

Application Details	
Application Reference Number:	3/39/22/006
Application Type:	Full Planning Permission
Earliest decision date:	12 July 2022
Expiry Date	25 March 2022
Decision Level	Planning Committee
Description:	Conversion of buildings of part of former print works into a mixed use development comprising of 5 No. dwellings, a Class E building and use of front building on Long Street as Class E with ancillary parking and vehicular access to North Street
Site Address:	5, Long Street, Williton, TA4 4QN
Parish:	39
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment Area:	No
AONB:	Quantock Hills
<u>Case Officer:</u>	<u>Kieran Reeves</u>
Agent:	Mr S Thwaites,
Applicant:	Cogito Consulting
Committee Date:	15 Sept 2022
Reason for reporting application to Committee	Officer recommendation is contrary to the views of the Parish Council and members of the public

1. Recommendation

1.1 That permission be GRANTED subject to conditions

2. Executive Summary of key reasons for recommendation

2.1 The principle of the loss of employment space and the creation of residential units on the site is considered to be compliant with the adopted Local Plan. The design of the development and its impact on the locality and the setting of nearby listed buildings are considered to be acceptable. There would not be material harm to highway safety and wildlife interests, subject to the attachment of certain planning conditions. The impact on neighbouring residential amenity is not considered to warrant refusal of the application.

3. Planning Obligations and conditions and informatives

3.1 Conditions

3.1.1 Standard three year time limit

- 3.1.2 Plans condition
- 3.1.3 Bat licence condition
- 3.1.4 Bird nesting condition
- 3.1.5 Bat mitigation measures
- 3.1.6 Bat roosts provision
- 3.1.7 Demolition and construction management plan
- 3.1.8 Measures for preventing pollution
- 3.1.9 Contamination condition
- 3.1.10 Materials to be approved
- 3.1.11 Flush matt black solar panels
- 3.1.12 Flush fitting rooflights
- 3.1.13 Height of balustrade on Flat 3's balcony
- 3.1.14 Landscaping scheme to be approved
- 3.1.15 Sewage and surface water drainage to be approved
- 3.1.16 Water consumption condition
- 3.1.17 Access, parking and turning areas to be implemented
- 3.1.18 Existing northern access to be closed
- 3.1.19 Scheme for electric vehicle charging points to be approved
- 3.1.20 Waste storage and access to be approved
- 3.1.21 Cycle parking facilities to be implemented
- 3.1.22 Lighting design for bats to be approved
- 3.1.23 Ecological enhancement measures to be implemented
- 3.1.24 PD rights removed
- 3.1.25 Restriction on the use of the commercial buildings

3.2 Informatives

3.2.1 Proactive statement

3.3 Obligations

3.3.1 No obligations secured

4. Proposed development, site and surroundings

4.1 Details of proposal

4.1.1 Planning permission is sought for the partial demolition of the former printworks in Williton and the conversion of the remaining building and erection of new buildings to provide five residential dwellings. The originally submitted scheme was for six dwellings but one has been omitted during the application process. The erection of a commercial building also forms part of the proposal. The central historic core of the building would be converted to flats and an additional dwelling would be erected at the northern end of the site. The commercial building would be erected at the southern end of the site. A parking area would be formed in a courtyard in the centre of the site and this would be accessed off North Street via a new vehicular access.

4.2 Sites and surroundings

4.2.1 The application site is the former printworks at the rear of the editorial offices of the West Somerset Free Press, which is located in Williton. It is not within a conservation area. The editorial offices are part of the application but they would not be subject to alteration and they would be retained in commercial use. The printworks consists of a historic core and additions attached to the northern and southern elevations that were constructed in the late 20th Century. The site has been redundant and not in use for a number of years and it currently sits in a derelict state. There are residential properties surrounding the site and a listed hotel to the east of the site. The curtilage listed wall of the hotel is adjacent to the eastern boundary of the site and there is also a listed building adjacent to the site on its south western boundary. The application building itself is not listed. There is an existing on-site parking area that is located at the northern end of the site.

5. Planning (and enforcement) history

5.1 No planning history relevant to this planning application.

6. Environmental Impact Assessment

6.1 No Environmental Impact Assessment submitted in relation to this application as the proposal does not fall within criteria that requires an EIA.

7. Habitats Regulations Assessment

7.1 The site is not within the catchment area for the Somerset Moors & Levels Ramsar site.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 28 June 2022

8.2 Date of revised consultation (if applicable): N/A

8.3 Press Date: N/A

8.4 Site Notice Date: 24 February 2022

8.5 Statutory Consultees

Consultee	Comment
Williton Parish Council	<p>Williton Parish Council (WPC) welcomes the fact that something is proposed to be done with the buildings and that the iconic red brick printing building is to be retained. WPC however do have reservations on a number of aspects of the proposal as follows:</p> <p>1. The proposed two new dwellings WPC object to these new dwellings on the grounds that these dwellings will result in poor living conditions for the occupiers of both properties due to being a cramped form development squeezed in between the boundary and the printing works. In addition disabled access to these dwellings appears to be an issue especially for the dwelling at the rear. The fact that solar panels are to be provided again is welcomed but would question whether they will work due to the shadowing effects of the adjoining printing works.</p> <p>The two new dwellings have exceedingly little gardens and a poor outlook and overlooking issues being so close to each other and the other proposed flats. The new houses will also be surrounded by tall buildings and a bank with the new house nearest the road worst affected. They look as if they are shoe horned in. They will get little sun and will be quite dark.</p> <p>WPC consider that these houses should be removed from the scheme and the land used for garden area for the flats and/or extra parking.</p> <p>2. WPC object to the size of the parking spaces in that they appear to be too small to be useable.</p>

The spaces in the car ports are far too small according to what is required by SCC as the proposed spaces will measure 2.5 x 4.8m (as annotated on the submitted plan) and this does not take into account the internal piers compared to what they should be: 6m x 3m. This will mean the spaces probably cannot be used.

