

## DIVISIONAL MEMBER COMMENTS

Application Ref No:	35/24/0004
Address:	Scarlet Elf, Tracebridge, Stawley
Date of response:	28 June 2024
Divisional Member Name:	Cllr Dave Mansell

<b>1. Support the granting of permission</b>	<input type="checkbox"/>	
Please explain below the main grounds on which you support the proposal:		
<b>2. Object to the granting of permission</b>	<input checked="" type="checkbox"/>	
Please explain below the main grounds on which you object to the proposal:		

Material Considerations	Explanation of Grounds
1. Overlooking, loss of privacy or overbearing/over-shadowing nature of proposal	Proposed buildings and structures, including H and I (block plan), and other areas to be used by the planned business overlook the neighbouring property at Batts Cottage.
2. Design & appearance, impact on public visual amenity	The design and appearance of the proposed buildings, structures and landscaping have a negative visual impact on the woodland and quarry.
3. Layout & density of building	The proposal increases the density of buildings on this site.
4. Effect on listed buildings and/or conservation areas	
5. Loss of trees or ecological habitats	<p>As a result of the new buildings and parking area, together with their planned level of use, the proposal harms the ecological and habitat value of the site. This has the following information listed for its natural environment on the Multi-Agency Geographic Information for the Countryside online datasets (<a href="https://magic.defra.gov.uk">https://magic.defra.gov.uk</a>):</p> <ul style="list-style-type: none"> <li>• <u>Habitats and Species</u>: Broadleaved, Mixed and Yew Woodland; Priority Species for CS Targeting - Brown Hairstreak</li> <li>• <u>Land Based Schemes</u>: Great Crested Newts Strategic Opportunity Areas (England) – Fringe 3</li> <li>• <u>Landscape – Geology and Soils</u>: Groundwater Vulnerability – Soluble Rock Risk High</li> </ul> <p>Protected species seen at this site include bats, dormice and peregrine falcons.</p> <p>Policy CP8 requires unallocated land, habitat and species outside settlement boundaries to be protected and natural assets to be conserved or enhanced. The application fails on these requirements.</p> <p>Policy DM 1 requires that proposals will not lead to harm to protected wildlife species and their habitats. The application will cause harm to protected species and habitat.</p> <p>The submitted Ecological Appraisal states impacts of the development on the previously existing habitats are unknown due to development already having taken place, which is due to the application being retrospective and development being undertaken without permission. I trust that an appraisal or assessment will be required of the ecological situation before</p>

	development and, if the application is refused, previous conditions should be reinstated as far as possible. From their comments (24 June 2024), Somerset Ecology Services appear unaware the application is retrospective and the appraisal submitted does not cover the prior situation. I trust the case officer will ensure this is brought to their attention and that the right guidance is followed.
6. Inadequate parking and/or servicing areas	Insufficient information is provided to be able to judge if the parking provision is adequate. Information has not been provided on the number of vehicles, including those used for deliveries, services and visitors, that will need to park at the proposed business site.
7. Access, highways safety or traffic generation	Access to and from the site is on to a single carriageway with restricted visibility near the site, which provides a link between Ashbrittle and Appley and other areas in the rural community. It appears clear that the proposed use will lead to an increase in traffic on this narrow country road, which could be substantial at peak times.
8. Noise, smells or disturbance from the scheme	<p>Noise from the planned use of this site (glamping and events) will cause disturbance to neighbouring properties. Lighting proposed on site can be seen to be extensive and intrusive. If given approval to remain, it will cause disturbance to wildlife and neighbours.</p> <p>Policy DM 1 requires that noise, lighting and other forms of nuisance will not unacceptably harm the amenity of individual dwellings or the local environment. Unacceptable harm arises from the proposed application.</p> <p>Policy DM 5 requires noise and light pollution to be minimised, which is not achieved by the proposed development. Mitigation for this may be impossible given the proximity to a neighbouring property and the proposed siting of buildings and structures in a woodland and wildlife habitat.</p>
9. Flood Risk	
10. Other reason – please explain	
<b>3. Comments only</b>	
<p>Other comments:</p> <ul style="list-style-type: none"> <li>• This application is retrospective and the applicant has taken a risk in altering the site and in developing and adding new structures and buildings without planning permission. These cause substantial harm and should not be given permission, as mitigation is unlikely to be compatible with the new business use of the site sought.</li> <li>• Limited previous business use of this residential property was low impact and far from the scale now proposed.</li> <li>• I understand that locations of some of the proposed structures and buildings on submitted plans are not correct and they can be seen to be located in different positions on the ground.</li> </ul>	

**If you are a member of the Planning Committee** you agree to abide by the following statement:

I confirm that the preliminary comments above are made on the basis of the information available to me at this time, and that I will either decide the matter afresh should the application be referred to the Planning Committee, taking into account at that time all further information available to me, or I will not participate in any decision on the matter if it comes before the Planning Committee, other than to make representations on the application before withdrawing from the meeting.