

35/2007/019

JAN COPLEY

## **ERECTION OF THREE ECO-CABINS FOR TOURISM USE AT LAND TO THE SOUTH OF LITTLE BRIMLEY, APPLEY, WELLINGTON**

307350/121641

FULL

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### **PROPOSAL**

Permission is sought for the provision of 3 eco-cabins, creating 4 letting units at land adjacent to Little Brimley, Appley. The site is currently open field land used as a campsite under the 28 day rule. It is proposed that one of the units will be solely for overnight stays for those cyclists and walkers using the long distance Sustrans route between Bristol and Padstow. The external materials for the Sustrans & Cabin 1 would be local stone plinth with lime cob walls with locally sourced reed for the thatched roof. Cabins 2 & 3 would be local stone plinth with lime rendered straw bale walls with cedar shingle roof. The scheme also proposes sustainable measures such as solar panels, wood burning stoves and compost toilets.

The planning statement outlines that it is proposed to use the field and part of Little Brimley's land for a green community project with the eco-cabins acting as a base to stay as well as an example of sustainable construction techniques. The site will also act as a teaching platform for local school, community groups and individuals.

A new access, visibility splay and parking provision for 3 vehicles will be provided, set back from the lane. An existing access would be blocked up and new hedgerow planted. An access would then lead from the hardstanding into the site.

A Design and Access Statement and Planning Statement accompany the application. In addition two letters of support are also submitted with the application. The first submitted on behalf of Sustrans. The letter states that the Sustrans National Cycle Network 3 passes through Appley within a short distance from the site. The National Cycle Network aims to provide people with the opportunity to travel in a sustainable way and brings economic benefits to the local economy. The success depends on the networks being; accessible, of high quality, continuous, memorable and linked to key services and centres. The proposal would provide high quality sustainable accommodation for long distance users of NCN3 and as such it wholly supported.

Secondly a letter from the Council's Rural and Community Support Officer outlines the officer's full support to the venture highlighting that the proposal meets a number of the Objectives outlined in Taunton Deane Borough Council's 'Corporate Strategy: 2007-2010, including objectives 5, 14 and 17.

### **CONSULTATIONS AND REPRESENTATIONS**

LANDSCAPE OFFICER although the site is well screened from the lane and the public footpath to the south, concern is raised about the permanency of the development in 'open countryside'. Details of the existing hedgerow alignment and needs of the visibility splay requirements may impact on the amenity of the lane. NATURE CONSERVATION OFFICER the proposal involves the removal of a large section of native hedging with connectivity to Kittisford Wood, a Local Wildlife Site (formerly known as CWS) and is likely to accommodate nesting birds and possibly dormice. Surveys for dormice to Natural England guidelines are done in the summer months. There is also a pond in the vicinity of the site and an ecological consultant's opinion on the suitability of the pond for great crested newts should be submitted and necessary survey work done in the spring if advised. Because the presence of European Protected Species is uncertain I advise that there is insufficient information to determine the application. FOOTPATHS OFFICER no observations to make. DRAINAGE OFFICER no observations.

2 LETTERS OF OBJECTION have been received raising the following issues:- development larger than first anticipated; frequent changes in occupancy causing disruption and loss of privacy to nearby cottage; recent application refused to convert a barn on the grounds the 'formation of residential cartilage would detract from the visual qualities of an attractive rural area' – the development proposed is of a larger scale and would definitely detract from this beautiful countryside; highway safety; proposed access would be opposite an approved gateway and drive; concern over long term future of the site; development in open countryside; concern over effects a holiday village could have on a small rural community environment; extensive track required to serve the buildings; worry about pollution of a stream which runs down to the River Tone; noise and light pollution.

ONE LETTER OF SUPPORT from the 10 parishes festival raising the following issues:- the applicant's plans and proposals to build from local and traditional materials in support of the green economy are ones that we applaud; apart from using local and sustainable materials and without creating a carbon footprint on the land, the cabins are very pleasing to look at, reminding one of an earlier time; the cabins and the ethos of all that goes on at Little Brimley is one that we should all support and be considering with much more seriousness as climate change alters the way we shall be living in the future; a most successful Eco Day was held at Little Brimley as part of the Festival 2007 events and it is very much hoped we can expand on this theme in future Festivals.

