



EXMOOR

NATIONAL PARK

EXMOOR NATIONAL PARK AUTHORITY
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23 January 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, 4 February 2025 at 1. 30pm.**

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

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

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

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

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

Sarah Bryan
Chief Executive

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

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

AGENDA

1. 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 5 November 2024 (Item 3)
- (3) 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. Development Management:

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

Agenda Item	Application No.	Description	Page Nos.
6.1	62/43/24/005	Proposed erection of carriage protection shelter (3.1m x 50m) and retaining wall – Lynton & Barnstaple Railway Co Ltd, Woody Bay Station, Parracombe, Devon EX31 4RA	1-17
6.2	6/27/22/115	Proposed construction of a Local Needs Affordable dwelling – Land west of Sparkhayes Lane, Porlock, Somerset TA24 8NE	1-28
6.3	6/9/24/021LB	Listed Building consent for the proposed erection of timber beams and posts to provide support for first floor – Chypleighs, 3 Rosemary Lane, Dulverton TA22 9DP	1-5
6.4	6/9/24/020LB	Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for Listed Building consent for the removal of partition walls to enable re-organisation of rooms – Exmoor National Park Authority, Exmoor House, Dulverton TA22 9HL	1-6

7. Application Decisions Delegated to the Chief Executive:

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

8. **Schedule of Section 106 Agreements:** To note the Schedule of Section 106 Agreements being undertaken by Devon County Council on behalf of Exmoor National Park Authority (Item 8).
9. **Site Visits:** To arrange any site visits agreed by the Committee (the reserve date being Friday, 28 February 2025 (am)).

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

ITEM 3

EXMOOR NATIONAL PARK AUTHORITY PLANNING COMMITTEE

MINUTES of the Meeting of the Planning Committee of Exmoor National Park Authority held on Tuesday, 5 November 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	Mr J Patrinos
Mr D Elson	Mrs F Smith
Mr J Holtom	Miss E Stacey
Mrs C Lawrence	Mr J Yabsley
Mrs F Nicholson	

Apologies for absence were received from Mr B Geen.

**45. DECLARATIONS OF INTEREST/LOBBYING OF MEMBERS/
UNACCOMPANIED SITE VISITS:** There were no declarations of interest, lobbying or unaccompanied site visits.

46. MINUTES:

- i. **Confirmation:** The **Minutes** of the Committee's meeting held on 3 September 2024 were agreed and signed as a correct record.
- ii. **Matters arising:** There were no matters arising.

47. PUBLIC SPEAKING: There were no public speakers.

48. APPEAL DECISION: The Committee noted with interest the decision of the Secretary of State to allow the appeal at land adjacent to Bidgoods, Bury, Dulverton TA22 9ND for a proposed building for storage ancillary to the use of land for horticulture.

DEVELOPMENT MANAGEMENT

49. Application No: WTPO 24/01

Location: Exmoor National Park Car Park, Blackmoor Gate, Devon

Proposal: Proposed works to trees subject to a Tree Preservation Order – 4 no. Beech trees (T0019-T0022) crown reduction works to all 4 trees of up to 3m in height and 3m in spread.

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

The Committee's Consideration

Members sought and received confirmation that the proposed works to the trees would take place outside of the bird nesting season.

RESOLVED: To approve the application as proposed.
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- 50. Application No: 6/9/24/017DC**
Location: Exmoor National Park Authority, Exmoor House, Dulverton TA22 9HL
Proposal: Discharge of Condition 3 (materials) of approved application 6/9/24/006LB.

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

The Committee's Consideration

It was the view of one Member that the proposed signage was not suitable for Exmoor House, a Grade II Listed Building.

Other Members supported the proposal and noted the opportunity to include a QR code on the proposed wall sign. Members also recommended that the colour of the main entrance door to Exmoor House and the proposed signage be matched as closely as possible.

RESOLVED: To discharge condition 3 of approved application 6/9/24/006LB.

- 51. APPLICATION DECISIONS DELEGATED TO THE CHIEF EXECUTIVE:** The Committee noted the **decisions of the Chief Executive determined under delegated powers.**
- 52. SCHEDULE OF SECTION 106 AGREEMENTS:** The Committee noted the Schedule of Section 106 Agreements being undertaken by Devon County Council on behalf of Exmoor National Park Authority.
- 53. SITE VISITS:** There were no Site Visits to arrange.
- 54. ANY OTHER BUSINESS OF URGENCY:** There was none.

The meeting closed at 2.20pm

(Chairperson)

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Committee Report

Application Number:	62/43/24/005
Registration Date:	27-Aug-2024
Target Determination Date:	17-Oct-2024
Extension of Time:	7 th February 2025
Applicant	Mr. P Miles, Lynton & Barnstaple Railway Co Ltd
Agent:	Mr. R Auger
Case Officer:	Yvonne Dale
Site Address:	Lynton & Barnstaple Railway Co Ltd, Woody Bay Station, Parracombe, Devon, EX31 4RA
Proposal:	Proposed erection of carriage protection shelter (3.1m x 50m) and retaining wall.
Recommendation:	Approve subject to conditions
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 Martinhoe Parish Meeting and Parracombe Parish Council who object to the application.

Relevant History

62/43/95/004 – Woody Bay Station, Martinhoe - Change of Use to Railway Station, Locomotive Shed; Associated Works and Reinstatement of 3/4 miles of Railway Track.

Approved 05/03/1996

62/43/02/002 Removal of Condition 3 of planning permission 62/43/95/004 to permit access by public prior to track relaying.

Withdrawn 28/05/2002

62/43/03/003 – 1). Erection of rolling stock shed with adjoining water tank and water crane. 2). Reconstruction of original goods sheds for use as toilets, equipment store and staff rest room as an alternative to that permitted under Application 62/43/95/004. Related external landscaping changes. 3). Construction of underground sewage treatment plant, as amended drawings dated 12/06/03 – Approved 07 July 2003

62/43/10/002 – Proposed installation of miniature railway together with covered rolling stock storage shed for railway equipment (part retrospective). As per additional information 10.08.10.

Approved 05 October 2010

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62/43/11/003 Proposed erection of temporary covered seating for use in cafeteria.
Approved 03/14/2012

62/43/13/001 Proposed variation of condition 3 (The locomotive shed and water tank hereby permitted shall be for a limited period only expiring on 1 June 2013 or before which date the building and water tank hereby permitted shall be removed and the site reinstated to its former condition unless a further planning permission is granted before the expiration of such period) of approved application 62/43/03/003 to permit retention on site of the rolling stock shed and water tank until 1 June 2023. –
Approved 29 April 2013

62/43/13/002 Proposed variation of condition 2 (The miniature railway and associated covered rolling stock storage shed hereby permitted shall be sited on site for a limited period only. Before 1 June 2013 the miniature railway and associated covered rolling stock storage shed shall be removed and the site reinstated to its former condition unless a further planning permission is granted) to approved application 62/43/10/002 to permit retention on site of the miniature railway and covered rolling stock storage shed until 1 June 2023.
Approved 29 April 2013

62/43/14/006 Proposed variation of condition 5 of approved application 62/43/11/003 (Proposed
Approved 01/21/2015

62/43/23/002 – Proposed continued use of Rolling Stock Shed, Water Tank and Miniature Railway Facilities. As approved under applications 62/43/03/003, 62/43/10/002, 62/43/13/001 and 62/43/13/002.
Approved 18 September 2023

62/43/23/009 - Proposed variation of condition 2 of approved application 62/43/23/002 to extend the hours of operation (0700 – 1900hrs).
Approved 14/01/2024

Site Description & Proposal

The application site concerns Woody Bay Station. The site fronts onto the A39 close to Martinhoe Cross. The site lies in open countryside with a small number of dwellings and a hotel in the vicinity. The Station site lies within the Parish of Martinhoe with the boundary of the Parishes of Parracombe and Lynton and Lynmouth nearby.

Planning permission was granted in March 1996 for the change of use of dwelling to a railway station with associated shop, café/museum uses, erection of locomotive shed and reinstatement of $\frac{3}{4}$ mile of railway track. The planning permission was granted subject to conditions under reference 62/43/95/004.

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The planning history shows that the site has developed since the initial application in 1995.

Planning permission is sought for the erection of carriage protection shelter (3.1m x 50m). The proposed building would have a dual pitched roof with a proposed ridge height of 3.5m. The building would be constructed of vertical timber boards fixed to steel purlins on the north and west elevations under a corrugated sheeting roof. The application documents do not identify the material for the roof, however, a condition could be added to any grant of planning permission requiring the use of corrugated metal sheeting in accordance with condition CE-S6 of the Local Plan which requires the use of natural, traditional materials and a material that would be historically appropriate to the railway.

The proposed building is open-sided on the south and east elevations. The south elevation has a short section of timber boarding under the sheeting roof.

The proposed building would be located over the track of the existing head shunt siding to the west of the station itself and to the north of the access road and staff and public car parks. The proposed shelter would be visible from the adjacent A39.

The proposal also includes the provision of a retaining wall, measuring approximately 50m x 0.5m, ranging from 1.1m to 1.3m in height. The retaining wall would be formed of galvanised mesh gabion baskets filled with crushed rock and would be located to the southern side of the shelter and run along the bottom of the bank separating the track from the access road and car parks.

The application papers indicate that the retaining wall is required to maintain the required clearances between the shelter, rolling stock on the adjacent siding and neighbouring sloping ground. The proposal also includes moving the existing tracks slightly southward towards the bank/car park to accommodate the shelter.

Consultee Representations

North Devon Council – Planning – 28/08/2024 – No Observations

Parracombe Parish Council – 16/09/2024 - On behalf of the Parracombe Parish Council, we hereby object to the application reference number 62/43/24/005 for the proposed erection of carriage protection shelter and retaining wall at Woody Bay Station, Parracombe, Devon, EX31 4PE.

The Council Members of the Parracombe Parish Council object to the application based on the expected negative visual impact that this development will create on the surrounding landscape. In addition, we do not consider this application has demonstrated that the development is considered to be essential under the Exmoor National Park Local Plan 2011 – 2031 RT-S2(1)(b), which states:

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'any additional new development over and above the original historic former railway should provide demonstrable evidence that it is essential for the operation of the reinstated former railway or is a restoration of a historic feature and that there are no alternative solutions which would reasonably meet the need for the development in any other way'.

In addition, we do not consider that this application meets the requirements of Exmoor National Park Local Plan 2011 – 2031 RT-S2(1)(d) which states: 'new infrastructure, buildings and structures should complement the character of the original railway'.

We do not consider that the application meets the objective of complementing the character of the original railway.

Parracombe Parish Council – 02/01/2025 - On behalf of the Parracombe Parish Council, we hereby object to the application reference number 62/43/24/005 for the proposed erection of carriage protection shelter and retaining wall at Woody Bay Station, Parracombe, Devon, EX31 4PE. No new information has been presented that changes our original objection.

The Council Members of the Parracombe Parish Council object to the application based on the expected negative visual impact that this development will create on the surrounding landscape. In addition, we do not consider this application has demonstrated that the development is considered to be essential under the Exmoor National Park Local Plan 2011 – 2031 RT-S2(1)(b), which states: 'any additional new development over and above the original historic former railway should provide demonstrable evidence that it is essential for the operation of the reinstated former railway or is a restoration of a historic feature and that there are no alternative solutions which would reasonably meet the need for the development in any other way'. In addition, we do not consider that this application meets the requirements of Exmoor National Park Local Plan 2011 – 2031 RT-S2(1)(d) which states: 'new infrastructure, buildings and structures should complement the character of the original railway'. We do not consider that the application meets the objective of complementing the character of the original railway.

Martinhoe Parish Meeting – 17/09/2024 - The application does not provide evidence that this shelter is needed for its operation. It was never there originally and is clearly not essential as the railway has been operating successfully for over 20 years now.

It isn't historically needed – and is only now deemed necessary because of the railway's inability to complete their project per it's original scoping. It is a prime example of 'creep-in scope' – outside of original approvals; in conflict with agreements reached with local community and authorities and with no regard for original approvals granted many years ago.

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In addition, in the view of parishioners, the proposed location of this shelter is not appropriate and would severely impact upon views from both Martinhoe Common Cross area and the A39. If the railway were to succeed in this application then it would have an immediate invasive and negative impact on the area. It would be a true blot on the landscape.

A recent application by Killington House, about half a mile away, was refused, although to be located on the site of a previous barn. Therefore it is considered even more essential that a completely new building should also be refused. If this application were allowed it would set a precedent for all future barn applications and appeals.

This project was not even mentioned in Community Consultation meetings at Parracombe on 12th and 13th July or even in the 'public engagement' summary as recently as August. The applicant's continued piecemeal approach to projects is disingenuous and seeks to wear down local community resistance and further expand their activity in the area, much of which has no historical bearing.

South West Water – 06/09/2024 - 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

South West Water – 18/12/2024 - 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.

ENPA - Future Landscapes Officer – 11/10/2024 - The proposed carriage protection shelter would be located west of the station platforms in the area where rolling stock is currently positioned on a siding off the main line, opposite the vehicular entrance to the station. The sections indicate that the existing tracks would be moved south slightly to accommodate the shelter, with the southerly track pushed towards the car park and a retaining wall of stone filled gabions created between the car park and track. The shelter, at 50m long by 3.1m wide and 3.5m high to the ridge, would be below the level of the access road, with the top seen above the fence but below eye line when viewed from the access road.

The shelter would be visible from the A39 on the approach from the west, and through the entrance off the A39. It would be seen amongst the rest of the infrastructure, parked cars and signage associated with the station. In the middle distance, it would be visible from the roads leading to and around Martinhoe Common to the north / north west, and several bridleways around Martinhoe Common. From here, the shelter would form a long low structure below the entrance and car park, clustered with the other station infrastructure. It may even screen some cars, depending on the elevation and angle of view. In all these views, the parked cars are the most visible

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element at the station. The engine and rolling stock currently on the siding is dark in colour and would recede in the views from these directions.

There are long distance locations with potential views towards the station, such as from Holdstone Down at over 6km, but the station and its environs are barely visible in the landscape.

Overall, the shelter would not result in an unacceptable increase in the visibility of the station in the wider landscape.

In terms of character, the carriage shelter would form part of the established railway station and is located within the curtilage of the station facilities, so even though it is in a very rural setting, it would not cause any additional harm to the landscape character.

There are mitigation measures that could be included to integrate the shelter more. This includes staining the vertical timber boards to a dark colour so that the shelter becomes more recessive in views from the north and north west (and could be considered more in keeping with the character of the station) and the use of dark coloured, non-reflective roof material. Also, tree planting on the A39 roadside bank, where the hedge has been cut back hard to ground level would filter, but not block, views from the road.

DCC – Highways – No comments received
ENPA - Historic Environment Officer – No comments received
ENPA - Senior Ecologist – No comments received
ENPA - Senior Ecologist – No comments received

Representations

Exmoor National Park Authority has received eleven (11) public letters of representation in relation to this application which consist of 5 letters of support and six letters of objection.

The letters of support raise matters including in relation to:

- It is important that these carriages are protected from the elements as it saves hundreds of hours wasted labour and wasted paint and varnish in maintaining them in pristine condition, which visitors have come to expect from the railway
- The same paint system is used as other heritage railways such as the Bluebell railway in Sussex but because they are kept under cover they only have to repaint their carriages every 9 or 10 years wear as we have to do this every 3 to 4 years because of the Exmoor weather, the carriage shelter will help to preserve these historic vehicles for another 120 years.

