill to the north. So the height has been designed to diminish with the topography. In terms of views from within Market House Lane to the east and west of the site it is not considered that the proposed blocks would have a dominating or intrusive impact and the current aspect of the street-scene would be largely preserved as building lines and use of materials would be similar.

In regards to the design of the apartments these would be one-bedroom with combined space for living room/kitchens and modest shower-rooms. Internal space standards set out in the (then) DCLG's Nationally Described Space Standards are at 39m² minimum for a 1person one bedroom apartment, unless it features a shower room instead of a bathroom. All the proposed apartments would have shower rooms and vary in size between 38m² up to 52m² which meets nationally designated

internal space requirements.

Therefore subject to details of materials and the noted changes to use of stone on the side lane elevation, the proposed design is considered acceptable.

As the site is within a Conservation Order a condition will be required stipulating that prior to any commencement of demolition evidence of a contract for the building the proposed development is supplied to the LPA to prevent the creation of a gap in the Conservation Area.

Heritage

The LPA have a duty under Section 66 of the Planning (Listed Buildings and Conservations Areas) Act 1990 and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to consider the impacts of development on the setting of Listed Buildings and designated heritage assets, and to consider archaeological potential at development sites. This is supported by Local Plan policies NH1, NH2 and NH3. The site is within the Wellington Square Conservation Area and is within the setting of listed buildings further east along Market House Lane, comprised of three, early 18th century, terraced cottages in pink painted render over cob (grade II) and the remnants of the old market cross base and shaft, which is of 15th century origin. The proposed replacement building is considered to have a positive impact on the setting of designated heritage assets as the existing building has little architectural merit and is utilitarian in character. The existing front building line would be retained, with a sympathetic palette of materials and with other features that have affinities with the building as extant. Views to the important market cross and adjacent cottages would be unaffected from the Parade entrance to Market House Lane to the south, and there would minimal changes in views from the west travelling from Holloway Street into Market House Lane looking east. It is considered that the setting of these assets would not be harmed by the proposed development and the character of the area would be preserved and enhanced through increased residential use of the area and visitors/customers to the proposed commercial unit.

Access, parking and sustainable transport

The site would be accessed off of Market House Lane which, as cited above, is narrow and unsuitable for large vehicles and has no parking permitted. The proposed development includes 7 apartments with no allocated parking provision. However it is noted that there are public car-parks within a few minutes walk of the site and that the proposal includes a covered and secure space for storage of bicycles. Retained policy T/8 is supplemented by a table contained in appendix 4 of the adopted WSC Local Plan to 2032 setting out standards for residential car parking. The local plan statements contained in appendix 4 specifically refer to variations to the parking standards for 'town centre dwellings', and, given that Minehead is the largest town in the former West Somerset Council area, it is considered that this policy is directly applicable at the proposed development site. Therefore whilst the Highway Authority's note of caution is accepted, it is considered that, 'on balance', the proposed car-free development is acceptable, and would

encourage the use of sustainable transport in a town centre location where there is very quick access to shops and services, and to public transport.

The proposal shows a covered area for storage of bicycles with 14 spaces provided. This would need to be increased to 15 and details will be required to be set by a condition attached to any permission granted. The ground floor plan showing the cycle storage area indicates seven free-standing bars to lock bicycles to. This number could be increased or a bar attached to a wall to allow for an increased number and these details would have to be submitted prior to occupation of the dwellings. The area designated for cycle storage appears to be large enough to store 15 cycles.

The Highway Authority has noted that the applicant 'ideally' should alter the extant Traffic Regulation order 'to remove any confusion regarding parking arrangements in front of the access junction. This would help to guarantee the rights of residents to safely access the site in perpetuity'. An informative to this effect will be included in any permission granted.

Biodiversity

The application documentation included an ecological survey and report. This covered both the current application site and the area occupied by the dwelling called the White House further north of the site. The submitted information has been reviewed by the County Ecologist. Whilst the LPA agrees with the comments from the County Ecologist, the recommended conditions include one for brush clearance to protect potential slow worm habitat. As the proposed development has been significantly revised to remove the element with a domestic garden to the White House, this condition is considered to be unnecessary now as there are no open, undeveloped, ground-level non-roof spaces within the proposed development boundary where plants could grow and which could provide a potential habitat for slow worms. So this condition has not been added.

