



EXMOOR

NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY
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18th December 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, 6th January 2026 at 1.30pm.**

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

There is Public Speaking at this meeting, when the Chairperson will allow members of the public two minutes each to ask questions, make statements, or present a petition relating to any item on the Agenda. Anyone wishing to ask questions should notify the 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. Apologies for Absence

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

Members are asked to declare:-

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

3. Minutes

- (1) To approve as a correct record the Minutes of the meeting of the Planning Committee held on 2nd December 2025 (Item 3)
- (2) To consider any Matters Arising from those Minutes.

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

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

6. Appeal Decisions

6.1 To note the decision of the Secretary of State to allow the appeal and grant a certificate of lawful use of development (LDC) at Hall Farm, Brendon, Lynton, EX35 6PS, Application Ref: 62/11/23/007

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

Agenda Item	Application No.	Description	Page Nos.
7.1	6/8/24/002	Proposed erection of 9no. affordable dwellings and 7no. principal residence only dwellings, including access, extension of footway, drainage infrastructure, landscaping and associated works – at Land at Dunkery View Farm and North of Higher Park Lane, Wheddon Cross.	1 - 74
7.2	6/42/25/002	Proposed siting of 2no. temporary timber cabins for use as holiday accommodation, together with, associated landscaping and installation of a shower within the existing stable building – at West Hollocombe, Broad Lane, Withypool, Dulverton, Somerset, TA22 9QL.	1-15

- | | | | |
|-----|-------------|---|------|
| 7.3 | 6/3/25/009 | Proposed demolition of ruinous structure and erection of building for mixed use agriculture and private storage – at Land south of Hownel Lane, Brompton Regis, Dulverton, TA22 9LQ | 1-18 |
| 7.4 | 6/13/25/007 | Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for the proposed demolition and replacement of Existing Storage Shed – at Exford Depot, Exford, Minehead, TA24 7PY | 1-10 |
- 8. Application Decisions Delegated to the Chief Executive:** To note the applications determined by the Chief Executive under delegated powers (Item 8).
- 9. Site Visits:** To arrange any site visits agreed by the Committee (the reserve date being Friday, 30 January (am))

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

ITEM 3

EXMOOR NATIONAL PARK AUTHORITY PLANNING COMMITTEE

MINUTES of the Meeting of the Planning Committee of Exmoor National Park Authority held on Tuesday, 2 December 2025 at 1.30pm in the Committee Room, Exmoor House, Dulverton.

PRESENT

Mr S J Pugsley (Chairperson)
Mr M Kelly (Deputy Chairperson)
Mr T Butt Phillip
Mr A Bray
Mr M Ellicott (deputising -Mr J Holtom)
Mr B Geen
Mrs F Nicholson
Mr J Patrinos

Apologies for absence were received from Mr D Elson, Mr J Holtom, Mr R Hopley, Mrs F Smith, Miss E Stacey

42. DECLARATIONS OF INTEREST / LOBBYING OF MEMBERS / UNACCOMPANIED SITE VISITS: There was none

43. MINUTES:

- i. **Confirmation:** The **Minutes** of the Committee's meeting held on 4th November 2025 were agreed and signed as a correct record.
- ii. **Matters arising:** There were no matters arising.

44. BUSINESS OF URGENCY: There was none.

45. PUBLIC SPEAKING: See items below.

46. APPEAL DECISIONS: The Committee noted the **decisions** of the Secretary of State for the following appeals:

6.1 –Appeal dismissed. Ref APP /F9498/W/25/3368975. Sloecombe, Timberscombe, Minehead, Somerset.

6.2 – Appeal allowed and granted. Ref APP/F9498/W/25/3359279. Middle Dean Farm, Trentishoe, Parracombe, Barnstaple

DEVELOPMENT MANAGEMENT

47. Application No: 6/9/25/017

Location: Proposed conversion of existing double garage and storage areas into 1 no 1 bedroom ancillary accommodation with single garage – at Allendale, Pixton Park, Dulverton, TA22 9HW

Public speaking:

- 1) Applicant - Ms Deborah Morrison (written submission tabled)

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

The Committee's Consideration

Officers advised the application was brought to the Committee in accordance with the Approved Scheme of Delegation because the recommendation of the Officer is contrary to the view of Dulverton Town Council who support the proposed development.

Members discussed their concerns that the proposed size of the development was dominant and visually competing in comparison with the existing building structure, and that external changes to the design would be required to make it viable for planning permission to be granted.

Officers would explore potential alterations with the applicant to secure an improved design and material finish. A proposal was agreed to defer the application, contrary to officer recommendation, this would be brought forward at the nearest convenient Planning meeting.

RESOLVED: To **defer** determination of the application and to allow officers to seek an improved design and material finish, and to bring the application back to the nearest convenient meeting.

48. Application No: 6/24/25/003

Location: Manor Farm, Beggearn Huish, Washford, TA23 0LZ. Proposed conversion of redundant agricultural barn to a camping barn for non-serviced holiday-let use together with replacement of existing store to proposed oak-framed bin, bicycle and wood store.

Public speaking:

1) Applicant - Mr Alexander Wyndham-Ashworth

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

The Committee's Consideration

Members discussed the proposals and agreed with Officers recommendation for approval of the application.

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

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

Location: The Glebe, Trentishoe, Parracombe, Barnstaple, EX31 4QD. Proposed conversion of part of barn to residential holiday unit. Retrospective.

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

The Committee's Consideration

Members asked for clarification on the proposals, Officers confirmed that 2 separate applications, both retrospective, had been made for the location. This application was for part of the building to be converted into a holiday unit. Another application for another part of the building was progressing separately.

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

50. Application No: 6/14/25/006

Location: Pinkery Centre, Simonsbath, Somerset, TA24 7LL. Application under Regulation 3 of the Town and Country Planning Regulations 1992 for the variation of condition 8 of the application reference 6/14/10/110 to permit an alternative management plan for the tree shelter belt in connection with the approved 15kw wind turbine (approximately 19.25m total in height)

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

The Committee's Consideration

Officers outlined how a new woodland plantation and hedge bank would replace the loss of Spruce trees during the winter. Members were in favour of the proposals to permit an amended woodland management plan.

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

51. THE LOCAL LIST OF REQUIREMENTS FOR THE SUBMISSION OF PLANNING AND OTHER APPLICATIONS

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

The Committee's Consideration

In September 2025 Members agreed to consult on the draft Local List of Information Requirements. 27 responses had been received and were set out in the report. Following this the Local List had been amended having regard to comments received.

Members discussed the potential for a pre-application process.

It was agreed by Members that the new document was adopted by the Authority.

RESOLVED: To agree the contents of the Local List of Information Requirements and adopt the Local List.

52. SCHEDULE OF 106 AGREEMENTS

The Committee noted the **schedule** of Section 106 Applications being undertaken by Devon County Council on behalf of Exmoor National Park Authority.

53. APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE

The Committee noted the **decisions of the Chief Executive determined under delegated powers.**

54. SITE VISITS: If there were any site visits to arrange, these would take place on the morning of Friday 2nd January 2026.

The meeting closed at 2.47pm

(Chairperson)



Appeal Decision

Site visit made on 23 September 2025

by **M. P. Howell BA (Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th November 2025

Appeal Ref: APP/F9498/X/23/3327061

Hall Farm, Brendon, Lyton EX35 6PS

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mrs K Wall against the decision of Exmoor National Park Authority.
 - The application ref 62/11/23/007, dated 1 May 2023, was refused by notice dated 11 July 2023.
 - The application was made under section 191(1)(b) of the Town and Country Planning Act 1990 (as amended).
 - The development for which a certificate of lawful use or development is sought is the erection of a fence and gate on land at Hall Farm, Brendon as marked on accompanying plan KW1.
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Decision

1. The appeal is allowed and attached to this decision is a certificate of lawful development describing the erection of a fence and gate on land at Hall Farm, which is found to be lawful.

Preliminary Matters

2. I have referred to the address provided in the National Park Authority's Decision Notice. Although this address differs from the one given in the Application Form, it aligns with the address stated on the Appeal Form submitted by the appellant. Therefore, I am confident that there will be no prejudice in this matter.
3. The Lawful Development Certificate (LDC) application included several documents: an Application Form, a Location Plan, a layout plan (drawing reference KW1), and a supporting statement. In addition to these, the appeal submissions featured a plan labelled 'Large Location' and a 'Heritage Statement.' The additional information was submitted alongside the initial appeal, and the National Park Authority had the opportunity to respond to this information when preparing their Statement of Case. Consequently, I can consider the additional information when making my decision without causing any prejudice to the National Park Authority's position.
4. It is important to note that plan reference KW1, attached to the application and stated in the description of the development, illustrates the location and route of the fences and gates between points A and D. The plan also depicts a key indicating the farmhouse and shippin in green. The appellant initially took the approach by stating that the bank barn and Linhay's barn in orange are curtilage listed. However, their perspective on this matter has changed, and the heritage statement does not confirm if these buildings are curtilage listed. Therefore, for the purposes of this appeal, I will disregard the key provided with the plan and focus solely on the plan to ascertain the position and route of the gates and fence set out between points A and D.

Background and Main Issue

5. In an application for an LDC, the onus is on the applicant to demonstrate on the balance of probabilities that the development would be lawful. Section 191(2)(a) and (b) sets out that uses and operations are lawful at any time if: (i) No enforcement action may be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and (ii) They do not constitute a contravention of any enforcement notice then in force.
6. I have not been informed of any enforcement notices affecting the land in question. Therefore, the key issue revolves around whether the proposed fence and gate would benefit from permitted development rights under Article 3, Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (the Order). The National Park Authority found that the fence and gate satisfied all conditions and limitations, except for the stipulation in (d). To clarify, Article 3, Schedule 2, Part 2, Class A (d) of the Order specifies that development is not permitted if it occurs within the curtilage of, or affects a gate, fence, wall, or other means of enclosure surrounding a listed building.
7. It is crucial to note that the listing of a building encompasses any object or structure attached to it, as well as any free-standing structure erected before 1 July 1948 within the curtilage of the listed building, in accordance with section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This holds true regardless of whether such objects have been explicitly identified in the list description. While only a 'building' may be officially listed, the term 'building' is broadly defined under section 336(1) of the 1990 Act. According to section 336(1), a building includes 'any structure or erection, and any part of a building as so defined, but excludes plant or machinery that is part of that building.'
8. The main issue is whether the National Park Authority's decision was well-founded in relation to whether the fence and gate is within the curtilage of the listed building, as set out in Article 3 and Schedule 2, Part 2, Class A(d) of the Order.

Reasons

9. Hall Farm, which encompasses a farmhouse and adjoining shippon, is a Grade II listed property located within Exmoor National Park. The site features three traditional stone agricultural buildings, a larger modern portal frame building, and a ménage. The history of Hall Farm presented with the application dates back to at least 1809. The farmhouse was listed as a Grade II structure in November 1988.
10. The appellant outlines in the Supporting Statement that there is no statutory definition of 'curtilage' but includes definitions from the Oxford English Dictionary as well as interpretations from caselaw judgements¹. Although it is agreed that there is no definition of 'curtilage' within the Town and Country Planning Act 1990 (1990 Act), the caselaw referred to indicates that curtilage is constrained to a small area about a building, and land being associated with [the building] as to lead to the conclusion that the former in truth forms part and parcel of the latter.
11. The Ministry of Housing, Communities and Local Government (MHCLG) Technical Guidance for Householder Development provides some assistance in respect of

¹ Dyer v Dorset County Council 1988; Hon. David McAlpine v SOS & Another [1994]

the term, and defines curtilage in line with these interpretations. The definition, on page 7 of MHCLG Technical Guidance, states:

“Curtilage” is land which forms part and parcel with the house. Usually, it is the area of land within which the house sits, or to which it is attached, such as the garden, but for some houses, especially in the case of properties with large grounds, it may be a smaller area.

12. There is also caselaw that has had regard to the issue of curtilage, some of which has been highlighted by the appellant and the National Park Authority. For instance, *Sinclair-Lockhart’s Trustees*² established that land may be regarded as being within the curtilage of a building if it serves the purpose of the house or building in some necessary or reasonably useful way. *Debenhams*³ determined that under the Rating legislation, the "listing" of a building for its special architectural or historic interest, only applies to structures that are ancillary to the listed building. It does not extend to entirely distinct buildings that are merely physically connected to the listed one.
13. *Calderdale*⁴ sets out three important factors that must be considered and are important to my consideration of the curtilage of the listed building. These include (i) the physical layout of the building, land and structure in question; (ii) their ownership, past and present; and (iii) their function, past and present. The factors set out are relevant considerations, but they are not determinative on their own.

Physical Layout of the Building and Land

14. As of my visit, the listed farmhouse sits centrally, with an agricultural yard to the east, accessed via a track situated to the north. The agricultural yard to the west includes the Bank Barn, a modern ‘Atcost’ shed alongside the Linhays’ barn. A well-defined private garden is situated immediately to the south of the listed farmhouse, bordered by a stone wall, with gates leading to an expansive garden area that includes a large pond to the south. The western boundary includes the stone wall, a gated access to the original southern access and the rear wall of the threshing barn. The rear elevation of the threshing barn is close to the side elevation of the listed farmhouse, and a door in the rear provides access from the side of the enclosed private garden into the threshing barn.
15. From the evidence before me, the physical layout of the land around the listed farmhouse has not undergone significant changes throughout its history. In 1889, the original vehicle access was realigned from the south to the north of the listed farmhouse. This alteration marked one of the few significant changes to the layout until 1968, when the threshing barn and the land to the west underwent some minor changes. This included ground levels to the land to the west being raised and minor changes to the threshing barn to accommodate some agricultural activities.
16. By the late 1960s, an aerial photograph and the 1978 OS Map⁵ confirm that the physical layout of the land around the listed farmhouse were largely consistent with the layout I viewed on site. The land to the west of the threshing barn was also enclosed by this time, forming a boundary with the vehicle highway.

² *Sinclair-Lockhart’s Trustees v Central Land Board* (1950) 1 P&CR 195

³ *Debenhams Plc v Westminster CC* [1987] AC 396; [1987] JPL 344

⁴ *Attorney General, ex r Sutcliffe v Calderdale Borough Council* (1983) 46 P&CR 399

⁵ Figures 14 and 15- Heritage statement

Ownership

17. The submissions indicate that the appellant purchased Hall Farm in 2017, and all of the nearby agricultural buildings as well as the land enclosed to the west were included. I have no reason to doubt that the plan with the LDC, which identifies the area of land that has been owned and occupied by the appellants since 2017, is incorrect.
18. The farm holding has gone through elements of change in terms of land ownership, as well as the relative size of the farm holding, as part of its past. However, there is nothing to indicate that, past or present, the land to the west of the listed farmhouse, where the gates and fences have been erected, was under different ownership as Hall Farm and the listed farmhouse.

Use and Function

19. As observed during my visit, the listed farmhouse, the immediate area to the south enclosed by a stone wall, as well as the land with a pond beyond, were in use for residential purposes. The threshing barn could be accessed via a door in its rear elevation from the private garden. The threshing barn was largely empty but divided into two internal areas. The chickens and rhea could utilise the southern end of the barn and had direct access to the enclosed land to the west, which was dedicated to the agricultural use. However, the animals were unable to access the private garden of the farmhouse. The wall and gates forming the west boundary of the garden emphasised the separation of functions—residential for the farmhouse and garden, and agricultural for the threshing barn and adjoining land to the west enclosed by the gates and fence.
20. Based on the evidence presented with the appeal, the use and function of the listed farmhouse at Hall Farm, past and present, appear to be distinctly separate from that of the threshing barn and the land to the west. Although both serving the owner of Hall Farm, the farmhouse served a clear residential purpose, providing living accommodation, while the garden area enclosed by a stone wall to the south functioned as an incidental residential garden. In contrast, the threshing barn and the land to the west were separated and dedicated to agricultural activities. The barn was originally constructed for the purpose of threshing grain and has maintained its agricultural function over the years. Following minor modifications this area continued to be used for various agricultural purposes, such as loose housing for cattle, and later for sheep, and presently chickens, and rhea.
21. Based on the evidence submitted with the appeal, this separate use and function have been maintained throughout its past and present, reflecting both the historical context and current utilisation of the property and land.

Summary on Curtilage

22. In light of the legal principles established in the *Calderdale* case and the relevant case law cited, it is important to consider several factors regarding the threshing barn and the land to the west of the listed farmhouse. While these elements are physically proximate to the dwelling, have historically remained under common ownership, and are accessible through the residential garden, these aspects alone are not sufficient to establish them as part of the listed farmhouse's curtilage.

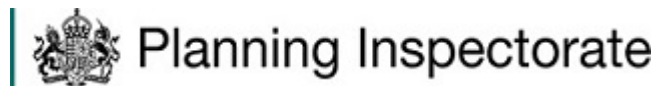
23. The determination of curtilage hinges significantly on the use and functional relationship of the enclosed area to the main dwelling. The courts in *Calderdale* highlighted that curtilage considerations go beyond mere proximity or ownership; they require an examination of whether the land or structure is intimately associated with the dwelling for domestic purposes.
24. Although the threshing barn and the adjacent land are close, and been part of the same ownership, they have been utilised for agricultural purposes and have not historically or currently served any domestic function related to the farmhouse. The separation of these areas is further reinforced by a historical boundary wall, which distinctly delineates the agricultural land from the immediate and incidental residential area surrounding the listed farmhouse. As such, I have given weight to the established agricultural use of both the threshing barn and the land to the west, past and present, alongside the layout that clearly defines intimate boundaries around the farmhouse, which have served its residential use and function.
25. Accordingly, based on the evidence presented, the fence and gates erected between points A and D, as shown on the accompanying plan reference KW1, have not been positioned within the curtilage of the listed building. As such, the development is permitted by Article 3, Schedule 2, Part 2, Class A (d) of the Order.

Conclusion

26. For the reasons given above, I conclude, on the evidence now available, that the National Park Authority's refusal to grant a certificate of lawful use or development for the erection of a fence and gate on land at Hall Farm is not well-founded and that the appeal should succeed. I will exercise accordingly the powers transferred to me in section 195(2) of the 1990 Act (as amended).

M. P. Howell

INSPECTOR



Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 2 May 2023, the operations described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in red on the plan attached to this certificate, were lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990 (as amended), for the following reason:

Based on the evidence provided, the fence and gate erected between points A-D on the attached plan, KW1, would have benefitted from deemed planning permission pursuant by Article 3, Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015.

Signed

M. P. Howell

Inspector

Date: **28th November 2025**

Reference: APP/F9498/X/23/3327061

First Schedule

The erection of a fence and gate on land at Hall Farm, Brendon, as marked on the accompanying plan KW1.

Second Schedule

Hall Farm, Brendon, Lyton EX35 6PS

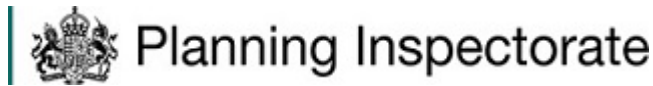
IMPORTANT NOTES – SEE OVER

NOTES

This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).

It certifies that the operations described in the First Schedule taking place on the land specified in the Second Schedule were lawful, on the certified date and, thus, were not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.



Plan

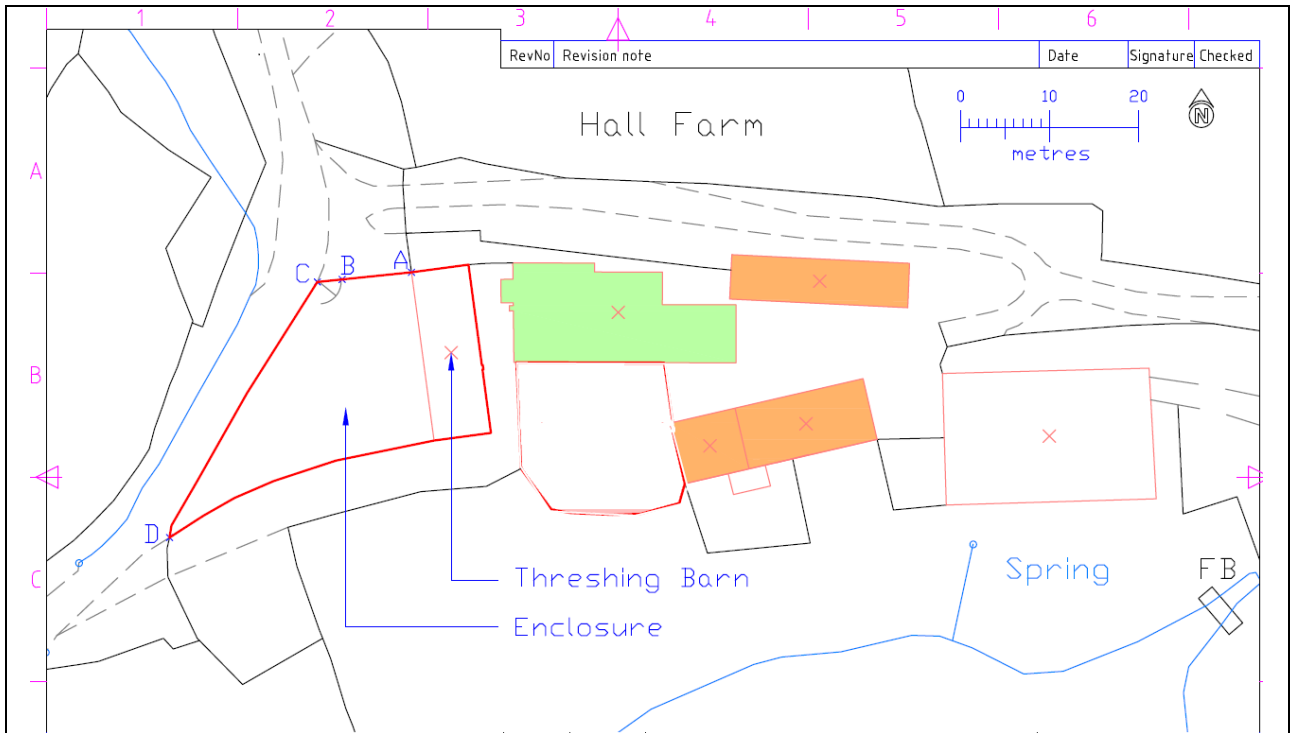
This is the plan referred to in the Lawful Development Certificate dated: 28th November 2025

by **M. P. Howell**

Land at: Hall Farm, LYNTON, EX35 6PS

Reference: APP/F9498/X/23/3327061

Scale: Not to Scale



Itemref	Quantity	Title/Name, designation, material, dimension etc			Article No./Reference	
Designed by A W Newby	Checked by K Wall	Approved by - date K Wall 25/04/2023	File name KW2.dwg	Date 25/04/2023	Scale 1:500	
PME Planning Services			KW1			
			2	Edition Rev 0	Sheet 1/1	



Committee Report

Application Number:	6/8/24/002
Registration Date:	06-Aug-2024
Target Determination Date:	01-Nov-2024
Extension of Time:	31-Jan-2025
Applicant	Mr. C Winter, Cherwyn Developments Ltd
Agent:	Miss. R Randall, Polden Planning
Case Officer:	Joe White
Site Address:	Land at Dunkery View Farm and North of Higher Park Lane, Wheddon Cross
Proposal:	Proposed erection of 9no. affordable dwellings and 7no. principal residence only dwellings, including access, extension of footway, drainage infrastructure, landscaping and associated works.
Recommendation:	Approve subject to conditions and S106 Agreement
Reason for bringing before Authority Committee:	Having regard to the character and nature of the application, the Head of Planning considers this is an application that ought to more properly be referred to Planning Committee for a decision.

Relevant History

6/8/03/103 Erection of industrial building including workshop, showroom, stores and office. Approved 04/29/2003
 6/8/03/112 Construction of rear extension, alterations to roof over existing toilet area an Approved 08/07/2003
 6/8/05/101 Outline application for the erection of a Local Needs dwelling Withdrawn 08/02/2005
 6/8/05/112 Outline application for the erection of 2 No Local Needs Affordable Dwellings (A Approved 10/27/2005
 6/8/06/102 Reserved Matters application for the construction of one single storey dwelling Approved 03/07/2006
 6/8/11/108 Proposed erection of 1 no. local affordable dwelling with associated garage/stor Approved 10/06/2014
 6/8/76/002 The erection of a detached bungalow and garage, the provision of a turning space Approved 05/05/1976
 6/8/77/003 Proposed erection of a detached bungalow and garage at Park Lane, Cutcombe, Whed Revoked 03/07/1980

6/8/87/113 Proposed erection of dwelling on land adjoining Moorand Hall, Wheddon Cross as d Refused 11/03/1987

6/8/87/116 Proposed erection of an agricultural worker's dwelling on land adjoining Moorlan Approved 02/02/1988

6/8/89/102 Proposed erection of agricultural workers dwelling on site adjoining Moorland Ha Approved 03/07/1989

6/8/94/101 Proposed dwelling and workshop/store, Pt OS Nos 2963, 3362, 3060 and 3759, Whe Refused 05/03/1994

75658 Proposed erection of two detachedr dwellings on land adjoining Park Lane, Cutcom Approved 02/06/1974

Site Description & Proposal

This is a major planning application proposing the erection of 16 dwellings. The application site relates to two separate parcels of land; a 'larger site' and a 'smaller site'.

The larger site relates to land adjacent to Dunkery View Farm, which is positioned next to Moorland Hall (a village hall), to the south of the crossroads junction in Wheddon Cross. 15 dwellings are proposed to be provided on this larger site. Nine of those dwellings would be local need affordable dwellings, with six of the dwellings on the larger site proposed as principal residence dwellings.

The smaller site lies approximately 500 metres to the northeast of the larger site, just off Higher Park Lane. A single principal residence dwelling house would be provided on the smaller site.

A total of seven principal residence dwellings would be provided over both of the sites, with the principal residence dwellings proposed to financially cross subsidise the delivery of the nine affordable dwellings.

Cutcombe and Wheddon Cross, due to their proximity, are generally considered to be one settlement and are identified as such within the Exmoor National Park Local Plan 2011-2031.

At a height of approximately 300 metres, the settlement is prominent in the landscape. For a village of its size, there is a relatively wide range of facilities and services including Cutcombe First School, the fuel station with a shop and Post Office, recreation facilities, public house, and the Moorland Hall. Agriculture is an important part of the local economy and character of the parish, with a local livestock market in Wheddon Cross, which is important both locally and for the farming community of the wider area. There are several businesses within the village that serve the local community and tourists, including light industry units.

The larger site, at Dunkery View, is of agricultural use with access from the A396. The land rises, with a slope up in a roughly southeast direction, away from the road. The

village playing field lies on the opposite side of the A396, to the northwest. The site borders a side and the rear boundary of the Moorland Hall and lies next to farm buildings of Dunkery View Farm. Enclosed farmland surrounds other parts of the site.

The smaller site at Higher Park Lane is currently in use as gardens and allotments. Access to the site is via the front garden of the residential neighbour with access from the public road at Slade Corner. The eastern boundary of the site joins with a residential neighbour comprising a detached bungalow at the end of a row of residential dwellings, which front on to the northern side of Higher Park Lane. A public bridleway passes along the southern boundary, with residential dwellings beyond. Enclosed farmland joins the northern and western boundaries.

The site falls within the consultation zone of the Exmoor and Quantock Oakwoods Special Area of Conservation (SAC) and North Exmoor Site of Scientific Interest (SSSI). To the south east of the larger site is the Wheddon Farm Fields Local Wildlife Site (LWS), which was designated for its unimproved grassland with scattered scrub and disused quarry with old beech hedgebanks.

Consultee Representations

COMMENTS MADE AGAINST INITIAL SUBMISSION

Lead Local Flood Authority (Somerset Council) – 19 August 2024

The LLFA have the following comments on the 'Village Hall Site':

- It is unclear why the greenfield runoff rates have been based on a site area of 1ha. We would expect to see the greenfield runoff rate based on impermeable area or net developable area including consideration of greenfield areas which will drain into the drainage system.
- It is noted that it is proposed to discharge into an existing highway drain, evidence of agreement with the highway authority should be provided. If highways do not agree to the connection, an alternative viable discharge location will need to be provided.
- Confirmation if there is any need to cross third-party land for the outfall and evidence of agreement with the relevant landowner if required.
- It appears that there is potential for the incorporation of additional SuDS features such as rain gardens, biorientation areas and tree pits. We would prefer to see the use of above ground attenuation storage over below ground attenuation storage. The LLFA strongly encourage the incorporation of additional SuDS features and justification should be provided if no further SuDS are proposed.
- The steep topography is noted and therefore evidence should be provided to demonstrate that detention basin is structurally stable.
- Calculations for the entire drainage scheme including attenuation and pipework should be provided to show that the drainage system has been designed to prevent surcharging in all events up to and including the 1 in 2 annual probability storm event, prevent any flooding of the site in all events up to and including the 1 in 30 annual probability storm event, and demonstrate that surface water runoff up to the 1 in 100

year event plus climate change will be controlled without causing harm to people or properties.

- A more detailed drainage drawing is required at the full application stage including pipe sizes/invert levels. The drainage drawing should label the nodes to allow cross-reference to the calculations.
- In relation to the hydraulic calculations:
 - The additional 20m³ of storage should be removed
 - The half drain time of any storage features should be provided.
- Information regarding pollution controls should be provided to ensure no detriment to the receiving system.
- The management company which will be responsible for maintenance should be named, or a date by which the LLFA and LPA will be notified of the named management company.
- It is noted that some elements of the drainage scheme will be maintained by individual property owners. Further information on how these responsibilities will be communicated to owners should be provided.

As the 'Bungalow Site' is for one dwelling, the LLFA have no further comments to make regarding this element. However, please let us know if you would prefer us to make comments.