In addition it would appear that there will be no parking for the existing West Somerset Free Press staff.

Also will the dustbin lorry park on the road as there does not appear to be enough room on the site to turn etc. The bins are in the undercroft so it is assumed that the bin men will collect them from there or do the residents have to put them on kerbside? If so, where, as there is no room unless the bins are put on the visibility splays thus reducing visibility, creating a highway safety issue.

3. Should planning permission be granted WPC consider that a recreation contribution is required especially as there is not really useable garden space for any of the proposed dwellings. WPC object if this is not included especially as this contribution is considered to be necessary and relevant to the proposed development , and, West Somerset Council on adopting their local plan outlined in the policy document named below that such contributions should be asked for where relevant.

4. A number of years ago an investigation was undertaken by a gentleman on saving the presses in the print building as they are either the only example left or one of 2. One proposal was to keep them in situ and create a museum and the other was to take them elsewhere but the cost was very high (£1 million?) WPC consider that should planning permission be granted that as part of the permission the presses are found a new home as they are of great interest.

5. Should planning permission be granted WPC request that a condition be imposed to ensure that there are no windows overlooking the boundaries as they may cause adverse overlooking problems to the existing dwellings and hotel.

Wessex Water Authority

Wessex Water has no objections to this application and can advise the following information for the applicant:

The Planning Application – The planning application indicates that foul sewerage will be disposed of via the main sewer. Rainwater running off new driveways and roofs will require consideration so as not to increase the

risk of flooding. The current planning submission indicates that rainwater (also referred to as “surface water”) will be disposed of via sustainable drainage systems.

Applying for new drainage and water supply connections

– The use of an existing sewer connection is subject to building control approval. The proposal is located in an area prone to sewer flooding caused by high levels of groundwater during prolonged periods of wet weather. Separate systems of drainage on site must be completely watertight and vent stacks rather than durgo valves must be used to prevent restricted toilet use during these prevailing conditions.

Are existing public sewers or water mains affected by the proposals? – According to our records there are no recorded public sewers or water mains within the red line boundary of the development site.

The surface water strategy – One of our main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution.

You have indicated that surface water will be disposed of via sustainable drainage systems.

The planning authority will need to be satisfied that soakaways will work here and arrangements are clear for any shared obligations. Soakaways will be subject to Building Regulations. The use of 2 soakaways currently attracts a discount in the sewerage infrastructure charge, proof of arrangements will be required when applying for foul sewerage connection. There must be no surface water connections into the foul sewer network.

Highways Development Control

Initial Comments - The application is for the conversion of existing commercial buildings into residential development, the construction of new dwellings and commercial area and the retention of an existing office building along the frontage of Long Street.

The proposal site lies between Long Street (A39) and North Street (B3191) in Williton. The posted speed limit at and around the existing vehicular access points is 30mph.

In terms of traffic impact on the local highway network, the Highway Authority view it as unlikely that the

development proposed would have a severe impact.

The applicant has proposed to close and permanently abandon the most northern access and reconfigure the southern access to accommodate 9 vehicle parking spaces for the residential and commercial development put forward. Both existing accesses onto the public highway are limited in terms of visibility onto the public highway and turning space within the internal layout to allow entering the public highway in a forward gear.

Whilst the revised access does not accord to modern day design standards, consideration is given for the existing arrangement and classification of use on the site which in terms of vehicular access to/from the public highway would appear to be of a betterment.

The applicant has proposed a pedestrian footway and crossing within the private element of the site to allow NMUs to cross over to the western side of North Street which consists of an established footway as denoted in supporting drawing 21411 Rev 2. The proposed footway is intended to remain private, where, if consent was to be granted the Highway Authority would require contact details of the party responsible for its maintenance.

It is advised that the proposed crossing area however is relocated further north of the site to afford a more balanced non-motorised user (NMU) visibility in both directions. Any crossing point adjacent to the proposed parking area will need an appropriate buffer to separate NMU and vehicular activity. This can be discussed with the Highway Authority as the scheme develops if necessary.

Turning to the vehicle parking proposed, based on the information received, the existing arrangement accommodates 6 recognised vehicle parking spaces. The proposed level of vehicle parking for this application is 9, to cater for the residential and commercial floor space. Whilst this falls below the Somerset Parking Strategy optimum standard, the Highway Authority, in this instance have factored in the existing classification on the site and the current parking levels associated to the gross floor area. The proposal would also remove one of the points of access which currently sees vehicles reversing onto the public highway. The access proposed would appear to now accommodate egressing onto the public highway in a forward gear for the 9 vehicle spaces proposed.

Whilst the applicant has stated their commitment to delivering cycle parking for the proposal, detailed drawings of their proximity will be required prior to the associated conditions discharge. EVC charging points are also recommended by the Highway Authority.

On balance, of the above, the Highway Authority advise that the proximity of the pedestrian cross over as currently proposed is revised. Once this has been appropriately addressed to the satisfaction of the Highway Authority, appropriate conditions can be recommended.