Other matters

Minehead Town Council have raised concerns regarding the development including access, design and heritage concerns and requested that the planning committee conduct a site visit. It is further understood that the town mayor has requested a site visit by the planning committee. The local Conservation Society has objected to the development, citing concerns about design and impacts on heritage. These matters are discussed above.

In regards to flood risks at the site, it is within flood zone 1 so at low risk. Details of drainage would be set by condition attached to any permission granted.

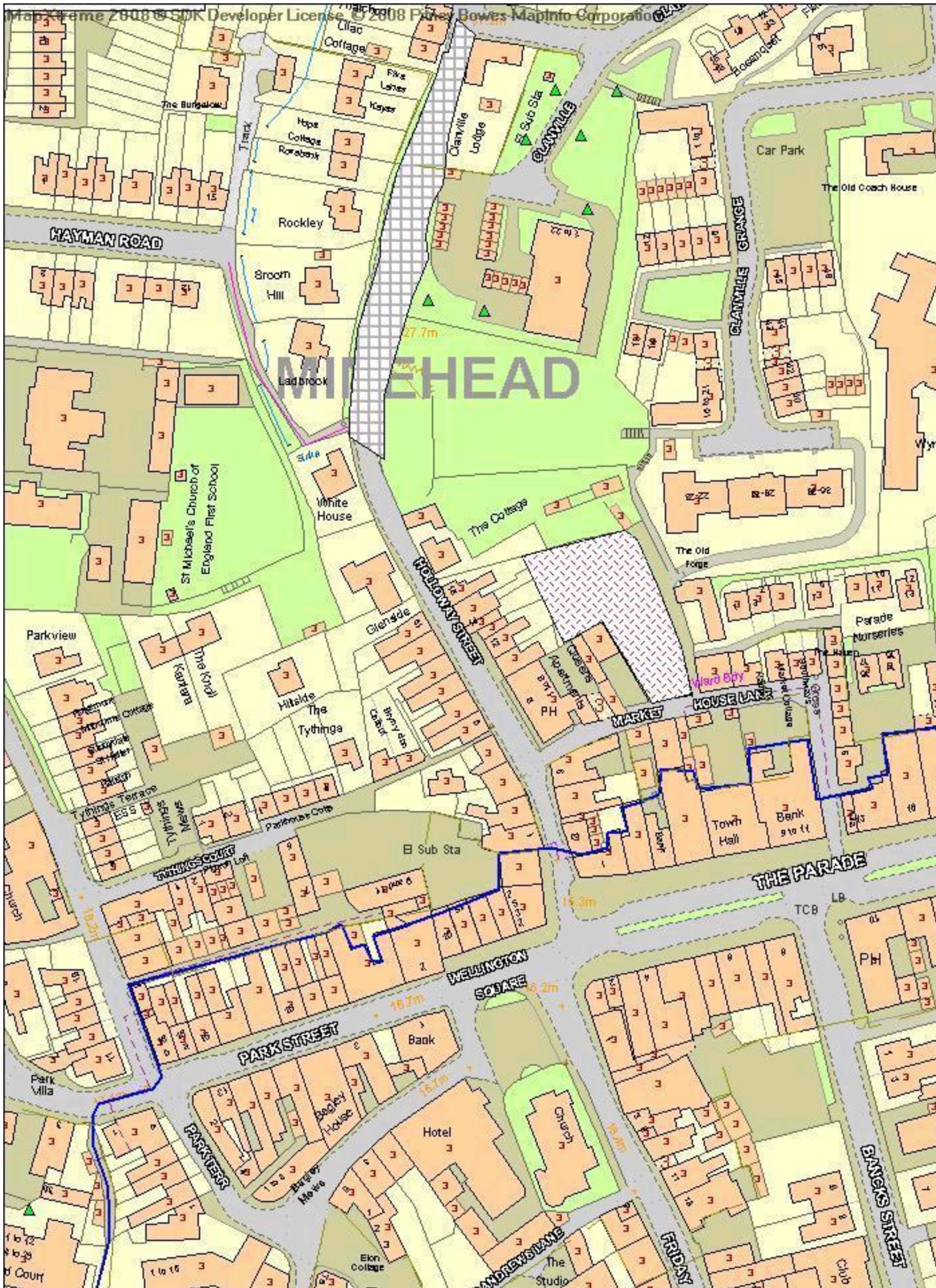
In regards to comments from the two enabling specialists, these ceased to have relevance when the application was amended to reduce the quantum of development to take it below the threshold where affordable housing and contributions for play would be required.

