



**EXMOOR**  
**NATIONAL PARK**

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24 April 2024

**EXMOOR NATIONAL PARK AUTHORITY  
PLANNING COMMITTEE**

**To: The Members of the PLANNING COMMITTEE of the Exmoor National Park Authority**

A meeting of the Planning Committee will be held in the **Committee Room, Exmoor House, Dulverton** on **Tuesday, 7 May 2024 at 1. 30pm.**

The meeting will be open to the press and public subject to the passing of any resolution under s.100(A)(4) of the Local Government Act 1972.

There is Public Speaking at this meeting, when the Chairperson will allow members of the public two minutes each to ask questions, make statements, or present a petition relating to any item on the Agenda. Anyone wishing to ask questions should notify the Corporate Support Officer as soon as possible, or at the latest by 4pm on the working day before the meeting of the agenda item on which they wish to speak, indicating a brief summary of the matter or matters to be raised (contact [Committees@exmoor-nationalpark.gov.uk](mailto:Committees@exmoor-nationalpark.gov.uk)).

The meeting will be **recorded**. By entering the Authority's Committee Room and speaking during Public Speaking you are consenting to being recorded. We will make the recording available via our website for members of the public to listen to and/or view, within 72 hours of the meeting taking place.

Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairperson so that those present may be made aware.

(The agenda and papers for this meeting can be downloaded from the National Park Authority's website [www.exmoor-nationalpark.gov.uk](http://www.exmoor-nationalpark.gov.uk)).

Sarah Bryan  
Chief Executive

## AGENDA

### 1. Apologies for Absence

### 2. Declarations of Interest/Lobbying of Members/Unaccompanied Site Visits

Members are asked to declare:-

- (1) any interests they may have in relation to items on the agenda for this meeting;
- (2) any lobbying by anyone concerned with a planning application and any unaccompanied site visits where contact has been made with any person concerned with a planning application.

### 3. Minutes

- (1) To approve as a correct record the Minutes of the meeting of the Planning Committee held on 9 April 2024 (Item 3)
- (2) To consider any Matters Arising from those Minutes.

### 4. Public Speaking:

The Chairperson will allow members of the public to ask questions, make statements, or present a petition on any matter on the Agenda for this meeting or in relation to any item relevant to the business of the Planning Committee. Any questions specific to an agenda item can be posed when that item is considered subject to the discretion of the person presiding at the meeting.

### 5. Appeals

To note the decision of the Secretary of State for Levelling Up, Housing and Communities to dismiss the following appeal:

B3223 Near Simonsbath, Simonsbath, Somerset TA24 7JU - Proposed 20.0m high Swann Lattice Tower C/W Headframe on new 7.0m x 1.0m RC concrete base and associated ancillary works (application no. GDO 23/07) (Item 5).

### 6. Development Management:

To consider the report of the Head of Climate, Nature & Communities on the following:-

Agenda Item	Application No.	Description	Page Nos.
6.1	6/8/23/004	Proposed single storey extension – Chidgey Cottage, Cutcombe, Minehead TA24 7AP	1-7

### 7. Application Decisions Delegated to the Chief Executive:

To note the applications determined by the Chief Executive under delegated powers (Item 7).

### 8. Site Visits:

To arrange any site visits agreed by the Committee (the reserve date being Friday, 31 May 2024 (am)).

### 9. Any Other Business of Urgency

Further information on any of the reports can be obtained by contacting the National Park Authority at the address and telephone numbers at the top of the agenda. Details of the decisions taken at this meeting will be set out in the formal Minutes which the Committee will be asked to approve as a correct record at its next meeting. In the meantime, details of the decisions can be obtained by emailing [Committees@exmoor-nationalpark.gov.uk](mailto:Committees@exmoor-nationalpark.gov.uk)

## ITEM 3

### EXMOOR NATIONAL PARK AUTHORITY PLANNING COMMITTEE

**MINUTES** of the Meeting of the Planning Committee of Exmoor National Park Authority held on Tuesday, 9 April 2024 at 1.30pm in the Committee Room, Exmoor House, Dulverton.