Additional Comments - No objection was raised to the principle of the proposed development however the repositioning of the informal pedestrian crossing was suggested.

On review of this issue and following receipt of clarifying information from the agent it is agreed that its position on the south side of the vehicular access, as proposed, would be optimum. If repositioned to the north side it is acknowledged that the pillars of the adjacent building would obstruct visibility in a northerly direction, the direction from which the nearside traffic is approaching, and as such would be of no betterment.

Further to the above comments and for the reasons set out in our earlier correspondence, the Highway Authority does not objection to this proposal. Should the LPA be minded to approve the application then the recommended conditions should be attached.

SCC - Ecologist

An ecological assessment of the application site was carried out in May, July and August 2021 by Jomas Engineering Environmental. The building was identified as having moderate bat roost potential and follow up surveys identified a day roost for brown long-eared bats, a day roost for common pipistrelle and soprano pipistrelle bats. Furthermore, the buildings are expected to host nesting birds.

To comply with local and national policy, wildlife legislation, and the requirements of the mitigation hierarchy and for biodiversity net gain, conditions were recommended by the ecologist, which are discussed in detail in the main body of this report.

As compensation and enhancement measures, and in accordance with National Planning Policy Framework

	(NPPF) and the Environment Act, a further condition was recommended by the ecologist, which is also discussed in detail in the main body of the report.
Environment Agency	The Environment Agency would have no objection, in principle, to the proposed development, subject to the attachment of conditions relating to contamination and pollution.

8.6 Internal Consultees

Consultee	Comment
Economic Regeneration and Tourism	No comments received
Conservation Officer	<p>Initially recommended approval, subject to amendments being made to the architectural finish of the retained and converted building. The following comments were made after amendments to the scheme:</p> <p>The amendments received on 16.06.2022 have addressed previous concerns and go towards retaining the industrial architectural and historic interest of the old printworks.</p> <p>In considering the glazed rail to the south elevation entrance, it would be beneficial to the overall character of the building, if this element is reconsidered as a black railing more reflective of its industrial character.</p>
Landscape Officer	The only landscape concerns relate to the surface treatment of the parking courts, where there would be an expectation to see a high quality unit paving solution made from blue engineering stable block units. Such a treatment would suit the historic context. Also concern that there is a lack of vegetation include in the scheme and any opportunity to incorporate a small tree, wall shrubs or climbers should be grasped. There would seem to be opportunities at the edges of the parking court.

8.7 Local Representations

8.7.1 Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

8.7.2 Ten public representations have been received. Seven people have objected to the application or raised concerns. Two people have supported the application or are neutral on the proposal.

8.7.3 The reasons for people objecting and raising concerns are summarised below:

- The loss of the existing use of the building would reduce employment opportunities in the village and lead to more people travelling from the village to places of work
- Overlooking of neighbouring properties
- Not a sufficient level of parking on site for the proposed development
- It would be more viable for the developer to demolish the entire building and erect a new building on the site
- The pedestrian crossing would reduce the useable width of the pavement
- Any lights or other controls on the crossing would cause light and noise disturbance
- Restrictions should be placed on the hours of construction work and deliveries
- Restrictions should be placed on construction and resident on-street parking
- One of the residential units would be against the boundary of a neighbouring property making it difficult to maintain the dwelling and the boundary
- The existing building is attached to a neighbouring building and the owner is concerned there is not enough information on how the external wall of their property would be left
- The existing building is attached to a curtilage listed wall and it has been requested that any works do not reduce the stability or damage the wall
- The works could disturb rats and other rodents and it has been asked that the developer take full responsibility for any issues rats and rodents may cause

8.7.4 The one person supporting the application has commented that the proposal would be a great improvement in the village and it would conserve a local heritage asset.

8.7.5 Somerset Wildlife Trust have also commented on the application. They have noted the preliminary ecological assessment and the preliminary roost assessment as well as the subsequent bat emergence and re-entrance survey, and they fully support the recommendations in Section 4.2 of both reports in respect of mitigation and enhancements. The Trust comments that the recommendations must be included in the planning conditions if it is decided to grant planning permission

9. Relevant planning policies and Guidance

9.1 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site lies in the former West Somerset area. The Development Plan comprises the Adopted West Somerset Local Plan to 2032, Somerset Mineral Local Plan (2015), and Somerset Waste Core Strategy (2013).

9.2 Both the Taunton Deane Core Strategy and the West Somerset Local Plan to 2032 were subject to review and the Council undertook public consultation in January 2020 on the Council's issues and options for a new Local Plan covering the whole District. Since then the Government has agreed proposals for local government reorganisation and a Structural Change Order agreed with a new unitary

authority for Somerset to be created from 1 April 2023. The Structural Change Order requires the new Somerset authority to prepare a local plan within 5 years of vesting day

9.3 Relevant policies of the development plan in the assessment of this application are listed below:

West Somerset Local Plan to 2032

SD1 - Presumption in favour of sustainable development
SC1 - Hierarchy of settlements
SC2 - Housing provision
SC3 - Appropriate mix of housing types and tenures
SC4 - Affordable housing
WI1 - Williton development
EC1 - Widening and strengthening of the local economy
EC5 - Safeguarding existing employment uses
TR1 - Access to and from West Somerset
TR2 - Reducing the reliance on the private car
NH1 - Historic environment
NH2 - Management of heritage assets
NH6 - Nature conservation and the protection and enhancement of biodiversity
NH13 - Securing high standards of design

Retained Saved Polices of the West Somerset Local Plan (2006)

BD/3 - Conversions, alterations and extensions
T/8 - Residential car parking
R/6 - Public open space and small developments

Supplementary Planning Documents:

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022)

National Planning Policy Framework

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

10.1 The principle of development

10.1.1 The proposal is for the conversion of part of the existing former printworks building and the erection of buildings in place of other parts of the printworks. Five

dwellings would be created, together with a commercial building that would be used for Class E purposes. The West Somerset Free Press building on Long Street would be used as a Class E commercial use as well.

