



EXMOOR
NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY
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21 May 2025

**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, 3 June 2025 at 1. 30pm.**

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

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

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. Election of Chairperson

2. Election of Deputy Chairperson

3. Apologies for Absence

4. 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.

5. Minutes

- (1) To approve as a correct record the Minutes of the meeting of the Planning Committee held on 6 May 2025 ([Item 5](#))
- (2) To consider any Matters Arising from those Minutes.

6. 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.

7. 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.

8. Appeal Decisions:

To note the decision of the Secretary of State to dismiss the following appeals:

8.1 Appeal Ref: APP/F9498/W/24/3352269 – Chapel Knap, Porlock Weir, Minehead TA24 8PA – proposed change of use of existing ancillary garden building to a Holiday Let ([Item 8.1](#)).

8.2 Appeal Ref: APP/F9498/W/24/3357657 - Hurlstone Bungalow, Bossington Road, Selworthy, Somerset TA24 8HQ - proposed is replacement of existing bungalow and shed with eco timber bungalow and new shed ([Item 8.2](#)).

9. Development Management:

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

| Agenda Item | Application No. | Description | Page Nos. |
|-------------|-----------------|--|-----------|
| 9.1 | 6/43/24/011 | Proposed single storey ancillary store extension added to the rear/north elevation of the house. Existing stables removed and new stables constructed. Solar panels are to be installed on the roofs of both the extension and stables. Landscaping works to form northern courtyard and terracing. Formation of new garage and pool to south of house – Willsfield House, Wootton Courtenay, Minehead TA24 8RD. | 1-20 |

- 9.2 6/40/25/001 Proposed demolition of cottage and erection of 1 no. 21-27 rural workers dwelling without complying with condition 10 (windows, doors and external joinery material) and condition 2 (approved plans) of approved application 6/40/21/120 to allow change in windows, doors and external joinery material from timber to uPVC – Little Ham, Winsford, Minehead TA24 7JF.
10. **Amendment to approved minutes from 1 April 2025 Committee Meeting: Application 6/27/22/115 - Proposed construction of a Local Needs Affordable dwelling at Land West of Sparkhayes Lane, Porlock, Somerset, TA24 8NE:** To consider the report of the Development Manager (Item 10).
11. **Application Decisions Delegated to the Chief Executive:** To note the applications determined by the Chief Executive under delegated powers (Item 11).
12. **Schedule of Section 106 Agreements:** To note the Schedule of Section 106 Agreements being undertaken by Devon County Council on behalf of Exmoor National Park Authority (Item 12).
13. **Site Visits:** To arrange any site visits agreed by the Committee (the reserve date being Friday, 27 June 2025 (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 5

EXMOOR NATIONAL PARK AUTHORITY PLANNING COMMITTEE

MINUTES of the Meeting of the Planning Committee of Exmoor National Park Authority held on Tuesday, 6 May 2025 at 1.30pm in the Committee Room, Exmoor House, Dulverton.

PRESENT

Mr S J Pugsley (Chairperson)

Mr A Bray

Mr D Elson

Mr B Geen

Mr J Holtom

Mrs C Lawrence

Mr J Patrinos

Mrs F Smith

Mr J Yabsley

Apologies for absence were received from Dr M Kelly, Mrs F Nicholson and Miss E Stacey.

75. DECLARATIONS OF INTEREST/LOBBYING OF MEMBERS/ UNACCOMPANIED SITE VISITS:

In relation to Item 6.1 – Proposed reinstatement of railway line between Killington Lane and Cricket Field Lane (941m), renovate and reinstate existing cattle creep accommodation bridge 64, renovate existing highway bridge 63, construction of a new road bridge 65 over the railway at Killington Lane, excavating infill from the original railway cutting each side of Parracombe Lane, construction of fencing both sides of the railway corridor together with the formation of a level zone to accommodate a temporary halt and run around loop with a head shunt siding - Land between Killington Lane halt and Cricket Field Lane - x:267100, y:145900. Parracombe, the Chairperson reported that Dr M Kelly had declared an interest as he had advised the applicant in relation to a planning application submitted to North Devon Council and therefore Dr Kelly would not attend the meeting.

76. MINUTES:

- i. **Confirmation:** The **Minutes** of the Committee's meeting held on 1 April 2025 were agreed and signed as a correct record.
- ii. **Matters arising:** There were no matters arising.

77. BUSINESS OF URGENCY: There was none.

78. PUBLIC SPEAKING: See Minute 79 below for details of public speakers.

DEVELOPMENT MANAGEMENT

79. Application No: 62/50/24/014

Location: Land between Killington Lane halt and Cricket Field x:267100, y:145900, Parracombe

Proposal: Proposed reinstatement of railway line between Killington Lane and Cricket Field Lane (941m), renovate and reinstate existing cattle creep accommodation bridge 64, renovate existing highway bridge 63, construction of a new road bridge 65 over the railway at Killington Lane, excavating infill from the original railway cutting each side of Parracombe Lane, construction of fencing both sides of the railway corridor together with the formation of a level zone to accommodate a temporary halt and run around loop with a head shunt siding

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

Public Speakers:

1. Mr S and Mrs C Blowing – statement read by Mr H Harrison
2. Mr L Willcox – statement read by Mr H Harrison
3. Mr Stuart Wallis – statement read by Mr H Harrison
4. Mr H Harrison
5. Mr D Balmer – printed statement
6. Mr S Harding – printed statement
7. Mr P Colley – printed statement
8. Mr I Kay – printed statement
9. Mr D Grob
10. Mrs L Grob
11. Mrs J Harrison
12. Mr J Hill, applicant's agent
13. Mr J Barton, applicant

The Committee's Consideration

It was confirmed that a site visit had taken place on Friday 25 April which had been attended by Mr S J Pugsley, Mr D Elson, Mr B Geen, Mr J Holtom and Mrs F Smith.

It was also confirmed that the proposed development between Killington Lane and Cricket Lane represented reinstatement of the former railway line; however, the development associated with the formation of a level zone to accommodate a halt and run around loop (including the creation of an embankment) at Cricket Field Lane would be new development.

Members were advised that the height of the embankment closest to the heritage assets of Heddon Hall and its kitchen garden walls would be approximately 1.8m.

The lack of public access to the proposed halt was acknowledged.

Members noted Local Plan Policy RT-S2 which specifically relates to proposals for the reinstatement of the Lynton & Barnstaple Railway and in particular clause 1(b), which states that any new development over and above the original historic former railway should provide demonstrable evidence that it is essential for the operation of the reinstated former railway or is a restoration of a historic feature and that there are no alternative solutions which would reasonably meet the need for the development in any other way.

Members also noted the Planning Officer's view that if it were accepted that the proposed halt was essential, the harm identified to the character and appearance of the landscape would not be outweighed.

The view of the majority of Members was that the proposed embankment would represent a significant feature in the landscape and that the case for a halt being essential to the operation of the railway had not been made.

It was also considered that the public benefits of the proposed scheme would not outweigh the harm to the identified heritage assets, and it was not appropriate to rely on data extrapolated from an economic analysis prepared in support of an earlier application.

Therefore, the application did not comply with Local Plan policy and could not be supported.

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

80. Application No: 6/9/25/002

Location: Exmoor National Park Authority, Exmoor House, Dulverton TA22
Proposal: Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for proposed removal of Air Source Heat Pump and installation of new air conditioning unit in new location on west elevation of outbuilding.

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

The Committee's Consideration

The Committee considered applications 6/9/25/002 and 6/9/25/003LB together.

It was noted that in both instances the Authority was the applicant, and the applications were presented to the Planning Committee for determination under the Authority's Scheme of Delegation.

It was also noted that (subject to some exceptions) if a statutory consultee (including a parish/district Council) has a contrary view to the recommendation of planning officers accompanied by planning reasons, the Scheme of Delegation provided that an application be determined by the Planning Committee.

It was confirmed that the proposed new air conditioning unit reflected the massing and scale of the existing air source heat pump, which was no longer functional.

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

81. Application No: 6/9/25/003LB

Location: Exmoor National Park Authority, Exmoor House, Dulverton TA22

Proposal: Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for listed building consent for the proposed removal of Air Source Heat Pump and installation of new air conditioning unit in new location on west elevation of outbuilding.

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

RESOLVED: To approve Listed Building consent for the reasons set out in the report.

82. APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE: The Committee noted the **decisions of the Chief Executive determined under delegated powers**.

83. SITE VISITS: There were no site visits to arrange.

84. In closing the meeting, the Chairperson paid tribute to Mr J Yabsley who retired from the Authority following the Devon local elections and thanked him for his significant contribution to Exmoor National Park.

The meeting closed at 2.50pm

(Chairperson)

Appeal Decision

Site visit made on 22 April 2025

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 April 2025

Appeal Ref: APP/F9498/W/24/3352269

Chapel Knap, Porlock Weir, Minehead TA24 8PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Christopher Lister against the decision of Exmoor National Park Authority.
 - The application Ref is 6/27/24/006.
 - The development proposed is described as 'change of use of existing ancillary garden building to a Holiday Let'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development differs between the application form, the Authority's Decision Notice and the appeal form. I have taken the description from the application form, as this is the basis on which the application was made. Different addresses for the site are also used, some referring to 'Chapel Knapp'. However, as the application form, plans and the appellant's Statement of Case use 'Chapel Knap', I shall adopt this spelling. I have otherwise taken the address from the appeal form, which appears to be more accurate. I am satisfied that no party would be prejudiced as a result.

Main Issues

3. The main issues are:
 - whether adequate and appropriate vehicle parking would be provided for the proposal, and
 - whether the proposal would accord with the spatial strategy of the Authority for this type of development.

Reasons

Parking

4. The proposal seeks to use an existing building as a holiday let. The building is located on land associated with Chapel Knap, a dwelling. Although aimed at individuals and couples, the appeal building would have the potential to accommodate up to four people. Two other buildings associated with Chapel Knap, The Coach House and The Stable Block, are used for holiday accommodation.

5. Policy AC-D3 of the Exmoor Local Plan (ELP), adopted July 2017, allows development where it would make appropriate provision for parking, guided by the standards set out in Table 9.1. This requires residential units such as the proposal to provide two vehicle spaces. There is no dispute that sufficient on-site parking and turning space is necessary. An existing parking area, accessed from Worthy Toll Road, would serve the proposal. The appellant states that this provides space for at least four cars, and is not required to serve Chapel Knap.
6. However, despite a request from the Highway Authority, no detailed information about the space available within the parking area, such as tracking data, has been provided. The area is bounded by low walls and vegetation, and currently contains some built form. On the limited information before me, I cannot conclude that there is enough room within the application site for two vehicles to park, together with space for them to manoeuvre into and out of the site safely, as well as space for covered cycle parking and electric vehicle charging points.
7. The Coach House and The Stable Block have another area used for parking, albeit outside of the application site. Nevertheless, I have little substantive evidence to show that the parking requirements of these properties and Chapel Knap itself, together with the proposal, could all be met within the areas available.
8. Consequently, I am not satisfied that adequate and appropriate vehicle parking would be provided for the proposal. It would therefore be contrary to ELP policy AC-D3, as well as ELP policy AC-DC1, which requires demonstrably safe and sustainable modes of transport, including cycle parking and vehicle charging. I give this conflict substantial negative weight in the planning balance.

