



EXMOOR
NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY
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19TH August 2026

**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, 1st September 2026 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 Democratic 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).

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 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).

Sarah Bryan
Chief Executive

As set out above, the Authority welcomes public engagement with its work and believes that everyone attending a meeting of Exmoor National Park Authority or one of its Committees has the right to be treated with respect and to feel safe at all times, including before, during and after the meeting they attend.

The Authority understands that some situations can be difficult and lead to frustration; however, the Authority is committed to promoting an environment where everyone feels listened to and respected and is not subjected to unacceptable behaviour. Further guidance is provided in our Customer Notice, available on our [website](#).

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 7th July 2026 (Item 3)
- (2) To consider any Matters Arising from those Minutes.

4. Business of Urgency: To introduce any business which by reason of special circumstances the Chairperson, after consultation with the Chief Executive, is of the opinion should be considered as a matter of urgency and to resolve when such business should be ordered on the Agenda.

5. 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.

6. Appeal Decisions

6.1 To note the decision of the Secretary of State in relation to the appeal relating to Orchard View, Rodhuish, Minehead, TA24 6QZ. Ref:APP/F9498/C/24/3357392 (Item 6.1)

6.2. To note the decision of the Secretary of State in relation to the appeal relating to Land adjacent to Archer House, The Steep, Dunster, TA24 6FD. Ref: APP/F9498/X/24/3340785 (Item 6.2)

7. Development Management: To consider the report of the Head of Climate, Nature & Communities on the following:-

Agenda Item	Application No.	Description	Page Nos.
7.1	EXM/26/140/FULL	Application Under Regulation 3 of the Town & Country Planning General Regulations for the proposed installation of Ecoflo Treatment Plant and Borehole - Simonsbath Sawmill, Simonsbath, Minehead, TA24 7SL	1 - 10
7.2	EXM/26/049/FULL	Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for the re-roofing of the west barn, the installation of new windows and doors within existing openings, and the conversion and alteration of existing barn to provide toilet and shower facilities ancillary to the management of the landholding (Amended description) (Amended plans) – Driver Farm, Simonsbath, Minehead, TA24 7LH	1- 33

8. **Application Decisions Delegated to the Chief Executive:** To note the applications determined by the Chief Executive under delegated powers (Item 8).
9. **Site Visits:** To arrange any site visits agreed by the Committee (the next reserve date being Friday, 2nd October 2026 (am))

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

ITEM 3

EXMOOR NATIONAL PARK AUTHORITY PLANNING COMMITTEE

MINUTES of the Meeting of the Planning Committee of Exmoor National Park Authority held on Tuesday, 7 July 2026 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
Mr W Geen	Mr J Patrinos
Mr M Kravis (substitute for Mr T Butt Philip)	Mrs F Smith

11. **APOLOGIES FOR ABSENCE:** Mr T Butt Philip, Mr J Holtom, Mr R Hopley, Dr S Warren and Miss L Williams
12. **DECLARATIONS OF INTEREST/LOBBYING OF MEMBERS/ UNACCOMPANIED SITE VISITS:**
 - Mr J Patrinos received a phone call from the applicant for Item 7.2.
 - All Members received a statement from the agent for item 7.2.
 - Mr M Kelly and Mr W Geen declared an interest against item 7.3 and would leave the meeting at that time.
13. **MINUTES:**
 - i. **Confirmation:** The **Minutes** of the Committee's meeting held on 2 June 2026 were agreed and signed as a correct record.
 - ii. **Matters arising:** There were no matters arising.
14. **BUSINESS OF URGENCY:** There was none.
15. **PUBLIC SPEAKING:** See Minutes 17, 18 and 19 below for details of public speakers.
16. **APPEAL DECISIONS:** The Committee noted the **decision** of the Secretary of State for the appeal at Caravel, 14 Lynmouth Street, Lynmouth, Devon, EX35 6EH. Ref: APP/F9498/C/24/3353696.

DEVELOPMENT MANAGEMENT

17. **Application No: EXM/26/013/FULL**
Location: Land North of Chibbet Post, Exford, Minehead, TA24, 7ND
Proposal: Proposed erection of steel frame building (14.6m x 30.6m)

The Committee considered the **report** of the Head of Climate, Nature and Communities.

Public Speaking:

- 1) Mr Robin Milton - Resident

The Committee's Consideration

An update report was presented, originally reported in May 2026. Members had a site visit prior to this and had seen that the site was not visible from the road unless stopping at the entrance gate.

A lengthy discussion took place on the merits on the application.

Members noted that the application site is part of a small field and that the applicant rents other land, which includes more than 80 acres within the locality.

Members noted that there is an existing building adjacent to the application site. And, that the proposed building would be used to store farm machinery and equipment, and fodder.

Members accepted that the proposal would be for agricultural purposes. That the land requires maintenance, that the equipment to be stored is necessary for agricultural purposes, and that the size and scale of the proposed building is commensurate with this agricultural need.

Moreover, notwithstanding Officers concerns, Members considered that although the application site is elevated and the building would be set away from the hedgerow, it would not constitute isolated development. This is due to the context of the existing building, and its siting would continue to benefit from hedgerow boundaries, which would reduce its visual impact from the B3223, as well as a backdrop of ground.

And due to its siting and scale, together with the context of existing development, and subject to landscaping, which can be conditioned, Members did not consider the building would be prominent or significantly incongruous in the landscape.

Taking account of the characteristics of the area, Members considered that the proposal would conserve the scenic beauty and character of the landscape.

As such, on reflection and thorough assessment, Members concluded that the application could be approved contrary to Officers recommendation. This would be subject to conditions delegated to officers including that the building is only used to house agricultural machinery and controls on external lighting, hedgerow planting and biodiversity net gain.

RESOLVED: To approve planning permission subject to conditions delegated to Officers, including:

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 the Planning & Compulsory Purchase Act 2004).

2. The development hereby permitted shall not be carried out except in complete accordance with the following approved plans, as amended:

A105.VIGARS.26 Proposed Floor Layout Plan - Additional

A202.VIGARS.26 Proposed and Existing Cross Sections - A-A and B-B - Additional

A201.VIGARS.26 Rev: A Proposed Elevations

A100.VIGARS.26 Rev: B Location Plan - Amended

A102.VIGARS.26 Rev: B Proposed Site Plan - Amended

Reason: For the avoidance of doubt and to ensure the development accords with the approved plans.

3. The building hereby permitted shall not be used other than solely for agricultural purposes as defined in Section 336(1) of the Town and Country Planning Act 1990.

Reason: To protect the character and amenities of the local landscape and acknowledging the location of the application site.

4. Notwithstanding Condition 3, the building hereby approved, shall not be used to house livestock.

Reason: To confirm the terms of the planning permission and in the interests of air quality and potential impacts on protected sites (South Exmoor Site of Special Scientific Interest) in accordance with Policies CE-S3 and SE-S4 of the Local Plan.

5. Prior to the commencement of the development, hereby approved, details of the proposed new bank and hedge to the north eastern and south eastern sides of the building, hereby approved, including the native species and numbers to be used and details of their management shall be submitted to and approved in writing by the Local Planning Authority.

Once agreed, the works shall be carried out in accordance with the agreed details within the first planting season following the substantial completion of the building or the first occupation of the building, whichever is the sooner.

Reason: To safeguard the character and appearance of the landscape of this part of the National Park in accordance with Policies GP1, CE-S1 and CE-D1 of the Exmoor National Park Local Plan 2011-2031

6. Prior to the installation of any external lighting on site, a "lighting design strategy for bats" shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall: a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places, foraging habitat and commuting routes; and b) show how and where external lighting will be installed (for example through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interest of conservation of protected species and habitats and the character and appearance of the landscape, including Exmoor's Dark Night Sky in line with Policies CE-S2, CE-S3 and CE-S6 of the Local Plan.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification), express planning permission shall be obtained for any development under Class R of Part 3 of

Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015.

Reason: To control any subsequent development of commercial activities in the interests of the character and appearance of the landscape, highway safety and development strategy of the Exmoor National Park Authority Local Plan 2011-2031.

8. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
 - a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. The management measures specified in the approved HMMP shall be fully adhered to for the entirety of the 30-year period following the completion of development.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

9. Notice in writing shall be given to the Authority when the:
 - a) Habitat Management and Monitoring Plan (the HMMP) has been implemented; and
 - b) habitat creation and enhancement works as set out in the HMMP have been completed.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

10. Within 6 months of the development being brought into use:
 - a) the habitat creation and enhancement works set out in the approved Habitat Management and Monitoring Plan (the HMMP) shall have been completed; and
 - b) a completion report, evidencing the completed habitat enhancements, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

11. The created and/or enhanced habitat specified in the approved Habitat Management and Monitoring Plan shall be managed and maintained in accordance with the approved HMMP and monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

18. Application No: EXM/26/026/FULL

Location: Rose Cottage, Simonsbath to Lynton Road, Exmoor, Minehead, TA24 7SH

Proposal: Proposed conversion of barn to provide extended family dwelling with disabled access (retrospective)

The Committee considered the **report** of the Head of Climate, Nature and Communities.

Public speaking:

- 1) Rebecca Tomalin - Exmoor Parish Council
- 2) Dan Day-Robinson – Agent
- 3) Francis Schott - Applicant

The Committee's Consideration

Members discussed the report and application extensively. A debate of the pertinent issues took place whilst giving great weight to policy and planning considerations.

Notwithstanding Officers concerns, and whilst Members acknowledged that the proposal would conflict with Clause 4 of Policy HC-D5, it was noted that the proposal was acceptable in all other respects.

Nevertheless, Members gave significant weight to the conflict with Local Plan Policy HC-D5.

However, Members also noted that the applicant has a pressing need for additional accommodation, where care and support can be provided to disabled relatives.

This is a matter to which Members also gave significant weight.

Moreover, noting the particular circumstances in this case and the difficulty in registering a Planning Obligation (s106) against the title, Members were satisfied that the Local Plan planning objectives can be adequately secured by conditions to ensure that the extended family dwelling is occupied in accordance with Clause 3 of Policy HC-D5, and that it is occupied in conjunction with the existing dwelling.

As such, on balance, for these reasons, Members concluded that planning permission should be granted.

However, acknowledging that the red line application site would need to be amended, Members resolved to grant planning permission subject to an amended red line boundary and conditions, which were matters delegated to Officers to resolve.

RESOLVED: To approve planning permission subject to an amended red line application site boundary to encompass Rose Cottage and conditions, which were delegated to Officers to resolve, but comprise the following:

1. The development hereby permitted shall not be carried out except in complete accordance with the following approved plans:***approved plans to be listed***

Reason: For the avoidance of doubt and to ensure the development accords with the approved plans.

2. The development hereby approved, shall be carried out in accordance with the recommendations within Section 5 of the Ecological Assessment for Bats and Breeding Birds, Report Number: KB24/157v2.0, Dated: 21/01/2026.

Reason: To ensure the proposal meets the requirements within the National Planning Policy Framework, allowing the development to contribute to and enhance the natural environment by minimising impacts on and providing biodiversity enhancement, and in accordance with Policy CE-S3 of the Exmoor National Park Local Plan 2011-2031.

3. No development, hereby approved, shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the development commences and provides written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority by the ecologist. In no circumstances should netting be used to exclude nesting birds.

Reason: In the interests of nesting wild birds and in accordance with ENPA Local Plan: Policy CE-S3 Biodiversity and Green Infrastructure.

4. The dwelling hereby approved shall not be occupied other than by a person(s) and their dependants who has a minimum period of 10 years or more in the last 30 years permanent and continuous residence in the parish or an adjoining parish; and, they are immediate family by virtue of being a direct descendant or antecedent of the permanent occupier of the existing dwelling known as Rose Cottage and within the redline application site; or, exceptionally, they are a dependent relative who has an essential need to live close to another person, the need arising from age, family or medical reasons, of the permanent occupier of the existing dwelling known as Rose Cottage and within the redline application site.

The Occupants shall supply to the Local Planning Authority (within 14 days of the Local Planning Authority's request to do so) such information as the Local Planning Authority may reasonably require in order to determine compliance with this condition.

Reason: In accordance with the policies of the Development Plan whereby the purpose of the housing policies is to meet the needs of local communities preventing new housing stock being used as a second or holiday home to help maintain the social wellbeing of the community.

5. The dwelling hereby approved shall not be occupied other than in conjunction with the existing dwelling known as "Rose Cottage" and within the red line application site.

Reason: In accordance with the policies of the Development Plan whereby the purpose of the housing policies is to meet the needs of local communities and to ensure that the dwelling is retained as an Extended Family dwelling.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), express planning permission shall be obtained for any development within Classes A, B, C, D and G of Part 1 of the Schedule 2 of the Order.

Reason: To control any subsequent development in the interests of the character and appearance of the building and to ensure that enlargements of

the dwelling are controlled in the interests of the housing stock within the National Park and its Local Plan housing strategy.

7. Prior to the installation of external lighting on the building, a "lighting design strategy for bats" shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places, foraging habitat and commuting routes; and

b) show how and where external lighting will be installed (for example through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of visual amenity, the conservation of protected species and habitats and to protect Exmoor's dark night sky.

19. Application No: 62/49/25/003

Location: Mineswood, Heasley Mill, North Molton – Heasley Mill Methodist Chapel, Road from Lower Fyldon Cross to Heasley Mill, North Molton, Devon, Devon, EX36 3LE.

Proposal: Proposed conversion of redundant Methodist Chapel and School House to 1no Principal Residence dwelling and re-instatement of former miners cottages to 1no affordable local need dwelling)

The Committee considered the **report** of the Head of Climate, Nature and Communities.

Mr W Geen and Mr M Kelly withdrew from the room due to conflicts of interest.

Public speaking:

- 1) Richard Blackmore - Resident
- 2) Robin Milton - Resident
- 3) Leslie Silverlock - Resident
- 4) Elizabeth Stewart - Resident
- 5) Eric Ley - Resident
- 6) Jeremy Dunn – North Molton Parish Council
- 7) Roy Richards - Applicant

The Committee's Consideration

A viability assessment and amended plans had been submitted as part of the updated report. Officers provided clarification on policy, particularly HC-D6 Custom/Self Build Local Need Housing.

Members discussed the application at length noting many of the original issues had now been addressed.

Members noted that there is a long planning history to this site, including with a refused application for a holiday let, and a long period of non-use, and that over a period of more than 10 years, the Methodist Chapel building had continued to deteriorate.

Whilst Members acknowledged that the proposed Principal Residence dwelling conflicted with Policies HC-S1, HC-S2, HC-S4, HC-D6 and HC-D7 of the Local Plan, Members were satisfied that the available evidence demonstrated that it would not be financially viable to convert the chapel as a local need affordable dwelling.

Members also considered that there would be a number of countervailing benefits provided by the scheme, and that there are material planning considerations that provide very good reason not to comply with those mentioned Policies of the Development Plan in this instance.

The benefits include that the scheme overall, would bring heritage benefits, through securing the long-term future of the Chapel and enhancing its immediate setting, which is a Non-Designated Heritage Asset, and recording the remains of the Former Miners Cottages.

Members considered this weighed substantially in support of the scheme.

The proposal would also deliver a much-needed Local Need Affordable Dwelling, as well as a Principal Residential Dwelling, which would be of benefit to the Local Community.

Delivery of the local need affordable dwelling can be secured via a S106 Agreement, which would also address the Second Reason for refusal, which is set out on page 9 of the Update Report.

Members considered it unlikely that these benefits would be achieved in another way, and that the benefits identified weighed substantially in support of the scheme. There would also be economic benefits during construction.

In this case, notwithstanding Officers concerns, Members considered that the material considerations outweighed the conflict with the Development Plan, and this indicates that planning permission should be granted.

As such, Members resolved to grant planning permission subject to a Section 106 Agreement being secured to ensure that occupancy of the Local Need Affordable dwelling is confined to persons in local affordable housing need in perpetuity and to ensure that the Local Need Affordable dwelling is completed and available for occupation prior to the occupation of the dwelling approved within the Methodist Chapel, and subject to conditions, which were delegated to Officers to produce.