10.1.2 Policy EC5 of the adopted Local Plan relates to the safeguarding of existing employment sites. It states that *sites and premises with existing commercial activities will be safeguarded against change of use to residential or other non-employment generating uses unless it can be demonstrated that:*

- *the activity is no longer appropriate or sustainable in that location,*
- *the business is no longer viable in that location,*
- *the business/site has been marketed (at a competitive price for comparable uses) for a minimum of twelve months and has generated no interest, and, where appropriate,*
- *it must be demonstrated that any new use proposed would not prejudice adjacent existing or proposed uses, and;*
- *the new use will result in a reduction in undesirable transport movements to the location over minor roads linking it to the national primary and county highway principal route network.*

Consideration will also be taken account of businesses relocating from the site/premises to more sustainable locations nearby.

10.1.3 As stated above, a commercial building would be constructed on site and this would provide employment opportunities. However, the overall floorspace of commercial use across the site would reduce and this could reduce the overall employment generation on site. As such, Policy EC5 should be given due consideration in the determination of this planning application.

10.1.4 A marketing report has been provided with the application papers, which was prepared by Greenslade Taylor Hunt. The report explains that advertisement of the site for rent commenced in November 2020 and it has been marketed for at least 12 months. The report confirms that they had interest from a few parties and that none wanted to take their interest further forward. The majority were looking to buy and had residential development in mind, whilst those looking to rent did not want all of the building and had limited resources to invest in the buildings. It is asserted that the Roughmoor Trading Estate to the east of the town considerably more suitable for industrial and storage use than the subject premises. The report also states that the building is in a dilapidated state and it would be unviable to refurbish the building to bring it back into commercial use. It is also stated that to demolish the building and erect new commercial buildings would also not be viable. Officers are satisfied that the existing level of commercial floorspace on this site cannot be maintained and made viable. The comments made regarding the viability of the proposal and the loss of employment use from the site are noted, but the loss of the majority of the site to provide residential development is considered to be compliant in principle with the adopted Local Plan, particularly as there would be an element of commercial use retained on site in the form of the new Class E building.

10.1.5 Turning to the proposed residential development, the site is located in Williton, which is designated as a rural service centre. Policy SC1 states that the

majority of development will be directed towards Minehead and the rural service centres. This will be on a scale generally proportionate to their respective roles and functions to their own communities and those in surrounding settlements that rely on their larger neighbours for essential services and facilities. The proposed residential development would be located in a sustainable location that is close to the village centre with all the services and facilities, and access to local bus service that connects to Taunton and Minehead. The provision of five dwellings on site would be proportionate to the scale of the settlement and the additional residents that the development would bring would help to sustain the services and facilities within the settlement. In terms of affordable housing, the total number of dwellings that would be provided on site would be five and this falls below the threshold for on-site affordable housing provision or off-site affordable housing as set out under Policy SC4. As such, there is no requirement for any of the proposed dwellings to be affordable housing or for any affordable housing contribution to be provided. The creation of five open market dwellings on this site is considered to be compliant in principle with the adopted development plan, subject to other material planning considerations being satisfied.

10.2 Design of the proposal and the impact on the character and appearance of the locality and heritage assets

10.2.1 The proposal includes the demolition of parts of the existing building. A Historic Building Report has been submitted and this contains information detailing when the different parts of the building were constructed. It is clear from the report that the majority of the building was constructed in the 1970s or later. The Conservation Officer has advised that the built form within the site demonstrates the story of the development of a local newspaper and printing press and the historic and architectural interest of the buildings are mostly found in the industrial proportions and detail associated with their industrial use, with the two storey printing works being identified as a non-designated heritage asset. The Conservation Officer has considered the proposal, including the demolition of parts of the building, and advised that the removal of parts of the building would enhance the central historic part of the building "as this approach will open up the existing site and provide clearer views of the sites industrial past as interpreted through the architectural interest of the built form". Taking the advice of the Conservation Officer, Officers are satisfied that the demolition of parts of the existing building would be acceptable and not cause material harm to the historical interest of the site and its setting.

10.2.2 In terms of the conversion of the remaining parts of the building and the construction of new built form, the Conservation Officer has commented that the design detail would retain the orientation, location and built proportions associated with its industrial past. The Conservation Officer did raise concerns with the glazed balconies and the number and size of new openings as they would not be reflective of the industrial character of the site. The impact of these features on the street scene would be harmful.

10.2.3 The scheme was subsequently amended by the applicant and one of the dwellings was omitted, reducing the scheme from six dwellings to five. This is considered to have opened up the site and reduced the built form that would be constructed, thus avoiding overdevelopment. It has also had the benefit of creating

space for a communal garden and more open circulation space on the northern side of the site. The removal of the sixth dwelling will improve the living conditions for future occupiers. The amendment is considered to address the concern raised by the Parish Council in relation to the matters of overdevelopment and living conditions.

