

PYMEN BELL HOLDINGS

ERECTION OF CONFERENCE EVENTS AND WEDDING SUITE, CONVERSION OF OUTBUILDING TO TOILETS, REINSTATEMENT OF GLASSHOUSE, EXTENSION OF CAR PARK AND TEMPORARY ERECTION OF TWO TENTS AT WOODLANDS CASTLE, RUISHTON

Grid Reference: 326049.124795

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to provision of a revised landscaping plan.

The principle of expanding an existing business use outside defined settlement limits is considered acceptable and the proposal is considered not to harm visual or residential amenity or the character and setting of the listed building and is therefore considered in accordance with Section 66 of the Planning (Listed Buildings and Conservaion Areas) Act 1990, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review, and accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), S7 (Development Outside Settlements), EC2 (Expansion of Existing Firms on Land Subject to Restrictive Policies), EC6 (Conversion of Rural Buildings) and EC7 (Rural Employment).

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. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A1) DrNo 22912/001/100 Rev B General Arrangement
(A4) DrNo 694B/01 Location Plan
(A1) DrNo 694B/02B Existing Site Plan
(A1) DrNo 694B/04 Existing Lower Ground Floor Plans
(A1) DrNo 694B/05 Existing Ground Floor Plans
(A1) DrNo 694B/06 Existing First Floor Plans
(A1) DrNo 694B/07 Existing Elevations 1/2
(A1) DrNo 694B/08 Existing Elevations 2/2

(A1) DrNo 694B/09 Existing Sections
(A1) DrNo 694B/10 Proposed Lower Ground Floor Plans
(A1) DrNo 694B/11 Proposed Ground Floor Plans
(A1) DrNo 694N/12 Proposed First Floor Plans
(A1) DrNo 694B/13 Proposed Elevations 1/2
(A1) DrNo 694B/14 Proposed Elevations 2/2
(A1) DrNo 694B/15 Proposed Sections
(A1) DrNo 694B/19 Proposed Temporary Marquee

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

4.
 - (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.

5. The development hereby permitted shall not be commenced until details of a strategy to protect and enhance the development for bats and nesting birds has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of a Bat emergence survey to be carried out, and Michael Woods Associates Ecological Survey dated July 2011, and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when bats and nesting birds could be harmed by disturbance.
3. Measures for the enhancement of places of rest for nesting birds and possibly bats.

Once approved the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of a new bird boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained.

Reason: To protect bats and nesting birds from damage bearing in mind the law protects these species and in accordance with PPS9.

6. Noise from amplified music or speech from the licensed premises shall not be audible at the points marked A, B and C on the attached plan at any times.

This condition shall NOT apply to amplified broadcasts made in connection with evacuation of the premises in the event of fire or other emergency.

Reason: To ensure that the proposed development does not prejudice the amenities of the locality by reason of noise which would be contrary to Taunton Deane Local Plan Policy S1(E).

7. The Green Travel Plan submitted with the application shall be implemented in accordance with the action plan specified unless otherwise agreed in writing by the Local Planning Authority. A person shall be identified as a co-ordinator and point of contact for the purposes of the Plan and the Travel Plan shall be carried out as approved.

Reason: To ensure a transport choice is provided and to ensure that staff will travel to and from work by means other than the private car.

8. The bollards to close the old access drive shall be maintained at all times.

Reason: In the interests of highway safety.

9. The reinstatement of the boundary wall of the walled garden shall be carried out prior to the new permanent conference building being brought into use.

Reason: In the interests of the character of the listed building in accordance with PPS5.

10. The two temporary tents hereby permitted shall be removed from the site on or before 31st May 2016.

Reason: To preserve the character and setting of the listed building in accordance with PPS5.

Notes for compliance

1. The condition relating to wildlife requires the submission of information to protect species. The Local Planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

PROPOSAL

The proposal forms a comprehensive scheme to develop the existing business for conferences and weddings at the site of Woodlands Castle. The works involve providing two temporary tents/marquees for a limited period to allow for sufficient funding to replace them with a permanent building and a business plan has been submitted to justify this. This temporary period of four and a half years would also be used to fund the other works of completing the car park, access and landscaping, restoration works to the listed building including roof repairs, conversion of the outbuildings to toilets and storage and provision of a glazed link to the house with provision of a lift and access to a disabled toilet. The larger of the two temporary structures would be 20m x 16m and 5.8m to the ridge, while the intended permanent building would be 28.5m x 14.5m and 5.8m to the ridge.

SITE DESCRIPTION AND HISTORY

The application site consist of a Grade II listed house set in extensive grounds and surrounding parkland. The house is 3 storeys and rendered with a slate roof and dates to around 1810.

