

20/2005/012

MILLFIELD NURSERIES LTD

**ERECTION OF 13 LOG CABINS FOR HOLIDAY LET AT LAND AT MILLFIELD NURSERY, PARSONAGE LANE, KINGSTON ST MARY AS AMENDED BY APPLICANTS LETTER DATED 18TH JULY, 2005 AND FLOOD RISK ASSESSMENT REPORT AND AMPLIFIED BY APPLICANTS E-MAIL RECEIVED 24TH AUGUST, 2005**

22138/29124

FULL PERMISSION

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**PROPOSAL**

The proposal comprises the erection of 13 log cabins. All the proposed log cabins are of identical design of 1 and a half storey construction and measure 7.71 m x 9.81 m x 5.19 m to the ridge. The cabins incorporate two bedrooms at ground floor, with an open plan first floor within the roofspace. The design of each log cabin is typical for this form of development, incorporating natural timber walls and a tiled roof.

The site is located in the western section of the nursery curtilage that currently sites glasshouses, polytunnels and other ancillary buildings in connection with the current nursery and landscaping operations. The latter buildings are proposed to be removed to make way for the cabins with landscaping proposed between the proposed units. Trading of the nursery site is to cease and the landscaping operations moved to other premises not in the village to make way for the new venture. The nurseries existing access from Parsonage Lane is proposed to be used as well as an existing access drive through the nursery site. The cabins are proposed to be sited in two rows parallel to the west boundary of the site with individual accesses from the main track through the site.

The applicant maintains that the traffic flow associated with the cabins would be no more than that generated by the nursery site and landscaping operations. A Flood Risk Assessment also accompanies the application.

Members will recall that a previous application 20/2005/005 for 5 units was approved at Planning Committee dated 20th April, 2005. The cabins previously approved would be located in the north west area of the Millfield Nursery site and are of a similar nature to those proposed by this application.

In response to the objection letters received, a letter dated 24th August, 2005 has been received from the applicant amplifying the proposal as follows:-

Traffic: Current traffic movements are in excess of 150 per day on 'worst case scenario' for staff movements and an average for customer movements. Current traffic includes HGV, 40 foot trailers, 7.5 ton, 3.5 ton and cars. Current use of the site has no restriction on traffic movements and so if the current use were intensified there would be no limitation to the amount of traffic that could be generated. The current use involves traffic movements in peak commuting times. The change of use will:-(1) Remove HGV, 7.5 ton and 3.5 ton traffic. (2) Reduce traffic movements - even with full occupancy of

the 18 cabins there would be a worst case scenario of 36 cars which it is reasonable to expect would make 2 movements per day thus a total of 72 movements. (3) Restrict the capacity to increase traffic movements. (4) Traffic movements would take place out of the main daily commuting times.

The 150 traffic movements are calculated as a worst case scenario based on the figures below:-

Staff (initials and number of movements per day): CH - 8, TH - 10, PH - 12, BP - 6, HC - 8, DP - 4, RT - 4, LH - 4, JH - 6, SR - 4, JP - 4, JO - 4, JS - 4, CB - 4, RB - 4, BG - 4, PJ - 4, SB - 4, RS - 4, WS - 4.

Deliveries - 12 (artics, 10 ton, 7.5 ton & 3.5 ton)

Other visitors - 16

Customers - 20 (this can peak at 50 on busy days and then drop to less than 10 on wet winter days).

154 movements, a movement being an entry or exit.

Just to confirm that this is a complete change of use application with the nursery closing and the landscaping operations moving to other premises not in the village.

Conclusion: The impact of traffic on the junction at Mill Cross and the wider community would be reduced by the change of use.

Mill Cross Junction: There are passing places on Parsonage Lane on both the approach and at the Mill Cross junction. We have spoken to Somerset County Council Highways who have confirmed that have no recorded reportable accidents at Mill Cross for the past 3 years.