10.2.4 The Conservation Officer advises that the other amendments that have been made have addressed previous concerns and they go towards retaining the industrial architectural and historic interest of the old printworks. The Conservation Officer did also comment on the glazed handrails on site and how these would be more reflective of the industrial character as black metal railings. The applicant has also made this alteration to the scheme and therefore addressed this remaining concern raised by the Conservation Officer.

10.2.5 Overall, the proposed new buildings are considered to be acceptable in terms of their design and form, and material harm to the street scene would not occur as a result of the proposed development. The proposal complies with Policy NH13 of the adopted Local Plan.

10.2.6 The Landscape Officer has commented that a high quality surface should be sought for the courtyard and natural planting should be provided within the site. In light of these comments, Officers consider that a landscaping condition should be attached to allow discussions to be had regarding these matters and to ensure that an appropriate surface material is used and planting can be secured to help soften the development.

10.2.7 There are buildings to the south of the site (1 and 3 Long Street) and a building to the east (the White House) that are Grade II listed. The latter is situated far enough away from the application site to ensure that the proposed development would not be seen within the context or setting of this listed building. In terms of 1 and 3 Long Street, the development would be located to the rear of these buildings. The Conservation Officer has confirmed that the development would continue to preserve the historic significance of these listed buildings. A member of the public has suggested that the eastern boundary wall of the site is curtilage listed as it is a boundary wall of the Grade II listed White House. The plans show that the wall would be retained in its present form and that a part of the new built form would work off the wall. If it transpires that works are required to rebuild the wall or carry out substantial repairs, then it would be the responsibility of the development to apply for listed building consent and the works can be considered in detail under that application. Overall, the proposed development is considered to comply with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies NH1 and NH2 of the adopted Local Plan.

10.3 **Access, highway safety and parking provision**

10.3.1 The application form states that there are currently six parking spaces within the site. The submitted plans show that there would be nine parking spaces provided within the site - one parking space per residential unit, two parking spaces for the commercial unit, one parking space for the commercial unit or visitors to the residential properties and a disabled parking space. The Highway Authority have

commented that both of the existing accesses into the site (the northern most access would be blocked up by one of the proposed dwellings) are limited in terms of visibility onto the public highway and turning space within the internal layout to allow entering the public highway in a forward gear. They then confirm that the proposed access would not meet modern day design standards, consideration is given for the existing arrangement and classification of use on the site, which in terms of vehicular access to/from the public highway would appear to be of a betterment.

10.3.2 In terms of the parking provision, which is detailed above, the Highway Authority have advised that this provision falls below the Somerset Parking Strategy optimum standard, they have in this particular case factored in the existing classification on the site and the current parking levels associated with that use. They have also noted that the proposal would remove one of the existing accesses, which currently sees vehicles reversing onto the public highway. As such, they have concluded that the access proposed would appear to now accommodate egressing onto the public highway in a forward gear for the nine vehicle spaces proposed. It is noted that the development may result in some vehicles parking on the public highway, but it is noted that there are on-street parking spaces to the north of the site and it would be the responsibility of the car owner to ensure that they do not park on the road in a manner that causes obstruction or potential danger to other road users and pedestrians.

10.3.3 The proposal includes an informal pedestrian crossing across North Street from the southern most area of the road frontage. This is shown as a drop in the pavement on the western side of North Street. Lights or other features associated with a formal crossing are not shown on the plans. The Highway Authority initially suggested that this crossing was moved further north along the road frontage in order to increase visibility up and down the road. However, the applicant has provided clarification on why the crossing in its original position is the optimum place for it. The Highway Authority have reconsidered the matter and agreed with the applicant's case. They have commented that if the crossing was repositioned to the north side, the pillars of the adjacent building would obstruct visibility in a northerly direction, the direction from which the nearside traffic is approaching, and as such would be of no betterment.

10.3.4 The Highway Authority are satisfied that the proposal would not lead to a severe impact on the local road network and their comments confirm that there would not be an increase in material harm to highway safety compared to the existing use and parking and access arrangements of the site. The application therefore does not conflict with Paragraph 111 of the National Planning Policy Framework. The Highway Authority have suggested conditions that Officers consider are appropriate and necessary to make the development acceptable from a highway perspective.

10.4 The impact on neighbouring residential amenity

10.4.1 There have been a few comments from members of the public regarding the noise and disturbance during the construction process. Given the proximity of residential properties to the application site, Officers consider that a condition should

be attached that requires a Construction Management Plan to be approved by the Local Planning Authority and adhered to during the demolition and construction process of the development. The plan would restrict hours of working and delivery. Such a condition would overcome the concerns raised about the construction process and its potential impact on neighbouring residential amenity.

10.4.2 The new residential building would not be constructed near to another residential property outside the applicant's control and therefore would not impact on neighbouring properties as a result of overbearing or loss of light. The new commercial building would be constructed between the boundaries of residential properties, but it would be set down within the site and when taking into account the existing massing and bulk of the current built form, it is considered that it would not lead to a material increase in overbearing or loss of light.