22 LETTERS OF SUPPORT have been received raising the following issues:- innovative idea; combines eco building with young peoples personal development and long term sustainability; teach country and rural skills; local schools will use the venture; will be a benchmark development; applicant passionate for sustainable living and green lifestyles; worthwhile venture to help young people; sustainable ethos; use of solar panels, compost toilets and wood burning cookers in the days of global warming should be supported; scouts use the existing site for educational benefit; encourage sustainable tourism with benefits to the community and local amenities; in stark contrast to the development at 'Greenham Business Park' – which is not environmentally friendly, does not fit in with the landscape, destroys habitat and causes pollution; low impact design; development is appropriate to the scale and location of the site; Ecos trust support the application – the design and materials are

both highly sustainable and well suited to the landscape and represents a leading example of sustainable development.

WARD MEMBER supports the application. The applicant is very enthusiastic in working with young people on rural projects, teaching country crafts and rural life skills, with help from skilled craftsmen; this project will provide further opportunities to engage in and develop countryside skills and crafts, based around three eco cabins is totally commendable and entirely in keeping with modern environmental thinking, whilst also engaging young people to widen their knowledge of sustainable living; I believe this application maybe considered 'new build in open country' but because of the reasoning and purpose behind the project I feel that it should be supported and encouraged and granted permission; there are very few such developments coming to the planning committee and the opportunity to encourage forward thinking and promote sustainable living means that it should be granted permission.

## **POLICY CONTEXT**

Regional Spatial Strategy for the Southwest, (RPG10), VIS 2 (Principles for Future Development), SS19 (Rural Areas), SS20 (Rural Land Uses (including Urban Fringe)), TCS1 (Tourism)

Regional Spatial Strategy for the South West, Draft July 2006.

PPS1 – Delivering Sustainable Development, PPS7 – Sustainable Development in Rural Areas, PPS9 – Biodiversity and Geological Conservation, PPG13 – Transport, Good Practice Guide on Planning for Tourism, which has now replaced PPG21 - Tourism.

Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1 (Sustainable Development), STR6 (Development Outside Rural Centres & Villages), Policy 5 (Landscape Character), Policy 23 (Tourism Development in the Countryside), Policy 42 (Walking), Policy 49 (Transport Requirements of new Development).

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), S7 (Outside Settlements), EC7 (Rural Employment Proposals), M4 (Residential Parking Requirements), EC23 (Tourist Accommodation), EC24 (Caravans and Holiday Chalets) and EC25 (Touring Caravans and Camping Sites) and EN12 (Landscape Character Areas).

Material Considerations – 'Static Caravan and Holiday Chalet Tourist Accommodation in Rural Areas' (Strategic Planning Transportation and Economic Development Review Panel – 11 April 2007)

## **ASSESSMENT**

There are a number of pertinent issues in the assessment of this application. These relate primarily to the following:- policy implications; visual impact of the proposed development on the rural character and appearance of the area; protected species; and highway safety.

The submitted scheme certainly has a sustainable ethos at the fore of its vision for the site. The proposed materials, sustainable construction and features have much to be commended. Nevertheless, there are other policy requirements and sustainability arguments to consider. There has been concern to the number of proposals for holiday chalets, at a time when there has been a steady decline in the occupancy rate of existing facilities across the Borough. As a result, a report on 'Static Caravan and Holiday Chalet Tourist Accommodation' was submitted to the Council's Strategic Planning, Transportation and Economic Development Review Panel – 11th April, 2007, highlighting the issues faced and making recommendations in the way such applications were assessed.

Guidance on national planning policy in relation to development in rural areas is set out in Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7). Whilst recognising the importance of tourism to the rural economy PPS7 emphasises the importance of strictly controlling new building development to protect the countryside for the sake of its intrinsic character and beauty, and ensuring that development is in accordance with sustainable development principles. It highlights the particular importance of supporting farm diversification proposals, and the need to give preference to proposals that involve the re-use of appropriately located and suitably constructed existing buildings for economic development purposes. In relation to holiday chalet developments it advises that planning authorities should:- (i) carefully weigh the objective of providing adequate facilities with the objective of providing adequate facilities with the need to protect landscapes and environmentally sensitive sites; and (ii) ensure that new or expanded sites are not prominent in the landscape and that any visual intrusion is minimised by effective high quality screening.

There is growing concern regarding market saturation within the Borough for tourist accommodation, given that the reason for permitting them as exceptions to the strict control of development in the countryside (as set out in Structure Plan Policy STR6 and Local Plan policy S7) is to assist the rural economy generally and farm diversification in particular (as provided for by Structure Plan Policy 23 and Local Plan policy S7).