RESOLVED: To approve planning permission subject to Section 106 Agreement to ensure that the occupancy of the Local Need Affordable dwelling is confined to persons in local affordable housing in perpetuity and to ensure that the Local Need Affordable dwelling is completed and available for occupation prior to the occupation of the dwelling approved within the Methodist Chapel, and subject to conditions, which were delegated to Officers to resolve, but comprise the following:

1. Standard time limit
2. Approved plans
3. Removal of permitted development rights for extensions
4. Flush fitting conservation roof lights
5. Surface water drainage

6. Underground services
7. Self-build occupancy condition on the dwellings
8. Historic building recording for the chapel
9. Historic building recording for the former miners cottages
10. Works carried out in accordance with the enhancements and recommendations of the submitted ecological impact assessment
11. Copy of the licences from Natural England prior to commencement
12. No works to be carried out between 1st March – 31st August inclusive, unless check for nesting birds carried out
13. External lighting condition – lighting strategy for bats
14. Construction of environmental management plan
15. Principal residence occupancy condition on the chapel
16. Prior to commencement for details of foul drainage provisions
17. Land contamination
18. Construction hours
19. Timber windows and doors
20. Natural slate roof
21. Area allocated for parking only available prior to first occupation and used for parking of vehicles in connection with the development
22. Consolidated surface on, at least, first 5 metres from road side edge of access
23. Access gates

Mrs F Nicholson and Mrs F Smith left the meeting at 4.15pm

20. **SCHEDULE OF SECTION 106 AGREEMENTS:** The Committee noted the **schedule** of Section 106 Applications being undertaken by Devon County Council on behalf of Exmoor National Park Authority.
21. **APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE:** The Committee noted the **decisions** of the Chief Executive determined under delegated powers.
22. **SITE VISITS:** It was not anticipated that there would be an August Planning Committee, the next meeting would take place on 1st September. If there were any site visits to arrange, these would take place on the morning of the reserve date of Friday 28th August 2026.

The meeting closed at 4.26pm

(Chairperson)

Appeal Decision

Site visit made on 18 June 2026

by Andy Harwood CMS MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2026

Appeal Ref: APP/F9498/C/24/3357392

Land known as Orchard View, Rodhuish, Minehead TA24 6QZ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended) (the Act).
- The appeal is made by Mrs Tracy Stevens against an enforcement notice issued by Exmoor National Park Authority (NPA).
- The notice was issued on 15 November 2024.
- The breach of planning control as alleged in the notice is: (A) Without planning permission and within the last 10 years: (1) The unauthorised use of a shepherd's hut (shown in the photographs annexed as Appendix A to this notice) sited on the Land for residential purposes.
- The requirements of the notice are to: Cease the unauthorised use of the shepherd's hut located on the Land for any overnight stays/occupation either as residential and/or holiday let accommodation or any other use not authorised by the National Park Authority.
- The period for compliance with the requirements is: 6 months.
- The appeal is proceeding on the grounds set out in section 174(2)(a), (b), (c) and (d) of the Town and Country Planning Act 1990 (as amended).

Decision

1. The enforcement notice is quashed.

Preliminary Matters

2. The appellant has made various complaints about how the NPA has dealt with their investigations and also the Planning Inspectorate's handling of the proceedings. The appellant states that as well as those complaints, they have complained to the ombudsman and to their Member of Parliament although those complaints are not before me although have been referred to. The complaints to the Planning Inspectorate have been considered and responded to.

The Enforcement Notice

The allegation

3. The notice relates to the use of the shepherd's hut. As well as the address of the property, the land referred to in section 2 of the notice is described as the land "edged red on the plan attached to this notice.....". This implies that the use as alleged only applies to the shepherd's hut. This is almost as if the allegation relates to a building.
4. In the reasons for issuing the notice at section 4 and elsewhere including the appeal submissions, the shepherd's hut is referred to as a caravan. Case-law has held that for a structure that is at face value a caravan to become a building, and thus operational development rather than a use of land [as argued by the appellant under their appeal under ground (b)], there must be a substantial degree of

affixation to the land on which it stands. Caravans are defined within the 1960 Act¹ any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer), and any motor vehicle so designed or adapted. From what I saw, it appears that the shepherd's hut which is clearly internally adapted for human habitation is mobile, being on a chassis and wheels with a tow-hitch. Although it is connected to services including a vertical waste-drainage pipe, a waste disposal unit as well as a water-supply and electricity supply, that is usually the case for caravans that are on permanent sites. It does not make them buildings. I have no evidence that it is too heavy to practically move in the normal way by towing or even by lifting onto a trailer. It would appear to be simple to disconnect the services. Based on what I have read and saw as a matter of fact and degree, the shepherd's hut remains mobile and is a caravan.

5. The allegation therefore must relate to a use of the land upon which the caravan has been positioned. The notice refers to the "unauthorised use" rather than a material change in use which is the term used in s55 of the Act for the meaning of "development" which in turn s57 defines when planning permission is required. More fundamentally however, there is no attempt to define the planning unit.
6. It has been held that the planning unit is usually the unit of occupation unless a smaller area can be identified which, as a matter of fact and degree, is physically separate and distinct and occupied for different and unrelated purposes. The concept of physical and functional separation is key to this.
7. Clearly, the planning unit must include a broader area than just the land directly underneath the caravan. If nothing else, the access into the site over the lawned area that I saw land around the caravan with domestic items such as a clothes airer, a parked vehicle and a small garage would appear to be related to the use of the caravan for residential purposes. The plan with the Lawful Development Certificate (LDC – ref 6/26/19/203) showed an application site boundary that included the whole of the roughly triangular area which includes where the caravan and domestic items are currently positioned as well as the narrower area of higher land where there is a substantial single storey building constructed of stone, timber and with clay tiles. It can be conclusively presumed, by reason of s191(6) of the Act, that on 10 July 2019 (the date of the application) that the use for the "siting of 1 No caravan" on that site as outlined on the application was lawful. No other uses were covered by that application or certified at that time as being lawful.
8. The larger area used as the application site on the LDC is not currently subdivided from the land upon which the caravan is positioned. There is a stone-wall part-way across alongside the small garage and the land with the larger building. The well-manicured grass across the surface of all of the land gives it a unifying appearance. I note from photographs provided by the appellant in their statement that there had at some time in the past, prior to the LDC application, been more separation of the parts of the site. It seems probable from information available to me that site outlined on the LDC is probably the current planning unit. The large building uphill from the caravan appears to be within that planning unit. The appellant states that this is used as "*a Hotel as part of the flexible use allowed.*" They also refer to its use as "C1" which I have taken to me Class C1 of the Use

¹ s29 Caravan Sites and Control of Development Act 1960

Classes Order² which is use as a “hotel or as a boarding or guest house where, in each case, no significant element of care is provided”. I do not have evidence about those matters and make no judgement about them other than at face value the appellant is saying there is another use.

9. Even if the appellant is incorrect in what she says about the use of that building, it indicates that there may be another use of the planning unit in addition to the residential use of the caravan. As such, there may be various ways the use of the wider planning unit can be considered. One of those is a mixed use of the site for the siting of a residential caravan for residential purposes along with a further primary use the large building is being put to. Mixed uses where there may be two or more primary uses taking place within the same planning unit cannot be disaggregated into their separate primary uses – the mix of uses is a use in its own right. Another alternative could be that the building is used ancillary to the wider use of the planning unit for what could in effect be a caravan site. I do not have sufficient evidence to know whether or not that is the case. Whilst I cannot reach a view given the lack of evidence on these matters, it does appear that the notice is flawed in those respects.

The requirement

10. The requirement of the notice in section 5 includes at the end, the words “or any other use not authorised by the National Park Authority.” Such a requirement is imprecise and gives no certainty as to what uses have to cease. Furthermore, it seems to be attempting in an undefined way prevent “any other” use rather than just requiring the alleged use to cease. An enforcement cannot be used to be some sort of all encompassing tool to prevent future undefined unauthorised uses. A notice can only address the use that are alleged to have already taken place. The notice is clearly going further than an enforcement notice should go in its requirements and in this form, it is not therefore a valid requirement.
11. The earlier part of the requirement relating to “any overnight stays/occupation either as residential and/or holiday let accommodation” is also rather confusing. It does not seek the cessation of the use for “residential purposes” that the notice alleges have taken place. I recognise that the wording of the requirement may however be reflecting the attempted limitations that were set out on the LDC.

The Enforcement Notice – Injustice

12. I therefore have concerns with how the notice has been issued. I have a duty to get a notice in order where I can. I have broad powers to correct or vary the notice under s176(1)(a) and (b) but this can only be undertaken where it would not cause injustice to the appellant or to the NPA.
13. The plan attached to the notice appears to be simplistic although a plan is not essential to identify the site or the breach. However, the plan also clarifies how the NPA has approached describing the allegation. The allegation relates to a use of land and not a building and they have not considered the broader site and whether there is any other use, including any other primary use or uses within the planning unit. If I were to broaden the scope of the allegation in terms of area or uses referred to, neither main party has had an opportunity to make representations

² The Town and Country Planning (Use Classes) Order 1987 (as amended), Schedule 1, Part C, Class C1

about that. I have also not had detailed evidence about other possible use or uses within the same planning unit.

14. The requirement is currently invalid. I could remove the reference to “any other use not authorised by the” NPA which would reduce the scope of the notice. That would not cause injustice. The NPA is concerned about the residential use of the caravan although it is not absolutely clear why they have not simply required the cessation of the residential use. I could also simplify that although again, I do not know whether there are other activities within the planning unit that need to be addressed.
15. These matters can be complicated particularly where there are implications for under enforcement by reason of s173(11) of the Act. Complying with an enforcement notice has implications for the lawful use of the land and unless these matters are correctly identified and the notice correctly worded, there could be unintended consequences for both main parties.

Conclusion

16. I have concerns about the way in which the notice has been drafted. I am also concerned that if I were to use my powers under s176(1)(a) and (b) of the Act, it could cause injustice to both the NPA and the appellant. If the notice is quashed on this basis, it does not affect the ability of the NPA to reconsider the matter.
17. For the reasons given above I conclude that the enforcement notice does not relate to what appears to be a wider planning. There has also been no reference to all of the elements of what may potentially, from what I am told, be a broader mix of uses within the planning unit. There are also flaws with the way in which the requirements have been worded.
18. It is not open to me to correct the errors or vary the notice in accordance with my powers under section 176(1)(a) and (b) of the Act, since injustice would be caused were I to do so. The enforcement notice is invalid and will be quashed. In these circumstances the appeals under grounds (a), (b), (c) and (d) as set out in section 174(2) of the 1990 Act as amended do not fall to be considered.

Andy Harwood

INSPECTOR

Appeal Decision

Site visit made on 18 June 2026

by **Andy Harwood CMS MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 August 2026

Appeal Ref: APP/F9498/X/24/3340785

Adj to Archer House, The Steep, Dunster, Minehead, Somerset TA24 6FD

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) (the Act) against a refusal to grant a certificate of lawful use or development (LDC).
- The appeal is made by Mr Steven Palmer against the decision of Exmoor National Park Authority.
- The application ref 6/10/23/015 dated 17 August 2023 was refused by notice dated 21 February 2024.
- The application was made under section 191(1)(a) of the Act.
- The use for which a certificate of lawful use or development is sought is the use of land as a garden.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Park Authority (NPA) within their officer report which led to their decision states: *"The assertion is that the land to the Northeast of Archer House, as identified in the submission, is within the property's domestic curtilage and qualifies as residential land (garden)."* That is incorrect as the application form clearly in its description states "Use of land as garden." A curtilage is not a use of land and what may be described as a garden may not be within a curtilage of a building.
3. There is no definition of what a garden is in planning law however. A garden can mean various things from small domestic situations, large areas of landscaped grounds around country houses or communal areas for a number of properties. The appellant has referred to a non-planning legal authority which has not been provided to me. A quotation is given from it which states: *"the relationship between the owner and the land, and the history and character of the land and space. That intention (for use), as found as fact, should be a significant deciding factor."* This seems to be a common-sense approach. The context of this appeal indicates to me therefore that what is being sought here is confirmation of whether or not it is lawful to use the appeal site for recreational domestic enjoyment as a garden by the occupants of one or potentially more than one of the nearby residential properties. The parameters of what was applied for do not necessitate the consideration of whether the land also forms the curtilage of a building.

Main Issue

4. The main issue is whether the NPA's decision to refuse the LDC was well founded. The onus is upon the appellant to prove their case on the balance of probabilities and planning merits are not relevant. However, a principle established in case law is that an appellant's evidence should not be rejected simply because it is not corroborated. If there is no evidence to contradict their version of events, or make it

less than probable, and their evidence is sufficiently precise and unambiguous, it should be accepted.

5. As part of this main issue, it is necessary for me to consider whether what the appellant applied for was lawful on the date of the application, 14 August 2023. Section 191(2) of the Act states that uses and operations are lawful at any time if: (a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and (b) they do not constitute a contravention of any of the requirements of any enforcement notice then in force. There is no suggestion that an enforcement notice is in force on the site in relation to these matters and therefore s191(2)(a) is relevant here.
6. The time limits for taking enforcement action are set out in s171B of the Act. The relevant sub-section applicable for a use is specifies a 10 year period. In considering the main issue, it is necessary therefore to consider whether the use as applied for has taken place and then if it has, whether it was occurring at the date of the application and whether it has been continuous for at least 10 years prior to that date. The material date is therefore 14 August 2013.

Reasons

7. The appeal site is demarcated on the submitted plan with the LDC application by a red-line which defines an area which adjoins the vehicular parking area and other land around the complex of buildings. The land is described as being adjacent to Archer House. The complex of buildings actually includes a number of dwellings, one a detached dwellinghouse and another building has been converted into flats.
8. The NPA's position when refusing the LDC relies heavily upon what the previous owner of the land said in planning application documents in 2019. That application related to the substantial stone building that I saw close to the parking area. The application site boundary for that submission was defined by a red-line which is shown around an access to the north of Archer House with a partly grassed track and around that building. The track provides a line through the site. Alongside that access is a former tennis court on lower land than some other structures including a small greenhouse which in turn is a little down-hill from the stone building. The site is partly divided into different areas primarily by larger trees and shrubs.
9. The land is extensive and separated from the parking area for the residential buildings by robust gates, some fencing and planting. The tennis court clearly shows its previous function being levelled earth with grass and some fence-posts still evident around its perimeter. There are various areas within the appeal site which have different characteristics such as the well-manicured lawns, ornamental flower beds, areas where grasses and flowers are allowed to grow or 're-wild' furthest away from the residential properties. The site is occupied by the appellant who lives in the nearby dwelling. I am satisfied that at the moment, this is all one planning unit which is used for what can be referred to as garden or more precisely an area of land used for domestic recreation for the residents of a nearby dwelling.
10. In 2005 the land was the subject of a planning application for the erection of a glass and aluminium greenhouse "in garden". There seems to be no dispute that this is the greenhouse that I saw on the top-level of the garden, close to the parking area. The NPA refer to an area to the southwest of the former tennis court being a garden area which had formerly been used as a kitchen garden to Archer House.

The NPA also refers to the tennis court being overgrown which I assume is a description at the time of their report in 2023, the appellant's photographs from the sale particulars prepared in 2019 show the tennis courts as a mown area.

11. Noticeable also in the sales photographs is a shed at the northern end of the former tennis court which seems to be similar to the one I saw in a similar position, at my site visit. The sales particulars also show the wider land which appears to be in a similar condition as when I visited. The stone building in the details had domestic items around it such as tables, chairs a parasol and a basketball hoop attached which was present when I visited. There are within those photographs areas which are overgrown but in visual terms, it looks generally very similar to what I saw.
12. The submitted Land Registry title plan is also separated into numbered plots. Plot '4' is the area around the greenhouse with '3' also closely related to that physically on the ground, although '3' also includes the former tennis court. Parcel '3' is also interlinked with area '2' where the re-wilding has happened. The Council has also provided aerial images from 2017, 2018 and 2019. These show the distinct areas although not precisely as divided on the Land Registry plan. There are differing surface textures on each of these areas on the aerial images which are apparent in each of the 3 years. I have no expert aerial image interpretative evidence to assist my consideration of these so I will have to consider what they show for myself.
13. The appellant has provided signed letters from people who live in the flats and who have had knowledge of the land for many years. These are not sworn statutory declarations. The statements nevertheless have a degree of weight but may not carry the weight of statements which have been signed before a legal representative who has explained the penalties under the provisions of the Perjury Act 1911. Reliance can be given to these however where they are sufficiently detailed and consistent. This is established by longstanding case law.
14. In each case, the people writing the letters have known the site for around or more than 10 years including during ownership prior to the appellant. One of these statements describes how the large lawn, a vegetable plot, an orchard and an old tennis court were used for socialising. They also refer to beekeeping and that animals, such as donkeys were kept as pets which were grazed on the parcel of land nearest to the A39 to the north which I have taken to include plot 1 on the Land Registry map. I am satisfied that much of this could constitute use of the land for what has been applied for but the evidence is generalised and lacks precision about the areas of land being referred to and what activities were taking place, particularly towards the northern end of the site. Section 226 of the Act includes within the definition of "agriculture" the use of land as "grazing land" and so if that is why the donkeys were on site, that would seem to fall within that definition.
15. Apart from aerial images, the NPA's evidence is largely based upon things that have been written in the past on previous planning application and appeal documents dating back to 1955. I am not provided with most of those documents. I am told that an application form from that time referred to the land as "garden" although I have no plan of what they were referring to. An appeal inspector is also quoted as saying that the site is an "allotment" garden. Another document refers to the land being vacant and unused, another as rough unused agricultural land. Some of this is not very helpful in demonstrating one thing nor the other but it indicates that there may have been different levels of use over the years or possibly different uses taking place.