Conclusion

The application is considered to represent a good mix of uses for the site which currently is in a light industrial use in an area which is town centre, with inadequate road access and predominantly residential in character. The heritage characteristics and designations in the area are of central importance to the recommendation in this application and it is considered that the proposed design is contemporary but appropriate for its context. The proposed residential element does not provide for car parking but the location is central with access to public transport and car parks and with included provision for bicycle storage. Therefore the proposal is considered to be in accordance with policy requirements and is recommended for conditional approval.

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

Contact Officer: Alex Lawrey



Application No 3/21/19/034
Demolition of bungalow and
laundry buildings and erection of
13 No. apartments with 164sqm
commercial (Class A1, A2, A3
and B1) space with associated
car and cycle parking, refuse
facilities, infrastructure and
landscaping

Julians Laundry Service, Market
House Lane, Minehead
Planning Manager
West Somerset Council,
West Somerset House
Killick Way
Williton TA4 4QA
West Somerset Council
Licence Number: 100023932

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Easting: 296807
Northing: 146284

Scale: 1:1250

DECISIONS – 20 AUGUST 2020

Site: Strawberry Fields, Combe Lane, Holford, TA5 1RZ

Proposal: Retention of agricultural building including alterations to existing structure (resubmission of 3/16/18/006)

Application number: 3/16/19/005

Reason for refusal: Dismissed

Planning Application Decision: Committee



Appeal Decision

Site visit made on 13 July 2020

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 20 July 2020

Appeal Ref: APP/W3330/W/20/3249895

Strawberry Fields, Combe Lane, Holford, Bridgwater TA5 1RZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Hughes (Estate) against the decision of Somerset West and Taunton Council.
 - The application Ref 3/16/19/005, dated 7 November 2019, was refused by notice dated 11 February 2020.
 - The development proposed is retention of agricultural building including alterations to existing structure.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 1 April 2019 West Somerset Council merged with Taunton Deane Borough Council to become Somerset West and Taunton Council. The development plans for the merged local planning authority remain in place for the former area of West Somerset Council until such a time as they are revoked or replaced. It is therefore necessary to determine this appeal with reference to policies set out in the plans produced by the now dissolved West Somerset Council.

3. The structure has already been built. However, the proposal is for a modified version of the structure, which includes changes to the cladding, cutting back the eaves and verges, fitting timber doors, reducing the number of window openings and fitting these with clear profile panels. I have determined the appeal on this basis.

Main Issues

4. The main issues are
 - a) whether the proposed development would be acceptable in principle with particular regard to national and local planning policies, and
 - b) the effect of the proposal on the character and appearance of the area, including the Quantock Hills Area of Outstanding Natural Beauty (AONB).

