

27/2006/023

HABIB FARBAHI

ERECTION OF THIRTEEN HOLIDAY CHALETS AND PROVISION FOR 50 NO. CAMPING PITCHES AND AMENITY BLOCK AT LAND SOUTH OF HARIS'S FARM, HILLCOMMON

315850/125890

FULL

PROPOSAL

Permission is sought for the erection of thirteen holiday chalets and the provision of fifty camping pitches together with an associated amenity block. The proposed scheme provides three types of holiday chalet, annotated A, B, C and would be constructed of stone and timber cladding with a double roman tiled roof. The size of the chalets are as follows; Unit A provides a three bedroom unit of which five are proposed, the unit would measure 10.5 m x 8.2 m with a ridge height of 6.7 m. This type of chalet includes a balcony on the side elevations, and incorporates a chimney in the design. Unit B, of which three are proposed, provides a four bedroom chalet, measuring 7.7 m x 15.0 m with a ridge height of 6.7 m. Unit C, five proposed, provides a three bedroom chalet and measures 12.0 m x 13.0 m with a ridge height of 6.7m. Units B and C also include dormer windows within the roofslope.

To the west of the proposed chalets a section of the adjacent field is proposed for fifty camping pitches. An amenity block to serve the camping area is proposed and would measure 11.4 m x 6.0 m with a ridge height of 6.3 m high. The proposed access to the site would be shared with that of the proposed horticultural nursery to the north, granted permission in 2006 reference 27/2006/015 (Planning Committee October 2006). The access to the highway and visibility splay approved by that permission has not been implemented to date. The agent has indicated that the proposal would require four staff to oversee the camping facility and an addition eight staff to manage the proposed holiday chalets and horticultural nursery. An ecological survey has been submitted with the application.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY views awaited. WESSEX WATER the application has been forwarded to our engineers and we are awaiting their comments.

LANDSCAPE OFFICER – The main concerns relate to the landscape impact of the chalets and shower block and tents within the camping site from local public footpaths. The above are mostly visible from the south and south west but the chalets and shower block will also be visible above the hedgerows from the north especially during the winter months. It may be possible to reduce the impact with significant landscaping and by moving the shower block further south down the slope. NATURE CONSERVATION & RESERVES OFFICER the wildlife officer has previously expressed concern to wildlife using ponds in the area; and the presence of Otters in the locality. In response the site was revised visited and commented that the pond is unlikely to support a great crested newt population. In response to that Natural England have commented further on the seasonal nature of the pond and

identified records of great crested newts at Oake Green House, just south of the application site. With this evidence nearby and a network of ponds and hedgerows in the area I have to support NE's view that a survey will be necessary. Due to a reasonable likelihood of protected species being present and affected by the development I object to the proposal on lack of information. LOCAL PLAN I have many Policy concerns with this proposal. In the first instance the 13 properties cannot be described as holiday chalets. They are permanent construction and of a scale that could not be readily lifted and transported offsite by vehicle. They do not fit into the definition as laid down under policy EC24 of the adopted Local Plan. The appropriate policy is EC23, covering permanent accommodation. The proposal is clearly beyond any settlement limited and should be refused. Even if the proposal was scaled down the proposal would still be problematic. The Tourist Officer has in the past raised issues with flooding the market with holiday accommodation (I am sure he will comment) and consequently one of the principles of such a policy - to assist farm diversification - is not being achieved. I am not aware that this proposal is attached to any existing farming concern and could thus detrimentally impact on other provision. A Business Plan should be submitted to objectively demonstrate that there is a local market for this type of accommodation that has not been met. Otherwise the result would be additional sporadic development in the countryside. The Plan has a presumptive approach against this, in line with national policy to protect the countryside in PPS7 in particular. This Council recently approved a nursery garden on a nearby site with a barn clearly of an appearance to be used for more than storing agricultural implements (e.g. glass sliding doors etc). Together with the 'Amenity block' currently proposed for the camping element and 13 units of accommodation, the visual impact of sporadic development would be intense and damaging from public highways and footpaths despite screening. Light pollution and increased traffic levels turning into the site would also be issues of concern that would detrimentally affect the rural environment. Neither can I trace any evidence that this land is not Grades 1,2 or 3 a, development of which would constitute another reason for refusal under policy 7 of the Structure Plan and S8 of the Local Plan. At the very least, if all other issues can be overcome, these chalets should be constructed of timber, subject to the standard holiday occupancy condition and must be single storey only to enable effective screening and so the integrity of the rural area is not permanently damaged. DRAINAGE OFFICER it is noted that surface water is to be discharged to soakaways. These should be constructed in accordance with Building Research Digest 365 (Sep 91) and made a condition of any approval. It is also noted that foul sewage is to be connected to the main sewer system and Wessex Water should be consulted regarding point of connection.

PARISH COUNCIL strongly object to the application for the following reasons:- 1. The proposed development is not compatible with the existing transport infrastructure within the area. 2. The application fails to demonstrate or propose appropriate arrangements to control, reduce or mitigate the significant impact of noise and traffic upon on the environment and on the quality of life enjoyed by individuals and local communities in the area. 3. The development would be within an area in which the provision of permanent housing is contrary to the TDBC development plan. However, submitted plans indicate that the proposed holiday accommodation would be constructed to a standard that would equally support permanent residence. 4. The development is contrary to policies put in place to safeguard the countryside see Policies STR1, STR6, STR7, 22, 39, 43, 49, 51, SI,