Light & Noise Pollution: Currently the site is illuminated by 10 halogen security lights mounted on 4-5 m poles or buildings. In addition there are halogen spotlights in the glass houses that are illuminated in the winter months. Currently the nursery starts work at 6.30 - 7.00 a.m. with the movement of machinery (forklift) and vehicles. There are a compressor, power washer and chipper/shredder that are operated on site in addition to excavators and compact tractors. Such movements/activities can occur 7 days a week. There is no provision in the application for street lighting, such new lighting that may be required would be low level and low intensity.

Conclusion: Light and noise pollution would be significantly reduced by the change of use.

Access: Entry and egress will be via the existing access on Parsonage Lane.

Flooding: The full Flood Risk Assessment has satisfied the Environment Agency. The 200 year flood projection shows minor flooding at the access to the site which will cover 50% of the width of the access road and will therefore not prevent entry and egress. The positions of the cabins are not affected by flood.

Impact Locally: Although not a planning consideration it has been commented, without supportive evidence, that the change of use would have an impact on the value of local properties. Although a matter for individual opinion the advice we have is that there would be no detrimental impact and may even be a positive impact by the removal of the existing commercial agricultural/horticultural use. Comment has been made regarding the use of the Spinney. This is an area open to the public, which is currently used by the general public and dog walkers from both the village and wider community, including Taunton. The site currently has approximately 1950 sq m of greenhouses, polytunnels, sheds, stores and in excess of 1500 sq m of hard surfaces for storage. The remainder of the site is currently outside standing area for plants. The change of use will remove the majority of the hard surfaces and replace with landscaping in the form of woodland planting. The current application of use brings in 13 cabins at an average of approximately 85 sq m average each giving a total of 1105 sq m with significant planting in the areas between.

Services: Mains sewer runs through the site. Gas, electric and mains water are all on site.

Viability: Interest in the original 5 cabins has been significant and encouraged the submission of the application for the 13 cabins following which further interest has been shown. Our calculations have been made on less than full occupancy being based on national average figures. The scheme is viable and there is a need for this accommodation as confirmed by the Tourism Officer.

Summary: We are naturally concerned that so many people should feel it necessary to write in relation to this application. It is disappointing that neither the Parish Council or the correspondents have felt able to address their concerns to us direct as we could have easily and willingly provided the information set out above. It is of particular concern that the Parish Council made no approach to us prior to the meeting of 10th August and were therefore unable to fully brief the meeting and the public present. Had we been invited by the Parish Council to make a presentation to the Parish Council and the meeting then we consider that many of the concerns could have been answered. We accept that even if this had happened many people may still have been unhappy with the proposal but at least their decision would have been an informed one. It is also relevant to highlight that, although the concerns of the correspondents must rightly be addressed, the announcement of the meeting was it seems selectively delivered and even some of our immediate neighbours did not receive the notice.

## **CONSULTATIONS AND REPRESENTATIONS**

HIGHWAY AUTHORITY no objections. The roads leading to the site are generally narrow and therefore I would not wish to see development take place here which would increase traffic on these roads. However the proposed development will replace the existing Nursery business on the site and therefore I have taken the existing traffic into account. I understand from the applicant that the number of daily vehicle movements is