16. In the Officer's report for the application submitted in 2019 for the use of the stone building for beekeeping, they refer to the building being within agricultural land currently used for the grazing of animals in separate land ownership to that of Archer House. Whilst ownership may not be critical to what the use of the land is or was at that time, this is a contemporaneous note from a professional which conflicts with the basic level of detail being provided on the letters on behalf of the appellant. At the time of that application, there were also several references within the information submitted by the then applicant by their agent which indicated an intention for agricultural use. However, keeping bees and processing honey is an agricultural activity, although could have been on a small scale which could also be considered as ancillary to the use of the land as a garden. The supporting statement for the application does however state in the introduction "the land in which the application building sits is agricultural land beyond the garden of the appellant's property and is currently used for grazing their animals." This on its face seems to be a description of what that person saw and therefore a reasonable interpretation of the character of the site and activities taking place.
17. The aerial image from 2017 seems to show the areas of the site around the stone building, the track and former tennis courts as well as the greenhouse of similar character to what I saw. The land to the north of them however clearly has a rougher grassed surface on the image with some surface-scarring which in common sense terms appears to be what I would expect when land is grazed by animals with the inevitable uneven wear. This is consistent with there being some agricultural activities by the grazing of animals within that part of the site.
18. Planning documents from the 1950s I am told do add weight to there having been a wider use as garden but I have very limited information about those matters or how continuous they were. By definition within s55(2)(e) carrying out of agriculture in buildings and on land is not "development". Planning permission would not have been required therefore to change the use from garden to agricultural use for the grazing of animals. However, based upon what is before me, that the agricultural use of some of the appeal site which has had an effect on the physical characteristics of the land, may have been in a primary use for agriculture for some of the material period prior to the application. The appellant's evidence is insufficiently precise and unambiguous to indicate that any agricultural activity was merely incidental or ancillary to the enjoyment of a dwelling.

Conclusion

19. On the basis of the evidence provided and on the balance of probabilities, the use of the land within the application site as a garden does not appear to have continued for a period of 10 years prior to the application date. For the reasons given above, I conclude that the Council's refusal to grant a certificate of lawful use or development in respect of the "the use of land as a garden", was well founded and the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the Act.

Andy Harwood

INSPECTOR

Committee Report

Application Number:	EXM/26/140/FULL
Valid Date:	15 June 2026
Target Determination Date:	1 September 2026
Extension of Time:	1 September 2026
Applicant:	Ms Zara Blackmore
Agent:	Mr Elston Adam Elston
Case Officer:	Emma Giffard
Site Address:	Simonsbath Sawmill Simonsbath Minehead TA24 7SL
Proposal:	Application Under Regulation 3 of The Town & Country Planning General Regulations 1992 for the proposed installation of Ecoflo Treatment Plant and Borehole
Recommendation:	Approve with conditions
Reason for bringing before Planning Committee:	This application has been submitted by Exmoor National Park
Pre-commencement conditions agreed:	n/a

Relevant History

54662

Decision: Approved

Decision Date: 02/07/1962

Proposed erection of 11,000 and 415/240 volts overhead electricity lines in the Parishes of Exford and Exmoor in accordance with plan no. TE/9045

6/14/04/102

Decision: Approved

Decision Date: 06/04/2004

Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for the erection of a metal flue in connection with installation of a wood pellet stove

6/14/16/101

Decision: Approved

Decision Date: 01/03/2016

Proposed levelling and re-surfacing of part of the yard to allow the safe handling of timber together with additional external lighting to yard area being re-surfaced. As per amended plan 12.02.16.

Site Description & Proposal

The site is located to the south of Simonsbath House and to the north of the River Barle. The Sawmill dates from 1845 and was converted from a waterwheel powered

mill to a turbine powered mill in the 19th century. Ownership of the Sawmill transferred to Exmoor National Park in 1996, and it was subsequently restored in 2002. The site lies within Flood Zones 2 and 3.

The Sawmill is recognised as a heritage asset of historic significance, providing evidence of the development of milling technology. Its communal value is also considered to be high, as it is a valued public resource. Consequently, the asset is included on the Local Heritage List.

The application seeks planning permission for the installation of an underground Ecoflo treatment plant and associated soakaway, together with a borehole to serve the existing sawmill at Simonsbath.

The proposed development would be situated within the established operational sawmill site and is intended to provide an improved foul drainage system and water supply for the existing facilities.

No external alterations to the sawmill building are proposed. The treatment plant and borehole would be installed below ground level, with only the associated inspection covers visible above ground.

Consultee Representations

Natural England – No Comment

Environment Agency South West – No Objection

ENPA Woodlands Officer -

I have reviewed all the submitted documents, and set out my comments below. I have no overall objection to the proposals, but note that despite there being mature trees on and immediately adjacent to the site, no tree related information has been provided. The proposals do not appear to affect the trees on site, except perhaps at the far West end of the proposed drainage field. I have a slight concern that the excavations for the drainage field may impact upon the root protection areas of the mature trees along the West boundary. If you are minded to grant permission, I recommend that a condition is added requiring no works of any sort to occur within 15m of these trees along the West boundary.

Updated Comments ENPA Woodlands Officer

Providing that the 10m French Drain Soakaway is installed in the location as shown on the proposed site layout plan, and is only 10m long or less, a distance condition with regards to the trees on the West boundary will not be required.

ENPA Ecologist - No Objection

Thank you for consulting me on this application, I have no concerns from an ecological perspective. However, just to note, to meet the criteria for the Biodiversity Net Gain de minimis exemption, the habitat that will be impacted by

the installation of the treatment plant must be restored within 2 years. In line with Local Plan Policy CE-S3 and Appendix 1 of the Exmoor Biodiversity Net Gain Technical Guidance Note we would also expect enhancements for biodiversity. Please install at least one bat box and one bird box either on the building or a tree on site. Bat boxes should be installed on south/west elevations, 3-5m above the ground and bird boxes on north/east elevations 2-3m above the ground. This should be secured by condition.

Exmoor Parish Council - No Response

Representations

Total – Objections	Total – Support	Total – No Objections
0	0	0

Summary of comments:

No letters of representation have been received as part of the consultation process.

Planning Context

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

GP1 Achieving National Park Purposes and Sustainable Development

CE-S1 Landscape and Seascape character

CE-D1 Protecting Landscape and Seascape character

CE-S3 Biodiversity and Green infrastructure

CE-S4 Cultural Heritage and Historic Environment

CC-D1 Flood Risk

CC-D5 Sewerage Capacity and Sewage Disposal

SE-S2 Business Development in Settlements

SE-S4 Agricultural and Forestry Development

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

Planning Considerations

The proposal represents ancillary infrastructure required to support the continued operation and maintenance of the existing sawmill use. The works are limited in scale and are directly related to the functioning of the site.

In principle, the provision of infrastructure necessary for the operation of an established forestry related facility is considered acceptable, subject to the consideration of its impacts on landscape character, heritage assets, flood risk, ecology and drainage.

Principle of Development

The submitted information states that the existing toilet facilities are unsafe and unsustainable and that the proposed treatment plant and borehole are necessary to improve sewage disposal and the water supply at the site.

Local Plan Policy SE-S2 supports proposal for business development within existing business sites in named settlements. The site lies in Simonsbath, which is a named settlement in the Local Plan.

Given that the proposal would provide essential servicing infrastructure associated with an existing operation, with the majority of works taking place below ground and without alteration to the historic sawmill building, the principle of development is considered acceptable.

Historic Environment

Policy CE-S4 of the Local Plan seeks to conserve and enhance Exmoor National Park's cultural heritage and historic environment. The Policy states that development proposals affecting heritage assets, as identified on the Exmoor National Park Historic Environment Record, and their settings, will be considered in a manner appropriate to their significance. Simonsbath Sawmill is a non-designated historic asset that contributes to the cultural and industrial heritage of the National Park and forms part of the wider historic landscape associated with woodland management and timber processing.

Policy CE-S4 also states that Exmoor National Park's local distinctiveness, cultural heritage, and historic environment, will be conserved and enhanced to ensure that present and future generations can increase their knowledge, awareness and enjoyment of these special qualities.

The significance of the sawmill derives from its historic and evidential value as an example of 19th century milling technology, together with its communal value as a publicly accessible heritage resource.

The proposal would result in no harm to the significance or setting of the non-designated heritage asset. The works do not alter the historic sawmill building nor would they affect its character, appearance or setting.

Given the scale and nature of the works, officers consider that the proposal would preserve the significance of the non-designated historic asset. Accordingly, the development complies with Policy CE-S4 of the Exmoor National Park Local Plan.

Landscape Character and Appearance

Policy CE-S1 of the Local Plan states that the high quality, diverse and distinct landscapes and seascapes of Exmoor National Park will be conserved and enhanced. It requires that development proposals are informed by, and complement, the distinctive characteristics of the landscape character types and areas identified in the Exmoor National Park Landscape Character Assessment, as well as the seascape character areas and types identified in the North Devon and Exmoor Seascape Character Assessment. The Policy further requires that proposals have regard to, and are appropriate in terms of their impacts on, the conservation of

significant landscape and seascape attributes. In this context, opportunities to conserve, enhance and restore important landscapes and seascapes, including the minimisation of existing visual detractions, are encouraged.

The treatment plant is predominantly underground and therefore It would not alter the character of the landscape or harm visual amenity. The scale and design of the proposed infrastructure are proportionate to the operational requirements of the sawmill and would preserve the character and appearance of the surrounding landscape. The proposal therefore accords with Policies CE-S1 of the Exmoor National Park Local Plan.

Ecology and Biodiversity

With regard to ecology and biodiversity, Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 states that: “Without prejudice to the preceding provisions, a competent authority, in exercising any of its functions, must have regard to the requirements of the Directives so far as they may be affected by the exercise of those functions.”

As such, the Local Planning Authority consults its internal ecologist where appropriate to ensure that any implications under the Conservation of Habitats and Species Regulations 2017 are properly assessed and addressed as part of the decision-making process.

Furthermore, Policy CE-S3 of the Local Plan states that the conservation and enhancement of wildlife, habitats and sites of geological interest within the National Park will be given great weight and also that development likely to cause harm to legally protected species, or lead to the loss of or damage to their habitats, will not be permitted unless this can be mitigated or then offset so that local populations are at least maintained.

Officers note that the Exmoor National Park Authority Ecologist has reviewed the proposals and raises no objection. The works are of a limited scale and are located within an existing operational sawmill site. No significant ecological impacts have been identified.

The Ecologist notes that, in order to satisfy the de minimis Biodiversity Net Gain exemption criteria, any habitat disturbed during installation works should be reinstated within two years of completion. In addition, biodiversity enhancements should be secured through the installation of at least one bat box and one bird box on the site.

The Authority's Woodland Officer has reviewed the proposal and raises no objection. It is confirmed that the soakaway will be located as shown on the submitted plans and limited to a length of 10 metres or less. On that basis, no adverse impacts on the root protection areas of nearby mature trees are anticipated.

A condition is recommended requiring the reinstatement of any disturbed habitat and the provision of biodiversity enhancement measures, including bird and bat boxes. In light of the foregoing the proposal is considered to accord with Policy CE-S3 of the Exmoor National Park Local Plan.

Flood Risk

Policy CC-D1 addresses flood risk management within the National Park and requires that, where appropriate, proposals be supported by a site specific Flood Risk Assessment (FRA).

The application site lies within Flood Zones 2 and 3. The proposed development comprises essential utility infrastructure associated with an existing use. The works are largely below ground and would not introduce vulnerable development, impede flood flows, increase site levels or result in the loss of flood storage capacity.

The Environment Agency has been consulted and raises no objection to the proposal. Having regard to the nature and scale of development proposed, the application is considered to comply with Policy CC-D1 of the Exmoor National Park Local Plan.

Sewerage Capacity and Disposal

Policy CC-D5 permits off mains sewerage where it can be demonstrated that no unacceptable harm to public health, amenity, or environmental quality.

The current toilet facilities have odour and health and safety issues. The proposed Ecoflo sewage treatment plant represents a sustainable solution that will provide two toilets. The plant is non-electric and uses 100% natural, renewable and compostable filter to remove wastewater pollutants.

The proposal complies with Policy CC-D5, as it provides an appropriate off-mains drainage solution. The development is considered acceptable in drainage terms.

Other Matters

There are no residential neighbours directly adjoining the site. The proposals are not considered to harm the living conditions of residential neighbours.

Human Right

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.

Conclusion

The development would provide essential infrastructure necessary for the continued operation of the sawmill and would replace the existing drainage arrangement.

The works would be largely concealed below ground and would preserve the character and appearance of the National Park, the significance of the non-designated heritage asset, and the amenities of the locality. It is considered that the proposal would not give rise to unacceptable impacts on ecology, arboricultural interests, flood risk or drainage.

The proposal therefore accords with Policies GP1, CE-S1, CE-D1, CE-S3, CE-S4, CC-D1, CC-D5 and SE-S4 of the Exmoor National Park Local Plan and the of National Planning Policy Framework. Accordingly, the application is recommended for approval subject to the conditions set out below.

Recommendation

Approved with Conditions

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 the Planning & Compulsory Purchase Act 2004).

2. The development hereby permitted shall not be carried out except in complete accordance with the following approved plans:

3314-100	Location Plan & Existing Site Plan
3314-200	Proposed Site Block Plans
3314-201	Proposed Site Layout Plan

Reason: For the avoidance of doubt and to ensure the development accords with the approved plans.

3. Within three months of the completion of the approved treatment plant and bore hole, at least one bat box and one bird box shall be installed within the application site.

The bat box shall be installed on a south or west facing elevation of a building or suitable tree at a height of between 3 and 5 metres above ground level.

The bird box shall be installed on a north or east facing elevation of a building or suitable tree at a height of between 2 and 3 metres above ground level.

Reason: To secure biodiversity enhancements in accordance with Policy CE-S3 of the Exmoor National Park Local Plan and the Exmoor Biodiversity Net Gain Technical Guidance Note.

4. Any habitat disturbed as a result of the approved development shall be reinstated to its former condition within two years of the completion of the development.

Reason: To ensure compliance with the Biodiversity Net Gain de minimis exemption criteria and to conserve and enhance biodiversity in accordance with Policy CE-S3 of the Exmoor National Park Local Plan.

Informatives

1. POSITIVE & PROACTIVE STATEMENT

This Authority has a proactive approach to the delivery of development. Early preapplication engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work

positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome.

2. BAT AND BIRD INFORMATIVE

The applicant and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during works it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

The applicant and their contractors are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during works it is recommended that works stop until the young have fledged and advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity. Also, if there is any scaffolding being constructed as part of the works then please ensure that any potential bat entry points to the roof are not blocked.

3. BIODIVERSITY NET GAIN EXEMPTION

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Exmoor National Park Authority. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

BNG is not required because the application falls below the de minimus threshold.