S2, EN12 and Policy EN34 contained within Somerset & Exmoor National Park Joint Structure Plan Review 1996-2016 and Taunton Deane Local Plan 2004. Furthermore, whilst local authorities may, as a matter of routine, use lists of model conditions to improve the consistency of decisions, the use of staff resources and the speed with which planning applications are processed, Oake Parish Council request that the following tailored conditions be imposed on any planning permission granted in respect of this application. (1) The development be restricted to seasonal holiday accommodation only and for no other purpose. (2) The site shall not be occupied during winter months, between [30th October] in any one year and [28 February] in the succeeding year. (3) The site shall not be occupied or let for more than a period of six weeks in any one year to any one individual and for the purpose of this condition shall also include any member of the family of the individual. (4) No means of vehicular access to the site be permitted, other than from the entrance shown on the submitted plans. (5) No retail sales to take place upon the site. (6) No deliveries taken at or despatched from the site outside the hours of 0700 1800 hours nor at any time on Sundays, Bank or Public Holidays. (7) Amplified or other music shall not be played on the site. (8) No external lighting of the chalets or site area. (9) All planting, seeding or turfing shall be carried out in the first planting and seeding season following the occupation of the chalets or completion of the works whichever is the sooner; and any plants which within a period of 5 years from the completion of the works die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation. (10) No building or structure on any part of the development shall exceed one storey in height.

12 LETTERS OF OBJECTION have been received raising the following issues:- will the approved access be able to cope with this increased activity; there is no footpath from the site to the village of Oake; existing footpath has been ploughed and not in an attractive state for visitors to use; concern visitors or their pets may damage crops or livestock in surrounding fields; increased domestic rubbish to the area; increase in traffic; highway safety issue at turning to site; detract from the rural character of the area; two storey houses are hardly 'holiday chalets'; single storey would be preferable; detracts from rural character of the area; increase in traffic noise and quality of life; if permission is granted it should be granted subject to conditions requested by Oake Parish Council (see Parish Council reply above); site is not a holiday area; site is not a farm diversification scheme; light pollution; suburban sprawl; impact upon wildlife of the area; problem of trespassing the former Taunton to Barnstable railway runs along the southern boundary of the site but this is now under private ownership and there is concern visitors would mistakenly use this as a footpath leading to loss of security and privacy and impacting upon farming activities; concern from farmers that the site fall within template area for farmers shooting across adjacent fields; concern site will become a travellers site; holiday lets could be used all year around for nursery workers; lack of security on site.

POLICY CONTEXT

RPG10 (Regional Planning Guidance for the South West), 2001.

PPS1 – Delivering Sustainable Development, PPS7 – Sustainable Development in Rural Areas, PPS9 – Biodiversity and Geological Conservation.

Somerset & Exmoor National Park Joint Structure Plan Review Policies STR1 (Sustainable Development), STR6 (Development Outside Rural Centres & Villages) and Policy 5 (Landscape Character).

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

ASSESSMENT

There are a number of pertinent issues in the assessment of this application, these relate primarily to the following; visual impact of the proposed development on the rural character and appearance of the area; implications for wildlife and biodiversity and; highway safety.

The site is located in open countryside and designated Landscape Character Area. As such special consideration should be given to preserving and enhancing the natural beauty of the Area. PPS7 states inter alia that all development in rural areas should be well designed..., in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness. There is a need to balance the economic benefits of any tourism related development against the normal environmental criteria, including the visual impact of the proposal and its sustainability.

The applicant has indicated that the proposed development would be aimed at the higher end of the market and would contribute to the rural economy. The applicant also refers to similar schemes within the borough and identifies the site at Millfield, Kingston St Mary as an example of a similar scheme. However, each application must be determined upon its own planning merits. Whilst the proposed development, specifically the holiday chalets, are aimed at the higher end the proposed development is considered to be of permanent construction and of scale that cannot be readily lifted and transported off site by vehicle. As such they do not fit into the definition laid down under policy EC24 of the adopted plan. The appropriate policy would therefore be EC23 covering permanent accommodation. The proposal is clearly beyond any settlement limit and as such there is a policy objection to the scheme.

It is considered the proposed holiday chalets and parking/gardens associated with them are not of a scale, form and design in keeping with its surroundings and will not be in keeping with the character and the landscape of the area. The proposed development by reason of its scale and visual appearance is considered visually intrusive in the landscape particularly as public footpaths run near to the site. The proposed amenity block is considered obtrusive and the development forms an inappropriate estate like development in a rural setting, detrimental to the character and appearance of the area.

One of the recurring themes expressed by local residents relates to the issue of highway safety and traffic concerns generating from the development. The Highway

Authority has been consulted and their comments will be expressed to committee on the update sheet.

The Wildlife Officer has identified the site as an important area for wildlife a reasonable likelihood of Great Crested Newts. As such careful consideration should be given to the impact of the works on protected species and wildlife. The Wildlife Officer is not satisfied that the ecological survey is sufficient and further survey work should be undertaken. As such it is recommended that the application be refused on the basis of lack of information in accordance with guidance contained within PPS9.

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

RECOMMENDATION

Subject to the views of the County Highway Authority the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be REFUSED for the following reasons (1) In the opinion of the Local Planning Authority the proposed holiday chalets by reason of their size, 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 EC24 and EC23. (2) The proposed holiday chalets and parking/gardens associated with them are not of a scale, form and design in keeping with its surroundings and would appear an intrusive form of development detrimental to the character and visual amenities of the landscape. Furthermore, the proposed amenity block by reason of its siting, form and design would appear an obtrusive development detrimental to the character and landscape of the area. 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, EC24 and EC25. (3) The site has been identified with there being a 'reasonable likelihood' of the presence of Great Crested Newts in the locality. In the absence of any further ecological/wildlife survey of the application site to the request of the Nature Conservation & Reserves Officer, there is no guarantee that the proposal would not have an adverse effect on protected species. Therefore the Local Planning Authority considers it reasonable to issue a holding reason for refusal on the basis of 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.

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