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- It will release precious man hours on restoring the damage the Devon weather does to these assets which will, in turn , help put their labour and money into other projects into the railway.
 - It will benefit both visitors and volunteers by maintaining these superb restored carriages in optimal condition

The letters of objection raise matters including in relation to:

- This enormous building will be highly visible from the main road and surrounding countryside. Its location directly in front of the main gate could not be worse in terms of visibility and prominence. The building is obviously not essential to the operation of the railway, otherwise how has the railway operated for the last 20 years.
- I understand the Railway's need to protect the carriages, however, I feel the building suggested and its visible location mean that the current planning application should be rejected. Allowing this agricultural style building will clearly lead to others within Exmoor National Park putting in similar applications. If the park's allow one then surely they cannot say no to another, especially as this proposed building is so visible.
- I feel the railway, which is meant to be a representation of its former self has survived for 20 years without this building, and if they do wish to build something to protect the carriages from the elements it needs to be in keeping with the current station and its surroundings, it should be hidden to the best of their ability so as not to cause an eyesore within Exmoor National Park.
- This shelter is not needed for the operation of the Railway.... It was never there originally and is clearly not essential since the railway has been operating successfully for over 20 years.
- The proposed location of this shelter is completely unsuitable and would severely spoil the views from both Martinhoe Common Cross area and the A39. If the Railway were successful with this application it would have an immediate and undesirable impact on the area.
- In July, Killington House, about half a mile away, was refused planning for a barn, even though it would have been located on the site of a previous barn. If this is the case then a completely new build should be out of the question.. If this application were allowed it would set a precedent for all future barn applications and appeals.
 - The Railway continues it's attempts to wear down the resistance of both locals and neighbours by, once again, submitting planning applications that have no historical relevance.

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Policy Context

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

GP1 – General Policy

CE-S1 – Landscape and Seascape Character

CE-D1 – Protecting Exmoor’s Landscapes and Seascapes

CE-S2 – Protecting Exmoor’s Dark Night Sky

CE-S6 – Design and Sustainable Construction Principles

CE-S4 – Cultural Heritage and Historic Environment

CE-D3 – Conserving Heritage Assets

RT-S2 – Reinstatement of The Lynton and Barnstaple Railway

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

Planning Considerations

The main material planning considerations in this case are the principle of development, the design, scale and materials, the impact on the character and appearance of the landscape, impact on the historic environment and the impact on protected species and habitats.

PRINCIPLE OF DEVELOPMENT

Planning permission is sought for the erection of a carriage protection shelter (3.1m x 50m) and a retaining wall at Woody Bay Station, Martinhoe.

Policy RT-S2 of the Exmoor National Park Local Plan 2011 – 2031 (including minerals and waste policies) (Local Plan) relates to the reinstatement of The Lynton and Barnstaple Railway. Clause 1(b) of Policy RT-S2 states that ‘any additional new development over and above the original historic former railway should provide demonstrable evidence that it is essential for the operation of the reinstated former railway or is a restoration of a historic feature and that there are no alternative solutions which would reasonably meet the need for the development in any other way’.

Clause 1(d) states ‘new infrastructure, buildings and structures should complement the character of the original railway’

Clause 1(e) states ‘the proposal should respond to landscape character and ensure landscaping is appropriate to the site and character of the area and having regard to traditional features of the former railway (CE-S1 Landscape and Seascape Character)

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Clause 1(f) states ‘the proposal should safeguard wildlife, habitats and sites of geological interest (CE-S3 Biodiversity and Green Infrastructure)’.

The planning statement submitted explains that the proposed carriage house shelter is required for the protection of the existing carriages in terms of both their maintenance and quality and their heritage value. The planning statement also sets out that the coaches currently require repainting every 4 years.

The planning statement says that *‘the original railway had carriage protection and storage facilities only at Pilton Yard near Barnstaple. These were considerably larger than the proposed shelter and of varying types of construction but with, in general, corrugated sheeted pitched roofs and timber boarded gables, which are referenced by the proposed structure’*. Moreover, the applicant says the proposed Carriage Protection Shelter is considered essential for maintenance and operation of this element of the railway and reflects the character and appearance of the original railway.

The railway carriages are maintained to a high standard and are historically appropriate to the railway itself. Officers are satisfied that it is necessary to provide shelter for the carriages and that, in this regard, the proposed building is essential for the operation of this part of the reinstated railway, even though a carriage shelter in this location is not an historic feature.

Consequently, Officers are satisfied that the applicants have demonstrated that the shelter is required and essential for the continued operation of the railway. It is also considered that there is no reasonable alternative solution.

On that basis, the development as proposed is acceptable in principle subject to other material planning considerations.

IMPACT ON THE CHARACTER AND APPEARANCE OF THE LANDSCAPE

Clause 1(e) of Policy RT-S2 of the Local Plan states ‘the proposal should respond to landscape character and ensure landscaping is appropriate to the site and character of the area and having regard to traditional features of the former railway (CE-S1 Landscape and Seascape Character).

Policy CE-S1 of the Local Plan relates to Landscape and Seascape Character and states that the high quality, diverse and distinct landscapes and seascapes of the National Park will be conserved and enhanced. Clause 2 of the Policy states that development should be informed by and complement the distinctive characteristic, amongst other things, of the landscape character types and areas.

Policy CE-D1 of the Local Plan relates to Protecting Exmoor’s Landscapes and Seascapes and states that the visual impact of development in its immediate and wider setting is minimised through high quality design that reflects local landscape

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character and that the cumulative and/or sequential landscape and visual effects of development do not detract from the natural beauty of the National Park and the experience of tranquillity, among other things.

The Authority's Future Landscapes Officer has commented on the application and has no objection to the proposal. The proposed building would be located west of the station platforms in the area where rolling stock is currently positioned on a siding off the main line, opposite the vehicular entrance to the station and would sit below the level of the access road, with the top seen above the fence but below eye line when viewed from the access road.

The building would be visible from the A39 but would be seen amongst the rest of the infrastructure, parked cars and signage associated with the station. In the middle distance, the building would be visible from the roads leading to and around Martinhoe Common to the north / north west, and several bridleways around Martinhoe Common. The building would be seen to form a long low structure below the entrance and car park, clustered with the other station infrastructure and may screen some cars, depending on the elevation and angle of view. In all these views, the parked cars are the most visible element at the station. The engine and rolling stock currently on the siding is dark in colour and would recede in the views from these directions.

There are long distance locations with potential views towards the station, such as from Holdstone Down at over 6km, but the station and its environs are barely visible in the landscape.

In terms of character, the carriage shelter would form part of the established railway station and is located within the curtilage of the station facilities, so even though it is in a very rural setting, it would not cause any additional harm to the landscape character.

The Future Landscapes Officer suggests mitigation measures that could be included to integrate the building more. This includes staining the vertical timber boards to a dark colour so that the shelter becomes more recessive in views from the north and north west (and could be considered more in keeping with the character of the station) and the use of dark coloured, non-reflective roof material. Also, tree planting on the A39 roadside bank, where the hedge has been cut back hard to ground level would filter, but not block, views from the road.

Additionally, the planning statement has indicated that the design and materials of the proposed building references the carriage protection and storage facilities that existed at Pilton Yard near Barnstaple. It is therefore, considered that the proposed materials reflect and complement the character of the original railway in line with Local Plan policy.

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Overall, it is considered that the proposed building would be seen in context with the existing station and its infrastructure, including buildings and the car parks from both close and wider views. The proposed development, in this context, would not result in an unacceptable increase in the visibility of the building, station or its associated environs in the wider landscape. The development would have an acceptable impact on the character and appearance of the landscape in accordance with policies CE-S1 and CE-D1 of the Local Plan.

IMPACT ON THE HISTORIC ENVIRONMENT

The Lynton and Barnstaple Railway forms an item on the historic environment record (MMO42) and is described as 'a dismantled narrow gauge railway running between Lynton and Barnstaple. The 19.5 mile length of track was in operation between 1898 and 1935. The earthworks of the track can be seen on aerial photographs and at ground level in places'. The proposed site also lies within record number MEM22279 and is described as 'an auction mart is recorded on the 2nd Edition Ordnance Survey map in this location, and is likely associated with the adjacent railway station. The site is shown as a clear area of field on the 1st Edition map'.

Policy CE-S4 (Cultural Heritage and Historic Environment) states:

1. Exmoor's local distinctiveness, cultural heritage, and historic environment, will be conserved and enhanced to ensure that present and future generations can increase their knowledge, awareness and enjoyment of these special qualities
2. Development proposals affecting heritage assets (identified on the Exmoor National Park Historic Environment Record) and their settings, will be considered in a manner appropriate to their significance.
3. Development proposals should make a positive contribution to the local distinctiveness of the historic environment and ensure that the character, special interest, integrity, and significance of any affected heritage asset and its setting is conserved or enhanced.

Clause 3 of Policy CE-D3 (Conserving Heritage Assets) relates to heritage assets and their settings and states:

3. Development proposals affecting a heritage asset and its setting should demonstrate: a) a positive contribution to the setting through sensitive design and siting; b) the promotion of the understanding and enjoyment of the heritage asset and its setting or better reveal its significance and appreciation of the setting; and c) avoidance of unacceptable adverse effects and cumulative visual effects that would impact on the setting.

The proposed development would be sited over the tracks themselves and would not affix to the heritage asset (MMO42) itself. The retaining wall is sited within the boundary of MEM2279 but it is considered that this is unlikely to have much impact as

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the site has been very disturbed by subsequent works and the proposed development would not harm the non-designated heritage asset itself.

It is considered that the proposed development would not adversely affect the heritage assets or their settings. The proposed development would allow the continued use, enjoyment and understanding of the heritage railway line for present and future generations in accordance with policies CE-S4 and CE-D3 of the Local Plan.

IMPACT ON PROTECTED SPECIES AND HABITATS

Policy CE-S3 of the Local Plan relates to biodiversity and green infrastructure and states that the conservation and enhancement of wildlife, habitats and sites of geological interest within the National Park will be given great weight.

This proposed building will be sited on an existing hard surfaced area consisting of the existing tracks and ballast. The proposed retaining wall would involve the excavation and loss of grassland/bank adjacent to the existing line.

Biodiversity Net Gain:

The proposed retaining wall measures approximately 0.5m x 50m, resulting in the loss of approximately 25m² of meaningful habitat. As such, it would fall within the de minimis threshold exemption for providing the statutory, mandatory 10% net gain in biodiversity.

The proposal would impact on a small area of grassland bank with the majority of the site consisting of a railway track bed. Consequently, the proposal would not cause harm and a condition can be added to any grant of planning permission requiring the installation of a bat box and a bird box to provide biodiversity enhancement to the site in accordance with national and local planning policy.

The proposed development, therefore, would comply with Policy CE-S3 of the Local Plan in that the conservation status of protected species would be conserved and enhanced.

Other Matters

There would be an impact on the climate from the construction process and the sourcing of construction materials but it is noted that development utilises some sustainable construction materials in the form of natural timber. It is considered that there would not be a material impact on the climate going forward. Officers consider that the impact on the climate resulting from the construction of the proposed development would not be such that a reason for refusal should be given.

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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

For the above reasons, the proposed erection of a carriage protection shelter and retaining wall at Woody Bay Station, Martinhoe would be compliant in principle under Policies RT-S2, CE-S1, CE-D1, CE-S6, CE-S4, CE-D3 and CE-S3 of the Local Plan. This report sets out that the design, scale and materials are acceptable and that there would not be material harm to other material planning considerations, such as, the character and appearance of the landscape, impact on protected species and habitats or impact on the historic environment as a result of the proposed development being carried out.

For the reasons outlined above the proposed development is, on balance, considered to be acceptable and in accordance with the relevant development plan policies. The application is, therefore, recommended for approval subject to appropriate conditions.

Recommendation

Approve subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990, (as amended by the Planning and Compulsory Purchase Act 2004).

2. The works hereby approved shall not be carried out except in complete accordance with the drawings numbered as WB/701/Rev 1 – Location Plan, WB/706/Rev 0 – Elevations, WB/704/Rev 0 – Plan and Section, WB/705/Rev 0 – Roof Plan and WB/703/Rev 1 – Existing and Proposed Site Cross Sections and date stamped by the Local Planning Authority 27th August 2024 and drawing numbered WB/702/Rev 3 dated 11th December 2024.

Reason: For the avoidance of doubt and to ensure the works accord with the approved details, as amended

3. Prior to its installation, a sample of the material to be used on the roof of the development, hereby approved, shall be submitted to and approved in writing by the Local Planning Authority and shall be retained as such thereafter. For clarity, the roof shall be finished in corrugated metal sheeting, dark in colour and non-reflective.

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Reason: To safeguard the visual amenity, landscape character, cultural heritage and historic environment of the National Park in accordance with Policies GP1, CE-S1, CE-D1, CE-S6, CE-S4 and CE-D3 of the Exmoor National Park Local Plan 2011-2031.

4. Within three months of the substantial completion of the development, hereby approved, 1 no bat box shall be installed as high as possible on the south or west elevations of the shelter and a bird box shall be installed on the north or east elevations of the shelter.

Reason: To ensure the proposal meets the requirements within the National Planning Policy Framework, statutory legislation and Policy CE-S3 of the Local Plan allowing the development to contribute to and enhance the natural and local environment by minimising impacts on and providing net gain for biodiversity

5. Prior to the first use of the building hereby approved, details of the colour and finish of the paint/stain to be applied to the external surfaces of the timber cladding to the building hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. The agreed paint/stain shall thereafter be applied to the external surfaces of the timber cladding to the building hereby approved within 3 months of the date that the Local Planning Authority provides written agreement, and the timber shall be maintained and retained as such thereafter.

Reason: To safeguard the visual amenity, landscape character, cultural heritage and historic environment of the National Park in accordance with Policies GP1, CE-S1, CE-D1, CE-S6, CE-S4 and CE-D3 of the Exmoor National Park Local Plan 2011-2031.

6. Prior to the installation of any external lighting on the development, hereby approved, 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.

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Reason: To safeguard the visual amenity, landscape character, protected species and dark night sky of the National Park in accordance with Policies GP1, CE-S1, CE-D1, CE-S3, CE-S6 and CE-S2 of the Exmoor National Park Local Plan 2011-2031.

Informatives

POSITIVE & PROACTIVE STATEMENT

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

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.

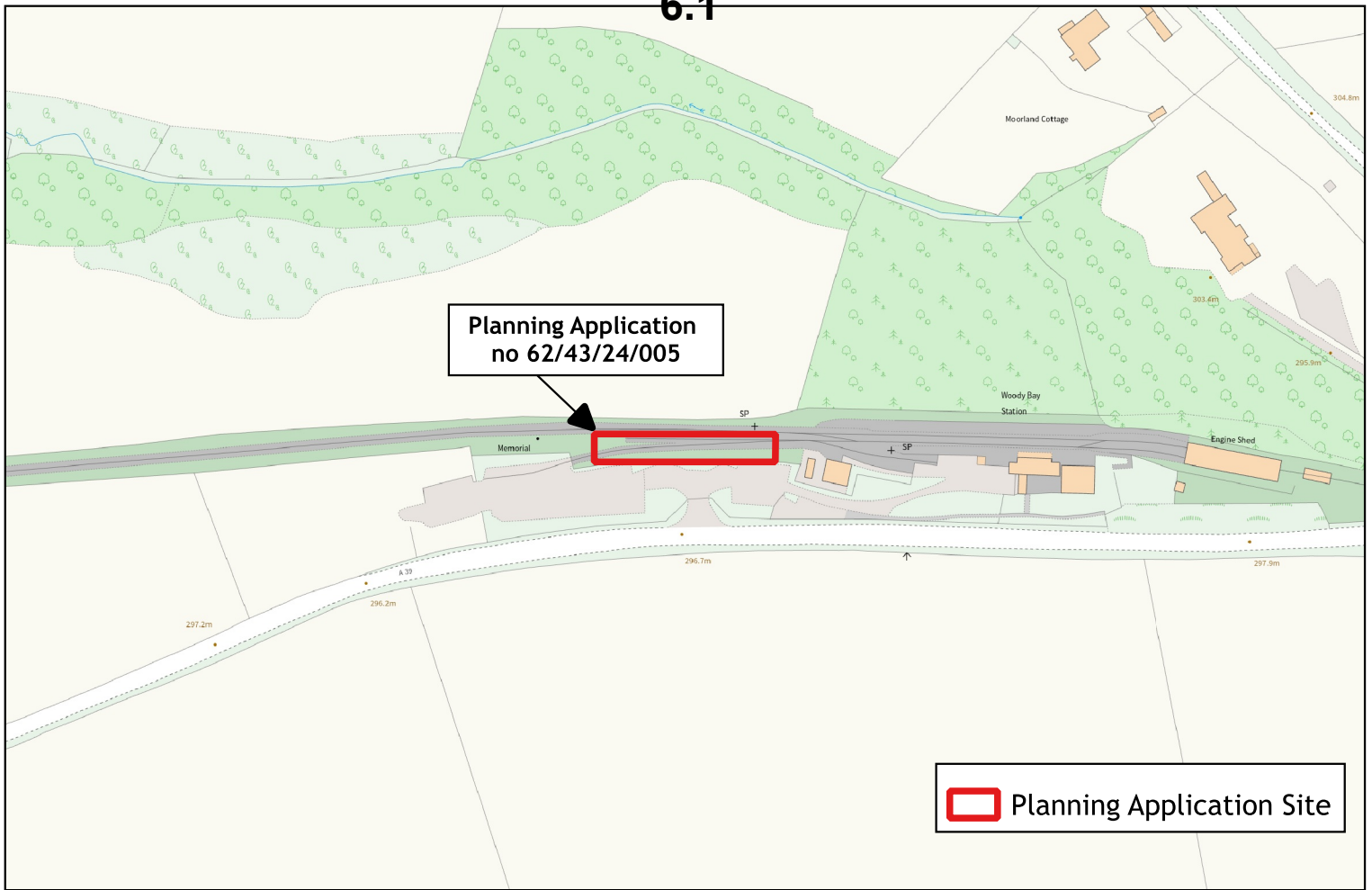
MONITORING OF DEVELOPMENT

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

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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.