in the region of 150. This includes staff, deliveries, visitors and customers. This may be liable to fluctuation up or down. I estimate that the number of vehicle movements generated by each Log cabin to be between 4 and 6 per day. This totals between 52 & 78 trips per day. I believe that the proposed development will generate less traffic than the existing and consequently do not propose to object to the proposal. I would however require a condition be attached to any consent to require the existing visibility splays to be kept clear of all obstructions in excess of 600 mm above adjoining carriageway level. The Highway Authority have also confirmed that the highway outside the entrance to the nurseries in Parsonage Lane would not be considered area of flood risk. ENVIRONMENT AGENCY following the recent submission of an appropriate Flood Risk Assessment (FRA), the Agency hereby confirms that it has no flood defense related objections to this proposal, provided all works are undertaken in accordance with the submitted FRA dated June 2005. A conditions restricting the location of the cabins outside the floodable area is required. SERC No records of statutory and non-statutory species have been recorded on the site.50 LETTERS OF OBJECTION have been received raising the following issues that have been split into 4 separate categories:- (1) Highways:- the traffic through Kingston is already quite heavy along a narrow "main road" and any more traffic around the Mill Cross, Parsonage Lane crossroads area would add to the already dangerous situation to vehicles and pedestrians; the 30 mph speed limits are regularly exceeded; the village struggles to cope with existing traffic volumes and from the crossroads at Mill Cross all directions are extremely hazardous with speed limits being disregarded by very many; where will the holiday makers shop? You cannot walk through the village safely as there are no pavements or lighting; there has been no accurate assessment as to the impact of the increased traffic; Parsonage lane is an accident blackspot (between 8-10 per year) and is particularly dangerous where it is exacerbated by the narrowness of the lane that is almost single track within yards of the Kingston Road. The proposal would therefore lead to more congestion plus present a hazard to walkers; it is unclear whether the existing access or the access approved by application 20/2005/008 will be used; the traffic movements associated with 18 holiday lets will be significantly greater than the existing movements on the site; Currently only movements for office use with limited delivery/pick up as most commercial vehicles are located off-site; movements are nothing like 150 per day as previously quoted; new movements will be 7 days per week; the County Highway Authority commented on the application for 5 units that they would not wish to see any further development of the site; application 20/2005/007 refused permission for a dwelling as it is "located outside the limits of a settlement area in an area that has very limited public transport services. The development will increase reliance on the motor car". This proposal will multiply the grounds for refusal at least 13 fold; the developer should pay for improvements to the road network and contribute to a footpath through the village; there is a bus stop at this junction with no pull in area to allow passengers to board or leave the bus this presents a safety issue to motorists, cyclists and pedestrians. (2) Detrimental impact to the area:- concern about the Woodland Trust Spinney area to the north of the site that is a beautiful, quiet place but how would you keep visitors in any numbers from spoiling this as it is next door to the nursery; the proposal of this scale outside settlement limits, will change for ever the look, feel and nature of this quiet village environment situated in the open countryside; by any stretch of the imagination the proposal would not enhance the lovely and much admired Area of Outstanding Natural Beauty and Conservation Area at the gateway to the Quantocks; the proposed development will be overlooked from neighbouring properties and will have an overbearing affect on the residential amenity of the area; substantial increase

in noise pollution will occur from vehicles, tourists and entertainment activities; this is an attractive Greenfield Land, not brownfield there are continuing applications which is changing the face of this end of the village; the 5 units already approved are well hidden in the north part of the site, however the additional 13 units would be seen from the road and surrounding properties; there would have to be some form of illumination that would cause light pollution to surrounding properties; the value of many of the properties within the area would be reduced; there will be an increase in litter in the area. (3) Future speculation:- holiday lets would not stop here! there would be a need for a site office shop, laundry room, club house, swimming pool and who knows what else; Question 17 of the previous applications did not state that the application form part of a larger scheme and no details about the ultimate development were given; once an access road and services have been established, will planning follow to convert the cabins into permanent dwellings as there are doubts over the profitability of the scheme?; we have spoken to several local people who offer such a service for holiday makers and each one has told us that it would be extremely unlikely that they would be unable to offer accommodation at any time throughout the year should it be required; it will have to be lit for Health and Safety Grounds and will there be any security staff?; concern if the site is sold to become a holiday park; how would the holiday let use be controlled; who would occupy the cabins when not in use seeing as there is a homelessness problem or problem families or ...? there is already an increased level of vandalism in the area and police have advised to note the presence of strange people and vehicles, the proposal would attract 70 different strangers in our midst every week; a small village such as Kingston can not warrant holiday lets in such numbers as there are no amenities here other than one pub and post office; unsuitable for this predominantly residential village; what business plans the proposed development based?; permission to build Millfield House was given on appeal on the basis that it would provide a home for the manager of Millfield Nurseries; by granting permission for the access drive to Millfield House you have made it possible for Millfield House to be sold without any restriction on its use; this application should be viewed in a wider context of other applications to follow and additional uses sought for the cabins when they become redundant. (4) Miscellaneous :- it would require significant planting to comply with the plan as no such planting exists where the polytunnels are, have no planting; planting would take time to mask the development and many trees have been removed from the site; the Flood Risk Assessment requires quote "located the log cabins as far away from the nursery stream as possible... locate the log cabins as far up the site as possible". The plan does not reflect this. The assessment also identifies potential flood areas, one of which is at the existing Parsonage Lane access which suggests this is an inappropriate access point; is there to be detailed plans for looking after the families in this camp? How long would the lets be?; as this is a nursery is it agricultural land? Why is it not kept as a nursery?; why make two separate applications?; would the existing businesses that operate from the site cease?; we view with horror the encroachment of "holiday-let cabins" into the environs of Kingston as being only marginally less awful than an invasion of travelers; there would be no benefit to Kingston St Mary itself; what arrangements will be made for refuse collection; is change of use permission required from horticultural/nursery use to holiday use; the five cabin are not yet built but would have provided evidence of demand or not; what are the plans for sewage services, electricity supply, gas supply?; how many staff would be employed, would there be a reduction in employment compared to the existing level?

