



Democratic Services  
Sedgemoor District Council  
Bridgwater House  
King Square  
Bridgwater  
Somerset, TA6 3AR

**MEETING OF DEVELOPMENT COMMITTEE**  
on Tuesday 28 March 2023 commencing at 9.30am, to be held at the Canalside Centre,  
Marsh Lane, Huntworth, Bridgwater, TA6 6LQ

**YOU ARE REQUESTED TO NOTE THE ARRANGEMENTS THAT APPLY FOR PUBLIC SPEAKING FOR THIS MEETING.**

**To: Members of the Development Committee**

COUNCILLORS	
B Filmer (Chairman)	
T Grimes (Deputy Chairman)	T Heywood
A Betty	S Kingham
B Bolt	M Murphy
M Facey	K Pearce
A Glassford	L Perry
G Granter	C Riches
A Hendry	L Scott

A handwritten signature in black ink, appearing to read 'Steve Hellard', is written over a light blue circular stamp.

Steve Hellard  
Proper Officer

Thursday 16 March 2023

For further information about the Meeting, please contact Democratic Services on 01278 435739 or e-mail [democratic.services@sedgemoor.gov.uk](mailto:democratic.services@sedgemoor.gov.uk) If you would like to attend the meeting, please contact Democratic Services. Please note the officer presentations can be found on the committee webpage.

This Meeting will be open to the public and press, subject to the passing of any resolution under Section 100A(4) of the Local Government Act, 1972. Guidance about procedures is given on the last page.



<b>A G E N D A</b>
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**Agenda****Item No****1. APOLOGIES FOR ABSENCE****2. URGENT BUSINESS**

To consider any urgent business that the Chairman has agreed can be discussed without proper notice due to special circumstances which will be explained at the Meeting.

**3. PUBLIC SPEAKING TIME**

The Chairman will allow members of the public to address the Committee on any matter appearing on the agenda at the time when each matter is to be considered, in accordance with the approved procedure.

**4. DECLARATIONS OF INTEREST**

To receive declarations of any Disclosable Pecuniary Interests, Other Registrable Interests and Non-Registrable Interests, in accordance with the Code of Conduct.

**5. SCHEDULE OF ALLEGED CONTRAVENTIONS**

To receive a report on the data within the Schedule of Alleged Contraventions (Report attached, **Appendix 1 for Councillors only as confidential information**).

**6. PLANNING APPLICATIONS**

6.1 Major Planning Applications (Reports attached) **(9.30am)**

6.2 Other Planning Applications (Reports attached)

**7. INFORMATION SHEETS**

7.1 Certificate of Lawfulness Decided (Report attached)

7.2 Planning Appeals Received (Report attached)

7.3 Planning Appeals Decided (Report attached)

7.4 Enforcement Appeals Received (Report attached)

## THE MEETING – GUIDANCE NOTES

### 1. Inspection of Papers

If you wish to inspect papers for any item on the Agenda, please contact Democratic Services on 01278 435739, or e-mail [leila.nicholson@sedgemoor.gov.uk](mailto:leila.nicholson@sedgemoor.gov.uk)

Agendas, reports and minutes can be accessed via the council's website. If you need to access any of the papers in an alternative format (e.g. large print, audio tape, Braille etc) or in community languages please contact the report author giving as much notice as possible. It should be noted that re-formatting or translation of committee reports before the date of a particular meeting cannot be guaranteed.

### 2. Recording of the Meeting

Please note that Sedgemoor District Council will be recording all meetings and recordings will be made available on Sedgemoor District Council's YouTube channel shortly after the meeting:  
<https://www.youtube.com/user/SedgemoorDC>

### 3. Minutes of the Meeting

Details of the issues discussed and decisions taken at the meeting will be set out in the Minutes, which the Committee will be asked to approve as a correct record at its next meeting. In the meantime, details of the decisions taken can be obtained from Democratic Services.

### 4. Public Speaking Time

The Chairman will allow members of the public to address the Committee on any matter appearing on the Agenda at the time when each matter is to be considered, in accordance with the Speakers Protocol set out below.

**If you would like to address the meeting, please register with Democratic Services on 01278 435739 or email [democratic.services@sedgemoor.gov.uk](mailto:democratic.services@sedgemoor.gov.uk) no later than Noon on Monday 27 March 2023.**

**If you wish to attend the meeting in person, please let us know otherwise you will be able to address the meeting via Microsoft Teams.**

**If you wish to attend the meeting but do not wish to speak on an item, please contact Democratic Services and a link will be sent to enable you to view the meeting via Microsoft Teams.**

**If you have registered to speak, the Chairman will invite you to speak at the appropriate time during the meeting.**

**If speaking via Teams, in case of any technical issues at the time of the meeting, it is requested that a copy of your representation be provided by email to Democratic Services by Noon Monday 27 March 2023.**

#### **Meeting Etiquette:**

- If joining via Microsoft Teams consider joining the meeting early to ensure your technology is working correctly – you may have to wait in a lobby until being admitted to the meeting.

- If you have registered to speak via Teams, please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the meeting, your microphone should be unmuted at the appropriate time.
- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

### **Speaking Protocol**

The Speakers permitted to register to speak and the order of such Speakers will be:

- One Spokesperson for the proposal
- One Spokesperson against the proposal
- A representative of the Town or Parish Councils
- The Ward Members (District and/or County)
- The Portfolio Holder
- The applicant or agent

Speaking will be limited to 3 minutes for each speaker. Only one Spokesperson for the proposal and one Spokesperson against the proposal will be entitled to speak at the meeting in addition to a representative of the Town or Parish Council, the Ward Members (District and/or County), the Portfolio Holder and the applicant or agent. All speakers must have registered to do so.

In accordance with the resolution of the Development Management Committee dated 13<sup>th</sup> September 2011, priority to the one Spokesperson for and/or the one Spokesperson against will be determined as followed (regardless of the time the Spokesperson has applied to register to speak):

1. A resident (i.e. a Spokesperson for or against) who has made written representations on the planning application
2. Where there is no Spokesperson registered to speak falling within 1 above, a resident (i.e. a Spokesperson for or against) who can demonstrate that they are likely to be impacted by the particular application
3. Where there is no Spokesperson registered to speak falling within 1 or 2 above, any other Spokesperson for or against the particular application.

Where more than one person falls within one of the above categories, priority will be given to the first Spokesperson to have registered to speak.

**Please note that no additional documentation can be distributed to the committee on the day.**

The Committee Manager will time this and the Chairman will be responsible for bringing the speech to a close. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in the debate.

If you require any further information on this procedure, please contact Democratic Services. Please note that the officer presentations can be found on the Development Committee relevant webpage and will be posted the day before the meeting.

## INDEX TO PLANNING APPLICATIONS – 28 MARCH 2023

Application No.	Page No.	Proposal and Location
<b>MAJOR PLANNING APPLICATIONS (9.30AM)</b>		
02/22/00021	8	Approval of reserved matters, for appearance, landscaping, layout and scale for the erection of 53no. dwellings (30% affordable housing). at Land To The South Of, Houlgate Way, Axbridge, Somerset, BS26
37/22/00097	35	Change of use of caravan park to permanent park homes. at Somerset View Caravan Park, Taunton Road, North Petherton, Bridgwater, Somerset, TA6 6NW
<b>OTHER PLANNING APPLICATIONS (AM)</b>		
17/22/00077	52	Erection of detached annex and single storey rear extension on site of existing (to be demolished). at Regina, Round Oak Road, Cheddar, Somerset, BS27 3BP
45/21/00037	60	Change of use of agricultural land to 20-pitch camp site, siting of 5no. bell tents, reception/office, toilet/shower block, car park. Retention of three tool sheds and a polytunnel for horticultural use and a compost toilet at Splatt Farm, Splatt Lane, Spaxton, Bridgwater, Somerset, TA5 1DB
53/21/00004	72	Retrospective application for the change of use of former runway for storage and blending of horticultural growing media. at Land To The East Of, Runway At Folley Farm, Langport Road, Westonzoyland, Bridgwater, Somerset

# AGENDA ITEM 5 - SCHEDULE OF ALLEGED CONTRAVENTIONS

Schedule of Alleged Contraventions up to 28 February 2023

(Stuart Houlet 435205)

This report is a schedule of alleged contraventions relating to the District.

The detailed schedule (sent separately as it contains confidential information) has cases listed in Parish sequence, with brief details of the nature and location of the alleged contraventions.

The schedule is a copy of a working document and is presented only as an aide-memoire for Members and the Parish Councils, more detailed information on any particular case should be sought directly from the Senior Planning Officer - Compliance and Monitoring. If there are questions which Members wish to raise in Committee, prior notice is requested in order that the facts can be researched and the file made available for the meeting.

## Enforcement Statistical Information

The following balance sheet is to inform Members of the trends relating to Enforcement Cases from **01 July 2022 to 28 February 2023**.

	<b>No. of Cases</b>
Cases on hand at start of quarter	224
New Cases received	125
Closed Cases	120
Cases on hand at end of quarter	229

### **Position of cases on hand at end of quarter**

Awaiting Registration	1
Under Investigation	90
Cases with a determined course of action	138

# AGENDA ITEM 6.1 – MAJOR APPLICATIONS

## Development Committee

### Report of the Assistant Director

Submitted on 28 March 2023

All recommendations take account of existing legislation (including the Human Rights Act) Government circulars and all current planning policy documents.

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Case Officer: Dean Titchener Tel: Sedgemoor Direct: **0300 303 7805**

Axbridge 02/22/00021 registered 02/11/2022  
Expiry Date 31/01/2023  
(Reserved matters)

Proposal: **Approval of reserved matters, for appearance, landscaping, layout and scale for the erection of 53no. dwellings (30% affordable housing). at Land To The South Of, Houlgate Way, Axbridge, Somerset, BS26 for Bellway Homes (SW) Ltd (agent: Grass Roots Planning Ltd )**

**\*\* THIS APPLICATION IS CODED AS A MAJOR APPLICATION \*\***



### Committee decision required because

*The recommendation of the officer is contrary to the views of the Ward Member, Axbridge Town Council and Compton Bishop Parish Council (adjoining parish).*



# AGENDA ITEM 6.1 – MAJOR APPLICATIONS

## Background

The application site lies on the southern side of Houlgate Way, extending westwards towards (and south of) Compton Lane in the town of Axbridge, located east of Prowse's Lane. As such, the site is at the south-western edge of Axbridge. The site consists of agricultural land with a site area of approximately 4.7 hectares, made up of three field parcels internally divided by a network of hedgerows running north-south and west-east along the southern boundary.

The eastern boundary of the site abuts the Axbridge & Wedmore Medical Practice. The northern boundary is adjacent to the residential areas on the north side of Houlgate Way and Compton Lane. To the western side of Prowse's Lane is Townsend Farm (having poultry sheds) and the south side of the site borders agricultural land.

In terms of landscape character and topography the site is situated to the south of the Mendip Hills AONB which rises to the north of the A371 north of the site. The site itself is located within an area of lower lying land with levels falling steadily across the site from the north to the south.

Outline planning permission for the erection of up to 53 dwellings was granted in January 2022 (the application having originally been submitted for 80 dwellings). That application approved details of the means of access, these being two vehicular points of connection on to Houlgate Way from the site.

This current application seeks to provide the details of the remaining reserved matters of layout, appearance, scale and landscaping. The scheme provides for 53 dwellings, of which 15 are to be affordable (a mix of rented and shared ownership).

Dwellings are primarily to be finished with render, with some lesser use of Blue Lias natural stone and brick. Roofs are to be covered with double roman roof tiles.

Centrally the site is formed around a large area of public open space within which is a Locally Equipped Area of Play. In the eastern part of the site is a small public car park which was required to be provided by the outline.

Areas of habitat provision and surface water attenuation basins are focused in the southern part of the proposal.

The scheme provides for a total of 172 parking spaces via a combination of on plot parking, visitor spacing and the public car park.

## Relevant History

Reference	Case Officer	Decision	Proposal
02/16/00030	SPH	GTD	Outline planning permission (appearance layout, scale, landscaping reserved matters) for the erection of up to 53 dwellings (30% affordable dwellings) and creation of access.

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

### Supporting information supplied by the applicant

Planning statement  
Arboricultural Survey  
Drainage Strategy Technical Note  
Ecology Summary  
Design Compliance Statement

### Consultation Responses

Axbridge Town Council – Objects (when consulted on the scheme as originally submitted):

*'RESOLVED: that Sedgemoor District Council be advised that Axbridge Town Council objects to the above-mentioned application on the grounds of appearance, landscaping, scale and layout as set out below. In any new planning application, Axbridge Town Council would expect the development to be of a high quality design and energy efficiency, with an appropriate and inclusive mix of affordable housing. Furthermore, it would expect the development to meet high standards for traffic management and parking, whilst looking after the environment and wildlife. These aspects should all, at the very least, be in accordance with both the Local Plan and the Axbridge Neighbourhood Plan. This is particularly important for such a large development, in a prominent gateway position into the Town, abutting a conservation area and close to listed buildings. A public meeting was held on 7 December 2022 attended by approximately 50 members of the public. The meeting was constructive, focusing on the reserved matters. The Town Council consider the application, as it stands, falls short of these general requirements and objects to the proposed development as follows.*

#### *Appearance*

- The appearance and design of the dwellings should include a variety of features to truly reflect the vernacular within the nearby conservation area; there should be a wide variety of materials, features and a mix of muted colours to reflect both the importance of the setting (which is a gateway into the Town, bordering the conservation area and close to listed buildings) and work with the neighbouring countryside. The Town Council supports the pre-application advice given by the planning officer in respect of the design and materials for the dwellings.*
- The new dwellings should meet higher levels of energy efficiency – this should include solar panels and electric charging points for all properties, with infrastructure put in place for ground source heat pumps.*
- The proposed play area is of a sub-standard quality and the Town Council supports the comments made by the Parks and Open Spaces Team (18<sup>th</sup> November 2022) in terms of the concerns relating to the basic features, the materials proposed and longevity of the site. The play area, and public open space, is an important aspect and should be of better quality and well managed now and in the future. (The Town Council would seek clarification as to how these areas are going to be both managed and financed.)*
- The Town Council seeks assurance that the quality of the street lighting will match those currently in place in the Town.*

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

### *Landscaping*

- *Clarification is sought on the reference to 27 “bird houses and bricks” – in any event, there are insufficient numbers of bird boxes and bee bricks and these should be increased to promote biodiversity.*

- *Given the location and scale of this development it is vital that existing hedges and trees are retained as much as possible (a development in Cheddar has seen hedging repositioned rather than removed) and better landscaped, including protecting the conservation area to the north side of the site (abutting Compton Lane, in front of Compton House – which is a listed building). The Council supports the comments made by the Conservation and Landscaping Officers on this matter when responding to the outline planning application 02/16/00030 (letters dated 20<sup>th</sup> November 2017 and 30<sup>th</sup> July 2019 respectively) and does not feel this had been adequately addressed.*

- *The proposal indicates that the pumping station would be surrounded by a high metal fence. This is close to two of the properties and seems an insufficient and unsightly method of screening this facility. There is also concern that this facility will be noisy – affecting nearby properties.*

### *Scale*

- *The proposed development is predominantly 4 bedroom dwellings. The Council considers that there should be a bigger variety in terms of the size of the homes. Larger dwellings do not help those starting out, or those wishing to retire, and smaller 1, 2 and 3 bedroom dwellings would make the development more affordable and provide more room for parking without detrimentally affecting green spaces.*

- *There does seem to be a reasonable spread of housing sizes in relation to the affordable housing dwellings – the response of the Affordable Housing Officer is awaited.*

### *Layout*

- *The illustrative plan within the outline planning application provided a better layout for the dwellings, in terms of spacing, mix and integration of properties.*

- *The position of the affordable dwellings is of concern, being ‘stuck’ at either end of the site. The Town Council would expect these to be better integrated within the development.*

- *The Council is concerned about the position of the pumping station. It is very close to properties.*

- *The parking standards are not met - with insufficient parking being provided for the number of dwellings planned. This is not in accordance with policy. The assessment of the parking need is based on the 2011 census which is outdated.*

- *Parking is one of the most difficult issues in the Town and so the new development also needs to address the issue of the car parking places lost due to the long length of double yellow lining to be introduced on Houlgate Way for visibility at the site access points.*

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

- *The small car park area intended for visitors is not accessed directly from Houlgate Way as expected, but only through the housing estate and via, as far as the Council is aware, a private road (shared access, not public highway). Its hidden position will not be accessible/used by the public/visitors to the Town and the provision of sufficient parking is vital to the Town's sustainability. The location and size of the proposed parking area is not acceptable.*
- *Since the online planning application was approved, the bus service has been greatly reduced (there is no longer a bus service to Weston-super-Mare) and the remainder of the bus route to Wells is seriously under threat. This greatly limits the travel options of those living on the site, further exacerbating the issues with traffic, car ownership and parking.*
- *The introduction of the double yellow lines and the proposed layby areas will result in an increase in speed along Houlgate Way which is a major concern. This issue is not addressed in the application.*
- *The play area should be sited away from a busy road for health and safety reasons.*
- *The proposals should include/offer improved public footpath links to Cross (alongside Cross Lane). In addition, the following concerns associated with the application have been raised by the community which we wish to bring to your attention. (They are shared by the Town Council).*
- *Tier 2 classification – the Tier 2 allocation is queried given the loss of amenities such as the bus service to Weston (and the threat to the remaining part of the service) and the imminent loss of the only local bank in Cheddar. Can this be revised?*
- *Infrastructure – the development will result in an increase of approximately 10% of the population bringing increased pressure on local services and infrastructure (school, doctors, dentist, sewerage and drainage).*
- *Sewerage, drainage and flooding – there are serious concerns that the systems in place/proposed are not robust enough to address the increased loads on them and need major work undertaken before the development takes place. There will be serious issues if the sewerage system and water systems are not enhanced, and flooding is of concern, given the position of the site and previous experiences. The Town Council seeks assurance that the authorities involved (including Bristol Water and Wessex Water) are satisfied that with the arrangements, that works will be undertaken to address the issues and ensure that the systems are robust, and that all works will be carried out in accordance with the S106 agreement.*
- *Travel and Connectivity – further clarification/information is sought on travel coordinators, travel vouchers and improvements to connectivity*
- *Proximity of the Chicken Sheds and Gas Powered Facility – the proximity of these facilities to the siting of the proposed dwellings is of concern in terms of both health and environmental issues (noise, dust, smell and contamination). The plans showing the fall out from the gas powered facility appear to overlap the development site.*

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- *Construction concerns – there are concerns relating to the parking of construction and workers’ vehicles during the construction process and health, and environmental issues (dust, contamination). The Town Council seeks assurance that these are addressed in a construction plan.*

- *Street Naming – the Town Council (and community) would welcome the opportunity to put forward street names for the development.*

- *Delivery of the development – there is some concern that the developer will not deliver on their plans, conditions and promises – exacerbated by the fact that the developer sign is larger than the permitted size and mentions only 4 and 5 bedroom dwellings, together with the unauthorised removal of the hedge and lack of parking provision. Monitoring by the planning authority is required.*

- *Community Infrastructure Levy – The Town Council seeks confirmation as to the amount of the Community Infrastructure Levy to be received by the Town Council – the form on the website is blank. The Town Council is still receiving comments on this application and will bring these, and any further matters raised, to your attention during the application process.’*

Axbridge Town Council (when consulted upon the revised plans) – Objects:

*‘I am writing to advise that Axbridge Town Council still objects to the above mentioned application.*

*Axbridge Town Council has considered the revised plans to establish where the amendments have addressed its concerns and which objections (as set out in the response to the initial reserved matters application letter dated 19th December 2022), still remain.*

*Having considered the revised plans, whilst several improvements have been made to the application which are welcome, the Town Council still has some major concerns and objects to the application on the grounds of appearance and layout and not complying with policy and guidance as follows –*

*Layout*

*Parking Provision*

- *The parking standards are not met – with insufficient parking being provided for the number of dwellings planned. This is not in accordance with Policy – including Somerset County Council’s own guidance and Policy T-2 of Axbridge Neighbourhood Plan on New Development Parking.*

- *The required number of spaces for a development of this size is 181. Not only does the proposed development fall short of this standard, by providing 169 spaces – 14 of these spaces are meant to be allocated as public parking – so these spaces should not be part of this calculation bringing the spaces being provided for the development to 155 (only 85.6% of this requirement). Furthermore, the parking spaces provided include garages and, in reality,*

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

*garages are often not used to park a vehicle. This whole situation is exacerbated by the loss of the current parking spaces along a long length of Houlgate Way due to the introduction of double yellow lines to facilitate the vehicular access points/visibility.*

