

Lopen LVA LLP  
C/o Agent

**Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure) (England)  
Order 2015 (as amended)**

**DETERMINATION OF APPLICATION FOR OUTLINE PLANNING PERMISSION**

APPLICATION NO **20/03160/OUT**

APPLICANT **Lopen LVA LLP** PARISH: **Lopen**

**DESCRIPTION: Outline application for the erection of 9 dwellings including the creation of a new access point and the demolition of existing buildings with all matters reserved except access.**

**LOCATION: Land OS 7519 (part) Holloway Lopen South Petherton Somerset (GR:342749/114162)**

*In pursuance of powers under the above Acts and Orders the Somerset Council gives you notice that its decision upon your application described above and in the plan(s) which accompanied that application is to:*

**REFUSE PERMISSION FOR THE FOLLOWING REASON:**

01. The application seeks outline planning consent for the erection of 9 dwellings including the creation of a new access point and the demolition of existing buildings with all matters reserved except access (Use Class C3). The principle of the development would not be acceptable as no evidence of how the proposals will meet local need in terms of tenure and mix of homes proposed has been provided particularly in relation to affordable housing. This is further evidenced by the wider site layout which creates an artificial subdivision of land to avoid affordable housing as the site is clearly in the corner of the field with access for further expansion. Therefore, a sufficient 'tilted balance' from any benefits of the proposals cannot be applied in this instance to outweigh any potential harm caused by the proposed development. Such potential harm for the purposes of the current application includes but is not limited to the indicative schemes entirely detached form of dwellings and their scale and placement and the impact which this may or may not have upon the adjacent Lopen Conservation Area, and setting and significance of the nearby that the Grade II Listed Ballarat Farmhouse and Grade II Listed Shores Farmhouse, as well as the lack of justification for the loss of the undesignated heritage asset, known as Bleaching House. As such, the proposals in their current form would be contrary to Policies SS2, HG3 & HG5 of the South Somerset Local Plan 2006-2028, Section 16(2) and Section 72(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 201 of the NPPF (2023).

Mickey Green  
Executive Director  
Climate and Place

Date: 24 September 2024

***PLEASE NOTE*** - The applicant has a right of appeal against this decision, which, amongst other things, is explained in the attached notes. That right of appeal is only available to the applicant; it is not available to those who made representations on the application.