Somerset Wildlife Trust – 20 August 2024

We have noted the above-mentioned Planning Application as well as the supporting Ecological Impact Assessment provided by HT Ecology. We would fully support the findings of that Assessment. We would also fully support the recommendations for Mitigation and Enhancement. In addition, we would also request that any internal fences within the development are constructed so as to allow the free passage of small mammals (Hedgehog Highways). All of these recommendations must be included in the Planning Conditions if it is decided to grant Planning Permission.

Environmental Health (Somerset Council) – 22 August 2024

It is noted that the two proposed sites have a history of agricultural use and so, there is the potential for ground contamination (for example, use or storage of machinery, disposal of farm waste). Therefore, it is suggested that the developer keeps a watching brief for any signs of contamination during the development. A condition that could be used is attached below.

Contaminated Land (Watching Brief) Condition

Due to [the nature of farms, former uses on the site etc] it would be advised to keep a watching brief for potential contamination and assess for visual and olfactory evidence of contamination during any groundworks.

If any unforeseen contamination is found during excavations, the Local Planning Authority shall be notified immediately. Where remediation is deemed necessary by the Local Planning Authority, a remediation scheme shall be submitted to and

approved in writing by the Local Planning Authority and then implemented in accordance with the submitted details.

NPPF s.184: Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Reason: To ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to human health, controlled waters and other receptors both onsite and offsite, in accordance with section 11 and 15 of the National Planning Policy Framework.

Historic Environment Officer – 23 August 2024

No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme as agreed in writing by the Local Planning Authority.

Reason: To ensure, in accordance with Policies GP1, CE-S4 and CE-D3 (Cultural Heritage and Historic Environment) of the Exmoor National Park Local Plan 2011-2031 and paragraph 211 of the National Planning Policy Framework (2023), that an appropriate record is made of archaeological evidence that may be affected by the development.

AND

The development shall not be brought into its intended use until the post-investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, shall be confirmed in writing to, and approved by, the Local Planning Authority.

Reason: To comply with Paragraph 211 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.

Cutcombe Parish Council – 23 August 2024 – Object

Councillors voted to object to this application with three Councillors voting to support, three Councillors voting to object and the Chair using their casting vote to carry the vote to object. The Parish Council objects because the application did not include a legally binding robust plan to ensure the village, in the heart of Exmoor, known for peace and tranquility, would not be disrupted in any way by construction traffic or mud and dust on the roads for the duration of the construction period. It is vital, without any exemptions, the developer ensures, by using Best Endeavours (All Reasonable Endeavours is not strong enough wording), construction traffic, including delivery vehicles do not park on the highway or the Moorland Hall car park and not to park or drive through the Public House car park. The applicant should provide a construction

site entrance on the site owner's field entrance on the B3224 from the Taunton direction before entering the village. Construction workers must not use the Parish Council's public toilets which are maintained and cleaned for tourists/visitors to the area. It is noted the developer did provide a draft site management plan which gave the site manager flexibility on parking and was unclear about what constituted a buildup of mud/dust on the highway.

Wildlife Officer – 27 August 2024 – Object

The proposal seeks permission for a total of 16 dwellings (affordable dwellings and principal residence dwellings) across two sites (one single dwelling and one with 15 dwellings on site) with associated access, infrastructure, landscaping and other associated works.

An Ecological Impact Assessment report (and appendices) has been submitted (HT Ecology, dated 12 July 2024). The methods, presentation of results and recommendations within the report are satisfactory.

The baseline evaluation comprised a desk study (including consultation with the local records centre), extended UK Habitat Classification survey (July 2023, updated June 2024), reptile survey (August-October 2023), bat activity surveys comprising 10 transect surveys and static surveys at two locations for over 50 nights (August 2023-July 2024), badger survey July 2023, dormouse hand search (July 2024).

Site 1 (Dunkery View Farm) was found to principally comprise a field of sheep-grazed, species-poor modified grassland. The field was bounded by ancient beech hedgerows on earth banks.

Site 2 (North of Higher Park Lane) is considerably smaller and comprised an allotment with areas of tall ruderals and species associated with disturbed land. The area was bounded by species-poor hedgerow.

Opportunities were identified for common amphibians (GCN were considered unlikely to occur on site), reptiles, nesting birds, foraging and commuting bats (no trees with bat roost potential were found on or adjacent to either site), badger, dormouse, hedgehog and brown hare.

Further surveys:

- Reptiles - identified a low population of slow worm at Site 1 following a standard survey. Due to the size of Site 2 no detailed survey was undertaken, but the presence of slow worm also assumed.

- Bats - At least 11 different species of bat were recorded across the surveys including common, soprano and Nathusius' pipistrelle, serotine, noctule, Leisler's, Myotis bats, long-eared bats, greater and lesser horseshoe and Barbastelle bats. Highest levels of activity were recorded in May and June, with most activity along the hedgerows and near the farm buildings, and least in the centre of the field. Barbastelle records were fairly inconsistent throughout the season and did not appear

to represent a nearby roost or regular commuting route, but more likely occasional foraging.

- Badger - No evidence of badger was recorded on site.
- Dormouse – no detailed surveys were undertaken for Site 1 as suitable features can be retained, due to the site of the site, a hand-search was undertaken prior to clearing bramble scrub and a non-native hedgerow on Site 2 – no evidence of dormice was found.

The site lies within the Impact Risk Zone of nearby SSSIs, due to the nature and location of the proposed development, consultation with Natural England is required.

The site lies within Consultation Band A for Barbstelle with reference to the Exmoor & Quantock Oakwoods SAC guidance, and this guidance has been followed in the planning and consideration of the bat surveys. The EclA has concluded no risk of a Likely Significant Effect on the SAC based on the results of the surveys, proposal and built-in mitigation.

The EclA has also concluded no risk of a Likely Significant Effect as a result of residential pressure on Exmoor Heaths SAC, based on the HRA for Exmoor National Park Local Plan (2015).

A Local Wildlife Site (Wheddon Farm Fields) lies immediately to the south of the site. No impacts are anticipated as a buffer will be maintained between the site and the development and suitable precautionary measures will be followed during construction.

The scheme has incorporated suitable mitigation through taking ecological advice through the design process including sensitive lighting, retention of hedgerows and new habitat creation.

Suitable recommendations have also been made to ensure the protection of protected and notable species including precautionary measures with respect to reptiles and amphibians (habitat manipulation and ecological watching brief), sensitive timing of works with respect to nesting birds (or a nesting bird check), 24 integrated bird boxes and three timber bird boxes (details to be included in the LEMP), protection of retained trees and hedgerows, no lighting at night during construction, four integrated bat tubes and three timber bat boxes, capping pipes and providing an escape route from trenches to prevent badger and other small mammals being harmed or trapped, seven dormouse boxes. Measuring and monitoring of light levels around the site pre and post-construction is also recommended.

Lighting – whilst wall mounted downlights are shown at each access point on the outside of the new dwellings, comprising typically two per dwelling, but up to four e.g. Plot 5, I note that no street lighting has been recommended to protect Exmoor's dark sky reserve. The downlights would be on a PIR and the design is aimed to ensure

dark areas (<0.5Lux) to the boundaries of the site. It would be helpful to see an example downlight (or for this detail to be conditioned please).

The general biodiversity net gain condition will apply to the development, if approved. ENPA must therefore consider at this stage whether this is likely to be achievable based on the information submitted.

Habitat descriptions and proposals are detailed within the EclA and a completed metric tool has been provided.

The proposals include creation of modified grassland and other neutral grassland within the garden of Site 2 (North of Higher Park Lane), which provide a total of 0.45 habitat units. In accordance with updates to the BNG User Guide (dated 23 July 2024) you should not record the creation of any new habitats or the enhancement of any existing habitat within private gardens (a garden within the curtilage of a privately owned dwelling house, to which there is no public access). These should be recorded as 'urban – vegetated garden' or 'urban – unvegetated garden', as any gains within a private garden cannot be secured.

Without these 0.45 units the development only achieves 2.09 habitat units post-development, this gives an uplift of only 0.1 habitat units which is less than the mandatory 10%. I do not know if it would be possible to partition the development to show what is 'garden' and what is delivering BNG? Whilst this would still be privately owned this may be acceptable and I would welcome your thoughts on how this is secured.

As significant on-site BNG delivery is proposed, this must be secured. A draft Habitat Management and Monitoring Plan would be welcome at this stage, but I do not think it is a reason to refuse the application. The EclA has proposed the pre-construction and construction management of habitats is included within the HMMP, along with details of the proposed species-specific enhancements. This must therefore also be included, however it may make more sense to include these within an Ecological Mitigation Strategy as the HMMP is quite tightly defined by the regulations.

If/when the query above regarding delivery of BNG is resolved. Please ensure conditions are applied to any permission granted, to ensure the delivery of the recommendations within the EclA report, a Construction Environmental Management Plan (pre-construction), the protection of nesting birds and the use/installation of no further external lighting on site. A Habitat Management and Monitoring Plan will need to be submitted pre-commencement and managed, maintained and monitored for a full 30 years alongside the Biodiversity Gain Plan – please see the recommended conditions provided by PAS.

Wildlife Officer – 22 November 2024 – No objection

We have received updated Metric calculations in response to my previous comments, which, as outlined in their letter dated 4 October, show that with the habitat recorded as vegetated garden, the development is still able to demonstrate net gain of >10%.

On-site baseline	Habitat units	1.99	
	Hedgerow units	4.39	
On-site post-intervention	Habitat units	2.26	
	Hedgerow units	5.85	
On-site net change	Habitat units	0.27	+13.84%
	Hedgerow units	1.46	+33.20%

I can therefore remove my objection, subject to appropriate conditions being attached to any permission granted as recommended in my comments dated 27 August.

Rural Housing Enabler (Somerset Council) – 28 August 2024

The local housing authority supports the proposal in principle, it being the culmination of several years of investigation and consultation.

A local Housing Needs Survey was originally undertaken by the Community Council for Somerset on behalf of the eight Parishes working group, with results published in May 2018. I note that the applicant has reproduced this report in full as the first appendix in the Statement of Community Involvement.

Following this, during 2021, there was a site selection process to consider the best available location to meet some or all of the local housing needs identified in the survey. Incidentally, I note that in para 4.38 on page 28 of the applicants Planning Statement there is a reference to ‘the Council’s’ site selection process. This is a slight error in reporting as the site selection process was, again, conducted by the working group of the eight Parishes, albeit supported and assisted at the time by both the local housing authority (at that time Somerset West and Taunton, since merged into this Council) and the National Park Authority, as demonstrated in the applicants Statement of Community Involvement. The public consultation on the sites under consideration in 2021 gave the greatest level of support to this site but also, as the applicant correctly asserts, the lowest level of objection.

In part due to the inherent viability issues, at least one previous consideration of developing this site came to a halt. The applicant has asserted the need to provide seven market dwellings, as principal residence only, in order to provide the cross subsidy to support the creation of nine affordable dwellings. As stated in the submission, I can confirm that there have also been discussions involving the applicant, the local housing authority and Homes England in order to address the inherent viability issues and support an optimum mix of affordable dwellings.

In the Planning Statement (page 13, para 2.13) the applicant states that the tenure mix is to be agreed with Council officers. Through discussions with the Exmoor National Park Authority, the applicant and the Somerset Council affordable housing

team, the intended tenure mix is six dwellings at social rent and three as a discounted market product with a minimum discount of 40%.

The range of sizes suggested, i.e. number of bedrooms, is a good mix for the affordable element. Despite the cross subsidy available from the inclusion of market dwellings in the application, achieving six dwellings at social rent and three at a sufficiently large discount on sale requires further subsidy input by way of grant from Homes England and/or the Local Housing Authority.

On page 22, para 4.16, of the Planning Statement the applicant refers to the results of the housing needs survey as requiring a number of dwellings at affordable rent. At the time that the survey was undertaken the (then) Government policy was geared towards affordable rent as the preferred sub-market rented tenure. In the years since the grant programme administered by Homes England has come to embrace social rent again and the latest (new) Government consultation of proposed changes to the NPPF emphasises a requirement to separately identify the need for social rent.

More recent Homefinder registrations (5th August 2024) show 15 households citing a local connection to the parish of Cutcombe alone. Work undertaken by ENPA last year identifies the level of discount required for those on average local earnings to be able to afford a discounted market product. This additional information has further informed the affordable housing mix and justifies more dwellings than can be economically produced on this site.

Cutcombe Parish Council, at an extraordinary meeting called to consider this application (which I was able to attend), voted by a narrow margin (Chair's casting vote) to object. My understanding is that this was due to the concerns raised both at the meeting, and beforehand, about construction traffic management during the build phase and related site management. Whilst the view of the Parish Council was that insufficient detail had been submitted by the applicant, it is my observation that the National Park Authority can make any approval contingent on the condition that a suitable approved construction site management plan is produced to address these not unreasonable concerns.

Should permission be granted, it is suggested that the mechanism for identifying suitable occupants for all the affordable dwellings into the future and setting a sufficiently sub-market price for the discounted market dwellings in perpetuity be enforced through a planning obligation via a s106 Agreement.

There are no other material observations.

Rural Housing Enabler (Somerset Council) – 21 November 2024

Further to my formal consultee response (28th August) on this application, please accept this additional clarification.

The submitted planning statement (para 2.13, page 13) states that the (affordable housing) tenure mix is to be agreed with Council officers during the consideration of the application and in my original consultee submission I stated the following:

“Through discussions with the Exmoor National Park Authority, the applicant and the Somerset Council affordable housing team, the intended tenure mix is six dwellings at social rent and three as a discounted market product with a minimum discount of 40%.”

However, the precise location of these dwellings was not explicitly stated in any of the originally submitted documents.

The applicant has since submitted a viability appraisal in which it is clear that plots 1-3 are to be the discounted market element and plots 7-12 are to be provided at social rent.

I wish to formally confirm, on behalf of the Local Housing Authority, that these are acceptable locations within the overall scheme for these tenure types and, taken together with the above statement on social rent and minimum level of discount, this constitutes an agreement on the proposed tenure mix.

Future Landscapes Officer – 9 September 2024 – No objection

I have no fundamental objection, although I have some concerns and there are aspects that require additional information.

DUNKERY VIEW

The landscape appraisal demonstrates that as a result of the local topography, the locations from which the site is visible are exclusively from south westerly through to north westerly directions. The greatest visual impact will be on views in close proximity, such as VP1 but there would not be an adverse impact on any residential properties in close distance. From further afield, the development would be absorbed into the fabric of the settlement and the change in these longer-distance views would not be immediately noticeable, including views from particularly sensitive locations such as Dunkery Hill. The retention of existing vegetation, proposed boundary planting and the single storey dwellings on the highest ground in the site combine to reduce the potential visual impact of the development in the wider landscape.

The proposal would extend the frontage of built form beyond the village hall and the current perceived village edge. The addition of residential dwellings here would not be incongruous with the pattern of development within the settlement and the creation of a stone-faced roadside frontage terrace would be in keeping with its character. The material palette of stone and render for the dwellings reflects the vernacular of comparable developments nearby and in the National Park.

In terms of density, some of the plots are very small and cramped, especially 1-4 and 7-10. This is compounded by the tandem parking. Manoeuvring space for some of

these appears to be restricted by retaining walls and sharp corners (e.g. plots 1-4 and plot 8). There is also very restricted space across the development to accommodate additional vehicles.

With the steep topography and the density of dwellings, retaining walls are required across the site. Plots 1-4 have multiple steps at both front and back, restricting accessibility. Walls in prominent locations and the street frontage would be stone whilst others would be brick. Combined with the hard surfacing, the compact and steep street scene would rely heavily on the planting to soften its hard appearance.

The site lies within the Exmoor National Park International Dark Sky Reserve buffer zone. To protect the night skies, all external lighting should be compliant with dark sky requirements. I note that no street lights are proposed and I would request that all external lighting is conditioned, to be approved by the authority prior to installation, including the specification of luminaires and means of operation. External EV charging points should also avoid intrusive built in lighting. For more information, refer to the Exmoor dark sky friendly lighting guide on the National Park website, link here: [Layout 1 \(exmoor-nationalpark.gov.uk\)](https://www.exmoor-nationalpark.gov.uk) and [Towards a Dark Sky Standard: TOWARDS-A-DARK-SKY-STANDARD-Accessibility-Version-1.1.pdf \(exmoor-nationalpark.gov.uk\)](https://www.exmoor-nationalpark.gov.uk)

HIGHER PARK LANE

A dwelling in this position and orientation would continue the pattern of built form in the settlement and the scale and mass of it is similar to adjacent dwellings and plot sizes.

The arrangement of the entrance for this and the neighbouring property, where they abut the highway, is not clear and would appear to be where there is currently a stone wall, a hedgebank and trees. There is no information on the existing vegetation, the extent of hedge and tree removal required to accommodate the drive or how retained trees would be protected. Further detail on the extent of vegetation removal is required and the arrangement of the entrance(s). The driveway also appears to impact on the right of way and its signage - clarification is needed.

The Exmoor Society – 24 September 2024

The Society acknowledges that there is a proven need for additional affordable housing on Exmoor. The proposed site, on the edge of a well-connected village with good services, including a market, church, garage, school and pub, is appropriate. The restriction of the proposed dwellings to principal residences (i.e. not second homes or holiday lets) is appropriate too.

The Society recognises that there are issues to do with construction traffic management which need to be resolved satisfactorily. However, subject to resolution of those issues, the Society is broadly supportive of the proposed scheme.

Local Highway Authority (Somerset Council) – 26 September 2024

Summary:

The Local Highway Authority currently has insufficient information to confirm that there are no highway objections. Some further information and assessments are required to enable consideration of the development proposals, with some design changes suggested or sought.

Areas that the Highway Authority recommend should be addressed or revisited by the applicant, to support full consideration of the application, include:

- A slight amendment is sought to the visibility splays put forward for the proposed access from the A369, along with demonstration that they will be free from obstruction.
- Further consideration and demonstration of the future visibility splays for the Moorland Hall Car Park, following the construction of the proposed new entrance and footway extension, is also sought.
- Clarifications regarding the private driveway access proposals for the Higher Park Lane site are sought. Demonstration that land is available to the applicant to construct the access and that appropriate visibility splays can be achieved are required.
- There may be further opportunities to support safe and inclusive mobility to/from the proposed site(s) and the applicant is invited to consider these. The applicant is invited to provide evidence of necessary land agreements to deliver the proposed footway extension, given that it cannot be delivered within available highway land / relies on third party land.
- The proposed access to the Dunkery View Farm site would be from the A-classified A369. The proposals must therefore be subject of an independent Stage 1 Road Safety Audit (RSA) to be provided by the applicant to support the planning application. The brief for this should also cover the proposed off-site pedestrian improvements (as amended if applicable), including the proposed footway extension. It should also consider any implications of the proposals to the Moorland Hall car park accesses/egresses.
- The applicant is advised that planning permission is not a guarantee for a section 38 agreement for adoption.
- The applicant is advised that the currently proposed estate road layout for the Dunkery Farm Site is not suitable for adoption by the Highway Authority. A number of issues have been raised, including the positioning of attenuation tank(s) under the proposed access road which will preclude adoption of the road and will require technical approval even if the road is to remain unadopted. The applicant is also asked to reconsider the proposed block surfacing for both sites.
- A number of issues have been identified with the proposed layout of the Dunkery View Farm site. The applicant is directed to Somerset Council's Streets in Residential Developments – Design Guidance Notes, which includes information on different street types, including shared space requirements, as well as details of other requirements such as parking, turning, waste storage and collection.
- Somerset Council would prefer the proposed attenuation tank situated below the adopted highway to be moved alongside the attenuation tanks under private ownership. Access to the tank is not shown, but inspection would probably require a

road closure and repair/reconstruction certainly would. The 1m headroom is restrictive for a confined space and should also be increased. Full technical approval will be required to ensure that the tank will support the highway. The Council does not accept attenuation tanks beneath its highways and therefore it is requested that this is moved.

- Amendments are required to the Measures only Travel Statement (MoTS) submitted, to enable it to be acceptable to the Highway Authority. Some of these relate to clarifying or strengthening measures and some relate to the site layout / proposals. For example, demonstrating that required levels, specifications of and access to cycle parking and electric vehicle parking provision can be satisfactorily provided and accessed, ensuring that footpaths within the site are wide enough to provide access to cycle storage etc.

Reason for objection:

Adequate information has not been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of access, visibility splays, off-street parking, road layout, road construction, road gradients, surface water drainage, and on site turning facilities contrary to Section 9 of the National Planning Policy Framework (NPPF) and Policies AC-D1 and AC-D3 of the Exmoor National Park Local Plan (2011 to 2013, adopted July 2017).

Notes:

The Highway observations and comments are based on the information provided by/on behalf of the applicant as verified by the Local Planning Authority, and such information is deemed true and accurate at the time of assessment. Should any element of the supporting detail, including red and blue line landownership or control details, subsequently prove to be inaccurate, this may partially or wholly change the view of the Highway Authority for this (or any associated) application. As such the Highway Authority reserves the right to revisit our previously submitted comments and re-address where deemed necessary. Where planning permission has already been granted, any inaccuracies which come to light may seriously affect the deliverability of the permission. If this includes highway works either on or adjacent to the existing public highway that may be the subject of a specific planning condition and/or legal agreement attached to the aforementioned consent, it may result in a situation whereby that condition and/or legal agreement cannot then be discharged/secured. It is unclear from the submitted drawings whether the proposed works impact upon any existing services and utility apparatus. If any services are to be diverted, lowered or protected as a result of the works, the works themselves will have to meet the requirements of both the relevant statutory undertaker and the highway authority. The design team must comply with the requirements of 'Code of Practice' measures necessary where apparatus is affected by major works (diversionary works) under Section 84 NRSWA 1991. Drawings will therefore be required at the detailed design stage showing the location and depth of all public and private services affected by the works. Experience has shown that if the obligation is put upon the contractor to locate the services, this leaves insufficient time to carry out any required design amendments, or service alterations. As a consequence, no works will be able to

commence until such time as the highway authority are satisfied that all necessary utility works have been secured.

If it is not possible to construct the estate road to a standard suitable for adoption, yet it is deemed the internal layout of the site results in the laying out of a private street, under Sections 219 to 225 of the Highway Act 1980, it will be subject to the Advance Payment Code (APC). In order to qualify for an exemption under the APC, the road should be built and maintained to a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Streetworks Code. A suitable adoptable layout should be provided.

If there are areas that are to remain private we would require details of future maintenance arrangements, including waste management proposals.

Natural England – 23 October 2024

The Exmoor & Quantock Oak Woodlands SAC is in part designated for its Barbastelle and Bechstein's bat features. This application site is located within the consultation zone of the Quantocks Roosts. Natural England notes that the application is not supported by an Appropriate Assessment undertaken in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process and will comment on any appropriate assessment your Authority may decide to make.

Natural England advises a Construction Environmental Management Plan (CEMP) should be submitted to and approved in writing by the district ecologist/biodiversity officer that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on species and habitats. The CEMP should detail how hedgerows and trees will be protected, ensure no impacts on the quality of water courses or bodies and how dust will be controlled during construction.

In addition, a Landscape and Ecology Management Plan (LEMP) should be required prior to commencement of works and secured by condition to mitigate for impacts on landscape and other wildlife sites and species. An approved HEP Calculation, LEMP and CEMP should be secured via an appropriately worded condition attached to any planning consent and shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Natural England recommend that all the habitat creation measures for ecological mitigation/compensation are implemented within the first suitable planting season once construction begins. These include, as stated in the EIA:

- Wildflower areas (Site 1 & 2)
- Native hedgerows (Site 1 & 2)
- Native tree and shrubs (Site 1 & 2)
- Attenuation pond and wet grassland (Site 1)

We advise that any Heras fencing used to protect vegetation allows a precautionary buffer of 3 m between the fence and the vegetation to allow for bat movement along pathways. In addition, any supporting structures for the Heras fencing should be located on the construction side of the fence, to keep bat flightlines clear adjacent to hedgerows.

An approved lighting strategy is required including modelling of light spill to a maximum of 0.5 lux on any adjacent habitat. The lighting strategy must consider any external lighting required (eg. from street lighting, external lighting on dwellings, and lighting of pedestrian/cycle routes) in addition to the effects of internal lighting from the proposed dwellings. Due to the sensitive location of the site, all external lighting should have an Upwards Light Ratio of 0%, a colour temperature of 2700 Kelvin or lower, and a peak wavelength higher than 550nm in line with ILP/BCT guidance.

Protected Landscapes – Exmoor National Park

Paragraph 182 of the National Planning Policy Framework (NPPF) requires great weight to be given to conserving and enhancing landscape and scenic beauty within Areas of Outstanding Natural Beauty (known as National Landscapes), National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 183 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering relevant development proposals. Section 245 of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities (including local planning authorities) to seek to further the statutory purposes of a National Park, the Broads or an Area of Outstanding Natural Beauty in England in exercising their functions. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The local planning authority should carefully consider any impacts on the statutory purposes of protected landscapes and their settings in line with the NPPF, relevant development plan policies and the Section 245 duty. The relevant National Landscape Partnership or Conservation Board may be able to offer advice on the impacts of the proposal on the natural beauty of the area and the aims and objectives of the statutory management plan, as well as environmental enhancement opportunities. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to development and its capacity to accommodate proposed development. I trust this email will now help you proceed to determining the application.

Woodlands Officer – 20 December 2024 – Object

Overall, I do not object to the development proposals in principle but do have some concerns with regards to some aspects of the plans as submitted with regards to the Higher Park Lane site.

1) Despite there clearly being semi-mature and mature trees and hedgerows on and adjacent to the Higher Park Lane site, the applicant has not submitted any specific tree related information.

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- 2) The BNG and ecological information submitted touches very briefly on the trees, but not in any meaningful way, and is quite dismissive of them.
 - 3) There is a young to semi-mature Copper Beech tree in the Southwest corner of the site proposed for removal, and then a replacement planting in the same place. No justification has been given for removing this tree, particularly as the proposals indicate no works occurring in this part of the site.
 - 4) The proposed drainage strategy plan (drawing no. SK03.00 dated July 2024) indicates a new attenuation tank to be installed, with a proposed private surface water drain running South through the existing mature hedge and hedge bank to connect to an existing drain. Again, no information has been provided on how this would be achieved without damage to the trees and roots in the hedge bank.
 - 5) With regards to the proposed new driveway, a section of the hedge bank and its trees, as well as semi-mature Cypress will need to be removed to create the new access. In addition, the retained hedge will need to be pruned back very hard to allow for access for construction traffic and the future residents. As no information has been provided on this part of the site, it is not possible to assess what the likely long-term impacts to the trees and hedge will be.

Given the lack of relevant information provided, it is not possible to summarise any long-term impacts of the proposals upon the retained trees and hedges at this stage. If you are minded to grant permission, I request that a condition is added requesting a tree / hedgerow survey and tree / hedgerow protection plan in accordance with BS5837: 2012 – Trees in relation to design, demolition and construction – Recommendations prior to any works commencing on site.

COMMENTS MADE FOLLOWING RECONSULTATION (AUGUST 2025)

Historic Environment Officer – 28 August 2025

The previous consultation response on archaeological matters still stands.

Woodlands Officer – 2 September 2025 – Object

I have reviewed the additional information and have no further comments to add to those previously submitted.

Rural Housing Enabler (Somerset Council) – 3 September 2025

This is a second formal response following on from comments originally submitted in August 2024 and supplemented in November 2024. This response arises from the fresh round of consultation and further relevant documentation coming from the applicant. For completeness' sake the original comments are reproduced here, below the following new response.

The planning statement (para 2.13, page 13) states that the (affordable housing) tenure mix is to be agreed with Council officers during the consideration of the application and in my original consultee submission (reproduced below) I stated the following: "Through discussions with the Exmoor National Park Authority, the applicant and the Somerset Council affordable housing team, the intended tenure mix

is six dwellings at social rent and three as a discounted market product with a minimum discount of 40%.” However, the precise location of these dwellings was not explicitly stated in any of the originally submitted documents.

The tenure plan which has now been submitted (6.8.24.002.43) clearly shows plots 2-4 as the discounted market product and plots 1 & 7-11 as the social rent dwellings. I wish to formally confirm, on behalf of the Local Housing Authority, that these are acceptable locations within the overall scheme for these tenure types and, taken together with the above statement on social rent and minimum level of discount, this constitutes an agreement on the proposed tenure mix.

I also need to rescind the clarification sent to you in November 2024 (reproduced below for completeness’ sake) although not because it was wrong in principle but because it mistakenly identified the intended tenures for plots 1, 4 & 12 based on the information the applicant had submitted at the time.

I understand that the applicant has had further discussion with colleagues in the Highways service at this authority and that the other recently submitted plans reflect this.

My original response (reproduced below) stands, albeit with the above clarification. Please also note that the proposed changes to the NPPF, referred to in this original response, were indeed made by the Government following the consultation period.

There are no further material observations.

South West Water – 4 September 2025

With reference to the planning application at the above address, the applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

Surface Water Services

The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Water re-use (smart water butts, rainwater harvesting, grey flushing toilets)
2. Discharge into the ground (infiltration); or where not reasonably practicable,
3. Discharge to a surface waterbody; or where not reasonably practicable,
4. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
5. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation)

Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into a private drainage system is acceptable and meets with the Run-off Destination Hierarchy.

We have no record of any public sewers in the vicinity.

I trust this provides confirmation of our requirements, however should you have any questions or queries, please contact the Planning Team on 01392 442836 or via email: DeveloperServicesPlanning@southwestwater.co.uk.

Natural England – 15 September 2025

The information we requested is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.

Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.

Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.