Originally a dwelling permission has been granted for office use in 1997 (31/97/014) and 2002 (31/02/018). Permission was refused for conversion of the building to close care retirement flats and erection of 3 blocks of flats in the grounds in 2005 (31/04/029). Permission for retention of two marquees for conference and functions use was refused in 2007 (31/07/0017) and dismissed on appeal in April 2008. A refusal for change of use to conference and function use, creation of access and car park, change of use of outbuildings to toilets, retention of pond, landscaping works and two marquees for a temporary period was refused in 2008 (31/07/0029).

Permission for change of use to function facilities together with a new access and

car park was submitted in November 2008 and granted in January 2009 (31/08/0027).

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - no objection in principle:

The site lies outside of any development limit and is remote from any urban area, and therefore distanced from adequate services and facilities. As a consequence, the development is likely to be dependant upon private vehicles for most of the staff and delivery needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted: April 2000), and Policy ST3 of the District Local Plan. However, it must be a matter for the Local Planning Authority to decide whether the proposed development would warrant an exception.

In terms of the detail, the Highway Authority has no objection in principle to the proposed development due to the recent alterations made to the A358/Rushton Lane junction and the improved access to the site from Ruishton Lane. You may be aware that as part of the East of Taunton Park and Ride Scheme, works have been undertaken which means that the existing access to Woodlands Castle now functions as a left in and a left out.

A new access has been provided from Ruishton Lane, which has good visibility and is adequately surfaced, etc. Provision should be made to ensure that there shall be no obstruction to visibility within these splay areas in excess of 300mm above joining carriage way level. However, it is understood that previous discussions / applications have outlined that the existing vehicular access to the A358 should be closed (or converted to a non-vehicular access), and that all vehicular access should be from Ruishton Lane for reasons of highway safety.

Taking into account the above information, I raise no objection to this proposal and if planning permission were to be granted I would require the following conditions to be attached.

That the existing vehicular access, onto the A358 be closed to motorised vehicles within three months of permission being granted for reasons of highway safety.

Existing visibility splays from the access onto Ruishton Lane are maintained to ensure that there shall be no obstruction to visibility within these splay areas in excess of 300mm above joining carriage way level.

RUISHTON & THORNFALCON PARISH COUNCIL -

The Parish Council have the following concerns:

- noise nuisance to near neighbours;

- the impact of the 'tents' on the listed building preferring to see a properly built extension to the property;
- not enough parking spaces to accommodate 300 people plus staff and exhibitors;
- volume of traffic having to use Ruishton Lane.

It is noted that they are already advertising the use of the conference/exhibition suite before planning permission is granted.

HERITAGE LEAD - Submission accords with pre-application discussions.

Submitted Planning Statement - Section 7 - Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 cited, which is relevant to the con-current planning application, with Section 16 (which is not cited), being relevant to the LB application. Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review not cited but relevant.

Proposals supported on the basis that the tents will only be in place for the period stated.

BIODIVERSITY - comment

Michael Woods Associates carried out an Ecological Survey of the site in July 2011. Findings were as follows

Grassland - The proposed extension of the car park will encroach on species poor semi improved grassland and so will have minimum ecological impact.

Bats - The surveyor inspected all the buildings (except building 7) for bats. No signs of bats were observed within the buildings but I agree with the surveyor that the presence of small numbers of bats using the buildings on an occasional basis cannot be ruled out. As a previous inspection in 2007 found bat feeding remains in building 7 (the building that was not accessed) I agree with the surveyor that a bat emergence survey be carried out at the appropriate time of year prior to any works taking place. This survey should be conditioned.

Birds - Several swallow and house martin nests were observed in the buildings. I agree that works should take place outside of the bird nesting season. I also support enhancement proposals for birds.

Reptiles - The grassland and a shaded rock pile were considered unsuitable for reptiles or amphibians. The woodland to the east which is to be left undisturbed may contain reptiles.

Badgers, dormice, otters, water voles - No evidence of the above species were noted by the surveyor.

In accordance with PPS9, I would like to see wildlife protected and accommodated in this development. I suggest a condition

ECONOMIC DEVELOPMENT - no comments received

LANDSCAPE - My main concerns are the proposed car parking is extensive and pays little regard to the existing tree root protection and offers no landscaping to the eastern boundary. The materplan for the parkland is very poor and does little to integrate the proposals into the historic setting or the new approach route to the house. The roadside frontage planting is incomplete.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - Thank you for consulting on the above application. The application includes a noise report.

- Environmental Noise Assessment for Marquee Wedding Functions at Woodlands Castle. JPS Consultants, 15 October 2008.

This includes details of noise monitoring in the vicinity of the premises while music was being played in the temporary marquees that were on the site at the time. The Premises Licence issued to Woodlands Castle in March 2008 includes a noise condition. This requires noise from amplified music and speech at the premises to be inaudible at points adjacent to the nearby houses. The JPS Noise Assessment refers to this condition and makes recommendations for reducing the level of noise from music at Woodlands so that it meets this condition.

