



**EXMOOR**  
**NATIONAL PARK**

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21 May 2024

**EXMOOR NATIONAL PARK AUTHORITY  
PLANNING COMMITTEE**

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

A meeting of the Planning Committee will be held in the **Committee Room, Exmoor House, Dulverton** on **Tuesday, 4 June 2024 at 1. 30pm.**

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

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

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

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

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

Sarah Bryan  
Chief Executive

## AGENDA

### 1. Apologies for Absence

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

Members are asked to declare:-

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

### 3. Minutes

- (1) To approve as a correct record the Minutes of the meeting of the Planning Committee held on 7 May 2024 (Item 3)
- (3) To consider any Matters Arising from those Minutes.

### 4. Public Speaking:

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

### 5. Development Management:

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

Agenda Item	Application No.	Description	Page Nos.
5.1	6/43/24/001	Proposed change of use of barn known as North Barn (ancillary use) to holiday accommodation – Retrospective – Middle Burrow, Burrow, Timberscombe, Minehead TA24 7UD	1-13

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

To note the applications determined by the Chief Executive under delegated powers (Item 6).

### 7. Site Visits:

To arrange any site visits agreed by the Committee (the reserve date being Friday, 28 June 2024 (am)).

### 8. Any Other Business of Urgency

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

## ITEM 3

### EXMOOR NATIONAL PARK AUTHORITY PLANNING COMMITTEE

**MINUTES** of the Meeting of the Planning Committee of Exmoor National Park Authority held on Tuesday, 7 May 2024 at 1.30pm in the Committee Room, Exmoor House, Dulverton.

#### PRESENT

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

Mr A Bray	Mrs F Nicholson
Mr D Elson	Mr J Patrinos
Mr B Geen	Mrs E Stacey
Mr J Holtom	Mrs F Smith
Mrs C Lawrence	Mr J Yabsley

There were no apologies for absence.

**14. DECLARATIONS OF INTEREST/LOBBYING OF MEMBERS/  
UNACCOMPANIED SITE VISITS:** There were no declarations.

**15. MINUTES:**

- i. **Confirmation:** The **Minutes** of the Committee's meeting held on 9 April 2024 were agreed and signed as a correct record.
- ii. **Matters arising:** There were no matters arising.

**16. PUBLIC SPEAKING:** There were no public speakers.

**17. APPEALS**

The Committee noted the **decision** of the Secretary of State for Levelling Up, Housing and Communities to dismiss the following appeal:

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

#### DEVELOPMENT MANAGEMENT

**18. Application No: 6/8/23/004**  
**Location: Chidgey Cottage, Cutcombe, Minehead TA24 7AP**  
**Proposal: Single storey extension**

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

Members agreed that the proposal would result in over development of the site and that the proposed access arrangements directly on to the public highway were of concern. While the application as submitted was found to be contrary to planning

7 May 2024

policy, Members considered that an alternative design solution may offer the possibility of achieving an acceptable extension to the dwelling.

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

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

The meeting closed at 2.00pm

(Chairperson)



**Committee Report**

Application Number:	6/43/24/001
Registration Date:	19-Jan-2024
Target Determination Date:	13-Mar-2024
Extension of Time:	05-Jun-2024
Applicant	Mr A Giblett
Agent:	Mr. J Goldring, Inspired Partnership Ltd
Case Officer:	Joe White
Site Address:	MIDDLE BURROW, BURROW, TIMBERSCOMBE, MINEHEAD, TA24 7UD
Proposal:	Proposed change of use of the barn known as North Barn (ancillary use) to holiday accommodation. Retrospective.
Recommendation:	Refuse planning permission
Reason for bringing before Authority Committee:	Timberscombe Parish Council (an adjoining parish) supports the proposal, which is contrary to the Officer recommendation.

**Relevant History**

6/43/02/113 Change of use of barn from residential to holiday let and/or residential annex u Approved 12/23/2002  
 6/43/74/001 Proposed conversion of barns to guest suite, games room and studios at Middle Ba Approved 06/07/1974  
 6/43/86/104 Proposed conversion of barn to guest/staff accommodation at Middle Burrow, Timbe Approved 06/03/1986  
 6/43/87/109 Proposed conversion of barns / guest accommodation to eight holiday units at Mid Approved 03/18/1988  
 75405 Proposed demolition, extension and improvements to existing dwelling at Middle B Permitted Development 07/20/1970

**Site Description & Proposal**

Middle Burrow comprises a group of traditional stone buildings that lie adjacent to Burrow Lane within the hamlet of Burrow, which is located to the south of Wootton Courtenay.