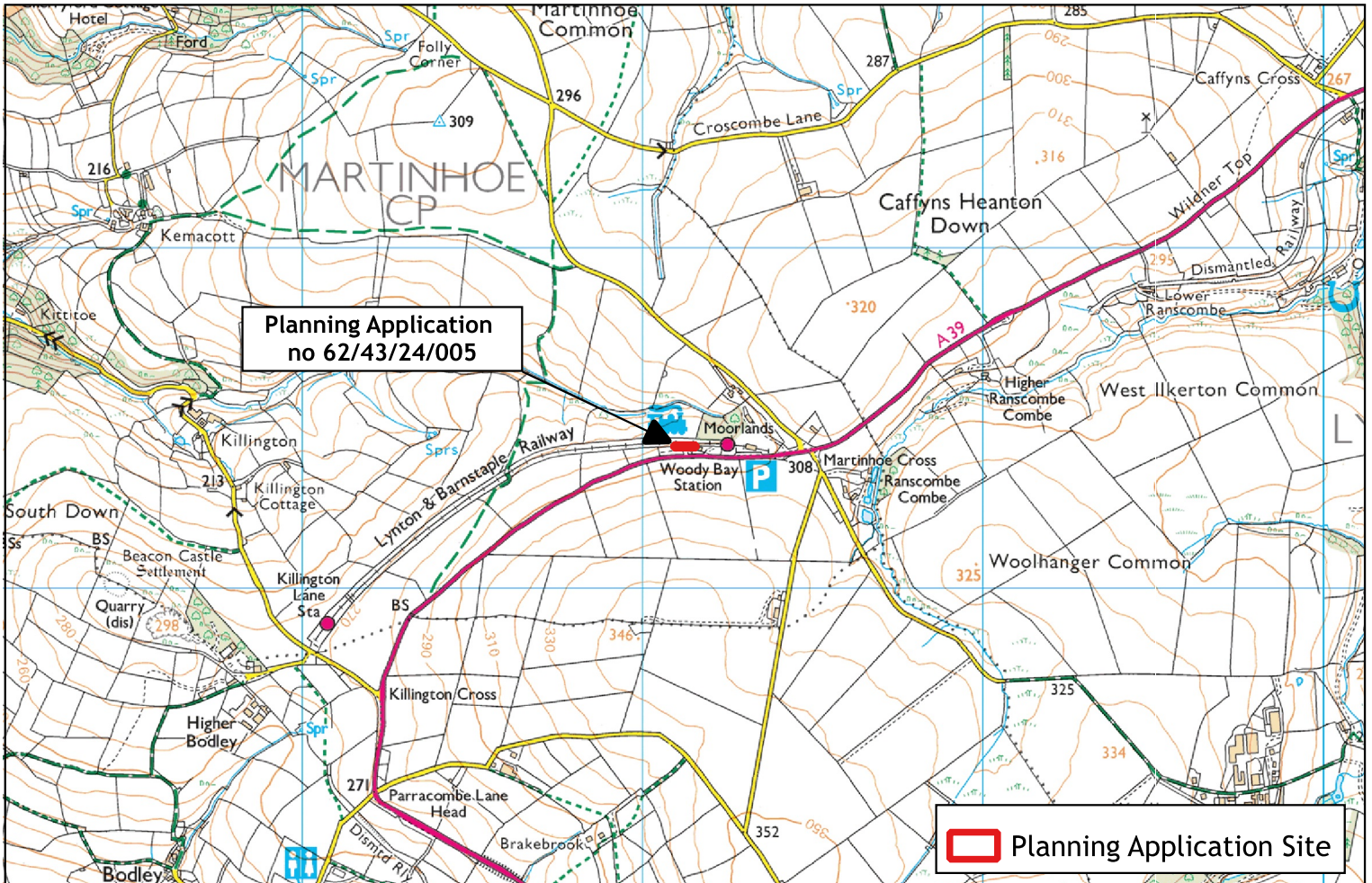
6.1



Site Map

Scale 1:2,500.000003

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Overview Map

Scale 1:20,000.00002

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Committee Report

Application Number:	6/27/22/115
Registration Date:	03-Aug-2022
Target Determination Date:	30-Aug-2022
Extension of Time:	
Applicant	Mr & Mrs D Hooper
Agent:	Mrs. C Gold
Case Officer:	Andrew Parsons
Site Address:	Land West of Sparkhayes Lane, Porlock, Somerset, TA24 8NE
Proposal:	Proposed construction of a Local Needs Affordable dwelling.
Recommendation:	Approve subject to signed S106 Agreement and conditions
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 Porlock Parish Council who object to the application.

Relevant History

54816/B Proposed development for residential purposes of land adjoining Sparkhayes Lane, Refused 03/06/1972

6/27/85/117 Proposed erection of overhead electricity line on wooden poles at Porlock as des Approved 08/13/1985

75161 Proposed erection of H.V.and L.V. overhead lines in Porlock as described in plan Approved 01/19/1967

Site Description & Proposal

The application site is a roughly square parcel of land located within the corner of an agricultural field, located to the West of Sparkhayes Lane, adjacent to Bay Road, Porlock.

The site is bordered by hedgerows on its Southern and Eastern borders. There is an existing agricultural access with a gate that is inset from Sparkhayes Lane.

Despite being located within a field the property is within close proximity of a large residential area, which is situated on the Eastern Side of Sparkhayes Lane. This area

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stretches from roughly in line with the application site all the way to the junction of Sparkhayes Lane and Meadowhayes to the South and extends as far as, and beyond Villes Lane to the East.

This application seeks consent for the erection of a single dwellinghouse, which would be local affordable accommodation to meet a local need for housing.

The dwelling is proposed to be located toward the Eastern side of the plot. It would require a new vehicular access onto Sparkhayes Lane, which would replace the existing field access.

The areas to the West and South would be retained as garden space and parking. It is proposed to plant new hedges along the Western and Northern boundaries of the plot. The hedges would be planted behind post and wire fencing.

The proposed dwelling would be single storey and have three bedrooms. The primary living accommodation would be located to the North side of the dwelling. The proposed floor space would measure 91m².

The proposed walls would be finished with painted render, the doors and windows would be timber double-glazed units and the roof would be finished with natural slate roof tiles and clay ridge tiles.

Foul sewage would be disposed of via connection to the mains sewer and surface water run off would be managed through a SUDS system.

The application is subject of a Section 106 Agreement ensuring that the dwelling would only be occupied by persons in local affordable housing need, in perpetuity. The Application is recommended for approval subject to the signing of the Section 106 agreement.

Consultee Representations

Ms. J Layzell, ENPA - Future Landscapes Officer

The site is on the western side of Sparkhayes Lane, in the corner of a field bounded by mature hedgebanks and hedgerows. The field is around 1m higher than the lane and an existing field gate provides access. The site is approximately 450m from the centre of the village to the south, with several fields in between, including the campsite and its overspill field. It is close to the residential cul de sac of Bay Road and adjacent residential streets on the eastern side of Sparkhayes Lane. Vehicular access is quite restricted via Sparkhayes Lane, which has a 20mph limit and is a no through road providing access to the water treatment works and farm buildings only (including the applicant's farm buildings). It also links to a public footpath leading to the beach and the South West Coast Path. The proposed location for the dwelling is the closest part of the applicant's land to the village and is positioned on a small pocket of land that is in flood zone 1.

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A dwelling here would introduce a stand alone property into the agricultural land, although it would align to the dwellings in Bay Road on the opposite side of the lane. Being positioned in the corner of a field, the relationship between the property and the surrounding landscape is important and the plans show a post and wire fence and native species hedgerow defining the curtilage. This would restrict encroachment into the open field, keep the dwelling within a compact area and provide screening. It would however be preferable to see this as a hedgebank using soil excavated for the dwelling to reflect local character.

The hedgerow along Sparkhayes would be retained as a continuous hedgerow apart from the widened field entrance to accommodate sight lines for the vehicular entrance. A gate is shown between the hard standing and adjacent field but the use of the new dwelling entrance by agricultural vehicles turning onto and off the narrow lane should not be encouraged so that the entrance is only for domestic use.

Mrs. S Applegate, ENPA - ROW and Access Officer

Public footpath WL19/1 runs past the proposed development and overlaps with the designed vehicular highway for around 50 metres at this point. The public footpath is very well used by those on foot and is a link to the South West Coast Path National Trail as well as a popular local walk. The track at this point is already used by vehicles accessing land off Sparkhayes Lane and the water treatment plant including some heavy vehicles.

The proposed development will lead to a slight increase in the number of vehicles using this section of Sparkshayes Lane but given that vehicles already use the route, I do not consider this to be a significant increase.

My main concern is the point where vehicles will join the lane from the proposed development and I am pleased to note that the application includes a widening of the entrance to the proposed property. This will allow better visibility for vehicles existing onto the lane particularly in relation to pedestrian safety. The development will be visible to those using the public footpath but will be shielded to a large extent by the hedge which is being retained.

Please ensure that during development, the public footpath remains open, easy and safe to use at all times. Please 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

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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) 3

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.

Ms. A Cockburn, ENPA - Wildlife Officer

17/08/2022

I have reviewed the documents submitted and note the completed wildlife checklist. The site measures around 0.1ha in size and will involve the loss of a section of field hedgerow to create access.

The western boundary of the field in which the site lies supports a Local Wildlife Site (Hawkcombe LWS) which flows into the nearby Porlock Ridge and Saltmarsh SSSI.

Given the potential loss of priority habitat (I think around 30m of hedgerow) and sensitivity of the surrounding area please request an ecology survey to support this application.

I am glad to see the proposed planting of native hedgerow planting around the site, this should comprise a mixture of locally appropriate species to maximise its value.

I suggest the new building also provides an opportunity to provide integrated bat roosting and bird nesting features – an inbuilt bat box (Schwegler 1FR bat tube, or similar) could be installed at the apex of the western gable and a swift brick could be installed at the apex of the eastern gable.

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Given the site's proximity to the SSSI, it lies within the Impact Risk Zones. Guidance suggests consultation with Natural England for all applications extending outside existing settlements, affecting greenspace/farmland or landscape features such as hedges/trees (among other things). I therefore recommend consultation with Natural England in this instance.

27/11/2023

In response to my previous comments (17 August 2022), an ecology report has been submitted: Ecological Appraisal, Quantock Ecology, dated 25 October 2023. The report details the findings of a desk study (including consultation with the local records centre) and Phase 1 habitat survey. The methods, presentation of results and recommendations within the report are generally satisfactory.

The site forms the south-east corner of a wider field and was identified as comprising an area of tightly grazed improved grassland, bounded by mature species-rich hedgerows on stone banks and fencing to the south and east. There is no physical boundary to the north and west of the site, which is continuous with the wider field. The proposed development will result in the loss of around 0.1ha of improved grassland which is of low ecological significance. The development will also result in the loss of 22m of species-rich native hedgerow on a bank, much of which will be temporary. New landscaping which is proposed for the site including around 70m (estimate based on the plans provided) of new native species-rich hedgerow, some of which will be on a bank. Further detail is needed on this, I suggest through a Landscape and Ecological Management Plan, which could be conditioned.

As the most important feature for biodiversity on site, it would be much preferred if the hedgerow and bank could be translocated as opposed to being destroyed and re-planted, as this will result in the development of a bushy mature hedgerow much more quickly. Please can this be discussed with the applicant/agent.

The site was identified as offering opportunities for nesting birds within the hedgerow, the hedgerow was also identified as offering potential opportunities for common and widespread invertebrates, amphibians, foraging and commuting bats, dormice and reptiles. The field itself may also be used by foraging badgers.

Mitigation has been proposed including sensitive timing of works with respect to nesting birds (or a pre-works survey), measures to protect badgers (and other small mammals) during construction, removal of the short section of stone bank outside of the hibernation season and under ecological supervision to avoid impacts to hibernating reptiles or amphibians and precautionary methods of work for site clearance with respect to reptiles. It has been recommended that the proposed hedgerow removal is done under supervision by an ecologist due to the potential for dormice to be present. This approach has been recommended due to the existing fragmentation of the hedgerow further south and the relatively short section that will

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be impacted. If dormice or evidence of dormice is found during work, then work will have to stop and licence obtained prior to re-starting.

Enhancements have been recommended including an integrated bat box (Schwegler 2FR or similar), an integrated swift brick, a hibernacula for reptiles and sensitive landscaping and management of the site to include species of value to wildlife. Based on our Biodiversity Net Gain Technical Guidance Note, Appendix 1, for a new residential building of 91m² we expect to see five enhancement features. The two boxes count as one feature, as does the hibernacula. The new hedgerow planting will result in a gain of 40m of hedgerow which provides four enhancement features. This is therefore in line with our guidance and these enhancements should be secured by condition.

The site lies within Consultation Band A of the Exmoor & Quantock Oakwoods SAC with respect to barbastelle. The development lies 1km north of the edge of Exmoor & Quantock Oakwoods SAC. The proposed development will result in the temporary loss of around 22m of hedgerow which is likely to be used by foraging and commuting bats. Whilst an overall increase in hedgerow is proposed due to compensatory and new planting, this will take time to mature and in the short to medium term there will be a loss of habitat. This will be partially mitigated in terms of commuting bats by the presence of a hedgerow on the other side of the narrow lane. No bat surveys have been completed, which are strongly encouraged to inform development in this area, however, given the low level of impact and mitigation proposed, this is likely to be acceptable. Long-term management of the hedgerows should encourage tall, wide and bushy growth, and should be detailed in the LEMP. Sensitive lighting is also critical to avoid impacts on foraging and commuting bats and must be secured by appropriate condition.

The site also lies around 160m east of Hawkcombe Local Wildlife Site (LWS) and 550m from Porlock Ridge and Saltmarsh SSSI. Given the site's sensitive location, good construction practices are very important to avoid impacts on these designated sites. This should be secured by way of a Construction Environmental Management Plan.

The site's location within the Heritage Coast designation has been highlighted within the report. As defined by the NPPF these are areas of undeveloped coastline which are managed to conserve their beauty and, where appropriate, to improve accessibility for visitors. Para 178 of the NPPF (2023) states that major development is unlikely to be appropriate within the Heritage Coast.

Consultation with Natural England was previously recommended, but there is no response published on the website. Please ensure they have been consulted.

I recommend conditions are added to any permission granted and suggest the following:

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- Recommendations in the report The approved development shall be carried out in strict accordance with the recommendations set out in the approved report (Quantock Ecology, dated 25 October 2023). This condition shall be discharged when the consultant ecologist confirms in writing to the LPA that the recommendations have been satisfactorily implemented.

- Nesting birds

No vegetation removal shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. Please note, this is wording taken from the British Standard for Biodiversity BS 42020:2013. We need to make clear to the applicant that the inspection must be immediately prior to starting (within 24 hours) and that the condition does not need discharging prior to starting as this would result in an unacceptable delay between the inspection taking place and work commencing.

- LEMP

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Biodiversity enhancements including bat and bird boxes and bee bricks
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- h) Details of the body or organization responsible for implementation of the plan.
- i) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. 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.