Cutcombe Parish Council – 17 September 2025 – Support

After receiving the revised details, at the Cutcombe Parish Council Meeting dated 17th of September 2025, Councillors voted unanimously to support this application with the following comments and conditions

– The proposed system to cope with the service water drainage is supported by Cutcombe Parish Council provided the following criteria, on advice received from Somerset Council Highways, are fully met as binding conditions of the Planning Consent (if granted).

1) There must be a robust maintenance obligation to ensure the drainage tanks and the water attenuation pond(s) do not silt up and cause blockages, together with a clear indication as to who will be responsible for this maintenance and payment for the work.

2) There must also be a robust binding condition to ensure no construction traffic, workers, delivery vehicles or visitors are parked or wait on the village highways or Public House car park at any time without exception of exemption.

3) Mud and dust must not be allowed to accumulate on the village highways at any time and regular daily road sweeping together with an on-site wheel-wash system for all site vehicles is installed and maintained – Wheddon Cross is located within a beautiful area of Exmoor with some businesses dependent on tourism. The proposed application build time is predicted to last about two years and therefore it impacts on all residents, employers and their employees who should not reasonably expect to have any construction work adversely affecting their businesses or their daily lives.

Local Highway Authority (Somerset Council) – 23 October 2025

Summary:

The proposed development is for a total of 16 dwellings, comprising 15 dwellings on a site situated to the South of the settlement, both south of the A396 and of Moorland Hall (hereafter referred to as the Dunkery View Farm Site), plus a single proposed dwelling on a site situated north of Higher Park Lane (hereafter referred to as the Higher Park Lane site).

Each of the sites are considered in turn as they are situated in different parts of the settlement and propose different scales of development.

For clarity, the Dunkery View Farm site is located to the south of the settlement of Wheddon Cross, to the south of the A369 (an A-classified road) and within the 30mph limit pertaining to that part of the settlement.

The Higher Park Lane site is proposed to accommodate a single dwelling and is situated in the settlement of Cutcombe, with a proposed new access from Higher Park Lane (an unclassified road). This part of Higher Park Lane is within the 20mph limit pertaining to that part of the settlement (see site locations on a plan of the settlement).

The most recent Highway Authority recommendation has been pending for a number of months whilst awaiting further documents inclusive of amended visibility splay plans whilst the developer sought to explore potential solutions for drainage issues. Therefore, information provided in this recommendation refers to both information submissions.

Full Comments:

The Local Highway Authority previously provided a recommendation dated 26 September 2024. At that time of review, this Authority deemed there to be insufficient information to confirm that there were to be no highway objections. Further information and assessments were required to enable consideration of the development proposals, with some design changes suggested or sought. Further information has now been submitted and the Highway Authority can now offer the following comments:

Drainage -Surface Water Management

Comments were made previously and a subsequent exchange of correspondence with the Highway Development Service Manager remain valid. As approval has now been secured from Somerset Council as Highway Authority in terms of the point of discharge from the on-site surface water drainage system, I can advise that I have no further observations to make on these proposals. The applicant should be advised that the means by which surface water is collected from the internal estate road will be considered in any subsequent Advance Payments Code or Section 38 agreement submission.

Highway Lighting

No lighting unless exceptional circumstances (Police or Local Council request).

Traffic Generation

As noted in the previous recommendation, given the scale of the proposed development (15 dwellings) and of the traffic survey data provided for existing movements on the A369 in Wheddon Cross (Table 2.1 and in Appendix B of the Transport Statement, for data collected in September 2023), it is not considered beneficial to request that further clarification is sought on the above observations or that an amended assessment is sought. Even without this, it appears reasonable to agree with the part of the professional opinion stated by Miles White Transport in Paragraph 5.7 of the Transport Statement that the likely level of additional vehicles entering or exiting the site as a result of the proposed development would not be expected to have an adverse effect on the operational performance of the A396 or other roads in the settlement.

Travel Plan

As this proposal is more than 10 but less than 30 dwellings, a Measures Only Travel Statement is required. As it is the lowest level travel plan, there are no fees, monitoring or targets required. Previously, the Travel Plan was considered inadequate and amendments were required. The last review of Travel Plan comments was made by the Travel Plan team on 17 September 2024. The Highway Authority has not yet received an updated MoTS therefore please refer to the previous comments provided.

Estate Roads – Internal Layout - Comments for Dunkery View Farm

The following highway-related comments have been made as a result of looking at Somerset Council's Design Guide, Manual for Streets and the following drawings: 22.08.SK4 & SK03.00. Please note that in its current layout the site is not suitable for adoption. The design should be in line with Somerset Council's Design Guide if the developer wishes the roads to be adopted. Planning permission is not a guarantee for a Section 38 Agreement for adoption. Any works commenced prior to Technical Approval is at risk and may be abortive, regardless of whether the site is for adoption or not.

For clarity, once planning approved layouts have been submitted for a Section 38, this Authority had had difficulties previously working with designers to amend horizontal alignment. This is partly due to plot locations and levels being set at the planning stage, and the 'knock-on' affect that results in the need for S73 applications (to amend the approved layout). Planning permission does not constitute Section 38 approval. Therefore, SC's Estate Roads team are happy to meet and discuss alterations to aid with future adoption through a S38 application.

Attenuation tanks are not permitted within 5-metres of the adoptable highway. Shared surface roads need to be edge to edge block paving and a minimum of 7 metres with a 0.5 metre buffer. Parking bays are additional.

A 1-metre hardened margin need to be installed at the back of all parking bays.

Highway Safety Advice

The following documents and drawings have been reviewed and commented on;

- Dunkery View development' relating to the discharge of surface water & Road Safety matters.
- Exmoor National Park Additional Plans and / or Information dated 28th August 2025.
- Exmoor National Park Amended Plans / Information Notification dated 18th September 2025.
- Covering Letter (Additional Information) from Polden Planning dated 19th August 2025.
- Civil Studio Limited - Additional Storm Network information (File: 23.064_VIL_SW Network_3.0ls_A).
- Proposed Drainage Strategy Plan (drawing number SK03.00 Rev D).
- Proposed Site Access Arrangement and A396 Footway Arrangement (drawing number 22069-003 Rev C).
- Proposed Landscape Layout (drawing number SPP3258 P 90 003 Rev A).
- Site Location Plan (drawing number 22.48.00 Rev A).
- Block Plan (drawing number 22.48.01 Rev B).

Vehicular Access

Dunkery View Farm Access

The application proposes the construction of a simple priority junction with the A396, providing access to the 15 private dwellings proposed on this site, together with the extension of the existing pedestrian footway along the southern side of the A396, north of Moorland Hall, up to this proposed site entrance. As noted in the previous recommendation, this is considered appropriate in principle but numerous amendments were required.

Visibility Splays for this entrance should be; 58m (northeast) & 54m (southwest). No annotation or reference is made regarding building out the junction into the major 'A' classified road. A dimension of 6m is provided near the proposed junction. Using iShare mapping the existing carriageway width appears to be 8.4m. The desirable minimum for two-lane all-purpose roads allowing safe passage of large vehicles like HGVs and buses is 7.3m. A 6m width typically allows two standard vehicles to pass, but larger vehicles are restricted. A significant concern is that of cycle safety, where carriageway narrowing can squeeze vulnerable road users.

A dropped kerb vehicle crossover is proposed at the tangent of the junction radius. There is a risk of vehicles clipping kerbs at the narrowing resulting in loss of control type incidents.

There is insufficient detail provided in relation to the proposed vehicle crossover. Its proximity (no dimensions provided) to the proposed development access road may result in restricted visibility and turning conflicts, thereby increasing the risks of collisions.

The vehicle crossovers also intersect the footway. No visibility splays are shown. The proposed planter and hedge may obstruct visibility to both traffic on the major road and pedestrians using the footway. No information is provided regarding access requirements for the vehicle crossover(s).

The two vehicle crossovers appear to serve the hall (no indication of in / out). Its usage could be significant for events and swept paths may need to be considerate of deliveries and service vehicle access requirements. No vehicle crossing widths are provided, conflict between in / out traffic may result in driver frustration and reversing manoeuvres.

All visibility splays (junction, driveways, and pedestrian crossings) should be subject to Geometry design review.

Polden Planning letter dated 19th August 2025

There is no email correspondence included within this submission with Moorland Village Hall demonstrating its agreement to future visibility splays and footpath extensions involving its land. Visibility splays and footways should be within the limits of the adopted public highway, to ensure that they can be maintained free from obstruction in perpetuity.

The letter refers to the independent Road Safety Audit that was submitted in November 2024 and consulted upon with Highways Officers in December 2024. The audit was kept pending whilst the developer overcame drainage issues. Therefore, information is provided further on within the recommendation explaining several outstanding highway safety matters which have been raised in the design review process. These will be need to dealt with i.e. Narrow footway; pedestrians desire lines (playground, public house, bus services etc); and safe walked routes to education establishments and bus services.

The Polden Planning letter dated 19th August 2025 states “The site layout plan shows a 7m carriageway which is able to deliver a 5m road with 2m pathway along one side to allow for cycling within the site which is above the 1.2m requested”. A 2m width is appropriate for a footway, but not suitable or sufficient for a shared / segregated cycleway. Further information is required regarding cycle provision.

The access to the Dunkery View Farm Site is onto the A-classified A369. Therefore, the applicant was required to obtain, consider and provide a designer’s response to an Independent Stage 1 Road Safety Audit (RSA), to assess the safety of the proposed access and off-site highway works on the A369. An Independent Stage 1 Road Safety Audit was carried out by J Bartlett Consulting Ltd. Matters raised by the independent Stage 1 RSA are summarised below:

Road Safety Audit Stage 1 (J Bartlett Consulting Ltd)
Drawing 22.08.02 Rev C

The drawing shows the internal layout for the site and in particular plot locations. As such the information provided has little direct impact on the findings of this audit.

Drawing 22069-002 Rev A

The drawing also shows swept path movements for a refuse vehicle accessing the internal road network. All movements were contained within the available carriageway space and as such do not give rise to concern.

Drawing 22069-003 Rev B

After due and careful consideration, the audit team have been unable to identify any areas of concern in terms of road safety associated with the information portrayed on this drawing for this stage of road safety audit. The drawing also shows swept path movements for a refuse vehicle accessing the junction left in/left out. All movements were contained within the available carriageway space. While the left turn out requires the full extent of the carriageway in order to undertake the turn this is not unusual and as such do not give rise to concern.

“No problems have been identified as part of this Stage 1 Road Safety Audit”.

Issues Outside The Scope Of This Road Safety Audit

The audit team noted that the car park lighting for the public house while effectively illuminating the car park, is positioned at a height and angle that it could partially impact on driver visibility as they pass Moorlands Hall. It may be beneficial for the highway inspector to investigate the effect and if necessary contact the publican to see if the light can be adjusted. The documents provided within this submission do not include the Audit Brief and associated documents in connection with the independent Stage 1 Feasibility Road Safety Audit.

It is noted that section 1.12 of the independent RSA states that “As far as the audit team are aware no previous stages of road safety audit have been undertaken on the proposals as presented for this road safety audit”. This suggests that the audit team were not aware of matters raised within the Somerset Council Design Review, which raised specific matters for consideration by an independent RSA team.

Section 1.1 of the independent RSA states the audit was carried out during July 2024. Section 1.5 states the site visit was undertaken on 4th November 2024.

Somerset Council Design Review (issued 12th September 2024)

Design Review (Feasibility Review) Report Sa-3-0285-003-1 was issued on 12th September 2024. This Design Review provides advice on the following:

- Highway Safety
- Geometry
- Traffic Engineering
- Drainage and Local Issues
- Structures

No designer's response or response report has been provided in response to the matters raised within Design Review Report Sa-3-0285-003-1. A copy of this report will be sent under separate cover for review by the Applicant & LPA Officer. This current submission also does not include Geometry; Traffic Engineering; or Structures. Numerous highway safety matters are therefore still outstanding.

Higher Park Lane Access

As a single dwelling proposal, it would be appropriate in principle for access to be via a private driveway. Any private driveway should be in accordance with Somerset Council's Standing Advice. That said, a contradiction was noted in the previous recommendation. Drawing 22.48.02A and drawing 22.48.01A showed formation of a new driveway between the existing gate/driveway for Slade Corner and the existing access track to Rowan Cottage. This appears to require removal of the existing stone wall and removal of trees / vegetation to form the access and will result in three driveways in very close proximity one another. The proposed driveway encroaches the existing driveway to Rowan Cottage. The applicant was asked to confirm this.

In the meantime, the following observations were made previously on the submitted site plan (drawing 22.48.02 A) and Block Plan (22.41.01A) for the Higher Park Lane site.

Highway and land ownership boundaries along the frontage of the application site must be accurately plotted as this will then determine whether the access can be achieved. It would be beneficial if this was clear on these drawings and/or an accompanying plan. The applicant should demonstrate that all land required to form the proposed access and visibility splays is available to them, without any gap between the land in their control and the existing highway.

The previous recommendation put forward a question in relation to the proposed block paving construction and its slippery nature suggesting that alternative materials would also be preferable given that the proposed access would extend over highway land to the carriageway. The applicant was further asked to clarify who would be responsible for the land shaded in purple in the below extract if the new driveway is formed.

No visibility splays have been shown on the proposed site plans to demonstrate that the 25m (subject to the speed data) visibility splay can be achieved for the access, allowing for the existing hedgerows alongside Higher Park Lane and any features of the adjacent driveways. It is currently anticipated that appropriate visibility should be achievable given the location of the proposed access on the bend in Higher Park Lane. Nonetheless, justification for the appropriate y-distance for the visibility splays and demonstration that they are achievable both southwards and eastwards from the proposed private driveway is required to support the application. There must be no obstruction to visibility greater than 600 millimetres above adjoining road level within this visibility splay and it must be in place prior to occupation of the proposed

bungalow, if approved by the Local Planning Authority, and thereafter maintained at all times. This must be secured by planning condition.

Sustainable Access

Dunkery View Farm Site

It was noted previously from the drawings provided that a 1.5m wide footway is to be constructed across the frontage of the village hall to the northeast. This is less than the minimum recommended width in the DfT's Inclusive Mobility, but it is accepted that there are land constraints and that it would be a betterment to the existing arrangement. The proposed width of the footway would be acceptable to the highway authority, subject to the findings of an independent Stage 1 Road Safety Audit.

A check of the Road Records was referred to in the previous recommendation and the design team was asked to confirm that they are able to deliver the full extent of the footway and that the footway would be offered to the highway authority for adoption. Consideration could also beneficially be given to ensuring that future site residents can cross safely to/from the northbound bus stop on the A369 and a safe place to cross to/from the playing fields.

On receipt of further information, the Highway Authority would be content to make a further, more informed recommendation.

Lead Local Flood Authority (Somerset Council) – 27 October 2025

- The LLFA recommend the applicant to submit the Wessex Water Asset Mapping documents as evidence with the appendix of the report, to provide clearer clarity on the location of assets to both Sites, rather than just relying on screenshots within the report text. This should include confirmation from Wessex Water that a connection in these locations will be acceptable.
- The developer should be seeking more up to date information to assess groundwater flood risk, the LLFA can confirm that there are nearby BGS borehole records located near to both Sites where groundwater levels can be reviewed. The LLFA recommend that the applicant undertake ground investigations to observe groundwater levels on site / groundwater monitoring, at a detailed design stage.
- As infiltration is not proposed, features should be lined given the proximity to retaining walls and neighbouring land. The attenuation tanks are labelled to include an impermeable liner, but the basin does not indicate this.
- The full attenuation SuDS strategy provides a brief overview of the proposed SuDS features for both application Sites, the LLFA requires further clarity to be outlined within the Surface Water Drainage Strategy report between the separate proposed attenuation SuDS strategy for each Site.
- The Bungalow, Higher Park Lane Site:
 - o The LLFA recommend the applicant present GRR rates recorded at the Site within the drainage strategy, to provide clarity on the justification for use of the proposed discharge rate. Should discharge be higher than greenfield rates, we expect the applicant to demonstrate that the receiving system is able to take flows without increasing flood risk elsewhere.

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- o The LLFA require the applicant to provide construction cross-sections and long-sections of the included features to see how they interact with one another with cover levels, invert levels at this full planning application stage.
 - o The LLFA are concerned the extent of permeable paving connecting up to the access road, the Highway Authorities may have an issue with this connection. The proposed connection may be required to be stepped back from the connection to the existing road. The applicant is required to show that the permeable paving is proposed to be lined.
 - The Village Hall Site:
 - o The LLFA require clarity on how the northern proposed attenuation tank will be maintained, as a hedgerow is depicted within the drainage drawing, just north of the tank along the Site boundary, the applicant will need to justify how the attenuation tank will be maintained if the depicted hedgerow is remaining, the attenuation tank in that location may prove difficult to maintain.
 - o The proposed drainage drawing depicts an outfall restricted to a 3.0 l/s discharge rate. The applicant has proposed a 1 in 2 side slope within the design of attenuation basin, the LLFA do not deem a 1 in 2 slope to be suitable and recommend for appropriate 1 in 3 / 1 in 4 slopes to be incorporated within the basin design, to enable landscaping, the presence of aquatic life and as a safety design feature.
 - o It is unclear whether the attenuation storage features are suitably designed with a 3.5m maintenance easement on all sides is available. The drainage drawing shows a retaining wall adjacent to south and east of the basin. It is recommended that a minimum 3.5m maintenance easement is available around the basin, to ensure safe access for clearances, inspection, cleaning and maintenance. The basin has been designed to provide a freeboard of 150mm, this is not an acceptable freeboard level, given the basin's proximity to the A road just outside the site boundary.
 - o The LLFA requires at the detail design stage, that design levels, e.g. cover and invert levels of all drainage features are incorporated, to provide clarity on how natural surface water will drain via the swales to the attention basin.
 - o Details should be provided on the risk of failure and exceedance and stability of the basin, which takes account of the retaining wall, exceedance and stability.
 - The applicant needs to include commentary on the use of Rainwater Harvesting as this is the highest priority level for discharge according to the hierarchy. Consideration should be given to partial rainwater harvesting e.g. water butts in gardens, downpipes directed to landscape areas for irrigation purposes.
 - The LLFA recommends that consideration is made for the proposed SuDS system to be supplemented with additional permeable paving, rain gardens and tree pits.
 - The LLFA require more evidence to be provided to discount discharge via infiltration and discharge from the Village Hall Site to the northern watercourse. This should include ground conditions, and potential to connect to northern watercourse.
 - The LLFA require more clarity on the summery of likely ground conditions across both application Sites
 - The Bungalow Site: The proposed permeable paving while included, it is not providing any treatment before the property downpipes connect into the tank. Above

ground SuDS features like raingardens, swales, raised bioretention planters need to be included for water quality, amenity and biodiversity as per the Standards.

- The village Hall Site: The LLFA are concerned with the lack of treatment train as the design is only relying on the attenuation basins to provide suitable treatment, which is located after the attenuation tanks, ideally there would be permeable paving, raingardens, swales beforehand to trap sediment which would help the tanks to not become full of sediment. Plots 01 to 04 do not through any treatment as they bypass the basin and go straight tank to outfall, this is not acceptable the LLFA.
- The LLFA recommend that the applicant includes further details of the inclusion of additional SuDS networks for the use of water capture (permeable paving, tree pits, rain gardens) for transport to the attenuation basin or attenuation tanks, that will provide additional water quality benefits.
- The LLFA are concerned that the applicant has not clearly provided a water quality assessment that takes into consideration pollution hazard indices for both residential roofs and roadways within the development. A suitable treatment train should be provided for each catchment for the whole development for proposed attenuation features, that should incorporate additional SuDS features as mentioned above. The LLFA require the applicant to provide a mitigation index water quality assessment that provides a suitable treatment train for all proposed SuDS features.
- The applicant has only provided hydraulic calculations for the proposed SuDS system of both Sites for the 100 yr + 45% climate change event. The applicant has not provided calculations for the modelled events up to 1 in 2year and 1 in 30 year + 40% climate change events. The LLFA expects all of the above storm events to be included within the calculations to assess flood risk status across all critical storm events for both Sites.
- The supporting hydraulic calculations provided for the Village Hill drainage design, present the nodes (STORAGE/FC, OUTFALL) cover levels for the attenuation basin, attenuation storage tanks and outfall features being set at 10m is concerning and should be updated to reflect the true cover levels once decided at detailed design stage. This is the same for the Bungalow, Higher Park Lane Site. The updated calculations should also include all additional SuDS features included as commented on above
- The half drain times of attenuation should be provided.
- Urban creep should be included within the attenuation calculations, but not discharge rate. The LLFA expects the hydraulic calculations to demonstrated clearly that the runoff volume from the development has been calculated up to the 1 in 100 year, 6 hour rainfall event and shown not to exceed the greenfield runoff.
- The LLFA would require a maintenance plan for additional SuDS features to be submitted that covers all included SuDS features, the maintenance activities required to ensure the system performs as designed, with information regarding ownership of assets / who the maintenance responsibilities will be assigned to. This can be provided at detailed design.

Public Rights of Way Officer – 12 November 2025

The main application plot adjacent to the Moorland Hall does not have any formal public access on or near it. The smaller plot off Higher Park Lane has public bridleway WL6/17 running on the track to the south of the development site.

I note from the plans that the access is planned to be through the grounds of Slade Corner and not along the bridleway. I think this is preferable from the public bridleway point of view but please ensure that nothing is done to compromise visibility for those entering or exiting the public bridleway from Higher Park Road.

During construction, please ensure that the public bridleway remain open, safe and easy to use at all times – see below for our standard advice on development in the vicinity of public rights of way.

Public rights of way should be open (easy and safe to use) at all times.

Please note the following:

- Care should be taken to avoid obstructing or interfering with the public rights of way or creating a hazard for users.

If it is impossible to avoid interference or potential danger, the appropriate legal steps (e.g. path closure application) should be taken in advance of any works. If this is likely to be necessary, please contact ENPA (who act on behalf of the Highway Authority) or seek legal advice as soon as possible

- Any disturbance to the surface of rights of way should be avoided but if any such disturbance does occur due to the owner/occupier or their agents' use of the way, the surface should be reinstated.

- Where planning permission is granted, this does not authorise any person to stop up or divert any public right of way. Separate legal steps are needed for this.

- The driving of a vehicle is only permitted on a public bridleway/footpath where the driver has lawful authority to do so

- Parking on the public right of way may be deemed to constitute an obstruction

- Changes to the surface/drainage of a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)

- New furniture (e.g. gates) being needed along a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)

Where an increase in vehicular traffic or other alteration in the private use of a public right of way this route is expected as a result of the development, there will be other considerations such as the impact on the maintenance requirements of the right of way.

COMMENTS MADE FOLLOWING RECONSULTATION WITH SOMERSET COUNCIL (NOVEMBER 2025)

Lead Local Flood Authority (Somerset Council) – 28 November 2025

Many thanks for reconsulting the LLFA on application number 6-8-24-002 seeking Full Planning Permission for the erection of 16 dwelling houses on Land at Dunkery View Farm.

Following a meeting held on 6/11/25 and the amended information received, in response to our previous comments, the LLFA is satisfied that those comments have been addressed and that application no. 6-8-24-002 meets our requirements at this stage.

Should the LPA decide to grant this application permission, the following conditions and informatives should be noted as follow.

Conditions:

1. No development shall be commenced until details of the sustainable surface water drainage scheme for both sites, have been submitted to and approved in writing by the local planning authority. Such scheme should aim to meet the four pillars of SuDS (water quantity, quality, biodiversity, and amenity) to meet wider sustainability aims as specified by The National Planning Policy Framework (Feb 25) and the Flood and Water Management Act (2010). The development shall ensure that relevant permission have been obtained to connect to the outfall location, demonstrate that this has the capacity and condition to take flows from the site, include measures to control and attenuate surface water and once approved the scheme shall be implemented in accordance with the approved details and maintained at all times thereafter unless agreed otherwise in writing by the local planning authority.

Reason: To ensure the development is properly drained in accordance with the NPPF.

2. No development approved by this permission shall be occupied or brought into use until a plan for the future responsibility and maintenance of the surface water drainage system and any watercourses under riparian ownership of the site, has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed.

Reason: To safeguard the long-term maintenance and operation of the proposed system to ensure development is properly drained in accordance with the NPPF.

3. The surface water drainage scheme, including attenuation and flow control and outfall shall be fully implemented prior to the commencement of development except for highway works. This shall include details to demonstrate that surface water will be managed during the construction phase to prevent unrestricted discharge and pollution to any receiving system. Post construction the drainage system shall be inspected, fully cleared and any remediation works undertaken.

4. The design of the attenuation pond will be agreed with a structural engineer ahead of the implementation of the surface water drainage scheme. Details will be provided to the LPA that evidence that the pond has the capacity and condition to receive surface water flows from the site, and store these as required, without risk of collapse. A structural engineer will inspect and monitor the construction of the attenuation pond to ensure it is built in line with requirements to ensure the integrity of the structure.

Reason: To ensure the integrity of the drainage system so as to prevent failure of the proposed drainage system and secure safe management of surface water for the lifetime of the development, in accordance with the NPPF.

Informative 1: Consent to Connect to Existing Drainage System

The applicant has been advised that proposals to connect to existing drain networks for discharging surface water from the site require confirmation that these connections can be made. They must obtain consent or permissions from the relevant authority responsible for the existing drain networks ahead of establishing a connection. Furthermore, the applicant must confirm that they have established the right to connect to and discharge into the existing drain networks once consent has been secured.

It should be noted that failure to do so may result in legal repercussions at a later stage.

Local Highway Authority (Somerset Council) – 23 October 2025

The proposed development is for a total of 16 dwellings, comprising 15 dwellings on a site situated to the South of the settlement, both south of the A396 and of Moorland Hall (hereafter referred to as the Dunkery View Farm Site), plus a single proposed dwelling on a site situated north of Higher Park Lane (hereafter referred to as the Higher Park Lane site).

Each of the sites are considered in turn as they are situated in different parts of the settlement and propose different scales of development.

For clarity, the Dunkery View Farm site is located to the south of the settlement of Wheddon Cross, to the south of the A369 (A-classified road) and within the 30mph limit pertaining to that part of the settlement. The Higher Park Lane site is proposed to accommodate a single dwelling and is situated in the settlement of Cutcombe, with a proposed new access from Higher Park Lane (an unclassified road). This part of Higher Park Lane is within the 20mph limit pertaining to that part of the settlement (see site locations on a plan of the settlement).

Full comments:

Following an online Teams Meeting and the submission of Amended Plans, the Highway Authority is now content with the information provided and can now offer a recommendation with no objection subject to certain conditions.

Dunkery View Farm Access & Visibility

The application proposes the construction of a simple priority junction with the A396, providing access to the 15 private dwellings proposed on this site, together with the extension of the existing pedestrian footway along the southern side of the A396, north of Moorland Hall, up to this proposed site entrance. An Independent Stage 1 Road Safety Audit was previously carried out by J Bartlett Consulting Ltd. Moorland Village Hall have now given their consent for visibility splays to be secured across their land (documentation has been provided for this). Visibility Splays for this entrance are to be 58m (northeast) & 54m (southwest). These are shown on Drawing No. 220690-003 (Proposed Site Access Arrangement & A396 Footway Arrangement).

Highway Improvements

A footway will be constructed across the frontage of Moorland Village Hall, therefore providing a continuous link. Communication has been shown in the submitted documents that the Applicant has an agreement to remove the grass bank and replace this area with a tarmac footway and a low-level planter is to be constructed. Therefore, the applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. Furthermore, as Moorland Village Hall are the landowner, they will need to be party to the legal agreement.

Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development. All s.278 works are required to be cited in the s.106 legal agreement.

Higher Park Lane Access & Visibility

The private driveway serving the proposed dwelling at Higher Park Lane will connect to the highway at the same point as the existing driveway, on the outside of the highway bend with sufficient visibility in accordance with highways standing advice.

Parking & Turning

Parking will adhere to SC's Parking Standards (2013). All properties will include electric vehicle charging and this is shown on the site layout and referenced at paragraph 4.15 of the Transport Assessment.

Bicycle storage will be available within garden sheds and in some case garages. Measures to encourage car sharing and cycling to work during construction can be included within the construction management plan which is intended to be secured via a planning condition.

Drainage

Further information has been submitted, and I can confirm that Somerset Council's Drainage Engineers have reviewed this information and that no further comments have been offered.

Measures Only Travel Statement (MOTs)

As this proposal is more than 10 but less than 30 dwellings, a Measures Only Travel Statement was required. This is the lowest level travel plan to which there are no fees, monitoring or targets required. Previously, the MOTs was considered inadequate, and amendments were required (Audit dated 17th September 2024). Since then, amended plans and further information has been provided, it is now accepted. This level of travel plan can be secured by planning condition and is not subject to a s.106 legal agreement.

Highway Lighting

No lighting unless exceptional circumstances (Police or Local Council request).

Internal Layout

Attenuation tanks have been removed from under the road, and block paving removed thereby giving the potential for the road to be adopted should the developer wish and should the internal layout details be acceptable to this Authority. A width of 7m for the road (5m + 2m footway) has now been agreed for the main proposal site.

Conditions/Reasons for refusal:

In the event of permission being granted, I would recommend that the following conditions are imposed:-

There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 58m (northeast) & 54m (southwest) either side of the access located at Dunkery View Farm (A396).

These are shown on Drawing No. 220690-003 (Proposed Site Access Arrangement & A396 Footway Arrangement). Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained in perpetuity.

The Development hereby permitted shall not be occupied until the relevant number of parking spaces, electric vehicle charging points, secure cycle parking for the dwellings and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction in perpetuity and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

The proposed roads, including footways and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied

shall be served by a properly consolidated and surfaced footway and carriageway to at least base course level between the dwelling and existing highway.