The dwellinghouse lies closest to the road, with outbuildings arranged around a courtyard. A barn to the southern end of the yard, known as Upper Barn, is a

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converted building with the benefit of planning permission granted in 2002 (ref 6/43/02/113), which is subject of an occupancy condition stating:

*“The development hereby permitted shall not be occupied at any-time other than for the purposes ancillary to the residential use of the dwelling on the application site and for the avoidance of doubt shall not at any time be occupied or sold as a permanent separate dwelling. If used for holiday purposes the property shall not be occupied by any one person for a period exceeding 28 days in any calendar year. The owner shall maintain a register of occupants for each year and this shall be made available on request for inspection by a duly authorised officer of the Local Planning Authority.”*

A building known as the North Barn lies on the opposite side of the yard from the dwelling house. North Barn has been converted to include ancillary accommodation to the main house, including letting rooms as part of bed and breakfast accommodation within the main dwelling.

The planning application has been submitted retrospectively. It relates to the use of the barn that adjoins the southwest end of North Barn as a self-catering unit of holiday accommodation. The barn is referred to as Unit 6. The accommodation incorporates a double bedroom that was previously used as letting accommodation with the bed and breakfast accommodation.

In terms of some planning history of the site, planning permission was granted on 7 June 1974 for the conversion of barns (including Upper Barn and North Barn) to guest suite, games room and studios. This planning permission also involved the use of Unit 6 as studios.

Whilst a subsequent planning permission reference 6/43/87/109 was granted on 18 March 1988 for the conversion of barns/guest accommodation to eight holiday units, that planning permission was never implemented. Consequently, the permission granted in 1988 has lapsed.

No physical external alterations are proposed to Unit 6 as part of the application proposals.

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## **Consultee Representations**

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**Historic Environment Officer** – No objection, no archaeological impact.

**Highway Authority** – (24 January 2024) Standing advice

(5 March 2024) – This application was previously referred to Standing Advice, however, formal comments have since been sought by the LPA.

This application is seeking planning permission for the change of use of an existing residential outbuilding to a single unit of self-contained holiday accommodation.

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From the available information it would appear that the wider property currently comprises the main house, a collection of outbuildings including North Barn which is subject to this application, and an adjoining barn in use as a 3-bedroom self-contained holiday let / B&B.

It is acknowledged that there is a large gravelled parking area serving Middle Burrow, however with the increasing usage of the site and potential for subdivision it is recommended that a parking plan is provided detailing the allocated parking to serve each unit (including the main house) along with associated turning space. The level of parking should accord with the requirements of SC's Parking Strategy and the new holiday let should be served by EV charging facilities.

The proposal seeks to utilise the existing access which is substandard in nature, particularly in respect of the level of visibility for vehicles emerging from the site. The application does not propose to make any improvements to the existing access arrangements.

It is acknowledged that the proposed one-bedroom holiday let will give rise to an incremental increase in the use of the access, however, the associated traffic volume is likely to be proportionally modest compared to that already associated with the substantial main dwelling and separate three-bedroom holiday let/B&B. There are no recorded Personal Injury Accidents (PIA's) in the vicinity of the site access that might suggest that the access has an inherent safety problem. As such this modest intensification in usage of the access is not considered to pose a significant highway safety hazard.

The nature of the access roads leading to the site from the directions of the A396 and Wootton Courtenay are that of narrow, poorly aligned rural roads with restricted forward visibility and limited passing opportunities, and as such are not considered suitable to accommodate any significant increase in traffic to that existing.

A third-party letter from Landmark Chambers has been brought to the Highway Authority's attention raising concerns about the safety of the approach roads and citing a number of accidents that they state have occurred on these approach roads. Our own review however does not show any recorded PIA's within the last five years on the approach roads either from the direction of Wootton Courtenay or from the direction of the A396.

Setting aside the recorded accident data however, the modest scale of the proposed development and modest associated traffic movements are such that the resulting impact of the proposed development on the local highway network both from a highway safety and operational perspective will be very limited.

The National Planning Policy Framework sets a high bar for objecting to a development proposal for highway related reasons with paragraph 115 stating that "development should only be prevented or refused on highway grounds if there would

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be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

Bearing in mind the above comments, the Highway Authority is of the view that the proposed development will not give rise to any unacceptable highway safety impact, or that the residual cumulative impacts on the local highway network would be severe. As such the Highway Authority raises no objection and recommends the following conditions:

- Within two months of the date of this permission, plans showing the parking and turning area catering for all vehicles reasonably associated with the development hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. Such parking and turning shall be provided, marked out and consolidated within six months of this permission and thereafter kept clear of obstruction at all times and not used other than for the parking and turning of vehicles in connection with the development hereby permitted.
- Within six months of the date of this permission an electric vehicle charging point shall have been installed and be available for use by the occupiers of the development hereby permitted, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall thereafter be maintained, kept free from obstruction and available for the purpose specified.