- CEMP Biodiversity

No development shall take place (including ground works or vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been

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submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities
- b) Identification of “biodiversity protection zones”
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features e) The times during construction when specialist ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

- Lighting

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.

Please add an informative note to remind the homeowner of the importance of blackout curtains and blinds to prevent light spill.

Planning Liaison Officer, Environment Agency South West

18/08/2022 – Objection

Environment Agency position

In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

Reasons

The submitted FRA does not comply with the requirements for site-specific flood risk

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assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development.

In particular, the FRA fails to:

- consider how people will be kept safe from the identified flood hazards
- consider how a range of flooding events (including extreme events) will affect people and property
- take the impacts of climate change into account using appropriate climate change allowances 'Flood risk assessments: climate change allowances'
- Demonstrate that safe access and egress routes exist from the proposed dwelling during design flood conditions

The FRA has not investigated all available data sources to describe the potential risk of flooding to the proposed development in design and extreme flood conditions. We hold a flood model of the Hawkscombe Stream, the results of which can be obtained (see advice note below) and compared, for example, with publicly-available lidar topographic data or site topographic survey to establish the risk of flooding more accurately.

We note that the proposed dwelling has been located so as to remain within a dry island within Flood Zone 1, but the Flood Zones represent present day conditions and new residential dwellings should be assessed against future conditions including climate change over a 100-year lifetime. Flood levels, ground levels and proposed finished floor levels should be reported in metres above Ordnance Datum (mAOD).

The commentary within the FRA as submitted makes it evident that safe access and egress to/from the property will likely not be available in design flood conditions. While this needs to be confirmed with reference to actual flood level data as above, the Planning Practice Guidance (PPG) states, in para. 039, that "Access routes should allow occupants to safely access and exit their dwellings in design flood conditions. Vehicular access to allow the emergency services to safely reach the development during design flood conditions will also normally be required". While the location of the proposed dwelling may mean it can be elevated so as to be above design flood conditions, the absence of safe access and egress may be such that it is an inappropriate location for a new residential dwelling. The Council's emergency planning team should be consulted on this matter.

We also note that while the dwelling has been located in Flood Zone 1, the application site itself extends into Flood Zones 2 and 3. The Sequential Test and Exception Test should therefore still be applied.

Overcoming our objection

6.2

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above.

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted and we'll respond within 21 days of receiving it.

Advice to the applicant – Construction Environment Management Plan

We recommend that a Construction Environment Management Plan (CEMP) is produced to pull together and manage the pollution control and waste management requirements during the construction phase. A CEMP is best prepared with the main Contractor. It is a management system showing how the environmental risks are managed through the construction phase, in a similar way that Health and Safety risks are managed.

Run-off from exposed ground/soils can pose a significant risk of pollution to nearby watercourses, particularly through soil/sediment run off and the CEMP should address how such run-off can be minimised, controlled and treated (if necessary). The applicant should ensure that this is considered well in advance because some treatment methods can require an Environmental Permit to be obtained.

We recommend that a CEMP is drafted using the guidance from PPG6.

<https://www.gov.uk/government/publications/construction-and-demolition-sites-ppg6-prevent-pollution>

As a minimum the CEMP should:

- Name an Environmental Clerk of Works responsible for managing the environmental risks and site waste management through the construction phase, including an environmental induction for the workers, sub-contractors, and utilities entering the site. They should also maintain 24 hour emergency contact numbers, undertake early liaison with the local Environment Agency Environment Officer and be responsible for the maintenance and management of pollution control measures such as spill kits.
- Include Pollution Control measures to avoid silt run-off, which should be in place before the main ground works e.g. soil stripping are started. Often, silt control can be created where SUDs infrastructure is to be sited and refurbished at the landscaping phase, once all other surfaces are sealed on the site.
- Protect biodiversity, sensitive sites and protected species, drawing on recommendations from environmental reports or statements supporting a planning application to ensure that biodiversity features to be retained as part of the development are protected through the construction phase and the correct ground conditions are left for the landscaping phase and biodiversity enhancements.
- Identify high risk operations in the construction programme where a method statement should be agreed in advance with the local Environment Agency

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Environment Officer.

FRA sources of information

We do not prepare or provide FRAs. However, our Customers and Engagement teams can provide any relevant flood risk information that we have available. Please contact 020 3025 0376 or email wessexenquiries@environment-agency.gov.uk to obtain a flood product for this area. Your local planning authority should have undertaken a Strategic Flood Risk Assessment (SFRA) which will also include local flood risk information to inform your FRA. Please contact your local planning authority to determine what information is available.

Further advice on what to include in an FRA can be found at

<https://www.gov.uk/guidance/flood-risk-and-coastal-change#site-specific-flood-risk-assessment-all>

07/09/2023 – No Objection.

Environment Agency Position

We are pleased to remove our objection subject to the submitted 'amended' flood risk assessment (FRA) (prepared by Clarkbond reference E06093/FRA v2 dated 26/07/23) and the conditions below being attached to any approval granted. For context, this is discussed further below.

Reason

The submitted FRA is now considered to adequately assess the flood risks posed by the development. Of particular interest to the Environment Agency, we confirm that the FRA:

- considers how people will be kept safe from the identified flood hazards
- considers how a range of flooding events (including extreme events) will affect people and property
- takes the impacts of climate change into account using appropriate climate change allowances 'Flood risk assessments: climate change allowances'

The FRA has investigated available data sources (including our available hydraulic model) to describe the potential risk of flooding to the proposed development in design and extreme flood conditions, including consideration of climate change over the lifetime of the development. The FRA compares modelled flood levels of the Hawkscombe Stream with site topographic survey to establish the risk of flooding more accurately. The FRA shows that the proposed dwelling has been located so as to remain within a End 2 dry island within Flood Zone 1 under present day and future design flood conditions including climate change over a 100-year lifetime.

The FRA proposes a minimum finished floor level for the dwelling of 21.15mAOD (D (i.e. the 1 in 1000 year flood level of 20.85mAOD plus 300mm freeboard). This would be considered the minimum acceptable ground floor level, and we would ask that a planning condition be attached to any approval granted to this effect. It is important to bear in mind however that the modelling study on which the flood levels have been

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taken, and upon which this floor level is based, was undertaken in 2011 (12 years ago). As such, confidence in the flood levels are not as high as if the study had been undertaken more recently. Further to this, we would strongly advise that a precautionary approach is adopted, and greater freeboard is provided, such as 600mm (yielding a minimum ground floor level of 21.45mAOD).

It has also been established that part of the site, not including the dwelling footprint itself, lies within Flood Zone 3a and 3b. In order to ensure no increase in flood risk elsewhere as a result of the development, we request that there is no increase of existing site levels within Flood Zones 3 and 2, and that a planning condition be attached to any approval granted to this effect.

Safe Access and Egress

In terms of safe access and egress, by reviewing the modelled flood data and topographic survey levels the FRA also shows that safe access and egress routes would not exist from the proposed dwelling using the proposed (existing) site access during design flood conditions due to potentially hazardous flooding along Sparkhayes Lane. As we have highlighted in our previous letter, while the location of the proposed dwelling may mean it can be elevated to be above design flood conditions, the absence of safe access and egress may be such that it is an inappropriate location for a new residential dwelling. The FRA offers discussion over management of residual risks, including agreeing to provide an emergency plan. The Environment Agency defers this particular matter to the Council's emergency planning team who should be consulted for their statutory comments in this regard.

SCC - Highways Authority – Standing advice only.

Porlock Parish Council - Objection

Following the review of the Parish Council has decided not to support this application.

The Council understands and is sensitive to the critical need for Affordable Local Needs Housing in the area. However, for the reasons listed below have determined not to support the application.

1. This involves the change of use from agricultural to residential land use. Loss of agricultural land, albeit a relatively small area, nonetheless reduces our ability to grow food and pasture animals in an effort to be more self-sufficient in food production.
2. There is no other residential development on the west side of Sparkhayes Lane in this area, the nearest being Sparkhayes Farm camping site to the south, some distance away. The Planning Statement in the Local Requirements List is incorrect in how the location is characterised. The proposed development does not conserve or enhance the character of the existing settlement pattern. It detracts from

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it and establishes a beachhead for further development along the west side of Sparkhayes Lane.

3. The proposed development will apparently accommodate up to 6 persons. This seems excessive given that this is described as a retirement home. Three bedrooms and hard standing for three cars appears to represent an over-development of the proposed lot.

4. The entrance to the proposed development is opposite the steps leading to Bay Road. This presents the potential for pedestrian/vehicle conflicts in a narrow throughfare.

5. The proposed development is located in Flood Zone 1 but surrounded largely by Flood Zone 3. Although the Flood Risk Assessment characterizes the risk as apparent rather than real, the impact of Climate Change is giving rise to sea level changes and at some point the site may well become liable to flooding.

There is a final point. We were given assurances that the Local Needs Affordable condition would endure in perpetuity and that the Authority will ensure that before the proposed property were to be the subject of sale or lease it would conduct a review of the intended owner or tenant to ensure it qualified. That is understood but what is not clear is how the Authority will ensure that any conditions that it sees fit to impose in this regard actually find their way on to the Land Registry. It seems to us that there is potentially a weak link in the chain at this point.

We conclude that granting this application, or a variation thereto based upon less intensive development, will create an unfortunate precedent, not just in Porlock, but in the wider area of the Park

Wessex Water Authority – No objection

Wessex Water has no objections to this application and can advise the following information for the applicant:

The Planning Application

The planning application indicates that foul sewerage will be disposed of via the main sewer.

Rainwater running off new driveways and roofs will require consideration so as not to increase the risk of flooding. The current planning submission indicates that rainwater (also referred to as “surface water”) will be disposed of via sustainable drainage systems.

Applying for new drainage and water supply connections

If your proposals require new connections to the public foul sewer and public water mains, notes

and application forms can be found here.

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Point of connection to the public foul sewer to be agreed with Wessex Water, we do not want a new connection close to the rising main outfall which discharges into manhole 6221 or 6222 due to risk of odours.

Are existing public sewers or water mains affected by the proposals?

According to our records there are no recorded public sewers or water mains within the red line boundary of the development site. Please refer to the notes on the attached map for advice on what to do if an uncharted pipe is located.

The surface water strategy

One of our main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution.

You have indicated that surface water will be disposed of via sustainable drainage systems.

There are currently no surface water drainage plans available to view. Surface water must be disposed of via the SuDS Hierarchy which is subject to Building Regulations. Land drainage run-off shall not be permitted to discharge to the public sewerage system. Wessex Water do not permit surface water connections into the foul sewer network.

Rural Housing Enabler – No Objection

I note that the application is for a single dwelling with the implication that it is to be occupied by the applicants as their principal or sole residence. There is reference on the application form to it being an affordable dwelling and some text in the Affordable Housing Statement. Further, the application is described on the system as 'construction of a local needs affordable dwelling'. However, I can see no further relevant detail on this in the available documents and therefore presume, should permission be granted, that affordability in perpetuity will be enforced through a planning obligation via a s106 Agreement. Whilst we can confirm that there is a general level of housing need in this parish, as evidenced by the number of live registrations on the Homefinder Somerset system, that observation is not directly relevant where the applicants are currently local tenant farmers seeking to achieve a home to retire into that is affordable to them. I have no other material observations.

Natural England – Consulted on 30/08/22, however, no response has been received.

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Representations

We have received 12 comments from local residents of nearby neighbouring properties, with 11 letters of objection and 1 letter of support. The points raised within these objections are summarised below.

SUPPORT

- I believe that because of various health issues and their age the applicants would like to live in a property which is convenient for the village, doctors etc. and a new build which is warm, economical and suitable for their health needs is what is required. Being able to build a new house for their needs would be best. If this is in the local needs category then this is the true meaning of a local needs house, they have both lived in the parish of Porlock all their lives and this should be allowed.

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OBJECTION

- Increased traffic on a narrow road that has direct pedestrian access.
- Risk of subsidence of roadside banks from HGV traffic.
- The proposed development sets a precedent for development in the area.
- Loss of views.
- Increased strain on drainage, water and sewerage in the area.
- Negative impact on nearby properties due to increased flood risk.
- The dwelling will be a blot on an undeveloped area and will spoil a natural vista.
- Claim of a local needs affordable dwelling is being used to circumvent Planning Policy.

- The application site falls outside the built envelope of Porlock it should be treated as a rural residential development in open countryside and on those grounds should be refused.

Policy Context

EXMOOR NATIONAL PARK LOCAL PLAN

GP1 Achieving National Park Purposes and Sustainable Development

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-D1 Flood Risk

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CC-D2 Water Conservation
CC-S6 Waste Management
CC-D5 Sewerage Capacity and Sewage Disposal
HC-S1 Housing
HC-S2 A Balanced Local Housing Stock
HC-S3 Local Occupancy Criteria for Affordable Housing
HC-D3 New Building Dwellings in Settlements
HC-D6 Custom/Self Build Local Need Housing
AC-S1 - Sustainable Transport
AC-D2 – Traffic and Road Safety Consideration for Development
AC-S3 – Traffic Management and Parking
AC-D3 – Parking Provisions and Standards

The NPPF is a material planning consideration.

Planning Considerations

The primary material planning considerations in this case are considered to be the principle of development, design and impact of the proposed development upon the character and appearance of the surrounding area including the heritage coast, impact on flood risk, impact upon neighbouring amenity, wildlife and impact upon highway safety.

PRINCIPLE OF DEVELOPMENT

There is an established need for affordable housing within Porlock, as identified by the Rural Housing Enabler for Somerset Council. The proposed dwelling would provide the opportunity for the applicants to deliver a local need affordable dwelling through a self-build development for them to occupy. The affordability of the property, in perpetuity would need to be ensured through the use of a Section 106 agreement.

The principle of development, for local need affordable housing no larger than 93sqm, is supported under policies HC-S1, HC-D3, HC-S2, HC-S3 and HC-D6 of the Local Plan.

The application site relates well to the built form of Porlock, despite being located within a field, it is situated closely to existing residential development, with Bay Road being located adjacent to the proposed dwelling.

IMPACT ON CHARACTER AND APPEARANCE OF THE LANDSCAPE

Policy CE-S1 requires that, among other things, the high quality, diverse and distinct landscapes and seascapes of Exmoor National Park are conserved and enhanced. 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 and seascapes.

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Policy CE-S6 requires that development proposals should deliver high quality sustainable designs and conserve and enhance local identity and distinctiveness.

The proposed dwelling would be single storey, with a ridge line set lower than properties to the East. The dwelling is of a modest scale and a traditional appearance. The proposed development would be constructed from traditional and natural materials, supported by Policy CE-S6 of the Local Plan.

The existing hedge boundaries in addition to the proposed hedge boundaries would contribute to softening the appearance of the dwelling from the public realm.

There are long distance views of the proposed dwelling from the south and the east but due to the close proximity of the proposed dwelling to nearby residential development it is not considered that its position would result in any harm to landscape character, as any views of the proposed dwelling would be set upon the back-drop of already built environment.

The proposed site lies within the Heritage Coast boundary. Clause 3b) of Policy CE-S1 states that development proposals should also have regard to and be appropriate in terms of impact with the conservation of significant landscape and seascape attributes including the Heritage Coast.

Paragraph 4.17 of the preamble to Policy CE-S1 sets out the national purposes of Heritage Coasts and states they are to:

- Conserve, protect and enhance the natural beauty of the coasts, their marine flora and fauna, and their heritage features.
- Facilitate and enhance their enjoyment, understanding and appreciation by the public.
- Maintain and improve the health of inshore waters affecting Heritage Coasts and their beaches through appropriate environmental management measures.
- Take account of the needs of agriculture, forestry and fishing, and of the economic and social needs of the small communities on these coasts.

It is considered that the design, scale and materials of the proposed dwelling seek to conserve and protect the natural beauty of the heritage coasts. The proposed dwelling would be seen in context with the residential development to the east and beyond the farm buildings which lie between the proposed site and the coastline. It is considered that the proposed development would not be inappropriate development and would conserve the heritage coast in accordance with Policy CE-S1 of the Local Plan.

Overall, it is considered that by virtue of its design, scale and appearance the proposed development would conserve the character and appearance of the landscape in accordance with Policies CE-S1 and CE-D1 of the Local Plan.

