

Our Ref: **44/25/0013** *(please quote on all correspondence)*

30 April 2026

PEGASUS PLANNING GROUP
FIRST FLOOR SOUTH WING
EQUINOX NORTH, GREAT PARK ROAD
ALMONDSBURY
BRISTOL
BS32 4QL

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED)

Proposal: Application for Outline Planning with all matters reserved, except for access, for the erection of up to 250 No. dwellings, public open space, ecological/biodiversity enhancements and associated works with details of access on land south of Oldway Road, Wellington

Application Type: Outline Planning Permission
Grid Reference: 313814.119406

Please find enclosed the decision notice for your planning application **44/25/0013**.

It is very important that you carefully read the entire notice including the notes, and that you do not carry out any works relating to this application as you may render yourself liable to prosecution if you do.

Site Notice

The Local Planning Authority may have erected a Site Notice on or near the application site to advertise this development proposal. Could you please ensure that any remaining notice in respect of this decision is removed from the site and suitably disposed of. Your co-operation in this matter is greatly appreciated.

Yours sincerely

A handwritten signature in blue ink that reads "Bill Cotton". The signature is stylized and includes a horizontal line underneath the name.

Bill Cotton MRTPI | Planning Director (Interim)

Somerset Planning – West Team

Case Officer: Mrs K Wray, Development Management Team Leader

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Somerset Council under the above Act hereby REFUSE PERMISSION for the above development for the following reason(s):

1. The proposed development has the potential to adversely affect the integrity of the Somerset Levels and Moors Ramsar site by adding to the concentration of phosphates in an area where they are already excessive. In the absence of s106 Agreement to secure sufficient mitigation measures to offset the level of phosphate generated by the proposal, to ensure phosphate neutrality can be achieved, the Local Planning Authority, is unable to conclude beyond all reasonable scientific doubt that the proposed development would not have an adverse effect on the integrity of the Ramsar site. Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 states that a competent authority may agree to a plan or project only after having ascertained that it will not adversely affect the integrity of the Ramsar site, subject to the exceptional tests set out in Regulation 64. As it cannot be ascertained that the proposal will not adversely affect the integrity of the Ramsar site, and as the exceptional tests in Regulation 64 do not apply, the Local Planning Authority cannot permit the proposal.

The proposal is therefore not in accordance with Policies CP8 (Environment) and DM1c (General requirements) of the adopted Taunton Deane Core Strategy and Paras. 185 -188 of the NPPF as there is the potential for the proposed development to result in adverse effects on the Somerset Level and Moors Ramsar site.

2. The proposed development, by reason of its siting, scale, massing and suburban form within open countryside, would introduce a visually intrusive and incongruous form of development that would materially harm the character and appearance of the landscape and the setting of the Blackdown Hills National Landscape. The site forms part of a valued rural setting to Wellington and contributes to the appreciation of openness, tranquillity and scenic quality both within the immediate area and in views towards and from the Blackdown Hills and the Wellington Monument.

The development would erode key open views and introduce an urbanising influence into the landscape, resulting in significant adverse visual effects experienced from the surrounding countryside. These harms would be felt particularly acutely by users of the public footpaths that cross the site and connect to, and provide views towards and from, the Blackdown Hills National Landscape, where the proposal would diminish the rural outlook, sense of openness and tranquillity that currently define the recreational experience of these routes. As a consequence, the development would unacceptably reduce the amenity value, enjoyment and public recreational function of these established footpaths.

The proposal would therefore fail to conserve or enhance the natural beauty of the National Landscape and would represent an unacceptable form of development in the countryside, contrary to Policies DM1, DM2 and CP8 of the Taunton Deane Borough Council Core Strategy (2011–2028), Policy SB1 of the Taunton Deane Borough Council Site Allocations and Development Management Plan (2016), and paragraphs 111 and 189 of the National Planning Policy Framework, which seek to protect valued landscapes, their settings, and the public enjoyment of them.

3. There is no mechanism in place to secure appropriate affordable housing provision, education provision, health care provision, surface water attenuation and management, children's play facilities and any other wider recreational contributions, a public art contribution, an acceptable travel plan, offsite highway works, statutory Biodiversity Net Gain and a local labour agreement as part of the development.

The proposal is, therefore, contrary to Policies CP4 and CP8 of the Taunton Deane Core Strategy and Policies 2011- 2028 and Policies A2, D13 and C2 of the Taunton Deane Site Allocations and Development Management Plan 2016.

4. The proposed development would result in the permanent loss of Grade 1 and Grade 3 agricultural land, defined as part of the Nation's Best and Most Versatile (BMV) soil resource. The application has not demonstrated that the development cannot reasonably be located on land of lesser agricultural value, nor provided justification demonstrating that the loss of Grade 1 and 3 soils is unavoidable.

The proposal therefore conflicts with Policies DM1 and CP8 of the Taunton Deane Core Strategy and NPPF's requirements (paragraphs 187–201) to protect high quality agricultural soils and to ensure the sustainable use of natural resources. The harm arising from the permanent loss of Grade 1 and Grade 3 land is therefore considered significant and unjustified and the

development is therefore unsustainable.

5. The development by virtue of its siting, scale, massing and suburban character would intrude upon important and valued views towards and from the Grade II* listed Wellington Monument, thereby failing to preserve its setting, eroding its visual prominence, diminishing its historic rural context, and thereby undermining the ability to appreciate its architectural and cultural significance.

The development through its close proximity, scale, massing and suburban character would also cause harm to the significance of the Grade II listed Middle Green Barn affecting its historic rural setting, which contributes positively to the building's special architectural and historic interest. The introduction of new built form in this location would erode the barn's traditional agricultural context, diminish the ability to understand and appreciate its historic function and undermine the legibility of its relationship with the surrounding open countryside contrary to Taunton Deane Borough Council Core Strategy 2011- 2028 Policy CP8 and the NPPF.

6. The applicant has failed to provide sufficient information to demonstrate that the proposed development would not give rise to an unacceptable risk of surface water flooding on the site or elsewhere. The proposal is therefore contrary to Taunton Deane Borough Council Core Strategy 2011 - 2028 Policies CP8 and CP1.
7. The applicant has failed to provide sufficient information to demonstrate that the proposed development would be acceptable in terms of highway safety. The proposal is therefore contrary to section 9 of the NPPF and Policy CP6 of the Taunton Deane Borough Council Core Strategy 2011 -2028
8. The application site is located in open countryside on an unallocated site, physically and functionally segregated from the nearest settlement by the A38 (Oldway Road). As a result of this severance, the site has poor connectivity and limited opportunities for safe and convenient access to local amenities, services, public transport and facilities. The development would not integrate well with the established settlement pattern and fails to demonstrate that future occupiers could meet day-to day needs by means other than private car. In the absence of adequate and safe, pedestrian, cycle or public transport linkages, the proposal would result in an unsustainable development.

The proposed development is therefore considered unacceptable in principle due to its isolated location, poor connectivity, and the consequent reliance on car base travel, resulting in clear conflict with Policies SD1, SP1, CP1, CP8 and DM2 of the Taunton Deane Core Strategy 2011- 2028 and Policies A3, A5 and SB1 of the Taunton Deane Site Allocations Development Management Plan 2016 and the advice within the NPPF.

NOTES TO APPLICANT

1. In accordance with paragraph 39 of the National Planning Policy Framework 2025 the Council has worked in a positive and creative way with the applicant and entered into pre-application discussions to enable the grant of planning

permission. However in this case the applicant was unable to satisfy the key policy test and as such the application has been refused.

