

45/12/0005

ENGLISH & CONTINENTAL PROPERTY CO LTD

DEMOLITION OF STAFF ACCOMMODATION AND ERECTION OF HOLIDAY CHALET AT CROWCOMBE, THE COMBES, WEST BAGBOROUGH

Grid Reference: 315736.132663

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Refusal

The National Planning Policy Framework seeks to locate developments in areas that facilitate the use of sustainable modes of transport, while development plan policies specifically direct permanently built holiday accommodation to within existing settlements, which are accessible by public transport, cycling and on foot, unless the proposal would support the vitality and viability of the rural economy in a way that cannot be sited within the defined settlement limits. The proposed holiday accommodation would not utilise an existing building, but would require the erection of a new purpose-built building in a remote, rural location, distanced from adequate services and facilities, which would result in future occupiers being largely reliant upon the use of the private car. The proposal would not support the rural economy in a way that could not be achieved if located within the defined limits of a settlement, nor would it support economic diversification of existing farming or service enterprises. As such, the proposal is contrary to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review, policies DM1 (General Requirements) and DM2 (Development in the Countryside) of the emerging Taunton Deane Borough Council Core Strategy 2011-2028, policies S1 (General Requirements), S7 (Outside Settlements) and EC23 (Tourist Accommodation) of the Taunton Deane Local Plan and sections 3 (Supporting a Prosperous Rural Economy) and 4 (Promoting Sustainable Transport) of the National Planning Policy Framework.

RECOMMENDED CONDITION(S) (if applicable)

Notes for compliance

PROPOSAL

The Combes is a complex of four timber and tile holiday units. The site lies to the south of West Bagborough, outside of the Quantock Hills Area of Outstanding Natural Beauty, just north of the A358. The complex is accessed by an unmade track, which also serves a scattering of residential properties to the south and north-west of the buildings.

Within the grounds are two timber and corrugated sheet buildings, that the applicant's representative claims has recently been occupied by cleaners working at the holiday site. Last year an application was received seeking planning permission to link the two buildings together to form a three bedroom property with two bathrooms, a kitchen/dining area, a lounge, linen store and laundry. This was refused as it was considered tantamount to a new dwelling in the countryside, in a location remote from adequate services, employment, education, public transport, etc, which would increase the need for journeys to be made by private vehicles.

This application now seeks to demolish the buildings and erect a further holiday chalet on the site of a similar footprint. This would be constructed of timber and clay tiles and would provide 6 en-suite bedrooms, a lounge, kitchen and swimming pool. Three parking spaces would be provided to serve the holiday chalet.

Supporting information submitted with the application indicates the occupancy rates for 3 of the adjacent holiday chalets to be between 75 – 80%.

SITE DESCRIPTION AND HISTORY

Planning permission was initially granted for the four holiday units in June 2007 (application 45/06/0025), with an amended scheme granted in October 2007 (application 45/07/0018). A further application in 2008 sought to amend the wording of the condition limiting the occupancy to holiday units (application 45/08/0007).

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - The application relates to the removal of staff accommodation and erection of a holiday chalet at The Combes. Access to the site is gained via an existing private access off New Road, which is a classified unnumbered highway. Visibility from the access onto the highway is considered to be substandard. Although the existing access visibility is poor, consideration is given to the fact that the access is already used by traffic associated with the existing chalets and adjacent dwellings. Furthermore, the staff accommodation would have generated traffic in its own right. Therefore, it is considered that any traffic generation associated with the proposed chalet would not have a material impact on the access or the operation of the highway.

Three parking spaces are proposed for use in relation to the chalet. This level of parking provision is deemed to be sufficient for the proposed chalet. Notwithstanding the above comments, there are concerns regarding the location of the site. 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 new development is likely to be dependant on private vehicles for most of its staff, deliveries and residents daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in the NPPF and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National park Joint Structure Plan review (Adopted April 2000), and policy S7 of the Local Plan. On this basis, the proposals are considered to be unacceptable.

WEST BAGBOROUGH PARISH COUNCIL - No further comments

THE QUANTOCK HILLS AONB SERVICE - As this is an enclosed site and the proposals are to replace one building with another (similar or the same as the other holiday properties at the site), it would appear that visual impacts would be negligible. The character of the site is already set by the existing holiday accommodation and so we do not have any comments to make in terms of changes to the character of the landscape. The AONB Service does not therefore wish to make any detailed comments.

ECONOMIC DEVELOPMENT - Support as it would stimulate private investment in the Borough and the resultant holiday accommodation will generate expenditure by visitors amongst local people, businesses and service providers. Being in a rural part of the Borough local businesses depend heavily on spend by accommodation providers and their staying guests, for example, cleaners, caterers and other local service providers to maintain the property, and visitors to the accommodation to spend in local pubs, cafes and shops during their stay. That expenditure is a local investment that sustains other local businesses and jobs.

We need to resist the potential future redevelopment of the property for residential purposes, and I would expect the current applicant to have demonstrated that there exists adequate demand for the proposal to sustain the business for the foreseeable future. Clear and objective evidence of unmet local demand for this type of accommodation in recent years as well as a business plan that clearly sets out income streams going forward would suffice.

Tourism is one of the mainstays of Taunton Deane's economy, and more and more people are coming to Taunton Deane to enjoy our outstanding natural and built environment; the proposal would augment the Borough's capacity to attract visitors, and particularly those with a higher level of personal finance.

LANDSCAPE - Subject to suitable landscaping the proposals are acceptable.

NATURE CONSERVATION – As there is always a possibility that bats or birds may be present in any building to be demolished, suggest note regarding bats.

Representations

Cllr Warmington – Requests application to go to committee.

Cllr Beaven – Support – a very worthwhile proposal.

Four letters of objection received on the following grounds:

- Too high a density of housing in small area. Should be no approval for yet another holiday chalet on a small site, would not improve appearance of present arrangement. Proposed building much larger than present buildings it would replace. Cannot see how such a large building will fit on site with enough space for parking. If permission given, feel a smaller family unit would be more appropriate with less traffic and disturbance to residents.
- Query whether another unit would create an oversupply of luxury type holiday homes in area.
- No infrastructure in place to cope with drainage, electricity, supply roads. Current

obligations from previous planning permissions being ignored relating to tree and plant management. Treatment digester that holiday homes use is already believed to be working at capacity. Query if another holiday home will use a different system. Concerns regarding drainage and run-off. Query where soakaway would be located/where it would drain.

- Concerned that traffic using shared road will increase significantly beyond already high amounts of traffic and does not appear to be enough space for parking. Holiday homes encourage large groups, often with 4-6 cars, therefore if all homes occupied, sometimes 12-16 cars using entrance, adjacent to Parkgate House, substantially increasing noise on an already noisy site. Speed at which traffic travels on this private lane has already caused a motor accident and countless damage to fencing.
- Concerned regarding disturbance to Lower Toollands, sound travels from courtyard/swimming pool area, disturbing, particularly at night. Query whether lower Toollands will be overlooked?
- Established trees, previously screening site were removed last year and replaced with unattractive fencing. These were required, along with hedges to provide landscaping under application 45/07/0018 and condition stated that these must be maintained for five years. Informed by owner that the trees would be thinned, but all were removed. More trees planted, query assurance that these trees will be preserved and hedging planted, as per plan. This would form a more attractive screen and lessen the noise.
- Informed that there is no certificate of lawfulness for this accommodation, therefore property (shed) should be vacant.
- Accommodation should not be termed staff accommodation as inhabitants spend majority of time working at other sites, work a maximum of 10 hours per week.

Four letters of support received on the following grounds:

- Lodges have been successful with very high occupancy rates. The addition of a similar property would be welcome by visitors and a valuable addition to the local economy, providing further employment to local people and helping keep people employed. Units of this capacity fulfil a growing demand.
- Visitors regularly book large tables at local restaurants/pub benefitting trade throughout the year, not just in summer, helping keep staff employed and keeping turnover at a good level. Local pubs advertised in letting pack. External spend supports many local businesses. Tourism industry is main driver to sustainability of this rural area.
- Twice weekly input of around 50 new visitors to area has been good for business and increased purchasing of local produce, helping other local businesses.
- Another lodge should be looked at in positive way at a time when so many pubs/restaurants are struggling to stay in business.

PLANNING POLICIES

EN12 - TDBCLP - Landscape Character Areas,

S1 - TDBCLP - General Requirements,

S7 - TDBCLP - Outside Settlement,

EC23 - TDBCLP - Tourist Accommodation,

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

DM2 - TD CORE STRATEGY - DEV,

STR1 - Sustainable Development,

STR6 - Development Outside Towns, Rural Centres and Villages,

DETERMINING ISSUES AND CONSIDERATIONS

This application comes before the planning committee following the support from a ward member and four letters of support from individuals.

Policy S7 of the Taunton Deane Local Plan states that outside settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and: (a) is for the purposes of agriculture or forestry; (b) accords with a specific development plan policy or proposal; (c) is necessary to meet environmental or other legislation; or (d) supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits to settlements. Policy EC23 reiterates this in stating that permanently built tourist accommodation will be permitted provided that: (a) the proposal is within a classified settlement; (b) would not harm the landscape or environment; and (c) is accessible by public transport, cycling and on foot.

In addition to the policies of the Local Plan and following the advice set out in paragraph 216 of the National Planning Policy Framework (NPPF), greater weight is now being attributed to the emerging Taunton Deane Borough Council Core Strategy 2011 – 2028 by virtue of its advanced stage. Following the Examination in February, there are no major modifications proposed to policy DM2 and as such, significant weight can be attributed to policy DM2.

Policy DM2 highlights that outside of defined settlement limits, holiday and tourism accommodation uses will be supported, subject to: (a) the accommodation being within existing buildings where there is an identified need and it is compatible with and supports economic diversification of existing farming and service enterprises. The policy goes on to refer to touring caravan and camping sites and tourist and recreation facilities other than accommodation, but makes no reference to permanently built tourist accommodation.

Taking the above policies into account, there is a clear presumption against permanently built tourist accommodation unless within defined settlement limits, as set out in both of the above Local Plan policies. Whilst it is acknowledged that the site known as 'The Combes' already has four holiday units present, there are no other services or facilities on the site such as a shop or café, that a further holiday unit would support. Furthermore, it is accepted that the guests visiting the holiday unit are likely to spend in the local area, therefore supporting local businesses and contributing to the rural economy, but this could equally be the case if a further unit of accommodation was provided within the defined settlement limits of nearby villages, such as West Bagborough and Combe Florey. As such, it is not considered that a further unit in this remote location would support vitality and viability of the rural economy in a way which could not be sited within the defined limits of a settlement. There are no other Local Plan policies, with which the proposal accords, it is not necessary for the purposes of agriculture or forestry and the proposal is not necessary to meet a requirement of environmental or other legislation. The proposal is therefore wholly contrary to policy S7.

Returning to policy EN23, any new build tourist accommodation, in addition to being located within a classified settlement, also needs to be accessible by public

transport, cycling and on foot. The nearest shops available would be in Bishops Lydeard, over 4 km away, with the nearest large settlement, Taunton offering a greater range of retail facilities over 10 km away. Whilst such a distance may not deter the most committed cyclist or walker, the distance of local services and topography of the site location is highly likely to result in the majority of occupants being reliant on the private car for most of their daily needs. The proposed holiday unit would therefore not only be contrary to policy EN23, but also to the general thrust of the NPPF that seeks to locate developments in areas that facilitate the use of sustainable modes of transport.

It is noted that Section 3 of the NPPF supports sustainable rural tourism developments that benefit businesses in rural areas. It is acknowledged that sustainability does not only relate to the environment and transport needs, but also relates to economic and social elements. However, as mentioned above, it is not considered that a further unit in this location would support the vitality and viability of the rural economy in a way which could not be sited within the defined limits of settlements. As such, it is not considered that the social and economic benefits of the proposal would outweigh the disadvantages to the environment through the fostering of growth in the need to travel. It is also important to note that Section 3 goes on to say, this should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres. It should therefore be pointed out that it specifically mentions facilities rather than accommodation.

The proposed new build holiday unit is not linked to a farm or service business and would not therefore support the economic diversification of a farming or service enterprise, as required by Policy DM2. Although there are existing buildings on the site, these are proposed to be demolished and much larger buildings erected, hence the proposal would not utilise existing buildings. As such, the proposed holiday unit does not meet the requirement that tourist accommodation should be provided within existing buildings where there is an identified need, is compatible with and supports economic diversification of existing farming and service enterprises. It is therefore wholly contrary to policy DM2.

The agent is of the opinion that as policy DM2 does not say that new build tourism proposals in rural areas are unacceptable and the fact that the policy is silent on this matter, should mean there is a presumption in favour of this type of development. It should be noted that policy DM2 is a positively worded policy in accordance with recent guidance. Policy DM2 specifically refers to holiday and tourism, within the list of uses that would be supported outside of defined settlement limits. It then goes on to set out the ways in which the provision of holiday and tourism outside of settlement limits would be acceptable, i.e within existing buildings where there is an identified need and it is compatible with and supports economic diversification of existing farming and service enterprises. On the basis that the policy clearly sets out cases which would be supported, it would follow that those not mentioned, would not be supported. Furthermore, the list of the types of uses supported is detailed and clear. The policy is silent on a great deal of uses, which would clearly not be acceptable in a countryside location.

In any event, the relevant policies of the Local Plan, which still carry full weight for 12 months until 26 March 2013, have a clear presumption against new build tourist accommodation, as stated above.

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

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