Spatial Strategy

9. ELP Policy RT-D4 relates to non-serviced accommodation, such as the proposal. The policy only supports the change of use and conversion of buildings where, relevant to the appeal, they involve the creation of an additional unit as part of an existing self-catering complex. These are defined in its supporting text as properties with more than one holiday let unit controlled by an occupancy condition.
10. Whilst recognising the limitations of planning control, the policy refers to the adverse effects on the vitality of smaller settlements where a high proportion of existing dwellings are used as holiday homes. I understand that the reference to occupancy conditions in the definition of complexes (paragraph 8.38) is to prevent the policy aims from being circumvented by the creation of holiday units on sites where planning permission has not been granted by express consent.
11. There is no dispute that the complex here has more than one holiday let unit, including The Coach House and The Stable Block, but that none are controlled by a holiday occupancy condition. As such, the proposal would not accord with ELP Policy RT-D4 and its supporting text. However, it is also not in dispute that the existing holiday let business here is well established. Furthermore, the proposal would not involve the loss of an existing dwelling, but of what is described as an ancillary outbuilding. Accordingly, there is little reason to believe that it would result in the adverse community effects referred to by the policy.
12. For the reasons given above, the proposal would not accord with the spatial strategy of the Authority for this type of development, conflicting with ELP policy

RT-D4. That said, also for the reasons given, I give this conflict only limited negative weight in the planning balance.

Other Matters

13. The proposal would encourage more visitors to the area, who would be likely to support local businesses and provide other economic advantages. However, as only one additional unit of accommodation is proposed, I give this only moderate positive weight in the planning balance. As such, the adverse impacts of the proposal would significantly and demonstrably outweigh its benefits.
14. The lawfulness of the appeal building and its use has been questioned by the Authority. However, I am considering the proposal as a change of use, as described above. As such, the lawfulness of the building is not a matter for my consideration.

Planning Balance and Conclusion

15. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case, and the weight I give to them, do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR

Appeal Decision

Site visit made on 22 April 2025

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 May 2025

Appeal Ref: APP/F9498/W/24/3357657

Hurlstone Bungalow, Bossington Road, Selworthy, Somerset TA24 8HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Ivo Carew against the decision of Exmoor National Park Authority.
- The application Ref is 6/29/23/006.
- The development proposed is replacement of existing bungalow and shed with eco timber bungalow and new shed.

Decision

1. The appeal is dismissed.

Background and Preliminary Matters

2. Different addresses for the site have been used on the application form, the Authority's decision notice and the appeal form. I have taken the address from the application form. I am satisfied that no party would be prejudiced as a result.
3. The appeal proposal is located within the Exmoor National Park, and so I have had regard to my duties under the National Parks and Access to the Countryside Act 1949, and the Environment Act 1995, as amended, to further the purposes for which the National Park has been designated. These include conserving and enhancing natural beauty, wildlife and cultural heritage.
4. The Authority granted planning permission for the proposal on 11 March 2024. However, this decision was subject to a judicial review. The Authority submitted to judgement and reconsidered the application. It subsequently refused planning permission, against which this appeal is made.
5. Since the decision of the Authority, a revised National Planning Policy Framework (the Framework) has been published. The main parties have had the opportunity to comment on this. I have determined the appeal on the basis of the current planning policy position.

Main Issues

6. The main issues are the effect of the proposal on (1) the character and appearance of the area, and (2) protected species, namely bats.

Reasons

Character and Appearance

7. The site lies within remote countryside on the edges of the coast, some distance from the nearest village of Bossington. The character of the area includes a notable

absence of built development, with a prevailing sense of natural beauty. The site is accessed from Hurlstone Lane, which is now part of the King Charles III England Coast Path (the Coast Path), adjacent to the site.

8. The appeal property is in a poor state of repair, but the Authority accepts that it has not been abandoned. As an existing dwelling, Policy HC-D17 of the Exmoor Local Plan (ELP), adopted July 2017, permits the erection of a replacement dwelling in certain circumstances. Relevant to the appeal, these include at HC-D17(2)(c) that the replacement dwelling should reflect, or be similar to, the massing and scale of the original dwelling. Despite its use of the word 'should' I see little reason why its aims would not apply in this case. HC-D17(1)(b) requires no adverse impact on the character and visual amenity of the area.
9. The policy does not require the proposal to match or be identical to the original bungalow. 'Massing' is defined in the National Design Guide as the way that bulk is shaped into form, whilst 'scale' is the width, height and length of a building in relation to its surroundings. The existing property has a simple, rectangular shape under a pitched roof, and is not particularly obtrusive in its surroundings. The proposed dwelling would also be single storey and have a pitched roof, and be broadly rectangular. Its floorspace would not exceed the limit imposed by HC-D17(2)(b), albeit in respect of affordability, and the proposal would use traditional materials.
10. Nevertheless, although necessitated by other legislative and planning requirements, there is no dispute that the replacement dwelling would be both taller and much longer than the current building. It would also have a reduced width, a more complicated roof with stepped ridge heights, and a steeper roof pitch. The massing and scale of the proposal would therefore be different, larger overall and more prominent in its rural surroundings compared to the existing dwelling. It would thus fail to reflect or be similar to the current dwelling, thereby conflicting with HC-D17(2)(c), and would have a more intrusive in the landscape.
11. A replacement dwelling approved by the Authority at Lynton has been referred to by the appellant. I understand that this had an increase in length similar to the proposal. I have limited details of this scheme, but there is no suggestion that it involved a comparable increase in height, or a different roof form. Similarly, I do not know the full circumstances or surroundings of the self-build eco house at Exton. In any case, I have reached my conclusions on the proposal before me.
12. The proposal includes the demolition of existing buildings, but these are rustic and agricultural in appearance, and located some distance from the replacement dwelling, and so do not appear particularly out of place. Planning permission¹ was granted for an outbuilding next to the dwelling, and a concrete slab for this was laid. However, the slab has become overgrown and there is little to suggest that the outbuilding would be further built out. Moreover, the proposal includes additional domestic built form, in respect of the separate biomass building. This would be located away from the dwelling on a part of the site absent of buildings, thereby adding to the impact of the proposal.
13. The existing dwelling has front windows which could be widened, allowing for greater light spill. External lighting could also be installed without requiring further consent. That said, I am aware of no specific proposals for this. In contrast, the

¹ LPA reference 6/29/02/110

replacement dwelling would have a large number of windows across its longer front elevation. I am concerned that this would result in additional light spill from internal lights, particularly at night, compared to the existing dwelling. This would increase the prominence and intrusiveness of the proposal, detracting from the area's dark skies.

14. A planning condition could prevent or control any external lighting associated with the proposal. However, on the evidence before me, a planning condition requiring light-reducing glass may well result in a poor standard of accommodation for future occupiers. This could lead to pressure for the condition to be relaxed in the future. The condition used in the appeal at Sarratt, Hertfordshire² related only to external lighting. Despite the Castle Cary³ example cited, a requirement that internal blinds are raised and lowered at set times would in my view be an excessively onerous imposition on future occupiers, which would be difficult if not impossible to enforce.
15. As identified in the Landscape and Visual Appraisal, wider views of the site and proposal would be available from parts of Bossington Beach, as well as from the adjacent Coast Path. The proposal includes relocating and reorientating the entrance steps. It also includes additional hedgerow and landscaping along the frontage of the site. Nevertheless, such natural screening cannot be relied upon, particularly in winter months when foliage is reduced. Nor can its survival in the long term be guaranteed. These measures do not therefore overcome my concerns.
16. For the reasons given above, the proposal would harm the character and appearance of the area. As such, it would conflict with ELP policy HC-D17 as a whole. Similarly, it would conflict with ELP policies GP1, CE-S1, CE-S2, CE-D1, CE-S6 and RT-D12. These require proposals to preserve and enhance the character and appearance of the landscape, and to maintain its tranquillity and dark skies, including for users of Rights of Way. I give great weight to conservation of the landscape and scenic beauty of the National Park, as required by Framework paragraph 189.

Bats

17. The bungalow supports a roost for common pipistrelle and lesser horseshoe bats, with the outbuildings providing night roosting opportunities, with other species of bat passing the site. The proposal includes a replacement roost within the biomass building. Artificial light spill can disturb bats that are foraging and commuting, with some species found here being particularly sensitive to light. Other than the existing dwelling, there are few if any artificial light sources in the vicinity. I have already found that the proposed windows of the replacement dwelling are likely to result in greater light spill.
18. Natural England raised no objection to the proposal, finding no significant adverse impacts on statutorily protected nature conservation sites, and stated that a likely significant effect can be ruled out. Even so, the ecological information before me indicates the importance to bats of maintaining dark conditions, for example of their roosts and along the corridors of hedgerows and tree lines. No substantive lighting assessment is before me to demonstrate that this would be suitably achieved by

² APP/P1940/W/22/3311477

³ LPA reference 21/00335/FUL

the proposal. For the reasons already given, the suggested conditions cannot be relied upon to control the effects of light spill from internal lights.

19. Accordingly, the proposal may well have an adverse effect on protected species, namely bats. As such, it would conflict with ELP policies GP1 and CE-S3. Amongst other things, these policies seek to ensure development does not harm legally protected species, or lead to the loss of or damage to their habitats. I give this significant weight, having regard to Framework paragraph 192.

Other Matters

20. The proposal would be built to high environmental standards, including the biomass boiler and solar panels. It would provide improved accommodation for future occupiers, intended to be a local family. Its construction would also have social and economic advantages, such as to the local community and building industry. The proposal would also make more efficient use of the land and result in small enhancements for species other than bats. However, as the proposal involves the replacement of a single existing dwelling, its public benefits would be relatively minor, and so I give them only limited positive weight.
21. The site lies close to the Exmoor Heaths Special Area of Conservation (SAC), protected pursuant to the Conservation of Habitats Regulations 2017. Had I found no harm in respect of the main issues, as competent authority I would have carried out an Appropriate Assessment in respect of the potential effects on the SAC. However, as permission is being refused for other reasons, this matter need not be considered any further in this case.

Planning Balance and Conclusion

22. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case, and the weight I give to them, do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR



Committee Report

| | |
|---|---|
| Application Number: | 6/43/24/011 |
| Registration Date: | 15-Oct-2024 |
| Target Determination Date: | 03-Dec-2024 |
| Extension of Time: | 10-Jun-2025 |
| Applicant | Mr & Mrs Van Den Berg |
| Agent: | Mr. C Ardren, Louise Crossman Architects |
| Case Officer: | Joseph Rose |
| Site Address: | WILLSFIELD HOUSE, WOOTTON COURTENAY, MINEHEAD, TA24 8RD |
| Proposal: | Proposed single-storey ancillary store extension added to the rear/north elevation of the house. Existing stables removed and new stables constructed. Solar panels are to be installed on the roofs of both the extension and stables. Landscaping works to form northern courtyard and terracing. Formation of new garage and pool to south of house. |
| Recommendation: | Approval subject to conditions |
| Reason for bringing before Authority Committee: | This application is brought before the committee in accordance with the Exmoor National Park Authority's scheme of delegation as the view of Winsford Parish Council is contrary to that of Planning Officers. |

Relevant History

6/43/79/005 - Proposed erection of a dwelling and private garage and the formation of a vehicular access on Plot No. 1, Wills Field, Wootton Courtenay, as described in the detailed plans and drawings submitted on 11 October 1979, as amended by letter dated 27 November 1979 and drawings received on 28 November 1979, in accordance with the conditions attached to the outline planning permission no 6/43/77/011 granted 6 April 1978 (Approved: 12/07/1979)

6/43/23/006 Proposed construction of verandah and conversion of existing garage to allow extension of habitable space to main dwelling, together with, re-roofing of dwelling and installation of solar panels and roof lights (Approved: 12/07/2023)

6/43/24/007 - Proposed replacement of roof lights with dormer window and creation of balcony on North elevation (Approved: 03/10/24).

Site Description & Proposal

The application site is located within the settlement of Wootton Courtenay but outside of the Wootton Courtenay Conservation Area, about 5 miles south-west of Minehead. Willsfield House is a detached property that was built in 1980 in an elevated position on the north side of Ranscombe Road. The property is accessed by a steep driveway.