**Public Rights of Way Officer** – Two public footpaths join Burrow Lane, one north of the application site and one to the east of the application site... ..The application appears to have no impact on the public rights of way network. The proposed use of the unit could lead to a very slight increase in vehicular traffic along Burrow Lane. Burrow Lane is a quiet, narrow country lane with few passing places which has several public rights of way leading from it. This is very typical of other lanes on Exmoor and does not represent anything unusual. I am not aware of the accident record of this land but suggest that the best people to contact to verify this would be Somerset Council as Highway Authority. I note that they have already responded to this consultation with standing advice only.

**Timberscombe Parish Council** – Support

**Wootton Courtenay Parish Council** – No objection

The Parish Council is aware of the action taken by a neighbour and the letter submitted to ENPA by Landmark Chambers on his behalf. This letter states that if this application is granted the neighbour will bring a judicial review challenge. The Parish Council would like to make it clear that it has no say or input with regard to the information or views set out in the letter and make no comments regarding any breaches of planning or historical use of the building. It has only considered the application for the conversion of the unit to self-catering accommodation. The Parish Council do not raise objection to the self-catering use of this building. This is subject to the proviso that the following two conditions are met. 1. No precedent to allow



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further holiday units or describing it as a holiday complex as this could have a severe impact on neighbouring properties. 2. The hedgerow to one side of the highway access to the property is not removed to increase visibility as this would have a major impact on the character of the hamlet.

**Historic Buildings Officer – No objection**

It is my understanding that this group of traditional farm buildings were converted in the 1970s and 1980s. I have no concerns regarding the change of use.

No other comments from consultees received

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**Representations**

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4 letters of OBJECTION have been received (including 3 letters from the same property). The comments made include that:

- The property has already been over developed.
- Concerned a large section of hedge and excavation of the back to improve visibility would be required.
- Concerned regarding highway safety, particularly as there have been incidents with collisions on the road.
- A judicial review challenge will be brought if planning permission is granted.
- The application is misleading and inaccurate.
- The principle of development would be in conflict with Policy RT-D4 of the Local Plan.
- There would be harm to residential amenity.
- Concern regarding precedent.

3 letters have also been received providing accounts of accidents involving vehicles (and one involving a horse) along Burrow Lane.

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**Policy Context**

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EXMOOR NATIONAL PARK LOCAL PLAN  
GP1 Achieving National Park Purposes and Sustainable Development  
GP3 Spatial Strategy  
GP4 The Efficient Use of Land and Buildings  
CE-S1 Landscape and Seascape Character  
CE-D1 Protecting Exmoor's Landscapes and Seascapes  
CE-S2 Protecting Exmoor's Dark Night Sky  
CE-S3 Biodiversity and Green Infrastructure  
CE-D2 Green Infrastructure Provision  
CE-S4 Cultural Heritage and Historic Environment  
CE-S5 Principles for the Conversion or Structural Alteration of Existing Buildings  
CE-S6 Design & Sustainable Construction Principles

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CC-D5 Sewerage Capacity and Sewage Disposal  
HC-D7 Conversions to Dwellings in the Open Countryside  
SE-S1 A Sustainable Exmoor Economy  
SE-S3 Business Development in the Open Countryside  
RT-S1 Recreation and Tourism  
RT-D4 Non-serviced Accommodation  
RT-D12 Access Land and Rights of Way  
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 is a material planning consideration.

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### **Planning Considerations**

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The main planning considerations in this case are considered to be:

- whether the proposed development would comply with the Local Plan, in particular Policy RT-D4 which is specifically related to non-serviced accommodation;
- the effect of the proposed development on highway safety; and,
- the effect of the proposed development on the living conditions of residential neighbours, with particular regard to noise.

#### **LOCAL PLAN POLICY**

The application site is a traditional building within a group of historic buildings. The building is located to the west of the substantial house in large grounds with a private courtyard, which provides vehicle parking. The building is single storey and is accessible by narrow country lanes. Whilst the building lies within the hamlet of Burrow, it lies well outside of the settlements of Wootton Courtenay and Timberscombe, and as such is within the open countryside for the purposes of Policy GP3 of the Local Plan.

Whilst Policy HC-D7 of the Local Plan refers to the conversion of buildings to dwellings in the open countryside, it refers to local need accommodation, extended family accommodation and rural worker or succession farm dwellings. None of the circumstances apply to this proposal.