Reasons

Principle of development

5. The appeal site is in an isolated area within the AONB. It is part of a small holding of 6.5 hectares, of which 2 hectares is woodland. The appellant suggests that the building subject of the appeal is needed to securely store a small tractor on the ground floor with the remaining part of this floor to be used for the drying of wood. The upper floor would be used as a workspace with areas for the storage of tools, small machinery and animal foodstuffs.
6. Paragraph 172 of the National Planning Policy Framework (the Framework) gives great weight to conserving and enhancing the landscape and scenic beauty in AONBs, and states that the scale and extent of development in such areas should be limited. Part a) of the paragraph states that proposals within an AONB should include an assessment of the need for the development.
7. Evidence submitted suggests that maintenance and improvements to the land are necessary to maintain and improve its biodiversity and landscape qualities, and that the areas of grass could be grazed, as they have been in the past. It is suggested that a nearby farmer could provide grazing stock. This would be the only livestock that would be kept on the holding. The stock would graze the land and, especially if the land is let to a nearby farmer, there would be very little need to store animal food on site.
8. The appellant intends to work the areas of woodland, and to process the wood for logs, cladding and planks. It is not entirely clear, but this would appear to be the main source of income generation at the holding. Such work would require machinery, which would be stored in the appeal building, avoiding the need to transport machinery to and from the appellants home. Evidence before me suggests that work to the woodlands would have support from Natural England, subject to a management plan.
9. However, a management plan has not been submitted as part of the appeal. I therefore have no information before me to address matters such as how much timber would be extracted, what machinery would be required and the level of anticipated stocking including planned grazing regimes. Such a plan would go hand in hand with a business plan to show that a legitimate business would be carried out at the site. Without such evidence I cannot be satisfied that the development, with reference to paragraph 172 of the Framework, is necessary.

10. Saved Policy BD/6 of the West Somerset Local Plan adopted 2006 (WSLP2006) relates to the design of agricultural buildings and refers to the need for such a building to meet the functional needs of the farming business. The building has a traditional form with a pitched roof and modest width. It is not a large, open plan building as referred to in the supporting text to the Policy. However, the Policy does refer to the need for a building to meet the functional needs of the business. Despite being purpose built the two door openings appear small for an agricultural building. I accept that the opening at the lower level is large enough to meet the current requirement to store a small tractor, however the modest size of the opening would restrict the use of the building in the future. Furthermore, there are no details to show how the ground floor is suited to timber drying, or details to show areas of hardstanding around the building to facilitate the easy movement of machinery into and out of the building.
11. In my assessment of the need for the development I give considerable weight to my doubts over the ability of the building to meet the functional need of the farming business in combination with the lack of a business or management plan for the holding.
12. Evidence before me sets out the planning history for the site, which includes the Council's previous acceptance of a very similar building as well as previous officer recommendations for approval. This clearly conflicts with the refusal upon which this appeal is based. However, it is for me to come to my own view based on the merits of the case and the evidence before me. I also note the suggestion that a much larger building could be constructed by exercising permitted development. However, I give this matter little weight as there is no evidence before me to suggest that such a fallback position would be exercised.
13. In summary of this main issue, the proposal is not acceptable in principle as it does not accord with Saved Policy BD/6 of the WSLP2006 or paragraph 172 of the Framework, insofar as they seek to ensure that such development in AONBs is necessary and designed to meet the functional needs of the farming business.

Character and appearance

14. The building is close to two well established hedgerow boundaries, which include many mature trees with canopies which extend over the top of the building. It sits towards the top of a sloping field, which falls away steeply to the northwest and is largely wooded apart from a small clearing close to the building. Land to the south and east is at a higher level.
15. As a result, it is difficult to view the building from anywhere beyond the immediate environs of the site apart from through a gap in the hedge where the upper parts of the building can be seen from the field to the southwest. This field is in the appellants ownership. From here I accept that the building in its current form has a domestic appearance, with a large window facing out over the adjacent field. However, on the basis of the proposed changes which would replace this large window with two smaller areas of profiled clear panels within a wall of green profile metal sheeting, the building would be unobtrusive and of an appropriately utilitarian appearance. The proposed metal sheet covering to the walls, which would match the existing roof material, would be appropriate for an agricultural building.
16. The proposal would see the roof eaves and verges cut back. This would give the building a simplified appearance, and I can see no reason why such an alteration would mean that a gutter could not be used to collect rainwater from the roof.

17. In summary, the proposal would not harm the character or appearance of the area, including the AONB, in accordance with Policy NH14 of the West Somerset Local Plan to 2032 adopted 2016 and paragraph 172 of the Framework, insofar as they seek to ensure that development within the AONB satisfies its statutory purpose to conserve and enhance its natural beauty.

Conclusion

18. Although I have found that the proposal would not cause harm to the character or appearance of the area, this matter is not sufficient to outweigh my findings on the first main issue, as the site is within the AONB where development is limited and an assessment of need is appropriate. Accordingly, the appeal should be dismissed.

Andrew Tucker

INSPECTOR