Therefore, I would recommend that if permission is given there is a condition relating to noise from events at the property.

Representations

3 letters of support on basis of proposal supporting local businesses that would benefit other local business, create more jobs and it would preserve the house and grounds of the listed building.

1 letter advising that there have been no issues with licensed events between April to October and no trees have been removed.

1 letters of no comment

1 letter of concern over increase in noise and traffic

12 letters of objection on basis of

- Tents have been erected for several years and allowed to be used for music, late night noise affecting quality of life, previous breaches of Licence conditions, the proposal would increase this impact and the environmental impact of extending the car park.
- Noise should be limited and restricted to not beyond midnight.
- The floor area of the marquee is twice that of the house and the height is three-quarters that of the eaves and it will overwhelm the view of the house from the east, particularly when the trees are bare.

- The extended car park will be visible and will cause a disturbance to residents.
- Traffic along Bushy Cross would be increased where the lane is narrow and has limited paths, it would increase hazards for pedestrians and cyclists, particularly at night.
- 100 car parking spaces are insufficient.
- The park and ride will be no use for evening events.
- There is no need for additional conference facilities in Taunton bearing in mind those that already exist.
- Development in a semi-rural residential area and adjacent to a Grade II listed building is inappropriate.
- Tree loss and it could lead to approval being sought for residential development adjacent to the car park.
- Development would be outside development limits, reliant on private vehicles and contrary to advice in PPG13, RPG10 and STR1 and STR6 of the Joint Structure Plan and ST3 of the Local Plan.
- It would be contrary to EC6 and EC7 of the Local Plan as the temporary tents are not compatible with the rural character, parkland setting and landscape quality due to their design and the footprint of the proposal is twice the size of the existing building and is out of proportion with the existing listed building and out of place in the parkland setting.
- The proposals harm residential amenity due to increased traffic noise and disturbance at night, potential use of fireworks and concern over effective noise mitigation. There is also a need for bat mitigation. Allowing the development encourages future development along the A358.

PLANNING POLICIES

PPS 1 SUPP - Planning and Climate Change,
 PPS4 - Planning for Sustainable Economic Growth,
 PPS 5 - PPS5 Planning for the Historic Environment,
 PPS7 - Sustainable Development in Rural Areas,
 STR1 - Sustainable Development,
 STR6 - Development Outside Towns, Rural Centres and Villages,
 S&ENPP9 - S&ENP - The Built Historic Environment,
 S&ENPP19 - S&ENP - Employment and Community Provision in Rural Areas,
 S&ENPP48 - S&ENP - Access and Parking,
 S&ENPP49 - S&ENP - Transport Requirements of New Development,
 S1 - TDBCLP - General Requirements,
 S2 - TDBCLP - Design,
 S7 - TDBCLP - Outside Settlement,
 EC2 - TDBCLP - Expansion of Existing Firms on Land Subject to RP,
 EC6 - TDBCLP - Conversion of Rural Buildings,
 EC7 - TDBCLP - Rural Employment Proposals,
 EN6 - TDBCLP -Protection of Trees, Woodlands, Orchards & Hedgerows,
 EN12 - TDBCLP - Landscape Character Areas,
 M2 - TDBCLP - Non-residential Car Parking Outside Taun & Well,
 M3 - TDBCLP - Non-residential Development & Transport Provision,
 CP2 - TD CORE STRATEGY - ECONOMY,
 CP8 - TD CORE STRATEGY - ENVIRONMENT,
 DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
 DM2 - TD CORE STRATEGY - DEV,

DETERMINING ISSUES AND CONSIDERATIONS

The main issues with the proposal are the impact of the proposed works in terms of business and policy, the setting of the listed building, amenity and noise, access, wildlife and landscaping.

Policy

The site lies outside the defined settlement of Ruishton and consists of a listed property in business use. The proposal is to expand that business use and policy EC2 of the Local Plan allows for expansion of existing firms to expand on land subject to restrictive policies where relocation is unrealistic and economic benefit outweighs any harm. This would overcome the criterion for exceptions in policy S7. The current business is one that is successful and helps maintain the listed building. The proposal would further this latter objective. The relocation of the business by the applicant to another location is unrealistic as it would mean finding an alternative property that would be suitable and would bring into question the future use and maintenance of the listed building.

There is considered to be an economic benefit in terms of the current use both in terms of support for other local businesses as well as employment. It would potentially create further 7 full time or part-time jobs. The scheme would comply with policy EC6 in terms of the appropriate re-use of buildings for commercial purposes. It is not considered that allowing this scheme would set a precedent for future development in the area. The question has to be raised as to whether there are harmful impacts of the development which would outweigh the granting of the proposal.