Policy RT-D4 of the Local Plan refers to non-serviced accommodation and is, therefore, applicable to development schemes relating to self-catering holiday lets. Policy RT-D4 permits the change of use and conversion of buildings to self-catering lets. The Policy states, as well as other things:

- 1. Proposals for the change of use and conversion of buildings to non-serviced accommodation will be permitted where they:*
  - a) create additional unit(s) on an existing self-catering complex;*
  - b) accord with RT-D3 Safeguarding Serviced Accommodation clause 3a);*

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*c) reuse a redundant building associated with a hotel/guesthouse premises; or  
d) relate to the diversification of a rural land-based business, where the building is well-related to an existing grouping of buildings.*

In this case, whilst there are bed and breakfast rooms, the dwellinghouse is not a hotel or guesthouse premises. Rather it is a dwelling house with some ancillary letting rooms. Consequently, the development scheme would not fall to be considered under points 1.b) or 1.c) outlined above.

In terms of point 1.a), paragraph 8.38 of the Local Plan explains that a self-catering complex is a property where there is more than one holiday let unit with a holiday occupancy condition. In this instance, the accommodation, which is not subject of this application, within the North Barn is described as ancillary accommodation to the main house. As such, whilst it is let out for holiday accommodation, it functions as part of the dwelling house and is not 'conditioned' as holiday accommodation. Even though the Upper Barn can function as a unit of self-contained holiday accommodation with an occupancy condition, there is no more than one unit. Consequently, the proposal would not create an additional unit on an existing self-catering complex for the purposes of Local Plan Policy RT-D4.

The applicant's agent agrees that the proposal would not accord with 1.a), 1.b) or 1.c) of Local Plan Policy RT-D4.

Turning to point 1.d) of Policy RT-D4, the Local Plan under its glossary says that rural land-based businesses are businesses that manage the land in a way that conserves the National Park's special qualities. These can be defined as farming enterprises based on primary food production, rural estates, forestry, mixed enterprises (e.g. with equestrian activities and/or game shooting) and other businesses that manage the land for conservation and/or recreation, which have benefits for health and well-being. Rural land-based businesses must also have a need to be located in the open countryside due to the nature of their operations.

In considering this further, the preamble to Policy SE-S3 is important as this Policy refers to business development in the open countryside, which includes farm diversification. Paragraph 7.28 of the Local Plan says that *"for diversification proposals e.g. for conversions to holiday lets (RT-D4 Non-serviced Accommodation)... ..a rural land-based business should provide at least full time employment for at least one member of staff. A small holding that is a hobby farm as a lifestyle choice, which does not directly provide employment for one full-time equivalent person is unlikely to be considered for such diversification opportunities"*.

Even though sheep associated with Well Farm have grazed at Middle Burrow, there is no substantive evidence within the application submission to show that the proposal would relate to the diversification of a rural land-based business. The agent advises that although "Middle Burrow does not neatly fit the definition of a 'working farm', ...it

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is sustained as a business that manages the land for conservation and/or recreation, with a very clear use of land and the premises in support of tourism opportunities”.

Paragraph 7.29 of the Local Plan advises that where there may be difficulties in determining a proposal for diversification of a ‘rural land-based business’ the applicant will need to demonstrate that the land-based business is a viable concern that generates sufficient income to diversify, or provide a business plan to show how the land-based enterprise can continue to be viable through diversification proposals.

Whilst the applicants manage the land associated with Middle Burrow in a way that supports the tourism opportunities, the proposal is not related to a rural land-based business.

The proposed use of the application site as a self-catering unit of holiday accommodation would not comply with Local Plan Policy RT-D4. There is not a sufficient case to demonstrate that there is an existing rural land-based business and, therefore, it would not form a diversification of such a business. Officers have given careful consideration to the proposal and the information provided. However, it is not demonstrated that the proposal would relate to the diversification of a rural land-based business. There are other uses for the building that could be policy compliant and provide an income to help the applicant to conserve and enhance the premises, for example, a local needs affordable dwelling or another business use.

Accordingly, for the reasons outlined above, the proposed development would fail to meet the requirement of Policy RT-D4 of the Local Plan for non-serviced accommodation. In so conflicting with Local Plan Policy RT-D4.

#### HIGHWAY SAFETY

Access to the site is via Burrow Lane, which is a relatively narrow lane with restricted forward visibility. It does not have separate pedestrian pavements and has limited passing places.

The proposal would not alter the existing access arrangements to the property. The nature of the road is such that the majority of highway users would be likely to proceed with a degree of caution, given the restricted width and alignment.