- This development is still predominantly a 4 bed development and the mix of large housing will result in a higher occupancy rate and higher car ownership than for an average household. As a rural town, residents and visitors are reliant on cars.*

*Since the outline planning application was granted, the bus service to Weston-super-Mare (with links to the train station) has ceased. The remaining and limited bus service to Wells is seriously under threat, which greatly limits the travel options of those living on the site, further exacerbating the issues with traffic, car ownership and parking.*

- Parking is already a major issue in the town and the shortfall and loss of parking spaces is totally unacceptable.*

### *Traffic Impact*

- The introduction of the double yellow lines and the proposed layby areas, which will not actually replace the number of parking spaces being lost, will also result in an increase in the speed of traffic along Houlgate Way. This is of major concern to the Town Council and the community. As on street parking presumably cannot be accommodated due to the need to ensure visibility at the junctions, some form of effective traffic calming should be provided to physically reduce the speed of traffic along this road. The Council therefore objects to the layout on Houlgate Way as the recessed bays will make speeding easier due to the lack of traffic calming currently provided by the parked cars.*

- The Council is unclear whether the Jack Todd Memorial Garden (on the opposite side of the road) is affected by the development and strongly opposed any impact on this site at the outline planning stage.*

### *Car Park*

- The small public car park area is in a hidden position within the development so will not be accessible/used by public/visitors. The provision of sufficient parking is vital to the Town's sustainability. Access is over a shared surface and the developer advises this would be under the control of a Management Company with specific clauses to ensure that the car park has to remain in perpetuity and for the benefit of the public. This is not a particularly satisfactory solution. Access from an adopted road off Houlgate Way to an accessible and larger car park would be much more appropriate. It is understood that the illustrative plan for the outline application did indicate a site bordering Houlgate Way.*

- The Council still considers that both the location and size of the proposed public car parking area is not acceptable.*

### *Appearance*

#### *Street Lighting*

- The Town Council needs reassurance that the street lighting to be provided will be of similar quality and match the street lighting currently in place.*

#### *Play Area*

- The proposed play area may meet basic requirements but is of a sub-standard quality and*

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*the Town Council still shares the concerns of the Park and Open Spaces Team relating to the basic features, the material proposed and the longevity of the site. The Council is also still concerned at the proposed position of the play area (being so close to the road) and the intention for it to be managed by a Management Company, with responsibility being passed onto future residents after an initial period. This, like the proposed parking area, is not a satisfactory solution. The Council is also mindful that it has a large, well equipped play area on the Furlong Recreational Field in the centre of Axbridge.*

### *Further Consideration*

*Given the Town Council's and community concerns regarding the level of parking provision, the location of the car park and the siting of the play area, it is suggested that consideration be given to re-locating the public car park to the site of the play area. This would enable a larger car park to be provided, off an adopted road which would be more visible and accessible to members of the public. The Town Council may be willing to consider adopting a larger and fully accessible car park on the road front (with appropriate landscaping) if it was of acceptable standard. This would also address the issue of the shared access.*

*If the S106 agreement requires the provision of a play area, this could then be moved to the proposed car park site (which the Council understands is closer to the original site indicated for the play area in the outline planning) or, preferably this could be retained as open space with the S106 monies being allocated to the Town Council to further enhance the play area facilities at the Furlong recreation field.*

*This is a large development, in a prominent gateway position into the town, abutting a conservation area and close to listed buildings. All aspects of the development should be of a high standard to reflect the historic setting, which is sympathetic to the parking and traffic issues and improves, not detracts, from the community. There is only one opportunity to get this right and all efforts should be made to ensure it is a development to be proud of.'*

### Councillor Graham Godwin-Pearson (Ward Member) – Objects:

*'Whilst I fully appreciate the need for new housing, I object to some of the details relating to the reserved matters for the proposed Lavender Rise in Axbridge. I was disappointed that Bellway was unable to send a representative to the public meeting earlier this month, which was well-attended by Axbridge residents.*

*I concur with Axbridge Town Council's concerns relating to appearance, landscaping, scale and layout. In particular, I am concerned that:-*

- The appearance of the proposed buildings does not include enough variation in materials and features.*
- The vast majority of properties proposed are 4-bedroom houses, whereas I would hope for 1-, 2- and 3-bed homes for younger and older buyers.*
- Not enough thought has been given to protecting wildlife and biodiversity in the development. Since Sedgemoor has declared an ecological emergency, I would hope to see a great deal of effort in making the development biodiversity positive.*

*This starts with the work itself - the wildlife area at the south of the site should be created, allowed to mature and fenced off before any work begins, to give birds, insects and small mammals a new home before the rest of the landscape is removed. We should see a net*

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

*increase in the area designated for wildlife on the site and every home should have a swift box, a sparrow box and a bee brick at suitable locations.*

*- We should be seeking to ensure that every home is as energy independent as possible, with solar panels, electric car charging points and access to ground source heat pumps. It is for the developers to lay ground source heat pumps infrastructure under the road surface at depth suitable to be efficient but to enable Somerset County Highways to adopt the road. This is particularly important given the rising cost of energy.*

*- There should be access to the little car park across an adopted road, so that it is truly public, whilst retaining a footpath to Houlgate Way directly.*

*- As a development on the edge of town, I would like to see an offer from the developer to work with landowners to purchase a narrow strip of land along Cross Lane to convert to a solid footpath, allowing Lavender Rise owners to walk or cycle safely to Cross and finally providing a solution to this long-running issue affecting the neighbouring communities.*

*- No details pertaining to CIL have been published.*

*As Somerset moves towards a unitary authority, I believe that we have an opportunity to set a gold standard for new homes, which can be carried into the new council. Sedgemoor in general - and Axbridge in particular - is a very pleasant place to live and developers can, if they wish, command high prices for properties. We should, however, always consider local need, the vernacular and access to services. In every way they can, new developments must add to a community, not detract from it. We must also give the most thorough consideration to environmental protection, ecological improvement and energy efficiency. These are not box ticking exercises but represent a duty if anything to over-provide.*

*I look forward to seeing more detail and some movement on these issues.'*

### Compton Bishop Parish Council – Comments:

*'Compton Bishop Parish Council would like to submit the following comments regarding this planning application,*

*The applicant's 'review' of car ownership uses the 2011 Census . In the 'missing' 11 years to date there has been considerable housing development in the area and increased size (length and width) of large quarry lorries from the Cheddar area. To have such highly out of date data used in this application is inexcusable. This is a significant omission and appears to mislead Planning Officers. It omits to establish the true volume of traffic on small road, especially the narrow Cross Lane where large Quarry Lorries which have been significant larger. Also the significant increases in commercial and private vehicle movements have not been included. Many new houses have been built, and are currently being built, in the area, including large estates in Cheddar. The increased volume of traffic on our local roads and the potential impact on pedestrians and cyclists must be recognised in the interest of safety.*

*Other concerns : -*

*1. No traffic flow and mix of transport for Cross Lane and A371 is considered in this application*

*2. Potentially 208 extra car journeys per day (416 return journeys) causing :*

*a. air quality/pollution,*

*b. higher volumes of cars and congestion at the junctions of the Cross Lane/A38 and A371 at Shute Shelve Hill junctions.*

*c. increased danger to pedestrians and cyclists on the narrow A371 Cross Lane*

*3. Access to the nearest pub (New Inn, Cross) is via registered footpaths AX15/14, in Cross,*



## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

and AX1/22, in Axbridge. These PROW's are mud paths and cross field of cattle. Some pedestrians prefer to walk on Cross Lane which has no pavements and has very steep verges which are not accessible.

4. Job opportunities for new people within the local communities are not mentioned
5. Has the availability of the additional new school students and the possible impact on schools and roads been addressed?
6. Is there a facility for electric car charging in the new housing complex?
7. Light pollution - what mitigation and how is this addressed?
8. The site will be visible from A38, Cross and Mendip Hills. The proposed screening looks to be inadequate.
9. Power Cables – as the site is near the AONB and open countryside, any power cables should be out of site and/or underground.
10. Medical resources of Doctors and the Pharmacy are currently under pressure and would be will be overloaded . Has this issue been addressed?
11. Houlgate Way is a narrow road with many cars parked on the south west side of the road where many existing residents park their cars restricting the two-way traffic. Safety is, therefore, an issue but there appears to be no recognition of the needs of current residents.'

Affordable Housing Manager (when consulted on the original scheme) – Accepts the tenure and mix of affordable housing, however the predominance of 4/5 bedroom dwellings will not help homeowners get on the housing ladder or those looking to downsize. Market dwellings are distinguishable from the affordable and not well integrated, which we would like to see addressed.

Affordable Housing Manager (when consulted on the amended scheme) – Supports, as pleased to see revised layout taking into account much better integration of affordable homes across the site. Also pleasing to see that the market houses are now not predominantly 4/5 bedroom homes. Axbridge is one of the more expensive villages to live in Sedgemoor, this development is a positive way forward, helping those households who are unable to enter the private market to rent or buy.

Parks and Open Space Officer (when initially consulted) – LAP and LEAP seem acceptable. Advises that the Council would not be willing to adopt proposals given timber materials used.

Parks and Open Space Officer (upon subsequent amendment to play provision) – Level of provision is much better and I'm pleased to see our comments have been acknowledged. Changing material from timber to metal is an added bonus for longevity of the equipment and residents who ultimately will be funding the ManCo to maintain. Happy to support revised proposal.

County Highways – Provides estate road comments regarding footways, tracking of vehicles, areas for adoption, margins, access to public car parking area, and provision of Advanced Payments Code.

County Rights of Way – Public rights of way AX1/23 and AX1/24. The s106 (attached to the outline) contains provision for the provision of a public right of way prior to occupation of the first dwelling unit. Development works must not encroach on the width of any public right of

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way and recommends informative in this regard.

Landscape and Tree Officer (when initially consulted) – Satisfied that the proposed development includes appropriate planting within the site and along Houlgate Way. Aware that trees and hedgerows will be removed to facilitate the development and provide visibility splays at the site entrance. Undoubtedly this causes some local concern and developer will need to comply with submitted tree protection plan and employ a suitably qualified arboricultural consultant to supervise the works. Notes that there is a sub-station within the site, requests that additional planting is provided around all boundaries of the complex to screen the equipment.

Landscape and Tree Officer (when consulted on the amendments) – No further comments to make.

Mendip Hills AONB Team – No comments will be submitted.

Conservation Officer (when initially consulted) – Site layout shows a density to the north which is considered to be quite harmful to the setting of adjacent listed buildings. The gable of the affordable terrace requires repositioning. Not convinced that design of proposed buildings is taken from nearby environment. Rendered and stone surfaces of Axbridge not well represented in street scene. Scale of roofs is quite tall, valley or double roofs could be considered. May wish to consider roof design options that facilitate inset solar PV panels. Render to be self-coloured and textured. Georgian approach to door and window proportions but will not support pedimented gables or break fronted properties. Roof cover, chimneys and details can enhance if correctly selected. Natural slate, terracotta and some character chimney styles should be explored.

Conservation Officer (when consulted on amendments) – Further mitigation required to offer screening of new dwellings that will remove setting to the listed building if support is to be offered. Concern about deep set/square plan dwellings and large roofs, and that street scene does not reflect character of Axbridge. Concern about height of garages. Lower eaves would bring dormer windows by Daulat, reducing ridges. Height issues could be addressed with double piled or valley roof.

Crime Prevention Officer (when initially consulted) – No objection, layout and orientation of dwellings allows overlooking which deters criminal activity, public open space well surveyed, but overlooking of public car park to south-east corner could be improved through provision of a window in gable ends of plots 1, 2, 10 and 11.

Crime Prevention Officer (when consulted on amendments) – Public and private spaces are well delineated, rear garden gates are appropriate height, footpaths between terraced houses will be gated, plots 1, 2, 10 and 11 will incorporate windows in the gable end to improve surveillance of the car park. Two small areas of private road will not comply with street lighting standards but understand ecological reasons. Existing street light on Houlgate Way to compensate. Amendments are acceptable and have no further comments to add.

South West Heritage Trust – No objection as this is a reserved matters application, but notes

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there is a condition on the outline permission requiring archaeological investigation.

Environmental Health – No comments on this application but in relation to discharge of conditions has previously approved partial discharge of condition 4 (contaminated land) and can recommend discharge of condition 5 (construction management plan).

Lead Local Flood Authority – Following submission of further information satisfied that a pre-occupation condition can be set for submission of details of the final adoption and maintenance of the surface water drainage system.

Natural England – Submitted ecological information reflects earlier ecological surveys which supported the outline permission. No objection, provided that mitigation implemented and secured to avoid an adverse effect on the integrity of the North Somerset and Mendip Bats SAC.

County Ecologist – An updated ecological assessment has been provided with this application. The updated surveys confirmed that habitats had not significantly changed since time of previous surveys and that there was no additional evidence of any protected or notable species present. Satisfied that measures required to enable protection, compensation, mitigation and enhancement are covered by existing conditions attached to the outline application and as such no further conditions are proposed.

Wessex Water (when consulted on the original plans) – No objection. Wessex Water will accommodate domestic type foul flows. The applicant has proposed a pumped foul drainage system with connection to the 225mm diameter public foul sewer at MH ST42549402 on Old Church Road, discharge rates proposed at 2.44l/s, this is in line with what has previously been agreed with Wessex Water.

Wessex Water (when consulted on the amendments) – Notes that amended plans include revised planting and landscaping around the perimeter of the on site pumping station. We take this opportunity to reiterate the stand-off requirements in relation to planting if these wish to be offered for adoption (no buildings within 3m of public foul sewer, no tree planting within 6m, access unhindered).

### Representations

1 support:

- As long as drainage and parking provided, I support it

4 comments:

- Doctors surgery has concern about provision of allocated parking spaces
- Doctors surgery has concerns re separation distance re patient confidentiality
- Number of houses needs to be reviewed
- Requests Wessex Water comments be sought
- Inadequate parking provision
- Concern about timing of vehicle access
- Concern about parking provision

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- Concern about use of brick
- Requests provision for horse riders
- Concern that car park not accessed off Houlgate Way
- Maintenance of surface water a concern
- Infrastructure capacity concern

42 objections when consulted on the scheme as initially submitted.

- Inadequate affordable housing provision
- Queries existence of affordable housing need
- Affordable housing in distinct sections not distributed throughout
- Inadequate local infrastructure (doctors, schools, highways)
- Housing mix should include more 2 and 3 bedroom properties, elderly person homes and wheelchair homes
- No demand for houses
- Contrary to local plan
- Impact of proposals on local character
- Dwelling designs do not take cues from Axbridge character and vernacular
- Pastel colour render inappropriate
- Red for roof colour clashes with green countryside
- Should include live/work units
- Does not take account of town views
- Impact on views from the Mendip Hills AONB
- Loss of greenfield site
- Outside development boundary
- Too close to chicken farm
- Should use local materials
- Objects to loss of two trees by access
- Impact on local highway network of increased traffic
- Queries electric vehicle charging provision
- Insufficient car parking provision
- Lack of connectivity to remainder of Axbridge
- Loss of on street parking will allow faster travel on Houlgate Way
- Proposals should have solar panels and meet Passiv-haus standards
- Query re long term maintenance of car park, play equipment and / or surface water provisions
- Public car park only accessible through the estate
- Highest density house adjoining listed buildings and conservation area
- Requests restrictions to preclude homeowners concreting grass spaces
- Concern about foul drainage arrangements
- Pumping station in visible position
- Concern about contamination
- Impact on privacy
- Shortfall in parking provision
- Parking already an issue
- Bristol Water pipe runs through site
- Requests bridleway put around site boundary / footpaths provided on boundary

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- Submission contains inaccuracies
- Disruption from building work
- Sign erected without permission
- Potential phosphates impact
- Impact on habitats
- Flooding concern
- Pollution impact
- Lighting impact
- Impact on local house prices
- Will deter tourists
- Impact on River Axe

3 comments, 16 objections when consulted on the amended scheme.

### Comments:

- Unclear if hedgerows being replaced
- Will traffic be monitored
- Traffic impact of additional dwellings
- Lack of public transport not addressed
- Notes housing officer pleased with layout change
- Officer's being 'played' by developer

### Objection:

- Doctor's surgery objects to plans for housing and car parking in close proximity to surgery and resultant confidentiality issues that would arise
- Lack of parking provision
- Proposed public car park accessed via estate
- Proposed public car park not big enough
- Concern about loss of on street parking/double yellow lines
- Lack of alternative to car use
- Concern about cars backing into existing driveways
- Highway safety concern
- Inadequate affordable housing provision
- Location of affordable housing is better integrated into scheme, though prefer if pepper potted into groups of 2-3
- Change in housing mix goes some way to address concern, but need more 2 and 3 beds, elderly and wheelchair homes
- Some improvement to design of streetscape
- Concern re design of plot 45 and its double gables
- Welcomes chimneys, but too randomly placed
- Plots 21 and 41 have small hip roofs which are out of character
- On-plot parking dominates
- Concern developer not addressed all local and neighbourhood plan policies
- Swap play area and car park
- Speeding on Houlgate Way
- Lack of smaller properties
- More landscaping needed for privacy and projection of grade 2 listed building

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- Revisions are an improvement but still alien to Axbridge
- Not integrated into surrounding landscaping
- Health impacts / proximity to chicken farm
- Concern about loss of two trees at point of access
- Large sign erected without planning permission
- Concern re design of surface water drainage and future maintenance
- Disappointed with conservation officer comments
- Noise nuisance
- Place limitation on hours of operation
- Lack of connectivity to rest of Axbridge
- Concern about removal of construction waste
- No revised Transport Assessment
- Welcomes solar panels and EV charging but disappointed in use of gas boilers and insulation proposals
- Cheddar/Axbridge have higher housing numbers – should be distributed through district
- Outside settlement boundary
- Requests reduction in ridge heights
- Close to conservation area
- Infrastructure impact
- Phosphates impact
- Flood risk
- Each property should have water butt
- Likes footpaths, children’s play and parking by medical centre

### **Most Relevant Policies**

#### National Planning Policies

National Planning Policy Framework

#### Sedgemoor Local Plan (2011-2032)

D1 Flood risk and surface water management  
D2 Promoting high quality and inclusive design  
D5 Housing Mix  
D6 Affordable housing  
D13 Sustainable Transport and Movement  
D14 Managing the Transport Impacts of Development  
D19 Landscape  
D20 Biodiversity and geodiversity  
D22 Trees and Woodland  
D24 Pollution Impacts of Development  
D25 Protecting residential amenity  
D26 Historic Environment  
D34 Outdoor public recreational space and new residential areas

#### Axbridge Neighbourhood Plan

HD-1 Providing affordable homes to meet identified need

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HD-2 Residential development  
HD-3 Promoting good quality design  
HD-4 Meeting community needs  
C&I-1 Infrastructure  
C&I-2 Protecting utilities, infrastructure and community coherence  
H&NE-1 Natural environment  
H&NE-3 Heritage environment  
H&NE-4 Town views  
H&NE-5 – Protection of the AONB  
T-1 Parking  
T-2 New Development Parking  
T-3 Footpath provision  
T-4 Road safety

### **Community Infrastructure Levy (CIL)**

The application is for residential development in Axbridge where the Community Infrastructure Levy (CIL) is Non-urban Residential £104.57sqm of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of £777,850.38. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

### **Main Issues**

#### **Principle of development**

Outline planning permission with details of access was approved in January 2022 for the erection of up to 53 dwellings of which 30% were to be affordable. This current application seeks to bring forward the remaining ‘reserved matters’ of appearance, landscaping, layout and scale. The outline application contained a number of conditions but also included a requirement for the reserved matters application to come forward in general accordance with an illustrative layout. It is therefore necessary to consider the acceptability of the proposal in light of adopted local and neighbourhood planning policy, and also its accordance with the requirements of the outline permission.

#### **Layout**

Policy D2 of the Local Plan states that proposals should be of high quality design that positively responds to the character and identity of the area. Policy D19 states proposals should ensure they enhance landscape quality wherever possible or that there are no significant adverse impacts on local landscape character. Axbridge NP policy HD-3 states that proposals should positively contribute towards the distinctive setting and characteristics of the town.

The outline application acknowledged the position of the site relative to the town of Axbridge and its rural edge, and proximity to the Mendip Hills Area of Outstanding Natural Beauty. It had been accompanied by a Landscape and Visual Impact Assessment (LVIA) examining the

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character of the surroundings and potential for impacts on important views. Recommendations from the LVIA and the comments of the Council's Landscape Officer identified that the proposed site would need to be subject to landscaping to provide enhancement, softening and enclosure to the proposed development. It was recommended that proposed public open space adjacent to Houlgate Way to provide a degree of buffering to the adjacent properties should be included. It also put forward a corridor of open space along the southern boundary, which once established, should provide enhanced green infrastructure to the edge of the development. Additional landscaping was also recommended adjacent to the Conservation Area Boundary (alongside Compton Lane) to provide some screening and softening of the application site. These stipulations were all used to shape the illustrative layout attached to the outline application, setting the expectation of the form of development to come forward at reserved matters stage.

