

# PLANNING DECISION NOTICE

TOWN AND COUNTRY PLANNING ACT, 1990. (AS AMENDED)



## Agent

Mr Rufus  
Kelvin Rufus Ltd  
15 Orchard Way  
Williton  
Taunton  
TA4 4SP

## Applicant

Mr & Mrs Michael Sanders  
9 Bracken Edge  
West Quantoxhead  
Somerset  
TA4 4DH

**Date Registered** 26/04/2016

**Application No** 3/38/16/003

**Application Type** Full Planning Permission **Parish** West Quantoxhead

**Grid Reference:** Easting: 311004 Northing: 141710

## Description of Proposal

Erection of porch

## Location of Site

9 Bracken Edge, West Quantoxhead, TA4 4DH

## Planning Permission is granted 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: As required by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved drawings:

160401/2 - Proposed plan and elevations  
Site location plan  
Site plan

submitted on 26 April 2016.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All external walling and roofing materials to be used shall match those of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

WEST SOMERSET COUNCIL

West Somerset House Killick Way Williton Taunton TA4 4QA

T 01643 703704 F 01984 633022 DX 117701 WILLITON

E [customerservices@westsomerset.gov.uk](mailto:customerservices@westsomerset.gov.uk) W [www.westsomersetonline.gov.uk](http://www.westsomersetonline.gov.uk)

Reason: In the interests of the visual appearance of the development and its impact on the character and appearance of the area, having regard to the provisions of Saved Policy BD/3 of the West Somerset District Local Plan (2006).

## **Notes**

### **1 STATEMENT OF POSITIVE WORKING**

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework. Although the applicant did not seek to enter into pre-application discussions/correspondence with the Local Planning Authority in advance of submitting the application, for the reasons given above and expanded upon in the planning officer's report, the application was considered acceptable and planning permission was granted.

- 2 The Planning Authority is required to erect a Site Notice on or near the site to advertise development proposals which are submitted. Could you please ensure that any remaining Notice(s) in respect of this decision are immediately removed from the site and suitably disposed of. Your co-operation in this matter is greatly appreciated.

**The following policies from the West Somerset District Local Plan were taken into account when arriving at this decision:**

#### **POLICY SP/1: Settlement Hierarchy**

The Local Planning Authority recognises the following settlement hierarchy for development purposes:

- Minehead will be regarded as a town.
- Watchet and Williton will be regarded as rural centres.
- Brushford, Carhampton, Crowcombe, Dunster Marsh, Kilve, Stogumber, Stogursey and Washford will be regarded as villages.
- Bicknoller, Brompton Ralph, Holford, Huish Champflower, Monksilver, Old Cleeve, Sampford Brett, Skilgate, Upton, West Quantoxhead and Withycombe will be regarded as small villages.

In all cases development will be considered in accordance with their size and function, individual characteristics and constraints.

#### **POLICY BD/3: Conversions, Alterations and Extensions**

Planning applications for alterations or extensions to existing buildings must meet the following requirements:

1. The building materials should be appropriate to adjoining buildings
2. The design of any alterations and extensions will be such that the scale, proportions and detailing are in character and are appropriate to the building(s) to which they relate.

#### **Policy SC1: Hierarchy of Settlements**

1. New development will be concentrated in the district's main centre, Minehead/Alcombe, and in the rural service centres of Watchet and Williton, this will be on a scale generally proportionate to their respective roles and functions to their own communities and those in surrounding settlements that rely on their larger neighbours for essential services and facilities.
2. Limited development in the primary villages: Bicknoller, Carhampton, Crowcombe, Kilve, Stogumber, Stogursey, West Quantoxhead and Washford, will be permitted where it can be demonstrated that it will contribute to wider sustainability benefits for the area.
3. At the secondary villages: Holford, Dunster Marsh, Brompton Ralph, Battleton and Brushford, small scale development will be permitted where it can be demonstrated that it will contribute to wider sustainability benefits for the area.
4. Development in the open countryside will be limited to that for which there is an established long-term need and for which such a location is essential, including Agriculture, Forestry, Horticulture, Equine and Hunting, Development in such locations will also need to demonstrate good proximity and easy accessibility to the existing Highway Network, or alternative transport modes, and settlements providing essential services and facilities.
5. Development within or in close proximity (within 50 metres) to the contiguous built-up area of Minehead/Alcombe, Watchet, Williton and primary and secondary villages will only be considered where it can be demonstrated that:
  - A. It is well related to existing essential services and social facilities within the settlement, and;
  - B. There is safe and easy pedestrian access to the essential and social facilities within the settlement, and;
  - C. It respects the historic environment and complements the character of the existing settlement, and;
  - D. It does not generate significant additional traffic movements over minor roads to and from the National Primary and County Highway route network
  - E. It does not harm the amenity of the area or the adjoining land uses.

T. R. Burton

Tim Burton BA(Hons) BTP MRTPI  
Assistant Director, Planning & Environment  
17/06/2016

**NOTES**  
**TOWN AND COUNTRY PLANNING ACT 1990**  
**Town and Country Planning (General Development Procedure) Order 1995**

**Discharge/compliance with conditions:** A fee is payable from 1 September 2008 where a written request is made for the discharge or compliance with one or more conditions on the same permission. The fee is payable for each request and not for each condition. If when the development has been completed you apply for confirmation of compliance with a condition or conditions then a separate fee will also be payable. Please see the following webpage on West Somerset Council's website:  
<http://www.westsomersetonline.gov.uk/Planning---Building/Planning/Discharge-of-Conditions> for more detailed information.

**Appeals to the Secretary of State:** If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Transport, Local Government and Regions under Section 78 of the Town and Country Planning Act 1990 (Please note, only the applicant possesses the right of appeal). If you want to appeal, then you must do so within 12 weeks of the date of this notice, you must use a Planning Appeal form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require, which you can get from the Planning Inspectorate at Customer Support Team, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Tel: 0303 444 5000 or online at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal, and you should not rely on this concessionary power.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice. If you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

**The Secretary of State** need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

**Purchase Notices:** If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can

he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.

**Compensation:** In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to the conditions by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act.

You are reminded that this permission does not convey any necessary approval under the Building Regulations 1991 (as amended). Further information can be obtained from my Council's Consumer Services Unit should you be unsure of the requirements.

Having regard to the powers of the Highway Authority under the Highways Act 1980 you should consult them by telephoning 01643 700700, if any work connected with the development hereby permitted takes place within or immediately adjacent to a public highway (e.g. footpath and margin crossings, piping of ditches, construction of waiting bays etc).

This permission does not authorise you to stop up or divert a public right of way in order to enable the development permitted to be carried out. Separate legal steps are necessary for this, and if required, further information in connection therewith can be obtained from the Chief Executive, Council Offices, Williton.

Your attention is drawn to the provisions of the Party Walls Act 1996. In many cases this requires notices to be served and a formal procedure to be followed. You should contact your legal advisor, architect, surveyor or other professional advisor for details.

This planning certificate does not purport to convey any approval or consent which may be required by any bye-law, order or regulation or any enactment other than the Town and Country Planning Act, 1990.





Application No 3/38/16/003  
 Erection of porch  
 9 Bracken Edge, West  
 Quantoxhead, TA4 4DH  
 26 April 2016



Planning Manager  
 West Somerset Council  
 West Somerset House  
 Killick Way  
 Williton TA4 4QA  
 West Somerset Council  
 Licence Number: 100023932

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 Easting: 310973    Northing: 141720    Scale: 1:1250