This application seeks the erection of an attached ancillary store extension to the rear/north elevation of the house. The removal of the previously existing stables (retrospective) and their re-construction at a different locality within the curtilage of the dwelling, the addition of further solar panels to the extension roof and stables, landscaping works to form a northern courtyard and terracing of the rear garden, as well as the formation of a new garage and outdoor swimming pool to the south of the house.

Consultee Representations

ENPA Landscapes Officer – No Objection:

Updated Comments:

The applicant has taken on board comments and the request for additional information. The additional information includes before and after street scene elevations, a long section EE of the proposed landform, topographic detail showing how the garage relates to the drive and entrance, more information on excavated material spreading and disposal, and a selection of photos taken from the lane to the south. Amendments include:

- Replacing the render with stone faced walls to the garage / pool building, which would be more in keeping.
- Additional planting to terraces to the rear which would help integrate the development into the wider landscape
- Embedding the garage / pool building into the slope more, adding steps down from the dwelling frontage. It is hard to gauge how much this would reduce the height of retaining wall seen from the street, as there are no dimensions and the section lines of the existing slope aren't entirely clear between the superseded and amended drawings.
- Identification of areas to spread the 555m³ of excavated bedrock. The D&A notes that larger rocks and boulders would be removed from site with smaller material spread across two areas. This would reduce the amount of off-site lorry movements, depending on the nature and size of the excavated bedrock. The spread material should be graded in to form a natural flowing ground form and marry in with adjacent levels. There is likely to be a need to overspread the areas of deposit with topsoil to return them to grass/pasture.

The amendments are beneficial to the proposal. My previous comments on lighting still apply.

Original Comments:

No objection in principle but some concerns to be addressed and more information required on some matters.

An ambitious scheme that requires significant excavation, including bedrock, on this steeply sloping site. The calculations show all topsoil and made-up deposits (some 355m³) are intended for re-use in the proposals or elsewhere on site, but a considerable amount of bedrock would require to be taken off site. As stated in the D&A statement, this is some 444m³ which could amount to at least 40 lorry loads being moved off site via the single track roads out of the village.

There is a section EE showing the existing landform north-south, but there does not appear to be the equivalent section EE showing the proposed altered landform. For the pool and garage building at the front, the steep roadside slope would be substantially excavated and a wall of around 3.75m high built to the southern elevation. The wall is proposed as painted render (apart from the roller door access to the garage) which would form an imposing and stark façade to the road. All existing vegetation would require removal to accommodate the construction, and little space would be left to conceal the wall with planting. A different material, such as stone facing, when combined with some planting, would be more in keeping with local character, reflect the existing stone retaining wall to the property boundary to the road and be less severe in appearance.

Neither the site plan nor the sections show whether the roadside stone retaining wall would be retained or whether some would have to be removed to widen the entrance to accommodate construction vehicles from this very narrow road, as well as for future access to the garage and drive. Further information on this is required.

The northern boundary of the curtilage would align with adjacent properties and the general line of garden plots along this northern edge of the village. However within this, the stable block would be on the more open, elevated ground. Vegetation on the boundaries of other properties nearby soften the visibility of garden structures in the wider landscape. I would recommend that screen planting is included to integrate the stables more into their setting and to clearly define the curtilage from the field.

The site is within the buffer zone of the International Dark Sky Reserve (which covers the whole National Park outside the core zone). The proposals do not appear to include any external lighting. Please secure this by way of appropriate condition. Any external lighting should be kept to a minimum and be dark sky friendly.

ENPA Woodlands Officer – No Objection:

I have reviewed the submitted information and set out my comments below. I note from the Ecological Impact Assessment report (table 4-2, p19 and section 5.2.7 p26) that

three small trees (a Guelder Rose, domestic Apple and ornamental Cherry) would have to be removed to facilitate the proposals. I have no objections to these trees being removed, and welcome the recommendation that at least three new trees should be planted to compensate for their loss. If you are minded to grant planning permission, I recommend that a condition is applied to require submission of a full soft landscaping plan prior to any works commencing on site. Such a plan should provide details of the tree species, number of each species, size of tree to be planted, and include a planting specification and 5 year management plan for those trees.

Wootton Courtenay Parish Council – Objection:

Updated Comments:

Wootton Courtenay parish council response to the above amended planning application is as follows: The parish councilors object to this amended application as it is an inappropriate scale of development, particularly the amount of spoil material that will have to be disposed of. Also the wall for the swimming pool although reduced, is still large and imposing. The parish councilors endorse the comments made by Julie Layzell, Landscape Officer, regarding this application.

Original Comments:

All 6 councilors object to this application. They are concerned about the visual impact of the pool, garage and retaining wall. There was not enough information and it would have been more helpful to have pre-planning advice for the phase 2 proposal. Environmental assessment, for visual and landscape is needed before a decision is made.

Somerset Highways – Standing Advice:

Standing Advice.

South West Water – No Comments:

South West Water has no comment as this site appears to be outside of our catchment.

Representations

ENPA has received three letters of objection from local residents. The key concerns raised include:

- The scale and location of the proposed development
- Drainage and flooding risks
- Visual and landscape impacts
- Light and noise pollution

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- Potential effects on local wildlife
 - Overlooking and potential impacts to neighbouring amenity
 - Deposition of excavated materials within the paddock
 - Alterations to the natural / existing land contours

Policy Context

Exmoor National Park Local Plan 2011 – 2031 (including minerals and waste policies):

- GP1 - Achieving National Park Purposes and Sustainable Development
- GP4 - The Efficient Use of Land and Buildings
- CE-S1 - Landscape and Seascape Character
- CE-D1 - Protecting Exmoor's Landscapes and Seascapes
- CE-S2 - Protecting Exmoor's Dark Night Sky
- CE-S3 - Biodiversity and Green Infrastructure
- CE-S6 - Design and Sustainable Construction Principles
- CE-D4 - Extensions to Buildings
- CC-S1 - Climate Change Mitigation and Adaptation
- CC-S5 - Low Carbon and Renewable Energy Development
- HC-D15 - Residential Extensions
- HC-D16 - Outbuildings
- RT-D11 - Equestrian Development
- AC-S3 - Traffic Management And Parking
- AC-D3 - Parking Provision and Standards

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

Planning Considerations

The primary planning considerations in this particular case are the principle of development, the visual impact of the proposed development and impacts upon the residential amenity of neighboring properties.

Policy GP1 seeks to ensure that development proposals align with the purposes of the National Park. The policy also states that particular attention should be paid to ensuring a high quality of design appropriate to the character and appearance of the National Park. The Policy also encourages the use of sustainable building materials and techniques.

In terms of the overall principle of the proposed development, the application comprises several distinct elements, each of which will be considered in turn below.

Both the rear store extension and the proposed sub-terranean garage / outdoor pool must be assessed against policy HC-D16 of the Exmoor National Park Local Plan which sets out the principles for outbuildings. The policy states that:

1. *Proposals for ancillary outbuildings within the domestic curtilage of a dwelling will be permitted where:*
 - a) *in terms of scale and massing they are proportionate to the dwelling they are to serve;*
 - b) *there is no unacceptable adverse impact on the character, appearance or setting of the existing dwelling, the surrounding landscape, or the amenity of neighbouring occupiers by reason of their siting and design in accordance with policy CE-S6 Design and Sustainable Construction Principles;*
 - c) *in the case of the conversion of an existing building, the character and appearance of the building is conserved in accordance with policy CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings; and*
 - d) *private amenity space around the dwelling will not be reduced to an unacceptable level.*
2. *Any element of the proposal that pertains to primary living accommodation should accord with the requirements of policy HC-D15 Residential Extensions*

Policy CE-D4 would also apply to the store extension, which sets out the principles for extensions to buildings on the National Park and states that:

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

Starting with the rear store extension, this element of the proposal would require substantial earthworks to regrade the steeply sloping land to the rear of the property in order to facilitate the development. While the scale of these works is noted, the extension would be located to the rear of the dwelling and is well screened from wider public viewpoints, including from longer-distance views. As such, it is not considered to result in an adverse impact on the wider landscape character.

The proposed extension, which would have an approximate floorspace of 27sqm, is considered to respect the form, character, and setting of the host dwelling. This is particularly evident in the proposed use of matching materials and a roof pitch that reflects that of the main building. Although the extension is of a relatively large size, the host dwelling is itself substantial, and the store is therefore considered proportionate to the scale of the property it serves.

Furthermore, the combination of existing boundary planting and the proposal's siting—cut into the slope—will ensure there is no unacceptable impact on the amenity of neighbouring properties. The application site also benefits from a generous garden, particularly to the rear, where the topography is steep and underutilised. Further re-landscaping at the rear of the property will take place to create a courtyard space, further making the curtilage more accessible.

In this regard, officers consider this element of the proposal to be supportable in principle, having regard to Policies HC-D16 (Outbuildings) and CE-D4 (Extensions to Dwellings) of the Local Plan. To ensure the scale of the dwelling remains appropriately controlled, and in light of a previous extension into a former attached garage, it is considered necessary to impose a condition limiting the use of the proposed store to non-residential storage purposes only.

Similarly, the proposed part-subterranean garage and adjoining outdoor pool at the front of the property would require significant earthworks to facilitate the development, given the steeply sloping topography of the site. However, it is noted that a number of neighbouring properties within the linear settlement of Wootton Courtenay feature garages positioned forward of their principal elevations, and as such this arrangement is not considered to be out of keeping with the established character of the village.

The garage itself would be faced in natural stonework, helping it to integrate with both the host dwelling and the surrounding landscape. Due to its sunken position, set into the slope and below the existing driveway level, its visual impact will be further reduced.

The existing front boundary stone wall and soft-edged roadside verge are to be retained, helping to preserve the characteristic streetscape. Owing to the roadside vegetation and topography, views of the development from the east and west along the lane are minimal, with the structure only becoming visible when directly passing the site entrance. In longer-distance views, while the structure will be discernible, it will be read in the context of existing development—situated between the principal elevation of the dwelling which is on higher ground, and the public highway and neighbouring properties on lower ground—thereby appearing visually contained and subservient in the wider landscape. There are also a number of other dwellings located to the east and west of the development.

The proposal includes a flat roof above the garage, which will be treated as a green roof and incorporated into the landscaped front garden, thereby not appearing as a roof

at all, but as a garden. To the east of the garage, the retaining wall structure will extend to create structural support for an outdoor swimming pool. While the pool is not enclosed within a building, its southern, eastern and western sides will be effectively retained by the same structure that forms the garage wall, thereby embedding it into the slope. This approach minimises the extent of exposed built form and helps to reduce visual prominence. For safety, the roof garden and pool area will be enclosed by a wooden fence, while soft landscaping—including trees and shrub planting adjacent to the garage entrance—will assist in screening the retaining wall and further assimilating the development into its setting.

In regard to neighbouring residential amenity—which has been raised as a concern by a number of local residents—this has been carefully assessed by the case officer.

During the site visit, the officer undertook a detailed inspection of the existing front garden and specifically assessed the potential for overlooking towards neighbouring properties, particularly to the west and south, where views from the proposed pool terrace and green roof garden would be most prominent. While direct views into neighbouring dwellings could not be achieved during the visit, it was noted that the existing boundary treatments provide a good level of screening that would effectively mitigate any potential overlooking. Moreover, the area of land where the proposed roof garden and pool would be sited already forms part of the existing garden and is currently accessible. As such, the development would not result in any materially greater level of overlooking than the existing situation. In fact, the regrading and re-landscaping of the front garden would result in the roof garden being set lower than the current slope for the most part, thereby further reducing any perceived overlooking.

Taken together, and in light of the careful use of topography, materials, landscape integration and retained features, this aspect of the proposal is not considered to result in any unacceptable visual or landscape harm and is not considered to cause any harm to neighbouring amenity. Officers therefore consider this element of the development to be acceptable in principle.

With regard to the demolition of the former stables and their proposed replacement in a different location within the property, it is firstly important to note that the previously existing stable structures have now been removed. As such, the current proposal must be assessed as a new development rather than a direct replacement. Nonetheless, officers have had regard to the fact that stables previously existed on site when considering the appropriateness of this form of development within the residential curtilage.

The proposed stables are to be located to the rear of the dwelling, within the residential curtilage, and adjoining a substantial parcel of land within the applicant's ownership which is demonstrably suitable for use as a paddock and capable of supporting the grazing of horses.

Policy RT-D11 (Equestrian Development) of the Local Plan sets out that proposals for equestrian development will be permitted where it can be demonstrated that they:

- a) *do not adversely affect the natural environment, amenity of the surrounding area, or neighbouring properties either directly or indirectly including through pollution.*
- b) *re-use existing traditional buildings or, where appropriate, non-traditional buildings in accordance with CE-S5. Where the need for a new building is clearly demonstrated, siting should be well related to existing buildings.*
- c) *do not cause unacceptable levels of traffic in terms of the environmental or physical capacity of the road network, and do not prejudice road safety interests.*
- d) *are sited sensitively in terms of visual impact and the landscape setting of the area, and in terms of the intensity of use or activity,*
- e) *are of an appropriate scale, well designed and, unobtrusive in their form, in terms of their height, position and materials including by means of enclosure. Proposals should reflect the character and form of existing traditional development.*
- f) *have adequate and suitable grazing land to support the development proposed.*
- g) *are well related to suitable networks of equestrian routes which can support the additional use in accordance with RT-D12 Access Land and Rights of Way.*

Where appropriate, horses will be regulated to a number which will not cause harm to equestrian routes, the landscape or nature conservation; and h) ensure the site is managed in accordance with an agreed land management plan.

The proposed development is of modest scale, comprising two stables only, which is consistent with the domestic nature of the holding and in line with the scale of the former stables that previously existed on site. No other buildings within the site are now available having removed the existing, of which were not particularly traditional or historic in any case, and the siting of the new stables has been chosen to relate closely to the adjoining paddock which will avoid unnecessary intrusion into the wider landscape.

The location of the proposed stables is well enclosed by existing hedgerows and mature tree cover, which will provide effective screening from neighbouring properties and minimise any potential impact on amenity. The form and appearance of the stables—timber-clad with a natural slate roof—is in keeping with traditional rural outbuildings and is considered to be appropriate in terms of design and materials. As such, the proposal accords with criteria (a), (d), and (e) of Policy RT-D11.

Given the small scale of the development and its intended use for private domestic equestrian purposes only, it is not considered that the proposal would generate any unacceptable levels of traffic or intensify the use of the site to a degree that would prejudice the safety or capacity of the local highway network, satisfying criterion (c). Furthermore, the adjoining paddock provides a sufficient extent of grazing land to support the proposed level of equestrian use, in line with criterion (f).

Officers acknowledge that the proposed stables are to be sited on elevated ground to the rear of the property. However, owing to the presence of substantial existing

vegetation, the modest scale of the building, and the proposed use of sympathetic materials, the development is not considered to result in an overbearing appearance within the landscape or cause undue visual harm. Moreover, several neighbouring properties—particularly to the east—feature built form within their gardens or curtilages, and the proposed stables would be positioned in a linear alignment with these, integrating well into the existing pattern of development and avoiding a sense of isolation in the landscape.

In this context, officers consider the proposal to accord with the relevant criteria set out in Policy RT-D11 of the Local Plan. The scale, siting, and domestic nature of the development are appropriate to the character of the surrounding area, and the proposal is therefore considered acceptable in principle.

Officers further note that, had the previously existing stables remained in situ, the removal and replacement of those with the scheme now proposed would likely have been supported on similar grounds, given the nature, scale, and siting of the new building and its alignment with planning policy and landscape considerations.

With regard to the installation of solar panels to the roof of the rear store extension and proposed stables, Policy CC-S5 of the Local Plan sets out the principles for low carbon and renewable energy development in the National Park. The policy states that:

1. *Development proposals for small scale renewable energy schemes that assist in contributing towards reducing greenhouse gas emissions and moving towards a carbon neutral National Park will be permitted where they:*
 - a) *contribute towards meeting domestic, community or business energy needs within the National Park;*
 - b) *are compatible with the landscape and seascape character of the locality and avoid the most sensitive landscapes;*
 - c) *do not compromise the natural beauty, wildlife, cultural heritage or historic environment of the National Park, or lessen the enjoyment of its special qualities, either on their own, or in a combination with other schemes;*
 - d) *do not adversely affect habitat quality or the maintenance of wildlife populations;*
 - e) *provide environmental enhancement or community benefits wherever possible;*
 - f) *conserve the amenity of the area including in relation to landscape and visual impact, tranquillity, access and recreation, air and water quality, noise, dust, odour and traffic generation; and*
 - g) *make provision for the removal of the facilities and reinstatement of the site, should it cease to be operational.*
2. *Proposals for renewable energy development that do not meet the criteria in (1) above, will not be permitted.*

The current proposal includes the installation of five solar panels to the roof of the rear extension and a further seven to the roof of the proposed stables. It is also pertinent to

note that eighteen solar panels on the front elevation of the main dwelling were previously approved under application reference 6/43/24/007 in 2024. Officers consider that the additional panels will make a positive contribution to the overall energy efficiency of the property and support the transition to a low-carbon future, in line with Policy CC-S5.

Given that the additional arrays will be fixed to existing and proposed built form located within the well-contained curtilage of the site, the panels are not considered to result in any harm to the landscape character, visual amenity, or special qualities of the National Park. The proposal is therefore deemed to satisfy all relevant criteria set out under Policy CC-S5.

In relation to the cumulative landscape impacts, design considerations, and overall cumulative effects of the development, the following planning policies are of particular relevance and should be carefully considered.

Policy CE-S1 seeks development proposals to conserve or enhance the high quality, diverse and distinct landscapes of the National Park. The Policy states that development proposals should have regard to and be appropriate in terms of impact with the conservation of significant landscape attributes, including the landscape setting of Exmoor's settlements. This Policy also states that opportunities to conserve, enhance and restore important landscapes, seascapes and their characteristics, including minimising existing visual detractions, will be encouraged.

Policy CE-D1 seeks to protect Exmoor's landscapes and seascapes. The policy states that development will be permitted where it can be demonstrated that it is compatible with the conservation and enhancement of Exmoor's landscapes and seascapes through ensuring that: a) the visual impact of the development in its immediate and wider setting is minimised through high quality design that reflects local landscape character with particular regard to scale, siting, materials, and colour; and b) the cumulative and/or sequential landscape and visual effects of development do not detract from the natural beauty of the National Park and the experience of tranquillity.

Furthermore, policy CE-S6 of the local plan sets out the principles for design and sustainable construction principles on the National Park and states that:

1. *Development proposals should deliver high quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment and in doing so applicants will be expected to demonstrate the following design principles:*
 - a) *All new build development should positively contribute to its setting in terms of siting, massing, scale, height, orientation, density and layout.*
 - b) *The materials and design elements of a new building or conversion of an existing building, should complement the local context through the use of traditional and natural sustainable building materials. The use of locally-sourced sustainable building materials will be encouraged.*

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- c) Design should reinforce landscape character and the positive arrangement of landscape features through planting and landscaping schemes, boundary treatments, and surfacing. Existing features such as trees, hedges and stone walls should be retained particularly where they are characteristic of the streetscape and/or the local area.*
 - d) Design should have regard to health and well-being and ensure that sufficient public and/or private space is provided or available, and footpaths and cycleways are incorporated where appropriate.*
 - e) The design and layout of development should have regard to improving safety, inclusivity and accessibility for those who live, work and visit there.*
 - f) The layout and design of new streets and associated infrastructure, required as part of new build development proposals, should respond to local character and the scale, and proportions of the historic street pattern. Opportunities for streets to be used as social spaces will be encouraged.*
 - g) The use and activity of the development should not detrimentally affect the amenities of surrounding properties and occupiers including overlooking, loss of daylight, overbearing appearance, or other adverse environmental impacts.*
- 2. To incorporate sustainable construction methods, proposals should:*
 - a) promote the sustainable use of resources;*
 - b) provide adequate access to, and storage for, recycling waste; and*
 - c) future proof against climate change impacts, including flood risk, in accordance with CC-S1.*
 - 3. Proposals that reduce carbon emissions further than required by Building Regulations, including through improving energy efficiency or through renewable and low carbon technologies (CC-S5), will be encouraged.*

The proposals also include a number of landscape alterations to both the front and rear gardens, intended to facilitate the creation of a garage and swimming pool, the formation of a sloped access into the proposed rear courtyard, the installation of a retaining wall to enclose the courtyard, and the development of a terraced garden behind it, including steps where necessary. Additionally, the planting of new trees is proposed within the garden areas, to replace three small trees existing on site.

In relation to this aspect of the proposals, the Exmoor National Park Authority's Tree Officer has been consulted and has raised no objections. The Tree Officer is supportive of the intention to introduce replacement tree planting and has recommended that a condition be attached requiring the submission and approval of a detailed soft landscaping scheme prior to the commencement of any works on site. This scheme should include the species and number of trees to be planted, their proposed size at planting, a full planting specification, and a five-year management and maintenance plan. The case officer is in agreement with this recommendation.

The incorporation of new tree planting is considered to make a positive contribution to the overall character of the site and its integration within the surrounding landscape.

This approach will help to reinforce the natural appearance of the property's setting and ensure that the proposals sit comfortably within the wider landscape context.

It is also intended that excavated soil resulting from the development will be spread and sensitively graded over the paddock to the north of the property. It is noted that the existing garden—both to the front and rear of the dwelling—is steeply sloped, significantly limiting its practical use. The proposed works, while involving a fairly large degree of excavation and engineered landscaping, are considered to be sympathetic in nature and design. Once completed and weathered in, these elements are expected to have only a minor impact on the wider landscape character, particularly as the courtyard is positioned to the rear of the property and would not be readily visible from long-range public viewpoints. The terraced garden will be finished with grassed areas, maintaining a green and natural appearance consistent with the surrounding setting.

In line with Policy CE-S1, the proposals are considered to conserve the distinctive landscape setting of Exmoor through careful siting and the use of appropriate, locally reflective materials. The proposed landscaping works respond positively to the challenges of the site's topography and contribute to the enhancement of landscape function and usability. Similarly, the design measures accord with Policy CE-D1, ensuring that the visual impacts of the development are minimised and do not detract from the natural beauty and tranquillity of the National Park.

With regard to cumulative effects, while public representations have raised concerns about the scale of the proposals and their combined impact, officers have undertaken a comprehensive assessment of the development as a whole. It is concluded that each component part is acceptable in its own right, and that the scheme does not give rise to unacceptable cumulative landscape or visual impacts.

The Exmoor National Park Authority's Landscape Officer initially raised some concerns relating to the extent of proposed landscaping works, the use of painted render on the garage and retaining pool walls, and uncertainty around the treatment of the existing roadside retaining wall. While these points did not amount to a formal objection in principle, the Landscape Officer requested further clarification and detail to assess the proposals more fully.

In response, the applicant has made a number of amendments and provided additional information, which has addressed the Landscape Officer's concerns. Notably, the external finishes of the garage and pool retaining walls have been revised to natural stone, which is considered more sympathetic to the local vernacular and will allow these structures to integrate more successfully with the surrounding landscape. Furthermore, updated site plans and supporting visuals have been submitted, including street scene elevations, topographic details, and sectional drawings, to demonstrate how the proposals relate to the existing landform and roadside character.

Photographs from key public vantage points to the south have also been submitted, providing greater clarity on the likely visual experience from the surrounding area.

Importantly, the revised plans confirm that the existing roadside retaining wall is to be retained, which helps to preserve the character of the immediate approach to the site. Additional planting is proposed to the rear garden terraces to help soften and integrate the development within the wider landscape. The garage and pool building have also been more sensitively embedded into the slope, with revised access steps added from the dwelling frontage, helping to reduce the perceived massing of the structure from the roadside, although precise comparisons are limited due to the absence of full dimensional data between the original and amended sections.

With respect to the management of excavated material, approximately 555m³ of bedrock is anticipated to be generated. The applicant now proposes that larger rocks and boulders will be removed from the site, while smaller material will be carefully spread across two identified areas within the adjacent paddock. This approach not only reduces the need for off-site lorry movements but also allows for the material to be regraded to form a natural and flowing landform that ties in with the existing topography.

The Landscape Officer notes that, subject to a condition securing a detailed regrading and landscaping plan, this would be a suitable and unobtrusive means of material reuse. They also recommend that a suitable condition be added restricting the use of any external lighting as to avoid excessive light spillage on Exmoor's Dark sky status, which the case officer endorses.

While the submitted plans do not include detailed specifications for external lighting, the accompanying Design and Access Statement confirms that minimal external lighting is proposed. It also states that where lighting is required, it will be downward facing to minimise potential light spill and avoid adverse impacts on the surrounding environment, including Exmoor's protected dark night skies.

Given the scale and extent of the proposed works — including the garage, swimming pool, and associated landscaping — it is recognised that some level of external lighting will be necessary to ensure the safe and practical use of the site. However, in order to ensure that any such lighting is sensitively designed and does not compromise the area's landscape character or ecological value, it is considered appropriate to impose a planning condition requiring full details of all external lighting to be submitted to and approved in writing by the Local Planning Authority prior to installation. This approach will allow the Authority to retain control over any future lighting and ensure compliance with Local Plan Policies CE-S2 & CE-S3.

Overall, the amendments and additional information provided by the applicant demonstrate a clear and positive response to the Landscape Officer's initial comments. The proposed changes are considered to enhance the scheme's compatibility with the character and visual quality of the surrounding area, in accordance with the objectives of Policies CE-S1, CE-D1, and CE-S6 of the Local Plan.

Other Matters:

A number of public representations have been received in objection to the proposals, primarily relating to potential landscape impacts, the cumulative scale of development, and concerns regarding lighting — matters which have been addressed in detail above. Additional issues raised by objectors are considered below.

Concerns have been expressed in relation to drainage and the potential for increased flood risk. In particular, some neighbours have suggested that the site is located within an area that is already prone to waterlogging and that the cumulative nature of the proposed groundworks could exacerbate local surface water issues. Officers have carefully considered this matter and note that the application site does not fall within Flood Zones 2 or 3, nor is it designated as an area of critical drainage concern.

Reference has been made to the presence of a watercourse within the paddock north of the dwelling, where some excavated materials are proposed to be deposited. However, having reviewed the site using the Authority's GIS system and available mapping data, no such watercourse has been identified in that location. Furthermore the application has demonstrated that surface water will be disposed of via ground infiltration and re-use which is considered to be acceptable. On this basis, officers are satisfied that the proposals do not give rise to unacceptable flood risk or drainage implications. Officers note that South West Water has provided comments on the proposal on three occasions. Initially, they requested clarification on how surface water would be managed, followed by confirmation that ground infiltration and water re-use would be acceptable. In their most recent response, however, they confirmed that the site lies outside their catchment area. Accordingly, only their latest comments are included above. Nonetheless, the proposed method of surface water mitigation is considered acceptable by the Local Planning Authority.

Noise during the construction phase has also been raised as a concern, particularly given the scale of excavation and landscaping involved. It is accepted that some short-term noise and disruption is likely during the course of development, particularly during groundwork operations. However, this is an inevitable part of most development activity and is not considered sufficient to warrant refusal. Furthermore, given that most materials are to be disposed of on site, this will reduce the amount of lorry movements to and from the site.

Concerns have also been raised in relation to the potential for noise associated with the use of the swimming pool post-completion. While some level of noise may arise from domestic use of the pool, officers consider that such use would be consistent with typical residential activity and would not result in an unacceptable impact when compared with existing use of the garden for general outdoor amenity purposes.

Ecological concerns have been raised, particularly in relation to the potential impacts of external lighting on wildlife. The application is supported by an Ecological Impact Assessment (EclA) undertaken by Orbis Ecology. While the document is titled in reference to the proposed stable, its content appears to cover the wider scope of the proposals. The report concludes that, given the modest scale of the proposed

development and its householder nature, there would be no predicted impacts on designated sites and no requirement for further ecological surveys. The ENPA Wildlife Conservation Officer has been consulted and raised no objection to the scheme.

Nevertheless, to safeguard local biodiversity and to ensure the proposals remain compatible with Exmoor's International Dark Sky Reserve designation, it is considered appropriate to impose a condition requiring the submission and approval of any external lighting details. This condition would not prohibit lighting but would ensure that any future installations are sensitively designed to avoid unnecessary light spill and to minimise any potential ecological or visual impacts. This approach ensures the development remains consistent with the objectives of Policies CE-S2 and CE-S3.

Human Rights

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

Taking into account the issues noted above and all other relevant material considerations, it is concluded that the proposals are widely in accordance with the policies outlined within the Exmoor National Park Local Plan 2011–2031. The various elements of the scheme — including the rear extension, subterranean garage and pool, and equestrian development — are considered acceptable in principle and are supported by Policies HC-D16 (Outbuildings), CE-D4 (Extensions to Buildings), and RT-D11 (Equestrian Development) respectively.

Careful regard has been given to the landscape and visual impacts of the proposals, both individually and cumulatively. The development has been designed and amended in response to landscape sensitivities and public feedback, with particular attention paid to siting, scale, materials and landform. As such, it is considered that the proposals would conserve the character and appearance of the surrounding landscape and would not give rise to any unacceptable cumulative effects. This is consistent with the aims of Policies CE-S1 (Landscape Character), CE-D1 (Protecting Exmoor's Landscapes and Seascapes), and CE-S6 (Design and Sustainable Construction Principles).

Furthermore, having assessed the relationship with surrounding properties, the development is not considered to result in any unacceptable impacts upon the residential amenity of neighbouring occupiers, either through visual intrusion, overbearing effects, or noise, during construction or upon completion, provided that the conditions as recommended are fully adhered to.

In conclusion, officers support the proposal subject to a number of conditions as listed below.

Recommendation

Approval subject to the following 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 drawings numbered: 6/43/24/011 File No. 1 (As titled by ENPA) as well as: 2171.0/301C, 2171.0/312B, 2171.0/305B, 2171.0/112, 2171.0/314, 2171.0/322, 2171.0/302B, 2171.0/303C, 2171.0/104, 2171.0/304C, 2171.0/122, 2171.0/120, 2171.0/121, 2171.0/320C, 2171.0/321B, 2171.0/101, 2171.0/313, 2171.0/306A, 2171.0/111, 2171.0/110, 2171.0/311C, 2171.0/310B, 2171.0/102 & 2171.0/103, unless otherwise stated by another condition attached to this permission.
Reason: For the avoidance of doubt and to ensure the works accord with the approved details.
3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no external lighting shall be installed on the development hereby approved unless details have first been submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter be installed and operated fully in accordance with the approved scheme.
Reason: In the interests of visual amenity, the conservation of protected species and habitats and to protect Exmoor's dark night sky in accordance with policies GP1, CE-S2 & CE-S3 of the Exmoor National Park Local Plan 2011- 2031.
4. The rear store extension hereby approved shall not be used other than for the purposes of a general store, ancillary to the dwelling at 'Willsfield House'. The store shall not be used for any form of living accommodation.
Reason: To ensure that the home office and workshop remains ancillary to the application property in the interests of protecting local amenity and highway safety, and to allow the Local Planning Authority to formally consider other ancillary uses, such as ancillary living accommodation, to assess whether such uses would be compliant with the adopted development plan.
5. The stables hereby permitted shall only be used ancillary to the dwelling, known as Willsfield House and not for any commercial purposes unless otherwise agreed in writing by the Local Planning Authority.
Reason: In order to ensure that the stable block remains ancillary to the use of the dwelling known as Willsfield House.

-
6. Prior to commencement of the works hereby approved, the applicant shall submit to the Local Planning Authority for written approval, a soft landscaping plan covering the following details:
- The species to be planted and a timeline for when this will take place;
 - The number and spacings of plants;
 - The size of plants at planting stage;
 - A 5 year management specification;
 - And details of how the new planting will be protected from grazing damage.

The approved planting shall then be implemented in the first planting season following either the first use of the developments or the substantial completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained in accordance with the approved 5-year management specification. The planting shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed planting is carried out in accordance with the approved plans and to ensure that the trees to be planted are suitable and remain protected thereafter.

7. The development hereby approved shall be carried out in strict accordance with all ecological measures as set out in the Ecological Impact Assessment (Dated: 7th October 2024) and prepared by Orbis Ecology, unless varied by the conditions of a Natural England licence, both prior to the commencement of the works, during the construction phase and post completion of the works.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 180 of the National Planning Policy Framework and in accordance with policy CE-S3 (Biodiversity and Green Infrastructure) of the Exmoor National Park Local Plan 2011-2028.

Informatives

POSITIVE & PROACTIVE STATEMENT:

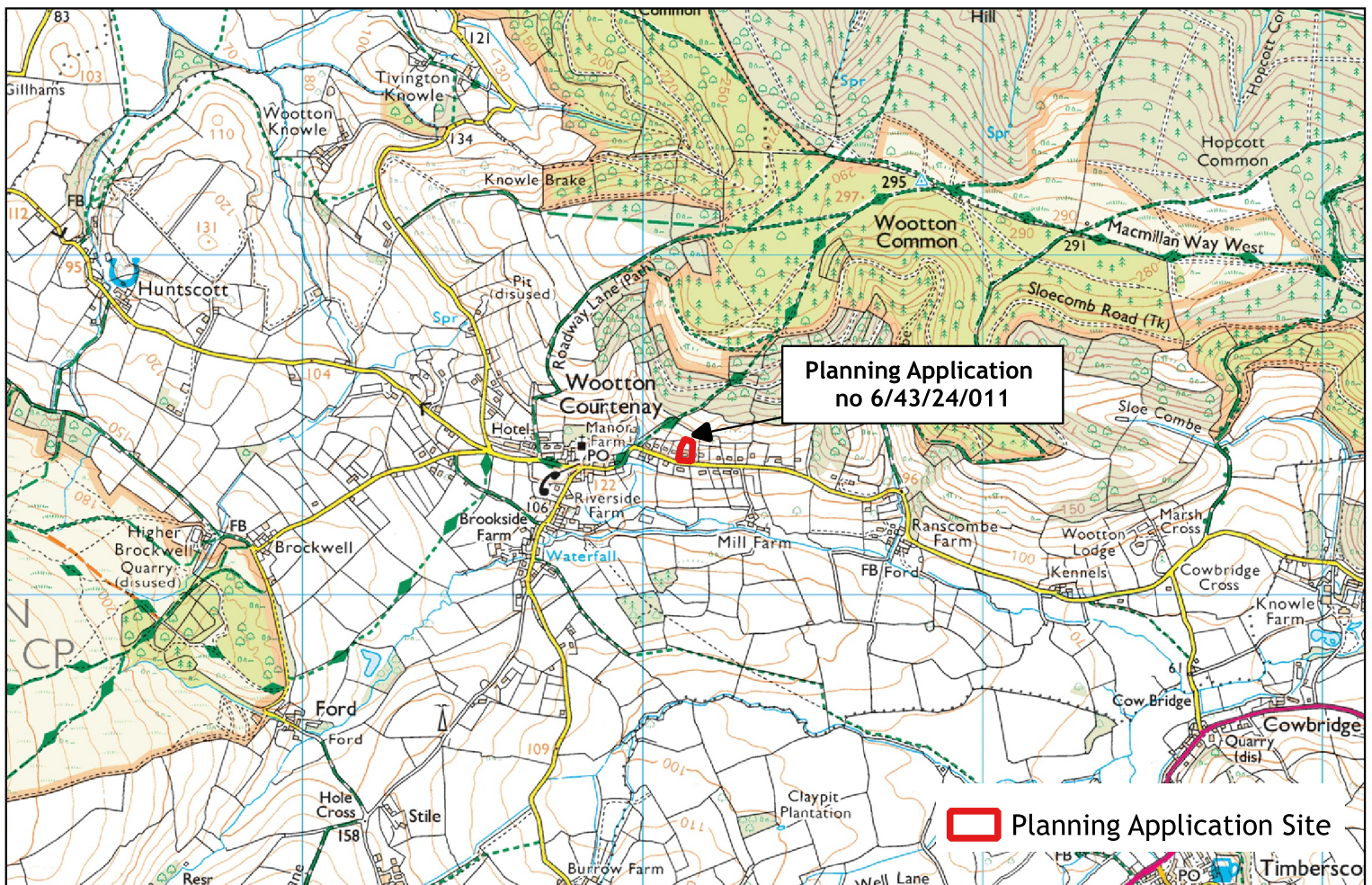
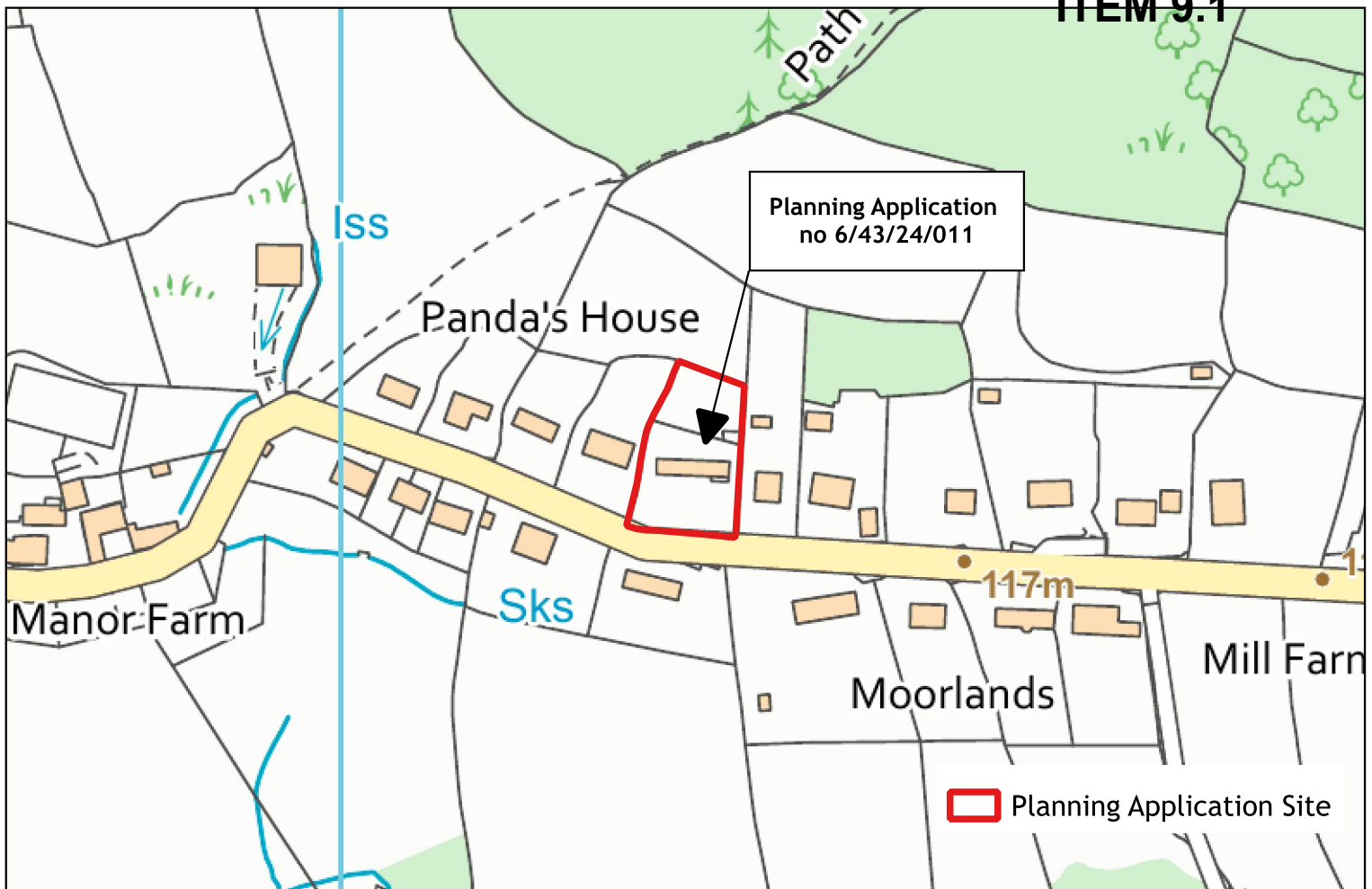
This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, 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. The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

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.

CONDITIONS AND INFORMATIVES AND THE SUBMISSION OF FURTHER DETAILS:

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.





Committee Report

| | |
|---|--|
| Application Number: | 6/40/25/001 |
| Registration Date: | 24-Mar-2025 |
| Target Determination Date: | 15-May-2025 |
| Extension of Time: | |
| Applicant | Mr C Hayes |
| Agent: | |
| Case Officer: | Emma Giffard |
| Site Address: | LITTLE HAM, WINSFORD, MINEHEAD, TA24 7JF |
| Proposal: | Proposed demolition of cottage and erection of 1 no. rural workers dwelling without complying with condition 10 (windows, doors and external joinery material) and condition 2 (approved plans) of approved application 6/40/21/120 to allow change in windows, doors and external joinery material from timber to uPVC. |
| Recommendation: | Refusal |
| Reason for bringing before Authority Committee: | The officer's recommendation is contrary to the view of the Parish Council. |

Relevant History

6/40/21/120 Proposed demolition of cottage and erection of 1 no. rural workers dwelling. Approved with Conditions 11 Apr 2022

6/40/22/114DC Discharge of condition 17 (Bat Licence) of approved application 6/40/21/120. Approved 30 Nov 2022

6/40/23/010DC Proposed discharge of condition 5 (slate sample) of approved application 6/40/21/120. Approved 19 Oct 2023

Site Description & Proposal

The application site comprises a dwelling that has been partially constructed in accordance with an approved planning permission 6/40/21/120. It lies to the northeast of Winsford and lies outside the built extent of the village on the Exford Road. The dwelling sits lower than the public highway, which lies on the northeast side. A residential property (known as Little Ham Cottage) lies to the southeast side of the

application site and fields lie to the remaining boundaries. The River Exe lies slightly further away to the southwest.

Planning permission has previously been granted for the replacement of the existing dwelling under application reference 6/40/21/120 in April 2022 (the “2022 permission”). The application form states that the 2022 permission has been implemented.

The 2022 permission was proposed with timber windows and doors, and conditions of the planning permission seek to ensure that is the case.

Condition 2 of the 2022 permission refers to the approved plans, which show timber windows and doors within the approved development. The condition says:

“The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following list of plans:

- i. Location Plan, drawing number 684.100 rev A – date stamped 8 Dec 2021;*
- ii. Proposed Layout, drawing number 684.102 rev C – date stamped 14 Feb 2022 – amended drawing;*
- iii. Proposed elevations, drawing number 684.104 rev C – date stamped 14 Feb 2022 – amended drawing; iv. Proposed elevations, drawing number 684.105 rev C – date stamped 14 Feb 2022 – amended drawing; and v. Proposed floor plans, drawing number 684.103 rev C – date stamped 14 Feb 2022 – amended drawing.*

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

Condition 10 of the 2022 permission states:

“The windows, doors and external joinery of the development hereby permitted shall be timber and thereafter timber windows, doors and external joinery shall be retained.

Reason: In the interests of the satisfactory appearance of the development upon completion and in the interests of the visual appearance of the development in this location within the National Park.”

The proposal is that Conditions 2 and 10 of the 2022 permission are varied to allow the installation of uPVC windows and doors within the new development.

Consultee Representations

Winsford Parish Council – 12/04/2024: Support

Following discussion it was agreed to support this proposal. It is recognised by the Councillors that uPVC windows have improved greatly now. They can now appear

similar to wooden windows. They also have a longer life and require less maintenance, and once needing replacement they can be recycled. The property is not in the conservation area.

Representations

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

Policy Context

Exmoor National Park Local Plan 2011-2031

GP1 Achieving National Park Purposes and Sustainable Development

GP3 Spatial Strategy

GP4 The Efficient Use of Land and Buildings

CE-S1 Landscape and Seascape Character

CE-D1 Protecting Exmoor's Landscapes and Seascapes

CE-S2 Protecting Exmoor's Dark Night Sky

CE-S3 Biodiversity and Green Infrastructure

CE-S6 Design & Sustainable Construction Principles

CC-S1 Climate Change Mitigation and Adaption

CC-D1 Flood Risk

CC-D5 Sewerage Capacity & Sewage Disposal

CC-S6 Waste Management

CC-S7 Pollution

HC-S1 Housing

HC-S2 A Balanced Local Housing Stock

HC-D9 Rural Workers

HC-D17 Replacement Dwellings

AC-S1 Sustainable Transport

AC-D2 Traffic and Road Safety Considerations for Development

AC-S3 Traffic Management and Parking

AC-D3 Parking Provision and Standards

Annex 2 Rural Land Based Worker Dwellings

The National Planning Policy Framework is also a material consideration.

Planning Considerations

In the context of the 2022 permission, the main planning consideration is the effect of varying conditions 2 and 10 of the 2022 permission to permit the installation of upvc windows and doors on the character and appearance of the development and locality.

The starting point for any planning decision is Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The Exmoor National Park Local Plan is the development plan in this regard.

Policy CE-S6 of the Local Plan is most significant in the matter. The Policy refers to design and sustainable construction principles. It says, amongst other things, that development proposals should deliver quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment.

The Policy expects that the materials and design elements of a new building should complement the local context through the use of traditional and natural sustainable building materials. Consequently, timber framed windows and doors are typically expected to be incorporated into development schemes, and the use of locally sourced sustainable building materials would be particularly encouraged.

The preamble to Policy CE-S6 provides further guidance. At paragraph 4.157 the Local Plan says that "the National Park Authority expects that windows and doors should be constructed of timber since this is both a traditional and sustainable material which has the potential to be grown locally". It goes on to say that timber detailing when in hardwood or pre-treated can also be repaired and have a long lifespan. Nevertheless, paragraph 4.157 also says that metal-framed windows may be considered where it is clearly part of the local character of the area.

In terms of uPVC windows and doors, under paragraph 4.158, the Local Plan advises that some building materials are not considered appropriate in the National Park for aesthetic reasons, meaning that they can appear incongruous when used in traditional or historic settings. There is concern that uPVC has a sheen and rather mechanical finish and appearance. Moreover, some uPVC windows can have much thicker, un moulded frames than timber, and the designs and detailing (applied glazing bars, joints, non-traditional forms of openings and/or disproportionate dimensions between opening and non-opening elements) are for the most part limited in terms of being effective replacements for traditional timber designs. Paragraph 4.158 also advises that the National Park Authority wishes to see the use of timber for window frames as the primary approach to fenestration.

Maintaining timber windows reinforces local distinctiveness and the sense of place, which are core objectives to the Exmoor Local Plan. The dwelling has been designed to reflect the traditional vernacular of the area, the inclusion of timber windows is considered integral to maintaining the satisfactory appearance of the development, especially given its locality and relationship to the surrounding landscape. Furthermore it is noted that the neighbouring property has timber framed windows, and that the original dwelling on the site also had timber framed windows and doors.

It is noted that the applicant has proposed wood grain effect uPVC windows to be installed, which whilst they may superficially replicate the appearance of painted or stained timber, they fall short of matching the visual and functional qualities of real timber, particularly in the context of sensitive, historic, or vernacular environments such as those found across Exmoor National Park. The site sits outside of the main settlement and within a natural and rural setting, furthermore the prevalence of timber on nearby developments only reinforces the importance to retain the timber in the new building.

In conclusion, the proposal to vary conditions 2 and 10 of the 2022 permission to allow the use of uPVC windows and doors would not conserve or enhance the character and appearance of the development or its locality. The use of uPVC, as set out in the Local Plan, is considered visually and materially inappropriate within the sensitive, rural, and historic setting of Exmoor National Park. The proposal would therefore conflict with the aims of Policy CE-S6 of the Exmoor National Park Local Plan, which requires high-quality, sustainable design using traditional and locally distinctive materials principles that are not met by the introduction of uPVC. As such, the proposal fails to comply with the development plan, and no material considerations have been presented that would justify a departure from it.

Human Rights

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

Having regard to the Exmoor National Park Local Plan 2011–2031 and the National Planning Policy Framework, the proposal to install uPVC windows is considered contrary to the key principles of sustainable development and the conservation of landscape and cultural heritage. The use of non-traditional, synthetic materials such as uPVC would have a detrimental impact on the character and appearance of the host property and its locality, particularly given the building's relationship to the surrounding historic and rural landscape.

The proposal conflicts with Policies GP1, CE-S1, CE-D1, and CE-S6 which collectively require development to conserve and enhance the built environment, use traditional and sustainable materials, and reinforce the historic and vernacular character of Exmoor. Timber windows are integral to the design quality and appearance of the dwelling, and their replacement with uPVC would erode local distinctiveness and fail to meet the standards expected for design and materials in the National Park.

Accordingly, the application is recommended for refusal.

Recommendation

Refuse for the following reason:

1. Policy CE-S6 of the Exmoor National Park Local Plan 2011 - 2031 states that development should utilise traditional and natural sustainable construction materials. Upvc windows and doors are neither congruent with the traditional construction material of windows and doors within the Park and it is not a material that is natural or sustainable. They would not be a high quality example of uPVC fenestration and would do not reflect the form and finish of the traditional timber windows and doors. Their installation would cause material harm to the character and appearance of the host building and the locality. Accordingly, the proposal is contrary to Policies GP1, CE-S1, CE-D1 and CE-S6 of the Exmoor National Park Local Plan 2011 - 2031, and the National Planning Policy Framework.

Informatives

POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged but was not sought in this case. It is noted that the Exmoor National Park Authority has endeavored to work positively and proactively with the agent/applicant. This is in accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and in line with the National Planning Policy Framework, which seeks to ensure that all relevant planning considerations have been appropriately addressed to achieve a positive outcome. In this case, the planning objections to the proposal could not be overcome.

APPEAL TO THE SECRETARY OF STATE

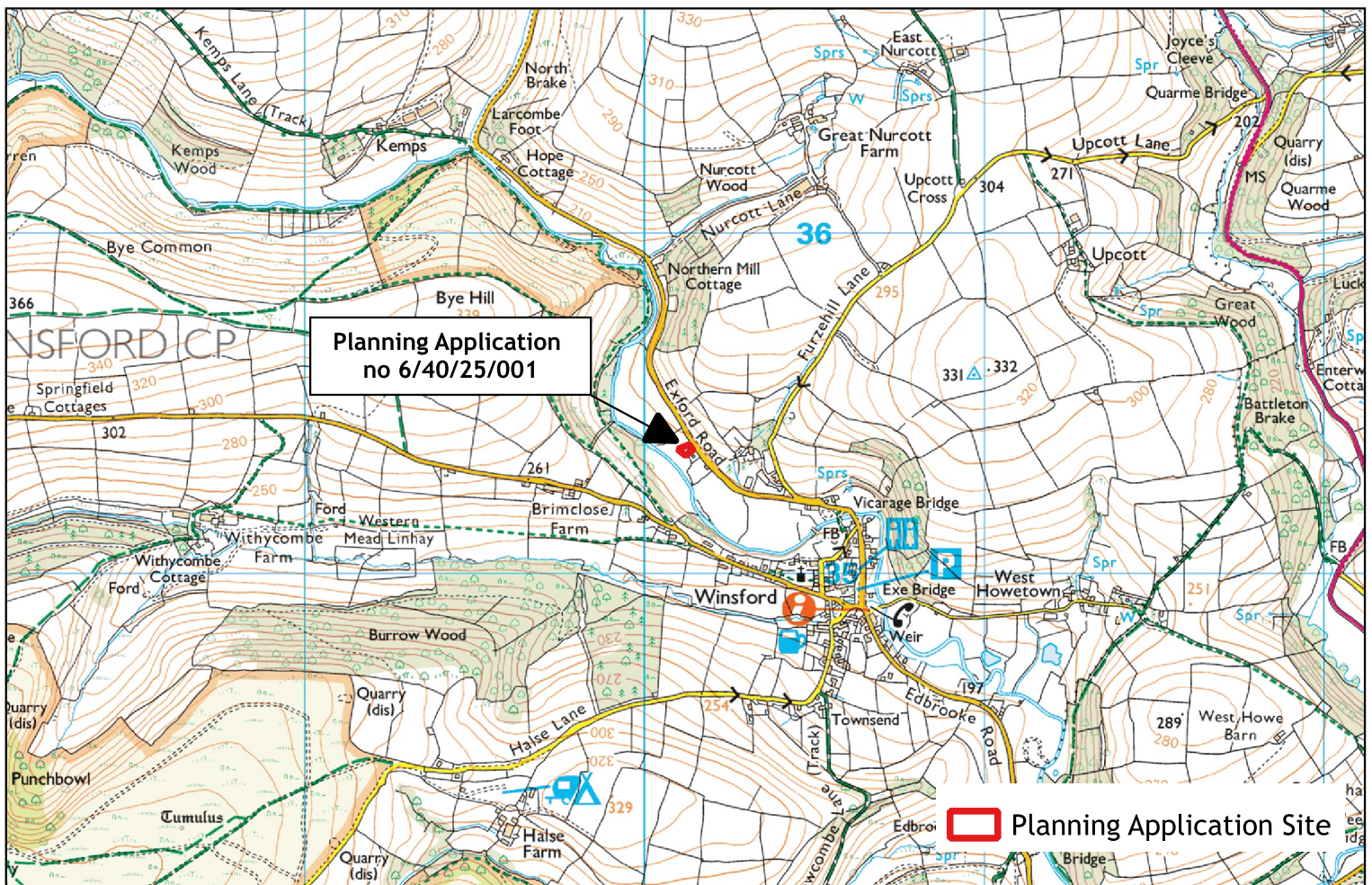
If you want to appeal against your Local Planning Authority's decision, then you must do so within 6 months of the date of this notice.



Site Map

Scale 1:2,500

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Overview Map

Scale 1:20,000.00002

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EXMOOR NATIONAL PARK AUTHORITY

3 June 2025

Amendment to approved minutes from 1 April 2025 Committee Meeting: Application 6/27/22/115 - Proposed construction of a Local Needs Affordable dwelling at Land West of Sparkhayes Lane, Porlock, Somerset, TA24 8NE.

Report of the Development Manager

Purpose of Report: To seek an amendment to the minutes for the 4 February 2025 Planning Committee meeting that were approved in the 1 April 2025 meeting to align with the Officer's recommendation.

RECOMMENDATION: The Committee is recommended to make a resolution to amend the minutes for 4 February Planning Committee to properly reflect the resolution made by the Planning Committee to grant planning permission subject to the conditions set out in report including a revised condition 11, **and subject to a Section 106 Agreement to ensure that the dwelling is a local needs affordable dwelling and that safe egress from the site is secured, in perpetuity.**

1. BACKGROUND AND DETAILS OF THE PLANNING APPLICATION

- 1.1 The National Park Authority Planning Committee considered the above application at the Committee Meeting on the 4 February 2025. The Officer's recommendation, as set out in the Committee report and during the Officer's presentation, set out that planning permission be approved, subject to a Section 106 Agreement to ensure that the dwelling is a local needs affordable dwelling and that safe egress from the site is secured in perpetuity.
- 1.2 The application was recommended for approval, subject to a signed S106 agreement and the conditions set out within the report.
- 1.3 Members voted to support Officer's recommendation Nem Con.
- 1.4 The minutes of the 4 February 2025 meeting were approved at the 1 April 2025 meeting (Item 3).
- 1.5 However, the approved minutes state in the "Committee's Consideration" section that
"Members supported the principle of achieving Local Needs Affordable housing and it was confirmed that if approved, planning permission would be subject to a S106 Agreement to ensure that occupancy of the dwelling was confined to persons in local housing need in perpetuity"
- 1.6 It was also confirmed that the overriding policy considerations had been met in relation to the applicants' housing need. It was questioned whether proposed

condition 11 in relation to the submission of a Landscape and Ecological Management Plan and proposed condition 12 requiring submission of a Construction Environmental Management Plan could be simplified, and it was agreed that if planning permission were approved, Planning Officers would review the terms of condition 11.

- 1.7 Furthermore, the minutes state that it was resolved to grant planning permission subject to the conditions set out in the report including a revised condition 1.
- 1.8 The minutes do not specifically reference the need for the S106 within the resolution to grant planning permission nor does the Committee's Consideration section state that the 106 Agreement is to include a requirement that "safe egress from the site is secured in perpetuity".
- 1.9 The Authority's Senior Lawyer has stated that the approved minutes must accurately reflect the resolution made by members of the Committee, which required a 106 Agreement to be entered into in accordance with the Officer's Recommendation.

2. RECOMMENDATION

- 2.1 It is, therefore, proposed that a resolution is made to amend the minutes of the 4 February 2025 meeting, to specifically include the wording of the Committee report and as recommended in the presentation to Members from the Senior Planning Officer.
- 2.2 The minutes should state that the application is **approved subject to a Section 106 Agreement to ensure that the dwelling is a local needs affordable dwelling and that safe egress from the site is secured in perpetuity.**

Yvonne Dale
Senior Planning Officer
15 May 2025

Application decisions delegated to the Chief Executive

| Application Ref | Applicant & Location | Decision and Date |
|------------------------|--|---|
| 6/10/25/010DC | Mr. D Raymond, National Trust - Discharge of condition 4 of approved application 6/10/22/109LB (Discharge of Condition) - 7, CASTLE HILL, DUNSTER, MINEHEAD, TA24 6SJ | 02-May-2025 Approved |
| WTCA 25/08 | Mr John French - Works to trees in a conservation area: To fell 1 no. Spruce (T1) and 1 no. Lawsons Cypress (T2) (WTCA) - KARSLAKE HOUSE, WINSFORD, MINEHEAD, TA24 7JE | 12-May-2025 Approved |
| 6/27/25/002LB | Mr W Cudmore - Listed building consent for the proposed replacement of 12no windows with single glazed casements. (Listed Building Consent) - OLD ROSE & CROWN, HIGH STREET, PORLOCK, MINEHEAD, TA24 8PS | 20-May-2025 Approved with Conditions |
| 6/3/25/003 | Mr J Vincent - Proposed conversion of disused and dilapidated former stable building to gymnasium with small study area. (Full) - LOWER VENN FARM, BROMPTON REGIS, DULVERTON, TA22 9NS | 13-May-2025 Withdrawn |
| 6/9/25/005DC | Mr & Mrs Ogden - Discharge of conditions 3 (colour of metal balcony & external stairwells), 5 (endoscope inspection) and 6 (bat & bird boxes) of approved application 6/9/22/123. (Discharge of Condition) - Rock House, 1 Jury Road, Dulverton, TA22 9DU | 28-Apr-2025 Approved |
| 6/27/25/003DC | Mr Blathwyat - Discharge of conditions 5 (external lighting) and 10 (scheme of works) of approved application 6/27/24/002. (Discharge of Condition) - 1 & 2 Lane Head, Porlock Weir, Minehead, Somerset, TA24 8PB | 28-Apr-2025 Split Decision |
| 6/26/25/001 | Mrs P Hanson - Lawful development certificate for the existing breach of agricultural occupancy (condition 4 of approved application 75443). (CLEUD) - THE FISHERIES, ROADWATER, WATCHET, TA23 0QH | 12-May-2025 Approved |
| GDO 25/05 | Mr S & Mrs C Blowing - Prior approval for repairs to 1no. existing shed and erection of 1no. new barn. (Prior Approval - Part 6 - Buildings (Agri/Forestry)) - HEDDON HALL, PARRACOMBE, BARNSTAPLE, EX31 4QL | |

Application decisions delegated to the Chief Executive

| Application Ref | Applicant & Location | Decision and Date |
|-----------------|---|---|
| 62/50/25/005 | Mrs T Smith - Proposed formation of a new vehicle access to improve parking. (Householder) - MIDDLE BODLEY FARM, PARRACOMBE, BARNSTAPLE, EX31 4PR | 15-May-2025 Withdrawn |
| 62/41/25/005 | Ms. B Birse, Moor and Sea Holidays - Proposed variation of condition 3 of approved application 62/41/10/038 to allow the change of use of unit 2 from holiday let to art room and unit 1 to be used as guest utility room ancillary to the remaining holiday units. (Alteration/Lift Condition) - Moor and Sea Holidays, Dean Steep, Barbrook, Devon, EX35 6JS | 15-May-2025 Approved with Conditions |
| WTCA 25/06 | Mr. D Gamblin, DG Tree Services - Works to tree in a conservation area: fell sweet chestnut. (WTCA) - FLAT 2, PRIORY COURT, PRIORY GREEN, DUNSTER, MINEHEAD, TA24 6RY | 12-May-2025 Approved |
| WTCA 25/05 | Mrs J Duncan - Works to trees in a conservation area: Proposed various crown reduction and dead wood removal pruning works to Copper Beech tree. (WTCA) - THE WALLED GARDEN, LUCCOMBE, MINEHEAD, TA24 8TE | 22-Apr-2025 Approved |
| 62/50/25/004 | Mrs T Smith - Proposed creation of track. Retrospective. (Full) - MIDDLE BODLEY FARM, PARRACOMBE, BARNSTAPLE, EX31 4PR | 09-May-2025 Approved with Conditions |
| 62/11/25/003 | Ms. M Lane, National Trust - Proposed replacement storage barn. (Full) - LORNA DOONE FARM, OARE, LYNTON, EX35 6NU | 29-Apr-2025 Approved with Conditions |
| 6/24/25/001 | Mr N Griffiths & Ms P Sullivan - Proposed erection of replacement garage. (Full) - Garages adjacent to Brook Lea & Hillside, Woodford, Williton, Taunton, TA4 4HR | 17-Apr-2025 Approved with Conditions |
| 62/49/25/002LB | Ms A Creed - Listed Building Consent for the proposed replacement of existing lean-to roof with a new mono pitched roof and single-story side extension with a new dual pitched roof together with installation of 8no. roof mounted solar panels and 2no. Velux roof lights. (Listed Building Consent) | 22-Apr-2025 Approved with Conditions |

Application decisions delegated to the Chief Executive

Application Ref Applicant & Location Decision and Date

| | | |
|----------------|--|--|
| | - HEASLEY HOUSE, HEASLEY MILL, SOUTH MOLTON, EX36 3LE | |
| 62/49/25/001 | Ms A Creed - Proposed replacement of existing lean-to roof with a new mono pitched roof and single-story side extension with a new dual pitched roof together with installation of 8no. roof mounted solar panels and 2no. Velux roof lights. (Householder) - HEASLEY HOUSE, HEASLEY MILL, SOUTH MOLTON, EX36 3LE | 22-Apr-2025 Approved with Conditions |
| 62/41/25/003DC | Mr J Atherton - Discharge of conditions 4 (Roof slates) & 5 (hard landscaping) of approved application 62/41/23/031LB (Discharge of Condition) - Lyn and Exmoor Museum, Market Street, Lynton, EX35 6AF | 14-May-2025 Approved |
| 62/41/25/002DC | John Atherton, Lyn and Exmoor Museum - Discharge of conditions 4 (roof slates), 5 (hard landscaping) & 6 (Bat Licence) of approved application 62/41/23/030 (Discharge of Condition) - Lyn and Exmoor Museum, Market Street, Lynton, EX35 6AF | 14-May-2025 Approved |
| 6/5/25/001DC | Mrs L Parker - Discharge of conditions 3 (bat licence), 4 (active birds' nests) & 6 (lighting) of approved application 6/5/23/001. (Discharge of Condition) - Badgers End, PARK LANE, CARHAMPTON, MINEHEAD, Somerset, TA24 6NL | 23-Apr-2025 Approved |
| 62/62/25/001 | Mr D Orton - Lawful development certificate for the existing use of ancillary accommodation as self-contained dwelling. (CLEUD) - The Cottage, Trentishoe Coombe, Trentishoe, Parracombe, Barnstaple, EX31 4QB | 25-Apr-2025 Refused |
| 6/8/25/003DC | Mr F Perchard - Discharge of condition 7 (habitat management plan) of approved application 6/8/24/004 (Discharge of Condition) - OLD STOWEY BUNGALOW, WHEDDON CROSS, MINEHEAD, TA24 7BT | 08-May-2025 Approved |
| 62/11/25/001 | Mr M G Halliday - Proposed change of use of land to domestic garden, construction of outbuilding (9.35m x 4.25m) and tank store and associated works. Retrospective. (Amended description) (Full) - | 01-May-2025 Approved with Conditions |

Application decisions delegated to the Chief Executive

| Application Ref | Applicant & Location | Decision and Date |
|------------------------|---|---|
| | GLENTHORNE LODGE, COUNTISBURY, LYNTON, EX35 6NQ | |
| 62/36/24/001 | Mr & Mrs A May, A Mays Farm - Proposed erection of 1no. rural workers dwelling, together with, erection of lean-to extension and installation of PV panels to agricultural building. (Full) - Land known as Silkenworthy Farm - X:263537, Y:44245, Kentisbury | 22-Apr-2025 Approved with Conditions |
| 6/10/24/020LB | Mr A Fay - Proposed alterations to rear extension and reinstatement of landing window. (Listed Building Consent) - ARDITH, 30, WEST STREET, DUNSTER, MINEHEAD, TA24 6SN | 08-May-2025 Approved with Conditions |
| 62/43/24/007 | Emma Jarvis and Tim Scorer - Proposed change of use of former hotel to form a single principal residence dwelling, demolition and replacement of west wing with a new extension, together with associated landscaping works. Amended description. (Full) - HEDDONS GATE HOTEL, MARTINHOE, PARRACOMBE, BARNSTAPLE, EX31 4PZ | 09-May-2025 Approved with Conditions |

ITEM 12

**SCHEDULE OF SECTION 106 AGREEMENTS BEING UNDERTAKEN BY DEVON COUNTY COUNCIL ON BEHALF OF EXMOOR
NATIONAL PARK AUTHORITY 3 June 2025 (completed agreements not included)**

KEY: AH = AFFORDABLE HOUSING**AT = AGRICULTURAL/RURAL WORKER****OA = OTHER AGREEMENT**

| APPLICATION REFERENCE | SITE | TYPE | Committee decision/Officer instruction | CURRENT POSITION | UPDATE COMMENTS | APP CASE OFFICER |
|-----------------------|--|------------------------|--|------------------|---|------------------|
| 6/8/21/105 | Lower Cleeve Barns, Cutcombe | AH – x1 or holiday let | Committee decision 05/04/22 | Draft Agreement | Final draft with applicant for signature. | Y Dale |
| 6/3/22/111 | Sanctuary Lane, Brompton Regis | AH – x1 | Officer instruction 15/06/23 | Draft Agreement | Draft agreement with applicant to consider. Further discussion between legal and applicant. Agent confirmed taking instructions from client 07/03/25. | J Rose |
| 6/8/22/106 | Thorne Farm, Wheddon Cross | AH – x2 or holiday let | Officer instruction 14/07/23 | Draft Agreement | Draft agreement to be consistent with Lower Cleeve case. DCC requested confirmation that the s106 can proceed with affordable rent definition on 30/06/24. | Y Dale |
| 62/50/23/002 | Land West of Parracombe Lane, Parracombe | AH – x6 | Committee decision 03/10/23 | Draft Agreement | Initial Draft with applicant – 24/07/24. Parties have agreed draft agreement, now awaiting confirmation from landowner. | J White |
| 6/27/22/115 | Land West of Sparkhayes Lane, Porlock | AH – x1 | Officer instruction 30/11/23 | Draft Agreement | Scheme approved by Planning Committee 04/02/25. Draft agreement with officers – seeking approval for amendment to Committee meetings | Y Dale |
| 62/62/22/005 | Land at Lower Glebe House, Trentishoe | AH – x1 | Officer instruction 01/03/24 | | Letter sent to applicant's solicitor requesting undertaking for costs and title documents on 11/03/24. Applicant solicitor contacted DCC to progress 11/02/25. Draft agreement with officers – although matters to resolve on planning application. | E Giffard |
| 6/34/24/002 | Knowle Farm, Timberscombe | OA – Deed of Variation | Officer instruction 03/10/24 | Draft Agreement | Draft agreement with applicant. | J White |
| 6/8/24/005 | Paddock opposite Church of St John, | AH – x1 | Officer instruction | Draft Agreement | Draft agreement with applicant. | J Rose |

ITEM 12

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|------------|----------------------------------|------------------------|---------------------------------|--|-------------------------------------|--------|
| | Land at Ashwell Lane, Cutcombe | | 08/01/25 | | | |
| 6/3/25/001 | The Duckhouse, Leigh Farm, Exton | AH – x1 or holiday let | Officer instruction 14/03/25 | | Draft agreement viewed by officers. | J Rose |

Note: Section 106 Agreements resolved since 1 February 2024:

- Tarr Cottage, Castle Hill, Lynton – x1 local needs affordable dwelling (62/41/20/023)
- Barn at Malmsmead, Lynton – x1 local needs affordable dwelling (62/11/22/007)
- Keal Rise, Hawkcombe, Porlock – Deed of Variation in connection with amendments to conditions of previous permission (6/27/22/118)
- 24 Cross Street, Lynton – x1 local needs affordable dwelling (62/41/22/040)
- Land adjacent to Red Cross Farm, Brompton Regis – x1 local needs affordable dwelling (6/3/23/001)
- Old Workshop, Brompton Regis – x1 local needs affordable dwelling (6/3/21/118)
- Long Garden Plot, Ash Lane, Winsford – Deed of Variation in connection with amendments to conditions of previous permission
- Roundhouse to the west of Bentwitchen House, South Molton – x1 local needs affordable dwelling (62/49/23/008)