The application takes the illustrative plan as its basis for laying out the scheme. The large area of open space adjoining Houlgate Way forms part of the main frontage to the site. This green area will be the focal point, containing proposed play provision for the site and a large amount of landscape planting. In terms of site area allocated to open space it follows the parameters set by the illustrative plan.

Residential development is then proposed facing on to the open space on three sides in locations as indicated by the layout. The line of the internal site road adjoining the public open space has been largely determined by the presence of an underground Bristol Water Main, around which there is an easement precluding the building in immediate proximity. The line of the water main is very straight, and there was a danger that if the road followed the route too closely, the layout and form of development would be too straight and rigid, rather than reflecting a softer transition between town and countryside as had been envisaged at outline stage. Deflections in the alignment of the road, such that it does not constantly follow the line of the route at either end provide a more sinuous treatment as intended.

The illustrative plan indicated areas of green space along the southern boundary of the site. These are provided along the length of the southern boundary and include footpath connections and attenuation basins in general compliance with the outline. A foul water pumping station is proposed towards the southern part of the site. Initial layout designs for the site had seen this station proposed within the main central area of public open space which fronted on to Houlgate Way. Officers did not consider this location, in a much more visually prominent part of the site, conducive to achieving the high-quality street scene and landscape buffer which was envisaged at outline stage. It was also considered that it would visually detract from the enjoyment of the use of the public open space by future occupants in that location. The Town Council has raised concerns about the resulting position of the station and potential for adverse impacts on nearby future residents. However, the applicant has confirmed that the station is positioned at the separation distance required by the statutory undertaker. Furthermore, no objection has been received from the proposal from the Council's Environmental Health department. Its position is therefore not considered



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objectionable. Landscape planting is however proposed around the perimeter of its compound, so provide screening and softening effects in order to minimise any visual impact.

On the east boundary of the site a small public car park is to be formed. It is to be accessed via the internal access road serving the development, whilst having a direct footpath connection to Houlgate Way. The Town Council has raised concern about the position of the car park. They have expressed a preference that it be located where the children's play provision is centrally positioned within the site. They have also suggested they would be willing to take on the maintenance of the car park if proposed in this location.

Whilst the suggestion of the Town Council is noted, the illustrative layout from the outline indicated the car park was to be located on the eastern boundary of the proposal. As such it is necessary to bring it forward in this position to ensure conformity with the conditions imposed on the outline. Nonetheless, as set out above the central area of green public open space would not perform its landscape buffering function if it were converted to a public car park. The benefits of the large area of landscaping and green space would be undermined through provision of such an area comprised of hard surfacing and parked vehicles. Furthermore, the play provision would not be centrally located such that it could be readily accessed by all residents of the scheme as is required by policy. As such the Council considers that the proposed location for the car park is acceptable, in terms of complying with the outline and achieving an acceptable layout as a whole for the scheme.

In terms of the relationship with the nearby AONB, the Mendip Hills AONB team has not raised any objection to the proposal, and in this regard, it is considered that the green buffer at the front of the site is helpful in minimising any impacts on views from the AONB.

Overall, the layout of the scheme is considered to comply with policies D2 and D19 of the Local Plan and HD-3 of the Neighbourhood Plan.

### Housing Mix and Affordable Housing

Policy D5 of the Sedgemoor Local Plan requires the delivery of sustainable mixed communities, providing a suitable mix (market and affordable) of different types and tenures. Housing sizes should meet locally identified housing requirements. The policy also requires a proportion of new dwellings to meet optional building regulation standards M4(2) for accessible and adaptable dwellings. Policy D6 states the Council will seek affordable housing provision, forming an overall part of a development and which is well integrated with any market housing. Most of the above requirements are reiterated by neighbourhood plan policy HD-3.

The scheme proposes delivery of 53 dwellings. Of these 38 will be market dwellings, 15 will be affordable. This equates to 28.3% affordable housing provision. A financial contribution is to be provided to make up the requirement equivalent to 30% in accordance with the requirements set down in the s106 agreement attached to the outline. This ensures a policy

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compliant level of affordable housing provision.

The dwelling mix as originally proposed comprised included 37 4-bedroom dwellings. Concern was expressed by the Town Council, Ward Member and the Council's Affordable Housing Team that the dwelling mix was providing insufficient numbers of smaller properties. The Town Council and the Affordable Housing Team also raised concerns about the position and dwelling types of affordable housing with the scheme. These were grouped into clusters in the north west and eastern peripheries of the site, such that it was considered they were distinguishable from the market dwellings and not well integrated with them throughout the development.

Changes have been made to the scheme in response to these concerns. The mix of dwelling sizes has been amended to reduce the number of 4 bedroom units, and whilst these remain the most common size on the scheme they are part of a wider mix now comprising 4x 1 beds, 4x 2 beds, 13x 3 beds, 30x 4 beds and 2x 5 bed units. The location of the affordable housing has also been changed so that they are more evenly distributed throughout the development site. There are now no affordable units clustered together in the north west corner, instead those units have been spread the southern part of the site in two small blocks.

It is noted that the Town Council retain some reservation regarding the amended mix of dwellings. The Council's Affordable Housing Team considers that their concerns in terms of mix and layout have been overcome by the changes put forward by the applicant. Whilst the mix of market units remains weighted towards larger dwellings, officers consider this provision combined with an appropriate type and tenure of affordable dwellings as a whole delivers an acceptable range of dwellings to meet local need and market demand.

Approximately 40% of the units will also meet the M4(2) building regulation standard. This standard ensures that a proportion of on-site dwellings are designed so that they provide means of access suitable for people with reduced mobility and some wheelchair users. This standard requires dwellings to have step-free access externally, that rooms, corridors and entrances are of suitable width etc to be suitable for wheelchair users and that common adaptations can be added in future to increase the accessibility and functionality of the dwelling. The number of dwellings meeting this standard is considered to comply with the requirements of policy D5.

### Design and Heritage Impact

Policy D2 of the Local Plan states that proposals should be of high quality design that positively responds to the character and identity of the area. Policy HD-3 of the Neighbourhood Plan states proposals will be supported where they positively contribute to distinctive setting and characteristics of the town. The Neighbourhood Plan makes reference to the Axbridge Town Design Statement which on building design says proposals should be high quality, respecting qualities of surroundings, such as scale, material, details, building materials should respect

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vernacular and that use of recon stone should be avoided. With regard to heritage assets such as listed buildings and conservation areas, policy D26 of the Local Plan states proposals should avoid harm to, and sustain, and where appropriate enhance the significance of heritage assets and their setting. Neighbourhood Policy H&NE-3 designated heritage assets and settings will be conserved and enhanced.

Axbridge is a historic town with many properties within its centre and along the surrounding streets that give it considerable character. Many properties within the centre and along West Street/High Street are listed buildings. There is also a conservation area which extends along those streets as well as to the south of the town centre. The site is not within the conservation area, though the north west part of the application site does come within about 20 metres of the edge of the designation. There is also a listed building, Compton House, to the north of the site, within the same part of the conservation area. Dwelling designs in the centre are varied, but feature traditional form, including low eaves, some with balanced front elevations, use of simple gable to gable pitched roofs, many with chimneys. Render is the most common material finish, though natural stone is also evident. Traditional profiled tiles regularly feature, though there is occasional use of slate.

The site primarily is bounded by Houlgate Way, a residential street likely constructed in the 1970s. There are existing residential properties on Houlgate Way and on the nearby Starrs Close, all which were likely constructed of a similar post-war period. In terms of dwelling appearance, form and material finish, these units are of typical estate housing design for their time. Most are finished with brick, which is not a material which is particularly prominent in the older parts of the settlement. Many are roofed with concrete profiled tiles.

Therefore, notwithstanding that the north west part of the site is in proximity to a listed building and part of the conservation area, the immediate context is of much more recent development which does not particularly reflect many of the designs or features which give the main part of the town its character. The outline application set an aspiration for the proposed scheme to more closely respond to traditional parts of the town's character, rather than the immediate context neighbouring the site.

The scheme delivers a variety of house types which pick up on some of the elements of the traditional character of the town. This includes use of render as material finish, low eaves heights, occasional use of chimneys, simple gable to gable roofs. Brick was also proposed for some units. Concern however was expressed by Town Council and some residents that the dwellings proposed did not adequately respond to local character. Concern was particularly raised regarding the use of dwellings with projecting gables to front elevations, a view shared by officers. There was also concern about proposed use of reconstituted stone for a number of dwellings.

The conservation officer had also raised concerns with the layout and density of development in the north west corner where the site is closest to the listed building Compton House and

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the conservation area. The end gable of a terraced row of affordable dwellings here, on the boundary facing the listed building was a particular concern and the need for additional screening to protect its setting. Further issues were raised with regard that design cues should not be taken from the adjoining 1970s housing. It was recommended that consideration be given to use of natural stone and render. The size of roofs on the units, as well as some garages was expressed as a matter of concern. They also provided matters for consideration by the designers on roof design for incorporation of solar systems, render types, window designs and roof cover, chimneys and materials.

Amendments were subsequently made to the scheme to address a number of concerns expressed by various parties. A number of house types that featured projecting gables that were less characteristic of local design were removed. Whilst a small number remain, their limited number as part of a wider scheme is not considered unacceptable. Changes to materials were also proposed to remove all those with reconstituted stone. Instead Blue Lias natural stone is to be used on a small number of properties in more prominent positions within the site. Render is the material most prominent when the scheme would be viewed from Houlgate Way. Brick would continue to feature but more to the rear of dwellings or on front elevations on more discretely positioned plots. These changes are considered to improve the visual qualities of the proposal and provide a more positive response to the distinct qualities of Axbridge. A condition would be imposed to secure submission of details of the materials used.

To soften the impact on the nearest listed building the layout of units proposed in the north west corner has been changed. The terrace of affordable dwellings which originally was located adjoining the boundary has been removed and replaced with a number of detached dwellings. The house type for the detached dwelling has further been amended to switch it for another that could be positioned further from the boundary. This has enabled a greater separation distance to the boundary with the listed building's garden. It has also enabled planting along the boundary, in the form of hedgerows and trees. These provide additional screening and between the application site and the listed building which acts to soften and minimise any impacts on the heritage asset. A condition is proposed to be added to the permission to secure details of the management and maintenance of this particular area of planting to ensure its ongoing screening function.

Garage ridge heights have also been reduced in response to concerns expressed by the conservation officer.

Taking the proposal as a whole, the changes to dwelling designs, their appearance, material finish, as well as providing a suitable response to the adjoining heritage assets, the scheme delivers a high quality development which is considered to make a positive contribution to the town. As such it is considered that the proposal is in accordance with Local Plan policies D2 and D26 and Neighbourhood policies HD-3 and H&NE-3.

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### Play provision

The Council's Parks and Open Space officer considered the play provision initially proposed to be broadly acceptable but did express some reservation that the provision was 'basic' and that amended provision could offer more play opportunities for a greater age range of children. He also said that the use of timber equipment could reduce the longevity of the equipment and preclude its potential future adoption by the Council.

The applicant has subsequently agreed to amend the provision to include additional swings, a slide with a variety of access points and a trampoline. It was also now proposed to have the material in metal rather than timber. The Parks and Open Space officer has welcomed these changes and is happy to see that their comments have been taken on board.

### Trees

Policy D22 'trees and woodland' of the Local Plan states that where possible development should seek to avoid or minimise the loss of or damage to trees, woodland or hedgerows. Developers would need to provide adequate mitigation and/or compensation where loss arises.

Concern had been expressed by some local residents regarding the loss of two existing trees along the western part of Houlgate Way (an Ash and a Walnut). Whilst these are classed as category B trees, (trees of moderate quality), their loss was agreed at outline stage given their proximity to the vehicular access approved. Similarly, a north-south hedgerow which delineates two fields which comprise the site, and a hedgerow along the eastern part of the Houlgate Way boundary are also proposed to be removed. These were not shown on the illustrative layout as being retained so there was an acceptance of their likely loss.

Hedgerows along the western and southern boundaries are however being retained. New hedgerow planting is proposed throughout the scheme and a large number of replacement trees in various locations. This includes at least 30 specimen trees within the area of open green space at the frontage of the site comprising a mix of maples, oak, rowan, hornbeam and silver birch. The provision of this planting, will once established, provide suitable mitigation for the loss of the existing trees and provide a green and pleasant softening against which the development would be viewed.

In this regard, the proposal is considered to comply with the requirements of policy D22.

### Amenity

Policy D25 states that proposals which unacceptably impact on the residential amenity of existing residents will not be supported.

A principal concern at outline stage was the potential for odour nuisance on future residents associated with the chicken farm located to the west of the application site. The area of

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development for the proposed reserved matters falls outside of the area where harm would have been considered to arise for future occupants. Environmental Health has reviewed the proposal and not raised any subsequent objection.

In terms of delivering an acceptable level of amenity for future occupants all dwellings are suitably proportioned internally and have external gardens of an appropriate size. The dwellings are also positioned at sufficient distance from existing properties on Houlgate Way so that no overlooking or loss of privacy issues arise.

Concern has been expressed by the Doctor's Surgery which is located to the east of the application site. They raised an issue with potential impacts on confidentiality with their consulting rooms given the proximity of the development. However, the nearest dwellings to the surgery are at about 20m separation. In addition, the area closest to the building's side elevation is proposed as one for planting, rather than any use that might result in residents/visitors spending any length of time in close proximity to consulting rooms. As such it is not considered that this is a matter which should weigh negatively in the balance when determining the application.

The crime prevention officer had also requested some amendments to window positions on dwellings to provide additional natural surveillance of public areas, including the public car park. These amendments were made and the officer has confirmed they address the concern.

Overall, it is considered that the scheme protects the amenity of existing residents and provides for acceptable levels for future occupants in accordance with policy D25.

### Highways and parking

Policy D13 of the Local Plan states that proposals should enhance road and personal safety and be compatible with existing transport infrastructure. Policy D14 states proposal should provide safe access to roads of adequate standard and that the expected nature and/or volume of traffic and parked vehicles generated by the development should not compromise the safety and/or function of the local or strategic road network. Neighbourhood Policy T-2 states proposals will be supported if they are in line with SCC parking strategy.

The two vehicular accesses into the site were approved as part of the outline application. Within the site are internal access roads serving the dwellings which then terminate in shared or private drives. The highway authority has provided comments on the internal road layout for the applicant to take into account. These comments related to detailed matters of estate road design, including on margins, tracking, adoption, drainage and APC (advanced payments code). All are matters of detail which largely relate to highlighting issues which could impinge on future adoption of streets under Highways Act s38 processes.

In terms of parking provision the scheme provides a total of 172 parking spaces. This is via a combination of on plot parking of 146 spaces and 26 visitor spaces (including those provided

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within the new car park). The standards in Somerset County Council's parking strategy would require a total of 181 spaces to be provided across the site, and as such there is a small shortfall.

It is also noted that there is local concern about the loss of on street parking on Houlgate Way, with a number of local residents making reference to the provision of double yellow lines along the length of the road, precluding all on-street parking. The provision of double yellow lines is not a matter controlled through this planning application. Instead, it relates to requirements that have emerged from a road safety audit undertaken as part of the s278 application the applicant is required to make to the Highway Authority with regard to works to build the accesses. The latest plans from the safety audit do show the introduction of double yellow lining, but only on the areas immediately either side of the proposed vehicular accesses in order to maintain visibility. None is proposed for the remainder of Houlgate Way, nor any on the north side of the road. Whilst this will result in some loss of provision, opportunities for on-street parking will remain on many parts of the road.

It is also noted that comments have been received about traffic generation and the impact of the proposal on nearby junctions, such as that of the A38/A371 (Cross Lane) to the west. Comments have also been received about cuts to bus service provision which have taken place since the outline was granted. Traffic generation and the impact on local road network, as well opportunities for accessing the site via sustainable means are matters related to the principle of development, which was accepted through the grant of outline planning permission. They are not matters which can be revisited at reserved matters stage (where the only matters for determination are layout, appearance, scale and landscaping).

Overall, the proposal delivers a scheme which, despite a small shortfall in parking provision, is otherwise acceptable in regards to highway matters. Furthermore, no objection or concern has been raised by the county highway authority regarding the highway or parking implications of the scheme. As such it is not considered that the proposal is unacceptable and therefore is in compliance with policies D13, D14 and T-2.

### Sustainability

The Town Council and Ward Member had initially commented up on the lack of sustainability measures proposed as part of the scheme. The amended plans now submitted now include all dwellings as providing for on plot electric vehicle charging points and solar panels on the roof. This is considered to provide a positive response to the challenge of mitigating the impacts of climate change and an acceptable level of renewable provision for the scheme.

### Drainage

Local Plan Policy D1 states proposals must provide for adequate means of drainage, including through use of sustainable drainage systems. Neighbourhood Policy C&I-1 states proposals will be supported where they avoid significant adverse impact on drainage, sewerage and

## **AGENDA ITEM 6.1 – MAJOR APPLICATIONS**

meet local policies in terms of discharge rates. The application proposes that surface water is attenuated in the southern part of the site. Following a number of points of clarification, the Lead Local Flood Authority has confirmed they have no further concerns and are satisfied that the reserved matters application can be granted.

The outline application included provision for foul mains to connect to an existing manhole on Old Church Road to the east of the application site. Provision is made for such a connection and Wessex Water has confirmed their satisfaction on this point. Wessex has also provided detailed comments on their design requirements and easements in relation to the pumping station on site. This has warranted slight changes to proposed tree positions to avoid conflicting with the easements.

Overall, it is considered that the scheme provides appropriate means of drainage to the satisfaction of consultees and in accordance with local and neighbourhood plan policies.

### Other Matters

Local Plan policy D20 states proposals should contribute to maintaining and where appropriate enhancing biodiversity. Neighbourhood Policy H&NE-1 proposals will be supported where they demonstrate there are no significant impacts on natural environment, are appropriate to landscape, enhance natural environment, including appropriate planting.

Ecological matters were considered in detail as part of the outline application with a number of conditions imposed to secure mitigation for impacts and enhancements. Natural England and the county ecologist have both responded to the reserved matters application confirming that updated ecological assessment has been provided with this application which confirms that habitats had not significantly changed since time of previous surveys and that there was no additional evidence of any protected or notable species present. They are satisfied that measures required to enable protection, compensation, mitigation and enhancement are adequately in place on the outline permission.

The Rights of Way Team had noted that mechanisms exist within the s106 legal agreement attached to the outline for improvements to rights of way. They do not raise any objection to the proposed application.

### Summary and recommendation

The principle of developing the site was established at outline stage. Various amendments have been proposed in order to address concerns expressed during the consultation periods. The resulting proposal is considered to conform with the illustrative layout approved at outline stage, providing for a high quality scheme, which includes large areas of public green space and dwelling designs and layout which provide a positive response to the site's context and the nearby heritage assets. As such, it is recommended that planning permission is granted.



## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

### RECOMMENDATION

#### GRANT APPROVAL OF RESERVED MATTERS

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

- 2 No development shall take place above damp proof course level until samples of the materials to be used on the external surfaces of the dwellings hereby approved, to include windows, doors, walls and roof, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.

Reason: In the interests of visual amenity and to ensure an appropriate response to nearby heritage assets in accordance with Sedgemoor Local Plan 2011-2032 Policies D2 and D26 and Axbridge Neighbourhood Plan Policies HD-3 and H&NE-3.

- 3 Prior to the first occupation of plots 48 or 53 (as indicated on the submitted and approved Detailed Planting Plan 1 of 3 Drg No. 101 rev F), a scheme for the management and maintenance of the landscape planting within these plots shall be submitted to and approved in writing by the local planning authority. The proposed development shall be carried out in accordance with the approved scheme.

Reason: In the interests of protecting the setting of the adjoining listed building in accordance with Sedgemoor Local Plan 2011-2032 Policies D2 and D26 and Axbridge Neighbourhood Plan Policies HD-3 and H&NE-3.

