

10/15/0026

MRS BEHJAT HURREN

ERECTION OF SINGLE STOREY HOLIDAY LET, DEMOLITION OF STABLES AND ERECTION OF TWO STOREY HOLIDAY LET AT CLEVE FARM, OATENS FARM LANE, CHURCHSTANTON

Location: CLEVE FARM, OATENS FARM LANE, CHURCHSTANTON,
TAUNTON, TA3 7PU

Grid Reference: 318830.112308

Full Planning Permission

Recommendation

Recommended decision: Refusal

- 1 The National Planning Policy Framework seeks to locate developments in areas that facilitate the use of sustainable modes of transport, while development plan policies specifically direct permanently built holiday accommodation to within existing settlements, which are accessible by public transport, cycling and on foot, unless the proposal would support the vitality and viability of the rural economy in a way that cannot be sited within the defined settlement limits. The proposed holiday accommodation would not utilise existing buildings, but would require the erection of two new purpose-built buildings in a remote, rural location, distanced from adequate services and facilities, which would result in future occupiers being largely reliant upon the use of the private car. The proposal would not support the rural economy in a way that could not be achieved if located within the defined limits of a settlement, nor would it support economic diversification of existing farming or service enterprises. As such, the proposal is contrary to the provisions of policies DM1 (General Requirements) and DM2 (Development in the Countryside) of the Taunton Deane Borough Council Core Strategy and the relevant sections of the National Planning Policy Framework.

Recommended Condition(s) (if applicable)

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council works in a positive and pro-active way with applicants and looks for solutions 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.

Proposal

This application seeks to demolish this building and replace it with a part two-storey/part single storey stone and tile building to create a two bedroom holiday let. It is also proposed to erect a further two bedroom holiday let to the north-west of the farmhouse, which is understood to have been the site of a single storey barn in the past. An element of amenity space and two car parking spaces are provided to each holiday unit.

Site Description

Cleve Farm lies in a remote rural location within the Blackdown Hills Area of Outstanding Natural Beauty (AONB), to the west of Churchinford. It lies on Oatens Lane, amongst a scattering of dwellings and on a sloping site. To the north of the farmhouse is a former stables building of part stone/part block with a corrugated roof.

Consultation Responses

CHURCHSTANTON PARISH COUNCIL - Steep sloping site requiring excavation to get ridges as same as current, all drains into septic tank, road is narrow/winding and used by wide loads with lots of potholes, caravans are at Buttles Farm. No objection.

BIODIVERSITY – Comments as follows:

Bats

The buildings to be demolished or converted do not support a bat roost. Agree that a precautionary approach to works should be adopted.

Nesting Birds

Building includes the remains of former nesting sites. Works should take place outside of the bird nesting season.

There should be an element of biodiversity gain for this proposal. Suggest condition and notes.

SCC - TRANSPORT DEVELOPMENT GROUP - Observations to follow. No further comments received.

BLACKDOWN HILLS AONB SERVICE - The Blackdown Hills AONB Management Plan 2014-19 is the agreed policy framework for conserving and enhancing the AONB and seeks to ensure that all development affecting the AONB is of the highest quality. It contains the following policies of particular relevance to this proposal:

PD 1/B Seek to ensure that any necessary new developments or conversions within the AONB or affecting its setting conserve and enhance natural beauty and special qualities, particularly by respecting the area's landscape character and the local character of the built environment, reinforce local distinctiveness and seek to enhance biodiversity.

RET 1/C Support the development of sustainable tourism activities within the AONB that are compatible with conserving and enhancing natural beauty and the special qualities of the AONB, increase understanding and appreciation of the Blackdown Hills and benefit the local economy.

The principle of this proposal does not raise concerns in terms of landscape and visual impact. Traditional farm buildings and farmsteads are a vital component of the Blackdown Hills landscape and therefore detailed consideration of matters relating to design and materials, access, surfacing, domestic curtilage, external lighting and landscaping should help to ensure that the scheme would conserve and enhance the special qualities of the AONB.

Representations Received

Ward Member – Cllr C. Edwards – Supports.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), saved policies of the Taunton Deane Local Plan (2004), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

NPPF - National Planning Policy Framework,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
DM2 - TD CORE STRATEGY - DEV,

Local finance considerations

Community Infrastructure Levy

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per

square metre. Based on current rates, the CIL receipt for this development is approximately £20,000.00 (index linked).

If the stables being demolished meet the lawful use criteria this figure will reduce accordingly.

Determining issues and considerations

Policy DM2 highlights that outside of defined settlement limits, holiday and tourism accommodation uses will be supported, subject to: (a) the accommodation being within existing buildings where there is an identified need and it is compatible with and supports economic diversification of existing farming and service enterprises. The policy goes on to refer to touring caravan and camping sites and tourist and recreation facilities other than accommodation, but makes no reference to permanently built tourist accommodation. There is therefore a presumption against new permanently built tourist accommodation unless within defined settlement limits.

It is accepted that the guests visiting the holiday units are likely to spend in the local area, therefore supporting local businesses and contributing to the rural economy, but this could equally be the case if further units of accommodation were provided within the defined settlement limits of a nearby village, such as Churchinford. As such, it is not considered that a further unit in this remote location would support vitality and viability of the rural economy in a way which could not be sited within the defined limits of a settlement.

It is also important to note that tourist accommodation needs to be accessible by public transport, cycling and on foot. The nearest shops available would be a farm shop at Willand, approximately 1.5 km away and the convenience store in Churchinford, approximately 3 km away. The nearest large settlement, Taunton offering a greater range of retail facilities would be over 15 km away. Whilst such a distance may not deter the most committed cyclist or walker, the distance of local services and topography of the site location is highly likely to result in the majority of occupants being reliant on the private car for most of their daily needs. The proposed holiday units would therefore be contrary to the general thrust of the NPPF that seeks to locate developments in areas that facilitate the use of sustainable modes of transport.

It is noted that Section 3 of the NPPF supports sustainable rural tourism developments that benefit businesses in rural areas. It is acknowledged that sustainability does not only relate to the environment and transport needs, but also relates to economic and social elements. However, as mentioned above, it is not considered that two further units in this location would support the vitality and viability of the rural economy in a way which could not be sited within the defined limits to settlements. As such, it is not considered that the social and economic benefits of the proposal would outweigh the disadvantages to the environment through the fostering of growth in the need to travel. It is also important to note that Section 3 goes on to say, this should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres. It should therefore be pointed out that it specifically mentions facilities rather than accommodation.

It is noted that the site, although known as Cleve Farm, is no longer a working farm. The proposed new build holiday units are not therefore linked to a farm or service business and would not therefore support the economic diversification of a farming or service enterprise, as required by Policy DM2. Although there is an existing building on the site of one of the units, this is proposed to be demolished and a new building erected. The second unit of holiday accommodation is stated to be on the site of a former building. Whilst this may be the case, there is no building present now. As such, the proposal would not utilise existing buildings and does not meet the requirement that tourist accommodation should be provided within existing buildings where there is an identified need, is compatible with and supports economic diversification of existing farming and service enterprises. It is therefore wholly contrary to policy DM2. It is important to note that policy DM2 does allow for the conversion of existing buildings, subject to meeting the relevant criteria and pre-application discussions were held to this effect.

It has been argued in the past that as policy DM2 does not state that new build tourism proposals in rural areas are unacceptable and the fact that the policy is silent on this matter, should mean there is a presumption in favour of this type of development. It should be noted that policy DM2 is a positively worded policy in accordance with recent guidance. Policy DM2 specifically refers to holiday and tourism, within the list of uses that would be supported outside of defined settlement limits. It then goes on to set out the ways in which the provision of holiday and tourism outside of settlement limits would be acceptable, i.e within existing buildings where there is an identified need and it is compatible with and supports economic diversification of existing farming and service enterprises. On the basis that the policy clearly sets out cases which would be supported, it would follow that those not mentioned, would not be supported. Furthermore, the list of the types of uses supported is succinct. The policy is silent on a great deal of uses, which would clearly not be acceptable in a countryside location. On this basis, the proposed scheme to provide two new build holiday units in a remote rural area would be contrary to policy.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

Contact Officer: Mrs K Walker