4 LETTERS OF SUPPORT have been received raising the following issues:- the proposal would be a great and progressive improvement to the area of Kingston St Mary which at the moment shows signs of going backwards in this modern age; the applicants deserve all the support which they can get and as I understand that the application is supported by government directives I assume that approval will be forthcoming.

LANDSCAPE OFFICER No objections. My overall impression is that it should be possible to integrate the proposals into the local landscape subject to a details tree survey of the site, wildlife assessment of river corridor and detailed landscape proposals. Services provision should also be addressed in terms of its possible impact on trees and hedges.FORWARD PLANNING the proposal lies beyond any settlement limit as defined under the recently adopted Taunton Deane Local Plan. It also falls beyond the Quantocks AONB boundary. The relevant policy for consideration of this proposal is Policy EC24 (Camping, Caravans and Holiday Chalets). The latter policy recognises the important role such uses can have on the rural economy, but also notes that they can have a detrimental environmental impact. A set of criteria is therefore set out for consideration of such uses. These criteria fall beyond the policy principle, covering highway, access and landscape impact. Subject to no adverse comment from these areas, there is no policy objection to a proposal of this scale and nature in this instance, provided that the use is conditioned for holiday use only, requiring removal if proven unviable since the location is unsuitable for unrestricted residential use. TOURISM OFFICER the tourism unit is happy to support this application. The cabins should be independently inspected for quality by "Quality in Tourism". DRAINAGE OFFICER no objections, however further details of the western stream bank levels and the emergency spillway are required. Somerset County Council should be consulted for their input into flooding issues on Parsonage Lane.

PARISH COUNCIL objects to the proposal as the extra 13 Log Cabins are located close to neighbouring properties and consequently have a detrimental effect on the residential amenity of the area. The Parish Council particularly wishes to support the points made by Mr and Mrs Garnett concerning this application as stated in their letter to Mr Burton of 5th August, 2005 [this letter is amongst those summarised below]. The increase in traffic created by the building of 18 units on this site will seriously compromise highway safety at Mill Cross due to poor visibility at the junction. The Parish Council note that the County Highways Consultancy has already expressed their concern about any increase in the number of units beyond the 5 already granted (20/2005/005). The Parish Council do not support claims by the applicants that traffic movements from past and current business activities at Millfield Nurseries have been in the region of 100-150 movements a day. We believe that 18 holiday log cabins will create considerably more traffic in Parsonage Lane and Mill Cross than in the past. The Parish Council note the absence of any business case for these further 13 log cabins and believe that it is premature to grant permission until the financial viability of the first 5 is proven. If the Council are minded to grant permission for this application, the Parish Council wish to request a significant contribution to a footpath from Mill Cross to the centre of the village or another form of traffic calming scheme. 57 members of the public attended the