10.4.3 An occupier of one of the residential properties on the opposite side of North Street has raised a concern regarding overlooking of their property. The concern revolves around a window and the balcony of Flat 3. The balcony would be situated approximately 15 metres from the principal elevation of the neighbouring property. It would also be situated on the opposite side of a public road. However, it is also noted that the balcony would be in a raised position and therefore level with the first floor of the neighbouring property. The plans have been subsequently amended to raise the balustrade of the balcony from 1.5 metres to 1.8 metres. This has not compromised the overall design of the scheme and it would prevent views into the neighbouring property from the window and the balcony. The balcony shall be retained at 1.8 metres on the western elevation through a planning condition.

10.4.4 There are also windows in the western elevations of the development that would face towards neighbouring properties, but the views out are restricted by the size of the openings when compared to an open area such as a balcony. In addition, mutual overlooking would result and it is likely that the occupiers of the development would draw curtains or pull down blinds to protect their own privacy. It is also important to note that the elevations of the neighbouring properties that are being discussed are principal elevations where it can be expected that they would be looked into by people using the pavement in front of the properties. No windows would overlook the neighbouring hotel.

10.4.5 Taking all these factors into account, including the attachment of the condition relating to the balcony, it is considered that the proposed development would not result in overlooking where a refusal of the application could be sustained.

10.5 **The impact on ecology and biodiversity**

10.5.1 Ecological surveys of the application site were carried out in May, July and August 2021 by Jomas Engineering Environmental. The submitted report identifies the building as having moderate bat roost potential and follow up surveys identified summer day roosts for brown long-eared bats, common pipistrelle and soprano pipistrelle bats. Furthermore, the buildings are expected to host nesting birds. The Council's ecologist has taken these survey results into account and recommended the attachment of conditions relating to bats to ensure the conservation of their

protected status. A condition relating to biodiversity net gain has also been recommended by the ecologist. Officers also consider that due to the likely presence of nesting birds, a condition should also be attached that prevents demolition work taking place during the bird nesting season unless an ecologist has checked for nesting birds and confirmed that there are none or measures can be carried out to ensure their protection. With the attachment of these conditions, it is concluded that material harm to wildlife interests on site would not occur.

10.6 **Other matters**

10.6.1 The Environment Agency have confirmed that they have no objections to the proposed development, subject to two conditions being attached to any permission granted. One of the conditions relates to potential existing contamination of the site and the other conditions relates to preventing pollution during the construction process. Officers consider it appropriate to include the two recommended conditions.

10.6.2 The Parish Council have stated that a legal agreement should be secured to provide a contribution towards public recreational spaces. However, since the Parish Council made these comments, the sixth dwelling was omitted from the scheme and a communal garden/open space is now proposed in its place. The scheme therefore complies with Policy R/6 and the contribution is no longer required to ensure compliance with this policy.

10.6.3 The Parish Council have also requested that the historic printing presses are found a new home. This has been raised with the applicant and they have confirmed that they have been in contact with several organisations with historic interests in this type of machinery but none have expressed an interest in removing and restoration. If an individual or group came forward at a later date and showed an interest in giving the presses a new home, then that is a matter that can be discussed between them and the applicant outside the planning process. Ultimately, the presses are not listed and the Local Planning Authority cannot therefore withhold permission until a new home is found for the presses. A condition requiring a new home to be found for them would not meet the tests for a planning condition as set out under Paragraph 56 of the National Planning Policy Framework.

10.6.4 The person who is neutral on the application has suggested that the construction of the new commercial building will require the rebuilding of the boundary wall between 5 and 7 Long Street and they would like a condition attached that requires the developer to discuss and agree with the owner of 7 Long Street how these works would be carried out. A condition cannot require a developer to enter into discussions and form an agreement with a third party member of the public. The plans do not suggest that the wall would need to be rebuilt and ultimately this would appear to be a civil matter between the two property owners. If works are required that deviate from the approved plans or require permission in their own right, then it would be the responsibility of the developer to seek approval from the Local Planning Authority.

10.6.5 In respect of the comments made by the member of the public in relation to rodents, it is not a planning matter to ensure that the developer takes responsibility

for any issues caused by rodents. The residential unit that would have been erected next to the neighbouring property boundary has been omitted from the application. The matters around the impact on neighbouring structures are a civil matter between the developer and the third party land owner. If works are required that deviate from the approved plans or require permission or listed building consent in their own right, then it would be the responsibility of the developer to seek approval from the Local Planning Authority.

11 Local Finance Considerations

11.1 Community Infrastructure Levy - N/A

12 Planning balance and conclusion

12.1 The proposed development is considered to comply with the relevant policies of the adopted development plan in respect of the material planning considerations discussed in the report. Any concerns relating to the proposal are not considered to outweigh the benefits of the proposal and they can be mitigated or addressed with planning conditions.

12.2 For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning conditions and Informatives Recommended Conditions

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

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

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

(A4) DrNo 5578-WP-P/01 Rev A Site Location Plan
(A4) DrNo 5578-WP-P/02 Rev A Block Plan
(A1) DrNo 5578-WP-P/13 Rev A Demolition & Retention Plan
(A1) DrNo 5578-WP-P/14 Rev B Proposed Site Plan
(A1) DrNo 5578-WP-P/15 Rev B Proposed Undercroft Plan
(A1) DrNo 5578-WP-P/16 Rev C Proposed Ground Floor Plan
(A1) DrNo 5578-WP-P/17 Rev C Proposed First Floor Plan
(A1) DrNo 5578-WP-P/18 Rev B Proposed Roof Plan
(A1) DrNo 5578-WP-P/19 Rev C Proposed Elevations 1

(A1) DrNo 5578-WP-P/20 Rev E Proposed Elevations 2
(A1) DrNo 5578-WP-P/21 Rev E Proposed Sectional Elevations 1
(A1) DrNo 5578-WP-P/22 Rev C Proposed Sectional Elevations 2
(A1) DrNo 5578-WP-P/23 Rev C Proposed Axonometrics & Perspectives

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

- 3 The development hereby permitted (including any demolition works) shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
- a. a copy of a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or
 - b. a copy of a letter from Natural England confirming that the works fall within the remit of a Bat Mitigation Class Licence (WML-CL21) and that the site has been registered in accordance with the class licence; or
 - c. a statement in writing from a licensed bat ecologist to the effect that he/she does not consider that the specified development will require a licence.

