

08/2007/003

MR B JEFFERY

**RETENTION OF CHANGE OF USE OF AGRICULTURAL LAND FOR 'FUN FARM', A FARM BASED TOURIST ATTRACTION INCLUDING FARM ANIMALS, QUAD BIKES, TRAMPOLINE, BOUNCY CASTLE AND CAFE AT NERROLS FARM, PRIORSWOOD**

324366/126744

RETENTION OF BUILDINGS/WORKS ETC.

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**PROPOSAL**

This application is for retrospective permission for the change of use of agricultural land to a fun farm designed for families. The fun farm uses two existing barns as animal barns and one barn as a cafe for visitors. In addition to housing various farm animals the facility provides a range of play equipment including a trampoline and bouncy castle as well as an indoor play area. Access to the site is via a single track lane with direct access off the Maidenbrook roundabout, to the south of Bossington Drive. Nerrols Farmhouse is a listed building situated within the fun farm complex. Parking for the use is provided on land next to the farmhouse.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY access to the site is narrow with no opportunity for traffic to pass. This is likely to result in problems.

LANDSCAPE OFFICER the site is generally well screened but a landscape scheme should be provided to include additional trees within the boundary hedges, restoration of a hedge to the south of the deer pen and reinstatement of hedges with trees to the north and east of the quad bike track and car park. It may be possible to replant some orchard trees to improve the landscaping within the site. CONSERVATION OFFICER no objection but potential concerns over the location of the parking area adjacent to the listed farmhouse. ENVIRONMENTAL HEALTH OFFICER following the noise complaints from nearby objectors I have undertaken a noise measurement of a quad bike and am confident that the proposed condition will provide the legal protection against noise pollution. LEISURE AND RECREATION OFFICER no comment. TOURISM OFFICER no response.

PARISH COUNCIL raise objection for the following reasons:- the noise from the quad bikes was unpleasant for nearby residents, especially in the summer; there was concern regarding increased levels of traffic using the access off the busy roundabout; there was agreement that a facility for children would be welcome provided it was properly run regarding health and safety concerns.

3 LETTERS OF OBJECTION AND A PETITION WITH 41 SIGNATURES have been received raising the following issues:- the quad bikes cause noise pollution for residents in the area; access to the site is likely to become a problem if its use increases; concern that if planning permission is granted there may be future

extensions to the land involved bring it closer to other residential properties so reducing their amenity.

1 LETTER OF SUPPORT has been received raising the following issues:- I visited the fun farm last year and was impressed by the fun day that we all had the children enjoyed feeding the lambs and calves and watching the piglets being fed by their mother; they particularly enjoyed the ride around the farm from the farmer; the food and toilet facilities were good too.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Structure Plan Review Policy 49 Transport Requirements of New Development.

Taunton Deane Local Plan Policies S1 - General Requirements, EC21 Tourist and Recreation facilities "...outside settlements, proposals for tourist and recreation facilities will be permitted provided that:- (A) increased visitor pressure would not harm the natural or man made heritage; (B) any new buildings would be on a scale appropriate to the location and use, EN16 - Listed Buildings, EN17 - Special Landscape Areas.

## **ASSESSMENT**

This is a retrospective application for the change of use of Nerrols Farm to a fun farm. The use needs to be assessed against all the policies outlined in the above report. The proposal is located outside of the settlement limits of Taunton and Cheddon Fitzpaine and as such it is important to assess its impact on highway safety, the listed farmhouse and the Special Landscape Area in which it lies. The site is accessed via a single width road and track leading directly off from the Maidenbrook roundabout. The Highway Authority are concerned that this road link would not be suitable for increased numbers of visitors that may be attracted to the site. The applicants have confirmed that they have provided passing spaces along the access to enable safe passing of vehicles. An amended plan showing the location and size of these passing spaces is awaited.

The Landscape Officer has been to the site and assessed its impact on the area. Subject to additional hedge and tree planting he raises no objection to the proposed use. The Conservation Officer has some concerns about the proximity of the parking to the farmhouse. New plans of the parking have been received and the Conservation Officer's comments on those are awaited. There have been local concerns regarding the potential noise disturbance resulting from the quad bike use on the site. The Environmental Health Officer has carried out noise measurements and confirms that the noise is inaudible at the farm's boundary and recommends an operating hours condition to ensure no nuisance to neighbours. (It is understood that trial bikes have illegally used the applicant's fields and these may be the source of the noise concerns from objectors). The proposal complies with the requirements of Taunton Deane Local Plan Policy EC21 for the provision of tourist and recreation facilities outside of settlement limits and is considered to be acceptable.

## **RECOMMENDATION**

Subject to the receipt of an acceptable access plan the Development Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, parking as shown on the submitted plan, passing places as shown on the submitted plan, fun farm use as detailed on the forms and plans accompanying the application, no other uses without the prior consent of the Local Planning Authority, operating hours Monday – Sunday 10.00 a.m. – 17.00 p.m. only, landscaping. Notes re planning permission required for any expansion of the fun farm use into surrounding fields.

**REASON(S) FOR RECOMMENDATION:-** The fun farm provides a tourist attraction outside the settlement limits of Taunton in accordance with the requirements of Taunton Deane Local Plan Policy EC21.

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

**CONTACT OFFICER: 356467 MRS J MOORE**

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