### Schedule A

Location Plan Drg No. LP.01 Rev B  
Site Layout Drg No. SL.01 rev G  
Coloured Site Layout Drg No. CSL.01 G  
Affordable Housing Layout Drg No. AHL.01 Rev C  
Material Layout Drg No. ML.01 Rev D  
Refuse Strategy Layout Drg No. RSL.01 Rev C  
Street Scene Drg No. CSS.01 Rev D  
Energy Strategy Drg No. ES.01 Rev B  
Stationer Bookbinder Floor Plans and Elevations Drg No. 1BM.01 Rev C  
The Baker - Floor Plans and Elevations Drg No. HT.BA.pe Rev C  
The Bowyer - Floor Plans and Elevations Drg No. HT.BO.pe1 Rev C  
The Bowyer - Floor Plans and Elevations Drg No. HT.BO.pe2 Rev B

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

The Cartographer - Floor Plans and Elevations Drg No HT.CT.pe Rev C  
The Goldsmith - Floor Plans Drg No. HT.GOL.p Rev B  
The Goldsmith - Elevations Drg No. HT.GOL.e1 Rev C  
The Goldsmith - Elevations Drg No. HT.GOL.e2 Rev D  
The Goldsmith - Elevations Drg No. HT.GOL.e3 Rev C  
The Hawthorne - Floor Plans and Elevations Drg No. HT.HAW.pe Rev B  
The Hawthorne - Floor Plans and Elevations Drg No. HT.HAW.pe1 Rev B  
The Jeweller - Floor Plans Drg No. HT.JEW.p Rev B  
The Jeweller - Elevations Drg No HT.JEW.e Rev D  
The Lorimer - Floor Plans Drg No. HT.LOR.p Rev C  
The Lorimer - Elevations Drg No. HT.LOR.e1 Rev D  
The Lorimer - Elevations Drg No. HT.LOR.e2 Rev C  
The Lorimer - Elevations Drg No HT.LOR.e3 Rev C  
The Lorimer - Elevations Drg No. HT.LOR.e4 Rev C  
The Lorimer - Elevations Drg No. HT.LOR.e5 Rev C  
The Mason - Floor Plans and Elevations Drg No. HT.MA.pe1 Rev B  
The Moreton - Floor Plan Drg No. HT.MOR.p Rev B  
The Moreton - Elevations Drg No. HT.MOR.e Rev C  
The Moreton - Floor Plan Drg No. HT.MOR.p1 Rev A  
The Moreton - Elevations Drg No. HT.MOR.e1 Rev B  
The Turner - Floor Plans and Elevations Drg No. HT.TU.pe Rev C  
The Turner - Floor Plans and Elevations Drg No. HT.TU.pe1 Rev A  
The Weaver - Floor Plans Drg No. HT.WEA.p Rev A  
The Weaver - Elevations Drg No. HT.WEA.e Rev B  
Single Garage Drg No. SG.pe Rev A  
Twin Garage Drg No. TG.01.pe Rev B  
Double Garage Drg No. DG.01.pe Rev B  
LAP & LEAP Drg No. 2207.34782 Rev B  
Tree & Hedgerow Retention/Removal & Protection Plan Drg No. BHA\_4949\_01B\_TTP  
Detailed Planting Plans - General Arrangement Drg No.100 Rev F  
Detailed Planting Plans - 1 of 3 Drg No.101 F  
Detailed Planting Plans - 2 of 3 Drg No. 102 F  
Detailed Planting Plans - 3 of 3 Drg No. 103 F

### DECISION

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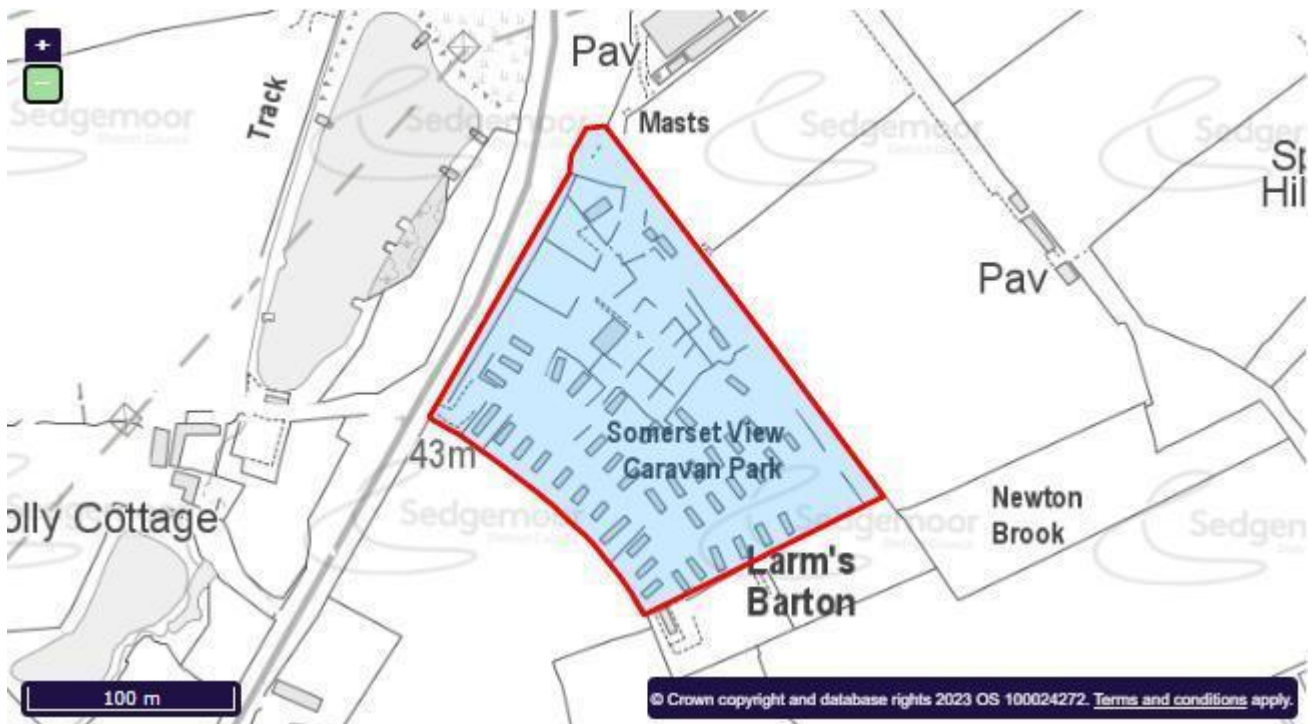
## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

Case Officer: Adrian Noon Tel: Sedgemoor Direct: **0300 303 7805**

North Petherton 37/22/00097 registered 14/10/2022  
Expiry Date 08/12/2022  
(Full Planning Permission)

Proposal: **Change of use of caravan park to permanent park homes. at Somerset View Caravan Park, Taunton Road, North Petherton, Bridgwater, Somerset, TA6 6NW for Mr E Fry (agent: Paul Dance Ltd )**

**\*\* THIS APPLICATION IS CODED AS A MAJOR APPLICATION \*\***



### Committee decision required because

The recommendation is contrary the views of North Petherton Town Council and the Ward Member, Councillor Revans.

### Background

This application relates to Somerset View Caravan Park, an existing tourist site, which benefits from a temporary planning permission for use of the site as accommodation for workers in connection with the construction of Hinkley Point C.

The wider site is effectively split into two. The northern part of the site, which is subject to this application, currently comprises a number of static caravans and touring pitches and a manager's caravan, with planning permission for the erection of a manager's dwelling.

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

These have permission for use in connection with HPC until the end of 2025, thereafter the site is to revert to holiday.

The southern part of the site, which does not form part of this application, but is in the same ownership, has permission for 18 touring pitches, also for HPC use until the end of December 2025 and planning permission for a manager's dwelling. This site is also to revert to holiday use after this date.

The site is accessed from a lay-by on the east side of Taunton Road, to the south of North Petherton. The site is located outside the settlement boundary and has a public right of way to the west boundary. North Petherton Rugby Club lies to the north-east of the site and the remaining boundaries are surrounded by agricultural fields. A public footpath (BW 23/21) runs along the western side of the site.

This application seeks to change the use of the site from a tourism site which has the benefit of a flexible consent allowing occupation for tourists or temporary Hinkley work to a residential 'park home' site with unrestricted occupation. A reorganisation of the site is also proposed to enable the siting of 60 static caravans with associated parking.

### **Relevant Planning History**

The caravan use of the site dates from 1994, and the site currently operates under a planning permission dated 07/03/22 (ref. 37/21/00152) that allows the temporary use of the site for the accommodation for Hinkley Point workers or holiday makers until the end of 2025. Thereafter the site is to revert to holiday use only. The approval is subject to the following conditions:-

1. The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.  
Reason: For the avoidance of doubt and in the interests of proper planning.
2. The use of the site for bona fide officially sanctioned Hinkley Point C workers as permitted by condition 4 shall be until 31<sup>st</sup> December 2025 and the use hereby permitted shall be discontinued and the caravans shall revert back to a tourism use only (in accordance with condition 3) on 1<sup>st</sup> January 2026.

Reason: In accordance with the application and because the proposed use on a permanent basis would be unacceptable in this location.

3. a) The holiday accommodation permitted under planning permission reference 37/10/00017 shall be used for holiday accommodation only and shall not be occupied as a person's sole or main residence. b) The site operators and owners shall maintain an up to date register of the names of owners/occupiers, including their guests, of individual caravans on site and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

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Reason: The development is not considered suitable for a full residential development and in accordance with Policy D17 of the Sedgemoor Local Plan.

4. a) The static and touring caravans shall be occupied by bona fide officially sanctioned Hinkley Point C workers only (or in accordance with condition 3) and shall not be occupied as a person's sole or main residence. (b) The applicant, or their successor(s) in title, shall maintain a comprehensive up-to-date register listing all occupiers of the individual caravans on site hereby approved, evidence of their main home addresses and the dates of occupation of such accommodation. Evidence of their eligibility to reside as an officially sanctioned Hinkley Point C worker shall be recorded on the register. The said register shall be made available for inspection by the Local Planning Authority at reasonable notice.

Reason: To ensure the accommodation is only occupied in a residential manner that reflects the exceptional need for temporary accommodation for Hinkley Point C workers in accordance with policy MIP2 of the Local Plan and the Hinkley Point C SPD

Previous planning approvals are as follows:

- 37/19/00037 – permission granted for the continued temporary change of use of tourist caravan park as accommodation for Hinkley Point workers for a further 3 years.
- 37/17/00033 – permission granted for temporary change of use of tourist caravan park as accommodation for Hinkley Point workers.
- 37/16/00054 – permission granted for the change of use of land from caravan storage to siting of 27 static caravans for holiday use.
- 37/14/00050 – permission granted for the erection of bungalow to form caravan site manager's live/work residence, demolition of managers caravan and office.
- 37/10/00017 – permission granted for change of use from touring caravan pitches to static caravan pitches. The approved plans show 20 pitches, condition 3 limits them to holiday accommodation...
- 37/03/00100 – permission granted for the removal of condition 2 of Planning Permission 37/98/00050; condition 1 of planning permission, 37/02/00016 and condition 1 of 37/03/00038 to remove the time condition (*making the site a permanent caravan site rather than a transit site*).
- 37/03/00038 - permission granted for siting of a mobile home adapted for use by disabled person(s) as holiday accommodation
- 37/02/00016 – permission granted for the use of land to store touring caravans and retention of temporary bunds
- 37/98/00050 – permission granted for renewal of Planning Permission 37/93/00066 for the use of land as a transit caravan site and play area for the tourists holidaying in the area with a static unit for the manager
- 37/93/00066 – Permission granted for use of land as a transit caravan site and play area for tourists holidaying in the area with a static unit for a manager

To the south of the site, on land also owned by the applicant, permission has been granted for 18 static pitches and a manager's dwelling. This site also benefits from a permission that allows temporary use by Hinkley Workers (37/21/00153).

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

### Consultation Responses

**North Petherton Town Council** – support the application “on the grounds of economic housing provision”

**Ward Member (Cllr Revans)** – supports: \_

*This is obviously a previously developed site and should be seen as a Brownfield Site in the Countryside under Policy CO3. This is the argument that was successfully deployed previously to permit the Carrotts Farm development on the other side of the village. Consistency should apply here. As North Petherton has expanded southwards out to the North Petherton Rugby Club, this site is now very well related to the settlement, is on a bus route between Bridgwater and Taunton and is within walking distance of all amenities.*

*While I accept that D17 may technically apply as it was formerly a tourism facility, given the current usage of this site for Temporary Hinkley Point C workers it is no longer tourism related. The letter from Mr Thomas of Fox Leisure confirms that a marketing exercise would not succeed as there is no longer a significant market for this type of vacation offer.*

**SDC Policy Officer** – objects:-

*The site is located on the A38 to the south of North Petherton, adjacent to the North Petherton Rugby Club and approx. 150 – 200m to the south of the NP1 allocation Local Plan allocation in Bridgwater, currently in the process of being built out. The site therefore falls outside the defined settlement boundary and is physically detached from the main built up area of North Petherton, and the allocated area currently being built out to the south of the town. The site is therefore considered ‘Countryside’ under policy CO1 in Sedgemoor’s Local Plan, which sets out that unless it is addressed by other policies in the Local Plan, new development must demonstrate that there are specific countryside needs that justify a countryside location as essential (e.g. the needs of local agricultural industries, or food producers). No such specific countryside need had been demonstrated to justify the establishment of 60 park homes as dwellings to be occupied on a permanent residential basis in a countryside location. The nearby settlement of North Petherton itself is identified as a ‘Tier 1’ settlement in the Local Plan, with the Local Plan positively planning for housing growth of the town with the identification of a number of strategic allocations that will meet a minimum of 285 homes over the plan period (2011-2032). These allocations are now at advanced stage, with sites either completed or in the process of being built out. There is therefore no justification under the current Local Plan spatial strategy for further permanent dwellings outside the settlement boundary, even if such non-allocated sites were judged to be well related.*

*In terms of other policies in the Local Plan that address new development in the Countryside policy CO3 (Brownfield Sites in the Countryside) allows for the re-modelling of existing rural brownfield sites where certain criteria are met. This policy is not*

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

*considered to be relevant to the application site as it is not considered to meet the definition of previously developed land/brownfield as set out in the NPPF.*

*We note that the planning, design and access statement states that to revert to a holiday park use would not be viable. Under Local Plan policy D17 the change of use or removal of conditions restricting occupation to holiday use would need to demonstrate the following:*

- It can be demonstrated that the use is no longer viable, this will normally be through marketing the business for at least two years at a realistic price and supported by an independent market assessment; and*
- The accommodation is suitable for residential use; and*
- It is adjacent or well related to an existing settlement.*

*Based on the information submitted the proposal is not considered to meet the requirements of D17. For example, information in relation to marketing the site as a holiday accommodation business for a two year period has not been provided in support of the application. Also, with regard to the third bullet point, following the guidance of Local Plan paragraph 4.18 the site is considered to be visually detached from the main built up area of North Petherton, and is therefore not judged to be well related.*

*Overall therefore the principle of development is not supported.*

**SCC Highways** – raise a number of concerns, in light of which support is not offered:-

*Given that this proposal will provide permanent residential accommodation which may include families with children and the elderly, a full residential travel plan will be required.*

*The plan should consider vehicle parking. The Design and Access statement includes two spaces per unit but the layout plan would appear to indicate only one space per unit. Parking spaces should meet our Parking Standards guidance including dimension of spaces.*

*The plan should also assess pedestrian and cycle provision, including within the site where there are currently no footways, pedestrian and cycle connections to the wider North Petherton community including shops and schools.*

*The plan should include cycle parking as well as electric vehicle charging points. As the change to residential will alter the nature of trip generation from the site, with residential use generating more trips than tourism use and more trips at peak times, a transport assessment should be produced to assess this.*

*As the application is for residential development, the proposal should also include estate road considerations such as the width of the access road and internal roads to allow vehicles to pass, footway provision, internal visibility splays, pedestrian visibility splays and bin collection points.*

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

**SCC RoW Officer** – no objection, but raises a number of issues that the developer would need to address in the event of approval:-

*The current proposal will obstruct the historic width of the footpath BW 23/21 at several plots. Some other plots are close to the legal line of the footpath as well.*

*The proposal either needs to be revised to prevent any obstruction, or a diversion order applied for.*

*The applicant must apply to the Local Planning Authority for a diversion order.*

*The County Council do not object to the proposal subject to the applicant being informed that the grant of planning permission does not entitle them to obstruct a public right of way. A Grampian-style condition will be required in this respect with regard to timing.*

**National Highways** – no objection, noting:-

*The proposed change of use is anticipated to result in a variation to the existing traffic as generated by the site. Somerview Park currently makes provision for tourism and temporary accommodation for Hinkley Point workers and as such the existing traffic patterns are likely to be seasonal and/or based on Hinkley shift patterns.*

*Conversion to a full residential park is likely to introduce additional trips in the AM (0800-0900) and PM (1700-1800) network peaks to support commuter trips for economically active residents. However, given the scale and location of the site we consider the number of additional trips generated in the network peak periods is unlikely to be significant, and are therefore satisfied that the development is unlikely to result in a severe impact on the safe and efficient operation of the strategic road network, as defined by NPPF.*

**SCC Ecologist** - No objection subject to a condition to secure landscape planting that would be provided for continuing foraging by bats and informatives to remind contractors of the legal protection afforded to bats and their roosts and nesting birds.

**SCC Public Health Specialist** – raises comments about the possible impact on health care provision:-

*While having no fundamental objection to change of use it is important to note that the current HPC worker population of this site makes little demand on local public services, notably NHS and related services, as the workers have access to the excellent Hinkley Health primary care and occupational health services on the HPC construction site. The NHS ICB should be consulted on the expected additional demand on local primary care and any contribution arising from change of use to a resident population site, especially as park homes are more likely than not to be occupied by people with greater health needs than people occupying new permanent homes.*



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**NHS LPA Engagement** - Request a contribution of £35,328 towards the cost mitigation of the pressures on the local healthcare facility. This should be provided as a planning obligation as part of a s106 agreement:-

*The ICB's concern is that the surgery of North Petherton Surgery, a community facility, is already over capacity within its existing footprint therefore it follows that to have a sustainable development in human health terms the whole local healthcare provision will require review. The surgery already has 6,610 patients registered and this new development will increase the local population by a further 138 persons.*

*Taking this into account and drawing upon the documents "Health Contributions Technical Note" (<https://www.sedgemoor.gov.uk/article/5348/Health-Contributions-Technical-Note>) which was jointly prepared with NHS England, the following calculation has been made:*

### **Methodology for Application 37/22/00097**

1. Residential development of 60 dwellings
2. This development is in the catchment of North Petherton Surgery which has a total capacity for 3,363 patients.
3. The current patient list size is 6,610 which is already over capacity by 3,248 patients (at 197% of capacity).
4. The increased population from this development = 138
  - a. No of dwellings x Average occupancy rate = population increase
  - b.  $60 \times 2.3 = 138$
5. The new GP List size will be 6,748 which is over capacity by 3,386
  - a. Current GP patient list + Population increase = Expected patient list size
  - b.  $6,610 + 138 = 6,748$  (3,386 over capacity)
  - c. If expected patient list size is within the existing capacity, a contribution is not required, otherwise continue to step 6
6. Additional GP space required to support this development = 11.04m<sup>2</sup>
  - a. The expected m<sup>2</sup> per patient, for this size practice = 0.08m<sup>2</sup>
  - b. Population increase x space requirement per patient = total space (m<sup>2</sup>) required
  - c.  $138 \times 0.08 = 11.04\text{m}^2$
7. Total contribution required = **£35,328**

**SDC Affordable Housing Officer** – Initially did not wish to comment on the application. It was pointed out that in the event of an approval this proposal would result in the creation of 60 new residential units and may require an affordable housing obligation either in terms of onsite delivery or as an offsite contribution. At the time of writing no further comments had been received although members will be updated on this matter at the committee meeting.

**Police Designing Out Crime Officer** – no objection, the proposal should aim to meet the Secure by Design Standard if approved

**SDC Environmental Health Officer** – No comment

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**Lead Local Flood Authority**– object to lack of drainage details:-

*....a surface water drainage strategy designed up to and including the 100-year plus the required climate change allowance (as per the requirements set out here: [Flood risk assessments: climate change allowances - GOV.UK \(www.gov.uk\)](http://www.gov.uk) ) needs to be submitted. Please refer to the attached checklist, which provides an outline of what the LLFA would expect to see in a surface water drainage strategy for a Full Planning Application.*

*LLFA will be able to comment on this application once a detailed surface water drainage strategy is submitted.*

### **Representations**

None

### **Most Relevant Policies**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF require that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

### **Sedgemoor Local Plan 2011-203**

S1: Presumption in Favour of Sustainable Development  
S2: Settlement Strategy  
S3: Infrastructure Delivery  
S4: Sustainable Development Principles  
S5: Climate Change  
C01: Countryside  
C03: Brownfield Sites in the Countryside  
D1: Drainage and Flood Risk  
D2: Promoting High Quality and Inclusive Design  
D6: Affordable Housing  
D13: Sustainable Transport  
D14 Highways Impacts  
D19: Landscape  
D20: Biodiversity  
D25: Protecting Residential Amenity  
D28: Health and Social Care  
D34: Outdoor Public Recreational Space and New Residential Areas

### **Other Material Considerations**

Health Contributions Technical Note

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### Main Issues

#### **The Current Situation**

Prior to the first grant of permission for use by HPC workers the site operated under two overarching permissions: -

- 37/98/0050 (as varied by 37/03/00100) on the northern part. This allowed an unrestricted number of presumably touring caravans (condition 3 required the site to be cleared, apart from the manager's unit, between 10 January and 10 February each year) and;
- 37/16/00054 on the southern part. This approved the siting of 27 static caravans for holiday use on an area previously approved for caravan storage (37/02/00016)

Within the northern part of the site permissions were granted for a mobile home for holiday use (37/03/00038); a manager's dwelling (37/14/00050) and the use of the western part of the site for the siting of 20 static units for holiday use (37/10/00017).

Applications 37/17/00033 and 37/19/00037 were both standalone full applications for the site, omitting an area of land on the northern boundary and limited the use of the site to "a maximum of 47 static caravans and 37 touring pitches only." The 2019 application allowed for a temporary use of the accommodation by Hinkley workers until 06/06/22 thereafter the site should have reverted to holiday use.

Application 37/21/00152 proposed the extension of the Hinkley use and extended the site to include the area on the northern boundary of the site omitted by the 2 previous applications. The officer report in relation to the approval of 37/21/00152 stated that the proposed use of the site was for 59 static caravans and up to 22 touring pitches. However, this is not what was depicted on the approved drawings which show 48 static pitches and two areas annotated as touring caravan areas to be removed which is consistent with previous permission, 37/19/00037. These drawings are at odds with the description of development which clearly states that additional static caravans are proposed in lieu of some touring caravans.

Regardless of these inconsistencies neither the permission or any of the conditions specify or limit the number or type caravans. Whilst condition 2 requires the scheme to be implemented in accordance with listed drawings there is no requirement that thereafter the layout be maintained in accordance with either drawing.

In these circumstances it is considered that the only controls over the permission are the restrictions in terms of the occupancy of the caravans imposed by conditions 2, 3 and 4 of the decision notice, namely that the site may be occupied by bona fide Hinkley Point C workers until the end of 2025 and thereafter only for tourism purposes. It is considered that the number type and layout of caravans is now beyond the control of the local planning authority but is controlled by the site licences.

This proposal is to change the use of the site to permanent, unrestricted residential

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

occupation and is supported by a site layout plan that shows a reorganisation of the site to enable the siting of 60 static units.

### Principle

The site is outside the settlement boundary of North Petherton, a Tier 1 settlement where local plan seeks to support additional residential growth through the allocation of appropriate sites. The Local Plan allocates NP1 and NP2 to provide the strategic growth for this area over the plan period (2011-2032) and these provided for 'about' 270 dwellings. Consent has been granted for both allocations and they are under construction. Given that the allocated sites for North Petherton are progressing, and the council is able to demonstrate a five year housing land supply, the 'tilted balance' (which could promote the release of unallocated, well related sites) suggested by the NPPF does not apply.

No essential need for 60 caravan residential park homes in this location has been advanced just justify the location outside of the settlement. There is no provision for further residential development outside the settlement boundary, unless it is supported by Policy CO1 on the grounds that a countryside location is essential.

The supporting details and the comment from the Ward Member suggests a justification based on the premise that the site is brownfield land where redevelopment can be supported by policy CO3. However the NPPF definition of previously developed land (aka brownfield) is:-

*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds*

Caravans are, by definition, not permanent structures and therefore it is not considered that this argument can be accepted. Whilst there is facilities block and a small office, these structures are ancillary to the principle use of the site as a caravan site and are not considered sufficient in size or scale to make the site 'brownfield'. Accordingly, the principle of the proposed change of use to residential is not considered supportable under policy CO3. Reference was made to Carrots Farm. This site had a number of outbuildings and Polytunnels on site that were used for general retail for a period in excess of 10 years. The developable area of this site was reduced to reflect solely the 'previously developed' area.

As noted by the Policy Officer there is therefore no justification under the current Local Plan spatial strategy for further permanent dwellings outside the settlement boundary, even if such un-allocated sites were judged to be well related.

Accordingly in terms of council's spatial policies there is no support for the principle of the residential use of this site under policies S2, CO1 or CO3.

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Policy D17 (Tourism) could support the removal of the holiday occupancy condition where:-

- It can be demonstrated that the use is no longer viable, this will normally be through marketing the business for at least two years at a realistic price and supported by an independent market assessment; and
- The accommodation is suitable for residential use; and
- It is adjacent or well related to an existing settlement.

A letter from an agent specialising in selling leisure businesses has been submitted in support of this application this opines that a marketing exercise would not succeed although no evidence has been provided to demonstrate that there is no longer any demand/need. The covering letter provides an opinion, however, without supporting evidence, this view it is not considered sufficient to comply with the first bullet point.

The letter confirms that in their view:-

*By virtue of the current permitted use, the outward appearance, condition and layout is of a rundown, low quality development with budget level static/touring caravans with basic infrastructure set out in random locations with all the hallmarks of a temporary use for site workers only. Therefore, the holiday use is temporarily abandoned. In reality, this is a secondary or even dubious location to reinstate the use of the land as a high quality holiday caravan park and due to the lack of on-site leisure facilities, amenities or buildings and the remote location away from coastal towns and beaches, it is unlikely that the reinstatement of the holiday park is viable, sustainable and the level of inward investment in facilities, infrastructure and leisure buildings is disproportionate to the market value of the business at completion of the scheme.*

They conclude that:-

*the change of use from the existing quasi residential use for Hinkley Point workers is only a short step away from a change of use to residential park home living and is a far more sustainable and viable use of the land than its reinstatement to an obsolete holiday caravan and camping park.*

Whilst these comments are noted they are only the views of one individual and are untested by marketing as required by policy D17. These comments are also at odds with the supporting information provided to justify the approved manager's dwelling just over 2 years ago (37/20/00105) on the land to the south. The justification for the managers accommodation which confirmed the running of the whole site, including the land subject to this application, as a tourism site would be profitable and sustainable as tourism accommodation.

It was stated in January 2021 that:-

*As the need and demand from the Hinkley Point workers reduces, the statics will gradually become free to be let into the holiday/tourism market. At this point, the initial investment having been made during the Hinkley Point occupation period, the*

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

*tourism element should be very profitable and sustainable.*

*The aim would be to develop a website and other promotional material promoting a variety and diversity of attractions in the area, seeking occupations throughout the year with angling being promoted during the winter months to extend the season, with the great attractions in the area being promoted in the summer.*

*The fact the static caravans have been provided and paid for through the Hinkley period will mean that letting can be competitive and very viable.*

This was accepted with the officer report commenting:-

*Account information has been provided confirming an investment of approximately £188,000 (infrastructure and purchase of statics) and profits has increased from £37,151 in 2016 to £95,306 in 2019 with an anticipated income of over £100,000 at the end of the financial year. [to 2020]*

*The site was granted a temporary consent for the siting of a mobile for managers accommodation due to the infancy of the business. Officers are satisfied that the investment into the business has continued and that the enterprise is making a healthy profit year on year to the extent that the investment would have been resolved allowing a more competitive model when it returns to a sole tourist use.*

*Previously it has been accepted that there is a need for onsite managers accommodation as outlined through the history. Given the expansion of the site Officers are still satisfied that the need has been identified.*

*The principle of the application is therefore accepted in accordance with Policy D10 of the Local Plan.*

Given that it was successfully argued that there is a profitable tourist-based business at the site just 2 years ago it is unclear how or why the situation has changed so dramatically. It is considered that the conflicting evidence provided in support of various applications at this site further and more robust information is required to assess the loss of the tourist use against the requirements of policy D17 in order that the local planning authority can come to a sound decision on this matter. On this basis it is not considered that the principle of the loss of holiday accommodation can be appropriately justified or accepted at this stage.

Turning to the other criteria of policy D17, whilst the proposed static units might be suitable for residential use, the site is not adjacent to the settlement boundary and it is not considered that the site is well related to the existing settlement when considering the criteria suggested by paragraph 4.18 of the local plan, which states:-

*...sites will generally be considered to be well related where they integrate well with the existing built form of the settlement (e.g. are not visually detached or isolated) and where local services in the settlement are within an easy and safe walking distance.*

## **AGENDA ITEM 6.1 – MAJOR APPLICATIONS**

In this instance of the site is visually separated from the southern edge of North Petherton by the open space on the Southside of the NP1 allocation and the rugby ground. Furthermore, the site is on rising ground on the other side of the stream that forms the edge of the allocated site giving a further sense of detachment.

On this basis the proposal is considered contrary to the requirements of policy D17 with regard to the loss of tourist accommodation and the principle of development in the countryside would also be contrary to Policies S2, C01 and C03 and therefore cannot be supported here.

### **Visual Amenity**

It is accepted that the site is well established and that the proposal indicates only one additional plot to that that was applied for by application 37/21/00152. It is not considered that this modest increase would be visually harmful in the wider landscape. In the event of approval conditions could be imposed to secure additional landscaping which would mitigate the visual impact in external views and within the site. On this basis, no conflict with policies D2 or D17 are identified.

### **Residential Amenity**

As the site is existing and there are no immediate third party residential properties it is not considered that the change of use from holiday to residential site would have any undue impact on the living conditions of any existing residents outside the site.

Within the site the proposed layout of 60 static homes is considered to appear cramped, with potential for mutual overlooking that would be inappropriate for permanent residential occupation as someone's sole or main address. As such it is not considered that the proposal would create satisfactorily living conditions for future occupiers and the proposal would therefore be contrary to policies D2 and D25.

Policy D34 expects all new homes to be within 100m of a Local Area for Play LAP, 400m of a Local Equipped Area for Play (LEAP) and within 700m of a multi-use games area (MUGA) or similar. Where this would not be the case the expectation is that proposals should make appropriate provision on site. Given that 60 units are proposed as permanent accommodation, Policy D34 would expect a LAP and a LEAP to be provided on site, along with incidental public open space at a rate of 13sqm per dwelling. The site is c. 700m from the facilities available at Memorial Park which would meet the MUGA requirement.

Whilst there are areas of incidental open space that could meet the requirements of D34, the application makes no provision for formal play space (i.e. a LAP and a LEAP) and is therefore contrary to policy D34.

### **Highways Issues**

The existing arrangements, which are considered acceptable for the current use of the site as tourism and HPC accommodation, are not proposed to be changed. Whilst the existing access

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

has been accepted in the context of the approved use for Hinkley workers (who have to catch the bus to work and do not have their families with them) and holiday makers (who, by definition, are not commuting to work or going to school etc.), as noted by the highway authority a change to residential is likely to alter the nature of trip a generation from the site with residential use generating more trips at peak times than tourism use and a higher requirement for accessibility for pedestrians and cyclists.

On this basis a transport assessment as requested by the highway authority. No such assessment has been provided in support of the application. In the absence of this information, it is not considered that it has been demonstrated that the likely changes to the traffic movements to and from the site and the accessibility requirements for potential families (school, shopping etc) that would result from the proposed residential use would be safely accommodated by the existing access arrangements. As such the proposal is contrary to policy D14.

The site is some distance from the services and facilities available in North Petherton however there is a bus service and there is a pavement between the site and the town centre, although this would need to be widened in places to provide an appropriate link. As noted by the highway authority no assessment of pedestrian cycle links to the wider settlement has been provided as part of the application. In the absence of supporting information to demonstrate the future residential occupiers of the site would have safe and convenient links to the services and facilities available in North Petherton the concern is the proposal would be entirely car dependant and as such would constitute unsustainable development contrary to policy D13.

Whilst the design and access statement indicate two spaces per unit could be provided this is not supported by the detail on the site layout plan and would be contrary to Highway Standards. No evidence has been provided to demonstrate that the proposed layout could acceptably accommodate two spaces per unit without increasing hard standings which would result in a more cramped and inappropriate appearance to the site.

In the absence of information to demonstrate that parking could be provided in accordance with the county's parking standards, or a justification to confirm why parking at a lower rate would be acceptable, the proposal is contrary to policy D14.

The highway authority also raised concern that the internal layout shows no consideration of, or provision for, pedestrian safety in terms of footway provision, internal visibility splays and pedestrian visibility splays. Additionally, as permanent accommodation the internal layout of the site would need to demonstrate a layout and standard that would enable the collection of refuse and road widths that would enable vehicles to pass as would be expected on a residential site. Accordingly, in the absence of detailed information in relation to the internal layout, it is not considered that the proposal would result in a high quality or safe space for vehicles or pedestrians, and it is unclear if the proposed homes could be serviced as might reasonably be expected by residential occupiers.

As such the proposal is not considered to comply with requirements with Policies D13, D14 and D25.



## **AGENDA ITEM 6.1 – MAJOR APPLICATIONS**

### **Drainage**

Policy D1 expects sustainable drainage systems to be provided for all major developments. As the application is for major development (over 10 and on a site of 2 hectares) the Lead Local Flood Authority have requested a surface water drainage strategy be approved as part of the application.

Whilst it is an existing site the nature of the occupation is temporary by nature and it was approved prior to need to demonstrate sustainable drainage system to consider climate change and flood risk. Given the proposed permanent use of the site it is considered reasonable that appropriate drainage should be demonstrated in the interests of future residents. The current proposal is for a fundamental change of use of the site to residential occupation and it is considered important therefore that the surface water drainage is carefully considered as part of the application proposal.

In the absence of a detailed drainage strategy, it is not considered that it can be concluded that the proposal would appropriately manage surface water on the site, reducing the risk of flooding to future occupiers and managing the risk of flooding elsewhere. As such the proposal is contrary to the requirements of Policy D1.

### **Planning Obligations**

Policy S3 sets out that new development will be required to provide and contribute towards the provision of services, facilities and infrastructure at a rate scale and pace to meet the needs and requirements that are expected to arise from that development.

Policy D6 sets out that new residential development will be expected to provide 30% affordable housing.

Policy D28 advises that new development that creates a need for additional healthcare that cannot not be met through existing facilities will be expected to meet any identified shortfall.

Notwithstanding the lack of comment from the Affordable Housing Officer it is considered that as the proposal would result in the creation of 60 new permanent residential units a contribution towards affordable housing is justified under policy D6. It is accepted that on site provision may prove difficult nevertheless and off site contribution is justified.

The contribution sought by the NHS is reasonable and justified by policy D28 on the basis that, as noted by the NHS, the future occupiers would place increased demand on local healthcare provision. As Hinkley workers currently benefit from work-based healthcare, and holiday makers would only access healthcare needs in an emergency.

The proposal makes no provision for either and in the absence of appropriate contributions to mitigate or address the above Policies the application is considered contrary to Policies S3, D6 and D28 and would be contrary to the jointly prepared and adopted Health Contributions Technical Note.

## **AGENDA ITEM 6.1 – MAJOR APPLICATIONS**

### **Other Issues**

There are not considered to be any other technical matters that could not be addressed by conditions the event of approval as suggested by the ecologist, the rights of way officer and the police design officer.

### **Conclusion**

Notwithstanding the local support, the proposal is not considered acceptable in principle given its location outside the settlement boundary of North Petherton and the lack of a justification to remove the holiday restriction. As such the proposal is contrary to Policies S2, C01, C03 and D17.

The proposed internal layout would not provide adequate living conditions for future occupiers contrary to Policies D2, D25 and D34 and it has not been demonstrated that the proposal meets the highways requirements of development as set out by policies D13 and D14.

Finally, the proposal does not make the necessary provision for affordable housing or mitigation of impacts as a result of the development on local health care provision as required by policies D6 and D28.

### **RECOMMENDATION**

#### **REFUSE PERMISSION for the following reason(s):**

- 1 The proposed change of use of this holiday caravan site to permanent residential occupation for which no reasonable justification has been provided would result in the provision of 60 new residential units in the countryside, outside the settlement boundary of North Petherton. As such the proposal is contrary to the council's spatial policies for the location of new residential development specifically policies S2 and CO1 of the Sedgemoor Local Plan 2011 to 2032 and the site is not compliant with Policy C03.
- 2 The proposal would result in the unjustified loss of tourism accommodation on a site that is neither adjacent nor well related to an existing settlement. As such proposal is contrary to D17 of Sedgemoor Local Plan 2011 to 2032.
- 3 The proposal by reason of its cramped layout, with the potential for mutual overlooking between the proposed caravans, limited private garden space, and lack of public open space, result in an unacceptable layout and low standard of amenity for the future occupiers of the caravans. As such the proposal is contrary to Policies D2, D25 and D34 of the Sedgemoor Local Plan 2011 to 2032.

## AGENDA ITEM 6.1 – MAJOR APPLICATIONS

- 4 The proposal for 60 new residential units is not supported by an appropriate transport assessment to demonstrate that the existing access arrangements could safely accommodate the increased traffic movements that are likely to result from the proposed change of use. As such the proposal is contrary to D17 of Sedgemoor Local Plan 2011 to 2032.
- 5 No evidence has been provided demonstrate that safe and convenient access would be available for all, including pedestrians, people with disability, cyclists and users of public transport, to ensure that future occupiers of the proposed 60 residential units would have a reasonable range of alternatives to the private motor car to access the services and facilities available in North Petherton. In the absence of such information the proposal constitutes unsustainable development contrary to policies D13 and D14 of the Sedgemoor Local Plan 2011 to 2032.
- 6 The proposal for 60 new residential units would fail to provide adequate parking as required by the Highway Authority's adopted Parking Standards. No evidence has been provided to demonstrate that a lower parking provision is reasonable in this instance. As such the proposal is contrary to policy D14 of the Sedgemoor Local Plan 2011 to 2032 and the adopted parking standards for Somerset.
- 7 The proposal would result in the creation of 60 new residential units without any provision for affordable housing nor reasonable measures to mitigate the impact of increased demand arising from the development on healthcare provision. As such the proposal is contrary to policies S3, D6 and D28 of the Sedgemoor Local Plan 2011 to 2032.
- 8 The proposal is a major development that would see the change of use of this 2 hectare site to residential use and is not supported by any detailed drainage proposals that demonstrates that a sustainable drainage system for surface water could be provided. In the absence of such supporting information, it cannot be demonstrated that future occupiers of the site would be safe from flooding and that flood risk would not be increased elsewhere. As such the proposed is contrary to policy D1 of the Sedgemoor Local Plan 2011 to 2032.

### DECISION

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## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

Case Officer: Chris Mitchell Tel: Sedgemoor Direct: **0300 303 7805**

Cheddar 17/22/00077 registered 07/12/2022  
Expiry Date 31/01/2023  
(Full Planning Permission)

Proposal: **Erection of detached annex and single storey rear extension on site of existing (to be demolished). at Regina, Round Oak Road, Cheddar, Somerset, BS27 3BP for Ms Packer (agent: Robinson Clark Ltd )**



### **Committee decision required because**

*Officer recommendation is contrary to Parish Council comments*

### **Background**

The site is located to the north west of the town centre of Cheddar with access taken from Round Oak Road. The property is a detached dwelling house finished with rendered and brick walls, UPVC windows and doors and tiled roof.

The proposal is for demolition of single storey rear and side extensions and construction of a single storey rear/side extension that would provide a kitchen/dining room and utility room. It would be built with rendered and brick walls, UPVC windows and doors and tiled roof.

It also proposes the construction of detached single-storey and half annex at the bottom of the garden that would provide a living area/kitchen, bedroom, shower room and first floor

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

bedroom for a carer. It would measure 10m in length by 6.4m in width, 2.5m to eaves and 5.9m to ridge. It would be built with rendered and brick walls, UPVC windows and doors and tiled roof.

A revised proposal has been submitted with a reduced single-storey annex building that would measure 9m in length by 5.8m in width, 2.4m to eaves and 4.6m to ridge. It would provide living area/kitchen, bedroom, shower room and a further bedroom for a carer. It would be built with lower brick walls with render above, UPVC windows and doors and tiled roof.

### Relevant Planning History

17/22/00004	GTD	Erection of two storey rear (South) extension on site of existing (to be demolished).
08/08/00185	GTD	Erection of first floor extension above kitchen and garage.
08/04/00211	RFU	Erection of first floor extension
08/99/00055	GTD	Erection of single storey front, side and rear extension

### Consultation Responses

Parish Council: 08/03/2023 - Meeting noted that the Planning Officer had requested this application to be discussed again. However, councillors confirmed that it is tandem development and not subservient to the main property, becoming a dwelling in its own right rather than an annex. The use of the term annex has justified the no additional parking requirement.