#### PRESENT

Mr S J Pugsley (Chairperson)  
Dr M Kelly (Deputy Chairperson)

Mr A Bray

Mrs F Nicholson

Mrs M Chilcott  
(as substitute for Mrs C Lawrence)

Miss L Williams  
(as substitute for Mrs E Stacey)

Mr B Geen

Mr J Yabsley

Mr J Holtom

Apologies for absence were received from Mr D Elson, Mrs C Lawrence, Mr J Patrinos, Mrs F Smith and Mrs E Stacey.

#### 1. ELECTION OF CHAIRPERSON

Mr S J Pugsley was elected Chairperson of the Planning Committee until the date of the Authority's annual meeting in 2025.

#### 2. ELECTION OF DEPUTY CHAIRPERSON

Dr M Kelly was elected Deputy Chairperson of the Planning Committee until the date of the Authority's annual meeting in 2025.

#### 3. PUBLIC SPEAKING: See Minute 6 for details of a public speaker.

#### 4. APPEALS

The Committee noted the **decision** of the Secretary of State for Levelling Up, Housing and Communities to allow the following appeal and to refuse an application for award of costs:

Lynmouth Holiday Retreat, Manor Farm, Lynton, Devon EX35 6LD - Proposed siting of 5 no. timber and canvas glamping safari tents, permeable parking/turning area with 6 no. parking bays, with a double EV charging point, recycling/waste facilities, associated footpaths, landscaping, composting toilets and an underground water treatment plant for drainage treatment (application no. 62/41/22/001).

## DEVELOPMENT MANAGEMENT

5. **Application No: 6/3/23/007**  
**Location: Land at Bryants Hill, Brompton Regis, Dulverton**  
**Proposal Proposed erection of agricultural building (13.5m x 9.3m)**

The Committee considered the **report** of the Development Manager.

**RESOLVED:** To grant planning permission subject to the conditions set out in the report.

6. **Application No: 62/41/24/001**  
**Location: Polly Skye Gallery, The Wishing Well, Castle Hill, Lynton, Devon EX35 6JA**  
**Proposal: Proposed new entrance to domestic accommodation**

The Committee considered the **report** of the Development Manager.

### **Public Speaking:**

1. Polly Skye – Applicant

### **The Committee's Consideration**

While the Committee recognised the potential benefits of the proposal in terms of providing a separate private entrance to serve the domestic accommodation above the business premises, Members were mindful that the shopfront was considered to be a non-designated heritage asset and was located in a Conservation Area. Therefore, having regard to the application as submitted and to the relevant Local Plan policies, the Committee considered that any benefits of the proposal would not outweigh the potential harm to the property's traditional character and the wider street setting.

**RESOLVED:** To refuse planning permission for the reasons set out in the report.

7. **Application No: GDO 24/01**  
**Location: Part of Weatherslade Farm, Easting – 285100, Northing – 1136310, Withypool, Minehead TA24 7RT**  
**Proposal: Prior notification for the erection of an agricultural storage building (18.29m x 9.14m)**

The Committee considered the **report** of the Development Manager.

**RESOLVED:** Prior Approval not required.

8. **Application No: GDO 24/02**  
**Location: Driver Farm, Simonsbath, Minehead TA24 7LH**  
**Proposal: Application under Regulation 3 of the Town & Country Planning General Regulations 1992 prior notification for the re-roofing of the East Barn at Driver Farm and associated repairs**

The Committee considered the **report** of the Development Manager.

**RESOLVED:** Prior Approval not required.

9. **APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE:** The Committee noted the **decisions of the Chief Executive determined under delegated powers.**
10. **SITE VISITS:** There were no Site Visits to arrange.
11. **ANY OTHER BUSINESS OF URGENCY:** There was none.
12. **CONFIDENTIAL BUSINESS**

**RESOLVED:** That the press and public be excluded from the meeting for the duration of Item 12 – Legal Matters on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business arising and that the following information would be considered which is exempt information as presented in Schedule 12A of the Act (as amended): -

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**13. LEGAL MATTERS**

The Committee received and noted the verbal report of the Head of Climate, Nature & Communities.