The gradient of the proposed accesses shall not be steeper than 1 in 10. Once constructed the accesses shall thereafter be maintained in that condition in perpetuity.

No development on the elements listed below shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority:

- a) estate roads
- b) footways
- c) tactile paving
- d) cycleways
- e) sewers
- f) service routes
- g) vehicle overhang margins
- h) embankments
- i) visibility splays
- j) carriageway gradients
- k) drive gradients
- l) car, motorcycle and cycle parking
- m) hard and soft structural landscape areas,
- n) pedestrian and cycle routes and associated vehicular accesses and crossings,
- o) means of enclosure and boundary treatment,
- p) all new roundabouts and junctions,
- q) proposed levels,
- r) highway drainage

No occupation shall thereafter commence until the development has been constructed in accordance with the approved details and retained in perpetuity thereafter.

NOTE: If it is not possible to construct the estate road to a standard suitable for adoption, yet it is deemed the internal layout of the site results in the laying out of a private street, under Sections 219 to 225 of the Highway Act 1980, it will be subject to the Advance Payment Code (APC). In order to qualify for an exemption under the APC, the road should be built and maintained to a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Streetworks Code. A suitable adoptable layout should be provided as part of the Reserved Matters application.

Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to

and approved in writing by the Local Planning Authority. Such provision shall be installed prior to development above damp-proof course level and thereafter maintained in perpetuity.

NOTE: Any systems provided for the purposes of draining the site shall be constructed and maintained privately until such time as the drainage is adopted. At no point will this Authority accept private infrastructure being connected into highway drainage systems. Consent from the riparian owner of any land drainage facilities affected, that are not within the developer's title, will be required for adoption.

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

No further comments from consultees received.

Representations

1 letter of **OBJECTION** has been received as part of the initial consultation. The letter raised concerns including:

- Whilst the need for affording housing for locals on Exmoor is supported, there are concerns regarding pedestrian access to the village. Even though the application states (2.14 of the planning statement) that an extended footway would be provided along the A396 to connect to the village, the tarmacked area in front of The Old Methodist Chapel is privately owned and is not a public pavement. The owners have advised that they intend to return this area to grass when the work to the driveway is

completed by adding in the waiting bay (as per planning permission 6/8/08/105), which will block the tarmacked area.

- The validity of the Housing Needs Survey is questioned. It was conducted more than five years ago. The Homefinder Somerset figures does not necessarily indicate a true local need. Moreover, the application takes no account of other planning permissions for three affordable dwellings in Cutcombe (6/8/21/105 and 6/8/22/106). There are also applications (6/40/20/114) in Winsford, Brompton Regis (6/3/22/111, 6/3/19/124 and 6/3/23/001 approved since the HNS was carried out), Porlock (6/27/22/115, 6/27/19/114, 6/27/22/117 and 6/25/21/109 approved since the HNS was carried out), and in Dunster (6/10/17/111 since the HNS), which between them could meet the needs of locals in Exton, Luxborough, Luccombe, Exford, Wootton Courtenay and Timberscombe. The net result being that potentially zero properties are now required in Wheddon Cross.
- The type of property being proposed would not be suitable for people working in the rural environment.
- The costs of development could be mitigated by developing at the Meadow Close site.
- The need for market housing or number of such housing to ensure the scheme is viable, particularly the unit proposed at Slade Corner, is questioned.

A further letter of **OBJECTION** has been received. The letter raised matters including:

- Planning Committee Members are invited to visit the site.
- Concerned that the proposal relates to a green field site on the edge of the village and in full view of Dunkery Beacon.
- The site enters the busiest road on Exmoor and then onto the busiest and most difficult crossroads in the region.
- Concerns regarding constructions, including noise, mud, dust and extra traffic.
- Concerned that there would be harm to the local hospitality businesses and trade – which are fragile, employ a lot of staff, take years to grow and can be destroyed quickly if a building site is here for a number of years.
- Exmoor Young Voices has stated they need self-build properties. These need to be where they work and not in one location.
- Concerned there is a hidden agenda to obtain funding and build the allocated quota of housing.
- Other major worries include – would the road be adopted, who would service the drainage provisions, concerns regarding sewerage capacity, Moorland Hall would be at the centre of a building site, the wall behind the Moorland Hall would be raised, sewage connection could cause many problems.
- A business use in the farmyard next door would cause more traffic.
- Concern regarding the single plot and the size of the dwelling proposed.
- There are 4 properties on the market and two sites currently undeveloped owned by Exmoor Farmers.
- All services are limited and are being squeezed out.
- There are major social housing projects in Minehead and Dulverton and also in Williton.

1 letter of **SUPPORT** has been received as part of the initial consultation. The letter raised matters including:

- As Chair to Ellsworth Trust, I would advise that the Trustees support the application on behalf of Cutcombe School. Young families are required in Wheddon Cross as is affordable housing. The school needs more pupils year on year and housing is the key to this. The Labour government want more affordable housing in all areas. Please ensure that village life continues and by that means so does the local school.

1 letter of **SUPPORT** has been received, which also outlines some concerns. The comments include:

- As Cutcombe parishioners, and residents in the neighbouring dark sky critical buffer zone, we strongly support this proposal to provide more affordable housing for applicants with local connections. The quality of life for everybody living on Exmoor will be seriously compromised if the local workforce that services our community life is drained of young people keen to work in this highly rural protected landscape because they cannot afford to find a place to live.

- It is plain that the acceptability of this particular proposal depends on it meeting high planning standards and on the local authorities taking a careful view of the likely consequences, intended or not, for traffic, parking, schools etc. Much of this is analysed in the studies accompanying this proposal.

- We would highlight the following concerns, - Dark Skies. Wheddon Cross is in an elevated position and can be seen from afar, especially from within the protected reserve. The security light there is already a glaring eye sore for anyone approaching from the direction of Exford. It is important that strict lighting constraints are applied to the new development. The Swan Paul environmental study is too dismissive of potential problems and skates past the issues. – Housing design. Outdoor life on Exmoor is often carried out in poor weather conditions. Properties should have adequate external storage facilities for wet/cold weather clothing (eg in front door porches) and typical garden and hedging machinery (outdoor sheds). – Parking. Is the road through the development capable of handling the likely number of vehicles and vans that will want to park there?

Policy Context

EXMOOR NATIONAL PARK LOCAL PLAN

GP1 Achieving National Park Purposes and Sustainable Development

GP2 Major Development

GP3 Spatial Strategy

GP4 The Efficient Use of Land and Buildings

GP5 Securing Planning Benefits – Planning Obligations

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-D2 Green Infrastructure Provision

CE-S6 Design & Sustainable Construction Principles
CC-S1 Climate Change Mitigation and Adaption
CC-D2 Water Conservation
CC-S6 Waste Management
CC-D5 Sewerage Capacity and Sewage Disposal
CC-S7 Pollution
HC-S1 Housing
HC-S2 A Balanced Local Housing Stock
HC-S3 Local Occupancy Criteria for Affordable Housing
HC-S4 Principal Residence Housing
HC-D3 New Build Dwellings in Settlements
AC-S1 Sustainable Transport
AC-D1 Transport and Accessibility Requirements for Development
AC-S2 Transport Infrastructure
AC-D2 Traffic and Road Safety Considerations for Development
AC-S3 Traffic Management and Parking
AC-D3 Parking Provision and Standards

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

English National Parks and the Broads UK Government Vision and Circular 2010 (National Parks Circular 2010) is a material consideration. The National Park Circular provides policy guidance specifically for the English National Parks and for all those whose decisions or actions that might affect them including, amongst others, government departments, government agencies, local authorities and other public bodies. The Circular includes a vision and sets out key outcomes: a) a renewed focus on achieving Park Purposes; b) leading the way in adapting to, and mitigating climate change; c) a diverse and healthy natural environment, enhanced cultural heritage and inspiring lifelong behaviour change towards sustainable living and enjoyment of the countryside; d) fostering and maintaining vibrant, healthy and productive living and working communities; and e) working in partnership to maximise the benefits delivered.

Planning Considerations

The main planning considerations in this case are:

- Whether the proposal is acceptable in terms of its location and tenure having regard to the housing policies of the Local Plan;
- The effect of the proposed development on the character and appearance of the locality, including impact on trees;
- The effect on surface water run-off and risk of flooding;
- The effect on highway safety;
- The effect on the living conditions of residential neighbours; and,
- The effect of the development on ecology, particularly protected species and habitat.

In accordance with Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO), the proposed development constitutes 'major development' in that the number of dwellinghouses to be provided is 16. It is therefore above the threshold for major development as defined in the DMPO, which is 10 or more dwellinghouses.

The National Planning Policy Framework (Framework) at paragraphs 189 and 190 sets out an approach that local planning authorities should take when determining applications within National Parks.

In accordance with paragraph 189 of the Framework, great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations, and should be given great weight in National Parks. For this reason, the scale and extent of proposed development in National Parks should be limited and permission should be refused for major development other than in exceptional circumstances.

Notwithstanding the DMPO definition, whether a proposed scheme of development is 'major development' for the purposes of the Framework is a matter for the decision maker.

MAJOR DEVELOPMENT

The Exmoor National Park Local Plan 2011-2031 (including minerals and waste policies) (Local Plan) acknowledges that Exmoor National Park's landscape is recognised as being relatively free from major structures or development (paragraph 3.21). The Government's longstanding view has been that planning permission for major developments should not be permitted in National Parks except in exceptional circumstances, as set out in the Framework and National Parks Circular 2010.

The Framework advises that planning permission should be refused for major development in a National Park except in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 190 of the Framework applies, is a matter for the relevant decision taker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined (footnote 67 of the Framework).

The Framework is clear that great weight should be given to conserving landscape and scenic beauty in these designated areas (paragraph 189) irrespective of whether the policy in paragraph 190 for 'major development' is applicable. In relation to this national policy context, the term 'major development' is not specifically defined. Paragraph 190 of the Framework advises that consideration of major development applications should include an assessment of:

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- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - the cost of, and scope for, developing elsewhere outside of the designated area, or meeting the need for it in some other way; and
 - any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

The Local Plan advises (paragraph 3.22), amongst other things, that due to the relative remoteness, tranquillity and natural beauty of the National Park and the scale and size of most proposals, 'major development' is considered to be of a scale that is context-specific and a matter of planning judgement, i.e. it would exceed the local-scale development to address the social and economic needs of Exmoor's communities, and would be considered to also have potential adverse impacts on the National Park's statutory purposes. In the context of this, major development is not defined just in terms of scale, but also the impact on the National Park and its special qualities.

The consideration of major development is a matter revisited and discussed later in this report.

LOCATION & TENURE

Policy GP1 of the Local Plan sets out that development within the National Park should support the function and resilience of communities by providing for a size, type and tenure of housing to address local affordable needs and help create a balanced community. Policy GP3 aims to ensure that communities across the National Park continue to thrive so that they are economically resilient, environmentally sustainable, socially mixed and inclusive. Policy GP4 encourages the efficient use of land and buildings. It, among other things, says that development within or adjoining a named settlement should make the best use of land on the site in terms of density of buildings and green infrastructure provision, and it says a density of at least 30 dwellings per hectare will apply to development of 10 or more dwellings.

The housing policies of the Local Plan provide the framework to address the housing needs of the National Park's local communities and to ensure that the level of housing development is compatible with the conservation and enhancement of Exmoor. The focus is on addressing the needs of those people who live and work in the area, prioritising the need for affordable housing and ensuring the National Park's housing stock, as a whole, meets the needs of all sections of the local community. This is achieved through a need led rural exceptions approach to maximise the ability to deliver affordable housing. The Local Plan also makes provision for rural workers and accessible and adaptable homes for older people, as well as 'extended family dwellings'.

Policy HC-S1 explains the purpose of housing development will be to address the housing needs of local communities. The principal community identified need is for

affordable housing with local occupancy ties. Exceptionally, new housing development will be permitted where it addresses an identified local housing need for affordable homes, occupied by local persons, rural worker homes or extended family homes occupied by local persons. The Policy advises that, consistent with an exceptions approach to housing, provision will not be made for housing solely to meet an open market demand. Principal Residence market housing will only be permitted where it is essential to deliver local need affordable housing (and accords with HC-S4) or relates to a Vacant Building in a Local Service Centre or village (HC-D1).

Policy HC-S3 of the Local Plan includes criteria for local need affordable dwellings, and an occupancy tie is required by Policy HC-S2. Policy HC-S4, which refers to Principal Residence Housing, aims to ensure that new market housing is prevented from being a second or holiday home.

As explained at paragraph 6.91 of the Local Plan, Principal Residence housing is a form of market housing controlled by a mechanism, usually an occupancy condition of planning permission, which ensures it can be lived in by anyone, but only as their principal residence. The aim of this is to prevent any new market housing being used as a second or holiday home given the existing high percentage of homes in the National Park with no usual residents and its impact on the social well-being of a number of communities.

As the housing strategy for the National Park seeks to ensure, new housing in the National Park should be affordable housing to meet local needs. Principal Residence housing will, in accordance with HC-S4, only be permitted in very specific circumstances where it can be demonstrated to be essential to enable the delivery of affordable housing schemes. Principal Residence housing is not permitted in open countryside locations. It is only permitted in settlements where this is essential to enable the delivery of affordable housing or where new dwellings are created through the subdivision of existing dwellings or where provided through the conversion of a hotel to a dwelling, in accordance with the relevant policy tests.

Local Plan Policy HC-D3 refers to new building dwellings in settlements. The Policy says, amongst other things, that new building development will be permitted in named settlements where the site is well related to existing buildings and any development would conserve or enhance the character of the traditional settlement patterns and the character and appearance of the site and its surroundings.

The application site comprises two distinct sites. One site, the smaller of the two, lies at the end of a row of houses along Higher Park Lane, Cutcombe. The larger site lies to the south of the crossroads at Wheddon Cross, behind the Moorland Hall and adjacent to farm buildings of Dunkery View Farm, on the opposite side of the road to the recreational field.

Both sites are well related to existing buildings within a named settlement. Consequently, in this regard, the location of the proposed development is acceptable

as it would comply with Local Plan Policy HC-D3 where it requires new building development in named settlements to be well related to existing buildings.

In terms of tenure of housing, the application proposes that nine of the dwellings would be local need affordable. Three of these would be low cost/discounted market sale dwellings, with at least a 40% discount on the open market value of the dwelling, and six of the affordable dwellings would be for social rent. The local occupancy (to accord with the Local Plan) and tenure of these dwellings would need to be secured through a Section 106 Agreement in the event planning permission is granted. In addition to the affordable dwellings, seven dwellings are proposed as Principal Residence dwellings, whose occupancy as someone's principal residence would need to be secured via condition in the event planning permission is granted.

To accord with Local Plan Policy HC-D3, it must be demonstrated that for reasons of financial viability the Principal Residence market housing is required to enable delivery of more than one unit of local need affordable housing which cannot be made financially viable without it.

Financial information has been submitted in support of the application. This information shows that in order to deliver the proposed number and tenure of local need affordable dwellings seven Principal Residence dwellings are necessary, and that even then the development would not in itself provide a viable scheme. Therefore, in order to ensure a viable scheme, the application is made on the basis that grants from Homes England of £875,000 and from the Local Housing Authority of £80,000 would be secured in order that the scheme would be viable in addition to the seven proposed Principal Residence houses.

Whilst some local comments question the level of need for the affordable housing proposed, the Rural Housing Enabler considers that the evidence available, including a Housing Needs Survey undertaken by the Community Council for Somerset on behalf of the Eight Parishes Working Group (May 2018) and more recent Homefinder registrations, shows that the proposed dwellings are justified on this site. Moreover, the Rural Housing Enabler is supportive of the proposed tenure mix. As the representative of the Local Housing Authority, the view of the Rural Housing Enabler is afforded great weight in this regard.

In accordance with clause 3 of Policy HC-S2 of the Local Plan, 20% of the dwellings proposed would be constructed in accordance with Building Regulations Requirement M4(2) for accessible and adaptable dwellings. The requirement is met with Plots 13, 14 and 15, all of which would be single storey dwellings.

As such, having regard to the evidence available, officers are satisfied that the scheme has sufficiently demonstrated that for reasons of financial viability the Principal Residence market housing proposed at the two sites is required to enable the delivery of the local need affordable housing units proposed.

In order to provide a suitable return and therefore a viable development, seven principal residence dwellings would be required. The scheme would be reliant on grant funding in any case and, as such, a better balance between the ratio of affordable dwellings to Principal Residence would not be achieved without a greater proportion of grant being secured. There is no basis to consider that a larger grant to deliver a greater proportion of affordable units on the site would be available.

Consequently, the proposed development is considered to be acceptable in terms of its location and tenure having regard to the housing policies of the Local Plan. The sites are well related to existing buildings and would be visually and physically connected to Wheddon Cross. Thus, the proposal would comply with Policy HC-D3 where it requires new building development in named settlements to be well related to existing buildings.

All new market housing within the scheme would be Principal Residence housing, which has been demonstrated as being necessary to deliver the Local Need Affordable Housing proposed. The Local Need Affordable Housing would meet a proven local need for such housing that cannot be met within the existing housing stock, or from sites/buildings already with planning permission. In this regard, the proposal would comply with Policies HC-D3 and HC-S4 of the Local Plan.

CHARACTER & APPEARANCE

Cutcombe and Wheddon Cross lies within a farmed landscape of pastureland enclosed by hedgebanks. The landscape setting is strongly influenced by the incised wooded valleys surrounding the settlement, and the open moorland of Dunkery Hill. At a height of approximately 300 metres, the settlement is very prominent in the landscape and is visible from several miles away, including from Dunkery Beacon.

The historic core of the settlement centres on the Grade II* St John's Church and Codecombe House in Cutcombe, to its eastern extent. Whereas older properties in Wheddon Cross have developed around the crossroads of the A396 and B3224. As well as older properties, there has been considerable post-war development in both Cutcombe and Wheddon Cross. The redevelopment of the former livestock market site included new affordable homes to meet local housing need.

The larger site lies to the south of the crossroads, adjacent to the main built form of the settlement. Whilst it is mainly bordered by enclosed farmland on two sites, it lies adjacent to Moorland Hall, which is a painted render single storey building with a slate roof. There is also an immediate context of farm buildings, which are predominately portal framed and clad with metal sheets. At the crossroads, buildings are typically two storey with rendered elevations under slate roofs. Brick and stone are also local building materials.

The smaller site lies off Higher Park Lane at the end of a row of dwellings. Whilst there is a mix of two and single storey dwellings, the houses within the immediate context of the site are bungalows with concrete tile roofs, upvc windows and

predominately rendered walls. More modern single storey timber clad dwellings with recycled rubber slate roofs, built to meet local housing need, lie to the south. Whilst the building vernacular is varied, single storey detached bungalows with free standing garage buildings are characteristic of the immediate area of the street scene.

Policies CE-D1 and CE-S6 of the Local Plan, amongst other things, require that development delivers high quality sustainable designs that conserve and enhance Exmoor's landscapes and the distinctiveness of Exmoor's built environment. Policy CE-S2 refers to Exmoor's dark night sky and advises that, amongst other things, the tranquillity and dark sky experience of Exmoor National Park Dark Sky Reserve and the National Park as a whole, will be maintained and improved.

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

Policy RT-D12 relates to safeguarding access land and Rights of Way in terms of their condition, users' interests and character and appearance. Where proposals would adversely affect the network, it will be necessary to meet a number of criteria including that there is a need for the development, that there is no appropriate alternative location, and any harm will be kept to a minimum.

The new build dwellings in settlements policy, Policy HC-D3, of the Local Plan requires, amongst other things, that development is well related to existing buildings and any development would conserve or enhance the character of the traditional settlement pattern and the character and appearance of the site.

Policy GP4 of the Local Plan refers to the efficient use of land and buildings. Clause 2 of this Policy says development within or adjoining the named settlements should reflect the historic form and pattern of the settlement, and make best use of land on the site in terms of the density of buildings and green infrastructure provision. Clause 3 of this Policy says a density of at least 30 dwellings per hectare will apply to development of 10 or more dwellings.

The smaller site would accommodate one dwelling. The dwelling would be positioned at the end of a row of dwellings accessed from Higher Park Lane with a similar plot size to the two bungalows to the east side, thus supporting the linear form of development that is characteristic of the settlement. Moreover, the single storey scale and detached nature of the bungalow, with a free-standing garage, would also reflect the building vernacular of the immediate site context.

The dwelling would have a natural slate roof, the walls would be predominately painted render. These would reflect the traditional use of materials locally and would complement the local context of materials and, thus, accord with Policy CE-S6 of the Local Plan.

Whilst the Woodlands Officer has raised concerns with regard to the removal of some vegetation at the smaller site, this is limited to the southern boundary of the site. Moreover, the proposed access arrangement has been amended to require less of the existing hedge to be removed, and the proposal includes mitigation and additional planting within the site, including the provision of a native hedge to the boundaries of the site. The proposal would therefore retain a hedgerow to the boundary of the property, and this would respond appropriately to the wider context of hedgerow boundaries to the street scene of Higher Park Lane.

Even though a public bridleway, which carries the Coleridge Way, passes along the southern boundary, the erection of a single dwelling, which would respond to the local context of building vernacular, would not be harmful to users interests. The road access for the proposed dwelling, as amended, would not extend into the pathway and would not adversely affect the character and appearance of the pathway at this location. The proposal would not therefore conflict with Local Plan Policy RT-D12.

The larger site on land adjacent to Dunkery View Farm, would accommodate 15 dwellings. As a much larger site it has a much greater potential to impact on the character and appearance of the locality.

The larger site is a pasture field of an irregular pattern, enclosed by post and wire fence and hedgerows. It is a sloping site, which slopes down toward the A396. It sits behind and to one side of Moorland Hall, which was built in 1934, and within the context of the farm buildings and yard of Dunkery View Farm. Moorland Hall currently provides the edge of the main built form of the village along the A396 to the south west of the crossroads. The Hall was built by cutting into the site and providing a site roughly level with the A396. The proposed dwellings would sit on higher ground behind, stepping up to reflect the change in ground levels and slope across the site.

Whilst Moorland Hall lies close to the road, there is a wider context of buildings on this side of the crossroads and the A396 that provides a greater depth to the built form of the settlement.

A Landscape and Visual Appraisal (LVA) has been submitted in support of the application. The LVA identifies that as a result of the topography of the site and its surroundings, the site is visible from south westerly through to north westerly directions. Whilst there is existing vegetation and additional soft landscaping is proposed, the houses would be particularly visible from the A396 and the recreation ground, and the houses would be seen above Moorland Hall and the adjacent farm buildings due to the sloping nature of the site. In these views, the dwellings would be seen against the skyline.

Be that as it may, the development would be read as an extension of the main built form of the settlement, which would be both physically and visually well related to it. Moreover, the dwellings would be stepped back from the road behind a grass verge,

so they would not appear overly dominant, and the development would be read as responding to the slope of the land. The Future Landscapes Officer has commented that the development would be absorbed into the fabric of the settlement and the change in longer distance views would not be immediately noticeable, including views from particularly sensitive locations such as Dunkery Hill.

Furthermore, the retention of existing vegetation, proposed boundary planting and the single storey dwellings on the highest part of the site would combine to reduce the visual impact of the development in the wider landscape.

The dwellings would be faced with stone and render. It is expected that windows, doors and external joinery would be timber. However, as this is not clear within the submitted details, in the event planning permission is granted, a condition should be imposed to enable approval of the details of the windows and doors. Chimneys and porches would form part of the architectural detailing. Boundary details for the individual dwellings would comprise a mix of stone, brick and timber boarding.

The palette of materials, architectural detailing, and two storey and single storey scale of buildings would reflect the traditional building vernacular of the settlement. It would particularly reflect the more recent housing development at Meadow Close (the former livestock market site) and thus complement the local context.

Whilst the Future Landscapes Officer comments that the density of some of the plots are small and that there is limited space across the site to accommodate additional vehicles, the development site itself (discounting the attenuation pond and area for biodiversity net gain) would deliver approximately 28 houses per hectare. This would not meet the requirement of Clause 3 of Policy GP4, which requires a density of at least 30 dwellings per hectare for schemes of 10 or more dwellings. Nevertheless, the density would reflect the local pattern of housing plot sizes, and the plot sizes reflect the smaller size or single storey nature of the dwellings proposed, and, having regard to the need to ensure development reflects the historic pattern of the settlement and make the best of the land in terms of density, the density of the site as a whole would be acceptable.

The site lies outside the Exmoor National Park Dark Sky Reserve and just outside the 1km Critical Buffer Zone, which reaches Blagdon Cross. It is nevertheless within the wider National Park buffer. Policy CE-S2 of the Local Plan refers to Exmoor's dark night sky and advises that, amongst other things, the tranquillity and dark sky experience of Exmoor National Park Dark Sky Reserve and the National Park as a whole, will be maintained and improved.

The scheme is proposed with no street lighting. This should be a condition of planning permission. Moreover, in order to protect the character of the dark sky, in accordance with the Future Landscapes Officer's advice, a condition of planning permission should be to ensure that all external lighting is approved by the Local Planning Authority prior to installation. The details should include specification of luminaries

and means of operation and should include any lighting associated with EV charging points. With such a condition applied, the proposal would not cause harm to the dark sky of Exmoor National Park.

The hedgerows to the boundaries of the larger site would be retained and protected from potential damage during the construction. A section of mixed species treed hedge, next to Moorland Hall, would be incorporated into the proposed scheme. Moreover, additional planting is proposed with trees within the site and additional native species hedges, including along a section of the boundary behind Moorland Hall and along the boundary with the farm buildings. With such landscaping secured, the harm caused through the loss of some of the existing vegetation would be appropriately mitigated.

For the above reasons, Officers conclude that the proposed development would have an acceptable effect on the character and appearance of the locality, including trees. In this regard, the proposal would comply with Policies GP1, CE-S1, CE-S2, CE-D1, CE-S6, RT-D12 and HC-D3 of the Exmoor National Park Local Plan. Together these policies, amongst other things, seek high quality in terms of design that respects and complements local character and the character and appearance of the National Park landscapes, including tranquillity and dark sky experience of Exmoor National Park as a whole, and the interests of users of public rights of way.

SURFACE WATER AND FLOOD RISK

Policy CC-D1 of the Local Plan states, amongst other things, that proposals will be permitted where they are consistent with the sequential test and where it has been demonstrated that the site has little or no risk of flooding. The Policy also says that development proposals will be permitted where they do not increase the risk of flooding elsewhere, and use development to reduce the risk of flooding, including through design and incorporation of sustainable drainage systems to minimise surface water run-off and avoid pollution.

The application sites lie within Flood Zone 1 (low probability of flooding). The proposed development is therefore appropriate at these locations.

The average site slope over the larger and smaller sites is relatively steep at a gradient of about 1:9. The proposal would introduce impermeable areas as both the sites are currently 'greenfields'. The proposed impermeable areas would be formed from roofs, roads and driveways. Due to the steep nature of the sites, the use of infiltration techniques has been discounted.

A site-specific surface water drainage strategy has been submitted to ensure that flows from the site are reduced and attenuated on site via underground attenuation tanks and a balancing pond. The flows would be managed to control these to between 1.5 litres per second per hectare for the smaller site and 3.0 litres per second per hectare for the larger site. This would ensure that flows remain on site for

the 1 in 100-year storm event with a 45% allowance for increased rainfall through climate change.

During the course of the planning application, further and amended details have been provided in response to the initial comments of the Lead Local Flood Authority (the LLFA). The information confirms details of the proposed attenuation basin, attenuation tanks, and the connection of the surface water drainage to the existing drain, which is considered to have adequate capacity, as well as other things. The LLFA do not object to the proposals and have recommended conditions and an informative to be applied to any grant of planning permission (including pre-commencement conditions). The suggested conditions are proposed to be amended slightly to enable the foundations of Plots 1 to 4 to be constructed, as well as the highway works, at the same time as the attenuation pond in order that such works do not harm the integrity of the pond. The comments of the LLFA are given great weight.

The details provided are considered to satisfactorily demonstrate that there would be no increased flood risk as a result of the development proposed. Consequently, the effect of the proposed development on surface water run-off and risk of flooding would be acceptable. The proposal would accord with Policy CC-D1 in that it would not increase the risk of flooding elsewhere, and the proposal would introduce drainage systems to minimise surface water run-off and avoid pollution.

HIGHWAY SAFETY

Local Plan Policy AC-D1 requires that new development demonstrate all opportunities have been taken advantage of to encourage safe and sustainable modes of transport including through improved infrastructure such as footpaths and cycle paths, and electric charging points, as well as other things. The Policy also seeks good access for pedestrians and cyclists from new development to nearby services.

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

Local Plan Policies AC-S3 and AC-D3 together require, amongst other things, that new development makes adequate provision for parking. Policy AC-D3 says that development in more sustainable locations that are well served by public transport or have good walking and cycling links will be considered appropriate for lower levels of car parking provision. In accordance with table 9.1 of the Local Plan, 1 or 2 bedroom dwellings should have 2 car parking spaces and 3 or more bedroom dwellings should have 3 car parking spaces.

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

The application is supported by a Transport Statement and a Road Safety Audit Stage 1. A total of 43 car parking spaces (including 3 spaces at the smaller site) are proposed across the development scheme. Cycle parking would be achieved within a shed or garage at each house plot, and electrical charging points would be provided. This provision would accord with the Local Plan requirement for parking.

A new T-junction is proposed to provide vehicle and pedestrian access from the A396 for the larger site in a position where there is an existing field gate access and along a section of public highway that is subject of a 30mph speed limit. Access for the smaller site would be via the driveway servicing Slade Corner off Higher Park Lane and onto a section of public highway that is subject of a 20mph speed limit.