Reason: A pre-commencement condition in the interest of the strict protection of European protected species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

- 4 No demolition works associated with the development hereby permitted shall take place between 1st March and 31st August inclusive, unless a licensed ecologist has undertaken a careful, detailed check for active birds' nests immediately before the demolition commences and provided written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. In no circumstances shall netting be used to exclude nesting birds.

Reason: In the interests of nesting wild birds and in accordance with Policy NH6 of the West Somerset Local Plan to 2032.

- 5 The development hereby permitted (including demolition) shall not in any circumstances commence until:
- a. Construction operatives have been inducted by a licensed bat ecologist to make them aware of the possible presence of bats, their legal protection and of working practices to avoid harming bats. Written confirmation of the induction shall be submitted to the Local Planning Authority by the licensed bat ecologist within one week of the toolbox talk.
 - b. Two 1FF Schwegler bat boxes or similar to provide suitable alternative roosting location, and to accommodate any discovered bat(s), shall be hung on a suitable tree or building on or adjacent to the site at a minimum height of 4 metres as directed by a licensed bat ecologist. Any such box shall be maintained in-situ thereafter. Photographs showing their installation shall be submitted to the Local Planning Authority.

c. Works potentially affecting bats shall then proceed under the supervision of the licensed bat ecologist.

Reason: A pre-commencement condition in to ensure the strict protection of European protected species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

- 6 Provision shall be made for roosting bats as part of the development hereby permitted, a scheme for which shall be submitted to, and approved in writing by, the Local Planning Authority prior to works commencing on site. The location of and type of roost entrances will be set out in the scheme. Any areas that are accessible to bats shall be lined with traditional black bitumen felt (Type 1F) to avoid the risk of entanglement of bats. Modern roofing membranes will not be permitted in areas which are accessible to bats. Any timbers that are to be retained and requiring remedial timber treatment should only be treated with 'bat friendly' chemicals. The roosts shall be implemented in strict accordance with the agreed scheme prior to first occupation of the development and maintained for the exclusive use of bats thereafter.

Reason: A pre-commencement condition in the interests of the Favourable Conservation Status of populations of European protected species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

- 7 The development hereby permitted shall only be carried out in accordance with a Demolition and Construction Management Plan that has been approved in writing by the Local Planning Authority prior to the development commencing. The Demolition and Construction Management Plan, or any amended demolition and construction management plan agreed prior in writing with the Local Planning Authority, shall be complied with in full and monitored by the developer to ensure continuing compliance during the demolition and construction phases of the development.

Reason: To minimise the impact of the works during the demolition and construction phases of the development in the interests of highway safety and to safeguard the amenities of the area.

- 8 No development permitted by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the following:
1. Site security.
 2. Fuel oil storage, bunding, delivery and use.
 3. How both minor and major spillage will be dealt with.
 4. Containment of silt/soil contaminated run-off.
 5. Disposal of contaminated drainage, including water pumped from excavations.
 6. Site induction for workforce highlighting pollution prevention and awareness.

Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

Reason: To prevent pollution of the water environment.

- 9 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To prevent the increased risk to the water environment.

- 10 Prior to the construction of the development above damp-proof-course level or the conversion of the retained building, whichever occurs sooner, samples or digital details of the materials to be used in the construction of the external surfaces of the development (including windows and doors) 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: In the interests of conserving the character and appearance of the building and the locality.

- 11 The solar panels (including their frames) on the roofs of the development hereby permitted shall only be coloured matt black and they be installed so that their outer face is flush with the face of the surrounding roof tiles. The solar panels shall be retained in accordance with the requirements of this condition any subsequent replacement solar panels shall also comply with this condition, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of conserving the character and appearance of the building and the locality.

- 12 The rooflights shown on the approved plans shall be installed so that their outer face is flush with the face of the surrounding roof tiles. The rooflights shall be retained in accordance with the requirements of this condition and any subsequent replacement rooflights shall also comply with this condition, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of conserving the character and appearance of the building and the locality.

- 13 Prior to first occupation of Flat 3 of the development hereby permitted, the height of the balustrade on the western elevation of Flat 3's balcony shall be constructed up to a minimum of 1.8 metres from the floor level of the balcony in accordance with drawing number 5578-WP-P/21 Rev E. The western elevation of the balcony shall be retained thereafter at a minimum of 1.8 metres, unless

otherwise agreed in writing with the Local Planning Authority.

Reason: To maintain the privacy of neighbouring residential properties.

- 14 Prior to first occupation of the development hereby permitted, a detailed landscaping scheme, showing both hard and soft landscaping proposals, shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include the planting of trees and shrubs (including a planting schedule setting out species, numbers, densities and locations), the provision of screen walls, fences or balustrades, the creation of areas of hardstanding, pathways, etc, areas to be seeded with grass, and other works or proposals for improving the appearance of the development.