The meeting closed at 2.40pm

(Chairperson)



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## Appeal Decision

Site visits made on 20 February and 25 March 2024

**by J J Evans BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 2 April 2024**

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**Appeal Ref: APP/F9498/W/23/3324639**

**B3223 Near Simonsbath, Simonsbath, Somerset TA24 7JU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
  - The appeal is made by Hutchison 3G UK Ltd against the decision of Exmoor National Park Authority.
  - The application Ref GDO 23/07, dated 13 April 2023, was refused by notice dated 13 June 2023.
  - The development proposed is a telecommunications installation: proposed 20.0m high Swann Lattice Tower C/W Headframe on new 7.0m x 1.0m RC concrete base and associated ancillary works.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the Order), under Article 3(1) and Schedule 2, Part 16, Class A require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of the appeal has been undertaken on the same basis.
3. There is no requirement within the above referenced provisions to have regard to the development plan as there would be for any development requiring planning permission. The main parties have referred to Policies CE-S1, CE-D1 and AC-D5 of the Exmoor National Park Local Plan (2017) (LP), and as they relate to issues of siting and appearance I have had regard to these policies in my determination of the appeal. Similarly, I have also had regard to objectives of the National Planning Policy Framework (the Framework), in particular those supporting high quality communications and conserving and enhancing the natural environment.
4. The appeal site lies within the Exmoor National Park. Under the requirements of the Environment Act 1995 there is a duty to conserve and enhance the natural beauty, wildlife and cultural heritage of national parks. I have had regard to this requirement in my consideration of the appeal.

5. The original application gave the post code for the site address as TA24 7JX. However, this postcode is for a location some distance away from the appeal site. The main parties have cited map co-ordinates to describe the site address, and very close to the appeal site is Cloven Rocks Cottage. The postcode for this property more accurately describes the location of the appeal site, is broadly consistent with the map co-ordinates, and reflects what I saw on site. Consequently, I have referred to this postcode above.
6. The original application form describes the mast as being 20.0m high, albeit local residents have pointed out incidences in the appellant's appeal evidence where the mast is described as 25m high. Notwithstanding these references, the original application description, that upon the appeal form and the submitted drawings all refer to the mast being 20.0m high. This is the basis upon which the Authority determined the scheme, and for the avoidance of doubt, so shall I.

### **Main Issue**

7. The main issue in this case is the effect of the siting and appearance of the proposal upon the character and appearance of the area, having particular regard to the location of the installation within the Exmoor National Park, and, if any harm would occur, whether this would be outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.

### **Reasons**

8. The appeal site is positioned upon a hillside, and the proposed mast and its ancillary equipment and compound would be in the northernmost corner of a large field near to the access track to Cloven Rocks Cottage and the B3223 road. Along the road there is a mature hedge that delineates the field, and to one side of the track to the cottage is a hedgebank that includes mature trees. Beyond the track is an area of woodland which extends along the road and also down into the sharply incised valley.
9. A distinct feature of the area is the extensive panoramic views of the hills and valleys. The rich tapestry of the landscape comprises fields, woodlands and moors, with the latter dominating the higher land. Settlements and farmsteads are mostly upon lower land or tucked down within valleys, and the absence of development upon the high ground gives it a remote, expansive quality. There is a strident and attractive juxtaposition between the open, undeveloped and expansive nature of the moors compared to the fields and their hedges and scattered woodlands. These contrasts give the landscape a unique, and distinct appearance.
10. Although the mast would be near to mature trees, given its height and position high up upon a hillside it would be visible from long distances away, including from a variety of public rights of way and viewpoints. The mast would be the lowest height that would provide coverage for the operator, but despite this it would be taller than the nearby woodland trees, and also taller than those within the hedgebanks that delineate the track and road. Whilst the appellant's Landscape and Visual Impact Assessment (2023) considers the landscape and visual impacts of the scheme would be moderate to slightly adverse, the mast would be an intrusive and eye-catching feature within the area, and it would be particularly visible from views from the south and also from the higher land to

the north and east. The impact of the mast would be such that it would be experienced from very long distances away, such as when approaching Simonsbath from Blue Gate.