Information provided by the Economic Development Officer (EDO) has identified serious concerns regarding possible market saturation of self-catering accommodation. He has stated that there is an increasing body of evidence to indicate that there is significant unused capacity within the existing stock of self-catering accommodation in Somerset. In 2004/05 (the latest year when full year figures are available) the take-up of high season lets was running at less than 80% of capacity. In the low (winter) season it fell to some 40%. Furthermore, indications from the latest figures available from Visit England for 2005/06 suggest that occupancy levels in Somerset had fallen again, which would be the third year in a row.

These figures and trends represent strong evidence of a saturated market. The Economic Development Officer feels there is some doubt about the business sustainability of the existing self-catering capacity, and that the Council should therefore be very cautious about permitting applications for further accommodation.

If proposals are based on unrealistic assumptions about the level of occupation when compared to prevailing market conditions, there is a danger that they will make little profit or even fail financially.

This could result in a situation where holiday accommodation businesses are failing the owners may seek to secure planning permission for use of the accommodation as permanent dwellings, as a means of 'cutting their losses'. This would create pressure for the introduction of dwellings in unsustainable locations that would not be acceptable under Structure Plan Policy STR6 and Local Plan Policy S7, thus undermining the objectives of countryside protection and the delivery of sustainable patterns of development.

On this basis a full market appraisal or business plan is a requisite of any application. A business plan accompanies the application. The applicant has received the support of the Rural and Community Support Officer and that of the Sustrans group, in addition there has been support from community groups, scouts, and local schools. It would appear there is a market for such a venture. The views of the tourist officer are awaited.

However, this leads onto the issue of the visual impact of the proposal in 'open countryside' and the proposed form of the development. Another concern raised within the report was that of the number of new buildings, rather than conversion of existing ones. It is considered the size, appearance and construction materials are more akin to permanent dwellings rather than accommodation that is designed for short term use. This increases the visual impact of the proposal, and creates a greater sense of permanence, as also referred to by the Council's landscape officer. Local Plan Policy EC24 relates specifically to static holiday caravans and chalets, and has a clear inference that such structures are capable of being readily removed by road. Proposals for buildings that can be regarded as permanent rather than temporary and removable should be considered against Local Plan policy EC23, which requires them to be within the defined limits of settlements. The report concludes inter alia that 'New buildings or proposals which, by virtue of their size, design, layout or method or materials of construction, have the characteristics of permanent dwellings will not be permitted'.

As such whilst the site benefits from mature screening, and the applicant proposes further landscaping, the buildings by reason of their permanent form would detract from the rural character and appearance of the area. The support for the enterprise and its green ethos and associated benefits to the local community must be balanced against the provisions of Local Plan policy. As discussed it is considered that the development does not accord for Policy EC24 and should permission be granted could be used as a precedent for allowing such buildings in open countryside.

In terms of assessing the impact of the development on wildlife the Nature Conservation Officer has identified the site as an important area for wildlife with a reasonable likelihood of protected species. The proposal would involve the removal of a large section of native hedging with connectivity to Kittisford Wood, a Local Wildlife Site (formerly known as CWS) and is likely to accommodate nesting birds and possibly dormice. There is also a pond in the vicinity of the site and the Nature

Conservation Officer considers that an ecological consultant's opinion on the suitability of the pond for great crested newts should be submitted and necessary survey work done in the spring if advised. Without such information it is recommended that the application cannot be determined in accordance with guidance contained within PPS9.

The view of the Highway Authority is awaited and Members will be updated of any response received.

To conclude, for the reasons outlined in the report it is recommended the application be refused.

## **RECOMMENDATION**

Subject to any additional comments of the County Highway Authority permission be REFUSED for the following reasons (1) In the opinion of the Local Planning Authority the proposed holiday chalets by reason of their design, materials and permanent construction are not considered to comply with the definition of a holiday chalet as defined under Policy EC24 of the adopted plan. As such the development would be contrary to Policy EC23 covering permanent accommodation due to its location beyond any settlement limit. As such the proposal would be contrary to Taunton Deane Local Plan Policies EC23 and EC24. (2) The proposed holiday chalets by reason of their form, materials and design would not be in keeping with its surroundings and would appear an intrusive form of development detrimental to the character and visual amenities of the landscape. As such the proposal would be contrary to Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1, STR6 and Policy 5 and Taunton Deane Local Plan Policies S1, S2, S7, EN12, EC23 and EC24. The site has been identified with there being a 'reasonable likelihood' of the presence of Protected Species in the locality. In the absence of any ecological/wildlife survey of the application site there is no guarantee that the proposal would not have an adverse effect on protected species contrary to Taunton Deane Local Plan Policy EN5 and relevant Central Government guidance

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

**CONTACT OFFICER: 356586 MR A PICK**

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