The proposal also includes the introduction of a pedestrian footway and a low-level planter, along the A396 in front of the Moorland Hall leading from the proposed new T-junction access.

The village services and amenities, including the garage, shop and post office, first school, pub, bus stop and recreation ground are all within a 400 metre radius of the larger site. A school bus service links to schools in Minehead and there is a limited wider bus service to Minehead.

The submitted transport statement estimates that the larger site would result in an additional vehicle entering or exiting the site every 6 to 10 minutes at peak times. Wheddon Cross provides accessibility by non-car modes of travel including walking and the bus.

The Road Safety Audit Stage 1 submitted in support of the application raised no road safety problems with the proposal.

The Local Highway Authority have considered the further information submitted and advise that there would be no adverse effect on the operational performance of the A396 or other roads in the settlement as a result of the development proposed. There would be no build-out into the existing carriageway of the A396 with the proposed new T junction to serve the larger site. The new entrance would be 7 metres wide to accommodate a 5 metre road and 2-metre-wide footway. A new footway is proposed to be constructed along the frontage of the Moorland Hall to link with the existing pedestrian footway into the village. Whilst the proposed new footpath would be 1.5m wide, which is less than the minimum recommended width, there are land constraints that prevent a wider footway, and the proposal would provide a betterment to the existing arrangement.

Amended plans have been provided to show that visibility to the junction for the larger site would be 58 metres to the northwest and 54 metres to the southwest, which

would accord with the Highway Authority's requirements. Attenuation tanks have been removed from under the estate road and the proposal for block paving has also been amended, thereby giving the potential for the road to be adopted.

The Highway Authority has raised no objection to the proposal, subject to conditions and a Section 106 Agreement to secure the provision of the footway and visibility splay. Significant weight is attached to the Highway Authority's comments as technical experts in this field.

The proposed single dwelling on the smaller site would be accessed via Higher Park Lane. It would have a private access drive from the public highway leading along the frontage of Slade Corner. The access would join the road at a slight bend, and this would assist in providing visibility along the road. The associated traffic volume for a single dwelling is likely to be relatively modest. Parking for three vehicles and turning would be achieved within the site.

Higher Park Lane is residential in character with single accesses on either side. Highway users would be used to vehicles entering the road and the development of a single dwelling at this site would be unlikely to give rise to any unacceptable highway safety impact, and the residual cumulative impacts of a single dwelling at this location on the local highway network would not be severe.

Having regard to the above, the accesses for the sites are not considered to be unsafe. Subject to conditions and a Section 106 Agreement securing the visibility splay for the larger site and the new footway, the development would not give rise to any unacceptable highway safety impact and the residual cumulative impacts of the development on the local highway network would not be severe. The sites are in a sustainable location within the National Park context with access to services and facilities by means of non-carborne travel. Accordingly, the proposal would not conflict with Local Plan Policies CE-S6 1.e), AC-S2 1.g), AC-D2, AC-S3 and AC-D3, where together these policies seek to ensure new development does not cause unacceptable levels of traffic or prejudice road safety, and provides adequate parking.

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

LIVING CONDITIONS

Policy CE-S6 requires that development should not detrimentally affect the amenities of surrounding properties and occupiers.

There are residential neighbours to the smaller site, including notably Slade Corner to the east and Rowan Cottage to the south. Both neighbours are bungalows. Rowan Cottage is separated from the site by the pathway which carries the public right of

way. Slade Corner faces north and south, with a side end gable elevation to the application site.

Whilst there would be noise generated by occupiers and vehicles associated with the proposed development, the proposal is for a single dwelling. As such, any increase in noise associated with the proposal would be modest. Moreover, the proposed dwelling would have its principal elevation facing south, and reasonable boundary treatments are proposed. Having regard to these factors, as well as the distances between the proposed building and the neighbouring properties, the proposal is not, by reason of its scale and design, considered to dominate, harm outlook or cause material harm to the level of amenity enjoyed at the neighbouring properties. The scale of development is such that it would be unlikely to generate harmful levels of noise or other environmental impacts.

Turning to the larger site, whilst this lies next to Moorland Hall and farm buildings, it is away from residential neighbours. The closest residential neighbour is The Old Methodist Chapel, which lies alongside the A396 and to the opposite side of the farm buildings. As such, there would be no unacceptable impact on the living conditions of the nearby residential neighbours.

Nevertheless, given the proximity of the farm buildings, it is necessary to consider whether the proposal would provide suitable living conditions for future occupiers, particularly with regard to noise and disturbance.

Plots 7 to 11 would have a rear boundary adjoining the boundary with the existing farm buildings and yard complex. However, the houses would be set away from the buildings, and the farm buildings back onto the site, rather than being open to it. Furthermore, the buildings and yard are long established and are already an established part of the settlement. There are existing residential neighbours to the northern side of the complex. Moreover, the buildings appear only in light use and given the existing relationship of the complex with the settlement, there is little basis to consider that the living conditions of future occupiers would be unacceptably harmed by the presence of the existing farm building complex.

Consequently, there would be no conflict with Policy CE-S6 of the Local Plan where it requires that development should not detrimentally affect the amenities of surrounding properties and occupiers.

ECOLOGY

Policy CE-S3 of the Local Plan requires that the conservation and enhancement of wildlife and habitats are given great weight, amongst other things. The Policy says, as well as other things, that development likely to have a significant effect on any internationally designated site will not be permitted unless it can be ascertained that the development will not have an adverse effect on the integrity of the site. Moreover, development likely to cause harm to legally protected species, or lead to the loss of or damage to their habitats, will not be permitted unless this can be mitigated.

In accordance with national legislation, the scheme is also required to comply with the Biodiversity Net Gain (BNG) provisions, which are mandatory in England under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). A BNG metric has been provided as part of the submission, prepared by a suitably qualified ecologist, demonstrating how the proposal intends to achieve the required net gain. As such, the development would be subject to the statutory BNG conditions, ensuring that measurable biodiversity enhancements are secured and delivered in line with legislative requirements.

In this instance, the proposals as a whole would achieve an on-site net gain of approximately 13.84%. The net gain includes grasslands, mixed native scrub and hedgerows, trees, and wetland. The BNG would be significant on-site net gain and consequently this provision would be secured via a condition, and the monitoring fee would need to be secured via a Section 106 Agreement.

The larger site comprises primarily of a field of species-poor, modified grassland surrounded by species-rich hedgerows. The smaller site comprises an allotment with tall ruderal around the edges and a strip of dense bramble scrub in the south of the site adjacent to an ornamental hedgerow.

The Exmoor Heaths Special Area of Conservation (SAC) lies approximately 2.4km northwest of the site and also 5km to the southwest. This SAC is designated for its Northern Atlantic wet heaths with *Erica tetralix* and European dry heaths. The Exmoor and Quantock Oakwoods SAC is located approximately 4.5km northwest of the site at its closest point. This SAC is designated for its variety of habitats comprising; Northern Atlantic wet heath, European dry heath, vegetated sea cliffs, blanket bog, alkaline fen and old sessile oak woods, along with supporting important populations of Bechstein's and Barbastelle bat.

Although the sites are not within the SACs, the sites lie within Consultation Band A for Barbastelle with reference to the Exmoor & Quantock Oakwoods SAC guidance, and this guidance has been followed in the planning and consideration of the bat surveys. This zone comprises key foraging areas and commuting routes for the SAC population of barbastelle bats. The site lies outside of the Bechstein's Bat Consultation Zone as this species has a smaller range (500m to 1500m).

An Ecological Impact Assessment report and appendices (EclA) has been submitted (HT Ecology, dated 12 July 2024). The larger site was found to principally comprise a field of sheep-grazed species-poor modified grassland. The field is bounded by ancient beech hedgerows on earth banks. The smaller site comprised an allotment with areas of tall ruderals and species associated with disturbed land. The area is bounded by species-poor hedgerow.

Further surveys have been carried out. In terms of Bats – at least 11 different species of bat were recorded across the surveys, including common, soprano and Nathusius' pipistrelle, serotine, noctule, Leisler's, Myotis bats, long-eared bats, greater and

lesser horseshoe and Barbastelle bats. Highest levels of activity were recorded in May and June, with most activity along the hedgerows and near the farm buildings, and least in the centre of the field. Barbastelle records were fairly inconsistent throughout the season and did not appear to represent a nearby roost or regular commuting route, but more likely occasional foraging.

The Authority's Ecologist has considered the submitted information and considers the EclA satisfactory. The EclA has concluded no risk of a Likely Significant Effect on the SAC based on the results of the surveys, proposals and built-in mitigation. The EclA has also concluded no risk of Likely Significant Effect as a result of residential pressure on Exmoor Heaths SAC, based on the HRA for Exmoor National Park Local Plan.

Whilst within their comments dated 15 September 2025, Natural England suggested more information is required, Officers have replied to Natural England outlining the context for the development as set out above and explained that the EclA, which has been carried out by appropriately qualified experts find no Likely Significant Effect on the SAC. Natural England has not provided any further comments on the proposal. As a matter of fact, Natural England has not objected to the proposal. Whilst the site lies within the Consultation Band A for Barbastelle with reference to the Exmoor & Quantock Oakwoods SAC, records of Barbastelle bats show that the site does not represent a nearby roost or regular commuting route.

As such, having regard to the information contained within the EclA and the advice of the Authority Ecologist, Officers conclude no Likely Significant Effect on the habitat sites.

A Local Wildlife Site (Wheddon Farm Fields) lies immediately to the south of the larger site. No impacts are anticipated as a buffer would be maintained between the site and the development, and suitable precautionary measures would be followed during construction.

The scheme would incorporate suitable mitigation through taking ecological advice and the design process, including sensitive lighting (including with no street lighting proposed), retention of hedgerows and new habitat creation.

The Authority's Ecologist has advised that suitable recommendations have also been made to ensure the protection of protected and notable species including precautionary measures with respect to reptiles and amphibians, sensitive timing of works with respect to nesting birds, protection of retained trees and bat and bird boxes.

Whilst no street lighting is proposed, wall mounted downlights are proposed for the dwelling houses. The downlights would be on a PIR and the design is aimed at ensuring dark areas are maintained to the boundaries of the site. To ensure this is

secured in the event of planning permission being granted, a condition is proposed to ensure that external lighting within the development is agreed prior to installation.

Through the EclA no negative effects on designated sites of nature conservation value were predicted as a result of the development proposals. The proposed development would incorporate an integrated landscape and ecological design that would provide features to protect the existing habitats around the perimeter of the site and provide new wildlife habitats. The Authority's Ecologist raises no objection to the proposals.

Consequently, subject to conditions, for these reasons the proposed development would comply with Policy CE-S3 of the Local Plan which, amongst other things, seeks to ensure development does not harm legally protected species, or lead to the loss of or damage to their habitats. It would also comply with the Framework's objectives for the protection of biodiversity and the conservation of the natural environment. Furthermore, it would deliver at least 10% BNG on site.

OTHER MATTERS

Objections have been received which raise other matters not examined elsewhere in this report. Whilst it has been said that it is intended that the area in front of the Old Methodist Chapel would be returned to grass when the work to the driveway is completed by adding in the waiting bay, the Highway Engineer has examined the details and has concluded that subject to appropriate conditions in any approval, no objection is raised. Substantial weight is placed on this advice. In any case, on inspection of the approved plans for the Old Methodist Chapel, it is clear that a waiting bay together with a 2.4-metre-wide strip of land would be available along the frontage of the Old Methodist Chapel and alongside the A396.

The proposed development would meet the policy approach for the delivery of local need affordable housing, which is a component of the overall spatial strategy to deliver local need affordable housing. There is no substantive basis to believe that the proposed development would not provide suitable living conditions for people working within the local communities or that the cost of development could be mitigated by development elsewhere. Moreover, the Authority is tasked with determining the acceptability of the proposal before it.

Policy HC-S2, amongst other things, requires that all new residential development contributes towards sustainable, balanced and inclusive Exmoor communities by ensuring a mix of dwellings (in terms of size, type and tenure), that will meet the needs of present and future generations. Paragraph 6.62 of the Local Plan, which leads to this Policy, explains the housing stock as a whole should provide a range of accommodation sizes, types and tenures to meet the needs of all sections of the local community. At paragraph 6.66, it says that any Principal Residence housing to deliver affordable housing will also need to reflect the needs of the area for size and types of homes to help create a more balanced housing stock.

In this case, the Principal Residence dwellings would be Plots 5 and 6, and Plots 12 to 15 on the larger site, and the single dwelling plot on the smaller site. The dwellings of Plots 5 and 6 would be 4-bedroom dwellings with a floor area of approximately 173sqm and 130sqm respectively. Plots 12, 13 and 15 would be 2- and 3-bedroom dwellings, all of which would be fewer than 93sqm. Plot 14 would be a 3-bedroom dwelling with a floor area of approximately 103sqm. Plots 13, 14 and 15 would be single storey dwellings designed to accord with Building Regulations Requirement M4(2) for accessible and adaptable dwellings (to accord with Clause 4 of Policy HC-S2). The single dwelling on the smaller site would be approximately 119sqm.

Officers are satisfied that the Principal Residence dwellings proposed, even though four of the seven would be over 93sqm, would be within a range of accommodation sizes and types that would meet the needs of the local community.

Affordable housing and Principal Residence housing would be delivered on the larger site. The housing would be indistinguishable and fully integrated on the site so as to accord with Policy HC-D3 2.c.i.

The application was not accompanied by a heritage statement or heritage impact assessment, and thus the potential direct impacts of the development on buried archaeological remains has not been assessed. A rapid appraisal of the Historic Environment Record, historic maps, field names, LiDAR data, and readily available commercial aerial photographs, would suggest the two sites are of low archaeological potential. Nonetheless, the baseline for this area has only been tested once [WB at Bramble Cottage and Maric, EMM13937] and thus the survival of unknown and unanticipated archaeological remains cannot be ruled out. Consequently, the Historic Environment Officer has recommended conditions to be applied to a subsequent grant of planning permission to secure a Written Scheme of Investigation for the works.

Bin storage would be accommodated within the individual house plots. The dwellings would be heated through air or ground source heat pumps and would be insulated and ventilated to optimize their energy efficiency including maximizing solar gain and cooling in line with the latest Building Regulation requirements. Water efficiency measures to limit consumption to 110 litres per person per day would be included in all the properties.

Foul sewerage disposal from the new dwellings would be achieved via a connection to the nearby existing foul sewers, which are available by the Moorland Hall alongside the A396 and from Higher Park Lane. Wessex Water Authority have been consulted on the application and have raised no comments on the proposal. There is no substantive evidence to believe that the existing foul sewers would not have capacity to accommodate the development proposed.

There could be some local impact during construction work, but this would only be for a limited period and not be a permanent intrusion. Moreover, a construction

management plan could be secured by planning condition as well as hours of construction works.

MAJOR DEVELOPMENT

When considering whether the development, as proposed, is 'major development' the Authority may consider its potential to have a serious adverse impact on the natural beauty and recreational opportunities provided by a National Park by reason of its scale, character or nature.

The previous sections of this report have analysed the impacts of the proposed development. The fact that this application exceeds the DMPO definition of major development is material, but not determinative as to whether or not it falls within the definition of major development. Major development is considered to be of a scale that is context-specific and a matter of planning judgement.

The papers submitted with the application explain that the proposal for 16 dwellings would, in theory, result in growth comparative to the population increase for Cutcombe parish, which has risen from 361 to 403 between 2011 and 2021 (UK Office for National Statistics), and represent an extension to the existing settlement of around 10%. The papers submitted consider that, in practice, as this scheme has been put forward to deliver upon an existing local affordable housing need, and therefore an existing population, where housing needs are unmet and/or concealed within existing households, the actual growth and impacts would be less than theorised.

Officers considered this a reasonable and rationale analysis. It is acknowledged that the Rural Housing Enabler for Somerset Council as the Local Housing Authority is supportive of the scheme and the need for the dwellings proposed. Accordingly, the nature and scale of housing proposed is not considered to be significant or adverse in the context of Wheddon Cross. Moreover, previous sections of this report have assessed the impacts of the development scheme.

In this case, the development itself would provide additional housing on sites adjoining and well related to the built form of a settlement. The settlement itself is a relatively large village within the National Park. The proposal would not exceed the local scale of development to address the social or/and economic needs of Exmoor's communities and, in the context of this, the scale and effect of development, having regard to its character, scale and nature, is unlikely to result in significant adverse impacts on the National Park's statutory purposes.

As such, the development is not major development under the Framework and National Parks Circular 2010.

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.

Planning Balance & Conclusion

Applications for planning permission are required to be determined in accordance with the development plan unless material considerations indicate otherwise. This requires an assessment as to whether the scheme would comply with the policies of the development plan when considered as a whole together with an analysis of other material planning considerations.

Two key development plan policies with this application are Policies HC-S1 and HC-D3. These Policies together seek to ensure that the purpose of housing development is to address the housing needs of local communities, and allows development in a named settlement where the site is well related to existing buildings and it would conserve or enhance the character of the site and its surroundings.

The proposed development would be in a settlement and well related to existing buildings. It would not harm the character and appearance of the surrounding area. There would be no harm to ecology, flood risk, residential neighbours living conditions or highway safety. Nevertheless, these are normal planning requirements and weigh neither in favour nor against the proposed scheme.

Whilst the proposed development could cause some disruption during construction, this would only be for a limited period and not be a permanent intrusion. Moreover, a construction management plan could be secured by planning condition. Consequently, the harm would not be significant, and this is afforded limited weight.

The proposal would deliver approximately 28 houses per hectare, which is shy of the 30 dwellings per hectare requirement under Clause 3 of Policy GP4. Nevertheless, in the context of the larger site, which is just over 0.5 hectares, and having regard to the need to ensure that development reflects the historic pattern of the settlement and make the best use of land, the conflict with Clause 3 of Policy GP4 is not significant and is afforded only moderate weight.

However, there would be a number of benefits provided by the application scheme. This includes the provision of much needed local affordable housing of a type and mix consistent with local needs, and which the available evidence demonstrates is needed, in an area with access to local goods and services. This weighs substantially in support of the scheme. There would be social and economic benefits during construction and subsequent occupation. In addition, the scheme would provide biodiversity net gain, secured by condition.

In this case, the above material considerations outweigh the localised and limited harm identified. This indicates that planning permission should be granted, and, for these reasons, it is recommended that planning permission be granted subject to the conditions set out below and subject to a Section 106 Agreement to ensure that the local need affordable dwellings are secured as such in perpetuity and to reflect the tenure at which they are proposed, to ensure an appropriate phasing of the development, to secure a monitoring fee for the BNG, and to secure the highway visibility and footway along the frontage of the Moorland Hall site.

Recommendation

That planning permission be APPROVED subject to a Section 106 Agreement as outlined above and the following conditions:

1. The development hereby approved shall be begun before the expiration of 3 years from the date of this decision.

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 be carried out in accordance with the following schedule of plans, unless otherwise required by condition below:
 - Drawing number 09.00 revision A, title – Proposed impermeable areas plan
 - Drawing number 10.00 revision B, title – Overland flood exceedance plan
 - Drawing number SK03.00 revision E, title – Proposed drainage strategy plan (Land adj to Village Hall)
 - Drawing number 22.08.01F, title – Site Location Plan
 - Drawing number 22.48.00A, tile – Site Location Plan
 - Drawing number 22.48.01B, title – Block Plan
 - Drawing number SPP3258 P 90 003 Rev A, title – Proposed Landscape Layout
 - Drawing number 22.08.22, title – Key to the tenure of the homes
 - Drawing number 22069-003 Revision C, title Proposed site access arrangement and A396 footway arrangement
 - Drawing number 22.08.18C, title – Plot 14 Elevations
 - Drawing number 22.08.17C, title – Plot Elevations
 - Drawing number 22.08.14B, title – Plot 06 Elevations
 - Drawing number 22.08.13C, title – Plot 05 Elevations
 - Drawing number 22.08.100, title – Moorland Hall: Existing and proposed north-west facing elevations
 - Drawing number 22.48.04A, title – Elevations
 - Drawing number SK03.00 revision A, tile – Proposed drainage strategy plan (Higher Park Lane)

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- Drawing number SPP3258 P 92 002 Rev B, title – Soft Planting Plan
 - Drawing number 22.08.101, title – Moorland Hall: Existing and proposed roadside plans
 - Drawing number SPP3258 P 92 002 Rev B. title – Landscape Plan
 - Drawing number 22.48.05B, title – Car Port – Floor Plan & Elevations (Higher Park Lane)
 - Drawing number 22.08.20, title – Garages Plans & Elevations
 - Drawing number 22.48.02A, title – Site Plan (Higher Park Lane)
 - Drawing number 22.08.02C, title – Block Plan
 - Drawing number 22.08.21A, title – Street scenes / Site sections
 - Drawing number 22.08.07B, title – Floor plans plots 7-10
 - Drawing number 22.08.08A, title - Floor plans plots 11-12
 - Drawing number 22.08.04A, title - Floor plans plots 1-4
 - Drawing number 22.08.11A, title – Floor plans plot 15
 - Drawing number 22.08.03D, title – Site plan
 - Drawing number 22.08.10A, title – Floor plans plot 14
 - Drawing number 22.08.09A, title - Floor plans plot 13
 - Drawing number 22.08.06B, title - Floor plans plot 06
 - Drawing number 22.08.05A, title - Floor plans plot 05
 - Drawing number 22.48.03, title - Floor plan (Higher Park Lane)
 - Drawing number 22.48.06, title – Site section/elevation
 - Drawing number 22.08.15D, title – Plots 7-10 Elevations
 - Drawing number 22.08.16C, title – Plots 11-12 Elevations
 - Drawing number 22.08.12B, title – Plots 1-4 Elevations
 - Drawing number 22.08.19C, title – Plot 15 Elevations

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

3. The dwelling houses at plot numbers 1 to 4 inclusive, and plot numbers 7 to 11 inclusive, shall be local need affordable dwellings in accordance with the planning obligation relating to this permission. The dwelling houses at plot numbers 5 to 6 inclusive, plot numbers 12 to 15 inclusive, and the single plot on land off Higher Park Lane shall not be occupied otherwise than by persons as their only or principal homes, and the occupants shall supply to the Local Planning Authority (within 14 days of the Local Planning Authority's request to do so) such information as the Local Planning Authority may reasonably require in order to determine compliance with this condition. For the avoidance of doubt the dwellings hereby approved shall not be occupied as second homes or as units of holiday letting accommodation.

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

4. The landscaping scheme for each site shown on the approved plans (or any amendments to those schemes that are agreed in writing by the Local Planning Authority) shall be implemented in the first planting season after the commencement of the development hereby approved, and shall be maintained for a period of 5 years, such maintenance shall include the replacement of any trees and shrubs that die.

Reason: To ensure the provision and maintenance of trees, other plants and grassed areas in the interests of the character and appearance of the development and the locality.

5. No part of the application site shall have streetlights, unless otherwise expressly granted by the Local Planning Authority.

Reason: In the interests of the character and appearance of this village location, especially to protect the dark night sky, which is one of the special qualities of the National Park.

6. External lighting, including any lighting associated with EV charging points, shall not be installed within the application site unless a 'lighting design strategy for bats' has been submitted to and approved in writing by the Local Planning Authority. The strategy shall: a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places, foraging habitat and commuting routes; and b) show how and where external lighting, including any lighting associated with EV charging points, will be installed (for example through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their resting places, and its potential impact on the character of the dark night sky; and c) include specification of luminaries and means of operation. The external lighting shall thereafter be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

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.

7. The development hereby approved shall be carried out in accordance with the Mitigation, compensation and enhancement set out under section 4 of the HT Ecology Ecological Impact Assessment Report for Land at Wheddon Cross, Somerset and dated July 2024, prepared by HT Ecology Ltd.

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

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

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

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

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

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

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

11. The created and/or enhanced habitat specified in the approved (HMMP) shall be managed and maintained in accordance with the approved

(HMMP) and monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved (HMMP).

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

12. No development shall take place until a detailed Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of all permits, contingency plans and mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimize and manage the production of wastes with particular attention being paid to the constraints and risks of the site. The CEMP shall specifically include the following:
- Risk assessment of potentially damaging construction activities;
 - Identification of “biodiversity protection zones”.
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - The location and timing of sensitive works to avoid harm to biodiversity features.
 - The times during construction when specialist ecologists need to be present on site to oversee works.
 - Responsible persons and lines of communication.
 - The role and responsibilities on site of an ecological clerk of works or similarly competent person.
 - Use of protective fences, exclusion barriers and warning signs.

Thereafter the development shall be carried out in accordance with the approved details, and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

Reason: To ensure that adequate measures are put in place to avoid or manage the risk of pollution or waste production during the course of the development works and in the interests of wildlife.

13. Notwithstanding the submitted details, prior to the commencement of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include, but not limited to, the following:
- Description and evaluation of features to be managed;
 - Landscape and ecological trends and constraints on site that might influence management;
 - Aims and objectives of management (including those related to species);

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- Appropriate management options for achieving aims and objectives, including appropriate enhancement measures;
 - Prescriptions for management actions;
 - Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-year period);
 - Details of the body or organization responsible for implementation of the plan;
 - Legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer;
 - Ongoing monitoring and remedial measures;
 - Timeframe for reviewing the plan; and
 - Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of ensuring satisfactory management and maintenance of the landscape and ecology through the construction and operational phase of the development.

14. Prior to their installation a sample of the natural slate for the roof of the proposed residential units, including their garages, shall be submitted to and be approved in writing by the Local Planning Authority. Once approved the roof shall be finished in the agreed material.

Reason: In the interest of the character and appearance of the development and the locality.

15. Prior to their installation, details of the windows and doors, including door(s) within the garages, of the dwellings hereby approved shall be submitted to and be approved in writing by the Local Planning Authority. The details shall include external window frame reveal(s), design, appearance and materials. The windows and doors shall thereafter be installed in accordance with the agreed details.

Reason: In the interests of the character and appearance of the development and the locality.

16. Prior to their construction on site, a sample of the natural stone for the elevations of the stone clad houses, the planter wall alongside the footway proposed in front of the Moorland Hall, and the retaining walls within the application site, together with a sample panel or details to show the bonding

and finish of the mortar joints for the walls, shall be submitted to and be approved in writing by the Local Planning Authority. Following the approval of the details, the walls shall be constructed in accordance with the agreed details.

Reason: In the interests of the character and appearance of the development and the locality.

17. Prior to installation, details of the finish and colour of the render for the elevations of the rendered houses shall be submitted to and be approved in writing by the Local Planning Authority. Following the approval of the details, the walls shall be constructed in accordance with the agreed details.

Reason: In the interests of the character and appearance of the development and the locality.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended or any Order revoking and en-acting that Order with or without modification), no extension to the dwelling hereby approved shall be erected without the prior permission, in writing, of the Local Planning Authority.

Reason: To control any subsequent enlargement in the interests of the character and appearance of the development and the locality, and to help ensure that the affordable units remain affordable in the longer term, and to protect the size of the stock of housing within the National Park in accordance with the housing Policies of the Local Plan.

19. Any gas, electricity, water, sewage, telephone and cabling services to the development the subject of this application shall be placed underground.

Reason: In the interests of the character and appearance of the development and the locality.

20. No construction work shall take place on the application site except between the hours of 07.30 to 18.00 Monday to Friday, and between the hours of 08.00 to 13.00 on Saturdays.

Reason: In the interest of the living conditions of nearby residential neighbours.

21. No development hereby approved shall be commenced until details of the sustainable surface water drainage scheme for both sites, have been submitted to and approved in writing by the Local Planning Authority. Such scheme should aim to meet the four pillars of SuDS (water quantity, quality, biodiversity, and amenity) to meet wider sustainability aims as specified by

the National Planning Policy Framework and the Flood and Water Management Act (2010). The development shall ensure that relevant permission has been obtained to connect to the outfall location, demonstrate that this has the capacity and condition to take flows from the site, include measures to control and attenuate surface water and once approved the scheme shall be implemented in accordance with the approved details and maintained at all times thereafter.

Reason: To ensure the development is properly drained in accordance with the National Planning Policy Framework.

22. No development approved by this permission shall be occupied or brought into use until a plan for the future responsibility and maintenance of the surface water drainage system and any watercourses under riparian ownership of the site, has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed thereafter.

Reason: To safeguard the long-term maintenance and operation of the proposed system to ensure development is properly drained in accordance with the National Planning Policy Framework.

23. The surface water drainage scheme, including attenuation and flow control and outfall shall be fully implemented prior to the commencement of development except for highway works and for works relating to the construction of the foundations of Plots 1 to 4 up to Damp Proof Course level. This shall include details to demonstrate that surface water will be managed during the construction phase to prevent unrestricted discharge and pollution to any receiving system. Post construction the drainage system shall be inspected, fully cleared and any remediation works undertaken.

Reason: To safeguard the long-term maintenance and operation of the proposed system to ensure development is properly drained in accordance with the National Planning Policy Framework.

24. The design of the attenuation pond shall be agreed with a structural engineer ahead of the implementation of the surface water drainage scheme. Prior to the commencement of development, the details of the design shall be provided to and approved in writing by the Local Planning Authority to demonstrate that the pond has the capacity and condition to receive surface water flows from the site, and store these as required, without risk of collapse. A structural engineer shall inspect and monitor the construction of the attenuation pond to ensure it is built in line with requirements to ensure the integrity of the structure.

Reason: To ensure the integrity of the drainage system so as to prevent failure of the proposed drainage system and secure safe management of surface water for the lifetime of the development, in accordance with the National Planning Policy Framework.

25. If any unforeseen contamination is found during excavations, the Local Planning Authority shall be notified immediately. Where remediation is deemed necessary by the Local Planning Authority, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and, once approved, the development shall thereafter be carried out in accordance with the agreed details.