Setting of the Listed Building

The proposed development will result in a permanent building set within the walled garden area and 5.8m in height. This reflects the height of the existing outbuildings within the adjacent courtyard and this height is considered acceptable in terms of design and subservience of the building. The Conservation Officer supports the proposals on the basis of the tents being temporary. The building would have a standing seam zinc roof and the character and appearance of this modern addition is considered an acceptable one which does not harm the setting of the listed building. The footprint of the building is large at 413sqm, however this is sited discretely within the former walled garden, the side wall of which will be properly reinstated as part of the scheme. The works to convert the outbuildings retain their character and the link buildings proposed in glass are considered to maintain the character of the building and its relationship the courtyard which was lacking from the refused schemes of the past. The scheme is therefore considered to comply with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in terms of the Authority having special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. The permanent building is not considered to harm any feature of the building or historic fabric and will retain and repair historic fabric. The scheme will impact on the setting but not to an unacceptable degree and it is considered the proposal will benefit the long term upkeep of the building.

The temporary tents are still of concern visually, however their layout in relation to the courtyard is improved and a justification for their temporary siting has been

submitted. Their siting will have a lesser impact on the setting of the listed building than previously, being smaller, and a condition to limit their presence is considered appropriate and ensure their removal at the earliest opportunity.

Amenity and Noise

The main area of local concern with the proposal is the issue of noise disturbance from the site. A Noise Assessment was submitted with the application and the Environmental Health Officer has been consulted in light of previous complaints and local concerns. The recommendation is that a noise condition be imposed similar to one on a 2008 Premises Licence, which limited noise audible at the nearest residential properties. Such a condition is considered reasonable as this would relate to the conclusions on the Noise report in being able to mitigate levels of music from the site to satisfy the condition.

The car park area is over 60m from the nearest residential property and with the revised landscaping the impact of the area is not considered to impinge on residential amenity. A concern has been raised over the use of fireworks and the disturbance that this can cause. The use of fireworks is illegal between 11pm and 7am (except on certain occasions) and it is considered that an additional planning condition is not required.

Access

The proposed access to the site is via the new drive previously approved off Ruishton Lane in 2009 (ref.31/08/0027). A Transport Assessment was submitted with the application and identifies the site as being on a bus route and close to the park and ride. While the site lies outside the settlement limit it is close to the boundaries of Ruishton and Taunton and it is considered that a refusal of a business expansion scheme here would be difficult to sustain on the grounds of sustainability given the location.

Local concern has been raised over access to the site, however the means of approaching the site can't be controlled. The Highway Authority has considered the means of access to and from the site given the changes to the local road network following the construction of the park and ride facility and no objection has been raised in principle. Conditions are suggested in terms of visibility and closure of the existing access to the A358. However these were conditions imposed on the previous permission for the access and it is considered unnecessary to reimpose these. The drive to the A358 has been blocked with bollards and the visibility of the new access as approved is considered appropriate. A condition to ensure retention of the bollards is however considered appropriate.

The proposed layout provides 103 parking spaces which are required for weekend use when the park and ride is not operating. The Highway Authority has raised no issue in connection with the nature of the access and the parking provision. A Travel Plan has been submitted with the application and it is considered appropriate that this is conditioned to try and limit the reliance on private vehicles access ing the site.

Wildlife

An ecological survey of the site was carried out and while no bats were found the

recommendation is that a further emergence survey be carried out. The Nature Conservation Officer also recommends a condition to address bats and birds to ensure the habitat is maintained and such a condition is considered to be necessary and is recommended.

Landscaping

The main house and outbuildings are situated on land totalling almost 5ha which has a gentle southwards facing slope. The land immediately around the house to the west, south and east sides is enclosed and about a third of a hectare in extent. There are a number of mature trees to the north west of the house and a row of mature limes forming an avenue along the original main entrance forming a parkland setting for the house. A strong belt of maturing trees act as a screen along the southern boundary with the A358.

Sadly a number of the trees that formed the original planting scheme have been lost. The current proposal, while indicating a number of new trees and hedging to screen the parking area is not considered by the Landscape Officer to be sufficient to help reinstate the parkland. A tree report was submitted with the application and one tree, a sycamore, is to be felled as this is adjacent to the rear wall of an outbuilding and is causing damage. This is accepted, however a revised planting scheme has been requested to address the concerns raised in terms of new planting.

Conclusion

The proposed new building is considered an acceptable contemporary design that sits within the confines of the walled garden and does not detract from the setting of the listed building. The economic benefits of the scheme are considered to outweigh the issue of the site being outside of settlement limits and the concerns over noise, wildlife and landscaping can be addressed by conditions or an amended plan. There is no Highway objection to the access and parking provision and there is not considered to be a precedent set for future development. There is not considered to be substantial harm proven to occur to local amenity, wildlife, landscape or the listed building to outweigh the benefits of the scheme and compliance with policies of the development plan and the recommendation is therefore one of approval.

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

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