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NEIGHBOURING AMENITY

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

The nearest neighbouring properties are set a reasonable distance away from the proposed dwelling to the east across Sparkhayes Lane. The existing hedgerow, combined with the distances between the proposed dwelling and any neighbouring properties would mitigate any perceived harm to the residential amenities afforded to occupants of nearby neighbouring properties.

As a result of the above, the proposal is not considered to detrimentally affect amenities of neighbouring properties by way of any overlooking issues, overbearing impact or through the loss of light. In this regard, the proposal would be compliant with Policy CE-S6 of the Local Plan where it requires that development would not harm the amenities of surrounding properties.

IMPACT ON PROTECTED SPECIES AND HABITATS

Policy CE-S3 requires that the conservation and enhancement of wildlife and habitats be given great weight and that development likely to cause harm to legally protected species, or lead to the loss of damage to their habitats will not be permitted, unless this can be mitigated or then offset.

There was an initial objection to the proposal from the Authority's Wildlife Officer, as the information submitted was not sufficient to determine whether the proposal would result in an unreasonable impact upon protected species.

In response to this objection, the applicant submitted a further Ecological Appraisal. The ENPA Wildlife Officer has reviewed the content of this document and has removed their initial Objection.

The Ecological Appraisal identified that the proposal includes the removal of a section of hedgerow to provide a visibility splay onto Sparkhayes Lane. The report identified that this section of hedge is species rich, however, it also points out that the proposal involves the addition of roughly 70m in new hedgerow planting, which can be managed and controlled to ensure the ecological benefits are realised.

In addition to the planting, the report has identified some mitigation measures that should be taken to protect any protected species likely to be using the site. Furthermore, some ecological enhancements have been suggested.

Through the recommendations and advice of suitably qualified professionals it is considered that protected species and priority habitats would not be materially harmed by the proposed development and the use of conditions are required to

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ensure that the proposals can comply with policy CE-S3 of the Local Plan and statutory legislation and that the conservation status of protected species would be conserved.

HIGHWAY SAFETY

Policy AC-D2 of the Local Plan states that development, which will cause unacceptable levels of traffic in terms of the environmental or physical capacity of the local road network, or would prejudice road safety interests, will not be permitted.

The Highway Authority has referred to their standing advice. The application is able to provide space for parking and an area for turning within the site.

The proposed access would be formed onto a relatively straight section of road. Alterations to the hedgerows are proposed to increase visibility for cars to access the road. There is a 30mph speed limit in place on Sparkhayes lane, so approaching traffic should be travelling at a relatively slow speed.

As neighbours have highlighted, the lane provides access to the farm complex to the north of the application site and the marsh, beach and Southwest Coast path beyond.

Neighbours have raised concerns regarding the new entrance being located adjacent to the steps onto Sparkhayes Lane, citing this as a danger to pedestrians. This point is understood, however, it could reasonably be argued that due to the positioning of the new access, vehicles entering Sparkhayes Lane would have a clear view of the pedestrian access onto the lane, thus resulting in a very low risk of any additional harm to the safety of pedestrians.

Given the considered likely low traffic speeds along the lane, the minor nature of the lane and acknowledging that the application is able to provide some visibility along the road, accommodate parking and a turning area within the site, the proposal for a single dwelling is not considered to result in severe harm to the safe, convenient and efficient movement of highway users. In having regard to this and the public benefit of the proposals in contributing to meeting an identified need for affordable housing within the National Park, the proposal is judged to have an acceptable impact.

It is considered that through the proposed development the number of vehicle movements to and from the site would increase but that this increase would not prejudice road safety interests and that the proposed development and site provides the appropriate amount of parking that accords with the standards set out within tables 9.1 and 7.1 of the Parking Strategy. The proposed development, therefore, complies with policies AC-D2, AC-S3 and AC-D3 of the Local Plan.

FLOOD RISK

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Policy CC-D1 states that Development proposals will be permitted where they:

- a) are consistent with the sequential test and applicants demonstrate that sites at little or no risk of flooding are developed in preference to areas at higher risk;
- b) do not increase the risk of flooding elsewhere;
- c) do not reduce the potential of land used for current or future flood management;
- d) are compatible with the appropriate Catchment Flood Management Plan or Shoreline Management Plan; and
- e) use development to reduce the risk of flooding through location, layout and design and incorporate sustainable drainage systems to minimise surface water run-off and avoid pollution.

2. Where appropriate, a site-specific Flood Risk Assessment should support proposals.

3. Where, as a result of applying the sequential test, a development is approved on an exceptions basis, planning agreements or developer contributions will be sought to ensure that the development is protected from flooding to the appropriate standard throughout its lifetime. Any required additional or enhanced flood defences should not conflict with National Park purposes.

The proposal is consistent with the sequential test and the applicant has put forward the best site available to them in terms of flood risk. The proposal makes use of sustainable drainage systems and would not increase the risk of flooding elsewhere. Officers are not aware that the position of the proposed dwelling would result in the loss of land to be used for future flood management.

Upon submission of the application, a flood risk assessment was submitted. This was subsequently reviewed by the Environment Agency, who objected to the proposals on the grounds that there was insufficient information for them to be certain that the proposed development would be acceptable in terms of the risk to future occupiers in the event of a flood.

The applicant submitted additional information, which was then reviewed by the Environment Agency, who subsequently removed their objection, subject to the use of appropriate conditions to ensure that flood risk is sufficiently mitigated, including the access to land for safe egress.

The Environment Agency consider that the submitted FRA adequately assesses the flood risks posed by the development. Using their hydraulic model system alongside

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the FRA it shows that the proposed dwelling has been located so as to remain within an End 2 dry island within Flood Zone 1 under present day and future design flood conditions including climate change over a 100-year lifetime. Through the use of appropriate conditions to ensure minimum ground floor levels, no increase to existing site levels that lie within flood zones 2 and 3 and that safe access and egress can be secured through a S106 agreement, it is considered that any risk to life through flooding could be mitigated.

Within their response, the Environment Agency have deferred matters surrounding emergency planning for a serious flood event to the civil contingencies unit at Somerset County Council.

Officers have consulted the civil contingencies unit and the agent for the application has submitted an emergency plan, which has been reviewed and considered to be adequate. The emergency plan would consist of an escape route that would be reliant upon access through the surrounding agricultural land.

Should this application be approved, a legal right to use the land in question would need to be established for potential future occupiers of the proposed dwelling and this right of way would need to be retained in perpetuity to ensure the safety of occupants in the case of a serious flood event. This would need to be secured via a S106 agreement. In this event this is secured, Officer's would be content that the proposal would satisfy Policy CC-D1 of the Local Plan.

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 principle of development is considered to be acceptable. The proposal is considered to be acceptable in terms of design and impact on the character and appearance of the dwelling, locality and heritage coast. The proposed dwelling and parking area is considered to of an acceptable design, scale and form.

There would be no unacceptable impact on neighbouring amenity. The proposal is considered acceptable in terms of potential impact on protected species. The proposal is considered to have an acceptable impact on highway safety.

The Environment Agency consider that the submitted FRA adequately assesses the flood risks posed by the development. Using their hydraulic model system alongside the FRA it shows that the proposed dwelling has been located so as to remain within a End 2 dry island within Flood Zone 1 under present day and future design flood conditions including climate change over a 100-year lifetime. Through the use of

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appropriate conditions it is considered that any risk to life through flooding could be mitigated.

On balance, the proposal is considered to comply with the relevant Local Plan policies and it is recommended that planning permission be approved, subject to a Section 106 Agreement to ensure that the dwelling is a local needs affordable dwelling and that safe egress from the site is secured in perpetuity.

Recommendation

It is recommended that this application is Approved, subject to a signed S106 Agreement and the conditions below:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990, (as amended by the Planning & Compulsory Purchase Act 2004).

2. The development hereby approved shall not be carried out accept in complete accordance with the details submitted and as shown on the following schedule of plans dated 03 August 2022:

P01 Location Plan
P04 Proposed Plans

and as shown on the following schedule of plans dated 04 June 2024

P03B Proposed Site Plan
P05B Proposed Section
P09.2 Proposed Surface Water Drainage Plan

Reason: For the avoidance of doubt and to ensure the works accord with the approved details.

3. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway. Such provision shall be installed before the first occupation of the dwelling and thereafter maintained at all times.

Reason: In the interests of highway safety.

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4. Prior to the first occupation of the dwelling hereby approved, the access and visibility splays in either direction along the public highway shall be fully provided in accordance with the approved plans.

Reason: In the interests of highway safety and the satisfactory appearance of the development upon completion.

5. Prior to first occupation of the dwelling hereby approved, the access hereby approved over at least the first 5 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall be maintained in that condition thereafter at all times.

Reason: In the interests of highway safety.

6. Prior to installation of any entrance gate(s), details of the design and appearance of the gate(s) shall be submitted to and approved by the Local Planning Authority, and any gate(s) shall thereafter be installed in accordance with the agreed details. Any entrance gates erected shall be hung to open inwards, unless otherwise previously agreed in writing by the Local Planning Authority

Reason: In the interests of highway safety

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension(s) to the dwelling hereby permitted shall be erected without the prior permission, in writing, of the Local Planning Authority.

Reason: To control the size of the dwelling interests of ensuring the size of the dwelling is such that it remains affordable in the interests of the local community, in accordance with HC-S2 and HC-D3 of the Local Plan and in the interests of visual amenity.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no windows, doors, dormer windows or roof lights other than those expressly authorised by this permission shall be constructed or installed on the northern elevation (as shown on the approved plans) of the dwelling hereby approved without the prior permission, in writing, of the Local Planning Authority.

Reason: To control any subsequent alterations in the interests of the architectural character and appearance of the building

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9. The approved development shall be carried out in strict accordance with the recommendations set out in the approved report (Quantock Ecology, dated 25 October 2023).

Reason: To ensure the impacts of the proposal upon any protected species are acceptable and in accordance with Policy CE-S3 Biodiversity and Green Infrastructure

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

Reason: To ensure the impacts of the proposal upon any protected species are acceptable and in accordance with Policy CE-S3 Biodiversity and Green Infrastructure

11. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Biodiversity enhancements including bat and bird boxes and bee bricks
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- h) Details of the body or organization responsible for implementation of the plan.
- i) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. 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

6.2

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: To ensure the impacts of the proposal upon any protected species are acceptable and in accordance with Policy CE-S3 Biodiversity and Green Infrastructure

12. No development shall take place (including ground works or vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities
- b) Identification of “biodiversity protection zones”
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialist ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the impacts of the proposal upon any protected species are acceptable and in accordance with Policy CE-S3 Biodiversity and Green Infrastructure

13. The minimum finished floor level for the dwelling hereby approved shall be no less than 21.45m AOD, as outlined within the flood risk assessment reference E06093/FRA submitted on the 25th August 2023.

Reason: To ensure the safety of occupants in the event of a flood event.

14. The ground levels of any part of the site located within Flood Zones 2 & 3 shall not be raised above the existing levels unless otherwise agreed in writing by the Local Authority.

Reason: In order to ensure no increase in flood risk elsewhere as a result of the development

Informatives

6.2

LOCAL NEEDS HOUSING

This permission is subject to a Section 106 Agreement to ensure that occupancy of the dwelling is confined to persons in local housing need in perpetuity.

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.

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.

EXMOOR NATIONAL PARK'S DARK SKIES

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

NESTING BIRDS

No vegetation removal shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. Please note, this is wording taken from the British Standard for Biodiversity BS 42020:2013. We need to make clear to the applicant that the inspection must be immediately prior to starting (within 24 hours) and

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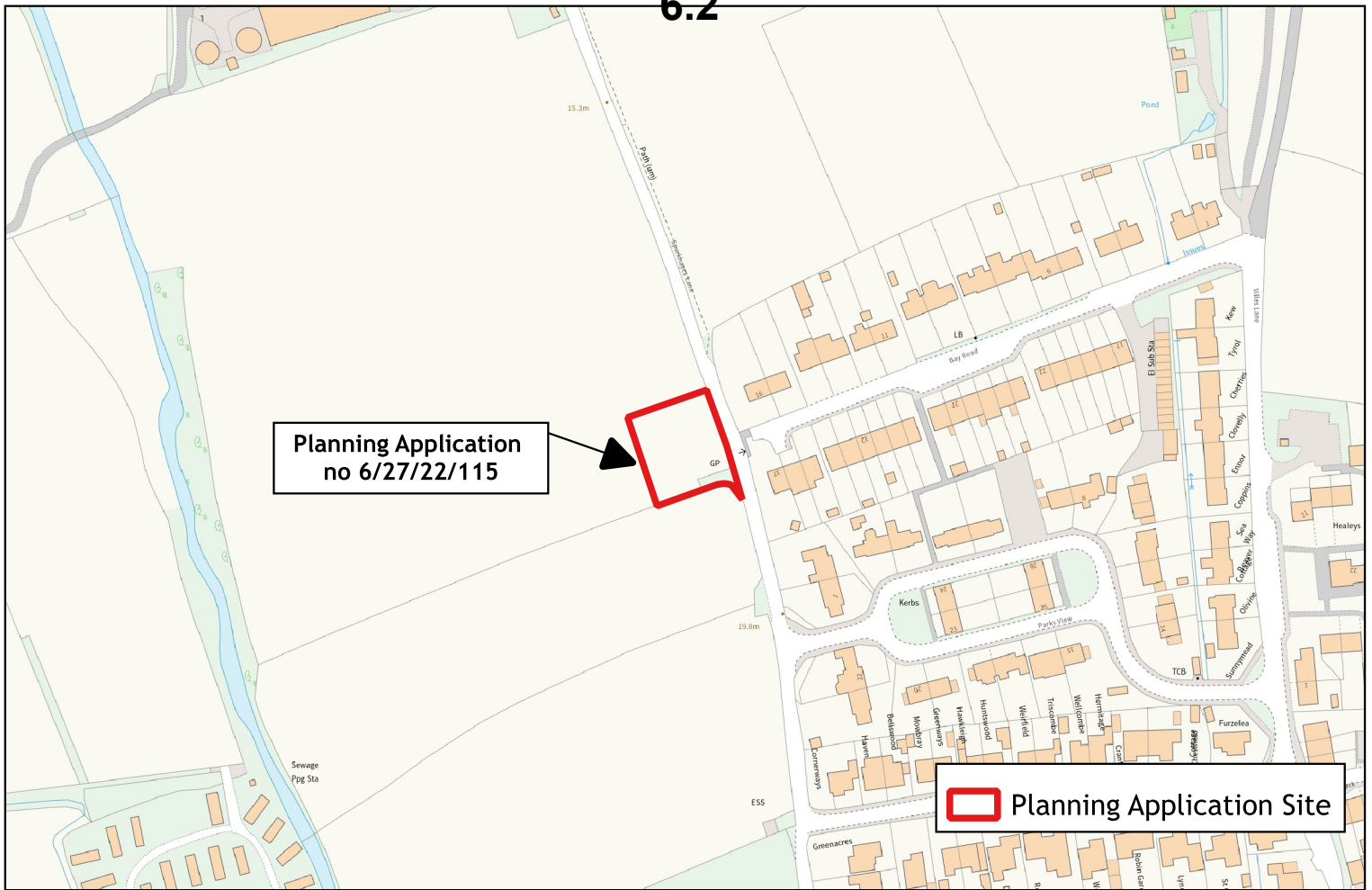
that the condition does not need discharging prior to starting as this would result in an unacceptable delay between the inspection taking place and work commencing.

PROW INFORMATIVE

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) 3

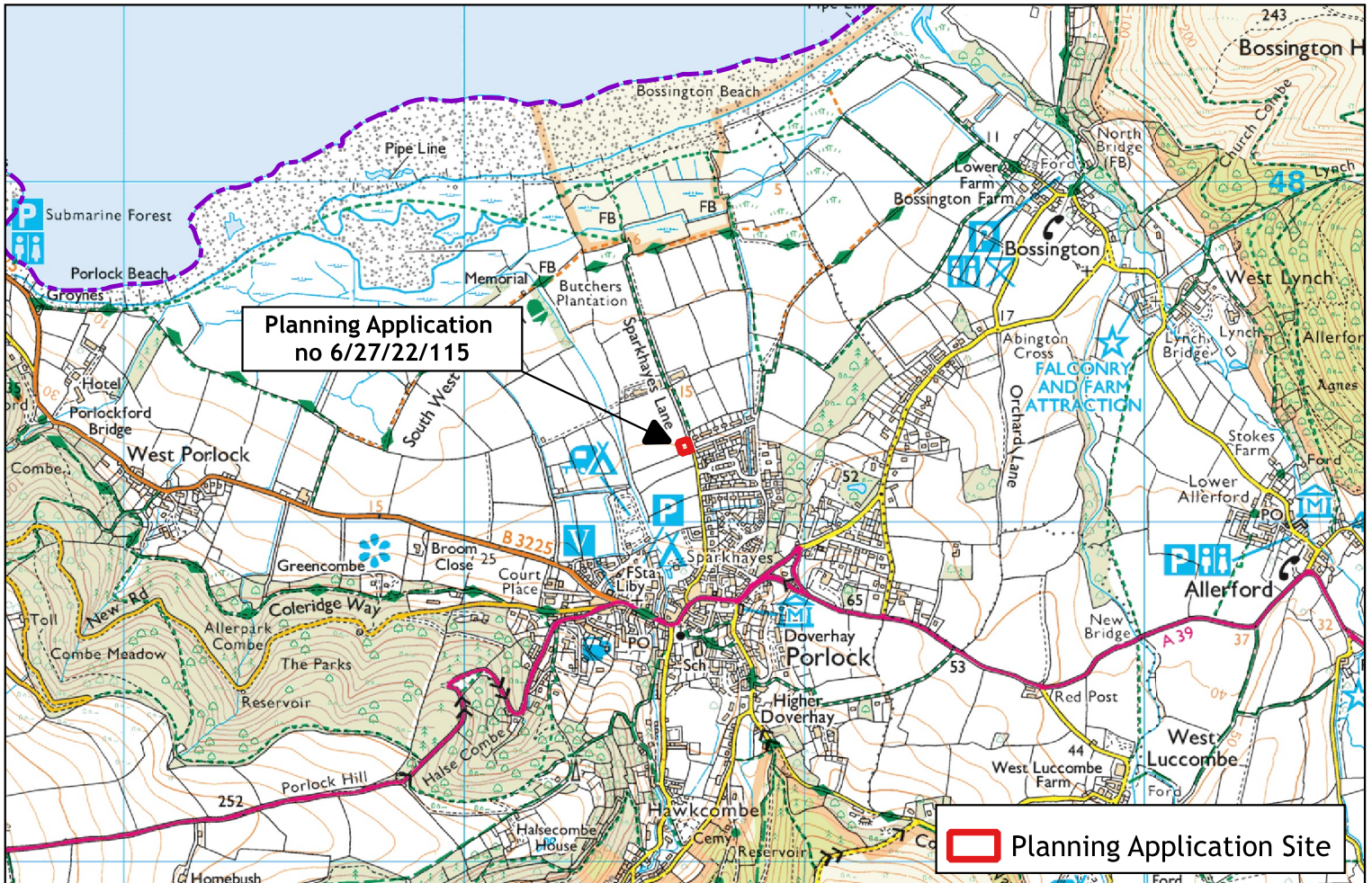
Where an increase in vehicular traffic or other alteration in the private use of a public right of way this route is expected as a result of the development, there will be other considerations such as the impact on the maintenance requirements of the right of way.



Site Map

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Overview Map

Scale 1:20,000.00002

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6.3



Committee Report

Application Number:	6/9/24/021LB
Registration Date:	17-Dec-2024
Target Determination Date:	10-Feb-2025
Extension of Time:	
Applicant	Mrs S Bryan
Agent:	
Case Officer:	Joe White
Site Address:	Chypleighs, 3 Rosemary Lane, Dulverton, TA22 9DP
Proposal:	Listed building consent for the proposed erection of timber beams and posts to provide support for first floor.
Recommendation:	Approve with conditions
Reason for bringing before Authority Committee:	The application relates to a property owned by a member of Leadership Team.

Relevant History

6/9/18/117LB Listed Building Consent for the proposed blocking up of existing opening in gard Approved 10/31/2018
6/9/21/117LB Listed building consent for the proposed internal and external works to dwelling Approved with Conditions 08/05/2021
6/9/90/137 Proposed conversion of disused building to form extension to dwelling at The Old Approved 01/08/1991
6/9/90/138LB Proposed conversion of disused building to form extension to dwelling at The Old Approved 01/08/1991
6/9/94/103 Proposed erection of back porch/greenhouse, Chypleighs, Rosemary Lane, Dulverto Approved 04/07/1994
6/9/94/104LB Proposed erection of back porch/greenhouse, Chypleighs, Rosemary Lane, Dulvert Approved 04/07/1994

Site Description & Proposal

Chypleighs is a Grade II listed property on the edge of the medieval centre of the town of Dulverton. It is located within Dulverton Conservation Area. The property is accessed via Rosemary Lane and is an early 19th century cottage.

The Historic England list entry for Chypleighs reads as follows:

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'Cottage. Early C19. Roughcast over rubble, shallow pitch slate roof, stone stacks gable ends. Plan: 2-cell and cross passage with outbuilding returned west gable end. Two storeys, 3-bays, pointed arch Gothic casements with divided tracery heads, pointed arch central doorway with plank door. One bay slate roofed, weather boarded outbuilding adjoining, returned as corrugated iron roofed loft over coach house with 2-light window.'

The application seeks listed building consent for the erection of four timber posts together with timber beams to provide support for the first floor. The timber posts would be on the line of historic stud walls, which were removed in 1992 following the grant of planning consent under applications reference 6/9/90/137 and 6/9/90/138LB.

Consultee Representations

Wildlife Officer – No concerns from an ecological perspective.

Senior Heritage Officer – I have provided pre-application advice on this application. In the early 1990s a structural ground floor internal wall was removed under application 6/9/90/138LB. there is resulting deflection in the first floor. The proposal is a relatively light touch solution to the issue. The works have been advised by Patrick Stow, a conservation accredited structural engineer. I support the application.

No other consultee comments received.

Representations

No representations received.

Policy Context

EXMOOR NATIONAL PARK LOCAL PLAN
GP1 Achieving National Park Purposes and Sustainable Development
CE-S4 Cultural Heritage and Historic Environment
CE-D3 Conserving Heritage Assets
CE-S3 Biodiversity and Green Infrastructure
CE-S5 Principles for the Conversion or Structural Alterations of Existing Buildings
CE-S6 Design and Sustainable Construction Principles

The works proposed under the Listed Building application must be considered under the Planning (Listed Buildings and Conservation Areas) Act 1990. Under Section 16, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.

6.3

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

Planning Considerations

The application property has a Grade II listing. When making a decision on listed building consent applications, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (sec. 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies). Preservation in this context means not harming the interest in the building, as opposed to keeping it unchanged.

Chypleighs was owned from 1925-47 by Frank Green. Green was an antiquarian who also owned the hunting lodge and estate outside Dulverton, known as Ashwick. He later owned Greenways and various other property in Winsford. Chypleighs is believed to have been the home of his valet. There are no records of works that may have been carried out at the house by Frank Green.

The planning consents granted in the early 1990s permitted alterations to the house, extension into the adjoining disused brewery and the removal of two internal walls which created a cross passage. The removal of these walls has removed some of the supporting structures to the joists above. The proposal seeks to address this, by erecting new timber posts to provide a suitable supporting structure.

Two posts and a supporting beam would be added on the line of each of the previous walls to support the joists.

The Senior Heritage Officer supports the application. He considers the works would be a relatively light touch solution to the issue that has arisen and notes that the works have been informed by a conservation accredited structural engineer.

The proposed works would relate to elements of the listed building that were altered within the phase of twentieth century work. Consequently, the proposal would not remove or damage existing historic fabric within the building. Moreover, the proposal seeks to redress some damage caused to the structure as a consequence of that earlier period of works, and it would not alter the historic plan of the building.

As such, these works would preserve the historic character of the building and would not lead to harm to its historic or architectural interest.

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

6.3

The proposed works, which would support the continued use of the building, would have an acceptable impact on the historic character and architectural interest of the building thereby satisfying s.16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Moreover, the proposals are considered to comply with the relevant development plan policies in so far as they are material to this application.

Recommendation

To GRANT listed building consent subject to the following conditions:

1. The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

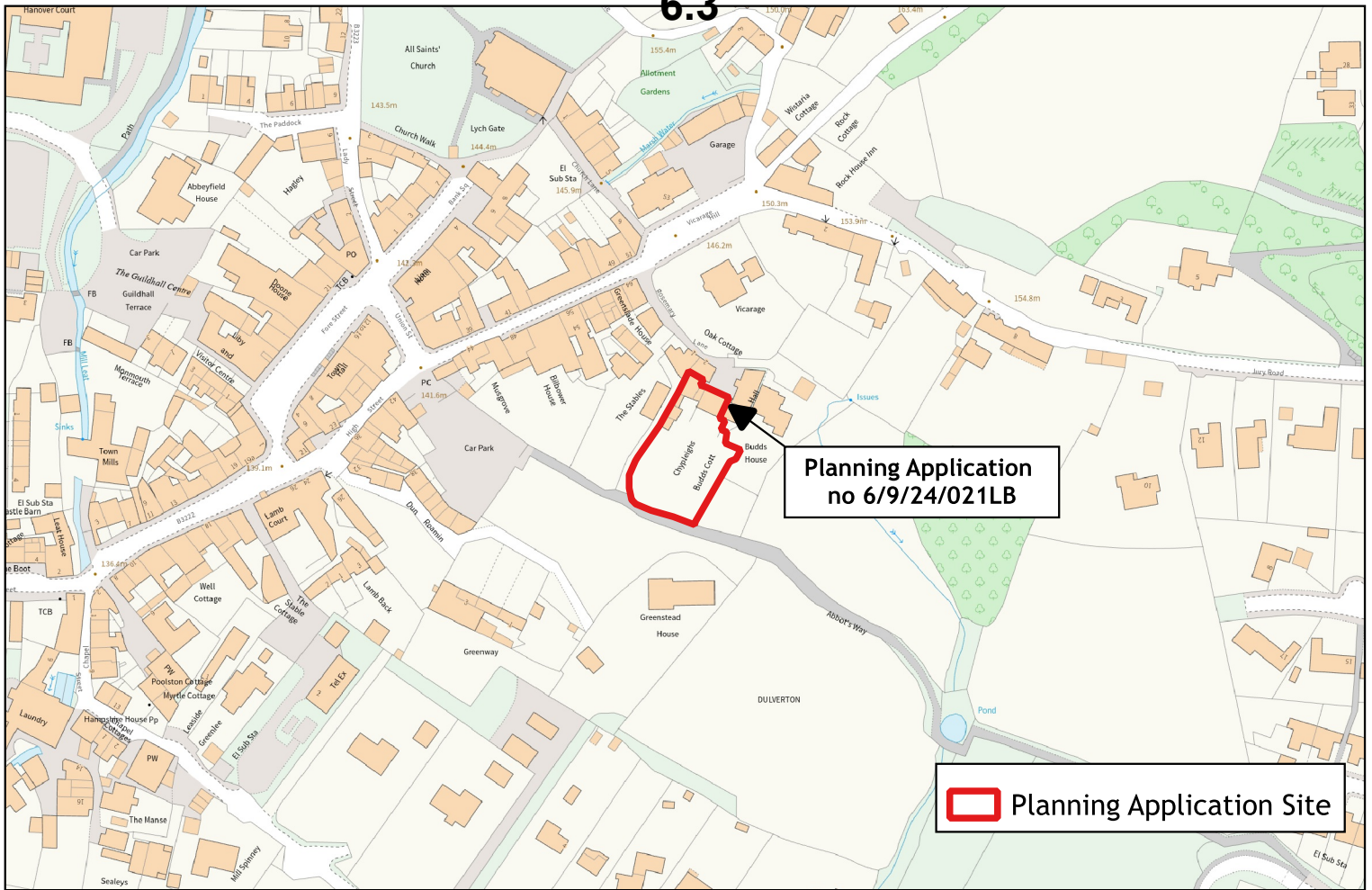
2. The works hereby approved shall not be carried out except in complete accordance with drawings submitted with the application and numbered 255.16 and 255.1004A.

Reason: For the avoidance of doubt and to ensure the development accord with the approved details.

Informatives

Positive and Proactive Statement

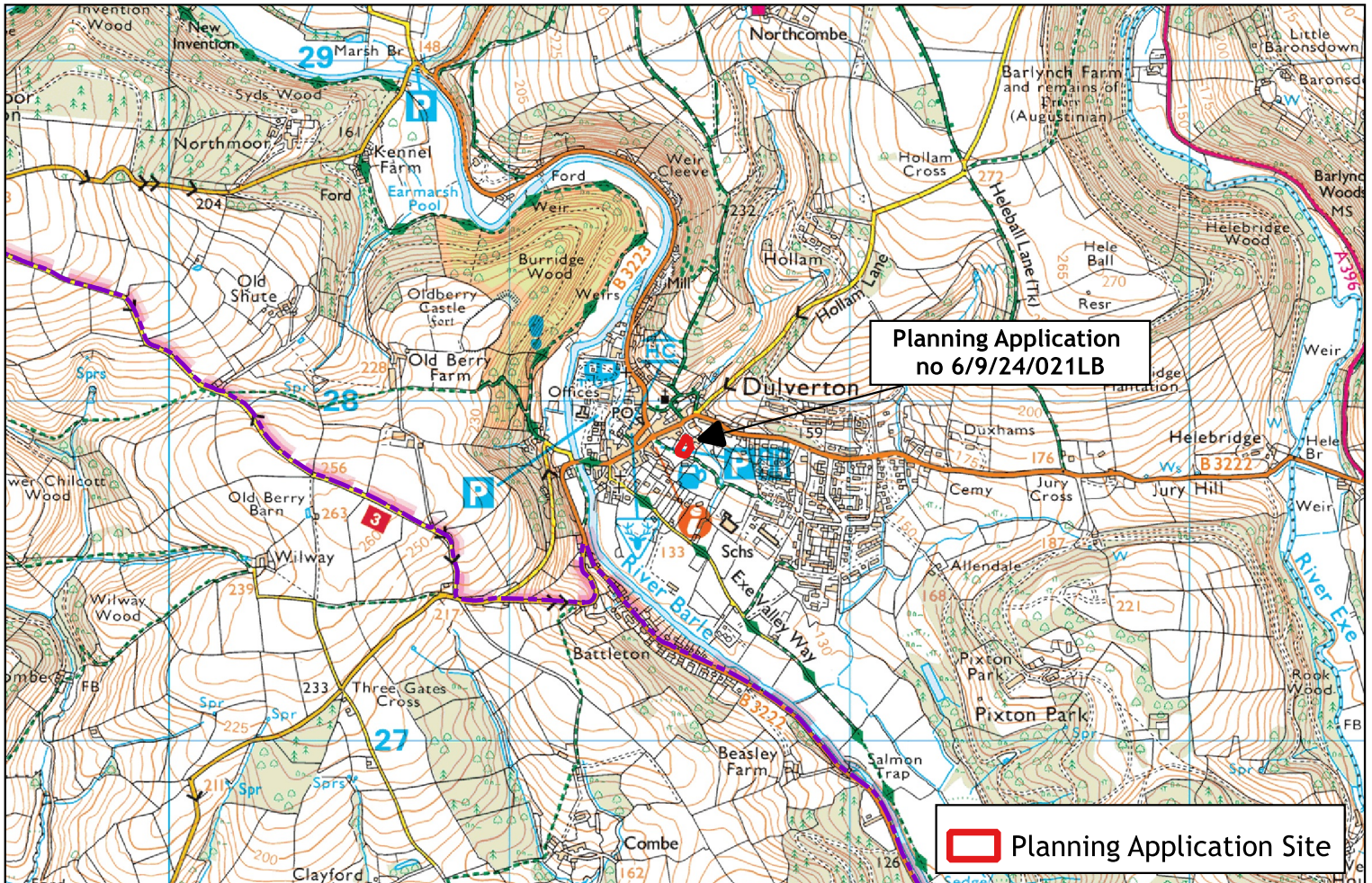
This Authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with the requirements of Article 35 of the Town and Country Planning (General Management Procedure) (England) Order 2015, in determining this application, Exmoor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



Site Map

Scale 1:2,500.00003

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Overview Map

Scale 1:20,000.00002

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6.4



Committee Report

Application Number:	6/9/24/020LB
Registration Date:	04-Dec-2024
Target Determination Date:	27-Jan-2025
Extension of Time:	11-Feb-2025
Applicant	Mrs. C Binney-Winfield, Exmoor National Park Authority
Agent:	N/A
Case Officer:	Joseph Rose
Site Address:	EXMOOR NATIONAL PARK AUTHORITY, EXMOOR HOUSE, DULVERTON, TA22 9HL
Proposal:	Application Under Regulation 3 of The Town & Country Planning General Regulations 1992 for Listed building consent for the removal of partition walls to enable re-organisation of rooms.
Recommendation:	Approval subject to conditions.
Reason for bringing before Authority Committee:	In accordance with Exmoor National Park Authorities scheme of delegation, as the application is made to the National Park Authority by the National Park Authority itself.