Reason: To ensure that the land is suitable for the intended uses and to ensure that the development is carried out safely without unacceptable risks to human health, controlled waters and other receptors both onsite and offsite, in accordance with the National Planning Policy Framework.

26. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme as agreed in writing by the Local Planning Authority.

Reason: To ensure, in accordance with Policies GP1, CE-S4 and CE-D3 of the Exmoor National Park Local Plan 2011-2031 and paragraph 218 of the National Planning Policy Framework, that an appropriate record is made of archaeological evidence that may be affected by the development.

27. The development shall not be brought into its intended use until the post-investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, shall be confirmed in writing to, and approved by, the Local Planning Authority.

Reason: To comply with Paragraph 218 of the National Planning Policy Framework, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.

28. No development shall take place until a Construction Management Plan or Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The plan/statement shall provide for:
 - 24 hour emergency contact number;

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- Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - Routes for construction traffic;
 - Locations for loading/unloading and storage of plant waste and construction materials;
 - Method of preventing mud being carried onto the highway;
 - Measures to protect vulnerable road users (cyclists and pedestrians);
 - Any necessary temporary traffic management measures;
 - Arrangements for turning vehicles;
 - Arrangements to receive abnormal loads or unusually large vehicles;
 - Methods for communication the Construction Management Plan/Statement to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of highway safety and to protect the residential amenities of existing and new occupiers of residential areas in accordance with Policies AC-D2 and CE-S6 of the Exmoor Local Plan.

29. The footpath along the front of the Moorland Hall and adjacent to the A396 shall be provided prior to the first occupation of any dwelling within plots 1 to 15 hereby approved.

Reason: To ensure that occupiers of the dwellings have the ability to access the site and wider facilities without the need to walk along the A396 where there is no footway.

30. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 58m (northeast) & 54m (southwest) either side of the access located at Dunkery View Farm (A396).

These are shown on Drawing No. 220690-003 (Proposed Site Access Arrangement & A396 Footway Arrangement). Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained in perpetuity.

Reason: In the interests of highway safety.

31. The Development hereby permitted shall not be occupied until the relevant number of parking spaces, electric vehicle charging points, secure cycle parking for the dwellings and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces

shall be kept clear of obstruction in perpetuity and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure adequate parking is available in the interests of highway safety and to ensure adequate facilities for electric charging points and cycle parking.

32. The proposed roads, including footways and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footway and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of the safety of highway users.

33. The gradient of the proposed accesses shall not be steeper than 1 in 10. Once constructed the accesses shall thereafter be maintained in that condition in perpetuity.

Reason: In the interests of highway safety.

34. No development on the elements listed below shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority: • Estate roads; Footways; Tactile paving; Cycleways; Sewers; Service routes; Vehicle overhang margins; Embankments; Visibility splays; Carriageway gradients; Drive gradients; Car, motorcycle and cycle parking; Hard and soft structural landscape areas; Pedestrian and cycle routes and associated vehicular accesses and crossings; Means of enclosure and boundary treatment; All new roundabouts and junctions; Proposed levels; and, Highway drainage.

No occupation shall thereafter commence until the development has been constructed in accordance with the approved details and retained in perpetuity thereafter.

Reason: In the interests of highway safety.

Informatives

Local Needs Housing / Section 106 Agreement

This permission is subject to a Section 106 Agreement to ensure that occupancy of the dwellings at plots 1-4 inclusive and plots 7-11 inclusive are confined to persons in local housing need in perpetuity.

Biodiversity Net Gain

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

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

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

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

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

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

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

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

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

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - i. the original planning permission to which the section 73 planning permission

relates* was granted before 12 February 2024; or

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

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

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

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

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

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

4.2 Development below the de minimis threshold, meaning development which: i. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and ii. impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

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

4.5 Self and Custom Build Development, meaning development which: i.

consists of no more than 9 dwellings; ii. is carried out on a site which has an area no larger than 0.5 hectares; and iii. consists exclusively of dwellings

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

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

Irreplaceable Habitat:

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

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

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

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

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

Consent to Connect to Existing Drainage System

The applicant has been advised that proposals to connect to existing drain networks for discharging surface water from the site require confirmation that these connections can be made. They must obtain consent or permissions from the relevant authority responsible for the existing drain networks ahead of establishing a connection. Furthermore, the applicant must confirm that they have established the right to connect to and discharge into the existing drain networks once consent has been secured.

It should be noted that failure to do so may result in legal repercussions at a later stage.

Highway Authority Notes

NOTE: If it is not possible to construct the estate road to a standard suitable for adoption, yet it is deemed the internal layout of the site results in the laying out of a private street, under Sections 219 to 225 of the Highway Act 1980, it will be subject to the Advance Payment Code (APC). In order to qualify for an exemption under the APC, the road should be built and maintained to a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Streetworks Code.

NOTE: Any systems provided for the purposes of draining the site shall be constructed and maintained privately until such time as the drainage is adopted. At no point will this Authority accept private infrastructure being connected into highway drainage systems. Consent from the riparian owner of any land drainage facilities affected, that are not within the developer's title, will be required for adoption.

Public Rights of Way Officer Note

During construction, please ensure that the public bridleway remain open, safe and easy to use at all times – see below for our standard advice on development in the vicinity of public rights of way.

Public rights of way should be open (easy and safe to use) at all times.

Please note the following:

- Care should be taken to avoid obstructing or interfering with the public rights of way or creating a hazard for users.

If it is impossible to avoid interference or potential danger, the appropriate legal steps (e.g. path closure application) should be taken in advance of any works. If this is likely to be necessary, please contact ENPA (who act on behalf of the Highway Authority) or seek legal advice as soon as possible

- Any disturbance to the surface of rights of way should be avoided but if any such disturbance does occur due to the owner/occupier or their agents' use of the way, the surface should be reinstated.

- Where planning permission is granted, this does not authorise any person to stop up or divert any public right of way. Separate legal steps are needed for this.

- The driving of a vehicle is only permitted on a public bridleway/footpath where the driver has lawful authority to do so

- Parking on the public right of way may be deemed to constitute an obstruction

- Changes to the surface/drainage of a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)

- New furniture (e.g. gates) being needed along a public right of way require prior authorisation from the Highway Authority (in this case ENPA as its agent)

Where an increase in vehicular traffic or other alteration in the private use of a public right of way this route is expected as a result of the development, there will be other

considerations such as the impact on the maintenance requirements of the right of way.

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.



Committee Report

Application Number:	6/42/25/002
Registration Date:	10-Jun-2025
Target Determination Date:	31-Jul-2025
Extension of Time:	29-Aug-2025
Applicant	Mr T Adams
Agent:	Ms. H Ford, Crown & Canopy
Case Officer:	Andrew Parsons
Site Address:	West Hollowcombe, Broad Lane, Withypool, Dulverton, Somerset, TA22 9QL
Proposal:	Proposed siting of 2no. temporary timber cabins for use as holiday accommodation, together with, associated landscaping and installation of a shower within the existing stable building.
Recommendation:	Refusal
Reason for bringing before Authority Committee:	Recommendation contrary to Parish support

Relevant History

6/42/16/103 Proposed conversion of garage and roof space above into annexed accommodation, r Approved 06/03/2016

6/42/20/110 Proposed variation of Condition 2 of approved application 6/42/89/113 to allow g Approved with Conditions 02/10/2021

6/42/20/111 Proposed variation of Condition 2 of approved application 6/42/94/101 to allow g Approved with Conditions 02/10/2021

6/42/21/101 Proposed retention of storage shed, together with proposed erection of green fra Approved with Conditions 03/22/2021

6/42/24/001 Proposed siting of 1no. timber cabin, together with, the conversion of existing Refused 08/09/2024

6/42/89/102 Proposed conversion of redundant barns to eight self-catering holiday letting un Withdrawn 05/31/1989

6/42/89/104 Proposed repair/reconstruction of open barn and erection of field shelter at Wes Approved 06/26/1989

6/42/89/113 Proposed conversion of redundant barns to three holiday cottages at West Holloco Approved 12/05/1989

6/42/93/108 Proposed stock shed, West Hollowcombe, Hawkridge, Dulverton, as described in Refused 04/05/1994

6/42/94/101 Proposed change of use of recreation room servicing holiday cottages to holiday Approved 04/05/1994

6/42/95/104 Proposed change of use of garage building to 'assembly and distribution of Chris Approved 09/05/1995

Site Description & Proposal

West Hollowcombe Farm is an agricultural landholding located within Exmoor National Park, near the small settlement of Hawkridge and approximately 6 kilometres northwest of Dulverton. The property was acquired by the current owners in 2022 and includes a house, four holiday cottages, stabling, barns, and 55 acres of land, of which 35 acres are woodland, and the remainder is grassland used for grazing. The site has existing access and parking facilities.

This application seeks permission for two 'glamping pods' to be sited to the south of the existing farm buildings.

Plot 1 is to replace an existing 'turkey shed', which is a dilapidated structure currently on site with a largely open frontage. Plot 2 is a similar unit to plot 1 in appearance. Both units are housed on a wheeled chassis. Internally they would provide an open plan living/sleeping area and an enclosed compost toilet and walk in wardrobe.

The units would measure 4.15m in width and 7m in length.

The height of the units would measure just under 3.5m from floor height to the roof, with a further circa 1m in height attributed to the siting upon a wheeled trailer. The overall height would be roughly 4.5m.

The units would also feature a 'removable deck' that would wrap around two sides of the unit. The deck would extend 1.8m from the front of the units and would have an overall length of 10m, with a 3m section presumably for use of the amenity of occupants. No details have been provided that would indicate any railings or screening present on the decking.

The units would feature timber external cladding and would have a bitumen flat roof. Doors are stated to be timber framed with double glazing.

Two of the sides of the building would feature large windows which would span a large proportion of the elevation. The planning statement for the application confirms that the windows will be timber double-glazed units.

This application is a resubmission of a previous application, which was refused on the grounds of visual impact, harm to the character of the area and the siting of one of the units proposed.

There are some clear differences between this current submission and the previous application, which primarily relate to the siting of the units and the reliance upon the renovated barn to provide services for the two glamping pods.

Consultee Representations

ENPA – Ecologist

03/07/2025 – Object

Based on the proposal it is good to have received an Ecological Assessment Report, Redstone Ecology, dated May 2025. Unfortunately, this report does not include an assessment of the stables, which are proposed to be converted for use as bike storage and a shower. I am objecting on the basis that the stable needs to be assessed for potential use by roosting bats and nesting birds. I would also like to seek clarification on how loss of habitat will be prevented under the unit that will not be placed on a hard standing, as this is the basis for their BNG exemption. I understand that the units and their decking are to be temporary and removable, but unless they are moved on occasion the habitat underneath would be lost. I also appreciate the proposal includes multiple ecology enhancements which is positive; however, these are not quantified as they would be if the application was subject to net gain.

22/09/2025 – No objection

Thank you for submitting a Statutory Net Gain Report, Redstone Ecology, dated August 2025; along with the Statutory BNG Metric and an email confirming that the applicant's ecologist is assured that the stables do not need a full survey based on the scope of works. This is in addition to the Ecological Assessment Report, Redstone Ecology, dated May 2025, which was submitted previously detailing the findings of a desk study and field survey (conducted 27th March 2024). The methods, presentation of results and recommendations within the reports are satisfactory. Although the date of the survey was over a year ago, the consultant ecologist has confirmed that they checked that the baseline of the site had not changed significantly since then.

The buildings (the shed and the stable) were determined to have negligible potential for roosting bats and therefore no further surveys are required. Due to the opportunistic behavior of bats, along with the site's location close to habitats that will support bats. Please attach the following informative to any planning permission granted: The applicant and their contractors are reminded of the legal protection

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

Although no bird nest were found during the survey, it was concluded that the buildings and hedgerows provide bird nesting potential and therefore works should be carried out outside of the breeding bird season (which is March to September inclusive). If this is not possible, then the site should be surveyed by a suitably qualified ecologist immediately prior to works. If active nests are found, then works cannot continue until young have fledged. The ecology report states that no external lighting shall be used during construction, this should be secured by condition. The Planning, Design and Access statements states that there will be no overhead exterior lighting but there is no further information on any proposed exterior lighting which I would want confirmation that any lighting installed meets our dark sky friendly lighting standards. The ecology report recommends 2 bat boxes and 2 bird boxes to be installed as enhancements as well as enhancing the grassland with wildflower seed and infilling the hedgerows. These should all be secured by condition. The baseline habitat survey found that the site comprises of modified grassland in poor condition which is grazed by sheep. The BNG proposal will retain some of the modified grassland in poor condition, create some bare ground in poor condition, enhance some modified grassland to good condition and plant one tree. This will achieve a Biodiversity Net Gain of 90.47%. Given the size of the site and the scale of the BNG works it is probable that the applicant will be able to achieve 10% BNG onsite.

Requirement	Submitted documents	Further information requirements
Has the applicant provided a statement as to whether they believe planning permission would be subject to the biodiversity gain condition?	Application form – yes, BNG will apply	None
Has the pre-development biodiversity value of the site been established?	Yes 0.12 habitat units (no hedges or watercourse)	None
What metric has been used?	Statutory Biodiversity Metric	None
Who did the assessment (competent person test)?	Sara Curtis, ecologist working for Redstone Ecology and is a member of CIEEM	None
Has the post-development biodiversity value of the site been established?	Yes 0.22 habitat units (+90.47%)	None

When was the baseline established?	UK Habitat Classification survey (27th March 2024)	None
Has degradation occurred?	No	None
Are irreplaceable habitats present?	No	None
Are priority habitats present?	No	None
Are EPS present?	Survey was not conducted	None
Is 10% achievable on-site?	Yes, based on the current metric	None
If no, how do they propose to deliver 10% BNG?	N/A	

In addition to the statutory biodiversity gain condition (for which an informative should be added to any decision notice) please apply conditions to any permission granted to secure enhancements as detailed above and for the following for which I have provided some suggested wording below:

- The works hereby approved shall not place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the works to the buildings commences and provides written confirmation to the Local Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. In no circumstances shall netting be used to exclude nesting birds.
- The development hereby approved shall be carried out in strict accordance with all ecological measures as set out in Section 4 of the Ecological Assessment Report (Redstone Ecology, May 2025) and the Biodiversity Net Gain Report (Redstone Ecology, August 2025).
- Prior to the installation of any external lighting on site, a “lighting design strategy for bats” shall be submitted to and approved in writing by the local planning authority. The strategy shall: a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places, foraging habitat and commuting routes; and b) show how and where external lighting will be installed (for example through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their resting places. all external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

ENPA Future Landscapes Officer

No objection – 27/10/2025

My response is delayed because I asked for clarification some time ago on certain aspects, but this wasn't received. I don't have an objection in principle but do have some concerns. – The position of both units is more acceptable (than the previous application), being closer to and relating to existing buildings. These are, however, large units, with a height above ground of around 4.5m, with a large floating deck next to each. – Will the deck be set on posts set into the ground or resting on the ground?

They would not be temporary if set into the ground. – It's not clear from the plans what basic cooking facilities there would be, to be classified as self-catering. Would there be grey water to be disposed of? If so, there is no indication of how this is to be done. – It's not clear from the plans whether a section of hedgebank would need to be removed for the path to cabin to the west or whether there is already a gap. Some additional photos would help in understanding this. The plots are muddled up between the site plan and D&A Statement – the site plan has the turkey shed as unit 2 and the D&A has it as plot 1. Any external lighting should be kept to a minimum and be dark sky compliant. If approved, please secure this by way of an appropriate condition.

SC Highways

17/06/2025 – Other

Standing advice only

Withypool & Hawkridge Parish Council

01/07/2025 – Support

Cllrs discussed the application for the proposed siting of two temporary timber cabins for use as holiday accommodation at West Hollowcombe at length. All agreed the proposed location was much more acceptable than the previous application. However, there was concern that the cabins are 3.45m high and with the chassis wheel base will exceed 4m – screening with significant height should be in place as soon as the cabins are on site, and should be maintained in order to mitigate the visual impact on the landscape. Cllrs understand local residents are concerned about possible further development and/or addition of temporary camping facilities being offered. On balance Cllrs agreed to support the application

Representations

ENPA have received three letters in relation to this proposal, all of which are in objection.

The objections relate to the visual impact of the proposal, the capacity of the local infrastructure to accommodate more units, the potential impact of noise and nuisance disturbance.

Policy Context

Exmoor National Park Local Plan 2011-2031 (inclusive of minerals and waste policies) and in particular the following 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 Landscape and Seascape
- CE-S2 – Protecting Exmoor's Dark Night Sky

CE-S3 - Biodiversity and Green Infrastructure
CE-D2 – Green Infrastructure Provision
CE-S5 – Principles for the conversion or structural alteration of existing buildings
CE-S6 – Design and Sustainable Construction Principles
CC-S1 – Climate Change Mitigation and Adaptation
SE-S1 - A Sustainable Exmoor
RT-S1 – Recreation and Tourism
RT-D4 – Non Serviced Accommodation
RT-D9 – Alternative Camping Accommodation
AC-S1 – Sustainable Transport
AC-S2 - Transport infrastructure
AC-S3 - Traffic management and parking
AC-D3 - Parking provision and standards

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

Planning Considerations

The primary planning considerations in this case are the principle of development, siting, design, landscape impact, the effect on residential neighbours living conditions, and ecology.

Principle of development, siting and design.

Policy GP1 of the Exmoor National Park Adopted Local Plan advises that development proposals within the National Park are expected to be compatible with the conservation or enhancement of natural beauty, wildlife, and the cultural heritage of Exmoor. This policy reflects the purposes of National Parks as set out in the Environment Act 1995. These policies ensure that development is compatible with the conservation or enhancement of the natural beauty, wildlife, and cultural heritage of Exmoor and the public's understanding and enjoyment of those qualities. Although the National Park purposes are to be accorded the greatest weight, due regard is also given to the economic and social well-being of local communities.

The National Planning Policy Framework (NPPF) broadly supports economic growth in rural areas, including the development and diversification of agricultural and other land-based rural businesses. However, the Framework confirms that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty.

The proposed design, featuring a boxy form with large window openings, timber cladding and a bitumen roof, fails to align with the local vernacular and, as such, would not provide high quality design that conserves and enhances the character and appearance of the area.

Policy CE-S6 further stipulates that development proposals should deliver high quality, sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment. New developments are expected to positively contribute to their setting in terms of siting, massing, scale, height, orientation, density, and layout.

The proposed units, whilst being constructed from timber, are not of a high-quality design or constructed using traditional building techniques that complement the existing form and character of the surrounding site, fails to align with the established local vernacular, thereby not complying with Policy CE-S6.

The inclusion of timber decking further exacerbates the visual impact of the units and gives them a degree of permanence that contradicts the aims of Policy RT-D9, which seeks the development of low impact, small scale alternative camping accommodation.

Policy RT-S1 seeks to support opportunities to provide a high quality, inclusive visitor experience on Exmoor through a diverse range of recreation and tourism facilities on Exmoor.

Proposals should comply with the following principles:

- a) They are compatible with the quiet enjoyment of the National Park.
- b) There are no unacceptable adverse effects on the natural and historic environment either individually or cumulatively through levels of activity or use.
- c) They contribute towards a sustainable future for Exmoor's local economy and communities.
- d) They support the improved health and wellbeing of people living, working and visiting Exmoor through the benefits of recreation and experience of tranquility.
- e) They ensure appropriate and safe access by the road network and where possible by walking, cycling, horse-riding and public transport.
- f) They safeguard the existing access network, including public rights of way, and access land; and provide enhancements where opportunities arise (RT-D12).
- g) They respond to opportunities to improve the quality and viability of existing recreation and tourism businesses, through appropriate restoration, extension, expansion or diversification.
- h) They are of a scale compatible with their location and setting, in accordance with the relevant development management policy considerations for tourism and recreation (policies RT-D1 to RT-D12)

It is considered that the proposal is largely in compliance with the above principles, except for clause h, which links into more specific policies such as policy RT-D9, which is particularly relevant in this case.

Policy RT-D9 states that Small-scale, low impact alternative camping accommodation proposals will be permitted where:

1. -

- a) they are only used for the purposes of holiday accommodation;
- b) the overall development is small-scale in terms of area and number of units and will not require additional permanent residential accommodation to manage the site;
- c) the net floor space of each unit is less than 25sqm and will not be connected to a foul drainage system;
- d) they are of high quality sustainable design and demonstrate that the siting and landscaping strongly relate to the landscape and historic character of the area; and is appropriate to its setting (locations that are well screened by woodland or well-treed settings are preferred and should meet the tests in this policy)
- e) they have low environmental impact through limited physical connection with the ground by ensuring that any hard-standing and site works are minimal to complement the natural topography and landscape character of the area; avoiding extensive alteration to ground levels and fencing;
- f) the need for additional facilities is clearly demonstrated and commensurate with the level of anticipated need, are provided within an existing building or as a modest extension to existing facilities; and
- g) where the need for additional parking is demonstrated, provision should reflect the minimum level of need;
 - i) Small-scale extensions to existing parking areas should be well designed, landscaped and integrated with the site and its setting.
 - ii) New parking provision should be well related to existing buildings and make use of existing hard-standing where possible. On greenfield areas, parking should reflect landscape character, be informal in layout, and avoid permanent impermeable surface treatments.
 - iii) Separate parking bays adjacent to the proposed accommodation structures should be avoided.

and

h) there are no adverse impacts on sensitive habitats and wildlife.

2. The site is located outside areas with high probability of flooding, and:

- a) where proposals meet the requirements of RT-D8 to replace existing units on static caravan sites; or
 - b) as part of a diversification proposal for land-based businesses, sited close to the farmstead and where additional site facilities can be provided through the change of use of existing buildings; or
 - c) as part of a diversification proposal for existing accommodation premises comprising hotels/guesthouses (C1 use), self-catering complexes, and
-

camping and caravan sites; where there is capacity in terms of area, highway access, and existing facilities without impacting on local amenity.

3. Conditions will be attached to any permission to ensure that the site will be occupied and managed in a manner that will not harm the local area. Opportunities should be taken to enhance the restoration of the site that will support biodiversity and green infrastructure

It is considered that the proposal would meet the requirements above, except for clause d), which requires that the units are of a high-quality sustainable design and demonstrate that the siting and landscaping strongly relate to the landscape and historic character of the area; and is appropriate to its setting.

The character of the area is comprised of a mix of open farmland, woods, sporadic residential properties and farm groups. The proposed units would fail to relate to the prevailing agricultural design of buildings within the locality.

The preamble to Policy RT-D9 asserts that alternative camping proposals should only provide basic facilities for sleeping, seating, and eating without the installation of underground or overground pipework for foul drainage systems. This restriction ensures that the structures do not generate a level of permanence that could increase the degree of landscape impact. The policy requires additional facilities to be provided separately from the accommodation unit through the change of use and alteration of suitable existing buildings. The policy requires that new alternative camping accommodation be sited close to the existing complex, where additional site facilities can be provided through the change of use of existing buildings. This approach aims to help strengthen and sustain rural businesses while also protecting the National Park landscapes by grouping buildings together and promoting the reuse of existing buildings where appropriate.

In this instance, the proposal seeks to address this by providing facilities within a small section of an existing barn. The section of stables is located within the existing farm complex, to the north of the glamping pods proposed.

The facilities within the converted stables would comprise of a utility room that features a fridge, washing machine and tumble dryer. A shower room, bike storage and a store area. This element of the proposal would appear to be acceptable and would meet the requirements of RT-D9.

Landscape impact

Policy CE-S1 states that the high quality, diverse and distinct landscapes and seascapes of Exmoor National Park will be conserved and enhanced.

Policy CE-D1 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 tranquility.

The appearance of the proposed units would be contrary to the requirements of Policies CE-S1 and CE-D1. The modern, domestic appearance of the units, the large windows openings and the inclusion of decking would not contribute positively to the application site together with the height of the proposed units and would neither conserve or enhance the natural beauty of the park.

In relation to the conversion and structural alteration of the stables, Policy CE-S5 states that this will be acceptable where the proposal:

- a) accords with the relevant policies in this Plan in terms of the intended use;
- b) clearly demonstrates that the building is capable of conversion without substantial reconstruction;
- c) is suitable for the existing building in terms of the intended use and the intensity of that use, in relation to its capacity, structure and character without substantial alteration; where the conversion of a building relates to a change of use to a dwelling, sufficient curtilage space should be provided where the delineation of this space would not individually or cumulatively result in harm to the character of the building or its setting; and
- d) maintains or replaces any existing bat and barn owl roosts.

In this case, the conversion of this outbuilding would meet the requirements of Policy CE-S5.

Ecology

With regard to protected species, the proposed works to convert the existing stables have been considered and ENPA have consulted with their ecologist in relation to this element of the proposal.

Initially, the consultation response was an objection, on the basis that the applicant did not submit a report which addressed the changes to the stables. It was also unclear on the requirements of BNG.

Following this objection, the applicant submitted further information, which sought to address the above issues.

The existing building was found to have negligible potential for the presence of bats. No nesting birds were found to be present, but the structure offered the potential for nesting birds during the nesting season.

The applicant has confirmed that the works would be subject to providing biodiversity net gain on site. The consultant ecologist has confirmed that it would be possible to provide 10% BNG on site and has suggested the methods with which to do so.

It has been suggested that in the event that the application is approved, the applicant should look to enhance the grassland with wildflower seeds, infill some hedgerows and provide two bat boxes and two bird boxes on site.

Subject to the adherence with the recommendations and findings of the report and the implementation of the biodiversity net gain enhancements, the proposed development would be in compliance with Policy CE-S3 of the Exmoor National Park Local Plan 2011 – 2031.

Highways

The proposal would make use of the existing vehicular entrance to the site. The proposal is relatively small in scale and therefore would not present a significant increase in the number of trips made using this access.

Parking provision would be provided on site within the existing farm group and would not likely represent an issue.

The applicant has not elected to allocate any EV charging space on the proposed plans but has provided bike storage on site.

The application generally accords with the requirements of Policies AC-S1, AC-D1, AC-D3 and AC-S3

Neighbour impact

Objectors have raised the issue of neighbour impact as a result of the proposals. Whilst the rural nature of the application has been considered, the proposed units are located a good distance from any neighbouring properties and it is unlikely to result in any unreasonable harm to the residential amenity of neighbouring properties.

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

The proposed application would provide two new units of alternative camping provision, which would contribute to the rural economy.

The proposal has been amended from the original in line with comments received from officers regarding the position of the units and the provision of services, which are now to be provided within an existing stable building.

The units are to be located upon trailer bases which feature wheels, which raises the height of the units to roughly 4.5m.

Development within the National Park must consider the purposes of the National Park, which outline that great weight must be placed upon the conservation and enhancement of natural beauty, wildlife and the cultural heritage of Exmoor.

The proposed units are not of a high quality design or constructed using high quality building techniques that complement the existing form and character of the surrounding site and wider landscape and therefore fails to align with the established local vernacular, as a result, it is not in accordance with the requirements of Policies GP1, CE-S1, CE-D1, RT-D9, CE-S5, and CE-S6 of the Exmoor National Park Adopted Local Plan (2011-2031).

In this instance, having considered the public benefit of the scheme, it is considered that the harm that would arise through visual impact to the site and surrounding area would outweigh any perceived benefits of the proposal.

Recommendation

It is recommended that this planning application be **refused** for the following reason(s):

1. The proposed siting of the two units of alternative camping provision, because of their design and appearance, scale, and height would harm the character and appearance of the locality. The proposed development would thus be contrary to Policies GP1, CE-S1, CE-D1, RT-D9, CE-S5, and CE-S6 of the Exmoor National Park Adopted Local Plan (2011-2031).

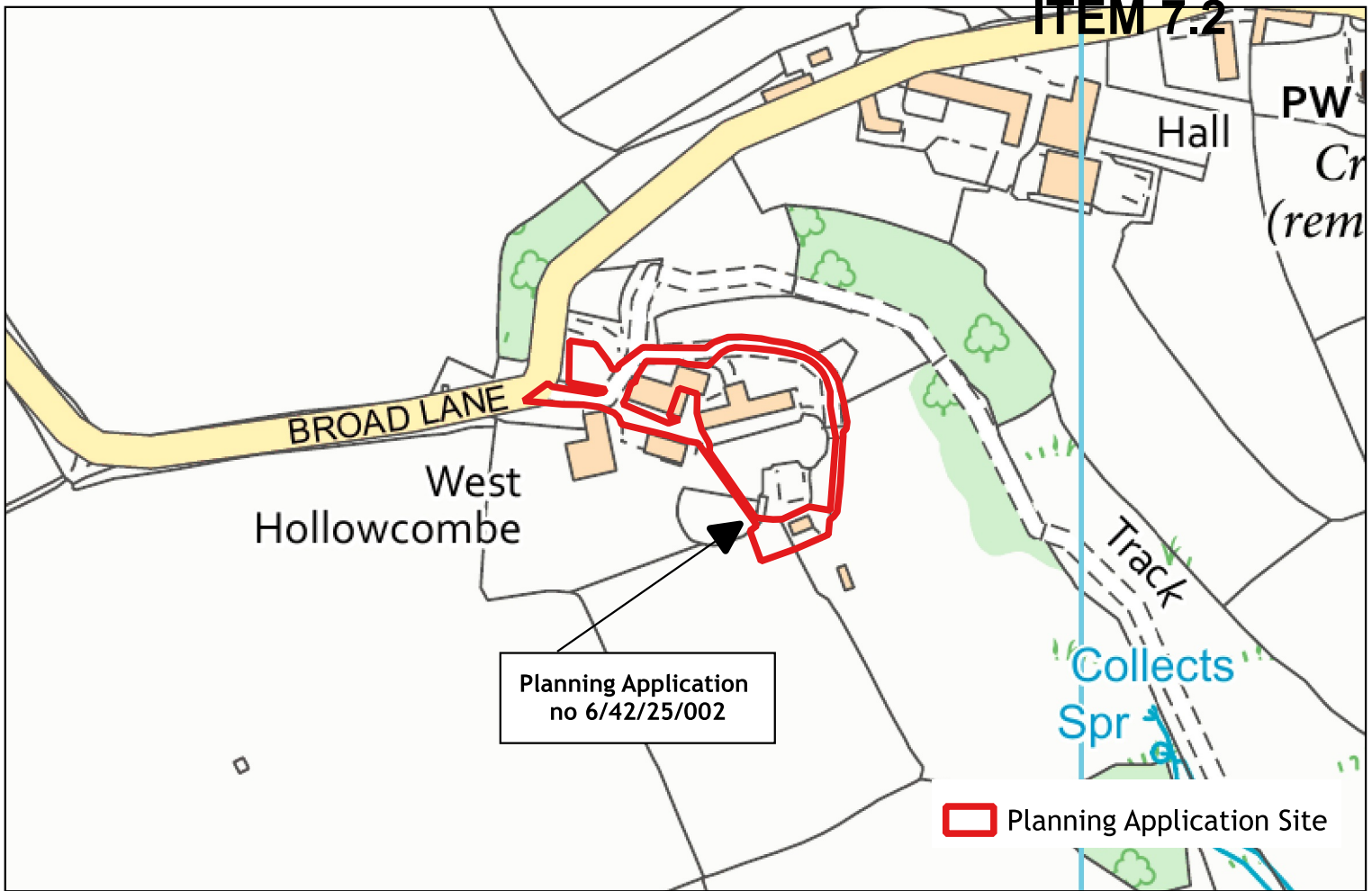
Informatives

APPEALS 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 the decision notice.