11. From certain views the lower part of the mast would be screened by the trees and hedges, such as when approaching from the east along the B3223. Despite this, the mast would be visible projecting high above the tree canopy, and its disruptive intrusion beyond the skyline would be harmfully apparent. In an area that is characterised by the remote, undeveloped, and imposing domination of the landscape, whether it be pastoral or the moors, the mast would be an intrusively strident interruption that would harmfully draw the eye. This harm would be compounded as the mast would introduce an overtly modern structure into a landscape where most buildings and settlements are positioned lower down the hillsides.
12. I have had regard to the objectives of LP Policies CE-S1 and CE-D1 as these require high quality development that complements the landscape and minimises its visual impact. In addition, LP Policy AC-D5 refers to the requirements for radio and mobile telecommunications infrastructure, and prioritises mast share. Where this cannot be achieved, new masts should be sited and designed to ensure that they have an acceptable appearance in the landscape, including through camouflage as a natural or traditional feature. The mast would have a lattice tower so as to minimise its visual impact, and the appellant has also suggested that it could be conditioned to be coloured. However, the Order does not provide any specific authority for imposing conditions beyond those deemed. Irrespective of such a suggestion, the colour of the mast would do little to ameliorate the impact of its tall height and overtly functional appearance, the incongruous impact of which would be apparent from long distances away. Moreover, landscaping cannot be relied upon to screen the mast for its lifetime, particularly so in this case as not only would such screening be partial, but the trees are not in the control of the appellant.
13. The mast's compound would have a compact footprint with access provided through the existing field gates. Even if the ancillary equipment cabinets would be permitted development as stated by the appellant, extensive land levelling works would be required, and the compound would be surrounded by a timber fence. From certain views the starkly functional, engineered appearance of the compound and ancillary equipment would serve to exaggerate the intrusive incongruity of the mast within the area.
14. The Framework expects evidence to be provided to demonstrate that other alternative locations have been considered. In this case there are two other masts nearby, including one higher up the hillside to the north east of the appeal site. This mast is within a copse of evergreen trees, and the top section is visible above their crowns. Given this, from several public vantage points the proposed mast would be in very close proximity to the existing mast at Warren Farm. The presence of two prominent masts within such a remote rural location would appear conspicuous in such a context, thereby harmfully exaggerating the disruptive impact of the mast within the landscape, as well as being contrary to the above referenced LP policy objectives of ensuring that cumulative landscape effects do not detract from the natural beauty of the National Park.

15. Mast sharing has been discounted by the appellant, as has the use of existing tall buildings such as the church, and other sites that are too low down to provide coverage. Local residents and interested parties have pointed out that target and search areas have not been provided. Having regard to the proximity of two nearby masts, such information would demonstrate the target area of that proposed and also provide additional evidence of why other alternatives have been rejected. Given this, it cannot be assumed that more suitable sites are not available.
16. The mast would provide 4G connectivity to the area, targeting provision for Simonsbath, and the provision of such a service would be of benefit to the local population and businesses, thereby in accordance with objectives of national policy. However, there would be short, medium and long distance views of the mast, and it would appear intrusive, introducing a conspicuously modern man-made landmark structure in a prominent location that would unacceptably erode the landscape and scenic beauty of the National Park.
17. Given my findings, the mast would unacceptably harm the distinct character and appearance of the area, and the harms to the landscape and scenic beauty of the National Park would be unacceptable and wide ranging. These substantial harms would not be outweighed by the need for the installation to be sited as proposed taking into account other alternative sites.

### **Other Matters**

18. The appellant has referred to various social and economic benefits arising from the scheme, including to local residents, business and tourists. However, the requirements of the Order are such that the scheme is assessed on the basis of matters of siting and appearance, and I have considered the appeal on that basis.
19. Concerns from the appellant regarding the Authority's handling of the application, including comments from consultees, relate to procedural matters and have no bearing on my consideration of the planning merits of the case.
20. Local residents have raised a number of other matters, including water supply, and lack of engagement with the local community. Land ownership and associated rights would be for the relevant parties to resolve, and as regards the other concerns, following my findings on the main issue, I have no need to consider them further.

### **Conclusion**

21. Thus, for the reasons given above and having considered all matters raised, the appeal is dismissed.

*JJ Evans*

INSPECTOR

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## Committee Report

Application Number:	6/8/23/004
Registration Date:	19-Dec-2023
Target Determination Date:	06-Feb-2024
Extension of Time:	14-May-2024
Applicant	Ms T Govier
Agent:	Ms. S Bosley, SB Planning Applications
Case Officer:	Joe Rose
Site Address:	CHIDGEY COTTAGE, CUTCOMBE, MINEHEAD, TA24 7AP
Proposal:	Proposed single storey extension.
Recommendation:	Refusal
Reason for bringing before Authority Committee:	This application is brought before Committee in accordance with the Approved Scheme of Delegation because the recommendation of the Officer is contrary to the views of Cutcombe Parish Council who support the application.

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### Relevant History

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75296 - Proposed erection of a porch at Chidgeys Cottage. (Approved: 12/03/1968)

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### Site Description & Proposal

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#### Site Description:

The application site is located within the parish of Cutcombe, on Lower Park Lane, which is approximately 0.6Km to the east of Wheddon Cross (Measured in a straight-line distance). The site includes a two storey, two-bedroom mid-terraced cottage, of which was extended to include a front porch in the late 1960's / early 1970's. The cottage has a small front garden / courtyard area of which provides a space between the cottage and the highway, and there is no rear garden as the rear of the property backs directly onto an agricultural field.

#### Proposals:

The proposal will see the removal of the existing traditional stone wall of which borders the property's front-curtilage with the highway and the removal of the 1960's porch. The

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proposal seeks to construct a single storey masonry front-extension which will be approx. 3.7m wide and 7,6m in length rising to a height of 2.8m.

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## **Consultee Representations**

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### **ENPA Historic Building's Officer – Objection:**

The row of cottages appear on the c1888 1st Edition Ordnance Survey map. They were likely agricultural workers dwellings or quarry workers cottages. The application seeks to add a lean-to extension to the front (west) elevation.

Unfortunately, I am currently unable to support the application. The extension will have a significant and negative impact on the appearance of the row and would set a considerable precedent for similar extensions, both to this row and to the principal elevations of other, similar buildings. The pitch of the roof appears to be very shallow and is potentially below the minimum pitch requirement for slate of 20 degrees. The extensions policy (CE-D4) states that:

1. New additions or extensions to existing buildings should accord with the relevant policy considerations in terms of the existing or proposed use of the building, and will only be permitted where:
  - a) they will complement the form, character and setting of the original building;
  - b) the extension is appropriate in terms of scale and massing;
  - c) the roofline of any extension respects the form and symmetry of the original building; an
  - d) bat roosts are maintained or replaced.
2. Extensions to traditional buildings should reflect and sustain the historic significance, character and appearance of the original building through the sensitive design and use of materials, detailing, and construction principles to ensure the architectural interest, historic fabric and features, and setting of the building are conserved and enhanced.

Policy HC-D15, Residential extensions, also states that proposals should ensure there is sufficient space within the existing curtilage to accommodate the extension without resulting in overdevelopment of the site or adversely impacting on residential amenity space and parking provision.

The proposal appears to removal almost all the curtilage of the property and would also result in the loss a section of the stone wall boarding the front gardens.

Given the above I am of the view the application fails to meet these policy requirements.

### **Cutcombe Parish Council – Support:**

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At the Cutcombe Parish Council Meeting dated 20th February 2024 Councillors voted unanimously to support this application.

## **Somerset Highways – Standing Advice:**

Standing Advice.

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## **Representations**

None Received.

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## **Policy Context**

Exmoor National Park Local Plan 2011-2031 (inclusive of minerals and waste policies):

CC-S1 - Climate Change Mitigation and Adaptation  
CE-D1 - Protecting Exmoor's Landscapes and Seascapes  
CE-D4 - Extensions to Buildings  
CE-S1 - Landscape and Seascape Character  
CE-S4 - Cultural Heritage and Historic Environment  
CE-S5 - Principles for the conversion or structural alteration of existing build  
CE-S6 - Design & Sustainable Construction Principles  
GP1 - Achieving National Park Purposes and Sustainable Development  
GP4 - The Efficient use of Land and Buildings  
HC-D15 - Residential Extensions

The National Planning Policy Framework (NPPF) is also a material planning consideration for all applications.

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## **Planning Considerations**

The main planning considerations for this proposal are the principle of the development, design principles, impacts on the historic setting, the effect on neighboring residential amenity and highways safety.

Policy HC-D15 of the local plan outlines the requirements for proposed residential extensions within the national park. As such, it is important to emphasise that whilst the principle of residential extensions is supported, this is subject to a set criteria.

Clause 1 of the policy states that proposals for residential extensions will be permitted where, they firstly accord with the design principles set out in CE-S6 (of which are considered further into the report), where they ensure that there is sufficient space within the existing curtilage to accommodate the extension without resulting in the overdevelopment of the site or adversely impacting on residential amenity space.

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Clause 1 also requires residential extensions to be proportionate to the original dwelling and specifies that in any case, any proposed extension will not exceed 35% of the original dwelling (taking into account any previous extensions).

It is important to note as per paragraph 6.173 of the Local Plan, for the purposes of implementing the policy, floorspace shall be measured externally and shall include enclosed porches and conservatories. The 'original dwelling' is the dwelling as it existed on 1 April 1974 or as constructed if this was a date after 1 April 1974 (this being the date when the discharge of planning responsibilities was transferred to the National Park Committee of Somerset County Council) and as such, the approved porch under application reference: 75296 (Dated: 1968) was likely erected before 1 April 1974 and is therefore for the purposes of this policy is considered to be part of the 'original dwelling'. It is also important to note that the property has not undergone any further extensions since 1 April 1974.

It is considered that the proposals in this case do not accord with the requirements of clause 1. Whilst it is recognized that the proposed extension will not exceed the original external floorspace of the property by more than 35% (at approximately 26%), the size of the proposed extension would lead to a 67% reduction of the existing residential curtilage from 37Sqm to 12Sqm and as such it is not considered that there is sufficient space within the existing curtilage to accommodate the extension without the proposals leading to the overdevelopment of the site.

Policy CE-S6 of the Local Plan outlines the requirements for design and sustainable construction principles for all development within the national park. The policy states under clause 1 that development proposals should deliver high quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment. In doing so, applicants will be expected to demonstrate several design principles.

Clause 1b of the policy states that the materials and design elements of a new building or conversion of an existing building should complement the local context through the use of traditional and natural sustainable building materials. In this case, the use of materials proposed such as masonry walling, slate roof tiles and timber windows and doors are considered to be acceptable in accordance with this policy as they are deemed to be either natural materials or traditional building materials of which match that of the existing property.

However, while the use of such materials is considered acceptable, officers believe that the proposed extension would significantly harm the historic street scene of Lower Park Lane of which appears on the c1888 1st Edition Ordnance Survey map. This area is characterised by a row of five small historical terraced cottages of which were likely agricultural workers dwellings or quarry workers cottages which are set back from the public highway and bordered by their front gardens. It is noted that several cottages have small variations of extensions (mostly porches) to their front elevations, which are subservient to the original dwellings and situated within the properties' curtilages without excessively reducing their amenity space.

In contrast, the proposed extension at Chidgey Cottage would be overly dominant due to its significant scale, not only in relation to the cottage it serves but also within the

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broader street scene, of which would also result in the loss of a section of the stone wall boarding the front gardens, which contributes positively to the character of the row of historical homes. It is considered that this dominance is inconsistent with existing local buildings in the area. Additionally, the proposed shallow pitched roof does not align with the local vernacular which is contrary to policy CE-D4 which clearly states under clause 1c that the roofline of any extension must respect the form and symmetry of the original building.

It is therefore considered that the proposals would fail to conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment, and would not reflect and sustain the historic significance, character and appearance of the original building through the sensitive design detailing, and construction principles to ensure the architectural interest, historic fabric and features, and setting of the building are conserved and enhanced as required by CE-D4 and CE-S6.

In terms of potential impact on neighbouring living conditions, the proposed extension whilst relatively large, would be single storey and at an angle to the adjoining residential neighbours. There would be no windows facing directly into neighbouring gardens and the extension would be on the western elevation. Consequently, the proposal would not harm the living conditions of neighbours, including in terms of light, outlook or privacy. As such, in this regard the development would not conflict with clause 1.g of Policy CE-S6, however from a wider policy perspective, the proposals do as highlighted above, conflict with clauses 1.a & 1.c-f of the policy.

Officers also have concerns regarding highway safety. Currently, however, the front garden of Chidgey Cottage provides a good level of visibility splay both facing north and south on Lower Park Lane before individuals need to exit the curtilage onto the public highway. However, the proposed entrance/exit to the property almost directly abuts the highway boundary. Consequently, individuals leaving the property would step immediately onto the public highway. Furthermore, due to the lack of side fenestration (of which would also cause concerns in regard to overlook neighboring properties), individuals would only be able to see oncoming traffic once they have exited the property once on the public highway itself.

Moreover, the scheme would be contrary paragraph 114 of the NPPF, which states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users, amongst other things.

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## **Human Rights**

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The provisions of the Human Rights Act 1998 and Equality Act 2010 have been taken into account in reaching the recommendation contained in this report.

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## **Conclusion**

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Taking into account the issues noted above and all other relevant material considerations, it is concluded that the proposals are contrary to the policies outlined within the Exmoor National Park Local Plan 2011-2031. While it is noted that the

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scheme would not harm neighbouring living conditions and would incorporate the use of natural and traditional building materials in accordance with clauses 1.b & 1.g of Policy CE-S6, particularly timber fenestration and slate roofing, these design features alone are not considered to outweigh the concerns raised regarding the dominant appearance the proposed extension would have on the historic street scene of Lower Park Lane, characterised by its row of small historic cottages, some of which have variations of small-scale subservient extensions to their principal elevations. Additionally, the uncharacteristic shallow pitched roof does not align with the local vernacular, failing to respect the form and symmetry of the original building or those of adjacent buildings which is largely in conflict with policy CE-S6. In addition, officer's have significant concerns regarding highway safety in respect of the lack of visibility when individuals enter the public highway from the property. Consequently, the case-officer recommends that planning permission be refused in accordance with the reasons set out below.

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## **Recommendation**

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Planning permission be refused for the following reasons:

### **1. Design & Appearance:**

The proposals, by virtue of their design and appearance, are considered to cause an unacceptable level of harm both to the property the extension is intended to serve and to the wider historic street scene in which the property is situated. The extension would have a dominant appearance in an area characterized by its small historic terraced cottages, some of which feature small-scale subservient extensions to their principal elevations. These cottages contribute to the high visual appeal of the area, enhancing the local identity and distinctiveness of Exmoor's built and historic environment. Furthermore, the uncharacteristic shallow pitched roof fails to align with the local vernacular, thereby disregarding the form and symmetry of the original building and adjacent structures. Consequently, the proposals are deemed contrary to policies CE-D4, CE-S6, and HC-D15 of the Exmoor Local Plan 2011-2031.

### **2. Highways Safety:**

The proposals are considered to pose a significant safety risk in terms of highway safety due to the lack of visibility when individuals enter the public highway from the property. The proposed entrance/exit to the property almost directly abuts the highway boundary and fails to provide adequate visibility splays for pedestrians leaving the property. It is anticipated that individuals would only be able to see oncoming traffic once they have exited the property and are on the public highway itself. As a result, the proposals are deemed contrary to policy CE-S6 of the Exmoor Local Plan 2011-2031 and paragraph 114 of the NPPF.



### Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
6/43/24/003DC	Ms I Popplewell - Discharge of condition 4 (structural engineers report) of approved application 6/43/23/010LB. (Discharge of Condition ) - MANOR HOUSE, WOOTTON COURTENAY, MINEHEAD, TA24 8RD	09-Apr-2024 Approved
6/10/24/004DC	Mr. J Percival, National Trust - Proposed discharge of condition 3 (Slate) of approved application 6/10/23/010LB (Discharge of Condition ) - DUNSTER WORKING WATER MILL, 7, MILL LANE, DUNSTER, MINEHEAD, TA24 6SW	09-Apr-2024 Approved
6/10/24/003DC	Mr. J Percival, National Trust - Proposed discharge of condition 3 (Slate) of approved application 6/10/23/009 (Discharge of Condition ) - DUNSTER WORKING WATER MILL, 7, MILL LANE, DUNSTER, MINEHEAD, TA24 6SW	09-Apr-2024 Approved
6/43/24/002DC	Mrs V Thomas - Proposed discharge of condition 3 (bat licence) of approved application 6/43/23/007. (Discharge of Condition ) - FERNDALE, WOOTTON COURTENAY, MINEHEAD, TA24 8RD	03-Apr-2024 Approved
6/9/24/004	Mrs Pearce - Proposed erection of a rear single storey extension. (Householder ) - 1 ADDLEMEAD, LADY STREET, DULVERTON, TA22 9DD	19-Apr-2024 Approved with Conditions
62/50/24/003DC	Ms. G Turvey, PEEK Architecture & Design LTD - Proposed discharge of conditions 4,5,7,11 & 12 of approved application 62/50/22/016LB (Discharge of Condition ) - WALNER FARM, PARRACOMBE, BARNSTAPLE, EX31 4PG	17-Apr-2024 Split Decision
62/50/24/002DC	Ms. G Turvey, PEEK Architecture & Design LTD - Proposed discharge of conditions 4,5,6,7,11 & 12 of approved application 62/50/22/015 (Discharge of Condition ) - WALNER FARM, PARRACOMBE, BARNSTAPLE, EX31 4PG	17-Apr-2024 Approved
6/25/24/001DC	Mr R Martin - Proposed discharge of condition 6 (Sewage Disposal System) of approved application 6/25/21/109 (Discharge of Condition ) - Lilycombe House, Porlock, Minehead, TA24 8JB	04-Apr-2024 Approved

### Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
WTCA 24/06	Ms I Gage - Works to tree in a conservation area: To pollard/reduce Lime Tree by 6-7m. (WTCA ) - 20, HOLLAM DRIVE, DULVERTON, TA22 9EL	18-Apr-2024 Approved
GDO 24/04	Cornerstone Telecommunications Infrastructure Limited - Prior notification for proposed installation of a 20m high telecommunications installation, antennas, cabinets and associated development. (GDO - Telecomms ) - Cutcombe Market, Dunkery Road, Exford, Minehead, Somerset, TA24 7DT	08-Apr-2024 Prior Approval Required-Prior Approval Refused
62/11/24/001	Mr P Patel - Proposed change of use of dis-used barn to Planning Class B (for the production of alcoholic spirit and other consumables along with office space in relation to this business) and associated development. (Full ) - Long Barn, Malmsmead, Brendon, Lynton, Devon, EX35 6NU	09-Apr-2024 Approved with Conditions
WTCA 24/05	Mr. R Stevenson, Procurement DCC - Works to tree in a conservation area: Sectional fell/dismantle tree infected with Ash dieback. (WTCA ) - PARRACOMBE C OF E PRIMARY SCHOOL, PARRACOMBE, BARNSTAPLE, EX31 4QJ	09-Apr-2024 Approved
WTCA 24/04	Ms N Vowles - Works to tree in a conservation area: 30% crown reduction of T1-Sycamore. (WTCA ) - SWISS LODGE, HAWKCOMBE, PORLOCK, MINEHEAD, TA24 8QN	09-Apr-2024 Approved
62/41/23/031LB	Mr. J Atherton, Lyn and Exmoor Museum - Listed building consent for the proposed refurbishment, alterations and extension, including landscaping works to improve accessibility. (Listed Building Consent ) - Lyn and Exmoor Museum, Market Street, Lynton, EX35 6AF	28-Mar-2024 Approved with Conditions
62/41/23/030	Mr J Atherton - Proposed refurbishment, alterations and extension, including landscaping works to improve accessibility. (Full ) - Lyn and Exmoor Museum, Market Street, Lynton, EX31 6AF	28-Mar-2024 Approved with Conditions
6/8/23/003	Mrs & Mrs Matravers - Proposed replacement of existing stable building and pole barns with new building (22.8m x 16.7) for agricultural and equestrian use, together with, closing of existing access with hedge bank and creation of new access	10-Apr-2024 Approved with Conditions

**Application decisions delegated to the Chief Executive**

<b>Application Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
	and yard area. (Full ) - Land and buildings off Tabbitts Steep, Luckwell Bridge, Minehead, TA24 7EL	
6/25/23/004	Mr J Drover - Proposed partial demolition of rear single storey extension and replacement with part single and two storey rear extension, together with, erection of attached car port. (Householder ) - KEMPS FARM, OARE, LYNTON, EX35 6NX	12-Apr-2024 Approved with Conditions
62/41/23/021	Mr P Tapping - Proposed single storey and two storey extensions to side of dwelling. Resubmission of refused application 62/41/23/005. (Householder ) - THE OLD MILL, LYNBRIDGE ROAD, LYNTON, EX35 6BD	12-Apr-2024 Refused
6/29/23/005LB	Mr Bristow - Listed building consent for proposed internal works associated with the proposed change of use of dwelling to 5 bedroom bed and breakfast with owners accommodation. (Listed Building Consent ) - OLD RECTORY, SELWORTHY, MINEHEAD, TA24 8TW	19-Apr-2024 Approved with Conditions
6/29/23/004	Mr Bristow - Proposed change of use of dwelling into 5 bedroom bed and breakfast and owners accommodation. (Full ) - OLD RECTORY, SELWORTHY, MINEHEAD, TA24 8TW	19-Apr-2024 Approved with Conditions