Relevant History

None Relevant.

Site Description & Proposal

Exmoor House is a Grade II listed building and was built as the Dulverton Union Workhouse in 1855. It is now the headquarters of the Exmoor National Park Authority. The property is located next to the River Barle, within a flood risk area. It lies to the east of Dulverton within the Conservation Area. The building has a formal façade with the front central section jutting forward slightly of the bays at either side. This central bay comprises the main entrance into the building. To the rear (north) is a long two-storey wing with less formal architectural treatment but using the same stone. The Committee room occupies the first floor of this rear wing.

The T-shaped plan was originally divided down the middle, with men accommodated in the west half and women in the east. At first floor level, the physical division between the east and west halves was largely lost in the 1960s when the building was occupied

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by Dulverton Rural District Council, but it is still reflected in the current layout of the stairs, which allow ascent on the left or right and two doors giving access to the Committee room.

The listed building application seeks consent to alter the layout of two current file storage / print rooms, by removing two non-original or historic walls in order to combine the space into a new meeting and storage room.

Consultee Representations

ENPA Senior Heritage Officer – Support:

I have been involved in the development of this application. The works will reinstate the original proportions of the room and will not harm the significance of the listed building.

ENPA Ecology – No Objection:

Thank you for consulting me on this application seeking listed building consent for alterations to Exmoor House. I have no concerns from an ecological perspective.

Representations

None Received.

Policy Context

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

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

- GP1 - Achieving National Park Purposes and Sustainable Development
- CE-S4 - Cultural Heritage and Historic Environment
- CE-D3 - Conserving Heritage Assets
- CE-S6 – Design and Sustainable Construction Principles

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

6.4

Planning Considerations

The application property has a Grade II listing. When making a decision on listed building consent applications, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (sec. 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies). Preservation in this context means not harming the interest in the building, as opposed to keeping it unchanged.

Section 16 of the NPPF at Paragraph 212 states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' Significance is defined as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic.

Paragraph 215 of the NPPF goes on to outline that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy CE-S4 of the Exmoor National Park Local Plan also states that Exmoor National Park's local distinctiveness, cultural heritage, and historic environment, will be conserved and enhanced to ensure that present and future generations can increase their knowledge, awareness and enjoyment of these special qualities. Furthermore Policy CE-D3 goes on to emphasise that development proposals affecting conservation areas and heritage assets should ensure that the character or appearance of the asset and the surrounding area is preserved or enhanced and should make a positive contribution to the setting through sensitive design and siting and avoid unacceptable adverse effects and cumulative visual effects that would impact on the setting.

In regard to the proposed works impacts, ENPA's Historic Buildings Officer has confirmed that the works would not cause any level of harm to the listed building and that it would reinstate the original proportions of the room.

The proposed works would remove relatively recent wall partitions within the building, thus better restoring the historic room proportions. There would be no damage or loss of historic fabric within the building. As such the removal of the walls would not cause any level of harm to the historic plan of the rooms and the proposal would not cause harm to the special interests of the listed building.

Additionally, given the works will not impact upon the exterior of the property, the works will not adversely affect the surrounding conservation area in accordance with Policy CE-D3 of the local plan.

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As such, the proposal is considered to be in accordance with Sec. 16 of the Act, NPPF and the planning policies within the Exmoor National Park Local Plan 2011-2031, in so far as they are relevant. Consequently, it is recommended that listed building consent be approved.

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 provided above, as well as all other material considerations, officers consider that the proposed works will not cause harm to the listed building, as the walls to be removed are not original or historic.

Additionally, given the works will not impact upon the exterior of the property, the works will not adversely affect the surrounding conservation area in accordance with Policy CE-D3 of the local plan.

The proposed works would preserve the character and appearance of the Listed Building in line with national and local policy, in accordance with Policy CE-S4 and Policy CE-D3 of the Local Plan and Paragraph 208 of the NPPF.

As such, the proposal is considered to be in accordance with the Act, NPPF, and the planning policies within the Exmoor National Park Local Plan 2011–2031, in so far as they are relevant, and it is recommended that listed building consent be approved.

Recommendation

That Listed Building Consent be granted subject to the following conditions:

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.

Reason: To comply with Section 18 Planning (Listed Buildings & Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The works hereby approved shall be carried out in strict accordance with the drawings numbered: 6/9/24/020LB File No.1, 6/9/24/020LB File No.2, 6/9/24/020LB File No.5 & 6/9/24/020LB File No.6.

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Reason: To confirm the terms of the consent.

Informatives

POSITIVE & PROACTIVE STATEMENT:

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

The Department of Communities and Local Government have introduced a process whereby it is now possible to apply for a non-material amendment to a permission. This can deal with changes to plans which do not fundamentally alter the form of permission but are a variation to the approval. The appropriate form is available by request at Exmoor House or by downloading from the National Park Authority web site. Applications can be made via the Planning Portal.

MONITORING OF DEVELOPMENT:

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

CONDITIONS AND INFORMATIVES AND THE SUBMISSION OF FURTHER DETAILS:

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

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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.

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
62/41/24/018DC	Mr. K Harris - Discharge of condition 4 (door details) of approved application 62/41/24/007LB (Discharge of Condition) - External Public Toilets, Lynton Town Hall, Lee Road, Lynton, Devon, EX35 6HT	24-Oct-2024 Approved
6/29/24/005LB	Mr & Mrs J & S Blake - Listed building consent for the proposed installation of broadband satellite dish on chimney. Retrospective. (Listed Building Consent) - CROSSACRES, SELWORTHY, MINEHEAD, TA24 8TW	24-Oct-2024 Approved with Conditions
6/40/24/008DC	Mr M Broadwith - Discharge of conditions 4 (samples), 6 (ecology) & 7 (ecology) of approved application 6/40/24/004LB (Discharge of Condition) - Great Nurcott Farm, WINSFORD, MINEHEAD, TA24 7HR	25-Oct-2024 Approved
6/40/24/007DC	Mr M Broadwith - Discharge of conditions 4 (samples) 6 (ecology) & 7 (ecology) of approved application 6/40/24/003 (Discharge of Condition) - Great Nurcott Farm, WINSFORD, MINEHEAD, TA24 7HR	25-Oct-2024 Approved
6/14/24/003DC	Ms T Gowlland - Discharge of conditions 7 (ecology), 8 (landscaping) and 10 (stone sample) of approved application 6/14/24/001. (Discharge of Condition) - THE OLD VICARAGE, SIMONSBATH, MINEHEAD, TA24 7SH	25-Oct-2024 Approved
62/43/24/006	Ms F Blunt - Non-material amendment – full – of approved application 62/43/23/010 to allow the removal of the horizontal frame junction line on the ground and first floor windows. (NMA - Full) - MARTINHOE MANOR, WOODY BAY, PARRACOMBE, BARNSTAPLE, EX31 4QX	28-Oct-2024 Approved
WTCA 24/18	Mr J Denovan - Works to Trees in Conservation Area: Crown reduce back to previous crown reduction pruning points by removing up to 3m - 5m off the height and spread of the crown and reduce back lateral end weight loaded limbs to an appropriate pruning point, up to between 3m - 4m removal. (WTCA) - Brook Cottage, 26 Park Street, Dunster, Somerset, TA24 6SR	28-Oct-2024 Approved
6/29/24/009DC	Mrs. K Campbell Hards, National Trust - Discharge of condition 3 of approved application 6/29/24/001LB	31-Oct-2024 Approved

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
	(Discharge of Condition) - SELWORTHY FARM, SELWORTHY, MINEHEAD, TA24 8TL	
62/19/24/002LB	Mr D Elson - Listed building consent for the proposed installation of free-standing Electric Vehicle Charger within interior of threshing barn. (Listed Building Consent) - VERWILL FARM, COMBE MARTIN, ILFRACOMBE, EX34 0PE	31-Oct-2024 Withdrawn
62/50/24/005	Ms S Sheehan - Lawful development certificate for the existing use of land for the siting of a static caravan and its use as a holiday let. (CLEUD) - HAZELDENE, PARRACOMBE, BARNSTAPLE, EX31 4PE	31-Oct-2024 Approved
6/26/24/001	Ms K MacGilchrist - Proposed erection of detached barn (13.7m x 6.1m) (Full) - Land to the South of Lower Hook Hill, Comberow Lane, Roadwater, Watchet, TA23 0QP	31-Oct-2024 Approved with Conditions
6/13/24/005LB	Mr S Brown - Listed building consent for the proposed installation of staircase, minor internal and external alterations. (Listed Building Consent) - Yealscombe, Self Catering Units, Yealscombe Lane, Exford, Minehead, Somerset, TA24 7NQ	01-Nov-2024 Approved with Conditions
6/13/24/004	Mr S Brown - Proposed installation of staircase and part amalgamation of first floor holiday unit with approved ground floor holiday flatlet. (Full) - Yealscombe Self Catering Units, Yealscombe Lane, Exford, Minehead, Somerset, TA24 7NQ	01-Nov-2024 Approved with Conditions
6/27/24/003	Mr. D McCanlis, Porlock Recreation Ground CIO - Proposed demolition of a disused toilet block, erection of an extension to the pavilion along with subsequent alterations and renovation measures. (Full) - THE PAVILION, PORLOCK RECREATION GROUND, Parsons Street, PORLOCK, MINEHEAD, TA24 8QJ	01-Nov-2024 Approved with Conditions
GDO 24/20	Mr. M Kerby, Forestry England - Prior notification for turning point and parking area (12m x 10m) on access track at Bye Common. (Prior Notification - Agricultural/Forestry (GDO)) - Access Road between Larcombe Foot & West Nethercote Farm - x:288610, y:136110, Winsford, Minehead	04-Nov-2024 Prior Approval Not Reqd

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
6/9/24/013	Mr & Mrs Wilson - Proposed single storey rear extensions. (Householder) - 7, VALENTINES, DULVERTON, TA22 9ED	04-Nov-2024 Refused
6/40/24/005	Mr J Smith - Proposed construction of local needs affordable dwelling without complying with condition 4 (timber windows and doors) of planning permission 6/40/20/114. (Alteration/Lift Condition) - Long garden plot above the Council House, Ash Lane, Winsford, Minehead, Somerset, TA24 7JH	05-Nov-2024 Approved with Conditions
6/29/24/006	Mr S Godfrey - Proposed installation of air source heat pump (Householder) - WOODPECKERS, BOSSINGTON LANE, PORLOCK, MINEHEAD, TA24 8HD	08-Nov-2024 Approved with Conditions
6/25/24/004	Mr. S Hewlett, Yenworthy Lodge Outdoor Centre/Groundworks South - Proposed replacement of existing aluminium double glazed windows with uPVC. (Householder) - Yenworthy Lodge Cottage, OARE, LYNTON, Somerset, EX35 6NY	11-Nov-2024 Approved with Conditions
62/41/24/015	Mr E Thomas - Proposed erection of a replacement side and rear single storey extension. (Householder) - 3 Caffyns Cross, Road From Caffyns Cross To Six Acre Cross, Lynton, Devon, EX35 6JP	11-Nov-2024 Approved with Conditions
62/41/24/014LB	Capt G Carlo-Paat MBE, North Devon Council - Listed building consent for the proposed installation of 4no. CCTV cameras. (Listed Building Consent) - Rhenish Tower, The Esplanade, Lynmouth, Devon, EX35 6EQ	11-Nov-2024 Approved with Conditions
62/11/24/008	Mr J Wallace, National Trust - Proposed change of use of stable block to a storage, distribution and processing facility in connection with countryside conservation and land management (mixed use E(g) and B8), together with repairs and re-roofing of the building. (Full) - Stable Block, Lorna Doone Farm, Malmsmead, Lynton, EX35 6NU	11-Nov-2024 Approved with Conditions

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
6/10/24/015LB	Mr I Bigley - Listed building consent for the proposed repair to roof timberwork, new felt and batten, insulation and replace existing tiles to exact same design as existing. Retrospective. (Listed Building Consent) - 4 THE BALL, DUNSTER, MINEHEAD, TA24 6SD	11-Nov-2024 Approved with Conditions
6/13/24/006	Exford C of E School - Proposed replacement of windows & doors with painted timber, thin double-glazed windows and doors. (Full) - EXFORD C OF E FIRST SCHOOL, EXFORD, MINEHEAD, TA24 7PP	11-Nov-2024 Approved with Conditions
GDO 24/21	C Frost - Prior notification for proposed erection of agricultural storage building (22.3m x 12.1m) (Prior Notification - Agricultural/Forestry (GDO)) - Land off Sherracombe Lane, Yarde Down, North Molton, EX36 3HA	12-Nov-2024 Prior Approval Not Req'd
6/10/24/016LB	Mrs S Hinckley - Listed building consent for the proposed installation of new mains gas connection. (Listed Building Consent) - PARHAM HOUSE BRIDES, 22, CHURCH STREET, DUNSTER, MINEHEAD, TA24 6SH	12-Nov-2024 Approved with Conditions
6/40/24/009	Ms J Lawrence - Proposed erection of outbuilding for use as garden room and store. (Householder) - WEIRSIDE, WINSFORD, MINEHEAD, TA24 7JE	13-Nov-2024 Approved with Conditions
6/30/24/002DC	Mr H Best - Discharge of conditions 11 (lighting), 13 (ecology), 15 (rainwater goods) & 18 (ecology) of approved application 6/30/22/002 (Discharge of Condition) - Frogwell Farm, SKILGATE, TAUNTON, Somerset, TA4 2DP	15-Nov-2024 Approved
6/13/24/002	Mr R Vigers - Proposed erection of steel framed livestock building and minor alteration to the field access. Part Retrospective. (Full) - Land North of Chibbet Post, Exford, Minehead, Somerset	15-Nov-2024 Approved with Conditions
WTCA 24/19	Ms K Lee - Works to trees in a conservation area: Removal of multi stem Fig T1, Reduction of large Yew T2 to 2.5/3m, Removal of Silver Birch T3 and Removal of multi stemmed common elder T4. (WTCA) - High House, 1 Castle Hill, Dunster, Minehead, Somerset, TA23 6SQ	20-Nov-2024 Approved

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
62/41/24/017DC	Mr G Shaw - Proposed discharge of conditions 3 (scaled drawings), 4 (sample of ridge & roof tiles), 5 (details of colour of roof) and 9 (confirmation of no external lights) of approved application 62/41/21/007LB (Discharge of Condition) - NORTH FURZE HILL FARM, BARBROOK, LYNTON, EX35 6LN	20-Nov-2024 Approved
62/41/24/016DC	Mr G Shaw - Proposed discharge of conditions 3 (scaled drawings), 4 (sample of ridge & roof tiles), 5 (details of colour of roof) and 9 (confirmation of no external lights) of approved application 62/41/21/006 (Discharge of Condition) - NORTH FURZE HILL FARM, BARBROOK, LYNTON, EX35 6LN	20-Nov-2024 Approved
6/9/24/016	Mr P Govier - Proposed erection of domestic outbuilding to house indoor swimming pool for recreational purposes. (Householder) - DUXHAMS, 41, JURY ROAD, DULVERTON, TA22 9EJ	21-Nov-2024 Approved with Conditions
6/43/24/009	Mrs Z Hanks - Proposed demolition of existing conservatory and erection of conservatory together with alterations to internal layout including removal of external wall between conservatory and existing dining room. (Householder) - SILVERTREES, WOOTTON COURTENAY, MINEHEAD, TA24 8RF	22-Nov-2024 Approved with Conditions
6/29/24/008LB	Mr. D Raymond, National Trust - Listed building consent for the proposed refurbishment and re-decoration of the property including the demolition of the conservatory and lean-to coal shed to the rear and installation of new external oil fired boiler, repair of windows & doors, replacement of external door to Sitting Room with window, installation of new kitchen and bathroom facilities together with formation of cobbled drainage strip along the front of the property. (Listed Building Consent) - MYRTLE COTTAGE, BOSSINGTON, MINEHEAD, TA24 8HF	22-Nov-2024 Approved with Conditions
6/29/24/007	Mr. D Raymond, National Trust - Proposed refurbishment and re-decoration of the property including the demolition of the conservatory and lean-to coal shed to the rear and installation of new external oil fired boiler, repair of windows & doors, replacement of external door to Sitting Room with window, installation of new kitchen and bathroom	22-Nov-2024 Approved with Conditions