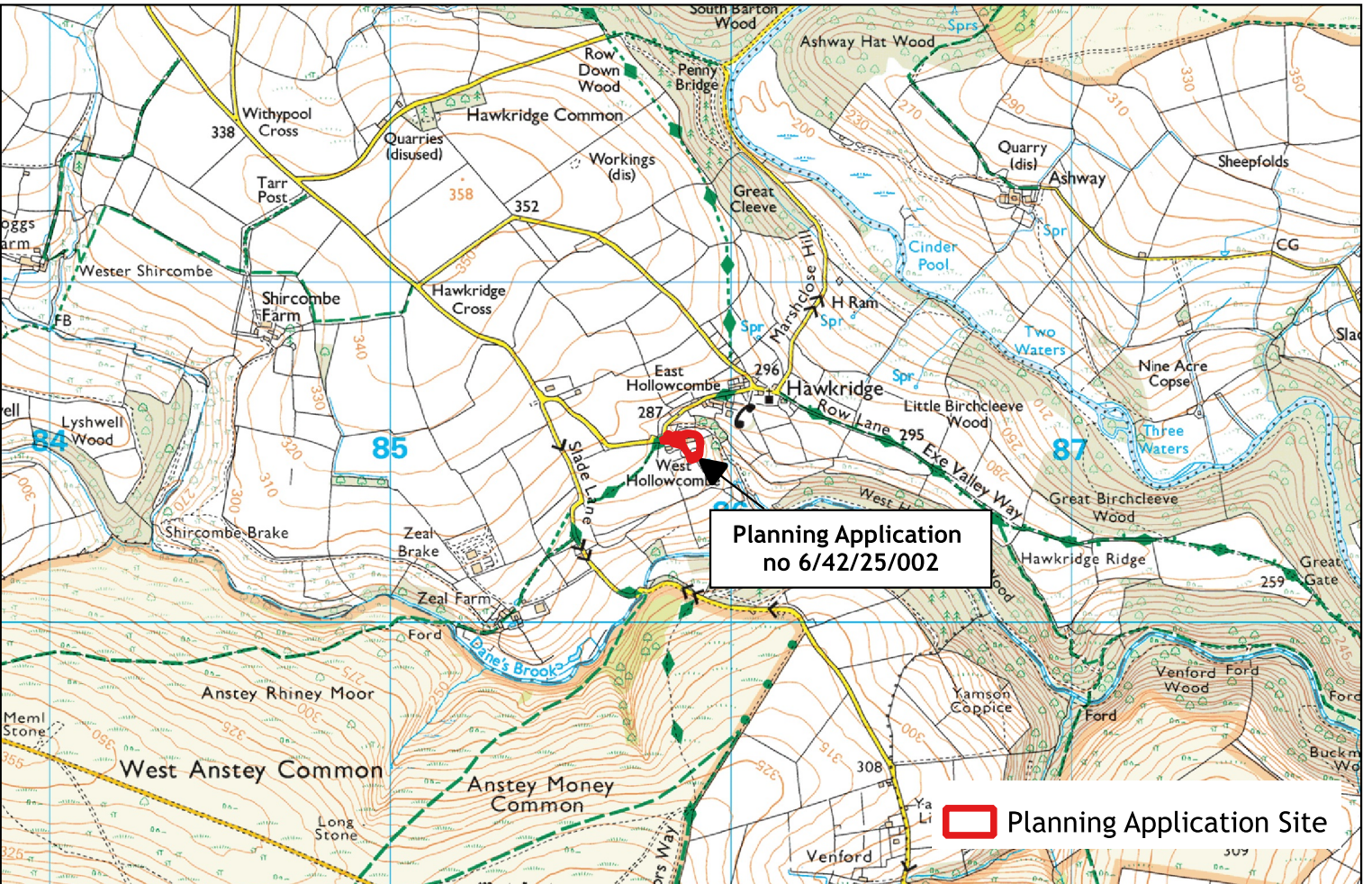
POSITIVE & PROACTIVE STATEMENT

This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged and was sought in this case contrary to the indication as included within the application form. Whilst not prejudicing the outcome of this application it is noted that the Exmoor National Park Authority has endeavoured 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.



Site Map
Scale 1:2,500

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Overview Map
Scale 1:20,000.00002

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Committee Report

Application Number:	6/3/25/009
Registration Date:	02-Oct-2025
Target Determination Date:	24-Nov-2025
Extension of Time:	TBC
Applicant	Mr P Veale
Agent:	Miss. M Hunter, Acorn Rural Property Consultatnts
Case Officer:	Joseph Rose
Site Address:	Land south of Hownel Lane, Brompton Regis, Dulverton, TA22 9LQ
Proposal:	Proposed demolition of ruinous structure and erection of building for mixed use agriculture and private storage.
Recommendation:	Refusal
Reason for bringing before Authority Committee:	This application is brought before Committee in accordance with the Approved Scheme of Delegation because the recommendation of the Officer is contrary to the views of Brompton Regis Parish Council who support the application.

Relevant History

None.

Site Description & Proposal

The application site is located within the open countryside of Exmoor National Park, approximately 1 mile west of the village of Brompton Regis and around 2.5 miles south-west of Dulverton, but within the parish of Brompton Regis. The site forms part of a parcel of land extending to approximately 0.3 hectares and contains a ruinous structure comprising a masonry block gable end wall and a masonry block rear wall. Vehicular access to the site is taken directly from the adjacent public highway, known as Hownel Lane.

The application seeks planning permission for the demolition of the existing ruinous structure and the erection of a building for mixed agricultural use and private storage.

Consultee Representations

ENPA Ecology – No Objection:

Based on the proposal it is good to have received an ecology report: Ecological Impact Assessment (including a Biodiversity Net Gain assessment), Acorn, dated 29 September 2025. The EclA report details the findings of a desk study and field survey (carried out 14/07/2025) including a UKHab/BNG survey. The methods, presentation of results and recommendations within the reports are satisfactory.

The UKHab survey confirmed the habitats present are: modified grassland and ruderals along with the presence of a bare ground access track and ruinous structure. These were identified as being in poor condition. The proposal involves the loss of the modified grassland and ruderals and the creation of an area of mixed scrub to achieve over 10% Biodiversity Net Gain. The plans for habitat creation have not been described here but the proposal seems achievable and this will be confirmed when the Habitat Management and Monitoring Plan is submitted for discharge of condition.

The site was assessed as having negligible suitability for bats, dormice, barn owls and great crested newts. No evidence of nesting birds was found and there was no suitable habitat or evidence of badgers. The pile of cut vegetation was suitable for common reptiles and sheltering hedgehogs. To reduce risk of harm to these species the vegetation removal and clearance of ruderal vegetation should be carried out as specified in the ecology report.

The ecology report recommended the installation of at least 1 bat box or tube and at least 1 bird box or cup on the proposed building or a suitable tree onsite. In line with Local Plan Policy CE-S3 and Appendix 1 of the Exmoor Biodiversity Net Gain Technical Guidance Note we would expect to see more enhancements provided for biodiversity. Unless the applicant would like to choose an enhancement feature from Appendix 1, I would suggest installing at least 2 bat boxes and 2 bird boxes in suitable locations. This should be secured by condition.

There is no external lighting proposed, and this should be secured by condition. Given the size of the site and the scale of the BNG works it is probable that the applicant will be able to achieve 10% BNG onsite.

Requirement	Submitted documents	Further information requirements
Has the applicant provided a statement as to whether they believe planning permission would be subject to the biodiversity gain condition?	Yes, BNG will apply	None
Has the pre-development biodiversity value of the site been established?	Yes 0.0396 habitat units (no hedgerow) (no watercourse)	None
What metric has been used?	Statutory Biodiversity Metric	None
Who did the assessment (competent person test)?	Henry Buckpitt, ecologist working for Acorn Rural Property Consultants and is an associate member of CIEEM	None
Has the post-development biodiversity value of the site been established?	Yes 0.0446 habitat units (+12.61%)	None
When was the baseline established?	UK Habitat Classification survey (14 July 2025)	None
Has degradation occurred?	No	None
Are irreplaceable habitats present?	No	None
Are priority habitats present?	None	None
Are EPS present?	None found in survey	None
Is 10% achievable on-site?	Yes, based on the current metric	None
If no, how do they propose to deliver 10% BNG?	N/A	

In addition to the statutory biodiversity gain condition (for which an informative should be added to any decision notice) please apply conditions to any permission granted to secure enhancements as detailed above and for the following for which I have provided some suggested wording below:

- The development hereby approved shall be carried out in strict accordance with all ecological measures as set out in Section 4 of the Ecological Impact Assessment (Acorn, September 2025).

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

ENPA Tree Officer – No Objection:

The applicant has provided a comprehensive tree survey in accordance with BS5837, along with an impact assessment, method statement and tree protection plan. The main trees of note across the site (hedgerow boundary trees and block of trees to the Southeast have been included in the survey and are recommended for retention. I agree with the tree report with regards to retaining these trees, and the suggested location of the tree protection fencing. The Arboricultural method statement sets out clear instructions on how the trees should be protected, how the site should be cleared and that the root protection areas must not be disturbed by site compounds, service runs etc. If permission were to be granted, I recommend that a condition be added specifying the tree protection plan and Arboricultural method statement as set out be adhered to. With regards Bettina Bettina Broadway-Mann Woodlands Officer Exmoor National Park Authority.

Brompton Regis Parish Council – Support:

Brompton Regis Parish Council supports this application on the following grounds: - the proposal replaces an existing albeit ruinous building; - if approved the building will be screened from the highway and surrounding land; - although isolated the proposed building would not have a noticeable adverse effect; - no external lighting is proposed; - it is understood that the proposed building will be used for agricultural purposes and BRPC suggests that if the proposal is approved a condition to this effect be placed on it In its discussions BRPC endorsed the comments of the ENPA Future Landscapes Officer which were stated in the pre planning advice.

Somerset Highways Development Control – No Objection:

If the use is ancillary to the land on which it will be sited, I have NO OBSERVATIONS to make. If it is not, it must be a matter for the Planner to decide if this is an appropriate location for a building for private use.

South West Water – No Objection:

With reference to the planning application at the above address, the applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below. Surface Water Services The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable): 1. Water re-use (smart water butts, rainwater harvesting, grey flushing toilets) 2. Discharge into the ground (infiltration); or where not reasonably practicable, 3. Discharge to a surface waterbody; or where not reasonably practicable, 4. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable, 5. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation) Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy. I trust this provides confirmation of our requirements, however should you have any questions or queries, please contact the Planning Team on 01392 442836 or via email: DeveloperServicesPlanning@southwestwater.co.uk. Kind regards The Pre-Development Team Peninsula House, Rydon Lane, Exeter EX2 7HR southwestwater.co.uk

Representations

The Authority has received 11 representations with regard to the proposals, comprising 8 in support, 2 non-stated, and 1 objection. The comments raised are summarised below:

Support (8):

- The existing ruinous structure is described as an eyesore and unsafe.
- The proposal is considered to tidy up the site and improve its appearance.
- The building is regarded as modest, well designed and appropriate in scale.
- Screening by existing hedgerows is noted.
- Support expressed for beekeeping and perceived biodiversity benefits.
- Reference made to the site's historic family association and the applicant's personal circumstances.

Non-stated (2):

- Queries raised as to whether the proposal constitutes a new build in open countryside.
- Potential industrial appearance
- Whether the level of screening (existing and proposed) is sufficient
- Whether there is sufficient parking space at the site

-
- Potential for pollution from leaking oil etc.
 - Suggestion that a barn owl box be included if permission were granted.

Objection (1):

- Concern that the proposal represents an isolated and speculative form of development unrelated to an agricultural holding.
- Concern regarding potential future use of the building and its impact on the countryside.

Policy Context

Exmoor National Park Local Plan 2011-2031 (inclusive of 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 Landscape and Seascape
- CE-S2 – Protecting Exmoor’s Dark Night Sky
- CE-S3 – Biodiversity and Green Infrastructure
- CE-D2 – Green Infrastructure Provision
- CE-S5 – Principles for the Conversion or Structural Alteration of Existing Buildings
- CE-S6 – Design and Sustainable Construction Principles
- SE-S4 – Agricultural and Forestry Development
- CC-S7 – Pollution
- HC-D16 – Outbuildings
- AC-D1 – Transport and Accessibility Requirements for Development
- AC-D2 – Traffic and Road Safety Considerations for Development

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

Planning Considerations

The main planning considerations for this proposal are the principle of the development (Agricultural & Private Storage), Design and Impacts on the Character and Appearance of the Landscape.

Policy GP1 of the Exmoor National Park Local Plan 2011-2031 outlines how the development plan seeks to achieve and adhere to the National Park Purposes and states that Sustainable development for Exmoor National Park will conserve and enhance the National Park, its natural beauty, wildlife and cultural heritage and its special qualities; promote opportunities for their understanding and enjoyment by the public, and in so doing, foster the social and economic wellbeing of local communities.

Policy GP4, then goes on to set the principles on the National Park for achieving the efficient use of land and buildings and states that development proposals will be encouraged which demonstrate the efficient use of land and buildings including through: the redevelopment of brownfield land located within the built extent of the named settlements that does not have a high ecological value; or the re-use of existing buildings within the built extent of the named settlements, or within or well related to hamlets and farmsteads. The policy then goes on to outline that development within or adjoining the named settlements should reflect the historic form and pattern of the settlement and make best use of land on the site in terms of the density of buildings and green infrastructure provision.

With regard to the principal of the development, officers consider that both Policies SE-S4 (in so far as the building relates to agriculture) would apply, as well as Policy HC-D16 (in so far as the building relates to private storage).

Policy SE-S4, which sets out the principles for agricultural development in the National Park states that: Permission will be granted for new or replacement buildings, tracks and structures or extensions required for agriculture or forestry purposes where:

- a) it can be demonstrated there is a functional need for the extension, building, structure or track and its size and scale is commensurate with the demonstrated need;
- b) the building, track or structure is designed for the purposes of agriculture or forestry;
- c) in the case of new buildings, the site is related physically and functionally to existing buildings associated with the business;
- d) buildings, tracks or structures are sited appropriately in the context of local topography and of an appropriate design that responds to and reinforces landscape character in terms of size, scale, massing, layout, external appearance and materials – if a landscaping scheme is required it should be in accordance with policy CE-D1;
- e) proposals do not generate a level of activity or otherwise detrimentally affect the amenity of surrounding properties and occupiers including through loss of daylight, overbearing appearance, or conflict with neighbouring land uses;
- f) appropriate measures are taken to ensure proposals do not, including through the level of activity, have an adverse impact on biodiversity and cultural heritage (in accordance with CE-S3 and CE-S4) or cause other unacceptable environmental impacts; and
- g) it can be demonstrated that opportunities have been taken for:
 - i. the integration of passive design and sustainable construction methods to improve energy efficiency;
 - ii. the integration of appropriate renewable energy technologies to reduce carbon emissions in accordance with CC-S5; and
 - iii. minimising surface water run-off to avoid impacts on water quality (CC-D1).

Clause 2 of the policy then states that: New isolated buildings will not be permitted unless it can be demonstrated that there are exceptional circumstances relating to an overriding functional need for a more isolated location, and where:

- a) they do not replace existing agricultural buildings that have been subdivided away from the holding; and
- b) the requirement for them does not result from a change of farming practices, such that could adversely affect the management of the traditional landscape character of the National Park.

Clause 3 then states that: Where new agricultural buildings with a floorspace of 500sqm or less are granted planning consent, permitted development rights may be withdrawn in respect of agricultural buildings and any land within its curtilage to alternative uses.

Policy HC-D16 establishes the principles for outbuildings within the National Park. The policy states that proposals for ancillary outbuildings within the domestic curtilage of a dwelling will be permitted where: in terms of scale and massing they are proportionate to the dwelling they are to serve; 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; 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 private amenity space around the dwelling will not be reduced to an unacceptable level.

With regard to the buildings overall design impacts on the character and appearance of the landscape, officers would consider the following policies to apply:

Policy CE-S5 of the local plan sets out the principles for the conversion or structural alteration of existing buildings and states that, the conversion or structural alteration of any existing building will be permitted where the proposal; accords with the relevant policies in this Plan in terms of the intended use; clearly demonstrates that the building is capable of conversion without substantial reconstruction and is suitable for the existing building in terms of the intended use and the intensity of that use, in relation to its capacity, structure and character without substantial alteration. Clause 4 of the policy then states that; In addition to clause 1, proposals for the conversion or structural alteration of non-traditional buildings, will only be permitted if traditional buildings are demonstrated to be incompatible with the intended use or no such buildings are present, and where: the building is of permanent and substantial construction; and environmental and visual enhancement to the building and/or its setting are incorporated into the proposals where necessary to deliver an overall acceptable scheme.

Policy CE-S6 establishes the principles for design and sustainable construction. It requires that development proposals deliver high-quality, sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and

historic environment. Applicants are expected to demonstrate that new development positively contributes to its setting in terms of siting, massing, scale, height, orientation, density, and layout. Additionally, the materials and design elements of new buildings or conversions should complement the local context through the use of traditional and natural sustainable building materials, with an emphasis on the use of locally sourced materials where possible. Furthermore, Clause 1g of the policy requires that 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.

Policy CE-S1 of the Local Plan states that the high quality, diverse and distinct landscapes and seascapes of Exmoor National Park will be conserved and enhanced. It requires that development proposals are informed by, and complement, the distinctive characteristics of the landscape character types and areas identified in the Exmoor National Park Landscape Character Assessment, as well as the seascape character areas and types identified in the North Devon and Exmoor Seascape Character Assessment. The policy further requires that proposals have regard to, and are appropriate in terms of their impacts on, the conservation of significant landscape and seascape attributes. In this context, opportunities to conserve, enhance and restore important landscapes and seascapes, including the minimisation of existing visual detractions, are encouraged.

Furthermore, Policy CE-D1 of the Local Plan 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. In this regard, the policy requires that the visual impact of development in both its immediate and wider setting is minimised through high-quality design which reflects local landscape character, with particular regard to scale, siting, materials and colour. It further seeks to ensure that the cumulative and/or sequential landscape and visual effects of development do not detract from the natural beauty of the National Park or the experience of tranquillity. The policy also requires that landscaping schemes reinforce local landscape or seascape character and confirms that, where necessary, conditions will be imposed to protect important landscape characteristics and elements, including the provision of appropriate replacement or additional landscape planting. Development proposals that are significant in terms of scale and/or impact are required to be supported by a Landscape and Visual Impact Assessment.

Officers also consider it particularly prudent to underscore that paragraph 189 of the National Planning Policy Framework makes clear that "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues." And that "The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas". These points are also reflected in both paragraphs 3.13 and 4.3 of the Exmoor National Park Local Plan 2011-2031.

It is important to be clear that the application before the Authority expressly seeks permission for a mixed-use building, comprising agricultural use and private storage. The applicant does not contend that the building is wholly one or the other in nature, and officers' understanding is that the applicant's and their agent's position is that, because the building is proposed for a combination of uses, neither Policies SE-S4 and HC-D16 should be engaged by the proposal.

However, having regard to the description of development, the submitted plans and the intended uses of the building, officers take a different view. In officers' judgement, where a proposal expressly incorporates both agricultural and private storage uses, the principle of development must be assessed against the relevant development plan policies applicable to each component use, rather than on the basis that neither policy applies.

Furthermore, officers acknowledge, under Section 336 of the Town and Country Planning Act 1990, that beekeeping can constitute an agricultural practice in planning terms. For reference Section 336 defines that agriculture includes "horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly". On that basis, officers are satisfied that the storage of equipment directly associated with beekeeping would fall within the scope of agriculture for the purposes of the Local Plan.

Notwithstanding this, officers consider that the proposed building would, in practice, be used predominantly for private storage purposes, including the storage of vintage tractors and implements retained for hobby use. While the application suggests that such activities may have a relationship to land management, officers do not consider these activities to constitute active agricultural use in planning terms. Officers therefore consider that the agricultural element of the proposal is limited to the keeping of bees and the storage of equipment directly associated with that activity. As a result, officers are not persuaded that the agricultural element of the proposal alone, as described, gives rise to an overriding functional agricultural need for a new building in this isolated location, as required by clause 2 of Policy SE-S4 which is clear that "New isolated buildings will not be permitted unless it can be demonstrated that there are exceptional circumstances relating to an overriding functional need for a more isolated location".

Officers would also note the applicant's circumstances as set out at paragraphs 13 and 14 of the submitted covering letter, which explain that the site was formerly associated with Daws Farm, owned by the applicant's late parents, and that following the death of the applicant's mother the farm was sold as part of the administration of her estate, although officers have not been furnished with details of when this had taken place. Officers further note that the applicant historically made use of buildings at Daws Farm

for the storage of equipment, including beekeeping and honey extraction equipment, but that this opportunity has ceased following the sale of the farm.

Officers sympathise with the applicant's circumstances and acknowledge that the loss of access to those buildings have likely arose as a result of events beyond the applicant's control. However, Policy SE-S4 is clear that new agricultural buildings should not replace existing agricultural buildings that have been subdivided away from the holding. In this case, the proposal would, in effect, replace access to buildings that formerly formed part of the farmstead, but which are no longer within the applicant's control following their sale. Officers therefore consider that, notwithstanding the applicant's circumstances, the proposal does not meet this aspect of Policy SE-S4.

To the extent that the proposed building would be used for private, non-agricultural storage, officers consider that this element falls outside the scope of Policy SE-S4. Instead, officers consider that this use must be assessed against the broader development plan, which seeks to strictly manage isolated development in the open countryside and directs private / domestic storage uses to locations associated with existing dwellings as per policy HC-D16.

In any case, officers have considered the agent's argument regarding the absence of a specific development plan policy expressly permitting private storage buildings outside of domestic premises and would consider that this argument is not without merit. Officers also agree that Section 38(6) of the Planning and Compulsory Purchase Act 2004 is clear in that it requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. However, having given weight to this position as to whether neither Policy SE-S4 nor HC-D16 applies, or alternatively whether both should be engaged as expressed earlier within the report, Officers remain of the view that the proposal must still be assessed against all relevant policies of the development plan, including those relating to the statutory purposes of Exmoor National Park, sustainable development, landscape protection, and design and sustainable construction principles. As it stands, officers are not persuaded that any identified material considerations carry sufficient weight to indicate a departure from these policies.

Having regard to the above policy framework, officers have first considered the proposal in terms of its design and appearance. In this respect, it is important to note that, in addition to the requirements of Policy CE-S6 as set out above, paragraph 4.167 of the supporting text to Policy CE-S6 clarifies that this policy applies to all types of development (including new build and conversions) except agricultural and forestry buildings, the design aspects of which are to be considered under Policy SE-S4 (Agricultural and Forestry Development).

Furthermore, paragraph 7.62 of the supporting text to Policy SE-S4 states that, for agricultural and forestry development proposals, every effort should be made to minimise impacts through appropriate siting, design, layout, materials and surfacing. It

further notes that, in the case of agricultural or forestry buildings or structures, the use of dark grey (anthracite) fibre cement roofing and timber cladding will be encouraged.

In this case, as the application seeks permission for a mixed-use building, comprising both agricultural use and private storage. Officers therefore consider that, in design terms, both Policy CE-S6 and Policy SE-S4 are relevant and must be applied in the round. While there is some differences between the policies in terms of their emphasis on traditional and natural materials and the use of fibre cement roofing, officers consider that a pragmatic approach is required, having regard to the mixed-use nature of the proposal.

On this basis, officers consider that the proposed use of timber cladding, together with a fibre cement roof, is acceptable and broadly consistent with the development plan when assessed as a whole. The building would be modest in scale, measuring approximately 7.5 metres in length and 6.5 metres in width (providing a floorspace of 48.7sqm), with a maximum height of 4 metres on the eastern elevation, sloping down to approximately 3 metres on the western elevation. In purely design and scale terms, officers consider the building to be relatively small and appropriately proportioned for its stated purposes.

However, notwithstanding the above, officers consider that the proposal would introduce an isolated building, detached from existing established built form, into the open countryside of the National Park, without demonstrating there are exceptional circumstances relating to an overriding functional need for the building to be sited in a more isolated location, which is considered to give rise to landscape harm in conflict with Policies CE-S1, CE-D1 & CE-S6 of the Local Plan.

Whilst the presence of a ruinous structure on the site is acknowledged, officers consider that, in its current severely dilapidated condition, it does not read as established or active built form within the landscape. The remaining structure is relatively unassuming and, in its present state, does not draw significant visual attention. In this regard, officers consider that the existing remains are materially less intrusive in landscape and visual terms than the erection of a new building in this isolated location. As such, any material fallback position represented by the retention of the existing limited ruinous remains does not in officers' opinion weigh in favour of the proposal within the overall planning balance.

In addition, given the advanced dilapidation of the existing structure and the extent of demolition and reconstruction proposed, officers consider that the works go beyond what could reasonably be described as repair or maintenance and would constitute new development in planning terms, as described in the submitted details. Accordingly, having considered and given weight to the arguments presented by the applicant and their agent, officers are not persuaded that the proposal can reasonably be described otherwise than as the erection of a new isolated building within the open countryside, the impacts of which must be assessed against the relevant development plan policies.

In summary, officers consider that, in accordance with development plan policy, only limited weight can be afforded to the need for the building, as neither a clearly evidenced overriding functional requirement nor other sufficient public benefits have been demonstrated. By contrast, national policy requires that great weight be given to landscape harm within a National Park, even where that harm is limited in visual terms. In carrying out the planning balance, officers consider in this case that the identified landscape harm is not outweighed by the benefits of the development.

Taking all of the above matters into account, including the relevant policies of the development plan and the requirement under paragraph 189 of the National Planning Policy Framework to give great weight to the conservation of landscape and scenic beauty within National Parks, officers conclude that the proposal conflicts with the development plan when read as a whole. In the absence of material considerations of sufficient weight to indicate otherwise, officers therefore consider that planning permission should be refused.

Other Matters:

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

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

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

Officers note that the Exmoor National Park Authority’s Ecologist has reviewed the proposals and raised no objections to the scheme. They have outlined that based on the proposal it is good to have received an ecology report: Ecological Impact Assessment (including a Biodiversity Net Gain assessment), Acorn, dated 29 September 2025. The EclA report details the findings of a desk study and field survey (carried out 14/07/2025) including a UKHab/BNG survey. The methods, presentation of results and recommendations within the reports were found to be satisfactory.

The UKHab survey confirmed the habitats present are: modified grassland and ruderals along with the presence of a bare ground access track and ruinous structure. These

were identified as being in poor condition. The proposal involves the loss of the modified grassland and ruderals and the creation of an area of mixed scrub to achieve over 10% Biodiversity Net Gain.

The site was assessed as having negligible suitability for bats, dormice, barn owls and great crested newts. No evidence of nesting birds was found and there was no suitable habitat or evidence of badgers. The pile of cut vegetation was suitable for common reptiles and sheltering hedgehogs. To reduce risk of harm to these species the Authority's ecologist would recommend that the vegetation removal and clearance of ruderal vegetation should be carried out as specified in the ecology report.

The submitted ecological report, together with the advice of the Authority's Ecologist, recommends a number of enhancement and mitigation measures which officers consider to be reasonable. However, as the application is recommended for refusal, no such conditions are recommended.

Furthermore, in accordance with national legislation, the scheme would also be required to comply with the Biodiversity Net Gain (BNG) provisions, which are mandatory in England under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). A BNG metric has been provided as part of the submission, prepared by a suitably qualified ecologist, demonstrating how the proposal intends to achieve the required net gain. ENPA's ecologist has also confirmed that given the size of the site and the scale of the BNG works it is probable that the applicant will be able to achieve 10% BNG onsite.

As such, the development would be subject to the statutory BNG conditions if approved, ensuring that measurable biodiversity enhancements are secured and delivered in line with legislative requirements.