**Resolved:** Objections remain in place

28/02/2023 – Cheddar Parish Council object to this application on the following grounds:

- Tandem development contrary to the Neighbourhood plan
- Lack of parking
- Proposal is a dwelling in its own right as completely developed for independent living and not really an annex

11/01/2023 – Object – Cheddar Parish Council object to this application due to insufficient parking in an already problematic area for parking and a lack of information for the justification of a separate annex. Should SDC be minded to grant this application, a condition be added for the annex to remain as ancillary to the main dwelling to avoid a tandem development.

SCC Ecology: Preliminary Ecological Assessment requested by Ecologist and raises no objection subject to following conditions:

- Pre-commencement conditions to include all construction workers/operatives to have Ecological induction and toolbox talk, details of large areas of glazing to be submitted

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

- to and approved prior to development and suitable roosting provision for bats;
- No external lighting to be installed
- Planting of one high producing nectar shrubs;
- Informative regarding bats, badgers and no removal of vegetation during March to September.

Natural England: Not able to fully assess this application so County Ecologist should consider application

Coastal and Drainage Board: No comments received

Environmental Heath: No comment on this application

South West Heritage: As far as we are concerned there are no archaeological implications to this proposal and we therefore have no objections on archaeological grounds

Representations:

One letter of objection received from Arlington House, summarised as:

- Objection to proposed size of the proposed annex with two bedrooms is tantamount to new dwelling and should be assessed as such;
- Concern that the annex could be separated off to be an independent dwelling.
- There is not enough parking on site and the annex does not have access to the highway;
- Concern to loss of trees and willow that has already been removed from the land;
- Objection to the rooflights as if a first floor were to be inserted then overlooking would occur to my garden.

### **Community Infrastructure Levy (CIL)**

The application is for residential development in Cheddar where the Community Infrastructure Levy (CIL) is <Urban Residential £52.28sqm of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of £10,537.21. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

### **Most Relevant Policies**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF require that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

### **Sedgemoor Local Plan 2011-2032**

S2 Spatial Strategy for Sedgemoor

D1 Flood risk and surface water management

D2 Promoting high quality and inclusive design

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

D14 Managing the Transport Impacts of Development

D19 Landscape

D20 Biodiversity and geodiversity

D22 Trees and Woodland

D23 Bat Consultation Zones

D25 Protecting residential amenity

### Cheddar Neighbourhood Plan

BE1 Built Environment Policy 1 (climate change)

BE4 Built Environment Policy 4 (design)

### National Planning Policy Framework February 2021

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

### **Main Issues**

#### Principle

The application has been submitted as a householder application.

The proposal was reduced in size and height following concerns raised in terms of position, size and scale with the development now being single storey in nature. The annex is confirmed to be required to be used as ancillary to the main dwelling to accommodate a family member with a disability and their additional support needs. Officers are therefore satisfied that the need has been appropriately justified. The location of the site is to the rear of the garden and cannot be accessed separately from the main house and there are no plans showing any subdivision of the gardens. The proposal is therefore considered to be compliant with Policy D12 Residential Annexes. Any use of the annex as a separate dwelling would require planning permission by way of a 'Full' consent to grant a separate planning unit, so the local planning authority would have control through a future application to assess the acceptability of such a proposal (which achieves the same effect as a condition). An informative to this effect will be attached to the permission.

The objection received by the neighbour of Arlington House and Parish Council in that the revised annex is of a size to create a separate dwelling is noted. As detailed above the annex has been detailed by the applicant to remain ancillary to the main dwelling house and therefore would not create an independent property. As such the objection raised by the Parish Council regarding tandem development is not considered to be a material consideration in this case as the proposal is an ancillary building relative to the host dwelling.

#### Visual Amenity

The proposed single-storey rear extension and revised scale and massing of the single-storey

## **AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS**

annex are of an appropriate scale, design and detailing that would respect the form and character of the existing building and identity of the locality. In this respect the proposal complies with policy D2 of the Local Plan (LP) and the Cheddar Neighbourhood Plan.

### Residential Amenity

The concern to the insertion of a first floor and the rooflights then overlooking neighbours garden of Arlington House and neighbours is noted. There is insufficient internal roof height to insert a first floor and therefore the rooflights could not be used to overlook neighbour's gardens.

It is considered that the proposed single-storey rear extension and revised annex building would not prejudice the amenities of occupiers of the property and, in terms of its bulk, window arrangement and proximity to the neighbouring properties, would not adversely affect the amenities of the occupiers of the neighbouring properties. In this respect the proposal complies with policies D2 and D25 of the LP.

### Highways

The objections to the lack of off-street car parking by the Parish Council and neighbour is noted. The annex would remain ancillary to the main dwelling house and therefore no off-street car parking is required by this proposal. The property has 3 bedrooms and is providing 3 off street parking spaces when it only needs to provide 2 spaces. Therefore, the over provision to the front of the site is considered sufficient to address the parking requirements for this site.

In this respect the proposal complies with policy D14 of the Sedgemoor Local Plan.

### Ecology

The SCC ecologist was consulted on the application and recommended that Preliminary Roost Assessment (PRA) be submitted. The PEA noted that whilst there were no bats within the roof of the property they were flying over the garden and so emergence surveys were carried out confirming that no bats within the property though it recommends three pre-commencement conditions to mitigate for suitable roosting provision for bats, protected species for operatives to be inducted by qualified ecologist and details of large glazed areas of the proposal. The agent has agreed to these conditions being placed on this permission.

It is recommended that no external lighting is erected and that an enhancement for the planting of one high nectar producing shrub would enhance biodiversity at the site. An informative will be placed on any permission stating if protected species are found the applicant or builder should contact Natural England and take advice, together with one regarding the protection of badgers and not removal of vegetation or structures/building shall take place between 1<sup>st</sup> March and 30<sup>th</sup> September shall also be placed on any permission granted.

It also recommended that contractors are to be made aware of protected species, therefore



## **AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS**

an informative will also be placed on any permission stating if protected species are found the applicant or builder should contact Natural England and take advice.

Therefore, the proposal is considered acceptable in accordance with policies D19, D20 and D23 of the Sedgemoor Local Plan.

### Other Matters

The objection received to the loss of trees from the land is noted. There are no Tree Preservation Orders on the trees on the site and the removal of trees and vegetation is not within planning control and is a civil matter between neighbours.

### PSED

The application is for an annexe to accommodate for the disabilities of a member of the family and enable quality accommodation with an additional room for a career. The proposal is therefore considered to be acceptable in terms of the Public Sector Equality Duty.

### Conclusion

The revised proposal is of an acceptable design and appearance that would have no adverse impact of the character of the existing building or the locality, residential amenity, or highways safety. As such the proposal complies with policies D2, D14, D19, D20, D23 and D25 of the Sedgemoor Local Plan and the Cheddar Neighbourhood Plan.

## **RECOMMENDATION**

### **GRANT PERMISSION**

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

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

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

- 3 Prior to commencement of development hereby permitted the following will be provided in the design of the development:

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

- a) Suitable roosting provisions for horseshoe bats. The Location of roost entrances and internal details will be set out in the design. Any areas that are accessible to bats must 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 (see <https://www.gov.uk/guidance/bat-roosts-use-of-chemical-pest-control-products-and-timber-treatments-in-or-near-them>). A scheme must be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The roosts will be implemented in strict accordance with the agreed scheme 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 Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 4 Prior to commencement of development hereby permitted no works shall commence until:

1. Construction and demolition 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 during the removal of any roofing, fascia or soffit. If bats are found during development at any time, works must cease immediately and the Local Planning Authority must be contacted. Written confirmation of the induction will be submitted to the Local Planning Authority by the licensed bat ecologist within one week of the toolbox talk
2. An improved cavity bat box or similar, to accommodate any discovered bat(s), will 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 will be maintained in-situ thereafter; and
3. Works potentially affecting bats will then proceed under the supervision of the licensed bat ecologist.

Reason: A pre-commencement condition in the interests of the Favourable Conservation Status of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 5 All large, glazed areas will be of glazing that limits light spillage so that light levels do not adversely disturb bats and other species using their territory or having access to resting places. Details of the glazing to limit light spillage will be submitted and agreed in writing by the Local Planning Authority prior to the installation. The glazing will be installed as agreed. No other type of glazing shall be used to replace faulty glazing

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

unless it achieves the same or better results in terms of light spill than the agreed specification;

Reason: This is a pre-commencement conditions in the interests of the ‘Favourable Conservation Status’ of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 6 Prior to the installation of any external lighting, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (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 roosting or prevent bats using their territory. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating Lux levels. Lux levels should be below 0.5 Lux. 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. No other external lighting shall be installed without prior consent from the Local Planning Authority through submission of a planning application.

Reason: In the interests of the ‘Favourable Conservation Status’ of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 7 The planting of 1x high nectar shrub such as Buddleia, which should appeal to night-flying moths (a key food source for bats) within the curtilage of the dwelling. The Royal Horticultural Society guide, “RHS Perfect for Pollinators, [www.rhs.org.uk/perfectforpollinators](http://www.rhs.org.uk/perfectforpollinators)” provides a list of suitable plants both native and non-native plants.

Reason: In the interests of the ‘Favourable Conservation Status’ of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

### **Schedule A**

Site Location Plan and Existing Plans Drg No. 627/001  
Proposed Plans and Elevations Drg No. 627/011 Rev A

### **DECISION**

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## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

Case Officer: Shanta Parsons Tel: Sedgemoor Direct: **0300 303 7805**

Spaxton 45/21/00037 registered 26/01/2022  
Expiry Date 22/03/2022  
(Full Planning Permission)

Proposal: **Change of use of agricultural land to 20-pitch camp site, siting of 5no. bell tents, reception/office, toilet/shower block, car park. Retention of three tool sheds and a polytunnel for horticultural use and a compost toilet at Splatt Farm, Splatt Lane, Spaxton, Bridgwater, Somerset, TA5 1DB for Mealand (agent: APW Planning )**



### **Committee decision required because**

The views of the Ward Members and Parish Council are contrary to Officer's recommendation

### **Background**

The site is located outside of any settlement boundary, approximately half a mile from the more densely built up area of Spaxton which lies to the south.

It comprises of a field to the rear of Splatt Farm house measuring approximately 200metres long. Immediately to the north of Splatt Farm and part of the application site is a detached cottage and beyond the field boundaries to the north, east and west of the site are further

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

fields.

This is an application, partly retrospective for the change of use of part of the field to a 20-pitch touring camp site, siting of 5no. bell tents (5m by 5m), reception/office, toilet/shower block and a car park (20m by 30m). It is also proposed to retain three tool sheds, a polytunnel for horticultural use and a compost toilet.

The buildings to be retained are:

- Building A: Wooden tool shed, measures 3.6m by 2.4 m, standing at a height of 2.9m. Storage of plumbing, irrigation, building and carpentry equipment and tools.
- Building B: Polytunnel, measures 14.6m by 5.5m standing at a height of 2.6m. Use for growing of vegetables year-round for market garden selling
- Building C: Metal tool shed, measures 2.9 m by 3.9 m standing at a height of 2 m. Used in spring / summer / autumn for vegetable preparation and storage and used in winter for campsite storage of bell tents and associated equipment
- Building D: Timber tool shed, measures 3.6m by 2.4m standing at a height of 2.5m. Used for tools and equipment associated with horticulture and market garden business
- Building F: Timber compost toilet, measures 1.4m by 1.6 m standing at a height of 2.4m. Used for market garden workers, volunteers and campsite guests (to be removed when/if proposed new toilet block erected)

Proposed buildings:

- Building E: Timber Campsite Reception and Office to be located close to the carpark. To measure 3.6m by 24 m to stand at a height of 2.9m.
- Building G: Timber Toilet and Shower Block to measure 4.8 m by 3.6 m to stand at a height of 3.5m

The area for the campsite lies beyond the horticulture area.

### **Relevant History**

None

### **Supporting information supplied by the applicant**

Planning Statement  
Business Plan

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

### Consultation Responses

#### **Parish Council:** objection

*“The notification letter with these revised plans references 'significant amendments'. We disagree. There is nothing in them to give us comfort or to cause us to alter our view - expressed in April 2022 - that this is a wholly inappropriate and undesirable proposal for this location. Nor have the applicants addressed any of the concerns previously expressed by statutory consultees.*

*Further, the inordinate delay in determining the application means that the camping operation continues by default, causing misery to neighbours and a blot on this rural landscape.”*

#### **Ward Member, Cllr Pay:** objection

*“I believe that this will not aid tourism and in fact will have a detrimental effect on the area. Access to the proposed development has high hedges on both sides making it extremely dangerous when leaving the site and coming out onto Splatt Lane. Finally I would recommend a site visit by the planning committee.”*

#### **Ward Member, Cllr Caswell:** Objection

*“Having looked at the site and listened to the comments made by the Parish Council and residents of the Area, I can only conclude that I must formally OBJECT to this proposal.*

*In my very humble opinion it will seriously detract from the AONB. Although not on the AONB it will stick out like a sore thumb! With the beautiful Quantocks behind.*

*It will not aid Tourism and in fact I personally think it will have a detrimental effect on the Area.*

*The land in question should be restricted to Farm use only, especially in these times of rising prices and restricted to the production of food stuffs.”*

#### **County Highway Officer:** Comment

- Requires further clarification in terms of visibility at the access, the widening and surfacing of the access and expected traffic generation

#### **Area of Outstanding Natural Beauty Officer:** objection

- In the open countryside in an area within the setting of the Quantock Hills AONB.
- Although proposed as a farm diversification project, there appears to be no 'farm'.
- Without a robust business case and clear detail as to how the business, the application lacks significant detail.
- The Business Case provided is simply a statement of aims and aspirations.
- The Planning Statement describes the impact of the proposal on the landscape as 'not

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

significant' (para 4.5) and 'would have no significant adverse impact on landscape or rural setting' (para 4.11).

- With the number of structures proposed and potentially 80 people on site with over 30 cars (and also motor homes?), no assessment has been carried out to show if these statements are accurate as the site is likely to be visible from a number of vantage points.
- Fully support SDC's Landscape Officer in the need for a proper appraisal and assessment of the impact on the landscape and character of this area.

### **Environmental Health:** No objection

- Recommend conditions regarding loudspeaker noise; lighting and foul drainage

### **Ecologist:** No objection

- Recommends conditions regarding lighting and biodiversity enhancement

### **Landscape Officer:** Comments

- The application site is a relatively flat field with native hedgerows forming the boundaries.
- The proposed camp site will be visible from various elevated vantage points including public rights of way.
- It appears from the submitted plan that a wildlife corridor is proposed around the parking area and permaculture area however, no additional landscape proposals are indicated in the proposed camping field. Although there are boundary hedgerows these currently would not screen or filter views of the proposed Bell Tents, toilet block and shower block.
- Whilst it is acknowledged that the application site is not subject to any statutory landscape designations, I do consider that the proposed camp site, with the introduction of bell tents, associated buildings and car parking, will have a moderately adverse impact on the character of this rural landscape.
- The proposed landscaping as detailed is illustrative and clarity needs to be sought as to the position of new hedgerows and tree planting to provide enclosure to the car parking area and provide filtering and screening of the views from the vantage points overlooking the site.
- I strongly recommend that a landscape appraisal is carried out to identify the public viewpoints where the site can be viewed which can then inform the design of detailed landscape proposals.

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

### **Wessex Water:** comments

- Due to it's hydrological proximity to Wessex Water's Ashford Reservoir. The proposal is some distance from the public sewer system and as such we have concerns on the method of foul drainage discharge and support the EHO's request for a planning condition.

### **Representations**

#### **Letters from 34 residents object:**

- Non compliance with Policy D17
- Lack of robust business case
- Not a diversification project as it is no longer a farm as the buildings and sold off
- Already a camp site in close proximity and no need for the facility
- No control over the number of tents and bell tents
- Land needs to remain as agricultural
- Increase in traffic
- Width of access road leaves little room for vehicles to pass
- Will impact on existing users of the narrow access road (for walkers, horse riders, cyclists)
- Lane used by large agricultural machinery
- Lack of visibility at access
- No public transport
- Potential for noise and light pollution
- Adverse visual impact on area and AONB
- Glare from the cars parked and polytunnel
- Potential problem for a septic tank and soakaway to function
- Lack of drainage details
- No ecological impact assessment
- Impact on existing wildlife

#### **Letters from 16 residents support:**

- There is a need for camp site
- As a local business, support as Splatt Farm have been supplying produce for use in local café
- Minimal carbon footprint using their products
- They have planted lots trees and intend to plant more
- They are engaged in improving health of hedgerows and wildlife projects
- Nice to see a family trying so hard to diversify and make a go of a business that will benefit us locals
- Provide somewhere to stay for tourists visiting the local area
- Will bring additional footfall for the village shop and pub
- Provides space for those who would like to produce their own vegetables but are not able to manage or commit to a full size allotment on their own.
- Splatt Farm is able to showcase more sustainable ways of producing food



## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

- It can only create a positive sense of community
- Will provide education and provide help and support to children and families. Will teach both city folk and village children about traditional rural life, agriculture and horticulture
- Will go towards remedying the loss, providing an income for the family and attendant staff.

### **Most Relevant Policies**

#### National Planning Policies

National Planning Policy Framework

#### Sedgemoor Local Plan (2011-2032)

- S2 Spatial Strategy for Sedgemoor
- C01 Countryside
- D2 Promoting High Quality Design
- D14 Managing the transport impacts of development
- D17 Tourism
- D19 Landscape
- D20 Biodiversity and Geodiversity
- D25 Protecting Residential Amenity

### **Main Issues**

#### Principle

S2 seeks to appropriately control new development in the countryside and supports where it accords with relevant policies which provides for sustainable and appropriate scales of development and to meet the needs of rural communities, consideration will be given to appropriate expansion and remodelling of existing businesses.

C01 Proposals for new development outside of settlements will be appropriately controlled and supported where it accords with other relevant policies that provide for development in the countryside to enhance or maintain the vitality of rural communities and support a prosperous rural economy.

The site is outside of any settlement boundary and therefore in the countryside where development is strictly managed and is therefore only supported by the local planning authority if it accords with specific Local Plan policies which exceptionally allow certain types of rural development, or where a proposed development relates to a specific countryside need i.e. when countryside location is essential or more sustainable.

Policy D17 supports tourism related initiatives where they contribute to a number of listed criteria as below:

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

- *Improving the quality and diversity of the tourism offer and enhancing the image of the area as a tourism location;*
- *Improving the resilience of the local economy through the provision of higher quality local job opportunities and extending the tourism season;*
- *Promote education and interpretation of the natural, built and historic environment;*
- *Promoting sustainable tourism taking into account the impacts and effects of climate change, the production of waste and the consumption of natural resources;*
- *Increase accessibility to the Districts tourist assets, facilities and accommodation through sustainable modes of travel including cycling and walking;*
- *Managing visitor pressure to prevent harm to the natural and built environment and local communities; and*
- *Enhance social cohesion and benefit the local community through access to facilities.*

Policy D17 also states that:

*"In the countryside new accommodation should, where possible, be provided within or close to a settlement but may be justified in other locations where the facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available to re-use." It goes on to state that "...all such proposals to be supported by a robust business case demonstrating they are viable."*

The very nature of tourism development such as that proposed usually requires a rural location to provide an attractive incentive for potential customers. The application is supported by a business plan that sets out the vision for the enterprise:

*"In our long term vision, we plan to become a centre for wellbeing, organising multi-day events inviting guests to stay in the campsite whilst learning tools and techniques for improving mental health, wellbeing and happiness.*

*The campsite and wellbeing centre side of the project is the main source of income for the project, which provides the income needed to realise the second side of the project.*

*The second side to the project is to develop a food-growing cooperative, intending to bring the community together and work as one team to grow our own fruits and vegetables and to become more self-sustainable."*

*The aims of Splatt Farm Gardens are:*

- 1. To improve the biodiversity of the site.*
- 2. To regenerate the quality of soil that has thus far been severely degraded by traditional farming practises.*
- 3. To educate the local and wider community on supporting positive mental and physical health, by working with nature, whilst improving the wellbeing of people and the environment, without compromising one for the other.*
- 4. To use reforestation and afforestation (including hedgerow planting), as contributions to reverse the effects of climate change.*

*We have identified a strong need for an additional campsite in the area due to the number of guests that call us because they cannot find another campsite to stay in.*

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

*We have gained strong evidence that AONB explorers (walkers and bikers) in particular love staying at our campsite. They love the proximity to the Quantock Hills and the tranquillity of the area and spaciousness of each pitch on the site.*

*We found that in peak times, our site was often full and we were turning people away where we did not have enough space and we feel this demonstrates local need for additional campsites.”*

Whilst there is not a lot of detail on the financial planning of the business it is accepted it is relevant and appropriate to what is proposed, i.e. a relatively low key, low impact enterprise which, where it to fail it would not leave any legacy development. The bell tents and camp pitches would simply be removed with the built form being simply lowkey outbuildings that would not leave any lasting harm. As such the submitted business plan is considered appropriate for the proposal.