Local Plan Policies AC-S3 and AC-D3 together require, amongst other things, that new development makes adequate provision for parking. For one or two bedroom units, in accordance with table 9.1 of the Local Plan, two car parking spaces should be provided.

The application site lies adjacent to a large gravel surfaced yard area. Even if the proposal would result in an increase in demand for vehicle parking, there would appear to be sufficient space to accommodate parking and turning within the site. Moreover, in the event planning permission is granted, a condition could be attached

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to require the submission of details showing parking and turning areas within the site, and for those to be kept clear of obstruction at all times.

In terms of the local access road, 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. Moreover, Policy RT-D4 2.c) requires that, amongst other things, the local road network has capacity to service the accommodation without adversely affecting road safety.

The Local Highway Authority has specifically commented on the proposal. It acknowledged that the existing site entrance is substandard in nature, particularly in respect of the level of visibility for vehicles emerging from the site. However, the associated traffic volume is likely to be relatively modest. As such, the Local Highway Authority does not consider that the proposal would pose a significant highway safety hazard due to the arrangement of the site entrance.

The Local Highway Authority notes that there are no recorded Personal Injury Accidents in the vicinity of the site. Nonetheless, some local concerns refer to a number of incidents along the local highway, including with incidents involving vehicles and one incident involving a car and a horse.

Two public rights of way join Burrow Lane near to the application site and the lane provides a link between bridleways. In accordance with Policy RT-D12 of the Local Plan the access network should be safeguarded to ensure that development proposals do not harm users' interests.

Paragraph 115 of the National Planning Policy Framework (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 Local Highway Authority has been made aware of these local accounts of incidents. However, it has advised that, the modest scale of the proposed development and modest associated traffic movements are such that the resulting impact of the proposed development on the local highway network would be very limited. Moreover, the Public Rights of Way & Access Officer having been consulted on the proposal raises no objection.

Having regard to the above, the access to the site is not considered to be unsafe. The development would not give rise to any unacceptable highway safety impact and the residual cumulative impacts of the development on the local highway network would not be severe. Accordingly, the proposal would not conflict with Local Plan Policies CE-S6 1.e), RT-D4 2.c), RT-D12, AC-S2 1.g), AC-D2, AC-S3 and AC-D3, where

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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

There are residential neighbours to the site. Policy CE-S6 requires that development should not detrimentally affect the amenities of surrounding properties and occupiers.

The properties have a mutual impact on residential amenity, which is common with many other dwellings where properties are arranged near to one another. Whilst there would be noise generated by vehicles associated with the proposed development and noise from holiday makers, the proposal is for a single unit of accommodation. As such, any increase in noise associated with the proposal would be modest. Moreover, the application site is set away from residential neighbours, with Burrow Lane between it and Burrow Farm. It lies within a complex of buildings, some of which are in residential use and close to an existing area of parking.

The proposed development 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. 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.

#### OTHER MATTERS

Local representations raise comments in respect of the accuracy of the application, particularly in respect of the Design and Access Statement and the asserted date the self-catering holiday use was started and completed. The application papers assert that the use started in 2016, whereas a neighbour considers it started in 2022.

Nevertheless, the details of the planning application, shown on the plans and in the information received allow a reasonable assessment of the development proposal.

The applicant has advised that no changes are proposed to the foul waste system, because the existing arrangements (utilising a septic tank) are suitable to sustain the use of the site. The proposal relates to a one-bedroom unit and there is no evidence to consider that the existing foul drainage system for the site is not adequate. The proposal would not therefore conflict with Local Plan Policy CC-D5 which, amongst other things, requires development that needs new or extended sewerage infrastructure to pose no unacceptable harm to public health, amenity or environmental quality.

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The proposed development would reuse an existing building. The applicant has advised that the proposal would have benefits, including that it would support tourism opportunities, support the viability of the existing activities taking place from Middle Burrow and contribute to the local economy. However, those benefits would be limited given the limited scale of the development proposed.

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## **Human Rights**

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

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## **Planning Balance & Conclusion**

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

Whilst the proposal would not harm highway safety or the living conditions of neighbouring occupiers, these are standard development control requirements and weigh neither for nor against the development.

The applicant has referred to the benefits of the proposal, including in supporting the existing holiday accommodation at the site and contributing to the local economy. However, the benefits are limited by the scale of the proposal and would not outweigh the conflict with the development plan. Moreover, it is considered that there are other uses that could be policy compliant and provide an income through a suitable reuse of the building, for example, a local needs affordable dwelling or another business use including serviced accommodation.

Accordingly, for the reasons outlined above, the proposed development would fail to meet the requirement of Policy RT-D4 of the Local Plan for non-serviced accommodation. In so conflicting with Local Plan Policy RT-D4. There are no material considerations of sufficient weight that outweigh this finding.