extraordinary Parish Council meeting held on 10th August, 2005 and registered their concern over the application. There was a show of hands as to who objected to the development and this amounted to 53 people. None in support. 7 out of 8 Parish Council members voted against the decision. Consequently, the Parish Council urges you to refuse this application. It was also noted in the response to the previous application 20/2005/005 that the proposal for 5 cabins would lead to further development.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review the following policies are considered relevant:- Policy STR1 on sustainable development is relevant. Policy STR6 states that development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. Policy 49 states that proposals for development should be compatible with the existing transport infrastructure and provide safe access to roads of adequate standard.

Taunton Deane Local Plan the following policies are considered especially relevant: - Policy S1 requires that proposals for development should ensure that: - (A) additional road traffic would not lead to overloading of access roads or road safety problems; (B) the accessibility of the site for public transport, walking, cycling, and pedestrians would minimise the need to use the car; (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development; Policy S2 requires development to be of a good design; Policy S7 requires that outside development limits new buildings will only be allowed, amongst other criteria, that they accord with a specific Development Plan Policy and supports the viability and viability of the rural economy; Policy EC24 requires that proposals for holiday chalets will only be permitted provided that the proposal would not harm the landscape and be adequately screened and has good access to the main road network; Policy EN6 requires the protection of trees and hedgerows, Policy EN12 requires that the distinct character and appearance of Landscape Character Areas should be maintained, Policy EN14 requires that proposals affecting Conservation Areas should preserve or enhance their character and appearance, Policy EN25 requires the protection of the water environment, Policy EN29 requires that development should not cause additional flooding concerns and Policy EN34 requires that new lighting should not impact on the night sky, road safety or residential amenity.

## **ASSESSMENT**

The site lies outside the settlement limits of Kingston St Mary. However, Policy S7 supports the principle of this location where environmental quality is maintained/enhanced and the proposal accords with a specific Development Plan Policy, i.e. in this case Policy EC24 (holiday chalets). The site is well screened by mature trees on all boundaries and there is an abundance of other trees within the site that are proposed to be retained. A landscaping condition is proposed to further bolster the screening of the development and a condition is also proposed for the developer to show precisely which trees are to be retained within the site. In terms of screening

therefore the proposal accords with Policies S1, S2, S7, EN6, EN12 and EC24 and therefore the visual amenity and Landscape Character Area of the area would not be detrimentally affected. The site is not located within the Quantocks AONB or Conservation Area, however views to and from the site would not adversely affect the character and appearance of the AONB and Conservation Area. The site is also located a significant distance away from the AONB and in visual terms, the development would be absorbed into the built up area of Kingston St Mary when viewed from the Quantock Hills. Furthermore the proposal involves the removal of several large and unsightly buildings with smaller, dispersed and better screened buildings. The proposal would result in a loss in total building footprint and a drop in building height as well as the use of materials that are more sympathetic to the area.

The chalets are also located a sufficient distance away from neighbouring properties not to cause any overlooking or overbearing effects and therefore the residential amenity of the area would not be detrimentally affected. It is also considered that the proposal would result in a drop in noise levels from those existing on this working nursery site. At present forklifts, HGV's and other goods vehicles operate from 6.30 a.m. onwards which would cease as a result of the proposal.

In order to satisfy the remaining criteria of policy EC24 the development should have good access to the main road network. The existing access to the site is located some 100m west of the Mill Cross junction with a main road that leads to Taunton and the Quantock Hills. This short distance to the highway network would therefore appear to satisfy the remaining criteria of Policy EC24.