In terms of whether the proposal meets Policy D17, the development would provide an alternative form of accommodation unit to many other types of units in the District, it would provide limited employment opportunities but would promote education and interpretation of the natural, built and historic environment and seeks to promote sustainable tourism.

Both Policy CO1 and Policy D17 are supportive of proposals for facilities in conjunction with a particular countryside attraction or where a specific countryside need can be demonstrated. Due to the nature of this tourist attraction (a rural retreat with tourist accommodation), location within the countryside is likely to be more suitable than a site within a settlement. While the site is outside of the settlement, it not in an isolated location as it is one of a number of properties that forms the well-spaced but linear form of development along Splatt Lane. It is considered that it has been demonstrated that the proposal is justified under the terms of Policy D17 of the Local Plan.

### Impact on the Character of the Area

D19 of the Local Plan seeks to ensure that development should enhance the landscape quality wherever possible and ensure that there is no significant adverse impact on local landscape character, scenic quality and distinctive landscape.

The site lies to the rear of the farmhouse and comprises of a flat field where the immediate adjacent fields are also flat. The land rises upwards beyond these fields to the east and south as they also do so to the west of Splatt Lane. The Quantock Hills Area of Outstanding Natural Beauty is approximately 1 mile away to the south west.

The site is relatively well enclosed by the existing field boundaries but can be seen from outside of the site. From the local footpath network, in relative close proximity of the site, with low winter hedges, only the tops of the structures can be viewed. Public views of the site are limited on higher ground due to the topography of the surrounding slopes and become distant views seen in the context of the other houses along Splatt Lane.

The Landscape Officer considers that the proposed landscaping is illustrative and clarity needs to be sought as to the position of new hedgerows and tree planting to provide enclosure to

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

the car parking area and provide filtering and screening of the views from the vantage points overlooking the site.

The applicants wish for the proposed campsite to be open seasonally between April and September and it is considered reasonable to condition the use of the camp site accordingly to restrict any potential visual impact during the winter months.

It is considered that with appropriate additional landscaping, conditioned as part of this consent, that the development would not have a significant impact on the character of the immediate area nor the setting of the AONB and is acceptable.

### Impact on Highway Safety

D14 of the Local Plan seeks to ensure provision is made for inclusive, safe and convenient access for all and that the nature and volume of expected traffic from development would not compromise highway safety and that development proposals must provide safe access to roads of adequate standard within the route hierarchy and ensure that the expected nature and volume of traffic and parked vehicles generated by the development would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated.

The existing access has been used to access the site for several seasons as a camp site under the permitted development allowance for 56 days per year. This proposal seeks consent for 25 pitches (including the proposed bell tents). It is generally considered that traffic generated from a camp site would be 2 to 3 vehicular movements per pitch per day which would, in this case, be likely to be spread out over approximately 14 hours. This would amount to between 3.5 and 5.3 movements an hour.

This proposal seeks to improve the existing vehicular access which would be improved to provide greater visibility towards the northern boundary adjacent to the highway, widened and hard surfaced at the entrance to ensure that two vehicles can pass.

The County Highways Officer has raised concerns in respect of the access and has requested further information regarding the details of the visibility at the access and how the access will be improved as well as clarification in terms of traffic numbers using the approach roads. Detailed drawings indicating the alterations to the access have been requested and are awaited from the applicant. Upon receipt of this information, further clarification from the County Highways Officer can be sought.

While further information is awaited from the applicant and the Highways Officer, it is likely that a condition would be attached to the consent to ensure the highway access improvements take place. A verbal update will be made in this respect to Members at Committee on the day.

## **AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS**

### Impact on Ecology

Policy D20 of the Local Plan states that proposals should contribute to maintaining and where appropriate enhancing biodiversity and geodiversity, and should seek to avoid significant harm.

The County Ecologist has no objection to the proposal and recommends conditions regarding lighting and biodiversity enhancement.

Subject to those conditions, it is considered that the development accords with Policy D20 of the Local Plan.

### Impact on Neighbouring Properties

Policy D25 of the Local Plan states that ‘Particular consideration will be given to the extent that the proposal would result in unacceptable noise and disturbance, over shadowing, overlooking and/or visual dominance.’

The proposed camping area would be towards the eastern end of the field, a distance of approximately 115 metres from the adjacent house to the north and approximately 95 metres distance from their garden.

It is not considered that the horticultural uses which would be located closer to the main house and neighbour would have an undue adverse impact on the neighbouring residents in terms of noise and disturbance, or loss of privacy and accords with Policy D25 of the Local Plan.

### Conclusion

It is not considered that the proposal would have any undue adverse impact on the character of the area, amenity of residents and ecology. Subject to further information and no objection in respect of the highway matters, the proposal would accord with the policies within Sedgemoor’s Local Plan.

## **RECOMMENDATION**

### **GRANT PERMISSION**

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

- 2 The campsite hereby approved shall be for tourism purposes and shall not be occupied as a person's sole or main residence.

Reason: The proposal is located within the area designated as countryside where new residential development is strictly controlled and in accordance with policy D17 Sedgemoor Local Plan 2011-2032.

- 3 The camp site hereby approved shall be limited to no more than 20 pitches for tents or campervans and 5 bell tents.

Reason: To safeguard the character and amenity of the area.

- 4 The camp site shall not be used, and no tent shall be sited or retained on site, between 1st October and 31st March in any year.

Reason: To safeguard the amenity of the area.

- 5 No external lighting shall be erected or installed on the buildings hereby permitted or within the application site unless in accordance with a scheme which shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of visual amenity, to protect the dark skies of the countryside and in the interests of the Favourable Conservation Status of local populations of European Protected Species in accordance with policies D2, D20, D24 and D25 of Sedgemoor Local Plan 2011-2032

- 6 The camp site hereby approved shall not be used unless measures for the enhancement and protection of biodiversity have been installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Such enhancement measures shall include:-

- 5x native trees are to be planted within the application site boundary (i.e. common lime, English oak, alder, silver birch). Trees must be at least 200cm in height when planted.
- 2x bird boxes are to be installed on to the proposed campsite office on the north facing elevation.

Once installed such measures shall be retained at all times thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard and promote biodiversity in accordance with policy D20 of the Sedgemoor Local Plan 2011-2032.

- 7 The camp site hereby approved shall not be used unless a foul water drainage scheme has been implemented in accordance with details that have been submitted to and

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

approved in writing by the local planning authority. Thereafter such scheme shall be maintained in good working order at all times thereafter unless agreed otherwise in writing by the local planning authority.

Reason: To ensure the development is properly drained in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

- 8 No system of public address, loudspeaker system or amplified music shall be operated within the site.

Reason: To safeguard local residents from noise and disturbance.

- 9 Within 12 months of the date of this consent, a landscape planting scheme shall be carried out in accordance with a scheme to have been submitted to and approved in writing by the local planning authority. The trees/shrubs shall be protected and maintained, and dead or dying trees/shrubs shall be replaced to the satisfaction of the local planning authority for a period of five years following their planting.

Reason: In the interests of visual amenity.

- 10 The camp site hereby approved shall not be used unless the access into the site has been widened in accordance with details that have been submitted to and agreed in writing by the local planning authority.

Reason: In the interest of highway safety.

- 11 Other highways conditions as maybe recommended by the highways authority.

### **Schedule A**

Site Location Plan Drg No. 01  
Existing Block Plan Drg No. 02  
Proposed Block Plan Drg No. 03 Rev A  
Proposed Building Plans Drg No. 04  
Proposed Building Plans Drg No. 05  
Proposed Building Plans Drg No. 06

### **DECISION**

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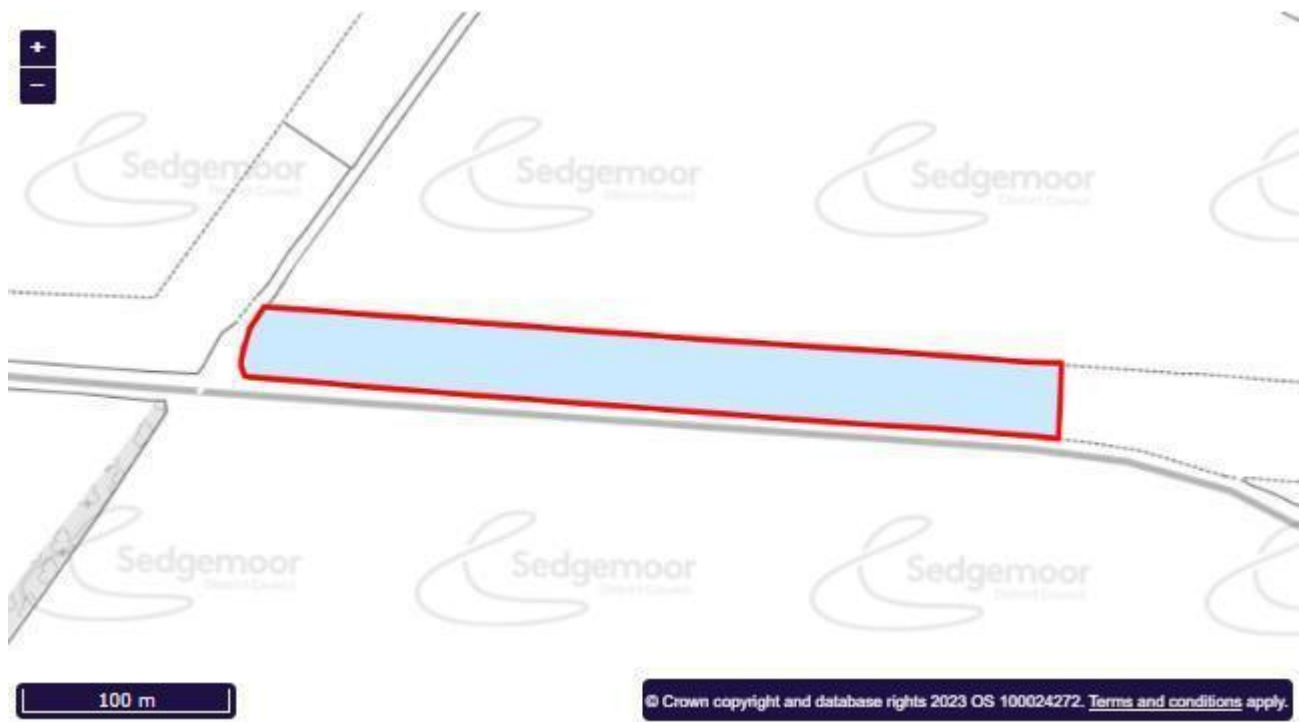
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## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

Case Officer: Dean Titchener Tel: Sedgemoor Direct: **0300 303 7805**

Westonzoyland 53/21/00004 registered 04/03/2021  
Expiry Date 28/04/2021  
(Full Planning Permission)

Proposal: **Retrospective application for the change of use of former runway for storage and blending of horticultural growing media. at Land To The East Of, Runway At Folley Farm, Langport Road, Westonzoyland, Bridgwater, Somerset for Durston Garden Products Ltd (agent: Clive Miller Planning Ltd )**



### **Committee decision required because**

*The recommendation of the officer is contrary to the views of the Parish Council.*

### **Background**

The application site comprises part of the former runway of Westonzoyland airfield, located to the east of the village. This part of the runway lies on the north side and adjacent to the A372. It is no longer used as a runway, with the operational parts of the airfield some distance to the west of the site. It is a large site laid to concrete. There is only a low scrubby boundary treatment between the site and the adjoining road; whilst to the north there is no treatment defining the boundary with the field beyond. There is a gate providing vehicular access to the site on its western boundary off a track which connects to the A372 to the south. Most of the site is within Flood Zone 2, with smaller sections in FZ1 (the area of least flood risk).



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Planning permission is sought for the retention of the use of land for the storage and blending of horticultural growing media. Access to the site will continue via the existing point of entry on the west side. No buildings or structures are proposed to facilitate the use.

### **Relevant History**

On the land subject to the application:

Reference	Case Officer	Decision	Proposal
53/17/00002	JE	WDN	Change of use and alterations to part of former airfield, including formation of bund, storage areas and roads, to form site for the storage and distribution of pole and other timber.

On nearby parts of the former runway:

Reference	Case Officer	Decision	Proposal
53/19/00010	DT	GTD	Retrospective application for the change of use of former airfield from a go-kart track to stockpiling of washed stone chippings, the temporary storage of plant and equipment, parking of vehicles and siting of welfare units and alterations to existing access in connection with top-surfacing of highways.
53/13/00007	CJA	GTD	Change of use of a disused runway to the permanent storage and blending of horticultural growing media.

### **Supporting information supplied by the applicant**

Planning Statement  
Flood Risk Assessment

### **Consultation Responses**

Westonzoyland Parish Council – Objects:

*‘Please find attached supplementary submission from W/z PC. Whilst we remain opposed to the application, we believe the grant of consent is likely and in which case conditions which represent the views submitted are essential.*

*The issue of the products blowing onto the main A382 in drier windy conditions is extremely serious. Particular concerns also remain on the heavy vehicle movements to and from the site affecting the village and into and out of the site on this very fast stretch of road across the airfield.*

*Some of what we have included has been taken from the accompanying article ([hyperlink](#)*

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

*provided), which appears to be a testimonial for a wheeled loader used on site to move, turn and load materials and product. It seemed to be quite useful in filling in some of the gaps in what we know about the operation and process that Durstons carry out here in Westonzoyland!*

*The first issue is the proposed location within Flood Zone 2. We can look back at the chippings application 53/19/00010, for which condition 6 stated that: "there shall be no storage of stockpiled stone, or siting or parking of vehicles, plant, equipment or welfare units in the areas designated as Flood Zone 2 or 3 by the Environment Agency. Reason: to ensure the development does not increase flood risk to the site or surrounding area in accordance with Sedgemoor Local Plan 2011-2032 Policy D1" The EA Flood Zone map for planning for the area shows that almost all of the application site is within Flood Zone 2: Flood map for planning - GOV.UK*

*The applicant makes several references (eg. section 1.5, 2.5, 4.3 and 4.5 of their Planning Statement) to their previous approved planning permission 53 13 00007 for the adjoining site on the airfield, citing that "similar planning conditions to the existing permission can be applied here as required." We believe that this is not a valid comparison, as the existing site does not fall into a Flood Zone 2 or 3 unlike the site of this recent application. Hence the 2021 Durston application should be rejected on the basis of Sedgemoor Local Plan 2011 – 2032 Policy D1 Flood risk, particularly with the proximity of the site to the A372, the potential to increase the volume of surface water on a road that is already dangerous, and the precedent for the decision should be based on the conditions placed upon the approval of the chippings application 53/19/00010, not the previous Durstons application.*

*2. We would also like further details from Durstons re their process, as the Westonzoyland Parish Council Q and A session that Durston's attended on 17th May 2021 and other sources indicate that the process that the material undergoes on the Westonzoyland airfield site seems to be more than simply blending and storage of inert materials.*

*a) Firstly, we understand that horse manure is used as one of the materials, yet no reference is made to this in either the 2013 or the 2021 planning applications. We have also heard how the site has already used a variety of different materials of variable dust levels, have seen dust clouds generated by the large wheeled loader (see attached article), and we are concerned that any non-compliance with the proposed materials due to commercial pressures would lead to a repeat of the elevated dust levels that we observed early this year, and that these may affect cyclists, motorcyclists and other users of the A372, which runs immediately next to the proposed site. Significant dust levels may also impact the engines of the aircraft and microlights that regularly use either the Westonzoyland or Middlezoy airfields in the immediate vicinity of this proposed site.*

*Secondly, mixing and turning of the PAS100 green compost and wood chippings with or without horse manure is carried out weekly for a 10 to 11-week period in order to provide oxygen for the microbes to carry out a biological process to create the end product. This is a biological process that has been seen to generate sufficient heat to cause evaporative steam to rise from the windrows after a summer downpour. We need to understand why the planning application form does not identify that a waste product (manure) is included in the process, nor does it indicate that a "combined mechanical and biological treatment" is therefore being proposed for the site, rather than simply a 'blend and store' process? c) Thirdly, as this process*

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

*will also needs moisture it will surely produce a quantity of leachate (liquid waste) containing organic matter and soluble minerals. We have already seen that Natural England has downgraded the environmental condition of the Somerset Levels and Moors SSSIs has been downgraded recently to “unfavourable declining due to water quality issues”. Some of these SSSI sites are close to the Durston site at Sharpham, so the Parish Council would find it useful to hear about how the company prevent minerals and other substances from entering the watercourse to protect against this environmental damage.*

*d) Fourthly, wet weather conditions would add to the run-off / surface water, for which the proposal seems to be via soakaway. This proposal contradicts the statement in section 2.5 of the Planning Proposal which states that “the proposed bunding will contain any surface water within the impermeable site area and soon be absorbed back up by the compost product, so it possible to confirm that no surface water will leave the site as a result of this proposal.”*

*Also, the Parish Council asks whether a soakaway is a suitable means of removing excess fluid from a site that is within a Flood zone 2, for example when the area is waterlogged through heavy rainfall?*

*Height of the windrows:*

*The height proposed is 3m, which seems to be towards the upper end of the scale for a windrow for the ongoing aerobic processing of a compost product. If turning is the sole method of ensuring adequate provision of oxygen to the microbes carrying out the process, then a lower height ensures more efficient aeration and less frequent turning. Is there any plan to use more active aeration mechanism? The height proposed heightens our concern regarding the imposing appearance of the piles from the road, and its impact on the historic character of the village when approached from the Middlezoy direction and is quite out of keeping with the area. The proposals for screening the piles may partially detract from their ugly and imposing manner but are still not in keeping with the landscape and view towards the village that should be afforded to those travelling towards the village. We believe that the positioning of 3m high windrows and 1.5m bunding so close to the A372 will be counter to the Sedgemoor Landscape Assessment and Countryside Design Summary Section 4: Levels and Moors as they will obscure the approach to Westonzoyland village, an ‘island settlement’ in which buildings are generally 2 storeys high with the church tower as the prominent feature. The windrows that are currently on site already obscure the church tower. Indeed, the piles of compost have been described as “being the only things that provide any height in the dead flat landscape surrounding Westonzoyland Airfield”. The Parish Council believes that this development is contrary to Policy D14 in the Sedgemoor Core Strategy, which seeks to protect against adverse impacts on landscape character due to new development.*

*Position of the stockpiles and windrows*

*We have observed that in recent months the quantity of material being mixed and placed into the windrows, as well as stored in the stock piles on the established and proposed site has doubled. It now appears to have spread from the 8300m<sup>2</sup> area approved for the application 53 13 00007 in a southward direction towards the A372 alongside Burdenham Drove. This suggests that this site no longer seems to be operating in accordance with the application plan listed in schedule A of its approved application. This is in addition to the 1.4ha area that is the subject of this 2021 retrospective planning application. The presence of both areas covered by two different planning applications, the apparent overspill area and the observation that the site approved for use by the chippings application 53/19/00010 appears to be used currently*

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

*as a site for parking of vehicles and container storage units is creating a confusing picture in terms of how Durstons or other operatives intend to organise the site as a whole. We therefore request that Durstons provide a comprehensive site plan and planning application and statement that would explain clearly and categorically how they intend to operate the combined site as a whole, managed as they both are by one full time employee. We would also appreciate if this included a statement from Durstons to make clear any intention that they have to have more than the one stated wheeled loader on the combined site, container for storage or office or other non-residential facility, and agree not to do so without approval from the planning department.*

*We are concerned from our observations and prior experience that Durstons might not operate in a way bound by the conditions upon which any approval for their operation might been given for this site, and that any future non-compliance could exacerbate any detrimental effect on the amenity and environment of our historic landscape. There are still several messy black plastic bales forming part of the barrier between this site and the neighbouring part of the airfield – a further eyesore.*

*Transport access and exit:*

*We have reviewed the information presented in the Highways Technical Note accompanying the planning application, and have the following concerns:*

*a) Speed on the A372: A large 15.25m 6 axle articulated tipper pulling out slowly from Burdenham Drove onto the A372 will do so in a 60mph zone in which these speeds are regularly met or exceeded. We believe that even the estimated increase in number of vehicles exiting the site will increase the danger to other road users onto this fast stretch where there have already been several accidents, including at least one fatality.*

*b) Visibility east: The proposals to improve visibility by removing vegetation are counter to the need to screen the site (Photo 2 page 2 Highways Technical Note). In fact, the creation of earth bunds plus vegetation to screen the site and contain any run-off would exacerbate these problems of visibility in the easterly direction.*

