

36/2006/001

W R & E J HEMBROW

CHANGE OF USE OF SWIMMING POOL AND OTHER FACILITIES FROM USE BY OCCUPANTS OF THE HOLIDAY COTTAGES TO USE BY OCCUPANTS OF HOLIDAY COTTAGES AND BY MEMBERS OF THE PUBLIC, HOLLY FARM COTTAGES MEARE GREEN FARM STOKE ST GREGORY.

33342/26461

REMOVAL OF ONEROUS CONDITIONS

PROPOSAL

Planning permission was granted in February 2004 for the demolition of existing games room and erection of swimming pool, games room and craft building at Holly Farm. These were to improve tourist facilities and be used in association with the holiday accommodation provided in the barn conversions at Holly Farm. Condition 04 tied the use of the pool, craft facilities and games room to use by occupants of the holiday units and at no time should members of the general public use them. The current application is to vary the condition so that general members of the public can use the facilities during school term times.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY recommends the refusal of the application. The reasoning behind the condition was to allow development that would benefit the local economy without creating unacceptable levels of traffic using the substandard access roads and junctions in this non sustainable location, as required by the Somerset and Exmoor National Park Joint Structure Plan Review Policies 23 and 49 and Taunton Deane Local Plan Revised Policies EN15 and S8. Whilst some limited use by local people could be considered acceptable such a limited use would be impossible to enforce. The existing facilities are well advertised and the removal of the condition would lead to an inevitable increase in traffic to the site in direct conflict with the reasons for the condition.

POLICY OFFICER this development was originally given planning permission subject to conditions that were intended to avoid creating a public leisure facility in the open countryside, i.e. outside the defined limits of a settlement. The site is not within the defined limits of Stoke St. Gregory and to allow a change of use as proposed would therefore be contrary to Policy S7 of the Taunton Deane Local Plan. A change of use would also be in conflict with Local Plan Policy EC15, which requires that new local service provision in villages should be within the settlement limits. TOURISM OFFICER I am aware of this application and from a tourism point of view there is no objection from me on what Robert and Liz Hembrow wish to achieve through this application. I am happy that the change of use to allow members of the public to use the pool will not have an adverse affect on the Tourists using the facility. Robert and Liz have over 10 years of experience and I am confident that they would not propose anything that would jeopardise their Holiday let

business. I have read all the comments received so far and can understand everyone's viewpoints but the above is the tourism perspective.

PARISH COUNCIL raises no objection to the proposal as it is considered to be an additional local amenity. They would be concerned if the use was allowed during the evening when noise and light pollution from cars might be a problem.

1 LETTER OF OBJECTION has been received from the adjacent property raising the following issues:- if the condition was onerous why did Mr Hembrow build the facilities in the first place, indeed he would have to have done his cash flows which must have stacked up to enable a DEFRA grant to be given; the building does not have a games room or craft room; from the opening the rooms were furnished with conference and function chairs, to change the use for conferences and wedding parties is a major change of use and would have a detrimental impact from noise and cars on neighbouring amenity; a new village hall is being built at Stoke St Gregory and there will be adequate community facilities when this is complete; the original conditions have been ignored by Mr Hembrow from the beginning the complex has been openly advertised for use for conferences, wedding parties and Mr Hembrow has been ringing people to hire out the pool and provide an aqua-aerobics class, even the local newspaper advertised it as an entertainment complex, the enforcement officers have full details of these breaches of condition; we did not object to the original application as it was to be for the holiday units but this unauthorised entertainment complex is adjacent to a new farmhouse currently being built for occupation by my son who works on our intensive dairy farm, it will be unacceptable for him to go home to disco music etc in the evenings after a hard days work.

3 LETTERS OF SUPPORT have been received raising the following points: - Stoke St Gregory Primary school takes its children to Street for swimming for 10 weeks in each year, this is a 2 hour coach trip giving half an hours swimming, the chance to be able to provide swimming opportunities for small groups of children locally would support the local community and have positive implications for the school children; I have used the meeting rooms and wish to continue to do so in the future, I run courses in Mah Jong, a millinery workshop and a tatting course that require a quiet location to provide for maximum concentration; Holly Farm rooms are the right size and provide the quiet that I need; the Village Hall is unlikely to provide such a quiet location as the larger room is likely to attract noisy uses; when running my courses I have passed enquires for overnight accommodation to Mr Hembrow and when his units have been occupied to other local accommodation and some of the Tutors like to include a light lunch and I am arranging for this to be provided from a local business; as a qualified aqua fit instructor I was asked by Mr Hembrow to teach an aqua fit class once a week for residents of the barn conversions and local villagers from North Curry and Stoke St Gregory, there are 15 people in each class and is a social event where people can be involved in fitness activities, there has been no problem with car parking, indeed most people share lifts.

POLICY CONTEXT

Somerset and Exmoor National Park Structure Plan Review Policies STR6, and Policy 23 and Policy 49 and Taunton Deane Local Plan Policies S1 - General

Requirements, S7 - Outside settlements, EC15 - Villages (the site is not within the limits of an identified settlement).

ASSESSMENT

The swimming pool, games room and craft facilities were justified on the basis of the need for the facilities to support the tourist use of the existing holiday accommodation. If the facilities are used by the general public they will not be available for tourists and this may even deter some holidaymakers from staying at the farm. A co-use of the facilities during winter months (October – March) for holiday and community use would be acceptable in principle but difficult if not impossible to monitor and control. The applicant's advertising campaign to date indicates that there is an expectation, by him, that the facilities can be used for a more intensive use (conferences/wedding parties). Who would take priority if the complex were booked for business purposes? The community or the business? The site is located in the open countryside and is served by a substandard access junction and road network and I am advised that increases in traffic, likely to result from increased use, would create highway safety problems. The Tourism Officer accepts that the wider use of the facilities will not jeopardise the holiday let business but in accordance with Local Plan Policies S7 and EN15 and the County Highway Authority objections I consider proposal to be unacceptable.

RECOMMENDATION

Permission be REFUSED for the following reasons that it is detrimental to road safety in a non sustainable location contrary to Somerset and Exmoor National Park Structure Plan Review Policies STR6, Policy 23, Policy 49 and Taunton Deane Local Plan Policy S7, site located in open countryside contrary to Taunton Deane Local Plan Policy S7.

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

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NOTES: