

31/08/0027

Pyman Bell (Holdings) Ltd

RETENTION OF CHANGE OF USE TO FUNCTION FACILITIES, TOGETHER WITH FORMATION OF NEW ACCESS AND CAR PARK AND RETENTION OF GLAZED PERGOLA AT WOODLANDS CASTLE, RUISHTON, TAUNTON AS AMENDED BY

326052.124793

Full Planning Permission

PROPOSAL

The proposal seeks retention of the unauthorised use of the dwelling at Woodlands as a site for conferences and other functions. In addition the retention of a glazed pergola is proposed in conjunction with disabled access and a proposed new vehicular access to the unauthorised car park is proposed off Ruishton Lane with closure of the existing access off the A358 to vehicles. The new access onto Ruishton Lane will involve a 6m wide road with footpath/cycleway to one side while the visibility splay will involve removal and part laying of the hedge together with replacement hedge planting within the field. The hedge removal is also proposed as part of a Highway Authority scheme to provide a footpath/cycleway along part of Ruishton Lane in conjunction with the Park and Ride scheme, through the Highway Authority's permitted development rights.

SITE DESCRIPTION AND HISTORY

The site consists of a Grade II listed building set in parkland with a current access and drive off the A358. The site lies outside the settlement limits of Taunton and is bounded by Ruishton Lane to the North West, agricultural land to the north and east (beyond which lies the village) and the A358 to the south. An access to the parkland to the north exists via a field gate onto Ruishton Lane.

Previous permission for use of the building as offices was granted in December 2002 (ref. 31/02/015 & 019LB). A planning application for retention of marquees on the site (ref.31/07/017) was refused in June 2007 and subsequently dismissed on appeal in April 2008.

A listed building application for provision of toilets in the outbuilding and extension to link it to the marquees was refused in August 2007 (Ref. 31/07/018LB). A further application for the retention of the conference and functions use, car park, access, conversion of outbuildings and retention of marquees was applied for in December 2007 and was refused in April 2008.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

Ruishton (R&C) -

Heritage and Landscape Officer - I am generally happy with the principle of the

change of use and different access route but subject to a programme of parkland tree planting. This will provide the house with a proper setting rather than open fields beyond the entrance avenue. I do not accept that the proposed use will not have an adverse impact beyond the red line area but believe that the traffic using the access track and car parking will require careful landscaping - trees, hedges etc- if the setting is to be properly preserved. The replacement trees for the lost TPO'd trees along Ruishton Lane are to be welcomed but they should be considered within the wider setting of the parkland.

Nature Conservation & Reserves Officers - I support the submitted report's recommendations for careful work to ensure bats and badgers will not be harmed through the development. No evidence of bats were found in the outbuildings but there are parkland trees that could provide foraging and roost opportunities for bats. Evidence of nesting birds was found and in the outbuildings and there is potential for breeding birds to use the hedgerow to be removed. Dwg 5609:3/03A illustrates changes to the cellar with installation of boilers and damp proofing proposed. It is possible bats use the cellar as a winter roost and I am concerned no survey information or comment was submitted. I advise further survey information and comment should be submitted on the cellar proposals to ensure that bats will not be affected by the proposals.

Tourism Officer - We would welcome additional conference facilities close to the M5 in an area where further development may occur and certainly in this close proximity to the Park & Ride facility.

Drainage Engineer - I note that surface water is to connect to a sustainable drainage system, most probably incorporating soakaways. I cannot find any detail of the proposed car parking area and full details of how surface water run-off is to be treated shall be forwarded before any works commence on site, including details of porosity tests and these requirements shall be made a condition of any approval given.

Ruishton & Thornfalcon Parish Council - Comments awaited.

Somerset County Council - Transport Development Group - You will be aware of previous comments on other applications on this site, particularly 31/07/029 and my letter of 14 Feb 08. The present proposal is similar to the previous from a transport viewpoint and this time includes a plan 2241.01 from Peter Evans which shows not only a suitable access and visibility but also suitable footway/cycleways and footways. It is my view that subject to suitable conditions to secure the construction and laying out of the car parks and the construction of the access cycle ways and footways shown on 2241.01 before commencement of the new use then I would have no objection to the development.

Representations

3 letters of support on basis it will benefit other businesses in this time of financial insecurity and offer a service to the public.

7 letters of objection on grounds of events have caused a noise nuisance and the operators have breached the event licence, inability to control noise from functions, the access onto the lane will require visibility splays which will remove vegetation and spoil the unique rural character of the area. The proposal will increase congestion along Ruishton Lane and at the junction with the A358 and add to the danger of pedestrians and cyclists. This is not a suitable location for this use with access onto a narrow lane. The County Council have said widening Ruishton Lane was not acceptable as this would increase traffic speed. Increased use of lane

unacceptable without widening and widening is unacceptable as it increases traffic speed and danger. It will encourage traffic along Bushy Cross Lane and increase danger to pedestrians. The access will remove hedges that are an important wildlife habitat and identified in the biodiversity action plan (BAP) and will affect parkland trees. The new car park and access would increase pollution with light pollution and noise day and night and cause loss of privacy. Strict controls should be put in place to prevent noise disturbance. Traffic should be stopped from entering the site from the direction of the village.

PLANNING POLICIES

PPS1 - Delivering Sustainable Development,
PPS7 - Sustainable Development in Rural Areas,
PPG13 - Transport,
PPG15 - Planning and the Historic Environment,
STR1 - Sustainable Development,
STR6 - Development Outside Towns, Rural Centres and Villages,
S&ENPP1 - S&ENP - Nature Conservation,
S&ENPP9 - S&ENP - The Built Historic Environment,
S&ENPP49 - S&ENP - Transport Requirements of New Development,
S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
EC6 - TDBCLP - Conversion of Rural Buildings,
M2 - TDBCLP - Non-residential Car Parking Outside Taun & Well,
EN6 - TDBCLP -Protection of Trees, Woodlands, Orchards & Hedgerows,
EN8 - TDBCLP - Trees in and around Settlements,
EN34 - TDBCLP - Control of External Lighting,

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations with the proposal are the suitability of the site for the use in this location, the impact on the setting of the listed building, the landscape and amenity impact of the works and the traffic impact of the scheme.

The application is for the use of the existing building as a conference and function venue. The site is outside of the settlement limits of Taunton. However policy EC6 allows for the conversion of buildings for employment use. Whilst the site lies outside of the settlement limits, it is close to the boundary and is considered to be in a sustainable location for this employment use. The use for conferences is one that is welcomed by the Economic Development and Tourism Officer and use for offices has previously been accepted here. The applicant has submitted that Woodlands Castle is a substantial property that requires significant ongoing maintenance works. The annual costs are submitted to be beyond that which can be justified for residential use. The commercial use of the building would enable the generation of an income to provide for the future care, repair and protection of the building.

The proposal involves both internal and external works that could affect the listed building and its setting. The principle of the provision of a disabled access on the eastern side of the building is considered acceptable, however the submitted detail is considered contrived to fit in with the unauthorised glazed pergola. A scheme could be designed to be in keeping and not to detract from the character of the building, however there is an objection by the Conservation Officer to the current detail of the scheme. The glazed pergola and disabled access have therefore been

deleted from the application and will need to be subject to further submissions.

The other exterior works involve the provision of the car park and access through the parkland to the north. The applicant considers the car parking to be on the less sensitive side of the building and it is separated from the main building by both the service courtyard and existing hedge line. It is submitted that many National Trust properties have similar situations. The parking area is currently delineated is an area that could be adequately screened and is of a scale that would not significantly detract from the parkland and setting of the listed building. There is a need to adequately screen this area and improve the parkland setting and a suitable landscape condition is considered necessary to achieve this.

The Landscape Officer raises no objection in principle subject to appropriate parkland tree planting and landscaping. There was objection on previous schemes over the loss of hedgerow with the necessary access formation and visibility splay required. While this is still a concern the works proposed by the Highway Authority under their permitted development rights will result in removal and alterations to the hedgerow with new planting in order to provide a footpath/cycleway along Ruishton Lane. This being the case the works involved with the new access will not create any greater impact than that already proposed. It is therefore not reasonable to object to the hedge removal and replacement works and a condition to ensure appropriate replanting is considered necessary.

A number of concerns have been raised over the function use of the site and the noise implications impacting on nearby residential properties. The proposed use however relates to the existing building. Complaints have been received in the past by Environmental Health in relation to functions in the unauthorised marquees on the site. The use of the existing listed building on site is considered appropriate for the use without the need for noise limitations. Should further structures be considered in the future the impact of these would have to be considered at the time. There is also scope for future action under the licensing conditions if problems of noise from events in the gardens takes place.

The Highway Authority has been in discussion with the applicant over the new footpath/cycleway and it is a requirement that the existing vehicular access to the site via the A358 is closed off to vehicles to improve highway safety. The means by which this is achieved should be the subject of a condition to ensure the details necessary to maintain the character of the listed building. The access has been designed in consultation with the Highway Authority and their formal comments raise no objection to the proposal.

In summary the proposed use of the building is considered an appropriate one that would secure the beneficial future maintenance of the building. The access provisions are not detrimental to highway safety and the amenity of neighbours will not be materially affected by the use of the building.

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

Permission be GRANTED subject to conditions of time limit, surfacing materials of car park and access, landscaping, means of closure of existing access, visibility, exterior lighting, drainage of car park, no surface water draining to highway and note

re disabled access.

The proposal is considered not to harm visual or residential amenity, it has good transport links and does not adversely affect highway safety and does not adversely affect the character of the Listed Building. It is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), EC6 (Conversion of Rural Buildings), M2 (Parking), EN6 (Protection of Trees and Hedgerows) and PPG15 and Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review.

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. Details of the surfacing materials to the car park and drive hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority prior to their installation and shall thereafter be maintained as such, unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of development.

Reason: To safeguard the local character of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).

3.
 - (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
 - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
 - (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local

Plan Policy S2.

4. The existing access onto the A358 shall be permanently closed when the access hereby permitted is brought into use. Details of the means of closure of the existing access shall be submitted to and approved in writing by the Local Planning Authority before the new access commences and shall be implemented as agreed.

Reason: In the interests of highway safety in accordance with policy 49 of the Somerset & Exmoor National Park Joint Structure Plan Review.

5. The visibility splays and access point illustrated on Peter Evans Partnership drawing 2241.01 shall be provided prior to the access use commencing and in any event within 3 months of the date of the permission, unless otherwise agreed in writing by the Local Planning Authority, and shall thereafter be maintained.

Reason: To preserve sight lines at a junction and in the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and relevant guidance in PPG13.

6. Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority before its installation. Development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To minimise the impact of the development in accordance with Policies S1(E) and EN34 of the Taunton Deane Local Plan.

7. Details of the means of surface water drainage for the proposed car parking area shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented prior to the car park being brought into use.

Reason: To prevent increased surface water run off from the site causing flooding in accordance with advice in PPS25.

8. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the drive construction commencing and thereafter carried out as agreed.

Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

Notes for compliance

1. You are advised that a revised scheme for the provision of disabled access should be considered instead of the unauthorised pergola deleted from the current proposal.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

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