4. MONITORING OF DEVELOPMENT

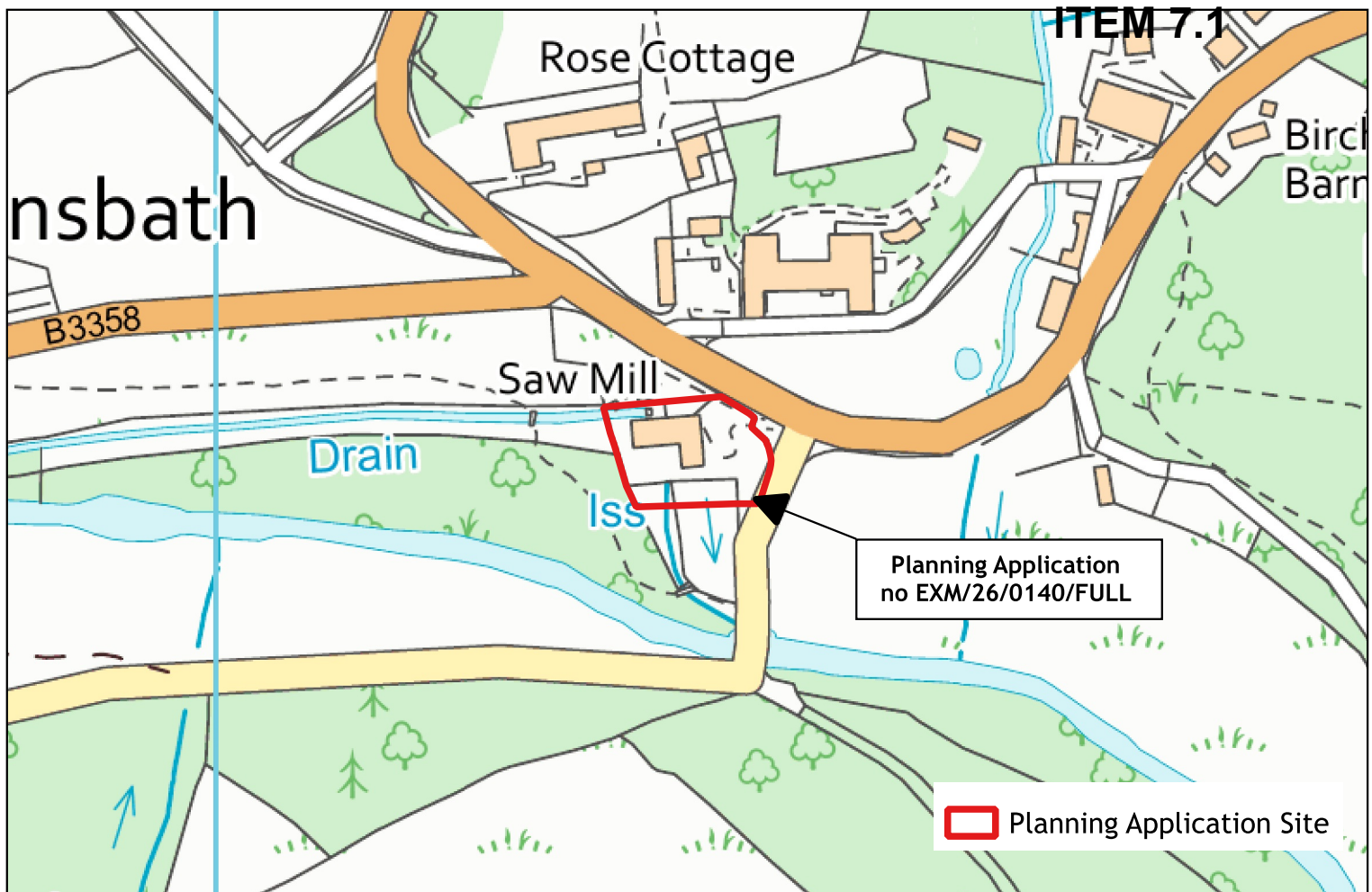
The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved

plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email plan@exmoor-nationalpark.gov.uk.

5. CONDITIONS AND INFORMATIVES

Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts. Given the High Court's interpretation of the Planning Acts and their lawful implementation it is unlikely that the Local Planning Authority will be able to agree to a sample/details after the commencement of works if that sample/details should have been approved prior to commencement. If a sample/detail is not agreed as required prior to commencement and works have started then it is likely that this matter may only be able to be rectified by the submission of another application. To avoid delay, inconvenience and the need to submit a further application, please ensure that all appropriate details/samples are submitted and agreed at the specified time.

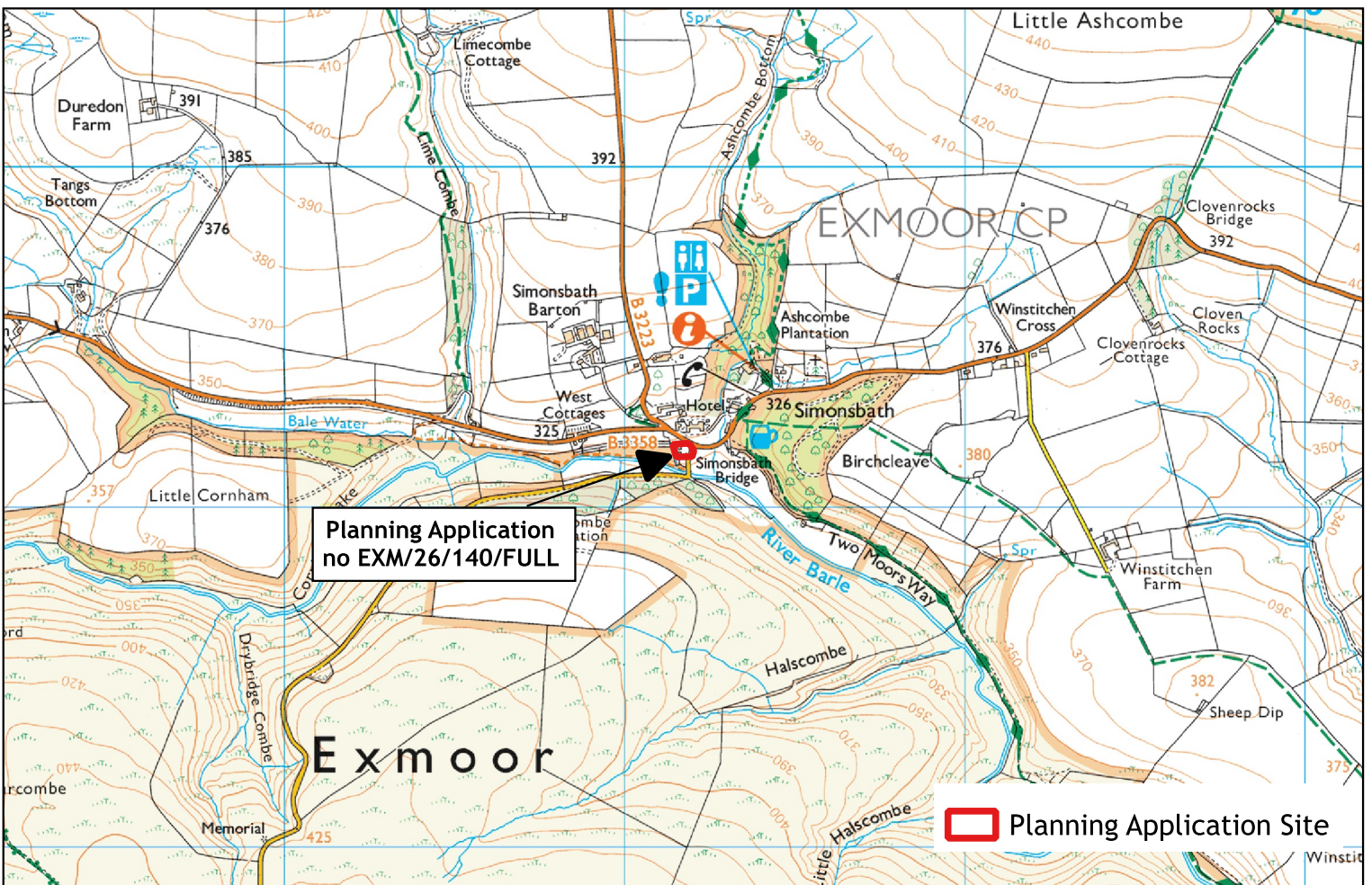
Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications. It will be necessary to adopt a formal approach and that if changes to approved plans are proposed then it will be necessary to make a new planning application. Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.



Site Map

Scale 1:2,500

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Overview Map

Scale 1:20,000

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Committee Report

Application Number:	EXM/26/049/FULL
Valid Date:	18 February 2026
Target Determination Date:	20 May 2026
Extension of Time:	4 September 2026
Applicant:	Mr Thurlow Mr Thomas Thurlow
Agent:	Mrs Dehaini Cerys Dehaini
Case Officer:	Joe White
Site Address:	Driver Farm Simonsbath Minehead TA24 7LH
Proposal:	Application Under Regulation 3 of The Town & Country Planning General Regulations 1992 for the re-roofing of the west barn, the installation of new windows and doors within existing openings, and the conversion and alteration of existing barn to provide toilet and shower facilities ancillary to the management of the landholding (Amended description) (Amended plans)
Recommendation:	Approve subject to conditions
Reason for bringing before Planning Committee:	Exmoor National Park Authority is the applicant. And, the Officer recommendation is contrary to that of Exmoor Parish Council.
Pre-commencement conditions agreed:	Yes

Relevant History

GDO 09/16

Decision: Withdrawn

Decision Date: 11/09/2009

Prior notification for the installation of an underground tank for the collection of silage effluent.

GDO 20/05

Decision: Prior Approval Not Required

Decision Date: 03/06/2020

Prior notification for the proposed partial demolition and replacement of existing barn (30.48m x 9.14m) together with erection of extension (27.43m x 1.52m).

GDO 21/02

Decision: Prior Approval Not Required

Decision Date: 06/04/2021

Prior notification for the proposed creation of track (55m x 6m).

GDO 25/03

Decision: Prior Approval Not Required

Decision Date: 01/04/2025

Prior approval for the proposed demolition of stock building, silage clamp, surrounding concrete apron and removal of sheep dip and pens. Amended description.

GDO 24/02

Decision: Prior Approval Not Required

Decision Date: 10/04/2024

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.

6/14/82/001

Decision: Approved

Decision Date: 13/04/1982

Proposed use of land at Driver Farm, Simonsbath, as a site for a caravan, as described in the plans and drawings submitted

EXM/26/077/FULL

Decision: Approved with Conditions

Decision Date: 03/06/2026

Application Under Regulation 3 of The Town & Country Planning General Regulations 1992 for the proposed installation of PV array, battery storage and new generator, replacement of asbestos slate roof with natural slate and replacement windows and doors, and erection of rear porch, gable end lean-to, together with, installation of package treatment plant.

Site Description & Proposal

The application site is Driver Farm, which lies north of the B3358 and west of Simonsbath. The farm is one of the original farmsteads built by the Knights on Exmoor. The farmstead is depicted on the 1st Edition Ordnance Survey map. The house was constructed in 1847 and sits within a courtyard of traditional farm buildings, that lie to the south. It was purchased by the Fortescue estate in 1879 and later became part of the Emmett's Grange estate, before being sold to Somerset County Council and is now owned by Exmoor National Park Authority. Whilst the farmhouse is not a Listed Building, it is a non-designated heritage asset.

The building complex lies adjacent to the Pinkworthy and Driver Farm Site of Special Scientific Interest (SSSI). The SSSI was notified on 7 January 2021 for grassland fungi and grassland.

The site lies within the 1km zone for the Critical Buffer Zone of the Dark Sky Reserve, just outside the Core Zone.

The application has undergone several amendments during the course of its consideration, including revisions to the description of development. Following consultation responses and further assessment, the scope of the proposals has

been reduced. Notably, proposals for a campsite and the change of use of the west barn have been removed from the scheme.

The application now seeks permission for the re-roofing of the west barn, the installation of replacement windows and doors within existing openings within the west barn, and the conversion and alteration of existing barn to provide toilet and shower facilities ancillary to the management of the landholding. The proposals are therefore of a more limited scale, and the most recent revision were subject of re-consultation on 23 July 2026.

The scheme also includes the removal of the boiler house and oil tank base from the north east elevation of the barn. The main roof over the Threshing Barn, Cart Shed and Yearlings shed would be re-covered with a natural slate roof covering. The lower archway on the north east elevation would be repaired following the removal of the boiler house and then re-opened below the archway.

Timber boarded doors would be installed in both arched openings and a new casement fitted in the opening above.

The Yearlings shed section of the barn would have the doorway lintel raised to provide sufficient head height for access. Replacement timber door and timber casement would be provided to the north west elevation of the Threshing Barn.

Structural repairs would be carried out in accordance with the Structural Inspection Report and Urgent Works prepared by Bea Engineering Design. These include targeted deep repointing and stonework reconstruction, tying internal and external walls back together, and targeted repair or replacement of structural roof timber.

The mono-pitch implement shed would be re-roofed. A new doorway would be installed on the south west elevation to accommodate a passageway. The north east elevation would be enclosed and the space would be converted to provided shower and toilet facilities.

Consultee Representations

Future Landscapes Officer – COMMENTS DATED 22/05/26

Amended elevations have been submitted following concerns over the large areas of glazing. Amendments have been made to the West Barn elevations to reduce the potential light spill from the building. The proposals balance getting enough daylight into the internal spaces, retaining the integrity of the building character and minimising light spill. Given the proximity of the farmstead to the Core Zone of the dark sky reserve, these are welcomed amendments that do not compromise the character and integrity of the barn. - The high level panel glazing to the Washroom on the east elevation has been reduced in height and the roof overhang has been extended. - The fully glazed door to Yearlings bunk room on the east elevation has been replaced with a solid timber door with a single vertical vision panel. - The fully glazed door and side panels to the Cart Shed on the east elevation have been replaced with a solid timber door with glazed side panels. - The fully glazed window and side panels to the Cart Shed on the east elevation have been replaced with a glazed vertical windows with timber boarding side panels. - The sliding glazed pocket doors to the Threshing Bay Barn on both the

east and west elevation) remain - the glazed doors are behind the existing timber doors, and are also set well back under the roof overhang. Low Visible Light Transmission (VLT) glass is proposed. The specification can vary considerably (e.g. tinted coating or body tint) so it is requested that this is conditioned to ensure it has a low external reflectance to avoid mirroring. The ecology response includes concern over bird strike with large areas of glazing. Parking area The parking area has been amended and reduced in size. It would provide one main parking area next to the east barn with direct access direct off the track. This will concentrate vehicular movements and parking in one area, compared to the superseded layout, and is an improvement in line with pre-app comments. Removing steep banks where the modern barn was removed will return the ground to a more naturalist profile. Planting and landscaping here and across the application area needs careful consideration to ensure it is in keeping with the character of the setting and farmstead, and it is requested that this is conditioned.

Woodlands Officer – COMMENTS DATED 13/03/26

I have reviewed the submitted information and welcome the provision of a tree survey report, arboricultural impact assessment and tree retention and protection plan. Providing that the recommendations as set out in those documents are adhered to, in particular the erection of the protective fencing prior to any works starting on site, there should be minimal impact on the retained trees from the proposed works.

Exmoor Parish Council – COMMENTS DATED 07/08/2026

Exmoor Parish Council notes the proposed change of use element has been removed from the application in an effort to gain the necessary support from the PC and Highways. Unfortunately the PC continues to object as it believes the access issues must be sorted out first before any work is undertaken. The PC wholeheartedly supports the regeneration of Driver but key to this is safe and sustainable access. The proposed works will create a substantial amount of contractor traffic and deliveries which will lead to the same dangerous scenario of vehicles entering and exiting the site with very limited visibility.

COMMENTS DATED 05/06/26

Exmoor Parish Council has discussed the response from the Transport Consultant and reviewed the amended Design and Access Statement from the applicant. The continuing view that the proposal will reduce traffic movements to and from Driver Farm is nonsensical. “Sufficient and meaningful assessment” has not been provided. As the PC has already noted the use of an AI generated assessment does not represent the actual traffic flows in recent years. Driver has been unoccupied for the last few years and the previous tenant had not farmed the land at scale for some considerable time. To state that the access “.....has been used in a safe manner without any recorded incidents occurring....” is very misleading when traffic flow has been infrequent for years.

The PC fails to see that there is sufficient room for two to three large minibuses to wait safely in the entrance, off the highway. The PC also notes that cost has been raised as a prohibitor in commissioning speed surveys and that it is not possible to amend the visibility splays without significant environmental impacts. It is bewildering that these factors outweigh the safety of visitors (possibly 15 young

people on a minibus with a driver who is unfamiliar with the B3358) and other road users.

The PC would like to see speed surveys carried out to ascertain the actual speed of vehicles travelling along that stretch of the B3358. Anyone who travels along the B3358 regularly will know that vehicles travel in excess of the 40-55mph which is commensurate (according to the Transport Consultant) with the visibility splay, in fact it is far more likely to see vehicles travelling at the national speed limit and often in excess of it!

The PC continues to object to the proposal until safe access can be satisfactorily demonstrated. The PC reiterates its support for the regeneration of Driver but the safety of all road users must be ensured.