2. It is noted that additional highway information was submitted shortly before the decision was to be issued, and after the Council had informed the applicant that permission would not be granted. Given the very late stage that this was received, and the need for further consultation should it be accepted, the Local Planning Authority was unable to fully assess or take this information into account prior to issuing the decision. Should the applicant wish to appeal the decision of the Local Planning Authority it is strongly encouraged to engage further with the Council on a Statement of Common Ground to determine whether some of all the concerns in respect of highways can be overcome and agreed prior to any appeal.

A handwritten signature in blue ink, appearing to read 'Bill Cotton', with a horizontal line underneath.

Bill Cotton MRTPI, Planning Director (Interim), Somerset Council

Issued by Somerset Planning - West Team

Date: 30 April 2026

N.B. Notes of the applicant's rights are overleaf.

DECISION NOTES

Appeals to the Secretary of State

If you are aggrieved by the decision of the Local Planning Authority to refuse permission or to approve it subject to conditions, you may appeal to the Secretary of State under:

- Section 78 and 79 of The Town and Country Planning Act 1990,
- Section 20 of The Planning (Listed Building and Conservation Area) Act 1990,
- Regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012,
- Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007 or
- Section 195 of the Town and Country Planning Act 1990

You must appeal **within the following timescales**:

- **28 days** from the date on the decision notice for works to trees covered by Tree Preservation Orders (TPO) using the form available here: [Appeal a decision about a tree preservation order: When you can appeal \(www.gov.uk\)](#)
- **8 weeks** from the date on the decision notice for Advertisement Consent using the form available here: [Appeal a decision about consent to display an advertisement: When you can appeal \(www.gov.uk\)](#)
- **12 weeks** from the date on the decision notice for householder applications using the form available here: [Appeal a householder planning decision: Overview \(www.gov.uk\)](#)
- **12 weeks** from the date on the decision notice for minor commercial applications using the form available here: [Appeal a minor commercial development decision: When you can appeal \(www.gov.uk\)](#)
- **6 months** from the date on the decision notice for Listed Building Consent using the form available here: [Appeal a listed building consent decision: When you can appeal \(www.gov.uk\)](#)
- There is **no time limit** for submission of an appeal for a Certificate of Lawfulness or a Listed Building Certificate of Lawfulness using the form available here: [Appeal a decision about a lawful development certificate: When you can appeal \(www.gov.uk\)](#)
- **6 months** from the date on the decision notice for all other applications using the form available here: [Appeal a planning decision \(www.gov.uk\)](#)

You can contact the Planning Inspectorate's customer support team if you need help using the online service above by email: enquiries@planninginspectorate.gov.uk or telephone: 0303 444 5000 Monday to Friday, 9:00am to 12:00pm (noon) (except public holidays).

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 they can neither put the land to a reasonably beneficial use in its existing state nor 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 in whose ownership the land is situated. This notice will require the Council to purchase the interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 and/or Section 32 of The Planning (Listed Building and Conservation Area) Act 1990.

Compensation

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission or consent is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to them.
- These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990, Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and, in respect of Tree Preservation Orders, Section 203 of The Town and Country Planning Act 1990.

Notes in Respect of All Applications

- Although Planning Permission or Advertisement Consent may have been granted, should the proposed work involve the demolition, alteration or extension of a Listed Building, Listed Building Consent may also be required before the work can commence.
- If Planning Permission has been granted for the development, should this involve any work within the highway such as the construction of a vehicular access, the consent of the Somerset Council, as Highway Authority should also be obtained - [Roads, travel and parking \(somerset.gov.uk\)](http://somerset.gov.uk)
- This permission does not authorise you to stop up or divert a public right of way to enable the development permitted to be carried out. Separate legal steps are necessary for this and further information can be obtained from: [Public Rights of Way \(somerset.gov.uk\)](http://somerset.gov.uk)
- If planning permission has been granted for development involving the creation of one or more properties needing new addresses you will need to contact the Street Naming and Numbering department of Somerset Council, for assignment of the official address/es. Details are available at [Street naming and numbering \(somerset.gov.uk\)](http://somerset.gov.uk)