Various representations have been received with regard to highway safety at Parsonage Lane and the junction at Mill Cross with Kingston Road. Whilst these comments are appreciated and understood, in the opinion of the Highway Authority, the proposals do not substantially increase traffic flows when compared to the existing usage of the site, and therefore it would be unreasonable to recommend refusal on highway safety grounds. The Highway Authority expect a traffic flow of between 52 to 78 trips a day based on 4 to 6 movements per cabin. Combining the additional 20 to 30 movements for the additional 5 cabins already approved, a total of 72 to 98 movements can be expected at full capacity. This traffic flow would replace the 150 movements a day currently generated by the existing uses at the site. Considering the drop in traffic attracted to the site it is not considered expedient to require the applicant to contribute to highway improvements or contributions to footpaths in the Kingston Area. Furthermore the nature of the traffic movements would have a reduced impact from larger vehicles as deliveries from HGV's, 10, 7.5 and 3.5 ton vehicles would cease.

The cessation of the nursery and landscape operations overcomes the Highway Authorities previous statement to the previous application (20/2005/005) that the highway network would not support more than 5 units; due to a net decrease in traffic movements.

The figure of 150 movements has been refuted by several representations. This figure is taken from the traffic movements as logged for the earlier application for the 5 cabins based on a worse case scenario. Regardless of the accuracy of the 150 movements, the proposed use would generate a level of traffic considered acceptable by the



Highway Authority. The proposal is therefore not considered to prejudice highway safety.

It is generally accepted that tourism creates its own traffic within these countryside locations where public transport may be limited. This form of development is principally considered acceptable in this countryside location where development may be more reliant on the use of the car due to its promotion of the rural economy and accordance with policy EC24. Furthermore this form of development is considered to accord with the Community Tourism section of the TDBC Tourism Strategy, one of the main aims of which is to maximise the economic opportunities and benefits of tourism. Based on the latter, Policy EC24 does not require that a business plan is submitted with proposals for self catering accommodation, given the need in the area.

Concern has also been raised that this proposal may be the start of additional proposals for leisure facilities, office shop, laundry room, club house, swimming pool etc. The possibility of any future development of the site should not however form part of any consideration when determining this application that should be treated on its own merits.

Concern has also been raised that the proposal will lead to housing development. Any change of use of the holiday chalets would require the benefit of Planning Permission that would be resisted in this location due to the conflict with planning policy with regard to housing in this location. The latter would also apply to any future application for individual housing applications, however again this form of speculation should not form part of the determination of this proposal. Policy KM2, housing outside the settlement limits of Kingston St Mary is not therefore relevant to the proposal. A standard condition is proposed to restrict the occupation of the chalets to bona fide holidaymakers for individual periods not exceeding 4 weeks in any period of 12 weeks. The chalets could therefore not be rented out for residential purposes. A condition is also proposed requiring the removal of the cabins if they become redundant.

The proposal does not involve any external lighting and a note to the applicant is proposed advising that planning permission for any floodlighting or external illumination is required and is unlikely to be supported if it would result in any detrimental affect. The site currently has high level security lighting the level of which will be reduced by the proposal.

A comprehensive Flood Risk Assessment has been submitted by the applicants and the Environment Agency have confirmed that they have no flood defence related objections to the proposal. Likewise the drainage officer has raised no objections and the Highway Authority have also confirmed that the highway outside the entrance to the nurseries in Parsonage Lane would not be considered area of flood risk.

The proposal is considered to fully comply with the relevant planning policies and therefore approval is recommended.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit, materials, accordance with Flood Risk Assessment, landscaping, trees to be retained, holiday let only, removal after 24 months if use ceases, visibility, services underground, details of western stream bank levels and the emergency spillway, removal of PD rights for extensions, gates, walls, fences, and outbuildings. Notes re Disabled Persons Act, lighting, energy and water conservation, health and safety and connection to Wessex Water infrastructure.

REASON(S) FOR RECOMMENDATION:- The site is adequately screened and the proposal is not considered to be harmful to the landscape and has good access to the highway network, the visual and residential amenity of the area would not be detrimentally affected and the character and appearance of the adjacent Conservation Area would be maintained/enhanced and therefore is compliant with Taunton Deane Local Plan Policies S1, S2, S7, EC24, EN6, EN12, EN14, EN25, EN29 and EN34.

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

**CONTACT OFFICER: 356586 MR R UPTON**

NOTES: