

Haselbury Plucknett Parish Council Meeting
Minutes of the meeting held Monday 10th October 2022, 7.00pm at
The Bible Christian Centre Chapel, Haselbury Plucknett

The final 100 Club Draw took place; the winners are:

1 st prize no.	46
2 nd prize no.	98
3 rd prize no.	16

Present: Cllrs, M Bryant (Chair), H Williams (Vice-Chair), M Rendall, J Farrant, R Bourne, W Hunt, B Atherton, M Wroe, L Deer, C Cllr M Hewitson, D/Cllr O Patrick and L Gibbons (Parish Clerk).
Members of the Public: 9

Open Session:

A question was asked regarding a gully towards the end of Puddletown that appears to have been covered over. This will be added to the list of questions raised with OP. We will await his reply on this.

I Firth of Bondstones spoke, initially apologising for his 'heavy handed' approach in his recent correspondence with us in relation to the planning application for Glenfield Farm. He said he had come to the parish council meeting bearing an olive branch and offered to answer any questions that Councillors had about the planning notices submitted for Glenfield Farm. Cllr M Bryant thanked Mr Firth for his reflective words and apology and offered Mr Firth the opportunity to withdraw his recent correspondence. In relation to a particular point in that correspondence Cllr J Farrant reiterated concerns on behalf of the council about the suitability of class Q and R as a route for this planning application. He also pointed out that since the original meeting, no further information had been provided and that asking for dialogue after submission of the planning notifications was not helpful. Mr Firth advised us that there would be further planning applications submitted for this site.

L Dunne of Clive Miller Planning Limited outlined the reasons for the re-submission of the planning application 22/02628/OUT. This was previously approved but is approaching its three-year expiry. Since the original application an ecological survey has been undertaken and a phosphates strategy (Nutrient Neutrality and Mitigation Strategy) has also been prepared. The design for the Reserved Matters application is taking longer than they had expected, so this application has been submitted to give them more time. They expect a full application to be submitted within six months.

- 1. Apologies for absence:** None.
- 2. Record of business of last Month 11/07/2022:** Approved and were signed as a true and proper record.

The meeting due to take place on the 12th September 2022 was cancelled due to the death of HM Queen Elizabeth II.

- 3. Matters Arising –** MW asked if it was possible to consider changing the location of PC meetings to a smaller location, to make hearing easier. MB asked all Councillors to consider this and share their view with the Clerk by the end of this week. The alternative location suggested is the Beaumont Room in the church. MB also agreed to ask the Bible Christian Chapel whether there was a sound system that could be used (post-meeting note: MB has done this and there is not)
- 4. Declaration of Interest:** None
- 5. a) County/District Councillors Report:** As circulated. The main focus within the Council is their troubled finances, which are being further affected by huge inflationary rises in costs. Children's services have recently been rated as good.
There is a public meeting at Cott Farm, East Chinnock on Wednesday 12th October to discuss the collapse of the Chinnock Hollow and what actions are going to be taken regarding the clearance and re-opening. MB

invited parish councillors to express their views, and these were in support of Chinnock Hollow being re-opened, although it was recognised that there are some concerns about the speed and volume of traffic.

b) LCN Consultation: HW and JF attended the consultation meeting. There is a concern that LCN's could become politicised. There is very little information on how responsibilities will be devolved to Parish Councils as well as what and where the budget would come from. It is clear that there is a huge amount that needs to be clarified, prior to their inception. On behalf of Haselbury Plucknett parish council MB asked our county/district councillors to keep us fully informed so we are able to express views on behalf of the village and become involved at the appropriate time.

c) Items for escalation to our District/County Councillors: Potholes have been marked up for repair in the village (94). OP was asked to investigate what the plan is with this.

6. Planning:

a) Planning Applications: None

b) Planning Applications received after publication of agenda: 22/02628/OUT. Outline application with all matters reserved except access for the erection of a detached dwelling - Land Os 6400 Part Claycastle. Despite our objections, this application was previously approved by the District Council, the PC therefore agreed that we have no further objections to this application.

c) Planning applications considered prior to this meeting:

22/02551/PAMB. Glenfield Farm, Puddletown, Haselbury Plucknett, Crewkerne, Somerset, TA18 7NZ. Notification of Prior approval for a proposed Change of Use of agricultural building to 4 dwellings.

22/02552/P3RPA. Glenfield Farm, Puddletown, Haselbury Plucknett, Crewkerne, Somerset, TA18 7NZ. Notification for Prior Approval for a proposed change of use of agriculture to commercial use - Part 3 Class R.

22/02550/PAMB. Glenfield Farm, Puddletown, Haselbury Plucknett, Crewkerne, Somerset, TA18 7NZ. Notification of Prior approval for a proposed Change of Use of agricultural building to 1 Dwellinghouse.

Our full responses are attached at the end of the minutes, due to their length. (appendix a)

The responses were sent to the planners in time for the set submission date and are now resolved. This was confirmed unanimously in the parish council meeting.

d) Decisions received: None

7. Finance:

a) Invoices for payment: All payments were approved:

SALC	Membership fee	£194.51
L Gibbons	Clerk salary/expenses	£275.74

b) Reporting of invoices made prior to meeting:

SALC	Essential Cllr Training Course	£25.00
SSDC	Ranger June, July, August	£1030.11
L Gibbons	Clerk salary/expenses	£551.48
K M Dike Nurseries	Grass cutting - July Aug	£234.00
The Play Inspection Co Ltd	Annual playpark inspection	£72.00

c) Bank Reconciliation: This was agreed.

d) Bank signatories: CS and JP have been removed as signatories. Richard Bourne has been added as a full signatory.

8. The Park:

a) Safety checks: BA has completed the safety inspection. There is nothing new to report. The grass is long but is due to be cut. The equipment will be cleaned by the Ranger this week. BA then hopes to get the painting of equipment finished. The paint on the seats of benches is peeling badly. BA is trying to obtain a quote to have them sand blasted (in situ). They can then be re-painted. The council were supportive of this and thanked BA for all his hard work.

b) Annual Park Inspection Report: This has been received and there are no items of concern or serious risk reported.

9. Road and Footpaths:

a) Roads and Highways: North Street re-surfacing, including virtual footpath: this was discussed and parish councillors expressed concern that no date had been established for this. OP and MH agreed to support resolving this. MH said the timing needed to be considered carefully in terms of its impact on local businesses. The issue of parking on the virtual footpath was raised as a concern. MB said that the council had previously been advised that there was no legal way this can be prevented as the virtual footpath is only a visual road safety measure

Claycastle/North Perrott road junction: this has now been resolved.

Gullies: MW reported that all gullies have been located and mapped, inspection chambers and hydrants along the four main roads in the village. We drew attention to the blocked (hidden) gulley at the corner of Claycastle and North Perrott Road; asked if a camera could be put down to see what the problem is ; and made a request to check if the gullies on North Perrott Road are included in any gulley-emptying rota .

MH has passed on queries regarding all these matters to the relevant officers. He will get back to us as soon as he has their replies.

There has been concern raised, regarding cars parking around the Village Green in a way which may be dangerous to other road users. This has been raised with the PCSO. The regulations regarding this will be reiterated in an article to be published in the parish news.

c) Footpath Working Group Feedback: Gates have been fitted to the footpath at Claycastle. There are three further gates to be fitted in Common Lane. This will be worked on over the next few months.

10. Village Maintenance:

a) Village Ranger: The Village Ranger continues to respond to taskings, which includes relocating the SID. This week he will be cleaning with Recreational Park equipment. If there are any non-routine tasks for this Wednesday, please let WH know ASAP.

b) SID and Speedwatch: The SID continues to be relocated weekly by the Ranger or MW and WH in his absence. Now the cold weather is upon the batteries are routinely changed on a Wednesday, or sooner if we notice, or are informed that they have expired. We currently have three sets of batteries but set "A" has been taken out of circulation to their poor condition. Currently, we don't see the need to replace them, as the smart charger used can maintain the SID using the two serviceable sets.

It was reported that SpeedWatch continues to perform well, and this week we welcome a new member back on the team, bringing our number to 12.

There have been two visits by the ASP Speed Enforcement Unit (SEU) to the village and NP since we last met.

a. Stats for August

Number of watches – 19

Vehicles monitored – 3,006

Speeders Reported - 495 (Highest monthly total ever)

Highest speeder - 4

b. Stats for September

Number of watches – 16

Vehicles monitored – 2,818

Speeders Reported -259

Highest speeder – 48

c. Incident at North Street: The wall at our Village Green watch location was partially demolished in a road traffic accident at 00:30hrs on 13th September. They switched locations for a week to Leaze Farm. They are now operating at this location again, standing well back from the damaged wall.

d. National Speed Awareness Week 24th-30th October.

There will be a National Speed Awareness “Week” 10th-30th October. We have chosen the week 24th-30th to participate. They have 10 watches planned for the week and are anticipating support from ASP Crewkerne (with Speed Gun) and from the ASP Speed Enforcement Unit (SEU).

There may be an opportunity for BBC radio or TV to visit one of the watches.

e. ASP Crewkerne Road safety Day. ASP Crewkerne will be conducting a Road Safety Day on Monday 17th Oct. The SW team will be supporting them with static display and personnel manning an event at Falkland Sq in the town that day.

f. South Somerset Quarterly SpeedWatch Coordinators Meeting.

There was a South Somerset Quarterly SpeedWatch Coordinators Meeting last week which MW and Shelia represented us. Key points were

- The meeting was much better organised than we have seen in the pre-COVID past.
- The PCC, Mark Shelford attended.
- ASAP noted the very good cooperation and interaction with the HP CSW Team.
- HP is the second most vulnerable village in the scheme in terms of percentage of offenders.
- There are 45 registered SpeedWatch teams in the South Somerset Scheme, but HP provides about 28% of the reported violations.
- There is potentially a move towards the deployment of Automatic Number Plate Recognition Cameras (ANPR) cameras at village level. We have registered an interest in becoming early participants in this PCC driven initiative.

c) **Environmental Champion report:** AS encouraged any interested member of the community to visit Tinkers Bubble, to see how this project works as a recent visit proved very interesting. The group has taken measures to ensure the avenue of trees in Claycastle are not damaged during hedge cutting.

d) **Wildlife and Habitat Group Report:** Since the last report we have continued our focus on the trees (Avenue of Trees and the Park) and the Wildflower Area.

There is one oak, in the park, which is probably dead, but will be replaced by another which we have potted in reserve. There is one beech tree we removed and potted, which seems to be recuperating.

We cut the Wildflower Area in early September, after the flowers had seeded. We also added some Yellow Rattle seeds later, which is parasitical to grass roots, to give the wildflowers more space next year.

e) **Adoption of new `environmental Policy:** The draft Environmental Policy has been sent to the PC and the Environmental Champion.

comment received include the need for:

- more guidance on Planning matters,
- fly Tipping
- the use of herbicides and vegetation cutting in public spaces.
- a voluntary Code of Conduct regarding the above.

It was agreed that this will come back in two months time, once all comments have been received as a proposal for the parish council to endorse.

f) Additional defibrillator purchase: Heatbeat Community Heartbeat Trust have installed the cabinet. We are awaiting the delivery of the actual defibrillator. LG has chased this, they hope delivery will be very soon. The delay is due to an international shortage of parts.

g) Community Engagement and Communication: The development of the website is progressing very slowly. There are quite a few elements that are fully functional but may still much more to do.

h) Protection of the Church Stones: Investigation has revealed that the previous attempt failed because there was not enough objective evidence of the history of the Stones, therefore unable to substantiate their historical value. MH is collecting additional evidence and this was supported by the council.

11. Haselbury in Bloom: Judging took place on the 13th July 2022. The civic reception will take place on Wednesday 12th with the results being announced on Thursday 13th October.

12. Historic Records: C Simmonds has sorted out some historic documents that he was passed when he was Chairman, that relate to village and PC matters. These have been to the records office in Taunton, who have kept the documents that they wish to keep. He passed the remaining documents to MB for safe keeping.

13. Storage of PC Gazebo: MB is currently storing this and doesn't have the space to keep it. We would like to find a suitable home for it.

14. Matters to report: We have received a complaint about cattle in a field with a footpath through it. HW will draft a response. It was agreed that this is a matter for the landowner and not the parish council. With the agreement of the complainant the correspondence will be passed to the landowner.

Cllr OP has launched a campaign to install HEPA air filters across all schools in Somerset. He is asking for a donation from all Parish Councils in the area towards the cost of this. HW will write to OP to ask for further information and clarification on this.

We had received an email from I Firth of Bondstones regarding our submissions to the planning department in response to the three Glenfield Farm planning notifications. This contained a number of points that the parish council disagreed with, as well as a potential Freedom of Information Request. Following his comments in our open session, MB will contact him and ask if he would like to withdraw this correspondence. LG has already responded to most of the points that he raised. Both have been circulated and read by all Councillors. LG will seek further advice from SALC on the issues raised.

15. Notices for Village News: BA will continue to write our articles for publication.

16. Items for next meeting: May Fair 2023.

Acquisition of Automatic Number Plate Recognition (ANPR) Camera for SpeedWatch.

Parking issues on the Virtual Pavement

Request for a Public notice board at Globe Orchard

Freedom Of Information request policy

17. Next Meeting Date: 14/11/2022 at the Bible Christian Centre at 7:00pm.

(appendix a)

Planning responses: 6.c

**22/02551/PAMB. Glenfield Farm, Puddletown, Haselbury Plucknett, Crewkerne, Somerset, TA18 7NZ.
Notification of Prior approval for a proposed Change of Use of agricultural building to
4 dwellings.**

The Planning Portal of the SSDC web-site has recently given advice that the above Notification has been submitted. Although the Parish Council is not a Statutory Consultee for this classification of application, we have studied the proposals and would be grateful if you would take account of our observations in the preparation of your own report.

Haselbury Plucknett Parish Council are very supportive of proposals that regenerate areas of the village by making creative use of redundant agricultural buildings and would particularly welcome proposals that might offer the possibility of appropriate commercial use to support the local economy as well as providing housing within the established development area of the village. However, there are a number of matters that are of concern to us that we would draw to your attention.

1. The Applicant's Agent, Messrs Bondstones, made a Full Planning Application in respect of proposals to alter the access arrangements to Glenfield Farm earlier this year, [22/00651/FUL]. The status of this application, as at the date of this letter, is that it has yet to be determined. Haselbury Plucknett Parish Council, submitted information to the LPA, [our letter of 16th May 2022 refers], outlining our objections to those proposals.
2. At the time of the earlier Application, the Applicant's Agent, Mr Firth, of Messrs Bondstones, Rural Planning Advisors, kindly agreed to meet with members of the Parish Council on site on 5th May to discuss the proposals. At that meeting, the Agent outlined that further applications comprising a mixture of Class Q [conversion to dwellings] and Class R [conversion to flexible commercial use] applications were to be submitted to the Local Planning Authority relating to the redevelopment of some of the existing redundant farm buildings. The new Access Road proposals of 22/00651/FUL were understood to be intended to serve the redeveloped area.
3. Further to the conversations at the site meeting, Messrs Bondstones subsequently arranged to set up an Internet web-page, <https://www.bondstones.co.uk/glenfield-farm.html>, with the purpose of keeping Villagers apprised of the progress of the subsequent applications. This is referenced in the Planning Statement documentation at section 1.5.1, although we must make it clear that there have been no consultations between the Applicant's Agent and the Parish Council since the date of that initial meeting.
4. Earlier Planning Applications for the alteration of the site access road, [07/02209/FUL and 07/03591/FUL], confirm that the Pig Production Unit at Glenfield Farm ceased operations in 2001, so the only routine vehicular use of the present access road is that arising from access to the two residential properties, [Glenfield Farmhouse and Glenfield Bungalow] together with occasional tractor access to the arable land beyond the Application Site.
5. We are therefore surprised and concerned that the existing access arrangements, formerly cited as sufficiently sub-standard as to require the forming of a new entrance, 100 metres of new road and the re-routing of hundreds of metres of overhead electricity cables, are now deemed adequate, without modification, to allow access and egress, by an increased number of vehicles, onto the existing highway.

6. Paragraph 3.2.3 of the Applicant's Planning Statement for the revised access road proposals, in Planning Application 22/00651/FUL notes, *'The primary farm access, presently situated between Glenfield Farmhouse and Glenfield Bungalow is on the inside of a blind corner on Swan Hill- just 80m east of the junction of Swan Hill¹ and the A30 (Crewkerne to Yeovil Road). At present the primary access serves the whole farm site – but is substandard for today's needs. Larger vehicles....find manoeuvring into and out of the property to be extremely awkward and often require tracking into oncoming traffic - owing to the tight radii of the existing access perimeter and confined driveway which was never designed to cope with modern day machinery'*.
7. The principal justification for the earlier 'Improved Access' application is now apparently dismissed by Paragraph 4.2.19 of the Planning Statement for this present Notification that states *'visibility in both directions is sufficient to enable vehicles to exit the site....'*. We are concerned that the Permitted Development Notification route, [which seeks to direct attention chiefly to the buildings on the site], fails to address significant highway safety matters.
8. This section of Puddletown between the A30 junction and the new 'Fairview House' is subject to the National Speed Limit of 60mph, for which the 'y-distance' of the vision splay in the Department of Transport Design Manual for Roads and Bridgeworks [DMRB], should be 215m. At a more local level, Somerset County Council Technical Advice Notes 26/22, 'Standing Advice Notes for Planning Applications', Section 3.1.4, repeats the advice from DMRB and gives the same Safe Stopping Distance. A qualified Highways Engineer could reasonably take the view that the visibility splays could be assessed from 85th percentile speeds, obtained from speed surveys, but to date the Applicant's Agent has not provided any justification for a departure from the published data. Re-locating the 30mph gateway threshold from near Fairview House, [as suggested by the Parish Council in the 2007 applications for the site], to a point closer to the A30 junction could permit Visibility Splay determination under the simpler 'Manual for Streets' guidance.
9. The Standing Advice notes also present the 'Suggested Condition' wording for visibility splays that vegetation growth must be controlled such that there is *....no obstruction to visibility greater than 600/260 millimetres above the adjoining road level...[within the prescribed visibility splay]....* This would result in the wholesale destruction of the ancient and important hedgerows that exist on both sides of the existing access. In his comments on the earlier Application, the Tree Officer, Mr Poulton, has already made it clear that such action, *'is contrary to the Council's objectives to preserve or enhance the existing rural landscape character and landscape features (trees and hedgerows)'*. We believe that recent changes to Government legislation² afford further protection to the hedgerow.

¹ At Paragraph 3.2.3 in the earlier application, paragraph 2.1.3 in the Planning Statement for this notification and elsewhere, the road forming the northern boundary to the site, linking the A30 to the A3066, is incorrectly named as Swan Hill. The Ordnance Survey and Post Office address is Puddletown.

² <https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management#check-if-a-hedgerow-is-protected>



Complete removal of the trees would be needed to give a safe westward vision line



The narrow existing farm track slopes steeply at its junction with Puddletown

10. The general ground level of the farm site is above the level of the carriageway of Puddletown, and the existing access road descends quite sharply at its junction with the highway. Ground re-modelling and extensive cutting back of the established hedgerow would be needed to establish the appropriate sight lines. In addition, a fixed pole for overhead telephone lines is located just west of the existing entrance and would obstruct the line of sight in the left-hand visibility splay.
11. While we are supportive of the principle of bringing back the buildings into beneficial usage, we believe that the suitability of the existing access to provide safe access and egress for the vehicle movements generated by this application should be the subject of a more rigorous investigation than can be afforded through the 'Class Q' Change of Use Application alone. Paragraph 1.4.1 of the Planning Statement notes that Bellamy Transport Planning have been consulted / instructed in respect of Highways and Transport matters and would be able to advise further on the issue. From a Freedom of Information Request in respect of another Planning Application we understand that Mr Bellamy is also the Retained Consultant giving advice to SSDC in respect of Highways Matters for Minor Development Schemes so an appropriate Declaration of Interest should accompany any consultancy opinion that is given.
12. A further highway safety matter of concern if part of the site is to be occupied by domestic dwellings, is that the existing site access gives no protection to pedestrians. The narrow width of the existing access way cannot accommodate both vehicles and a pedestrian path. Paragraph 2.2.5 of the Planning Statement confirms that there are no Footpaths or Rights of Way that give an alternative, traffic free route to the Village and its amenities for those on foot. Pedestrians, perhaps including children on their way to School or to The Park, must navigate a minimum 150m

of narrow road with often fast moving large agricultural vehicles before reaching the safety of a paved footpath on the opposite side of the road adjacent to Fairview House and Yew Tree Cottage. It is disingenuous to claim that 'there are numerous paths and opportunities for walking in the area' when none can be accessed from the site itself. The proposals fail to address the access requirements for disabled people and does not comply with SSDC Local Plan Policy TA5 for '*safe and convenient access...that addresses the needs of all.*'

13. This 'Class Q' Notification [for conversion to dwellings], is accompanied on the SSDC Planning Portal by a similar Notification, reference 22/02552/P3RPA, from the same Applicant in respect of the proposed 'Class R' Notification [conversion to flexible commercial use] of other nearby buildings. Paragraph 4.2.9 of the Planning Statement for that Notification asserts that the proposed Commercial usage of the Converted Buildings will be commensurate with the separate Notification of the proposed residential buildings. However, before either Notification is accepted, we would ask that the Planning Officer limits the permitted activities to those suitable for a rural and principally agricultural area.
14. We note that the two Structural Inspection Reports prepared by Messrs Gilham Consulting Ltd for the Portal Frame Shed and the Raised Floor Piggery confirm that the existing buildings can be converted to the proposed new uses without the need for 'adverse structural interventions'. The reports acknowledge that further analysis and design works will be required in order to bring forward a full package of information to demonstrate compliance with the Approved Documents of the Building Regulations. However, it is a condition of the Class Q, '*agricultural building to dwelling houses – permitted development*' legislation that conversion can be implemented without the adverse interventions alluded to above. Paragraph 4.2.3 of the Planning Statement acknowledges the relevant wording that includes:

Development is not permitted by Class Q if—.....

- (i) the development under Class Q(b) would consist of building operations other than—*
- (i) the installation or replacement of—*
- (aa) windows, doors, roofs, or exterior walls, or*
- (bb) water, drainage, electricity, gas or other services,*
- to the extent reasonably necessary for the building to function as a dwellinghouse;*

15. The present reports have examined the load carrying capacity of a few load bearing elements but have not addressed the overall stability and rigidity of the building frames. Agricultural buildings of this type are presently designed to the requirements of British Standard BS5502, The Code of Practice for the Design of Buildings and Structures for Agriculture. The buildings here were probably designed to the requirements of its predecessor standard, BS2053: 1953, part of a suite of standards addressing all aspects of agricultural buildings. The structural design code recognised that the consequences of collapse of a farm building were not as serious from those from the collapse of an industrial building. This relaxation of overall strength requirements and the associated relaxation in serviceability [deflection] limits allow for significant economy of section, particularly in the design of steel portal framed structures.
16. Conversion of the existing buildings from agricultural to domestic usage, however, will require full compliance with Approved Document A of the Building Regulations which in turn references BS5950 Part 1, The Use of Structural Steel in Buildings [or the equivalent Eurocode] for the design of steelwork structures. These documents set significantly more stringent serviceability criteria

limiting the lateral deflection, [sway], of buildings in order to restrict the risk of damage to brittle finishes such as plasterboard.

17. It is unlikely that the required level of stiffness can be achieved using the proposed non load-bearing internal partitions alone. In the case of the large portal frame building where it is proposed to break down the building into shorter lengths, the present single bay of cross bracing [giving stability in the longitudinal direction] will be lost to one section of the new arrangement and will need to be provided by other means.
18. The existing floor slab has been judged as having adequate load carrying capacity for the new usage, but there has been no assessment of its compliance with other aspects of the Approved Documents, such as AD C, [Site preparation and resistance to contaminants and moisture], or AD L, [Conservation of Fuel and Power]. Removal and replacement of the existing slab in order to achieve compliance with the Regulations would place the works outside of those permitted by the Class Q parameters.
19. Paragraph 4.2.16 of the Planning Statement notes that desktop researches have been undertaken for potential sources of contamination. However, the UK Health Security Agency mapping notes that Haselbury Plucknett is known to overlie locally high incidences of Radon Gas with between 10% and 30% of domestic dwellings revealing concentrations of Radon Gas above the action level. Building work for domestic dwellings should therefore incorporate at least the 'basic' protection measures of a gas-impermeable membrane under the floor slabs, and full sealing of the slab around services penetrations. Once again, removal and replacement of the existing slab in order to achieve compliance with the Regulations would place the works outside of those permitted by the Class Q parameters.
20. We believe that more detailed investigation, analysis and design needs to be carried out to qualify the assertion at Paragraph 4.2.13 that the 'barn is structurally capable of conversion' while at the same time complying with the constraints of the Class Q requirements.

Under the conditions of a normal Planning Application the considerations of paragraphs 14-20 above would fall within the ambit of Building Control rather than those of the Planning Department, but as the Applicant is pursuing the 'Notification' route we must draw them to your attention for action at this stage.

Similarly, as this Notification does not have the status of an Application, the Parish Council is not empowered to offer a 'Support' or 'Object' point of view. Nevertheless, we would ask that our observations, given in the best interest of the Villagers who we represent, are taken into account.

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require tracking into oncoming traffic - owing to the tight radii of the existing access perimeter and confined driveway which was never designed to cope with modern day machinery'.

7. The principal justification for the earlier 'Improved Access' application is now apparently dismissed by Paragraph 4.2.8 of the Planning Statement for this present Notification that states '*visibility in both directions is sufficient to enable vehicles to exit the site....*'. We are concerned that the Permitted Development Notification route, [which seeks to direct attention chiefly to the buildings on the site], fails to address significant highway safety matters.
8. This section of Puddletown between the A30 junction and the new 'Fairview House' is subject to the National Speed Limit of 60mph, for which the 'y-distance' of the vision splay in the Department of Transport Design Manual for Roads and Bridgeworks [DMRB], should be 215m. At a more local level, Somerset County Council Technical Advice Notes 26/22, 'Standing Advice Notes for Planning Applications', Section 3.1.4, repeats the advice from DMRB and gives the same Safe Stopping Distance. A qualified Highways Engineer could reasonably take the view that the visibility splays could be assessed from 85th percentile speeds, obtained from speed surveys, but to date the Applicant's Agent has not provided any justification for a departure from the published data. Re-locating the 30mph gateway threshold from near Fairview House, [as suggested by the Parish Council in the 2007 applications for the site], to a point closer to the A30 junction could permit Visibility Splay determination under the simpler 'Manual for Streets' guidance.
9. The Standing Advice notes also present the 'Suggested Condition' wording for visibility splays that vegetation growth must be controlled such that there is*no obstruction to visibility greater than 600/260 millimetres above the adjoining road level...[within the prescribed visibility splay]....* This would result in the wholesale destruction of the ancient and important hedgerows that exist on both sides of the existing access. In his comments on the earlier Application, the Tree Officer, Mr Poulton, has already made it clear that such action, '*is contrary to the Council's objectives to preserve or enhance the existing rural landscape character and landscape features (trees and hedgerows)*'. We believe that recent changes to Government legislation⁴ afford further protection to the hedgerow.



Complete removal of the trees would be needed to give a safe westward vision line

⁴ <https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management#check-if-a-hedgerow-is-protected>



The narrow existing farm track slopes steeply at its junction with Puddletown

10. The general ground level of the farm site is above the level of the carriageway of Puddletown, and the existing access road descends quite sharply at its junction with the highway. Ground re-modelling and extensive cutting back of the established hedgerow would be needed to establish the appropriate sight lines. In addition, a fixed pole for overhead telephone lines is located just west of the existing entrance and would obstruct the line of sight in the left-hand visibility splay.
11. While we are supportive of the principle of bringing back the buildings into beneficial usage, we believe that the suitability of the existing access to provide safe access and egress for the vehicle movements generated by this application should be the subject of a more rigorous investigation than can be afforded through the 'Class Q' Change of Use Application alone. Paragraph 1.4.1 of the Planning Statement notes that Bellamy Transport Planning have been consulted / instructed in respect of Highways and Transport matters and would be able to advise further on the issue. From a Freedom of Information Request in respect of another Planning Application we understand that Mr Bellamy is also the Retained Consultant giving advice to SSDC in respect of Highways Matters for Minor Development Schemes so an appropriate Declaration of Interest should accompany any consultancy opinion that is given.
12. A further Highway Safety matter is that the existing site access gives no protection to pedestrians. While it is accepted that, during business hours, most visitors to commercial premises are likely to arrive and depart by vehicle, Paragraph 2.2.5 of the Planning Statement confirms that there are no Footpaths or Rights of Way that give an alternative, traffic free route to the Village and its amenities for those on foot. Pedestrians must navigate a minimum 150m of narrow road with often fast moving large agricultural vehicles before reaching the safety of a paved footpath on the opposite side of the road adjacent to Yew Tree Cottage. The proposals fail to address the access requirements for disabled people and does not comply with SSDC Local Plan Policy TA5 for '*safe and convenient access...that addresses the needs of all.*'
13. Notwithstanding the undertakings given in Paragraph 4.2.9 of the Planning Statement that the proposed Commercial usage of the Converted Buildings as noted in 4.2.5 will be commensurate with the separate Notification of the proposed Class Q [Conversion to Residential Usage] of nearby buildings, we would ask that the Planning Officer limits the permitted activities to those suitable for a rural and principally agricultural area.
14. The Planning Statement gives no details of the structural condition of the existing building to confirm that it is suitable for its intended use. While the Class R permitted development rules do not specify particular requirements relating to the building structure or fabric, we are anxious to ensure that any repair or refurbishment does not constitute uncontrolled development.

As this Notification does not have the status of an Application, the Parish Council is not empowered to offer a 'Support' or 'Object' point of view. Nevertheless, we would ask that our observations, given in the best interest of the Villagers who we represent, are taken into account.

22/02550/PAMB. Glenfield Farm, Puddletown, Haselbury Plucknett, Crewkerne, Somerset, TA18 7NZ. Notification of Prior approval for a proposed Change of Use of agricultural building to 1 Dwellinghouse.

The Planning Portal of the SSDC web-site has recently given advice that the above Notification has been submitted. Although the Parish Council is not a Statutory Consultee for this classification of application, we have studied the proposals and would be grateful if you would take account of our observations in the preparation of your own report.

Haselbury Plucknett Parish Council are very supportive of proposals that regenerate areas of the village by making creative use of redundant agricultural buildings, and would particularly welcome proposals that might offer the possibility of appropriate commercial use to support the local economy as well as providing housing within the established development area of the village. However, there are a number of matters that are of concern to us that we would draw to your attention.

1. The Applicant's Agent, Messrs Bondstones, made a Full Planning Application in respect of proposals to alter the access arrangements to Glenfield Farm earlier this year, [22/00651/FUL]. The status of this application, as at the date of this letter, is that it has yet to be determined. Haselbury Plucknett Parish Council, submitted information to the LPA, [our letter of 16th May 2022 refers], outlining our objections to those proposals.
2. At the time of the earlier Application, the Applicant's Agent, Mr Firth, of Messrs Bondstones, Rural Planning Advisors, kindly agreed to meet with members of the Parish Council on site on 5th May to discuss the proposals. At that meeting, the Agent outlined that further applications comprising a mixture of Class Q [conversion to dwellings] and Class R [conversion to flexible commercial use] applications were to be submitted to the Local Planning Authority relating to the redevelopment of some of the existing redundant farm buildings. The new Access Road proposals of 22/00651/FUL were understood to be intended to serve the redeveloped area.
3. Further to the conversations at the site meeting, Messrs Bondstones subsequently arranged to set up an Internet web-page, <https://www.bondstones.co.uk/glenfield-farm.html>, with the purpose of keeping Villagers apprised of the progress of the subsequent applications. This is referenced in the Planning Statement documentation at section 1.5.1, although we must make it clear that there have been no consultations between the Applicant's Agent and the Parish Council since the date of that initial meeting.
4. Earlier Planning Applications for the alteration of the site access road, [07/02209/FUL and 07/03591/FUL], confirm that the Pig Production Unit at Glenfield Farm ceased operations in 2001, so the only routine vehicular use of the present access road is that arising from access to the two residential properties, [Glenfield Farmhouse and Glenfield Bungalow] together with occasional tractor access to the arable land beyond the Application Site.
5. We are therefore surprised and concerned that the existing access arrangements, formerly cited as sufficiently sub-standard as to require the forming of a new entrance, 100 metres of new road and the re-routing of hundreds of metres of overhead electricity cables, are now deemed

adequate, without modification, to allow access and egress, by an increased number of vehicles, onto the existing highway.

6. Paragraph 3.2.3 of the Applicant's Planning Statement for the revised access road proposals, in Planning Application 22/00651/FUL notes, *'The primary farm access, presently situated between Glenfield Farmhouse and Glenfield Bungalow is on the inside of a blind corner on Swan Hill- just 80m east of the junction of Swan Hill⁵ and the A30 (Crewkerne to Yeovil Road). At present the primary access serves the whole farm site – but is substandard for today's needs. Larger vehicles....find manoeuvring into and out of the property to be extremely awkward and often require tracking into oncoming traffic - owing to the tight radii of the existing access perimeter and confined driveway which was never designed to cope with modern day machinery'*.
7. The principal justification for the earlier 'Improved Access' application is now apparently dismissed by Paragraph 4.2.5⁶ of the Planning Statement for this present Notification that states *'visibility in both directions is sufficient to enable vehicles to exit the site....'*. We are concerned that the Permitted Development Notification route, [which seeks to direct attention chiefly to the buildings on the site], fails to address significant highway safety matters.
8. This section of Puddletown between the A30 junction and the new 'Fairview House' is subject to the National Speed Limit of 60mph, for which the 'y-distance' of the vision splay in the Department of Transport Design Manual for Roads and Bridgeworks [DMRB], should be 215m. At a more local level, Somerset County Council Technical Advice Notes 26/22, 'Standing Advice Notes for Planning Applications', Section 3.1.4, repeats the advice from DMRB and gives the same Safe Stopping Distance. A qualified Highways Engineer could reasonably take the view that the visibility splays could be assessed from 85th percentile speeds, obtained from speed surveys, but to date the Applicant's Agent has not provided any justification for a departure from the published data. Re-locating the 30mph gateway threshold from near Fairview House, [as suggested by the Parish Council in the 2007 applications for the site], to a point closer to the A30 junction could permit Visibility Splay determination under the simpler 'Manual for Streets' guidance.
9. The Standing Advice notes also present the 'Suggested Condition' wording for visibility splays that vegetation growth must be controlled such that there is *....no obstruction to visibility greater than 600/260 millimetres above the adjoining road level...[within the prescribed visibility splay]....* This would result in the wholesale destruction of the ancient and important hedgerows that exist on both sides of the existing access. In his comments on the earlier Application, the Tree Officer, Mr Poulton, has already made it clear that such action, *'is contrary to the Council's objectives to preserve or enhance the existing rural landscape character and landscape features (trees and hedgerows)'*. We believe that recent changes to Government legislation⁷ afford further protection to the hedgerow.

⁵ At Paragraph 3.2.3 in the earlier application, paragraph 2.1.3 in the Planning Statement for this notification and elsewhere, the road forming the northern boundary to the site, linking the A30 to the A3066, is incorrectly named as Swan Hill. The Post Office address is Puddletown.

⁶ This paragraph is on page 14 of the Statement. Section 4 paragraph numbering is duplicated on pages 13 and 14

⁷ <https://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management#check-if-a-hedgerow-is-protected>



Complete removal of the trees would be needed to give a safe westward vision line



The narrow existing farm track slopes steeply at its junction with Puddletown

10. The general ground level of the farm site is above the level of the carriageway of Puddletown, and the existing access road descends quite sharply at its junction with the highway. Ground re-modelling and extensive cutting back of the established hedgerow would be needed to establish the appropriate sight lines. In addition, a fixed pole for overhead telephone lines is located just west of the existing entrance and would obstruct the line of sight in the left-hand visibility splay.
11. While we are supportive of the principle of bringing back the buildings into beneficial usage, we believe that the suitability of the existing access to provide safe access and egress for the vehicle movements generated by this application should be the subject of a more rigorous investigation than can be afforded through the 'Class Q' Change of Use Application alone. Paragraph 1.4.1 of the Planning Statement notes that Bellamy Transport Planning have been consulted / instructed in respect of Highways and Transport matters and would be able to advise further on the issue. From a Freedom of Information Request in respect of another Planning Application we understand that Mr Bellamy is also the Retained Consultant giving advice to SSDC in respect of Highways Matters for Minor Development Schemes so an appropriate Declaration of Interest should accompany any consultancy opinion that is given.
12. A further Highway Safety matter of concern if part of the site is to be occupied by a domestic dwelling is that the existing site access gives no protection to pedestrians. The narrow width of the existing access way cannot accommodate both vehicles and a pedestrian path. Paragraph 2.2.5 of the Planning Statement confirms that there are no Footpaths or Rights of Way that give an alternative, traffic free route to the Village and its amenities for those on foot. Pedestrians, perhaps including children on their way to School or to The Park, must navigate a minimum of 150m of narrow road with often fast moving large agricultural vehicles before reaching the safety of a paved footpath on the opposite side of the road adjacent to Yew Tree Cottage. It is disingenuous to claim that 'there are numerous paths and opportunities for walking in the area' when none can be accessed from the site itself. The proposals fail to address the access

requirements for disabled people and does not comply with SSDC Local Plan Policy TA5 for '*safe and convenient access...that addresses the needs of all.*'

13. This 'Class Q' Notification [for conversion to a dwelling], is accompanied on the SSDC Planning Portal by a similar Notification, reference 22/02552/P3RPA, from the same Applicant in respect of the proposed 'Class R' Notification [conversion to flexible commercial use] of other nearby buildings. Paragraph 4.2.9 of the Planning Statement for that Notification asserts that the proposed Commercial usage of the Converted Buildings will be commensurate with the separate Notification of the proposed residential buildings. However, before either Notification is accepted, we would ask that the Planning Officer limits the permitted activities to those suitable for a rural and principally agricultural area.
14. We note that the Structural Inspection Report prepared by Messrs Gilham Consulting Ltd for the Long Shed confirms that the existing building can be converted to '*one small dwelling under the Class Q development right without compromise to structural integrity*'. However, at present, no opening up to carry out investigations of the condition of the timber roof members for rot, decay or insect infestation has been undertaken, [*'the underside of the roof is covered in insulation at the northern end'*], neither has the below ground condition of the structural timber posts been assessed. Since '*the slab extends under the walls of the building*' it is likely that the posts have been alternately wet and dry for the full life of the present building and may well be at the end of their useful service life.

The fact that *'the building has undergone modification to the trusses in the northern section'* and that these are now, in part supported *'intermediately'* on timber posts suggests that structural strengthening intervention has already been required and must raise questions about the condition of the remainder.

15. The present report has given only a visual assessment of the load carrying capacity of some members, but has not addressed the overall stability and rigidity of the building frame. Agricultural buildings of this type are accepted as tolerating much larger deflections under loading, [particularly wind loading], conditions than would be acceptable for a residential property with brittle internal finishes such as plasterboard.
16. On the basis of the scope of the investigation and examination of the structure to date, it is difficult to justify the statement at the end of paragraph 7.0 that *'the building can resist all vertical and lateral loading it receives'*.
17. It is unlikely that reliance can be placed on any portal action between the timber trusses and their post supports, so the lateral stability in both north-south and east-west directions will need to be achieved by the racking capacity of the external timber walls in combination with the internal partitions. These racking stability panels in turn will need to be coupled to an adequate foundation in order to transfer shear and uplift forces.
18. The existing floor slab has been judged as having adequate load carrying capacity for the new usage, but there has been no assessment of the compliance with other aspects of the Approved Documents, such as AD C, [Site preparation and resistance to contaminants and moisture], or AD L, [Conservation of Fuel and Power]. Removal and replacement of the existing slab in order to achieve compliance with the Regulations would place the works outside of those permitted by the Class Q parameters.
19. Paragraph 4.2.1 [page 14] of the Planning Statement notes that desktop researches have been undertaken for potential sources of contamination. However, the UK Health Security Agency mapping notes that Haselbury Plucknett is known to overlie locally high incidences of Radon Gas with between 10% and 30% of domestic dwellings revealing concentrations of Radon Gas above the action level. Building work for domestic dwellings should therefore incorporate at least the *'basic'* protection measures of a gas-impermeable membrane under the floor slabs, and full sealing of the slab around services penetrations.