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
	facilities together with formation of cobbled drainage strip along the front of the property. (Householder) - MYRTLE COTTAGE, BOSSINGTON, MINEHEAD, TA24 8HF	
6/40/24/006	Ms J Dawson - Proposed single storey extension along with front and rear dormer windows. (Householder) - 2 TOWNSEND COTTAGES, Winsford, MINEHEAD, Somerset, TA24 7JE	22-Nov-2024 Approved with Conditions
6/42/24/002DC	Mr & Mrs Fleming - Discharge of conditions 4 (ecology), 6 (external lighting) & 7 (dust control) of approved application 6/42/22/108 (Discharge of Condition) - EAST HOLLOWCOMBE, HAWKRIDGE, DULVERTON, TA22 9QL	25-Nov-2024 Approved
6/8/24/003LB	Mrs J Schofield - Listed building consent for the replacement of 2 no. timber windows. (Listed Building Consent) - North Hawkwell Farm, TIMBERSCOMBE, MINEHEAD, TA24 7UH	25-Nov-2024 Approved with Conditions
6/14/24/004	Sir S Waley-Cohen - Proposed change of use of part of agricultural field to residential curtilage. Retrospective. (Full) - Wool Barn, Honeymead, Simonsbath, Minehead, TA24 7JX	25-Nov-2024 Approved with Conditions
6/35/24/001	Mr M Bishop - Proposed erection of a single storey replacement extension to the west elevation. (Householder) - LOWER COURT FARM, TREBOROUGH, WATCHET, TA23 0QW	27-Nov-2024 Approved with Conditions
6/3/24/008	Mr T Howells - Proposed change of use of existing barn to a home office and workshop, together with, bat mitigation works to adjacent barn. (Full) - LITTLE HICCOMBE FARM, BROMPTON REGIS, DULVERTON, TA22 9NS	28-Nov-2024 Approved with Conditions
6/43/24/010	Ms C Summers-West - Proposed erection of single storey porch extension and dormer window to west elevation. (Householder) - DUNKERY COTTAGE, WOOTTON COURTENAY, MINEHEAD, TA24 8RD	29-Nov-2024 Approved with Conditions
6/12/24/001	Mr M Yandell - Proposed demolition of existing lean-to extension and erection of 2no. two storey extensions. (Householder) - EMSDALE HOUSE,	29-Nov-2024 Approved with Conditions

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
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	ELWORTHY, LYDEARD ST. LAWRENCE, TAUNTON, TA4 3PX	
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Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
6/3/24/007	Mr J Scott - Proposed loft conversion to include the installation of 3no. dormer windows, 2no. velux windows, change of roof material together with the retrospective works to the lean-to roofs and creation of a porch area. (Householder) - RUGGS BUNGALOW, BROMPTON REGIS, DULVERTON, TA22 9NY	02-Dec-2024 Approved with Conditions
HRN 24/01	Miss. C Carter, Wessex Water - Hedgerow removal notice for the proposed removal of 3 meters of hedgerow. (HRN) - Hedgerow located between the A396 and Knowle Lane, Timberscombe, TA24 7TD - x:295633, y: 142645	04-Dec-2024 Approved
6/20/24/003	Mr S Harding - Proposed replacement side extension, new roof over bay windows, extension to existing living room together with installation of bi-fold doors and gable bay window, new porch extension along with new rooflight in the second-floor bedroom and replacement of dormer window with a rooflight. (Householder) - PONDS COTTAGE, LUXBOROUGH, WATCHET, TA23 0SL	04-Dec-2024 Approved with Conditions
62/50/24/015LB	Mrs C Blowing - Listed building consent for the proposed replacement of 2no. windows (2015)and blocking up of internal doorway in Coach House, installation of 2no. toilets in the garden room (2006), re-roofing and roof repairs to the ballroom roof (2010) , removal of chimney stack to Heddon Hall (1990) and creation of block hen house within stable block. Retrospective. (Listed Building Consent) - HEDDON HALL, PARRACOMBE, BARNSTAPLE, EX31 4QL	05-Dec-2024 Approved with Conditions
6/10/24/019DC	Ms J Copeland Sloan - Discharge of condition 3 (Roof details) of approved application 6/10/24/012LB (Discharge of Condition) - 6, HIGH STREET, DUNSTER, MINEHEAD, TA24 6SG	06-Dec-2024 Approved
6/10/24/018DC	Ms J Copeland Sloan - Discharge of condition 3 (Roofing details) of approved application 6/10/24/011 (Discharge of Condition) - 6, HIGH STREET, DUNSTER, MINEHEAD, TA24 6SG	06-Dec-2024 Approved

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
6/27/24/011	Ms J Martin - Proposed amalgamation of flat above Number One and associated ground floor kitchen and bathroom, into Gazebo Cottage to create 1no 3 bed dwelling. Retrospective. (Full) - GAZEBO, HIGH STREET, PORLOCK, MINEHEAD, TA24 8PS	06-Dec-2024 Refused
GDO 24/22	Cornerstone Telecommunications Infrastru - Prior notification for the proposed installation of a 25m lattice tower to support 3 no. antennas and 2 no. 0.6m dishes;together with 2 no. equipment cabinets, 1 no. meter cabinet, a generator and associated ancillary equipment enclosed within a 1.2m stockproof fence compound. (Prior Approval - Part 16 (Telecomms)) - ND NEAR TO EXISTING COMMUNICATIONS MAST (CO-LOCATION) LILLYCOMBE ESTATE, Lillycombe Estate, Culbone Hill, Porlock, Somerset, TA24 8JW	10-Dec-2024 Prior Approval Required-Prior Approval Approved
6/9/24/009	Mrs J Arkle - Existing ground to be levelled by excavating the northern end of the site and filling over the southern end of the site to provide a level site and the construction of four new stables and associated tack room, utility room and shower/wc, feed store, muck store and hay store (Full) - HIGHER MARSH, DULVERTON, TA22 9QF	11-Dec-2024 Approved with Conditions
6/8/24/004	Mr F Perchard - Proposed erection of stable building. (Full) - OLD STOWEY BUNGALOW, WHEDDON CROSS, MINEHEAD, TA24 7BT	13-Dec-2024 Approved with Conditions
62/41/24/019	Lynton Cricket Club - Proposed replacement of rear extension to form extra changing space. (Full) - Lynton Cricket Pavilion, Lee Road, Lynton, Devon, EX35 6JH	17-Dec-2024 Approved with Conditions
6/14/24/005	Sir S Waley-Cohen - Proposed change of use to part of an existing agricultural storage building to accommodate a combined office and workshop area, part change of use of the building to allow equestrian use together with installation of solar PV array to roof. (Full) - Agricultural Storage Barn, Honeymead, Simonsbath, Minehead, Somerset, TA24 7JX	17-Dec-2024 Approved with Conditions

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
6/15/24/005	Mr. G Everard, Everard Partners - Proposed conversion of barn to form sleeping accommodation to be used in conjunction with Exmoor Bunkbarn. (Full) - Week Farm, Hostel And Premises, Week Lane, Exton, Dulverton, Somerset, TA22 9JP	18-Dec-2024 Approved with Conditions
6/29/24/011DC	Mrs. K Campbell-Hards, National Trust - Discharge of condition 4 (bat licence) of approved application 6/29/24/001LB. (Discharge of Condition) - SELWORTHY FARM, SELWORTHY, MINEHEAD, TA24 8TL	19-Dec-2024 Approved
62/43/24/008DC	Ms F Blunt - Discharge of conditions 9 (CEMP) and 12 (Landscape) of approved application 62/43/23/010 (Discharge of Condition) - MARTINHOE MANOR, WOODY BAY, PARRACOMBE, BARNSTAPLE, EX31 4QX	19-Dec-2024 Approved
6/40/24/010LB	Mr D Brown - Listed building consent for the proposed removal of section of internal wall. (Listed Building Consent) - Bevins House, Winsford, Minehead, Somerset, TA24 7JE	20-Dec-2024 Approved with Conditions
6/27/24/013DC	Mr M Keal - Discharge of conditions 4 (Cladding), 6 (sedum/green roof), 7 (Access surface) & 8 (surface water) of approved application 6/27/22/118 (Discharge of Condition) - KEAL RISE, HAWKCOMBE, PORLOCK, MINEHEAD, TA24 8QW	23-Dec-2024 Approved
6/40/24/012LB	Professor & Mrs D Helm - Listed building consent for the proposed recovering in natural slate of existing roof to main cottage to include installation of integrated PV panels on west elevation,together with installation of on-roof PV panels to south & west return roof slopes of outbuilding. (Listed Building Consent) - Withycombe Cottage, Ash Lane, Winsford, Dulverton, Somerset, TA24 7AB	23-Dec-2024 Approved with Conditions
6/40/24/011	Professor & Mrs D Helm - Proposed recovering in natural slate of existing roof to main cottage to include installation of integrated PV panels on west elevation,together with installation of on-roof PV panels to south & west return roof slopes of outbuilding. (Householder) - Withycombe Cottage, Ash Lane, Winsford, Dulverton, Somerset, TA24 7AB	23-Dec-2024 Approved with Conditions

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
WTCA 24/21	Mr. D Gamblin, DG Tree Services - Works to trees in a conservation area: Remove 6m long Leylandii hedge from end of rear garden. (WTCA) - MYRTLE COTTAGE, HIGH STREET, PORLOCK, MINEHEAD, TA24 8PU	24-Dec-2024 Approved
WTCA 24/20	Lady J Wall - Works to Trees in a Conservation Area: Proposed topping and trimming of 1no Conifer (WTCA) - 4, JURY ROAD, DULVERTON, TA22 9DU	24-Dec-2024 Approved
WTPO 24/03	Mr M Stables - T6 & T7 (both Alder) - Crown lift to 5.4m clearance over the driveway. T38 & T39 (both Common Beech) - Reduce by 2m height. T40 Common Beech - Remove first large branch at 9m above ground level West over car park. See Tree Report with findings and recommendations dated November 2023. (WTPO) - MANAGERS OFFICE, HANOVER COURT, DULVERTON, TA22 9HZ	24-Dec-2024 Approved
6/29/24/010LB	Mr J Blake - Listed Building Consent for the proposed change to the external paint colour from pale cream to pale green. Retrospective. (Listed Building Consent) - CROSSACRES, SELWORTHY, MINEHEAD, TA24 8TW	24-Dec-2024 Refused

Application decisions delegated to the Chief Executive

Application Ref	Applicant & Location	Decision and Date
WTCA 24/22	Mr D Moore - Works to trees in a conservation area: Tree A (Walnut) - remove 2 limbs from over driveway and crown reduce by up to 2m. Tree B (Bramley apple) - light pruning work and Tree C (Liquidambar) - pruning back damaged / broken limbs away from garage roof and crown lifting over adjacent highway. (WTCA) - 15, ST. GEORGES STREET, DUNSTER, MINEHEAD, TA24 6RX	07-Jan-2025 Approved
6/9/24/018LB	Mr A McKay - Proposed installation of through floor lift with associated work, stair removal, build up wall and infill ceiling aperture. (Listed Building Consent) - HELEBRIDGE FARM, DULVERTON, TA22 9NA	07-Jan-2025 Approved with Conditions
62/11/24/007	Mrs A Hogg - Proposed demolition and replacement of porch, together with internal alterations (amended description) (Householder) - IDYLL COTTAGE, BRENDON, LYNTON, EX35 6PS	07-Jan-2025 Approved with Conditions
6/10/24/017	S Harris - Proposed variation of Condition 2 of approved application 6/10/23/002 (Alteration/Lift Condition) - GRABBIST HOUSE, WEST STREET, DUNSTER, MINEHEAD, TA24 6SN	15-Jan-2025 Approved with Conditions
6/27/23/007	Ms. C Brice, Tregenna Properties Limited - Outline application for proposed erection of 4no. dwellings. All matters reserved except layout and means of access to the site. (Outline) - Land at Doverhay Place, Porlock, TA24 8HU	17-Jan-2025 Refused
6/43/24/012	Mr I Stewart - Proposed demolition of outbuildings and erection of workshop and wood store. (Householder) - ROSE COTTAGE, WOOTTON COURTENAY, MINEHEAD, TA24 8RD	20-Jan-2025 Approved with Conditions
6/40/24/013	Mr J Wilkinson - Proposed erection of a single storey replacement rear extension. (Householder) - JASMINE COTTAGE, WINSFORD, MINEHEAD, TA24 7JE	20-Jan-2025 Approved with Conditions

ITEM 8

SCHEDULE OF SECTION 106 AGREEMENTS BEING UNDERTAKEN BY DEVON COUNTY COUNCIL ON BEHALF OF EXMOOR NATIONAL PARK AUTHORITY 4 February 2025 (completed agreements not included)

KEY: AH = AFFORDABLE HOUSING

AT = AGRICULTURAL/RURAL WORKER

OA = OTHER AGREEMENT

APPLICATION REFERENCE	SITE	TYPE	Committee decision/Officer instruction	CURRENT POSITION	UPDATE COMMENTS	APP CASE OFFICER
6/8/21/105	Lower Cleeve Barns, Cutcombe	AH – x1 or holiday let	Committee decision 05/04/22	Draft Agreement	Officer instruction 05/04/22. Applicant responded to draft s106 on 03/11/24. DCC reviewing.	Y Dale
6/3/22/111	Sanctuary Lane, Brompton Regis	AH – x1	Officer instruction 15/06/23	Draft Agreement	Draft agreement with applicant to consider. Further discussion between legal and applicant. Legal awaiting further detail 14/11/24.	J Rose
6/8/22/106	Thorne Farm, Wheddon Cross	AH – x2 or holiday let	Officer instruction 14/07/23	Draft Agreement	Draft agreement to be consistent with Lower Cleeve case. DCC requested confirmation that the s106 can proceed with affordable rent definition on 30/06/24.	A Parsons
62/50/23/002	Land West of Parracombe Lane, Parracombe	AH – x6	Committee decision 03/10/23	Draft Agreement	Initial Draft with applicant – 24/07/24. Discussions on-going with latest draft having been sent to applicant on 14/01/25.	J White
6/27/22/115	Land West of Sparkhayes Lane, Porlock	AH – x1	Officer instruction 30/11/23	Draft Agreement	Instructions received by DDC – DCC awaiting confirmation when s106 is to be progressed.	A Parsons
62/62/22/005	Land at Lower Glebe House, Trentishoe	AH – x1	Officer instruction 01/03/24		Letter sent to applicant's solicitor requesting undertaking for costs and title documents on 11/03/24. Chased on 14/05/24 and 04/06/24. Applicant confirmed on 06/12/24 that they wish to progress – awaiting details.	C Spiers
62/49/23/008	Roundhouse to the west of Bentwitthen House, South Molton	AH – x1	Officer instruction 13/05/24	Draft Agreement	S106 to be sent to ENPA for sealing 21/01/25.	J White
6/34/24/002	Knowle Farm, Timberscombe	OA – Deed of Variation	Officer instruction 03/10/24		Initial letter sent to applicant – 09/10/24. Awaiting title information.	J White

6/8/24/005	Paddock opposite Church of St John, Land at Ashwell Lane, Cutcombe	AH – x1	Officer instruction 08/01/25		With DCC to progress	J Rose
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Note: Section 106 Agreements resolved since 1 February 2024:

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