The soft landscaping scheme (planting) shall be carried out in accordance with the approved details and drawings not later than the expiry of the next planting season following the Local Planning Authority's approval of the landscaping scheme, or within such other time as may be approved with the Local Planning Authority. The landscaped areas (planting) shall be subsequently maintained to ensure establishment of the approved scheme, including watering, weeding and the replacement of any plants, or areas of seeding or turfing comprised in the approved landscaping plans, which fail within a period up to 5 years from the completion of the development.

The hand landscaping scheme (walls, fencing, balustrading and hardstanding) shall only be carried out in accordance with the approved details and drawings and they shall be retained in accordance with the approved scheme, including the retention of the materials used in their construction, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion and to protect the character and appearance of the locality.

- 15 Prior to first occupation of the development hereby permitted, works for the disposal of sewage 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. For the avoidance of doubt, surface water shall be prevented from discharging onto the highway.

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

- 16 No individual dwelling hereby permitted shall be occupied until:

i. the optional requirement for potential consumption of wholesome water by persons occupying that dwelling in Part G of Schedule 1 and Regulation 36 of the Building Regulations 2010 of 110 litres per person per day has been complied with; and

ii. a notice specifying the calculated consumption of wholesome water per person per day relating to the dwelling as constructed has been given to the appropriate Building Control Body and a copy of the said notice provided to the Local Planning Authority.

Reason: To improve the sustainability of the dwellings in accordance with the West Somerset: Local Plan to 2032 Policy CC5 and NH6, the Supplemental Planning Document - Districtwide Design Guide and Paragraphs 134, 154 and 180 of the National Planning Policy Framework (July 2021).

- 17 The development hereby permitted shall not be first occupied until the access, parking and turning area detailed on drawing number 5578-WP-P/15 Rev B has been properly consolidated and surfaced in accordance with details to be submitted to, and agreed in writing by, the Local Planning Authority. The agreed access, parking and turning areas shall be clearly marked out before first occupation and shall thereafter be kept clear of obstruction at all times and not used other than for the parking and turning of vehicles in connection with the development hereby permitted or for the purpose of access.

Reason: In the interests of highway safety.

- 18 The northern most existing vehicular access to the site shall be closed to all traffic, its use permanently abandoned, and any verge / kerb / boundary features reinstated in accordance with details which shall have been submitted to, and approved in writing, by the Local Planning Authority. Such works shall be completed prior to first occupation of the development hereby permitted.

Reason: In the interests of highway safety.

- 19 The development hereby permitted must not be occupied or utilised until the precise technical details of electric vehicle charging points to serve the development have been submitted to, and agreed in writing by, the Local Planning Authority. The approved scheme must be installed and be available for use before the development is occupied or utilised and, thereafter be maintained, kept free from obstruction and available for this purpose in perpetuity.

Reason: In the interests of promoting and securing sustainable means of transport.

- 20 Prior to first occupation of the development hereby permitted, details of storage and access for collection of waste from the development shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented before first occupation and shall be so retained thereafter.

Reason: In the interests of highway safety.

- 21 Before the development hereby permitted is occupied or utilised, the cycle parking facilities shown on the submitted plans must have been constructed and

be available for use and thereafter be maintained, kept free from obstruction and available for this purpose in perpetuity.

Reason: In the interests of promoting and securing sustainable means of transport.

- 22 Prior to first occupation of the development hereby permitted, a “Lighting Design for Bats”, following Guidance Note 8 - Bats and Artificial Lighting (ILP and BCT 2018), 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 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 shall 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 West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

- 23 Prior to first occupation of the development hereby permitted, the following ecological enhancement measures shall be integrated into the development, unless otherwise agreed in writing with the Local Planning Authority:
- a. Two Vivara Pro Woodstone Nest Boxes (32mm hole version) or similar shall be mounted between 1.5 metres and 3 metres high on the north facing aspect of the building or onto trees and maintained thereafter.
 - b. Two bee bricks shall be built into the wall about 1 metre above ground level on the south or southeast elevation of the building and maintained thereafter.
 - c. Two Schwegler 1a swift bricks or similar shall be built into the wall at least 60cm apart and at least 5 metres above ground level on the north facing elevation and maintained thereafter.

Plans and photographs of the installed features will be submitted to, and agreed in writing by, the Local Planning Authority prior to first occupation.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in Paragraph 174(d) of the National Planning Policy Framework.

- 24 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any order revoking and re-enacting the 2015 Order with or without modification), no extensions, enlargements or alterations (including new window and door openings) to the buildings hereby permitted, the erection of outbuildings or the installation of gates, walls, fences or other means of enclosure shall be carried out without the further grant of planning permission.

Reason: To prevent overdevelopment of the site, in the interests of highway safety and to conserve the character and appearance of the site and the locality.

24 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, as amended, and the Town & Country Planning Use Classes Order 1987, as amended, (or any order revoking and re-enacting those Orders with or without modification), the commercial buildings the subject of this permission shall not be used other than for purposes falling within Class E of the Use Classes Order without the prior grant of planning permission from the Local Planning Authority.

Reason: To ensure that the use remains compatible with surrounding land uses in the area.

Notes to applicant.

- 1 In accordance with Paragraph 38 of the National Planning Policy Framework 2021, the Council has worked in a positive and creative way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