COMMENTS DATED 18/04/26

Exmoor Parish Council has discussed the Transport Statement received from Craig Oakes Transport Planning in support of the planned development at Driver Farm. The Transport Statement states that traffic flow to and from the site would decrease and therefore the proposal is a betterment to current usage. Based on this assumption the Transport Statement concludes that there is no need for extensive surveys or localised improvements. As the Transport Statement has been wholly based on an incorrect assumption of reduced traffic flow, and the safety of vehicles accessing the site and those using the B3358 has not been adequately addressed, the PC continues to object to the proposal in its current form.

The baseline used by the Transport Statement to determine whether there would be an increase to traffic is arbitrary and has been determined using AI research. Driver has been unoccupied for the last few years and the previous tenant had not farmed the land at scale for some considerable time. It is absurd to use a daily trip count of 20-30 as the baseline. If historic usage had been at this level (and this is very doubtful) it would have been a long time ago when the volume of traffic using the B3358 was much lower, and much slower! Furthermore, the Design and Access Statement notes that 20-30 car parking spaces will be provided, which presumably means 20-30 vehicles will be accessing the site to park in these spaces. It is very difficult to see how the conclusion of a reduction in traffic flow has been objectively reached.

The Transport Statement notes that while the level of visibility may be below the usual requirements for a new access onto a B road, which is subject to the National Speed Limit, it has been used without issue for a number of years. The Crashmap data notes a single accident in this location, but Crashmap only records accidents which have been reported to the police and resulted in injury to at least one person. It does not give a complete picture and more importantly has no record of near misses. The statement notes that the road network is safe through the local area and nearby villages with no clusters of incidents that would suggest any safety issues. A quick look at Crashmap (see below) shows that there have been a number of incidents along the B3223 and B3224 which are not far from the location site and are very similar to the B3358. Some of these accidents have been serious and, unfortunately, on two occasions fatal.

The Transport Statement does not really show that the access track meets the B3358 at an angle, which severely impacts visibility to pull out safely. While some photos have been included it is notable that none show exactly what a driver can see when waiting to pull out from the access track. The Transport Statement suggests trimming of vegetation could increase visibility, but this will need to be constantly maintained. The dwelling house directly next to the access track can also park a vehicle directly in front of their house which may also impede visibility. The PC believes options are available to make the splay wider so that it is safer for all vehicles and would like to see these explored and considered.

The PC continues to object to the proposal as the content and methodology used in the Transport Statement can not be relied upon and is factually incorrect. The PC would like to see proper tests carried out to measure not only the volume of traffic along this stretch of the B3358 but also the speed at which it passes the access track to Driver. The PC would also like to see a detailed plan to improve the visibility splays and a maintenance programme to ensure vegetation is regularly trimmed. The PC wishes to reiterate that it supports the overall ambition to regenerate Driver but only if this can be achieved with proper and safe access for all road users.

COMMENTS DATED 13/03/26

Exmoor Parish Council has reviewed the planning application at Driver Farm and wishes to object to the proposals. Access to Driver is down a narrow lane with limited/no opportunities for safe passing. This section of the B3358 is 60mph and visibility for both oncoming traffic and those trying to pull out of the lane is very restricted. The Parish Council notes the "light touch" approach to access as described in Section 6 of the Planning, Heritage, Design and Access Statement. The number of parking spaces is quoted as 20-30; however there is no further detail on expected turnover or types of vehicles which may be using the narrow lane. No Travel Plan/Travel Statement/Transport Assessment has been submitted as part of the planning application to explain how the visitors and users of the proposed facilities will safely gain access to and from the site. In the Parish Council's view the application does not comply with the Local Plan's Transport and Accessibility Requirements for Development. The applicant has not assessed the potential transport impacts of the proposed development or set out the measures that will be taken to deal with them. There is no reference as to how accessibility for all modes of transport (pedestrians, cyclists, horse-riders, cars, minibuses, coaches, agricultural machinery) will be safely and sustainably achieved. While the Parish Council may support the overall ambition to regenerate Driver, it unfortunately must object to the proposals in their current form until safe access for all road users both to and from the site, and those travelling along the B3358, can be demonstrated.

Somerset Council Highways – COMMENTS DATED 07/08/26

Further to your email below I have taken the opportunity to consider the additional information from the applicant as well as the further thoughts from the Parish Council on this matter.

I understand from the below that the applicant has scaled back the proposals to something which is of a much smaller scale. Consequently, this will likely mean a reduction in vehicles movements once the scheme is operational. As such from the Highway Authority this element has been addressed.

I note that the principal concern of the Parish Council relates to construction traffic and the material impact on this on the point of access. From a Highway Authority's point of view, we acknowledge that there would be an element of construction traffic associated with any development as it is being brought forward. But this is only for a limited period and will cease once the construction is completed. Consequently, we generally do not include it in are consideration of the impact of the scheme.

Therefore, to conclude, based on the revision to the schemes being proposed it is unlikely to result in a significant increase in vehicle movements within the scheme. As such the Highway Authority has no objection. Although the applicant should note that if they were looking to progress a scheme similar to what they initially proposed it is recommended that they speak to the Highway Authority prior to submitting an application.

COMMENTS DATED 10/07/26

Further to the above application and the Highway Authority's previous observations the applicant has provided some additional information. Having reviewed the details, the Highway Authority has the following observations to make.

Our initial comments noted that no formal trip rates had been provided with the scheme. As such the Highway Authority was in a position whereby it made assumptions on the level of trip rate which would be associated with this scheme. In response the applicant has noted that the farm is currently not operating, but it is accepted that as the use class remains unchanged it could reopen at any time with that use. The applicant is of the opinion that a realistic baseline would be around 20-30 movements per day which is in line with the Highway Authority's initial assumptions.

In terms of the farming use, the applicant has indicated that it is likely that the site will refocus to more of a 'land management' and 'nature recovery' model. There assumption is that this will likely see trip rates reduce as it is considered to be less intensive that a standard farming use. Taking this statement into account, the Highway Authority would tend to agree that a less intensive approach to farming could potentially see a reduction in vehicle movements. However, without any firm details or data it is difficult to ascertain what that would look like. Consequently, the applicant would need to provide further details so that this can be fully assessed.

Turning to the residential use of the site, the applicant has utilised the standard 6-8 movements per unit approach which is based on the TRICS data sets. Consequently, this is acceptable. It is noted that they have highlighted that some of these trips will be reduced given that they will be work related trips but if they are on site then these can be discounted. The Highway Authority would tend to agree, although it should be noted that given the remote location of the site then it

is likely that the level of movements associated with the scheme would be at the upper end (8 movements) so even with a reduction it will still be around the 6 movements per day mark.

Regarding the parking, the Highway Authority's previous response noted the proposal for a car park for 20-30 vehicles. The Highway Authority questioned the need for this amount of parking on site. As part of the additional information the applicant has reduced this figure to 7 which is more appropriate for the proposed use.

Turning to the point of access, the applicant has noted that the access provides a wide of 4.5m which allows two vehicles to pass. Ideally this should be 5.0m. Whilst it is unlikely that there is sufficient space for a vehicle to pull off of the highway to wait to enter the site. In terms of visibility, as set out in the Highway Authority's previous response the B3358 is subject to the National Speed Limit of 60mph as such visibility splays of 215m in both directions would need to be provided. It is note that the applicant has proposed that splays of 95m westbound and 130m eastbound can be achieved. This is a considerable step down from the national guidance. It is noted that the applicant argues that due to the less intensive use being proposed over what the site could potentially be used for that it should be acceptable. Although the Highway Authority notes the argument the proposal would still see an intensification of an access which is sub-standard in terms of visibility in either direction which is a cause of concern.

Therefore, to conclude, the Highway Authority notes the additional information which has been submitted by the applicant and the details in relation to traffic movement and parking. However, the principal concern relates to the point of access and the visibility splays. These are clearly below the 2.4m x 215m required by the Highway Authority.

Consequently, on balance although the Highway Authority notes the comments raised by the applicant it does not override the use of an access with substandard visibility.

Therefore, the Highway Authority raises objection for the following reason. The proposal is contrary to Section 9 of the National Planning Policy Framework (NPPF) and Policy AC D2 of the Exmoor National Park Local Plan 2011-2031 since the proposed access to the proposed development does not incorporate the necessary visibility splays which are essential in the interests of highway safety.

COMMENTS DATED 24/04/26

This Authority previously raised concerns over the intensification in use of the access onto the B3358 and requested further information concerning:

- Trip levels associated with the existing site, type of vehicles involved and frequency of visits
- Trip levels associated with the proposal including type of vehicles and frequency of visits
- Visibility splays available at the junction of the access track and the B3358
- Confirmation that these splays are commensurate with the speed of traffic on the road

-
- Confirmation the access track is wide enough to accommodate two vehicles passing in the access

A document was provided under the title Transport Statement, Driver Farm, Simonsbath, Minehead. Looking at the above bullet point in turn an assessment of the details has now been made:

Existing Trip Levels

No formal trip levels has been provided but we are advised an AI search on the internet suggests 40-50 trips per day which is described as 'overly robust' and 20-30 movements per day is considered the 'potential baseline', however, this has not been confirmed.

Proposed Trip Levels

It is noted farming activity on the site will continue, but the trip levels associated with this have not been provided. Further, the uses of the site are described as 'group travel', 'shared transport', and will not intensify the use of the access. However, the proposal car park is described as catering for 20-30 vehicles, the same level as the 'potential baseline' for the former use of the site, but as noted above, farming activity will still be present on site.

The use of the site is described as up to:

6 spaces for residential accommodation

7 spaces for a camping area

5 spaces for staff use

Parking provision for 'small events' and 'day visitors'

Minibus parking for schools and 'other such groups'.

The submitted details suggests 'the use of the existing access is likely to reduce', however, as no trip figures have been provided no meaningful assessment of this can be made.

Access Arrangement

The access is obstructed by a gate approximately 22m from the highway. The submitted details suggest this distance is large enough for two cars to wait clear of the highway while the gate is opened. However, we are advised that day visits by minibus will occur which could increase the potential of larger vehicles overhanging the highway. However, as no definite trip levels have been provided, this Authority is unable to assess the likelihood of this scenario occurring.

The access drive is described as being 4.5m in width. Manual for Streets figure 7.1 suggests this width is acceptable for two cars to pass, but larger vehicles and cars require at least 4.8m. Two minibuses meeting at the access point may therefore increase the risk of vehicles reversing into the highway.

Visibility Splays

The visibility splays are described from a set back of 2.4m as:

50-60m to the east (left on exiting)

40-45m to the west (right on exiting)

The B3358 past the site is subject to the National Speed Limit of 60mph. Accepted requirements for visibility is that 215m splays are provided. The available splays are therefore hugely deficient, and whilst an occasional farm vehicle using the access may not have been problematic, the intensification in use proposed will lead to an increased risk of collisions.

This Authority's previous recommendation asked for confirmation that the splays were commensurate with the speed of traffic on the road. However, whilst the measured splay distances have been detailed, no speed survey results have been provided to ascertain the distances available are appropriate.

Further, the information confirms that the layby to the front of the house on the west of the access track is used by vehicles which will add to obstacles within the visibility splay.

A comparison of this access with that of the Pinkery Outdoor Centre highlights the fact that the latter is on a tight bend which means traffic speeds past this access will be substantially reduced.

In 3.2 of the submitted transport statement the following comment is made: "It was observed, during a site visit, that the adjacent boundary wall has been damaged with protective temporary fencing in place. If the LHA have concerns over the use of the access it is recommended that they consider repairing the wall to a reduced height to improve visibility at a driver's eye level.

The stone boundary wall is the parapet to a Somerset Council controlled bridge over the adjacent stream. It has been confirmed by the County Bridges and Structures Team that this parapet cannot be reduced in height as it will lead to an increased risk for pedestrians and vehicles of falling from the carriageway and into the stream. This is why a speed survey should be undertaken to establish the appropriateness of the available splays.

Conditions/Reasons for refusal:

Taking all of the above into account this Authority still has concerns over the intensification in use of this access and the impact on the highway and its users. Insufficient information and evidence has been provided whereby a meaningful assessment of the scheme can be undertaken, or to demonstrate the proposal will be acceptable in highway terms.

In this regard, this Authority recommends the application for planning consent be refused.

As previously detailed, on receipt of further information this Authority would be happy to revisit the proposal and make further comments.

COMMENTS DATED 12/03/26

Insufficient information has been provided whereby a full and meaningful assessment of the proposal can be made. As such the scheme has not been demonstrated to be acceptable in highway terms.

In order for this Authority to undertake a full assessment of the proposal the following details should be provided:

- Trip levels connected with the existing site
- Details of the type of vehicles currently using the access and the frequency of visits
- Trip levels associated with the proposal
- Details of the types of vehicle to use the access under the proposal, and the frequency of visits
- An access drawing showing the access track junction with the B3358, including the available visibility splays
- Confirmation that the available visibility splays are commensurate with the speed of traffic on the B3358 and the access is therefore able to accommodate any intensification in use
- Confirmation that the access track is wide enough to accommodate two vehicles passing

On receipt of the above noted additional information further assessments of this scheme can be made prior to a formal recommendation being submitted.

ENPA Ecologist – COMMENTS DATED 11/03/26

Two ecology reports have been submitted:

Protected Species Survey for barns at Driver Farm, Simonsbath (Seasons Ecology);

Preliminary Ecological Assessment for Driver West Barn Proposal (Kate Lacey, ENPA Ecologist).

The Protected Species Survey focuses only on the barns whilst the PEA covers the additional land surrounding the barns within the red line boundary and includes a BNG assessment.

The methods, presentation of results and recommendations within both reports are generally satisfactory. All recommended surveys have been completed for the application for the proposed work which includes:

Converting the western range of buildings (West Barn) creating a flexible event and catering space, residential accommodation and visitor amenities;

An informal visitor parking area with landscaping;

A low impact camping area.

Protected Species Survey

Plans for the conversion of the western range of buildings include the maintenance of Building 2 (including re-roofing with metal corrugate sheeting) and conversion of Building 3 (including re-roofing in natural slate and re-pointing of stonework). The preliminary bat roost assessment (PBRA) identified Building 2 as offering low suitability for roosting bats and Building 3 as offering high suitability for roosting bats. Combining the results of the PBRA and emergence surveys, Building 2 was confirmed as supporting no active bat roosts and Building 3 was confirmed as supporting one day roost for low numbers of brown long-eared bats. There is no evidence to suggest the use of the buildings as a maternity roost and therefore it is unlikely to be used as such. Building 3 provides occasional opportunities for hibernating bats in deeper wall crevices. Low foraging/commuting bat activity was

noted associated with the barns and immediate surroundings. This current survey updates an earlier PBRA and emergence survey undertaken in 2022, and following the update PBRA in June 2025, three emergence surveys were carried out on 10th June, 7th July and 6th August in good weather conditions. This is in line with the current recommended guidelines for buildings which have been assessed as having moderate or high suitability for bats.

Historic evidence of nesting swallow was recorded in Building 3a during the update PBRA. Both barn owl and tawny owl were recorded emerging from the barns, although no evidence of nesting by either of these species was recorded so the survey report concludes that they are therefore likely to be utilising the buildings as a roosting site.

Suitable recommendations have been made for both buildings. For Building 2, given that it is considered likely that it does not support roosting bats, no further considerations in relation to this species are required. For Building 3, a licence will need to be obtained from Natural England prior to works affecting bats commencing - please can this be conditioned. Mitigation needs to include roost reinstatement/provision where roost loss is anticipated, sensitive timings of work (particularly avoiding hibernation season), licensed bat handler on site during works affecting roosting opportunities, toolbox talk, sensitive lighting strategy, habitat enhancement and provision for update surveys. Creation of an alternative roost has been suggested in the form of a void 2.5m x 2.5m with a 2m ridge height accessed by a bat access slate or lifted ridge tile and a bat box (Schwegler 2FN or similar) recommended on an adjacent mature tree.

Barn owls are currently known to nest in the East barn (outside the scope of this current application) and it would appear that they are also utilising the bigger roofspace of Building 3 for roosting so these buildings form an important complex of buildings for barn owls alongside tawny owls, swallows plus the survey notes that suitable nesting opportunities are present for other species. As the use of Building 3 will be lost for roosting opportunities for tawny and barn owl, appropriate mitigation must be put in place including a barn owl box in Building 2 and a tawny owl box installed high up on a north facing aspect of an adjacent mature tree. I am also concerned about the possibility of bird strike with new glass doors installed in Building 3 so please ensure suitable mitigation to avoid this. Opportunities for swallow nesting must be incorporated into the design installed within Building 2 or the covered doorway areas of Building 3c.