**Visibility west:** *Given the speed of vehicles approaching from the right (westerly direction), Photo 1 actually reveals relatively poor visibility, given the time scale that a large articulated tipper will need to pull out in either direction onto the A372. The vegetation and earth bund that can be seen screening this part of the airfield is one of the conditions required for the approved planning application for this site. This viewpoint in the westerly direction (Photo 1 page 2) would place motorbikes / bicycles and motor vehicles using the easterly lane at greater risk of collision with slow moving vehicles leaving the site.*

**Swept path analysis:** *The large vehicles leaving the site in the direction of Middlezoy (easterly direction) are shown as needing to cross the central broken line onto the other side of the road in a particularly fast section of the road where speeds of overtaking vehicles are known to exceed 60mph (page 7 / illustration below). This concern has been backed up by our observations of a Durstons vehicle leaving the site in an easterly direction at around 8.25am – it needed to take up the majority of the opposing lane in order to make this slow exit manoeuvre.*

*We believe that this volume of traffic exiting Burdenham Drove at the junction with the A372 in its current design presents an unacceptable increase in the risk to other road users.*

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

**Number of vehicles entering and exiting the site.** *The Planning Statement indicates an estimated 555 larger vehicles entering the site to unload – these will then need to depart, making 1,110 large articulated vehicle movement per annum for this location alone. Then the final product will be removed from the site by smaller vehicles, with an estimated 1,000 laden trailers departing and therefore the same number entering the site to collect the product, making around 2,000 movements per annum. This makes an estimated total number of vehicle movements between the A372 and Burdenham Drove (into the 1.4ha site alone) of 3,110 movements.*

*The Parish Council wish to know what the **total number of vehicle movements** will be for the two sites being used by Durstons, not just for the one site. Burdenham Drove is a public unclassified road, and there are therefore questions about the impact of this heavy traffic on the drove, as well as the safety of large vehicles exiting the site onto the A372. We are also aware that while the site generally operates 8-9 hours a day for 6 days a week, delivery of material can take place around the clock (24 hour), sometimes with several loads being tipped overnight.*

*There has been a doubling of traffic and processing of material on the combined site over the past 6 months – what assurances are there that this figure will not rise further? We have several significant concerns about the proposals by the applicant to expand their operations here at Westonzoyland yet beyond the ongoing employment of one individual this application presents no benefit to our parish or our community. There will be an increase in heavy traffic passing through our village, increasing the vibrations, noise as well as raising the risk to cyclists and pedestrians as they move in a sustainable manner between our village facilities (shops, church, primary school, pub, social care settings and homes).*

*We therefore ask, should there be **restrictions to the hours of operation** to take into account the impact of noise, dust and light on neighbouring properties, their livestock as well as road users and residents of the village?*

*Please see attached document:*

*“Torion 1511 Composting in Westonzoyland Testimonial” (Spring 2021)*

*[https://claascdn.co.uk/testimonials/361693/20210507115557\\_cls2550-ind-artcl-nigel-baker-hamblys.pdf](https://claascdn.co.uk/testimonials/361693/20210507115557_cls2550-ind-artcl-nigel-baker-hamblys.pdf)*

Environment Agency (when initially consulted) – Objects in the absence of an acceptable Flood Risk Assessment (FRA). Submitted FRA does not comply with the requirements of the site-specific flood risk assessments.

Environment Agency (when re-consulted with further information) – Further to submission of a Flood Risk Assessment and clarification of the site’s location and flood zone designation, we have no objection to the proposed development on flood risk grounds.

County Highways – Considering highways report, details are acceptable. Application is retrospective, Burdenham Drove is a no through road and a similar operation exists within Burdenham Lane with no adverse impact on the local highway network. Proposal will generate about 6 vehicle movements per day and therefore it is considered that the traffic generated by this proposed development will not have a severe impact on the local highway network. Taking into account the above the Highway Authority does not raise an objection. In the event that permission is granted I recommend that a condition to secure visibility splays is attached to the decision notice.

## **AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS**

Environmental Health – Recommends same conditions imposed as were on 53/13/000007.

South West Heritage Trust – No objection.

Natural England (when initially consulted) – Proposal has potential to add phosphates to Somerset Levels and Moors Ramsar site. May require mitigation and Habitat Regulations Assessment.

Natural England (when re-consulted with further information) – After reviewing documents provided we are satisfied with the information and have no objection to the application.

Landscape Officer – Proposal includes enclosure of the site internally with compacted earth bund 1.5m high and having slopes of 1:1. Visibility to the site will not be affected by the construction of these bunds. The site is already in storage use and proposed bunding would contain any surface water run off. Application comprises a second phase of a similar use already permitted nearby. Recommends that a condition is attached to the consent requiring submission of a scheme of landscaping detailing plant sizes and species (the submitted scheme with the application would not in its current form be acceptable). This scheme should be implanted in the first planting season and any plants replaced to the satisfaction of the local planning authority.

### **Representations**

None received.

### **Most Relevant Policies**

#### National Planning Policies

National Planning Policy Framework

#### Sedgemoor Local Plan (2011-2032)

CO1 Countryside

D1 Flood risk and surface water management

D2 Promoting high quality and inclusive design

D13 Sustainable Transport and Movement

D14 Managing the Transport Impacts of Development

D15 Economic Prosperity

D19 Landscape

D20 Biodiversity and Geodiversity

### **Main Issues**

#### Principle of development

Planning permission is sought for the retrospective use of part of the former Westonzoyland Airfield runway to enable the storage of horticultural growing media.

Policy D15 'economic prosperity' sets a basis whereby employment development should be

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

sited on allocated sites, brownfield land or exceptionally greenfield sites identified in the Council's Employment Land Review. Smaller scale employment would be supported within or well-related to settlement boundaries. In all cases development should be appropriate to the scale and character of the community and promote local job opportunities.

The applicant is Durston's Garden Products Ltd. Historically the core activity of the company was the digging and supply of peat based gardening products on the Somerset Levels. The company has been progressively moving away from peat digging and replacing them with an alternative comprised of green compost and virgin wood fines. The company now has to buy in a greater quantity of raw materials than in the past, requiring a greater area of storage. Once blended and ready to be bagged and distributed, the product is then transported to the company's production facilities at Sharpham (near Walton).

The application site is located on part of the former runway of the airfield. This area is hard surfaced throughout but has long ceased to be used in association with the airfield. Adjoining parts of the former runway benefit from permissions for similar uses, including one also for the storage of growing media, which has been in operation for about 10 years. Another adjoining part of the runway benefits from a permission for use as a road working depot. This included the storage of chippings, alongside associated plant, equipment and vehicles. That use had previously taken place in recent years but is not currently operational.

Whether airfield land is considered to be brownfield is a matter of fact and degree in each case. The National Planning Policy Framework defines 'previously developed land' as:

*'land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure'.*

Westonzoyland airfield has a clearly defined curtilage defined by the perimeter road which enveloped the site. Land within the perimeter road would be within the curtilage of the airfield. Much of the land within this perimeter is however laid to grass and has never been occupied by a permanent structure. The guidance is clear that not all land within the curtilage should be developed, and that is certainly likely to be the case for the grassed areas. The former runways are more problematic, being within the curtilage, being hard surfaced but never having been occupied by any permanent structure. The conclusion to take is that land within the airfield's curtilage can be considered previously developed. However, because it is considered so does not necessarily mean that it should all be developed.

The proposal would involve the storage of horticultural growing media only. No buildings or fixed surface apparatus is proposed so there remains the potential that after any use has ceased for the site to return to its former condition. It would also facilitate the expansion of an existing local rural business. These considerations need to be weighed in the balance.

### Design, visual and landscape impact

Policy D2 states that proposals should be of high-quality design that positively responds to the character and identity of the area. Policy D19 'landscape' states proposal should enhance landscape quality where possible and ensure there are no significant adverse impacts on local

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

landscape character.

The application site is flat, being part of the Somerset Levels and Moors. The site is visible from the adjoining A372 which runs along the southern boundary of the proposal. The site is fairly open to views from the road, though some occasional scrubby planting exists in places along the boundary. The soil piles, given their 5-6 metre height, cannot be screened from view. The size of these piles varies over time, as material is taken from the pile or new supplies added. The piles are of a similar size to that of the blending material located on the adjoining (approved) site. Given their size they do result in a localised visual and landscape impact. Whilst the full visual impact of these piles cannot be fully mitigated, the Council's Landscape Officer is of the view that the impact of the proposal can be mitigated through the additional of landscape planting on the southern boundary of the site (i.e. the roadside boundary). Whilst a landscaping scheme had been submitted with the application, the officer is not of the view that it included the most appropriate mix of trees and planting for this location (24 field maples). Instead, she envisages a scheme of native hedgerow planting, and use of other tree species such as willow and aspen at 10-20m spacing.

Such a proposal would not fully screen the use from views but would act to filter views and soften any impact. Permitted development rights are also proposed to be removed for means of enclosure to ensure the piles of material cannot be contained within supporting structures, such that might allow the piles to increase in height (at present their height is determined and controlled by the relatively narrow width of the site which limits the base of the pile and thereby its height accordingly). Given the height is limited by the size of the base, it is not considered necessary to place a specific limitation on this matter as requested by the parish council.

Permitted development rights are also to be removed for the erection of any new building or structure. Such would have the effect that if the use ever ceased, the site would immediately revert to its former condition. The local landscape harm needs to be weighed in the balance when determining the application.

### Highways

Policy D13 of the Local Plan states that proposals should enhance road and personal safety and be compatible with existing transport infrastructure. Policy D14 states proposal should provide safe access to roads of adequate standard and that the expected nature and/or volume of traffic and parked vehicles generated by the development should not compromise the safety and/or function of the local or strategic road network.

The application site benefits from an existing access off Burdenham Drove, a no through road which leads to Burdenham Farm. The point of access on to the Drove is close to the junction with the A372 which connects Westonzoyland with Bridgwater. The access is on to a long straight section of the main road with minimal boundary treatment offering good visibility in both directions.

The highway authority sought clarification from the applicant regarding the ability of vehicles



## **AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS**

to enter the site in forward gear, clarification over extent of visibility splays. A Highways Technical Note was provided by the applicant examining the highway implications of the proposal in more detail. The Highway Authority has reviewed this document and noted that a similar operation exists off Burdenham Lane with no adverse impacts on the local highway network. In terms of traffic generation the scheme is anticipated to result in six vehicle movements per day and is therefore not considered to give rise to a severe impact on the local highway network.

As a result, the highway authority do not raise any objection to the proposal. Therefore, whilst the concerns of the Parish Council are noted with regard to highways impacts such as trip generation, visibility and swept path analysis, given the view of the highway authority it is not considered that there is a basis for objection. A condition regarding visibility splays would be attached to the consent.

### Amenity

Policies D24 and D25 state that proposals which unacceptably impact on the residential amenity, including those which give rise to types of pollution (air, noise etc) of existing residents will not be supported.

The nearest third party property is about 400m to the west of the proposal. The edge of Westonzoyland village is about 1km to the west from the site. The parish council had raised the potential for dust and noise impacts on local residents.

Environmental Health has however raised no objection to the proposal. They have however requested that similar conditions be imposed on the permission that were imposed on the adjoining site also approved for storage of growing media to protect the amenity of nearby residents. A further condition would also be imposed to limit external lighting should any wish to be installed. Subject to the imposition of these conditions, the proposal is considered acceptable on amenity grounds.

### Flood Risk

Policy D1 of the Local Plan on flood risk sets requirements for undertaking the sequential and exceptions tests for certain types of development. The application site comprises land within Flood Zones 1 and 2, the latter being an area of medium probability of flooding. As the application is for the change of use, national policy states there is no requirement to undertake the sequential test.

Nonetheless, the Environment Agency (EA) had originally raised concerns about the quality and scope of the Flood Risk Assessment (FRA) accompanying the application. A revised FRA was subsequently submitted and provided to the EA for review. They subsequently confirmed that upon review of the document they no longer have any objection on flood risk grounds. As such the proposal is considered acceptable in terms of flood risk.

## **AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS**

### Ecology

Local Plan policy D20 states proposals should contribute to maintaining and where appropriate enhancing biodiversity.

Concern had initially be expressed by Natural England that the proposal could negatively impact on nutrient loads (phosphates) on the Somerset Levels and Moors Ramsar site. It was stated that mitigation may be required, and a Habitat Regulation Assessment (HRA) undertaken. They also had concerns about the potential risk of leachates reaching local ditch systems if a high volume of water passed through the sealed drainage system under flood conditions. This was considered to have the potential to negative impact on the Langmead and Weston Level Site of Special Scientific Interest (SSSI) which is located about 670m south west of the application site.

Subsequently, the surface water catchment map which identified areas which could impact on the Ramsar site was updated after the application had been submitted. The map was revised and the area of the application site was shown as no longer having the potential to impact on the Ramsar site. This has enabled the proposal to be screened out with no requirement to undertake a HRA.

A surface water drainage assessment was undertaken by the applicant in order to determine the impact of water run off and its potential to impact on the closest SSSI. Topographical surveying of the site was included within the assessment which confirmed site drainage takes place to the north, in the direction away from the SSSI. A system of 'interception' was therefore not recommended given direction of drainage.

Natural England have reviewed the surface water drainage assessment and come back to confirm their satisfaction with the information. They confirm they no longer have an objection as a result. As such it is not considered that there are any adverse ecological impacts associated with the proposal which would preclude the grant of permission.

### Summary and recommendation

The application would facilitate the expansion and continued operation of an existing local business. Whilst there is some limited local visual and landscape harm, this is considered an appropriate location for such a business, particularly having taken account of the consented similar nearby land uses and previously developed nature of the land. In weighing the planning considerations of the proposal, it is considered that the benefits of granting outweigh the harm. There are no other matters which cannot adequately be mitigated through conditions. The proposal is therefore considered acceptable.

## AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS

### RECOMMENDATION

#### GRANT PERMISSION

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

- 2 Notwithstanding the submitted landscaping details, within three months of the date of this decision, a landscape planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved planting scheme shall be implemented no later than the end of the first planting season following approval of the landscaping scheme. The proposed planting scheme shall include a detailed scaled drawing which identifies the proposed green infrastructure and includes a plant schedule and planting specification. The planting schedule shall detail the proposed species, quantities, stock sizes, planting densities and spacings. All landscape areas shall be protected and maintained, and any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species

Reason: To ensure that development sites are appropriately landscaped to provide enhancement of the environment, mitigation for vegetation that is to be removed, to ensure biodiversity is maintained and that planting schemes are established and managed into the future in accordance with Sedgemoor Local Plan 2011-2032 Policy D20.

- 3 No aerosols or odours from the proposed development shall be detectable at the boundary of the nearest residential property.

Reason: To safeguard local residents from disturbance from aerosols and odours from the development in accordance with Sedgemoor Local Plan 2011-2032 policies D24 and D25.

- 4 No fugitive dust emissions from the proposed development shall be detected at the boundary of the nearest residential property

Reason: To safeguard local residents from disturbance from aerosols and odours from the development in accordance with Sedgemoor Local Plan 2011-2032 policies D24 and D25.

- 5 At the proposed access there shall be no obstruction to visibility greater than 900 millimetres above adjoining road level within the visibility splays (that fall within the red line of the application) as shown on the submitted and approved General Arrangement & Visibility Splays Plan Drg No. BTC214048 P\_01 Rev P1 (as contained

## **AGENDA ITEM 6.2 – OTHER PLANNING APPLICATIONS**

within the Highways Technical Note, Bellamy Transport Ltd, 12 May 2021). Such visibility splays shall be maintained at all times.

Reason: In the interest of highway safety in accordance with Sedgemoor Local Plan 2011-2032 Policies D13 and D14.

- 6 No external lighting shall be provided, installed or operated in the development, except in accordance with a detailed scheme which shall provide for lighting that is hooded and directional, and has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.

Reason: To protect the character of the countryside and wider landscape in accordance with Sedgemoor Local Plan 2011-2032 Policies CO1, D2 and D19.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising revoking and re-enacting that Order with or without modifications), there shall be no erection of any building, structure or means of enclosure within the application site without the express grant of planning permission.

Reason: In the interest of visual and landscape amenity in accordance with Sedgemoor Local Plan 2011-2032 Policies D2 and D19.

### **Schedule A**

Location Plan Drg No. 01

### **DECISION**

**AGENDA ITEM 7.1**  
**CERTIFICATE OF LAWFULNESS - EXISTING USE**  
Between **22/02/2023** and **15/03/2023**

**Application no.:** 17/22/00074

**Case officer:** Liam Evans

**Decision:** Granted Permission

**Location:** Cheddar Concrete Products, Warrens Hill, Cheddar, BS27 3LP

**Proposal:** Certificate of lawfulness for (1) the existing extension and use of a twin unit cabin as a dwelling and use of land as garden and (2) the existing use of land and building for equestrian uses

**Application no.:** 17/22/00075

**Case officer:** Liam Evans

**Decision:** Granted Permission

**Location:** Cheddar Concrete Products, Warrens Hill, Cheddar, BS27 3LP

**Proposal:** Certificate of lawfulness for the existing use of land and buildings for mixed use comprising the manufacturing and storage of concrete products, also the use of land and shipping container for the storage of tools and equipment in associated with landscape gardening.

**Application no.:** 17/22/00084

**Case officer:** Liam Evans

**Decision:** Refuse Planning Permission

**Location:** The Jay's Field & Outbuilding, Lippiatt Lane, Cheddar, Somerset, BS27

**Proposal:** Certificate of lawfulness for the existing use of field and outbuildings for domestic use.

**Application no.:** 36/22/00027

**Case officer:** Liam Evans

**Decision:** Granted Permission

**Location:** The Old House, 11 St Mary Street, Nether Stowey, Bridgwater, TA5 1LJ

**Proposal:** Certificate of lawfulness for the mixed use of existing dwelling to include 2no. holiday apartments and 2no. bedrooms used for bed and breakfast.

**No. of applications:** 4

**AGENDA ITEM 7.2**  
**PLANNING APPEALS RECEIVED**  
Between **22/02/2023** and **15/03/2023**

**Application No:** 08/21/00120

**Proposal:** Erection of a four storey building containing 8no. flats.

**Appeal Received:** 08-Mar-2023

**Appeal Procedure:**

**Location:** Land To The Rear Of, 27-28 Cornhill, Bridgwater, Somerset, TA6 3AY

**Final decision level:** Delegated

**Applicant:** Cornhill one and Cornhill Two ltd

**Application No:** 11/22/00126

**Proposal:** Installation of 1no. internally illuminated digital poster.

**Appeal Received:** 02-Mar-2023

**Appeal Procedure:**

**Location:** 6 Church Street, Highbridge, Somerset, TA9 3AE

**Final decision level:** Delegated

**Applicant:** Wildstone Estates Limited

**Application No:** 13/22/00027

**Proposal:** Application to determine if prior approval is required for the siting of otherwise permitted excavation works within the agricultural unit.

**Appeal Received:** 07-Mar-2023

**Appeal Procedure:**

**Location:** Cannington Enterprises Ltd, Cannington, Bridgwater, TA5 2NJ

**Final decision level:** Delegated

**Applicant:** Cannington Enterprises Ltd

**No. of Appeals received: 3**

**AGENDA ITEM 7.3**  
**PLANNING APPEALS DECIDED**  
Between **22/02/2023** and **15/03/2023**

**Application No:** 08/22/00078

**Delegated or Committee:** Delegated

**Proposal:** Retrospective application for the erection of a fence.

**Committee date (if applicable):**

**Officers recommendation:** Refuse Planning Permission

**Committee or Officers decision (if delegated):** Refuse Planning Permission

**Location:** 1 Walnut Drive, Bridgwater, Somerset, TA6 5DD

**Applicant:** Mr M Harris

**Appeal Procedure:** Written Representations

**Appeal decision date:** 06-Mar-2023

**Appeal decision:** Appeal Dismissed

**No. of Appeals Decided: 1**

**AGENDA ITEM 7.4**  
**ENFORCEMENT APPEALS RECEIVED**  
Between **22/02/2023** and **15/03/2023**

**Case No.:** E/38/00076

**Description:** Siting of caravans and lorry body on trailer

**Appeal received:** 25-Feb-2023

**Appeal procedure:** Written Representations

**Location:** Land At, Kingston Farm Lane, Othery, Bridgwater

**Case No.:** E/49/00067/C

**Description:** the use of land for non agricultural purposes including the siting of shipping containers, storage of vehicles, domestic paraphernalia, waste, building materials, rubble and plant, and the use of land for non residential purposes for the dismantling and storage of vehicles and associated materials

**Appeal received:** 07-Mar-2023

**Appeal procedure:**

**Location:** Holly Tree Cottage, Sparrow Hill Way, Weare, Axbridge, BS26 2LA

**Count of appeals: 2**