For this reason, it is recommended that planning permission be refused.

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## **Recommendation**

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That planning permission be REFUSED for the following reason:

1. The proposed use of the application building as a unit of self-catering holiday accommodation does not create an additional unit on an existing self-catering complex, nor does it relate to an existing guesthouse/hotel or reuse a redundant building associated with a hotel/guest house premises. Neither would it form a diversification proposal for a rural land-based business. The development proposed is not considered to comply in

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principle with Policy RT-D4 of the Exmoor National Park Local Plan 2011-2031.

Furthermore, this would undermine the aims of the housing policies of the Local Plan to provide affordable or extended family accommodation to meet the needs of local communities, as well as policies for business development which could provide local employment opportunities.

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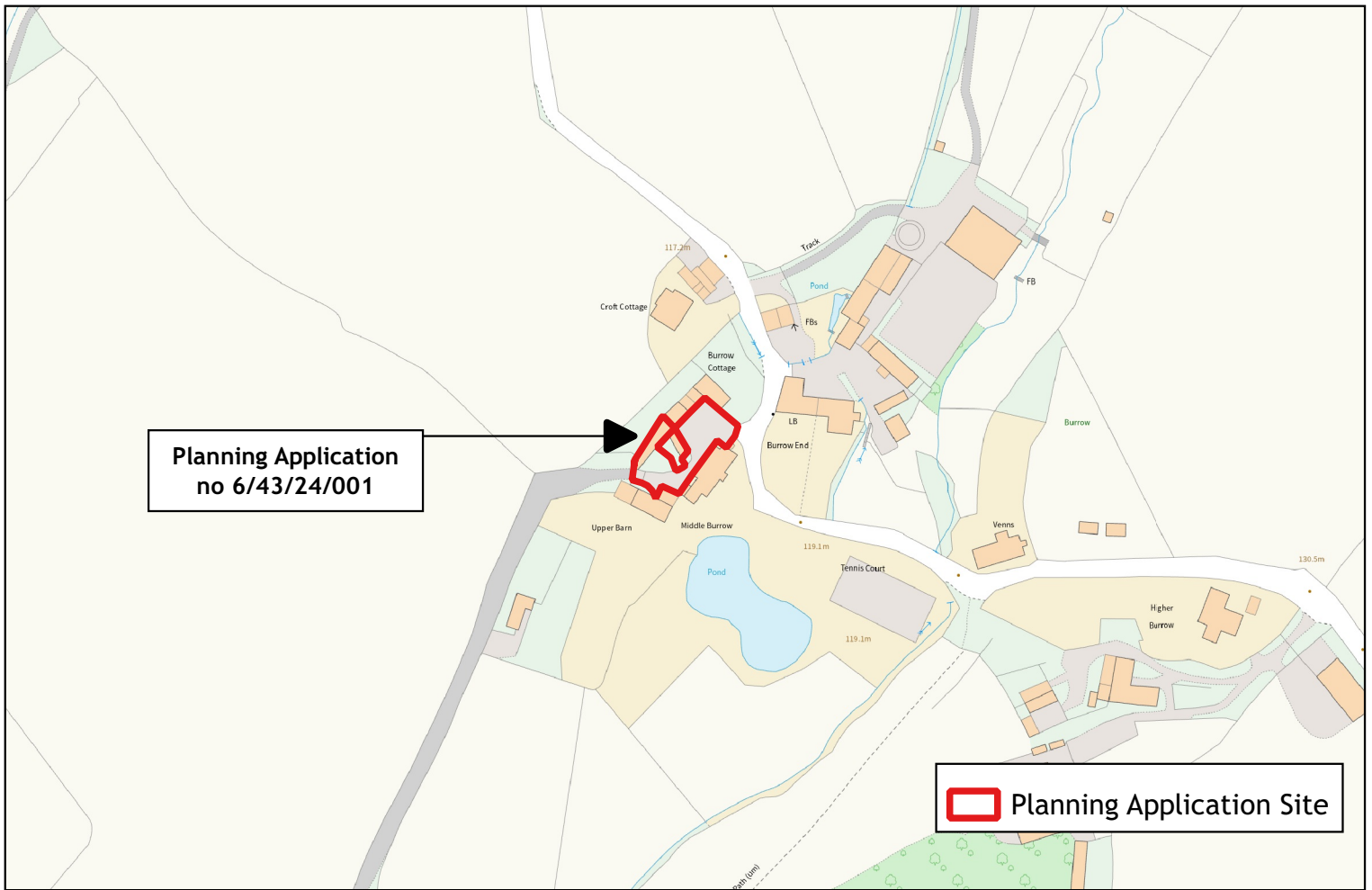
## **Informatives**