Preliminary Ecological Assessment

The PEA covers the remaining area of the site within the red line boundary excluding Buildings 2 and 3 (West Barn), a total of 0.93ha. No evidence of any protected species was found on-site. It was noted that the lines of trees provide opportunities for commuting and foraging bats, dormouse, small mammals, nesting birds, reptiles and amphibians whilst the grassland provides opportunities for amphibians, reptiles and invertebrates. The site as a whole and in context of the wider landscape has been assessed as being of ecological importance at a Site level. The treelines and grassland have been assessed as of Site importance and the sparsely vegetated land of Negligible importance. Although the habitat survey was carried out at a non-optimal time of the year (December 2025), most of the

grassland is modified grassland and has experienced a high level of disturbance and a precautionary approach was taken to overestimate condition.

The biggest impact which has been identified is from the two compost toilets, with the impact from the camping pitches more difficult to quantify. Suitable recommendations have been suggested for mitigation and enhancement including planting a hedge on the eastern earth bank, installation of bird and bat boxes and creation of hibernacula. Tree planting and mixed native scrub establishment could also be considered for the southern part of the field. Due to the proximity of the site to the Pinkworthy and Driver SSSI, a Construction Environmental Management Plan (CEMP) will be required.

Recommendations for species (in addition to those included in the Seasons Ecology Protected Species Survey) include best practice and precautionary measures for mammals, birds and reptiles and amphibians including a Precautionary Working Method Statement.

The PEA has informed the BNG assessment and suggestions for mitigation have been incorporated into the HMMP. Please add an informative note reminding the applicant of the importance of following the recommendations in both these reports and ensure secure by conditions avoiding works during the bird nesting season and a standard lighting condition.

BNG assessment and draft Habitat Management and Monitoring Plan

The BNG assessment has calculated that there is currently 4.25 area habitat biodiversity units and 1.38 hedgerow biodiversity units; this will increase to 5.68 habitat units and 2.27 hedgerow units post development. This is an uplift of 1.42 habitat units (33.4%) and 0.89 hedgerow units (64.75%) so is significantly over the 10% minimum requirement. The mechanism for achieving this uplift is detailed in the HMMP which summarises it as:

Habitats retained:

- o 0.23ha other neutral grassland in poor condition
- o 1 large rural tree in good condition
- o 0.2km lines of trees in good condition

Habitats created:

- o 0.15ha of mixed scrub in moderate condition
- o 0.28ha of artificial unvegetated, unsealed surface
- o 0.04km of species-rich native hedgerow with trees associated with a bank in moderate condition
- o 0.02km of a line of trees associated with a bank in moderate condition

Habitats enhanced:

- o 0.53ha of other neutral grassland in moderate condition
- o 0.16ha modified grassland in good condition.

The draft HMMP gives a comprehensive description and timings of the management activities required to bring about this enhancement as part of the 30 year BNG agreement with suitable grassland, scrub and tree species suggested for this upland site. The habitats are expected to be established by year 5 and by year 10 the habitats are expected to have achieved target condition. Necessary management will be undertaken every year for the 30-year plan period. I am

satisfied that the requirements of BNG have been met in this application. Please note, the general biodiversity gain condition applies to this development and also needs to be discharged.

Based on the proposal it is good to have received the ecology reports: Preliminary Ecological Appraisal (including a Biodiversity Net Gain assessment), Seasons Ecology, dated 29 October 2025 and Update Bat Survey, Seasons Ecology, 11 November 2025. The ecology reports detail the findings of a desk study, field survey, bat emergence surveys and a UKHab/BNG survey. BNG documents have also been submitted including: Statutory Biodiversity Metric, condition assessment, Biodiversity Gain Statement and maps of the baseline and proposal. The methods, presentation of results and recommendations within the reports are satisfactory.

The surveys confirmed the farmhouse as having multiple summer day roosts for common pipistrelle bats and two summer day roosts for brown long-eared bats. The proposal will require a European Protected Species Licence (EPSL) from Natural England. A licenced bat handler is also required to be present on site during any works that affect roosting opportunities and contractors must attend a toolbox talk to ensure that they are aware of the presence of bats and measures required to minimise impacts.

A detailed mitigation plan should be developed to support the bat licence application based on the proposal. However, the ecology report states that existing roosting opportunities and access points should be retained where possible or reinstated on a like for like basis. Where this is not possible the proposal should incorporate compensatory roosting opportunities such as bat access tiles and bat boxes. In addition to the compensation there should be at least two bat boxes installed as enhancement. These should be installed on a building or tree 3-5m above the ground facing between southwest and southeast.

No active nests were found during the survey; however, remnant house martin nests were present and nesting opportunities are still present. There are barn owls known to be nesting in the barns near the farmhouse. To prevent impacts to nesting birds works should be carried out outside of the breeding bird season (which is March to September inclusive). If this is not possible, then the site should be surveyed by a suitably qualified ecologist immediately prior to works. If active nests are found, then works cannot continue until young have fledged.

Suitable house martin nesting opportunities should be reinstated prior to the nesting season following works, either through the provision of boxes within the building or on a nearby tree or building. In addition to this at least two other bird boxes should be installed as enhancements. These should be installed 2-3m or 5m for swift, swallow and marten nests, above the ground on a building or tree facing between north and east.

The Preliminary Ecological Appraisal and UKHab assessment identified the following habitats to be present: grassland, hedgerow, line of trees, hedgerow, vegetated gardens and developed land. The proposal will result in the loss of a small amount of modified grassland and part of the garden will be under greater

management as a vegetated garden. To achieve BNG some of the grassland will be enhanced and a native hedgerow will be created.

The hedgerows and tree lines provide opportunities for commuting and foraging bats, dormouse and other small mammals, nesting birds, reptiles and amphibians. The grassland provides opportunities for amphibians, reptiles and invertebrates. As long as there are no impacts to the hedgerows and tree lines then there is unlikely to be a loss in dormouse habitat or impacts to nesting birds. Best practice measures should be followed to reduce entrapment risk to wildlife, including hedgehogs and badgers, as a precaution any open trenches or pits or large pipes (>200mm diameter) should be covered at night; and any open excavations should have a means of escape, for example by way of a sloped plank or sloped end to allow any animals to escape. Please secure by condition.

To prevent any harm to reptiles a Precautionary Working Methods Statement should be implemented including that grass cutting should only occur during warm periods and vegetation should be cleared in stages, initially to 150mm and then to ground level, towards retained habitat. A toolbox talk and ecological supervision should also be included including what action to be taken if reptiles or amphibians are encountered.

Two Schedule 9 invasive species were identified during the site survey, montbretia and variegated yellow archangel. Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) makes it an offence to plant or otherwise cause these species to grow in the wild. Therefore, care should be taken to avoid the spread of these species or remove them. Contractors should be made aware of the presence and locations and exclusion zones demarcated. If removal/disturbance is unavoidable a strategy should be created to prevent the spread.

Due to the proximity of the site to the Pinkworthy and Driver Farm Site of Special Scientific Interest Natural England has requested that a Construction Environmental Management Plan (CEMP) is implemented. This should include how the retained habitats (grassland and hedgerows) will be protected during works and suitable pollution control measures.

It is stated in the Design and Access statement that there will be minimal external lighting and they will be downward facing and sensor controlled. Please could it be ensured that the bulbs used should be 2700 or less and 500 lumens or less. The lighting will also only be installed at entrances so should not have an impact on bats except caution will need to be taken installing lighting in the porch which contains a bat roost.

Given the size of the site and the scale of the BNG works it is probable that the applicant will be able to achieve 10% BNG onsite.

There is a small overlap between the red line boundary of this application and the RLB for the planning application for the Driver West Barn (EXM/26/049). Any Biodiversity Net Gain within this overlap may only be counted towards one application. As both applications are currently exceeding 10% net gain I do not

expect there will be an issue for both applications to achieve net gain without double counting the overlapping area.

I suggest conditions are applied to any permission granted to secure enhancements as detailed above and for the following for which I have provided some suggested wording below:

- The development hereby approved shall not in any circumstances commence unless the Local Planning Authority has been provided with either: a) a copy of the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or b) a statement in writing from a licensed bat ecologist or Natural England to the effect that the specified development will not require a licence.
- The works hereby approved shall not place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the works to the buildings commences and provides written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. In no circumstances shall netting be used to exclude nesting birds.
- The development hereby approved shall be carried out in strict accordance with all ecological measures as set out in Section 5 of the Update Bat Survey (Seasons Ecology, November 2025) and Section 6 of the Preliminary Ecological Appraisal (Seasons Ecology, October 2025), unless any variation is recommended by Natural England.
- No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.
- Prior to the installation of any external lighting on site, a "lighting design strategy for bats" shall be submitted to and approved in writing by the local planning authority. The strategy shall: a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places, foraging habitat and commuting routes; and

b) show how and where external lighting will be installed (for example through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their resting places. all external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Natural England – COMMENTS DATED 06/08/26

Natural England has previously commented on this proposal and made comments to the authority in our response dated 14/04/2026, reference number 542328 (below).

The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

COMMENTS DATED 14/04/26

No Objection subject to Mitigation

On the basis of information provided, Natural England's advice is that the proposed development is unlikely to have a significant effect on European site(s) as the Preliminary Ecological Statement (29/01/2026) confirms there is no evidence of protected species onsite. As Competent Authority it is your responsibility to ensure that you are confident that there is sufficient information to support the survey results, and to ensure any increase in foot traffic on site will have no adverse effects on the features of neighbouring protected sites. Having considered the assessment, and the enhancement measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we have no objection to this development.

A Construction Management Plan (CEMP) should be conditioned to outline how hedgerows and trees will be protected, ensure no impacts on the quality of water courses or bodies and how dust will be controlled during construction.

The CEMP should include measures to control lighting during construction, and a condition should require approval of the details of any operational lighting to protect bat habitat functionality. The LPA as competent authority will also need to satisfy itself that sufficient information has been provided to demonstrate that this

low level of light spill onto bat habitat can be met with the design of the proposed development as submitted.

The lack of further comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist advice when determining the environmental impacts of development.

Licensing

As all bat species are a European Protected Species protected under the Conservation of Habitats and Species Regulations 2017 (as amended), a licence is required in order to carry out any works that involve certain activities such as disturbing or capturing the animals, or damaging or destroying their resting or breeding places. It is for the developer to decide whether a species licence is needed to carry out work directly connected with the proposed development as well as associated mitigation work.

Natural England's advice on this planning application relates only to whether the proposed development is likely to be detrimental to the maintenance of the species concerned at a favourable conservation status. It does not consider whether the proposal requires a licence, satisfies the three licensing tests or whether a licence is likely to be granted for this proposal.

Under regulation 9(3) of the Habitats Regulations, the Council must have regard to whether the development proposal is likely to negatively affect any European Protected Species (EPS) and whether any necessary licence is likely to be granted by Natural England. This should be based on the advice we have provided in this response on likely impacts on favourable conservation status and our published guidance on the three licensing tests (i.e. no alternative solutions, imperative reasons of overriding public interest and maintenance of favourable conservation status). More information on the requirements to meet the three tests is provided in Defra's draft guidance on the Habitats Directive (of particular interest are paragraphs 125-143) and Natural England's guidance on how we apply the three tests.

I trust this email will now help you proceed to determining the application.

No other comments received from consultees

Representations		
Total – Objections	Total – Support	Total – No Objections
0	0	0

Summary of comments:

n/a

Planning Context

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

GP1 Achieving National Park Purpose and Sustainable Development

GP4 The Efficient Use of Land and Buildings

CE-S1 Landscape Character

CE-D1 Protecting Exmoor's Landscapes and Seascapes

CE-S2 Protecting Exmoor's Dark Night Sky

CE-S3 Biodiversity and Green Infrastructure

CE-D2 Green Infrastructure Provision

CE-S4 Cultural Heritage and Historic Environment

CE-D3 Conserving Heritage Assets

CE-S5 Principle for the Conversion of Structural Alteration of Existing Buildings

CE-S6 Design and Sustainable Construction Principles

CC-D5 Sewerage Capacity and Sewage Disposal

CC-S7 Pollution

CC-D1 Flood Risk

SE-S1 A Sustainable Exmoor Economy

SE-S4 Agricultural and Forestry Development

AC-S1 Sustainable Transport

AC-D1 Transport and Accessibility Requirements for Development

AC-D2 Traffic and Road Safety Considerations for Development

The National Planning Policy Framework (NPPF) is a material planning material consideration.

Planning Considerations

The application has been substantially amended since its original submission and no longer involves a proposal for the material change of use of the west barn to comprise flexible educational space, office accommodation, and non-serviced short term let visitor accommodation. The proposal for a tented camp site and additional parking area has also been removed from the description of proposed development.

The most recent amendment was made on 23 July 2026. Several of the comments above were therefore made before the most recent amendments to the scheme.

The proposal as amended relates to the re-roofing of the west barn, the installation of new replacement windows and doors within existing openings, and the conversion and alteration of existing implement barn to provide toilet and shower facilities. The toilet and shower facilities would be ancillary to the management of the landholding and, as such, would not involve a material change of use.

Given the amended description of the development proposed, the main planning issues are the effect of the proposed development on the character and appearance of the building and the locality, including the Dark Sky, and whether the proposals would adversely impact on the SSSI and ecology. The effect of the proposal on highway safety is also a main issue.

CHARACTER AND APPEARANCE

Policy GP1 advises that sustainable development will conserve and enhance the National Park, its natural beauty, wildlife and cultural heritage and its special qualities. Development should promote opportunities for their understanding and enjoyment by the public and, in doing so, foster the social and economic wellbeing of local communities.

Policy CE-D1 advises that development will be permitted where it can be demonstrated that it is compatible with the conservation and enhancement of Exmoor's landscape. Policy CE-S6 requires that development proposals deliver high quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment.

Policy CE-S2 refers to Exmoor's dark night sky and advises that, amongst other things, the tranquillity and dark sky experience of Exmoor National Park Dark Sky Reserve and the National Park as a whole, will be maintained and improved.

These policies are consistent with the NPPF and the protection of the National Park and have regard to the purposes of designated National Parks and their status.

Policies CE-S4 and CE-D3 refer to heritage assets. These Policies advise that development proposals affecting a heritage asset and its setting should demonstrate a positive contribution to the setting through sensitive design and siting, and avoid unacceptable adverse effects, as well as other things.

Driver Farm including the West Barn, even though it is not listed, conveys a degree of heritage value. The significance of West Barn, in part, arises from its age, relevance to the history of this part of Exmoor and the Knights, and its traditional construction materials and relatively simple form. The traditional farm buildings form a courtyard enclosure with the dwelling, which contributes to the legibility of the group of interrelated buildings, which are of historic value and forms the immediate and wider setting of the farmhouse.

The setting of a heritage asset, which can contribute to its significance, is defined in the glossary to the NPPF as the surroundings in which a heritage asset is experienced.

The NPPF sets out that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Also, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The NPPF requires that the desirability of sustaining and enhancing the significance of heritage assets

and putting them to viable uses consistent with their conservation should be taken into account.

The development includes the re-roofing of the west barn, replacing the existing corrugated roof covering with natural slate. New replacement windows and doors would also be installed within the existing openings of the traditional building. The boiler house and oil tank base would be removed from the north east elevation. These works would contribute to better revealing the significance of the traditional building and would have a positive impact on its character, appearance, and its immediate setting.

Whilst the doorway lintel to the Yearlings shed would be raised to accommodate sufficient head height for access, this would not detract from the significance of the overall building.

The implement shed, adjoining the end of the west barn, would be subject to the most significant changes. However, this is a relatively modern, open fronted, section of barn, with a mono-pitch corrugated roof, supported on four metal posts and a stone wall along its rear elevation. The structure would be re-roofed, and the open front would be enclosed to accommodate toilet and shower facilities for use by people engaged with farming/land management activities at Driver.

The alterations proposed are relatively limited in extent and would not harm the character and appearance of the building and the locality.

A new package treatment plant would be provided to the south and would be below ground. It would not impact on the setting of the traditional building group or harm the character and appearance of the locality.

Taking these factors together, the overall form of the building would be little changed. The proposal would have no harmful impact on the significance of the non-designated heritage asset.

The submitted details state that lighting would be minimal, ultra-low-impact lights installed on the implement shed. They would be operated on a timer and/or motion-sensor controls to ensure they are only active when required.

It would be possible to apply a condition, in the event that planning permission is granted, to secure details of such lighting prior to their installation.

There are no proposals for additional windows within the building, and the original proposal for glazed areas within existing door openings has been omitted. The extent of glazing proposed is therefore significantly less than initially proposed.

Limited high-level glazing is proposed to serve the toilet and shower facility. This would, however, be positioned beneath a large roof overhang and would face into the enclosed courtyard. Any artificial lighting can be controlled by timer switches and, given the nature and occasional use of the building, it is unlikely that the development would result in any significant harm to the character of the dark night sky.

An Arboricultural Impact Assessment was submitted with the application, which advises that there would be no significant impact to existing trees. It would be possible to add a condition to any subsequent grant of planning permission requiring that the works accord with the Arboricultural Impact Assessment and in particular that protective fencing is erected.

For these reasons, the proposal would not harm the character and appearance of the building and the locality, including the Dark Sky. The proposal would comply with Policies GP1, CE-S1, CE-D1, CE-S2 and CE-S6 of the Local Plan where they seek to conserve and enhance the National Park's natural beauty and its special qualities. There would also be no conflict with Policies CE-S4 and CE-D3, which amongst other things seek to avoid unacceptable adverse effects on heritage assets.

SSSI AND ECOLOGY

In accordance with CE-S3 the conservation and enhancement of wildlife and habitats will be given great weight, and development likely to cause harm to sites designated for their international, national or local importance will not be supported. Development should also not lead to harm to legally protected species or lead to the loss of or damage to their habitats.

The building complex lies adjacent to the Pinkworthy and Driver Farm SSSI. The SSSI is of special interest for its nationally important assemblage of grassland fungi and its species-rich lowland dry acid grassland. There is also a smaller, but significant, area of rush pasture.

A Preliminary Ecological Appraisal and Bat Surveys were undertaken and submitted in support of the application.

The west barn has been found to support low numbers of roosting brown long-eared bats. A historic swallow nest was also found, and both the Barn and Tawny owls were observed utilising the barn during the survey. However, no evidence of nesting by either of these species was recorded so the survey report concludes that they are unlikely to be used as a roosting site.

As the building was confirmed as supporting a day roost for low numbers of brown long-eared bats, a European Protected Species Licence would be required from Natural England.

The surveys recommend mitigation and supervision measures for the proposed works to ensure that bats and their habitats are not harmed. These recommendations should be secured by condition in the event planning permission is granted.

No active bird nests were found during the survey although remnant swallow nest was present as well as nesting opportunities. Therefore, in order to prevent impacts to nesting birds, works to the building should be carried out outside the bird nesting season (March to September), unless the site has been surveyed by a suitably qualified ecologist immediately before works commence and no active bird

nests are found. In the event planning permission is granted, this can be a condition of permission, together with a requirement for owl boxes in accordance with the Ecologist's recommendation.

The ENPA Ecologist and Natural England do not object to the application proposals subject to conditions. Whilst the site lies close to the SSSI, it lies outside of the designated site. In these circumstances, having regard to the nature and scale of development proposed, there is no basis to consider that the proposal would harm the special interests of the nearby SSSI.

Therefore, having regard to the recommendations and advice of suitably qualified professionals, and the conclusions of the Bat Survey and Preliminary Ecological Appraisal the proposed development would not adversely impact on the SSSI and ecology. As such, there would be no conflict with Policy CE-S3 of the Local Plan which, amongst other things, would not support development that would lead to harm to legally protected species or lead to the loss of or damage to their habitats.

HIGHWAY SAFETY

Access to the site is via the B3358, between Simonsbath and Challacombe. The road has no dedicated pedestrian pavements and is subject of the national speed limit.

The proposal would not alter the existing access arrangements to the property.

Local Plan Policy AC-D2 requires, amongst other things, that development that would cause unacceptable levels of traffic in terms of the environmental or physical capacity of the local road network, or would prejudice road safety, would not be permitted. Similarly, Policy CE-S6 1.e) of the Local Plan requires that development should have regard to improving safety, inclusivity and accessibility for those who live, work and visit.

The point of access on the B3358 is approximately 4.5 metres in width and the visibility along the highway is approximately 95 metres in the westbound direction and approximately 130 metres in the eastbound direction. These visibility distances fall short of the 215-metre visibility splays normally sought by the Highway Authority on roads subject to the national speed limit. The access is therefore substandard in nature, particularly in respect of the level of visibility for vehicles emerging from the site.

Exmoor Parish Council have maintained their objection to the scheme. They are concerned that the proposal would create a substantial amount of contractor traffic and deliveries that would lead to harm to highway safety.

The Local Highway Authority has specifically commented on the proposal. Whilst the Highway Authority considered the scheme as initially proposed would result in a material increase in traffic movements, which raised concern due to the substandard nature of the access, acknowledging the amendments to the scheme that have been carried out, including that a proposal for a camp site and a material change of use of the west barn have now been omitted, the Highway Authority

considers this would likely mean a reduction in vehicle movements once the scheme is operational.

Therefore, having regard to the revisions to the scheme, the proposal is unlikely to result in a significant increase in vehicle movements. Consequently, the Highway Authority raises no objection to the revised proposal.

Paragraph 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Local Highway Authority has been made aware of the concerns of Exmoor Parish Council, and it acknowledged that there would be an element of construction traffic associated with development. However, this would be for a limited period and this does not affect the conclusion of the Highway Authority. The conclusions of the Local Highway Authority are afforded substantial weight.

The effects of construction traffic alone will often not provide a reasonable basis for refusing planning permission unless there is clear evidence that the impacts would be severe, unacceptable, or incapable of being mitigated.

It is evident that construction works have already recently taken place at Driver. The effect of construction traffic would be temporary and there is no substantive evidence that construction vehicles or deliveries would result in an unacceptable impact on highway safety or severe residual impacts on the local road network.

Having regard to the above, the development would not give rise to any unacceptable highway safety impact and the residual cumulative impacts of the development on the local highway network would not be severe. Accordingly, the proposal would not conflict with Local Plan Policies CE-S6 1.e) and AC-D2, where together these policies seek to ensure new development does not cause unacceptable levels of traffic or prejudice road safety, as well as other things.

There would also be no conflict with Chapter 9 of the NPPF which states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

OTHER MATTERS

Biodiversity Net Gain (BNG) will be achieved on site as part of the application proposals. The habitats created would include mixed scrub in moderate condition, as well as tree planting.

Policy CC-D5 refers to sewerage capacity and sewage disposal. The application proposes that all foul drainage from the building would be directed to a new package treatment plant located to the south. This would ensure foul drainage is adequately dealt with and, as such, there would be no conflict with Policy CC-D5.

Human Right

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.

Conclusion

For the reasons given above, the proposal is considered to comply with the relevant Local Plan policies. Consequently, it is recommended that planning permission be granted subject to the conditions set out below.

Recommendation

Approved with Conditions

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 the Planning & Compulsory Purchase Act 2004).

2. The development hereby permitted shall not be carried out except in complete accordance with the following approved plans:

134_3_001	Location Plan
134_3_008B	Existing and Proposed Roof Plan
134_3_010	Rev:C Proposed South East & South West Elevations - Amended
134_3_011	Rev:B Proposed Section - Amended
134_3_007	Rev:D Proposed Floor plans - Amended
134_3_006	Rev:C Proposed Site Plan - Amended
134_3_009	Rev:D Proposed North East & North West Elevations - Amended

Reason: For the avoidance of doubt and to ensure the development accords with the approved plans as amended.

3. The natural slate roof covering hereby approved shall be Ffestiniog Blue Grey Capital Slate.

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

4. Prior to the commencement of the development hereby approved, either: a copy of the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or a statement in writing from a licensed bat ecologist or Natural England to the effect that the specified development will not require a licence, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the licence issued by Natural England.

Reason: To safeguard protected species and their habitats in accordance with Policy CE-S3 of the Exmoor National Park Local Plan, and the natural environment objectives of the National Planning Policy Framework.

5. The development hereby approved relating shall not commence between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before any of the approved development commences and provides written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. In no circumstances shall netting be used to exclude nesting birds. The inspection shall take place immediately prior to the commencement of development (within the preceding 24 to 48 hours).

Providing that this is adhered to and appropriate evidence provided in writing to the Local Planning Authority, this condition does not require discharging prior to the commencement of development in order to avoid an unacceptable delay between the inspection and the commencement of development.

Reason: To ensure that wild birds building or using their nests are protected and the Authority will require evidence that no breeding birds would be adversely affected before giving any approval under this condition in accordance with Policy CE-S3 of the Exmoor National Park Local Plan 2011-2031.

6. The development hereby permitted shall not be carried out other than in accordance with the Considerations and Recommendations as set out in Section 5 of the Bat Surveys (Seasons Ecology, November 2025), unless any variation is recommended by Natural England pursuant to The Conservation of Habitats and Species Regulations 2017.

Reason: To safeguard protected species and their habitats in accordance with Policy CE-S3 of the Exmoor National Park Local Plan, natural environment objectives of the National Planning Policy Framework.

7. During construction of the development hereby, any open trenches or pits or large pipes (>200mm diameter) shall be covered at night, and any open excavations shall have a means of escape, for example by way of a sloped plank or sloped end to allow any animals to escape.

Reason: In order to reduce the risk of entrapment of hedgehogs or badgers during construction.

8. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones" and details of how hedgerows and trees will be protected.

-
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Details of artificial light sources that may be required during construction.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure the development works do not cause harm to biodiversity interests in accordance with Policy CE-S3 of the Exmoor National Park Local Plan, natural environment objectives of the National Planning Policy Framework.

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

Reason: In the interests of visual amenity, the conservation of protected species and habitats and to protect Exmoor's dark night sky.

10. The development hereby approved shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
- a) a non-technical summary;
 - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

-
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. The management measures specified in the approved HMMP shall be fully adhered to for the entirety of the 30-year period following the completion of development.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

11. Notice in writing shall be given to the Authority when the:
- a) Habitat Management and Monitoring Plan (the HMMP) has been implemented;
 - and
 - b) Habitat creation and enhancement works as set out in the HMMP have been completed.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

12. Within 6 months of the development being brought into use:
- a) the habitat creation and enhancement works set out in the approved Habitat Management and Monitoring Plan shall have been completed; and
 - b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

13. The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP and monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Informatives

1. BAT AND BIRD INFORMATIVE

The applicant and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during works it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

The applicant and their contractors are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during works it is recommended that works stop until the young have fledged and advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity. Also, if there is any scaffolding being constructed as part of the works then please ensure that any potential bat entry points to the roof are not blocked.

2. BIODIVERSITY NET GAIN:

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ('the biodiversity gain condition') that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Exmoor National Park Authority.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

The permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990 and as such the following applies.

The permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition:

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

i. the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

ii. the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i. the application for planning permission was made before 2 April 2024;

ii. planning permission is granted which has effect before 2 April 2024; or

iii. planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii. impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A 'householder application' means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i. consists of no more than 9 dwellings;

ii. is carried out on a site which has an area no larger than 0.5 hectares;

and

iii. consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015) 4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport

network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013. * 'original planning permission means the permission to which the section 73 planning permission relates' means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

IRREPLACEABLE HABITAT:

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990 If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ('the earlier Biodiversity Gain Plan') there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted. Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

3. CONDITIONS AND INFORMATIVES

Please check all the conditions and informatives attached to this Decision Notice. If there are any conditions which require submission of details and/or samples prior to work commencing on site it is vital that these are submitted and agreed in writing by the Local Planning Authority before work starts. Given the High Court's interpretation of the Planning Acts and their lawful implementation it is unlikely that the Local Planning Authority will be able to

agree to a sample/details after the commencement of works if that sample/details should have been approved prior to commencement. If a sample/detail is not agreed as required prior to commencement and works have started then it is likely that this matter may only be able to be rectified by the submission of another application. To avoid delay, inconvenience and the need to submit a further application, please ensure that all appropriate details/samples are submitted and agreed at the specified time.

Please also note that due to other decisions of the High Court it is now not normally possible for the Local Planning Authority to agree to minor amendments to approved applications. It will be necessary to adopt a formal approach and that if changes to approved plans are proposed then it will be necessary to make a new planning application. Please ensure that works comply with the approved plans so as to avoid the possibility that works are unauthorised and liable for enforcement action.

4. MONITORING OF DEVELOPMENT

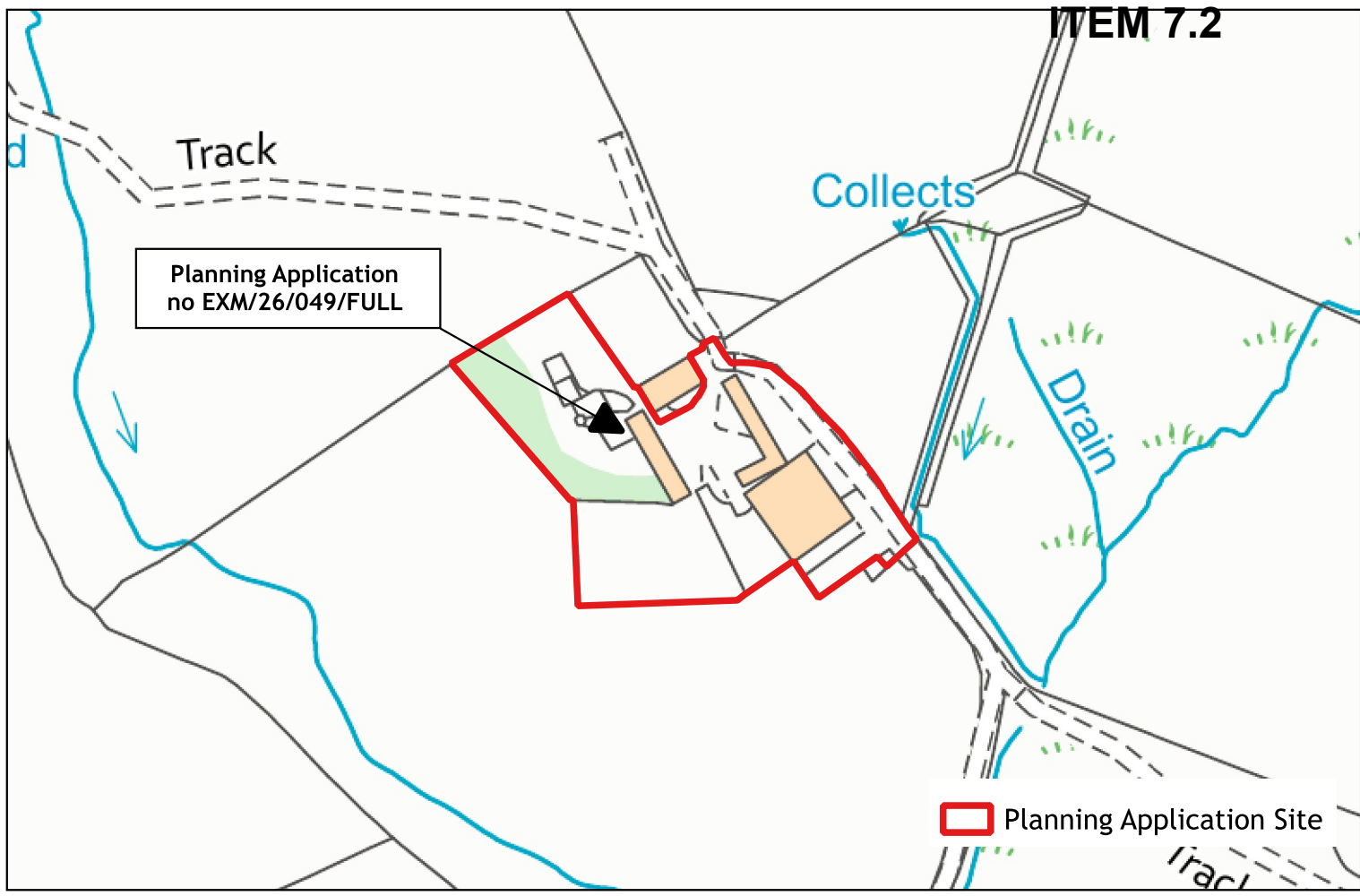
The applicant/developer is reminded that it is their responsibility to ensure that the requirements of each planning condition are met and that the works are undertaken in accordance with the approved plans. Any failure to meet the terms of a planning condition or work which does not accord with the approved plans leaves the applicant/developer liable to formal action being taken. The National Park Authority endeavours to monitor on site the compliance with conditions and building works. This has benefits for applicants and developers as well as the National Park. To assist with this monitoring of development the applicant/developer is requested to give at least fourteen days notice of the commencement of development to ensure that effective monitoring can be undertaken. The Planning Section can be contacted at Exmoor National Park Authority, Exmoor House, Dulverton, Somerset, TA22 9HL or by telephone on 01398 323665 or by email plan@exmoor-nationalpark.gov.uk.

5. EXMOOR NATIONAL PARK'S DARK SKIES

In order to preserve Exmoor National Park's Dark Skies, the applicant is requested to fit blackout curtains or blinds to the glazing hereby approved, in order to reduce light pollution from the property during the hours of darkness.

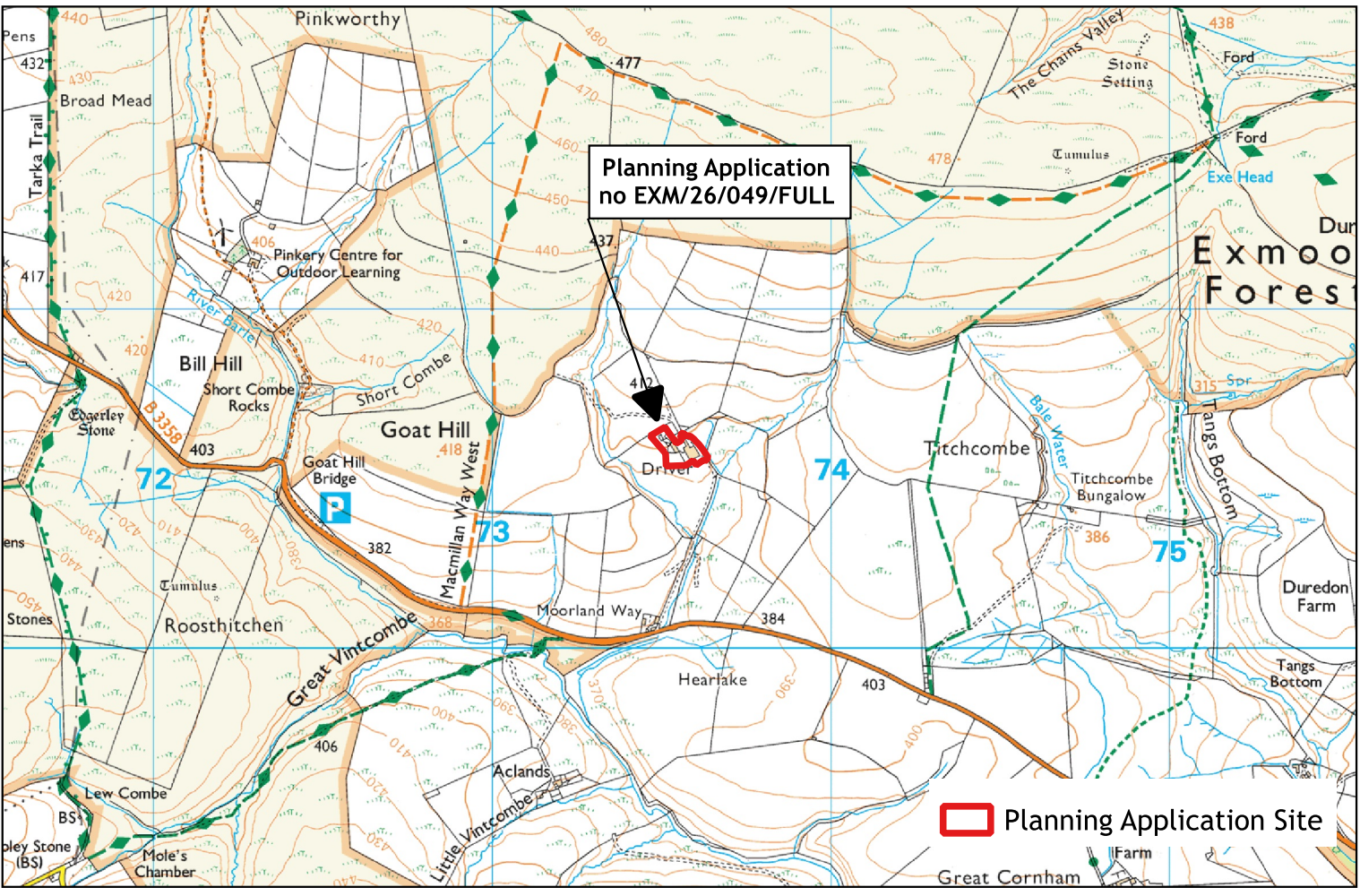
6. POSITIVE & PROACTIVE STATEMENT

This Authority has a proactive approach to the delivery of development. Early preapplication engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, Exmoor National Park Authority has endeavoured to work positively and proactively with the agent/applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome.



Site Map
Scale 1:2,500

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Overview Map
Scale 1:20,000

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Application decisions delegated to the Chief Executive

Application	Applicant	Decision Date	Decision
62/11/25/008 Muttletwood, Countisbury, Lynton, EX35 6NG	Mr W Shean	23 Jun 2026	Approved with Conditions

Erection of mixed-use building for use as stable block, tack room, kennels and agricultural use. Retrospective.

Application	Applicant	Decision Date	Decision
EXM/26/051/PNA/CA/2 Sherdon Higher Sherdon Sandyway South Molton EX36 3LU	Roger Mason	27 Jul 2026	Withdrawn

Prior approval for the proposed erection of agricultural barn (13.8m x 9m).

Application	Applicant	Decision Date	Decision
EXM/26/081/FULL The Homestead, Ilkerton, Lynton, Ex35 6Ph	Ms Victoria Haynes	28 Jul 2026	Approved with Conditions

Proposed erection of mixed Agricultural & Equestrian use building.

Application	Applicant	Decision Date	Decision
EXM/26/083/FULL Wingate Farm Brendon Lynton EX35 6NQ	Richard Binding	03 Jul 2026	Approved with Conditions

Proposed siting of a converted container to be used as 'off-grid' holiday accommodation.

Application	Applicant	Decision Date	Decision
EXM/26/093/PNA/CA/2 Land at Praunsley Twitchen South Molton Devon EX36 3LP	Katherine Emmett	20 Jul 2026	Prior Approval Refused

Prior approval for the proposed creation of slurry lagoon (16.1m x 16.1m x 6m).

Application	Applicant	Decision Date	Decision
EXM/26/097/PNA/CA/2 South Heasley Heasley Mill South Molton EX36 3LE	Mr Cole	30 Jun 2026	Withdrawn

Prior approval for the proposed erection of General Purpose Agricultural Storage Barn (32m x 22m)

Application	Applicant	Decision Date	Decision
EXM/26/101/FULL The Garages, Barbrook Road, Barbrook, Lynton, Devon. EX35 6PA	Mr D Roberts	26 Jun 2026	Approved with Conditions

Proposed single storey side extension on to domestic garages to form a store room.

Application	Applicant	Decision Date	Decision
EXM/26/102/PNA/CA/2 Westwater Farm, Worth Lane, Withypool, Dulverton, Minehead. TA24 7RQ	Mr Keith Branfield	02 Jul 2026	Prior Approval Approved

Prior Approval for the proposed erection of general purpose agricultural building (18.28m x 13.71m).

ITEM 8

Application	Applicant	Decision Date	Decision
EXM/26/103/FULL Hicombe House Hartford Road Brompton Regis Dulverton TA22 9NS	Miss Francesca Onody	10 Jul 2026	Approved with Conditions

Proposed erection of replacement dwelling and associated works together with temporary retention of 2 static caravans. Amended Plans.

Application	Applicant	Decision Date	Decision
EXM/26/109/CLP Stable House 3 Jury Road Dulverton TA22 9DU	Mr T Smith	02 Jul 2026	Certificate Of Lawfulness Granted

Proposed installation of Velux motorised triple glazed windows on North Elevation, 21no. solar panels on South, East & West Elevations together with Battery storage installed in garage and EV charge point installed by garage door.

Application	Applicant	Decision Date	Decision
EXM/26/111/HH Sticklepath Cottage, Nettlecombe, Watchet, Ta23 0Lr	Mr Tareq Hadeed	08 Jul 2026	Approved with Conditions

Proposed erection of Greenhouse (2.44m x 3.66m)

Application	Applicant	Decision Date	Decision
EXM/26/112/VOC Rose Bank Luxborough Watchet TA23 0SR	Edmund Burton	13 Jul 2026	Approved with Conditions

Proposed demolition of existing, single story lean-to kitchen extension and erection of two story pitched roof extension with kitchen on ground floor and en-suite bathroom on first floor.
Subterranean extension to existing garage to provide parking for 2-3 cars without complying with condition 2 (approved plans) of approved application 6/20/25/002

ITEM 8

Application	Applicant	Decision Date	Decision
EXM/26/114/FULL Orchard House Fairgarden Road Wootton Courtenay Minehead TA24 8RE	Mr and Mrs G van den Berg	10 Jul 2026	Approved with Conditions

Proposed renovation of existing stable building and inclusion of external hardstanding area, for continued private domestic stabling usage.

Application	Applicant	Decision Date	Decision
EXM/26/116/HH Woodside 19 Battleton Dulverton TA22 9HT	Mr Robert Parkin	08 Jul 2026	Approved with Conditions

Proposed erection of garage, garden walls and raised decking area - resubmission of 6/9/25/021

Application	Applicant	Decision Date	Decision
EXM/26/117/LBC Luttrell Arms Hotel 32-36 High Street Dunster Minehead TA24 6SG	Mr & Mrs N Way	09 Jul 2026	Approved with Conditions

Listed building consent to replace the existing rear roof with natural slate to include inline slate vents and replacement rooflights. Retrospective.

Application	Applicant	Decision Date	Decision
EXM/26/118/FULL Cloud Farm Camping Oare Minehead EX35 6NU	Mr Lawrence Showell	17 Jul 2026	Approved with Conditions

Replacement of existing reception and campsite facility buildings and storage container with new two storey reception and campsite facilities building, with associated external works

ITEM 8

Application	Applicant	Decision Date	Decision
EXM/26/119/FULL Worth Farm, Worth Lane, Withypool, Dulverton, Minehead, Ta24 7Rq	Mr A Collins	13 Jul 2026	Approved with Conditions
Proposed building to roof over the existing Farm Yard Muck (FYM) store.			

Application	Applicant	Decision Date	Decision
EXM/26/120/HH Woodside, Roadwater Road, Roadwater, Watchet, TA23 0RG	Mr Jolley	14 Jul 2026	Approved with Conditions
Proposed retention of a timber garden store and raised decked area.			

Application	Applicant	Decision Date	Decision
EXM/26/121/HH Priory Gate 4 The Ball Dunster Minehead TA24 6SD	Mr Ben Oliver	17 Jul 2026	Approved with Conditions
Proposed removal of existing outbuilding and erection of single storey timber summerhouse/store			

Application	Applicant	Decision Date	Decision
EXM/26/122/FULL Unit 1 The Garden Studios The Old Tannery Porlock Minehead TA24 8PU	Mr Matthew Keal	27 Jul 2026	Approved with Conditions
Proposed change of use of an existing commercial unit to a flexible mixed Class E use comprising a cycle repair and servicing workshop and retail sales, together with ancillary takeaway refreshment provision associated with the primary use of the premises, and minor external alterations including the replacement of an existing window with a door			

ITEM 8

Application	Applicant	Decision Date	Decision
EXM/26/123/HH	Mr Jin Tan	20 Jul 2026	Withdrawn

Woodborough, Porlock, Minehead, Ta24 8Nz

Proposed erection of cabin for use as a store, office and for leisure purposes. Retrospective.

Application	Applicant	Decision Date	Decision
EXM/26/126/CLE	David Binks	29 Jul 2026	Certificate Of Lawfulness Granted

Snowdrop Cottage
Court Farm
Exford
Minehead
TA24 7LY

Lawful development certificate for the existing use of Snowdrop Cottage as a holiday let not in accordance with Condition 2 of approved application 6/13/92/107

Application	Applicant	Decision Date	Decision
EXM/26/127/PNA/CA	Mr S Atkins	29 Jun 2026	Prior Approval Not Required

Higher Melcombe
Exford
Minehead
TA24 7LU

Prior notification for the erection of agricultural storage building and associated works.

Application	Applicant	Decision Date	Decision
EXM/26/128/PA/16CA	Cellnex UK	20 Jul 2026	Prior Approval Not Required

Monksilver
Silverdown Hill
Stogumber
Somerset
TA4 3PY
Easting: 308487 Northing: 136236

Proposed permanent backup generator.

ITEM 8

Application	Applicant	Decision Date	Decision
EXM/26/129/HH Leys The Ridge Porlock Minehead TA24 8HA	Ms Alison Nancekivell	29 Jul 2026	Approved with Conditions

Proposed demolition of a side extension and garage, erection of single storey side extension, detached garage, replacement roof finish and chimney extension.

Application	Applicant	Decision Date	Decision
EXM/26/130/HH Ring House Park Lane Carhampton Minehead TA24 6NL	Mr Timothy Coverdale	20 Jul 2026	Approved with Conditions

Proposed installation of a 12 panel ground mount solar pv system.

Application	Applicant	Decision Date	Decision
EXM/26/145/NMA Martinhoe Manor Woody Bay Barnstaple EX31 4QX	Mrs F Blunt	20 Jul 2026	Approved

Non-material amendment – full – of approved application 62/43/23/010 to allow reinstatement of chimney and replacement of window to double doors.

Application	Applicant	Decision Date	Decision
EXM/26/155/DOC	Mr and Miss Horrell & White	20 Jul 2026	Approved

Pennycombe Cottage, Withypool, Dulverton, Minehead, Ta24 7Rp

Discharge of condition 4 (flood measures) of approved application EXM/26/025/FULL

ITEM 8

Application	Applicant	Decision Date	Decision
EXM/26/170/PNA/CA LAND AT HOLDSTONE FARM vellacott lane 1 Holdstone Farm Combe Martin EX34 0PE	Mr Keith Lerwill	31 Jul 2026	Prior Approval Required

Prior notification for erection of agricultural building 48.8m x 18.21m to cover existing hard standing manure area.

Application decisions delegated to the Chief Executive

Application	Applicant	Decision Date	Decision
6/9/25/007	Mr. O Rose	07 Aug 2026	Approved with Conditions
Beech Cottage, Liscombe to Spire Cross, Dulverton, Somerset, TA22 9QA			
Change of use of Beech Cottage holiday let to local affordable dwelling. Retrospective. (amended description).			

Application	Applicant	Decision Date	Decision
6/9/25/008	Mr O Rose	07 Aug 2026	Approved with Conditions
Sycamore Cottage, Liscombe Farm, Dulverton, TA22 9QA			
Change of use of Sycamore Cottage holiday let to local affordable dwelling. Retrospective. (amended description).			

Application	Applicant	Decision Date	Decision
EXM/26/113/DOC	Tom Adams	05 Aug 2026	Approved
West Hollowcombe Farm Hawkridge Dulverton Somerset TA22 9QL			
Discharge of conditions 8 (lighting design strategy), 10 (HMMP) & Statutory BGP Condition of approved application 6/42/25/002.			

Application	Applicant	Decision Date	Decision
EXM/26/132/HH	Ms K Hamilton	10 Aug 2026	Approved with Conditions
The Old Vicarage Brompton Regis Road Brompton Regis Dulverton TA22 9NN			
Proposed installation of 14 No. solar panels on listed outbuilding			

ITEM 8

Application	Applicant	Decision Date	Decision
EXM/26/133/LBC The Old Vicarage Brompton Regis Road Brompton Regis Dulverton TA22 9NN	Ms K Hamilton	10 Aug 2026	Approved with Conditions

Listed building consent for the proposed installation of 14 No.solar panels on listed outbuilding.

Application	Applicant	Decision Date	Decision
EXM/26/137/DOC Bridgetown Cricket Club Bridgetown Dulverton TA22 9JL	Peter Matravers	04 Aug 2026	Approved

Discharge of condition 3 (timber cladding sample) of approved application 6/15/24/003.

Application	Applicant	Decision Date	Decision
EXM/26/139/DOC Porlock Vale House Porlock Weir Road Porlock Minehead TA24 8PE	Mr Mark Pendarves	04 Aug 2026	Approved

Discharge of condition 7 (Habitat Management and Monitoring Plan (HMMP)) and Statutory BGP Condition of approved application EXM/26/061/FULL.

Application	Applicant	Decision Date	Decision
EXM/26/142/HH Barn Cottage Selworthy Minehead TA24 8TL	Mr & Mrs D Atcherley-Symes	10 Aug 2026	Approved with Conditions

Proposed removal of existing thatched roof and replace with slate, together with, the installation of integrated PV panels to the south-west roof pitch.