In addition, the Authority's Tree Officer has reviewed the submitted Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, which have been prepared in accordance with BS5837. Officers note that the principal trees and hedgerow boundary trees are proposed to be retained and that appropriate tree protection measures are identified. Officers consider the submitted arboricultural information to be satisfactory and the recommended protection measures to be reasonable. Consistent with the above, as the application is recommended for refusal, it is not appropriate to impose conditions to secure these measures.

Regarding any potential highway's impacts, officers note that the site benefits from an existing agricultural access with good visibility onto a relatively straight section of the public highway. Officers therefore consider that there is unlikely to be any undue concerns in relation to highway safety or access arrangements and consider the proposal to be acceptable in this respect having regard to Policies AC-D1 and AC-D2 of the Local Plan.

One representation raises concern regarding the potential for oil leakage associated with the maintenance of vintage tractors. Officers note that the proposed building would be constructed on a concrete base, which would provide an impermeable surface and limit the risk of oil or fuel seeping into the ground. In addition, given the limited scale of the proposed use and the absence of any evidence to indicate a significant pollution risk, officers consider these concerns to be speculative and have no reason to consider that the proposal would result in impacts materially different from those associated with typical agricultural buildings or domestic garages. As such, officers consider the proposals to be broadly in accordance with Policy CC-S7 of the Local Plan.

Officers also note that several representations refer to the applicant's personal circumstances and historic family association with the site. While these matters are noted they are not considered by officers to be material planning considerations and therefore attract very limited weight in the overall planning balance.

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 details outlined above, and all other material considerations, officers consider that the proposed development is contrary to the policies of the Exmoor National Park Local Plan 2011–2031.

In respect of the agricultural component, officers are not satisfied that the proposal demonstrates an overriding functional agricultural need for a new isolated building, nor exceptional circumstances to justify its siting away from existing agricultural buildings, as required by Policy SE-S4. Officers further note that the application site has been severed from the former farm holding according to the submitted details, and Policy SE-S4 is clear that new agricultural buildings should not replace buildings which have been subdivided away from the holding.

In respect of the private storage component, Policy HC-D16 directs private and ancillary outbuildings to locations within the domestic curtilage of existing dwellings. The erection of a standalone building in the open countryside is therefore considered contrary to this policy.

Officers have given due consideration to the agent's argument regarding the absence of a specific policy expressly permitting private storage buildings outside domestic premises and acknowledge that this position is not without merit. However, having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, officers remain of the view that the proposal must be assessed against the relevant policies of the development plan as a whole, including those relating to the statutory purposes of the National Park, sustainable development, landscape protection and design. In

addition, the Local Plan is not silent on outbuildings and there is a specific Policy as noted earlier in this report. Officers are not persuaded that any material considerations of sufficient weight have been identified to justify a departure from these policies.

In design terms, officers acknowledge that the proposed building is modest in scale and that the proposed materials are broadly acceptable when considered in isolation. Notwithstanding this, the proposal would result in the erection of a new isolated building, detached from established built form, giving rise to landscape harm which must be afforded great weight and as such would fail to comply with Policies CE-S1, CE-D1 & CE-S6 and paragraph 189 of the National Planning Policy Framework.

As such, the proposal is considered to be in conflict with policies GP1, GP4, SE-S4, HC-D16, CE-S1, CE-D1 & CE-S6 of the Exmoor National Park Local Plan 2011–2031. On that basis, it is recommended that permission be refused for the following reasons.

Recommendation

Refusal for the following reason(s):

1. The proposal fails to demonstrate an overriding functional agricultural need for a new isolated building or exceptional circumstances to justify its siting away from existing agricultural buildings and would in effect replace buildings which have been subdivided away from the former farm holding, contrary to Policy SE-S4 of the Exmoor National Park Local Plan 2011–2031. Furthermore, insofar as the proposal relates to private storage, the erection of a standalone building in the open countryside is contrary to Policy HC-D16, which directs such development to locations within the domestic curtilage of existing dwellings.

The proposal would introduce a new isolated building in the open countryside, resulting in adverse impacts on the character, appearance and natural beauty of the landscape of Exmoor National Park. In accordance with development plan policy, only limited weight can be afforded to the identified need for the building, as neither a clearly evidenced overriding functional requirement nor other sufficient public benefits have been demonstrated. By contrast, national policy requires that great weight be given to landscape harm within a National Park, even where that harm is limited. In the planning balance, the identified landscape harm is not outweighed by the benefits of the development.

The proposal is therefore contrary to Policies GP1, GP4, SE-S4, HC-D16, CE-S1, CE-D1 & CE-S6 of the Exmoor National Park Local Plan 2011–2031 and paragraph 189 of the National Planning Policy Framework, which requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Parks.

Informatives

Appeals to the Secretary of State:

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

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

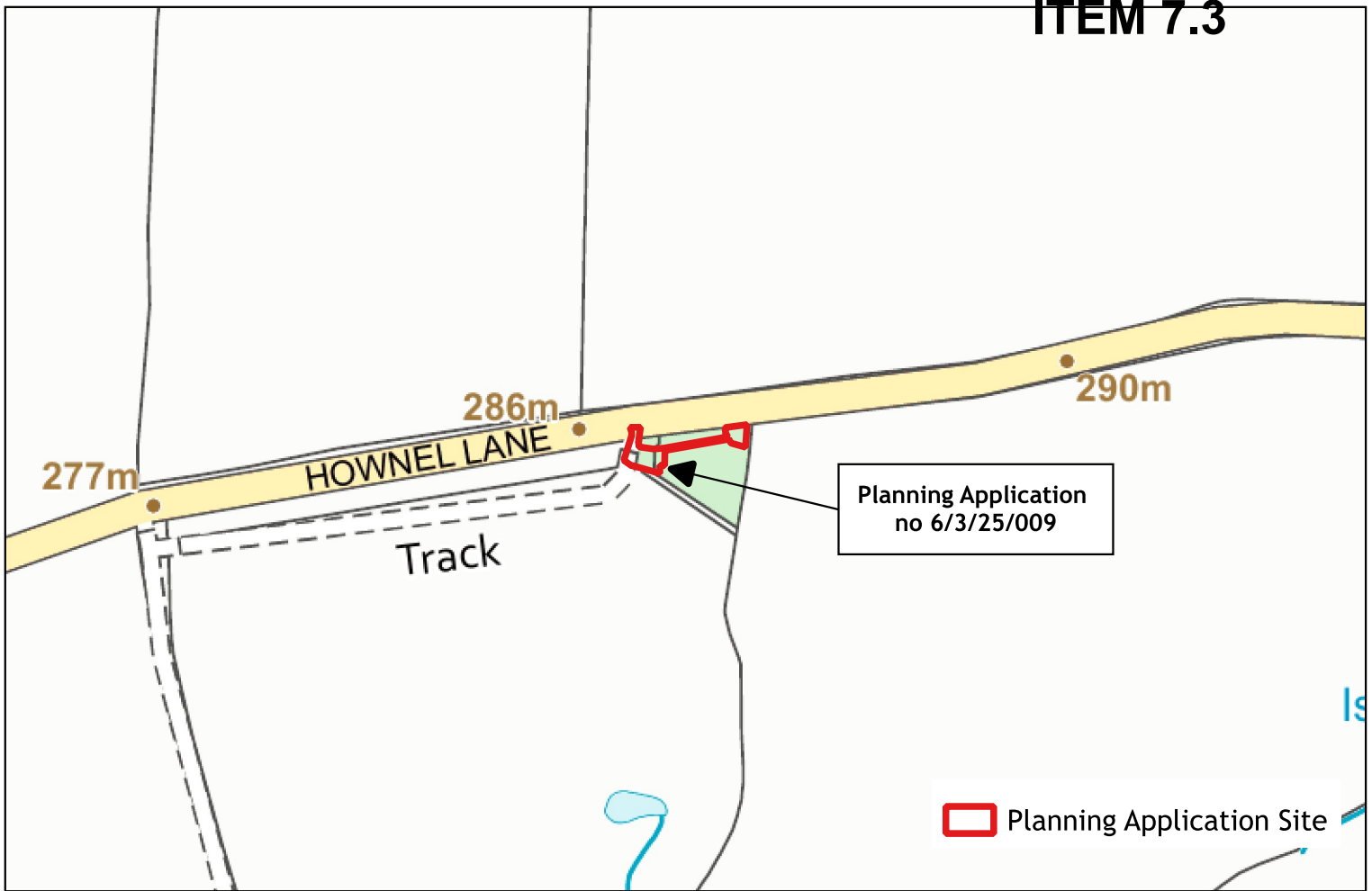
Biodiversity Net Gain:

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

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Exmoor National Park Authority. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available, the proposal is considered to be subject to the Biodiversity Net Gain requirements, as none of the relevant exemptions apply. Accordingly, if the scheme were to be recommended for approval, it would need to be subject to the standard Biodiversity Net Gain conditions.

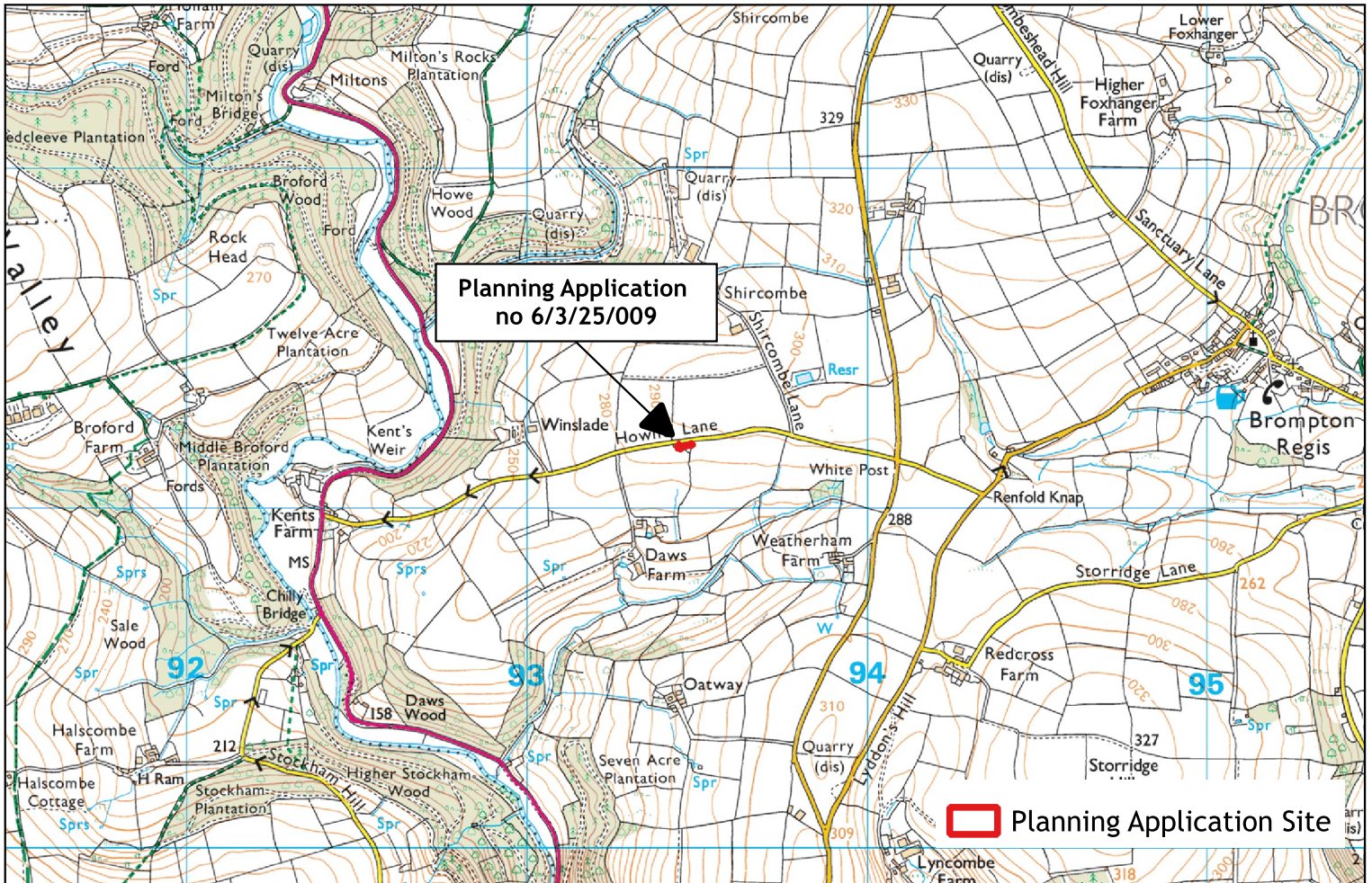
ITEM 7.3



Site Map

Scale 1:2,500

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Overview Map

Scale 1:20,000.00002

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Committee Report

Application Number:	6/13/25/007
Registration Date:	04-Nov-2025
Target Determination Date:	25-Dec-2025
Extension of Time:	07-Jan-2026
Applicant	Mr D Barnett
Agent:	Mr. T Spurway, Trevor J Spurway (Architect) Ltd
Case Officer:	Joe White
Site Address:	Exford Depot, Exford, Minehead, TA24 7PY
Proposal:	Application under Regulation 3 of The Town & Country Planning General Regulations 1992 for the proposed demolition and replacement of Existing Storage Shed.
Recommendation:	Approve with conditions
Reason for bringing before Authority Committee:	Exmoor National Park Authority is the applicant.

Relevant History

6/13/02/110 Application under Regulation 3 of the Town & Country Planning General Regulation Approved 10/01/2002
 6/13/04/111 Application under Regulation 3 of the Town & Country Planning General Regulation Approved 07/07/2004
 6/13/11/118 Application under Regulation 3 of Town and Country Planning General Regulations Approved 12/07/2011
 6/13/15/113 Application under Regulation 3 of the Town and Country Planning General Regulati Approved 02/02/2016
 6/13/19/104 Application under Regulation 3 of the Town & Country Planning General Regulation Approved 04/04/2019
 6/13/20/101 Application under Regulation 3 of the Town and Country Planning General Regulati Approved 05/14/2020
 6/13/22/107 Application Under Regulation 3 of The Town & Country Planning General Regulation Approved with Conditions 11/07/2022
 6/13/76/004 Proposed erection of depot building with storage enclosure at the Auction Field, Approved 11/15/1976
 6/13/86/114 Proposed extensions and alterations at Exford Depot, Exford as described in the Approved 09/02/1986
 6/13/87/113 Proposed extensions and alterations to Exford Depot, Exford as described in the Approved 02/02/1988

6/13/92/101 Proposed contractors temporary working area, land alongside Exmoor National Pa Approved 02/04/1992

6/13/93/108 Proposed extension to Exford National Park Depot Yard and erection of timber sto Approved 08/03/1993

Site Description & Proposal

The Exford Depot comprises single-storey buildings and an open yard. The site lies to the southeast of Exford adjacent to the car park near the First School and Dunkery Service Station, and north of the River Exe and a public footpath. The National Park Authority Field Services team are based at the site and manufacture timber gates, stiles and signage for use within the National Park. The timber is sourced from the Authority's own woodlands.

There are two residential neighbours close by to the northwest side. The site lies at the bottom of the Exe valley, although outside flood zones 2 and 3, with valley sides rising to the north and south.

The application proposes the replacement of an existing storage shed at the rear of the depot. The existing building is used to season and store timber, and to store equipment. The proposed replacement building would be put to the same purpose, it would be over largely the same footprint and would be of a similar design. The most notable difference is that the replacement building would be raised by 300mm to enable an increase in the height of the access doors to facilitate easier and safer access for the forklift trucks.

Consultee Representations

Environment Agency – While the red line boundary of the proposal is within 20m of the main river, the proposed buildign works are outside the 8m distance withihn which any works may require a flood risk activity permit. We therefore have no comment to make with regard the proximity of the site to the main river.

Somerset Highways – Standing advice.

South West Water – The applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

Surface Water Services

The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Water re-use (smart water butts, rainwater harvesting, grey flushing toilets)
2. Discharge into the ground (infiltration); or where not reasonably practicable,
3. Discharge to a surface waterbody; or where not reasonably practicable,
4. Discharge

to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable, 5. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation) Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.

Future Landscapes Officer – No objection.

There is a small floodlight on the existing storage building. Exford lies in the Critical Buffer Zone of the dark sky reserve. If any lighting is proposed on the replacement building, this should be dark sky compliant – please secure by way of an appropriate condition.

Exford Parish Council – Support.

All Parish councilors voted in support of the proposal and had no comments as the proposal is for a replacement of like for like.

No other comments received from consultees

Representations

No comments received

Policy Context

EXMOOR NATIONAL PARK LOCAL PLAN 2011-2031
GP1 Achieving National Park Purpose and Sustainable Development
CE-S1 Landscape Character
CE-D1 Protecting Exmoor's Landscapes and Seascapes
CE-S2 Protecting Exmoor's Dark Night Sky
CE-S3 Biodiversity and Green Infrastructure
CE-D2 Green Infrastructure Provision
CE-S6 Design and Sustainable Construction Principles
CC-S1 Climate Change and Mitigation and Adaption
SE-S1 A Sustainable Exmoor Economy
SE-S2 Business Development in Settlements
AC-D1 Transport and Accessibility Requirements for Development
AC-D2 Traffic and Road Safety Considerations for Development

The National Planning Policy Framework is a material consideration.

Planning Considerations

The development proposed is the replacement of an existing building, with a similar footprint and with the same use. The main planning issues are, therefore, whether the

proposal would have an acceptable effect on the character and appearance of the locality, the effect of the proposal on the living conditions of the residential neighbours, and the potential effect on ecology.

CHARACTER AND APPEARANCE

Policy GP1 advises that sustainable development will conserve and enhance the National Park, its natural beauty, wildlife and cultural heritage and its special qualities. Development should promote opportunities for their understanding and enjoyment by the public and, in doing so, foster the social and economic wellbeing of local communities. Policy CE-D1 advises that development will be permitted where it can be demonstrated that it is compatible with the conservation and enhancement of Exmoor's landscape. Policy CE-S6 requires that development proposals deliver high quality sustainable designs that conserve and enhance the local identity and distinctiveness of Exmoor's built and historic environment.

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

The depot site has a small-scale industrial character. Whilst the proposed building would be slightly taller than the existing building, it would retain a single storey scale and it would be built over largely the same footprint, with timber clad elevations and a metal mono-pitch roof. It would therefore be of a similar scale and appearance of the existing building. In this context, the proposal would have a negligible impact on the character and appearance of the locality.

The application site lies within the 1km Critical Buffer Zone for the Exmoor National Park Dark Sky Reserve and just outside the 1km Critical Buffer Zone. Policy CE-S2 of the Local Plan refers to Exmoor's dark night sky and advises that, amongst other things, the tranquillity and dark sky experience of Exmoor National Park Dark Sky Reserve and the National Park as a whole, will be maintained and improved.

Whilst there is an external light on the existing building, in accordance with the Future Landscapes Officer's advice, a condition of planning permission should be to ensure that all new external lighting is approved by the Local Planning Authority prior to installation.

For the above reasons, Officers conclude that the proposed development would have an acceptable effect on the character and appearance of the locality. In this regard, the proposal would comply with Policies GP1, CE-S1, CE-S2, CE-D1 and CE-S6 of the Exmoor National Park Local Plan. Together these policies, amongst other things, seek high quality in terms of design that respects and complements local character and the character and appearance of the National Park landscapes, including tranquillity and dark sky experience of Exmoor National Park as a whole.

LIVING CONDITIONS

Policy CE-S6 requires that development should not detrimentally affect the amenities of surrounding properties and occupiers.

There are residential neighbours at 1 and 2 Auction Field, comprising semi-detached dwellings. The proposed building would retain the use of the existing building. It would be at an angle to these neighbours and occupy a lower lying ground level. The building would be contained within the depot site and, having regard to its nature and scale, the proposed development would be unlikely to cause a further material impact on the living conditions of the residential neighbours.

Therefore, there would be no conflict with Policy CE-S6 of the Local Plan where it requires that development should not detrimentally affect the amenities of surrounding properties and occupiers.

ECOLOGY

Policy CE-S3 of the Local Plan requires that the conservation and enhancement of wildlife and habitats are given great weight, amongst other things.

A Preliminary Ecological Assessment Report (Greena Ecological Consultancy 28 October 2025) has been submitted in support of the application. The Report found the existing building to have very limited bat roost potential. However, as a precaution, it was advised that the existing building should be demolished between November and February. Moreover, an old bird nest was discovered in the building and, as such, it was recommended that no demolition of the building should take place during the bird nesting season, i.e. between March and August inclusive. In other words, the existing building should not be demolished other than within the months of November and February to avoid risk to potential nesting birds or to bats who may use the building.

The Report advised no other European or UK protected species was present or likely to be due to the site area only being the building.

Therefore, having regard to the recommendations and advice of a suitably qualified professional, the proposed development, subject to a condition to determine when the existing building could be demolished, would not adversely impact on ecology. As such, there would be no conflict with Policy CE-S3 of the Local Plan which, amongst other things, would not support development that would lead to harm to legally protected species or lead to the loss of or damage to their habitats.

OTHER MATTERS

Policy SE-S2 of the Local Plan supports proposals for business development or extensions to existing businesses in named settlements. This would include the settlement of Exford.

The proposal would not result in the loss of vehicle parking at the site and would be unlikely to result in a material increase in the flow or character of the traffic attracted to the site. Consequently, there would be no harm to highway safety.

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

In having regard to the above, the impacts of the proposed development are considered to be acceptable and the proposal is judged, on balance, to comply with the relevant development plan policies. The recommendation is therefore one of Approval.

Recommendation

Approve subject to the following conditions

1) The development hereby approved shall be begun before the expiration of 3 years from the date of this decision.

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 be carried out in accordance with the following schedule of plans, unless otherwise required by condition below,

- Drawing No. 01 (Site Location Plan)
- Drawing No. 05 (Proposed Site Plan)
- Drawing No. 12 (Proposed Plans & Elevations)

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

3) No demolition, hereby approved, shall take place between March and October (inclusive) in any calendar year.

Reason: In accordance with Policy CE-S3 of the Local Plan, to ensure there are no bats present within the existing building, and to accord with the advice of the Preliminary Ecological Assessment Report submitted with the application.

4) External lighting shall not be installed on the building hereby approved unless a 'lighting design strategy for bats' has been submitted to and approved in writing by the Local Planning Authority. The strategy shall: a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or

around their resting places, foraging habitat and commuting routes; and b) show how and where external lighting will be installed (for example through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their resting places, and its potential impact on the character of the dark night sky; and c) include specification of luminaries and means of operation. The external lighting shall thereafter be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

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.

5) Prior to the first use of the building hereby approved, a minimum of 1 Schwegler 1FF and Schwegler 1FTH bat boxes (or similar) shall be installed in a position facing between south-west and south-east away from artificial light on the building or a nearby tree in a position as high as possible. Additionally, a minimum of 1 woodcrete nest boxes (or similar) shall be installed in a position facing between north and east at least 2metres off the ground, on the building and/or on nearby trees.

Reason: In accordance with Policy CE-S3 of the Local Plan, allowing the development to contribute to and enhance the natural local environment.

Informatives

BIODIVERSITY NET GAIN (BNG)

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

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

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

BNG is not required for planning permissions granted retrospectively under section 73A of the Town and Country Planning Act 1990. This means that developments that have already been completed or are in the process of being modified do not need to meet BNG requirements at this time.

Regulation 4 – De minimis exemption.

CONDITIONS AND INFORMATIVES

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

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

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.

SUMMARY OF REASON FOR GRANTING PLANNING PERMISSION

The Local Planning Authority, having regard to all planning considerations material to the determination of this application, including effect on the highway safety, flood risk, archaeology and on the character and appearance of the designated landscape and

wildlife, and all consultations and representations made in connection with the application, conclude that the proposal accords with the provisions of the development plan as applicable to it, including the policies and proposals noted below, and there are no grounds which justify its refusal.

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
6/9/25/011	Mr & Mrs Smith - Proposed 2 storey rear extension. (Householder) - 1 LAMB BACK, HIGH STREET, DULVERTON, TA22 9HB	17-Nov-2025 Approved with Conditions
6/10/25/018	Mr & Mrs D Stone - Proposed demolition of existing garage/store and erection of new enlarged garage and store. (Householder) - 2, HANGERS WAY, DUNSTER, MINEHEAD, TA24 6RT	19-Nov-2025 Approved with Conditions
6/34/25/004	Mr R Jeffrey - Proposed change of use from existing Methodist Chapel to Community Hall, together with, the creation of balcony, chimney, disabled access and ramp, installation of rooflights and associated works without complying with conditions 10 (Ecology Licence) and 13 (Heritage) of approved application 6/34/22/111 (Alteration/Lift Condition) - Providence Methodist Chapel, Church Street, Timberscombe, TA24 7TR	21-Nov-2025 Approved with Conditions
62/43/25/001	Mr N Swift - Proposed demolition of rear extension and erection of rear porch together with installation of 2no velux windows on east elevation, alterations to windows on west elevation and minor landscaping works. (Householder) - IVY COTTAGE, MARTINHOE, PARRACOMBE, BARNSTAPLE, EX31 4QT	21-Nov-2025 Approved with Conditions
62/50/25/010DC	Ms T Smith - Discharge of conditions 4 (Habitat Monitoring Plan) 11 (Hardstanding) & Statutory BGP of approved application 62/50/25/003 (Discharge of Condition) - MIDDLE BODLEY FARM, PARRACOMBE, BARNSTAPLE, EX31 4PR	26-Nov-2025 Approved
6/34/25/005	Magna Housing - Proposed installation of external insulation panels with a smooth rendered finish as well as the installation of solar panels to the respective roof slopes identified in the proposed plans to the dwellings at 1-4 Orchard Bungalows and 1-27 Orchard Way. Also removal of several stacks. (Full) - 1-4 ORCHARD BUNGALOWS (TA24 7TF) AND 1-27 ORCHARD WAY (TA24 7UL), Timberscombe, Minehead	26-Nov-2025 Approved with Conditions
6/15/25/004	Mr & Mrs R & C Norman - Proposed construction of outbuilding (Householder) - MARSHWOOD, EXTON, DULVERTON, TA22 9LD	27-Nov-2025 Approved with Conditions

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
WTCA 25/21	Mr & Mrs M Martin - Works to trees in a conservation area: Felling of 6no. conifers to ground level due to root plate movement. (WTCA) - Woodcote, 2 Jury Road, Dulverton, Somerset, TA22 9DU	03-Dec-2025 Approved
62/11/25/010LB	St Austell Brewery - Listed building consent for the proposed installation of a replacement septic tank. Retrospective. (Listed Building Consent) - THE BLUE BALL INN, COUNTISBURY, LYNTON, EX35 6NE	03-Dec-2025 Approved with Conditions
62/11/25/009	St Austell Brewery - Proposed installation of a replacement septic tank. Retrospective. (Full) - THE BLUE BALL INN, COUNTISBURY, LYNTON, EX35 6NE	03-Dec-2025 Approved with Conditions
62/43/25/010DC	Mr C Wiggill - Proposed Discharge of Condition 4 (Pollinator Patch Plan) of approved application 62/43/25/005 (Discharge of Condition) - WOODWINDS, WOODY BAY, PARRACOMBE, BARNSTAPLE, EX31 4QX	04-Dec-2025 Approved
6/3/25/010DC	Mr O Matthews & Mr E Matthews - Discharge of condition 6 (HMMP) & Statutory BGP Condition of approved application 6/3/24/009 (Discharge of Condition) - Higher Ford Farm, Withiel Florey, Minehead, Somerset	05-Dec-2025 Approved
62/41/25/011LB	Mr. P Parks, Hosken Parks Ltd - Listed building consent for the proposed installation of 12 no. external emergency lighting. (Listed Building Consent) - Convent of The Sisters of Mary Morning Star, Lee Road, Lynton, Devon, EX35 6BS	05-Dec-2025 Approved with Conditions
6/10/25/017LB	Mr J Denovan-Smith - Listed building consent for the proposed 3no replacement windows & 1no replacement French doors (Listed Building Consent) - 26, PARK STREET, DUNSTER, MINEHEAD, TA24 6SR	09-Dec-2025 Approved with Conditions
6/10/25/015	Mr J Denovan-Smith - Proposed 3no replacement windows & 1no replacement French doors (Householder) - 26, PARK STREET, DUNSTER, MINEHEAD, TA24 6SR	09-Dec-2025 Approved with Conditions

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
6/8/25/007	Shearwell Data LTD - Proposed installation of roof mounted solar photo voltaic system. (Full) - Shearwell Data Ltd, Putham Farm, Wheddon Cross, Minehead, TA22 7AS	10-Dec-2025 Approved with Conditions
6/27/25/011	Mrs H Caddick - Proposed installation of 17 solar PV panels. (Householder) - The Harbour Lights, Porlock Weir Road, Porlock, Minehead, Somerset, TA24 8PD	10-Dec-2025 Withdrawn
62/50/25/009LB	Mr S Upstone - Listed building consent for the proposed replacement or reinstatement of external doors and windows to existing barn with new painted timber units. (Listed Building Consent) - Barn at Walner Farm, Parracombe, Barnstaple, Devon, EX31 4PG	12-Dec-2025 Approved with Conditions
62/50/25/008	Mr S Upstone - Proposed replacement or reinstatement of external doors and windows to existing barn with new painted timber units. (Full) - Barn at Walner Farm, Parracombe, Barnstaple, Devon, EX31 4PG	12-Dec-2025 Approved with Conditions
6/29/25/009DC	Mr. D Jenkins, Kitnors Tea Garden - Discharge of condition 2 (roof finishing of summerhouse/servery) of approved application 6/29/25/004. (Discharge of Condition) - KITNORS, BOSSINGTON, MINEHEAD, TA24 8HQ	15-Dec-2025 Approved