As noted at the beginning of this letter, Haselbury Plucknett Parish Council wish to support development proposals that make use of redundant agricultural buildings and to see them returned to beneficial usage, and it is the case that with care and sensitive intervention even the most dilapidated of buildings can be saved.

However, it is our view that here, the assertions of the Permitted Development Rights under Class Q, as set out in Paragraph 4.2.3 *et seq* [page 13] of the Planning Statement are not justified. We believe that more detailed investigation, analysis and design needs to be carried out to qualify the statement at Paragraph 4.2.13 that the *'barn is structurally capable of conversion'*.

Under the conditions of a normal Full Plans Application the considerations of paragraphs 12-17 above would fall within the ambit of Building Control rather than those of the Planning Department, but as the Applicant is pursuing the *'Notification'* route we draw them to your attention at this stage.

Similarly, as this Notification does not have the status of an Application, the Parish Council is not

empowered to offer a 'Support' or 'Object' point of view. Nevertheless, we would ask that our observations, given in the best interest of the Villagers who we represent, are taken into account.

22/02551/PAMB. Glenfield Farm, Puddletown, Haselbury Plucknett, Crewkerne, Somerset, TA18 7NZ.
Notification of Prior approval for a proposed Change of Use of agricultural building to 4 dwellings.

Further to our letter dated 19th September relating to the above Notification, our own continuing enquiries have revealed supplementary information that we would draw to your attention. We appreciate that the date for submission of comments relating to the Notification has now passed, but given the fact that the information is in the form of Legal Precedent, we would ask that it is taken into account in the preparation of your own report.

In our earlier correspondence, we raised concerns that steel portal framed buildings, designed and constructed for agricultural purposes, do not lend themselves to simple conversion to residential dwellings within the parameters set out within the Class Q Permitted Development legislation. [Paragraphs 14-20 of our letter of 19th September refer].

Our enquiries have found that this point of view has been established in law under 'Hibbitt & Another and the Secretary of State for Communities and Local Government & Rushcliffe Borough Council' in the Administrative Court of the Queens Bench Division reference CO/3360/2016. A scanned copy of the judgment is attached to the e-mail of this letter.

The case before the Court related to the proposed conversion of a steel portal frame barn, formerly used as an agricultural building, into a domestic residential dwelling, and followed the refusal by the Local Planning Authority, and later the Planning Inspectorate, to accept that the conversion could be implemented under the Class Q Permitted Development route.

In a judgment dated 9th November 2016, Mr Justice Green concluded that the Inspector's finding *'that the barn would not be capable of functioning as a dwelling house without substantial building works - including construction of all four exterior walls - that went well beyond what could be reasonably described as a conversion'* was correct.

He further stated that *'the inspector's analysis was correct and that she did not misdirect herself in concluding that the works proposed would be so extensive as to comprise rebuilding the barn and were thus not permitted development under Class Q'*.

We believe that a similar set of conditions pertains at Glenfield Farm.

The Structural Inspection Reports prepared by Messrs Gilham Consulting Ltd for the Portal Frame Shed and the Raised Floor Piggery state that the existing buildings can be converted to the proposed new uses without the need for 'adverse structural interventions'. However, the reports have only examined the vertical load carrying capacity of a few load bearing elements. They have not addressed the overall stability and rigidity of the building frames in their proposed altered arrangements, [particularly bearing in mind that the division of the existing barn into two elements will leave one part without any longitudinal cross bracing], neither have they considered the adequacy of the floor slab to carry line loads from the new external walls or internal partitions.

The Reports state of these internal walls that 'whilst not intended to be structural elements they nevertheless increase the overall lateral stiffness of the building'. However, the Architectural plans

submitted with the Notification suggest that the internal walls are, in fact, the only structural elements available to transfer lateral and stability loads to the ground, so without further detailed analysis it cannot be asserted that the existing floor slab alone will be adequate for this purpose, and it is possible that the investigation may demonstrate a need for new structural foundations.

In our original letter we noted that Haselbury Plucknett Parish Council are very supportive of proposals that regenerate areas of the village by making creative use of redundant agricultural buildings, and we welcome proposals that could support the local economy and provide housing within the established development area of the village. However, we feel that, at present, it is not proven that the buildings here are 'capable of conversion' within the meaning of the Class Q parameters, and the proposed 'further analysis and design works....required in order to bring forward a full package of information to demonstrate compliance with the Approved Documents of the Building Regulations', could reveal that significant interventions are, in fact, required.

As in the case of 'Hibbitt & Another and the Secretary of State for Communities and Local Government & Rushcliffe Borough Council', such intervention would constitute rebuilding rather than conversion, and if it is executed only after the granting of a Class Q approval there is a risk that changes to the layouts and appearance may be made without the full scrutiny of a proper Planning Application.

We remain of the opinion that the proposals here do not fulfil the requirements of the Permitted Development route to Planning Approval and that the Applicant should be asked to consider the Full Application approach, which may yield further and better opportunities for the development of the site.

Neutral Citation Number: [2016] EWHC 2853 (Admin)
IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

Case No: CO/3360/2016

Birmingham Civil Justice Centre
33 Bull Street, Birmingham, B4 6DS

Date: 09/11/2016

Before :

MR JUSTICE GREEN

Between :

Hibbitt and Another
- and -
Secretary of State for Communities and Local
Government (1)
Rushcliffe Borough Council (2)

Claimants

Defendants

Mr Campbell (instructed by Public Access) for the Claimant
Mr Westmoreland-Smith (instructed by Government Legal Department) for the First
Defendant

No Attendance for the Second Defendant

Hearing date: 25th October 2016

Judgment