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### **POSITIVE & PROACTIVE STATEMENT**

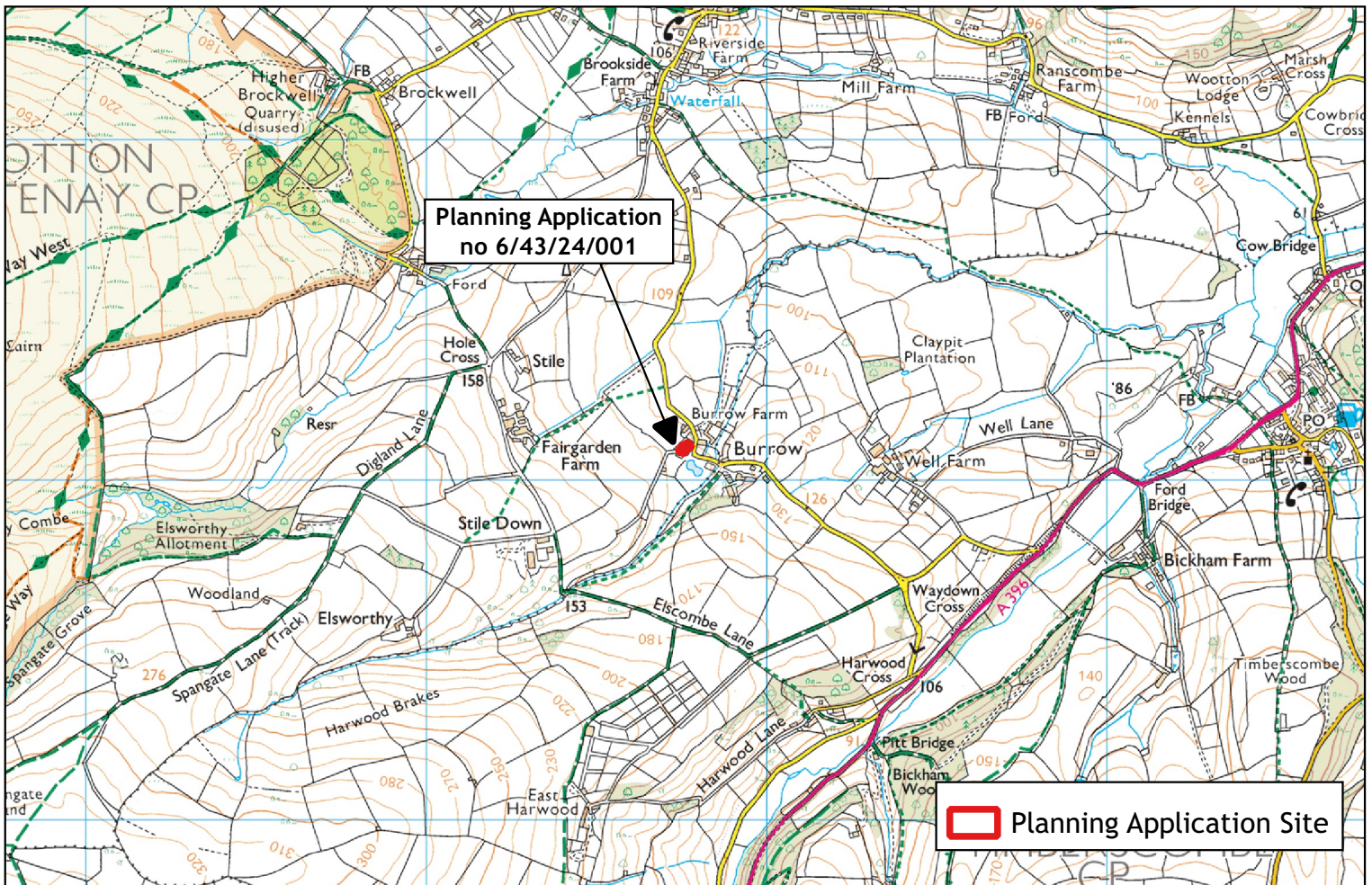
This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application, 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. However, in this case, the relevant planning considerations have not been addressed and the application has therefore been refused.





Site Map  
Scale 1:2,500

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Overview Map  
Scale 1:20,000

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### Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
GDO 24/07	Mrs S Weatherlake - Prior notification for proposed erection of a replacement agricultural storage building (18.28m x 7.59m) and small store (4.8x3.04). (GDO - Agricultural/Forestry ) - HIGHER COURT FARM, TREBOROUGH, WATCHET, TA23 0QW	24-Apr-2024 Prior Approval Not Reqd
GDO 24/05	CTIL, Cornerstone Telecommunications Infrastructure Limited - Prior notification for the installation of 1no. 20m monopole to host 6no. antennas, 1no. transmission dish to replace the existing 15m tower alongside ancillary works. Main equipment to be finished in colour RAL6009 (Fir Green). (GDO - Telecomms ) - Adjacent to the car park of the BT Exchange, Lydiate Lane, Lynton, Devon, EX35 6AH	24-Apr-2024 Prior Approval Refused
6/9/24/003	Mr P Govier - Proposed domestic garden outbuilding to be utilised for indoor swimming pool. (Full ) - DUXHAMS, 41, JURY ROAD, DULVERTON, TA22 9EJ	24-Apr-2024 Withdrawn
6/40/24/001	Mr M Broadwith - Proposed installation of solar panels on agricultural barn roof. (Full ) - Great Nurcott Farm, WINSFORD, MINEHEAD, TA24 7HR	24-Apr-2024 Approved with Conditions
6/9/24/002	Acorn Homes - Application to modify Section 106 Agreement under application 6/9/10/112 to amend the affordable housing tenure from 'affordable rent' to 'discounted market sales'. (Modify/Discharge S106 ) - 54a & 54b High Street, Dulverton, TA22 9DW	25-Apr-2024 Withdrawn
GDO 24/06	Cornerstone - Prior notification for the installation of a 25m high lattice tower supporting 3 no. antennas and 2 no. 0.6m dishes; 2 no. equipment cabinets, 1 no. meter cabinet, a generator and associated ancillary development enclosed by a 1.1 metre high stockproof fence, for the Shared Rural Network project on behalf of Cornerstone.  (GDO - Telecomms ) - Land at North Common Wood, South of A39, Oare, EX35 6NG	29-Apr-2024 Prior Approval Refused
GDO 24/08	Mrs. A May, A Mays Farm - Prior notification for the erection of agricultural storage building (18.6m x 9.43m). (GDO - Agricultural/Forestry ) - Silkenworthy Farm, Down Lane, Kentisbury, Barnstaple, EX31 4NW	30-Apr-2024 Prior Approval Not Reqd

**Application decisions delegated to the Chief Executive**

<b>Application Ref</b>	<b>Applicant &amp; Location</b>	<b>Decision and Date</b>
6/13/24/001DC	Mrs. A Lake, Cruso & Wilkin - Discharge of condition 3 (biodiversity enhancement photos) of application 6/13/23/005. (Discharge of Condition ) - MONKS CLEEVE, EXFORD, MINEHEAD, TA24 7NA	30-Apr-2024 Approved
6/20/24/001	Mr & Mrs Richard and Harriet Henson - Proposed change of use and conversion of barn to 1 bed holiday accommodation. (Full ) - Slowley Farm, Luxborough, Watchet, TA23 0SY	30-Apr-2024 Approved with Conditions
62/41/24/003	Mr. Leworthy, Shallowford Farm Partnership - Proposed extension of cattle building. (Full ) - Shallowford Farm, ILKERTON, BARBROOK, LYNTON, Devon, EX35 6PH	30-Apr-2024 Approved with Conditions
6/14/24/001	Ms Tegan Gowlland - Proposed construction of a private equestrian sand school (40m x 20m) (Full ) - THE OLD VICARAGE, SIMONSBATH, MINEHEAD, TA24 7SH	30-Apr-2024 Approved with Conditions
6/9/24/005	Mr J Pugsley - Lawful development certificate for the existing orangery. (CLEUD ) - MUSIC PARK FARM, HIGHERCOMBE, DULVERTON, TA22 9PS	03-May-2024 Approved
62/11/24/002DC	Ms S Fox - Proposed discharge of condition 4 (Glazing) of approved application 62/11/23/009 (Discharge of Condition ) - Desolate, COUNTISBURY, LYNTON, Devon, EX35 6NG	03-May-2024 Approved
6/43/23/016	Mr David Preston & Mrs Anna Bamford - Proposed erection of two storey extension and use of outbuilding as home office, workshop, domestic storage and garage. (Householder ) - RIDGEWOOD COTTAGE, WOOTTON COURTENAY, MINEHEAD, TA24 8RF	08-May-2024 Approved with Conditions
6/27/23/009	Mr. Richards, J R Richards & Son - Proposed removal of existing straw store and construction of new agricultural shed (279sqm) (Full ) - Yearnor Farm, Silcombe Lane, Porlock, Somerset, TA24 8JL	10-May-2024 Approved with Conditions