

06/2006/021

GADD HOMES LTD

ERECTION OF MIXED USE DEVELOPMENT COMPRISING 2 UNITS OF HOLIDAY ACCOMMODATION, CRAFT VILLAGE (A3 PLANNING USE CLASS), 19 OPEN MARKET HOUSES, 22 AFFORDABLE HOUSING UNITS (COMPRISING 12 HOUSES AND 10 FLATS) AND ASSOCIATED HIGHWAY INFRASTRUCTURE AT STATION FARM, STATION ROAD, BISHOPS LYDEARD, AS AMENDED BY LETTER DATED 16TH JUNE, 2006 WITH ACCOMPANYING FINANCIAL APPRAISAL, BY LETTER DATED 20TH SEPTEMBER, 2006 WITH ACCOMPANYING REVISED FINANCIAL APPRAISAL LETTER FROM PETER EVANS PARTNERSHIP TO COUNTY HIGHWAY AUTHORITY DATED 15TH NOVEMBER, 2006 WITH ACCOMPANYING DRAWING NOS. 0837.05B AND 08A, AND AS AMPLIFIED BY LETTERS DATED 10TH NOVEMBER, 2006 WITH ACCOMPANYING INFORMATION AND 14TH DECEMBER, 2006

316251/128973

FULL

1.0 **RECOMMENDATION**

I recommend that in the event that the Local Planning Authority was in a position to determine the application, the application would have been REFUSED for the following reasons:-

1. The site is beyond the recognised limits of a designated settlement in open countryside where it is the policy of the Local Planning Authority to strictly control new development. Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Policy S7 state that such development should be restricted to that which benefits the rural economy, maintains or enhances the environment or is for the purposes of agriculture. In the opinion of the Local Planning Authority, insufficient justification has been put forward for the proposed development sufficient to warrant an exception being made to these policies.
2. In the opinion of the Local Planning Authority, it is considered that the proposed tourist development elements of the proposal are unlikely to be viable in the long term, leading to future pressure for other uses for the buildings which would not be in compliance with Taunton Deane Local Plan Policy EC22. Furthermore, the policy does not make provision for enabling development or retail development as proposed or provide for a site of the size indicated on the planning application.
3. The proposed development by reason of its siting and appearance would be detrimental to the setting and character of Slimbridge, which is a listed building, and the rural character and aspect of the railway station and its general surroundings, contrary to Taunton Deane Local Plan Policies EC22 and EN16.

06/2006/022

GADD HOMES LTD

ERECTION OF INN WITH RESTAURANT (A4 PLANNING USE CLASS) AND ASSOCIATED HIGHWAY INFRASTRUCTURE, AS PART OF PROPOSED MIXED USE DEVELOPMENT COMPRISING HOLIDAY ACCOMMODATION, CRAFT VILLAGE AND HOUSING AT STATION FARM, STATION ROAD, BISHOPS LYDEARD AS AMENDED BY LETTER DATED 16TH JUNE, 2006 WITH ACCOMPANYING FINANCIAL APPRAISAL, LETTER DATED 20TH SEPTEMBER, 2006 WITH ACCOMPANYING REVISED FINANCIAL APPRAISAL, LETTER FROM PETER EVANS PARTNERSHIP TO COUNTY HIGHWAY AUTHORITY DATED 15TH NOVEMBER, 2006 WITH ACCOMPANYING DRAWING NOS. 0837.05B AND 08A, AND AS AMPLIFIED BY LETTERS DATED 10TH NOVEMBER, 2006 WITH ACCOMPANYING INFORMATION AND 14TH DECEMBER, 2006

316251/128973

FULL

1.0 **RECOMMENDATION**

Permission be REFUSED for the following reason:-

- 01 The current application for the proposed development has been submitted in conjunction with a mixed use development the subject of planning application 06/2006/021. In the opinion of the Local Planning Authority, the development of this site should not be considered in isolation but only in conjunction with the potential development of the adjoining land, in order to ensure that potential development proceeds in a comprehensive manner in compliance with Taunton Deane Local Plan Policy EC22.

2.0 **APPLICANT**

Gadd Homes Ltd.

3.0 **THE SITE**

The site is located to the west of Bishops Lydeard railway station and comprises redundant farm buildings, a bungalow and agricultural pasture land. There are also extensive concrete hardstandings, a silage clamp and a slurry pit. The Bishops Lydeard terminus of the West Somerset Railway and the railway line form the eastern boundary of the overall development. The railway buildings and line are generally raised above the level of the site on an embankment particularly at its southern end. The access road to the railway and embankment to the Station Road railway bridge forms part of the northern boundary, the remainder being formed by Station Road fronted by a hedgerow. To the north of Station Road is the Greenway Estate. To the south and west is further farmland in the same ownership (the applicants are prospective purchasers of the site). This land is intended to accommodate the proposed future golf club and golf course (not part of the applications the subject of this Report).

4.0 **PROPOSALS**

Two applications are the subject of this Report.

One 06/2006/021 is a full application for mixed use development comprising holiday accommodation, a craft village (A3 use) housing and associated highway infrastructure. The application was initially submitted with 6 units of holiday accommodation, 15 open market houses and 22 restricted affordable properties, comprising flats and houses. This was subsequently amended to 2 units of holiday accommodation and 19 open market houses. The affordable housing element comprises 12 two bed houses, 4 two bed flats and 6 one bed flats. The proposal also incorporates a new access onto Station Road. The new road through the site would also serve the western entrance to the railway station in lieu of the current unsurfaced lane, served by an oblique access off Station Road. To improve the amenity of the railway, and pedestrian safety on Station Road, in particular over the railway bridge, two options were originally proposed. Option A was to provide viewing platforms to the side of the bridge on its southern side and Option B was to restrict traffic flow over the bridge to single carriageway controlled by priority traffic lights, and create a wide footpath to both sides, providing safe viewing areas. The amended proposals opt for Option B. The proposed holiday accommodation is designed specifically for use by the disabled and is intended as short-term holiday lets.

The materials proposed are a mixture of facing brickwork and render for the walls and natural slate and concrete double roman tiles for the roofs. The two

holiday let units are to be single storey and built on the footprint of existing traditional farm buildings, using the existing clay double roman roof tiles.

It was originally anticipated that the craft centre, formed around a public courtyard with a central covered market stall would provide the following accommodation types – craft workshops, museum or art gallery, convenience store, cafe, farm shop and a crèche. The workshops and shops are envisaged as accommodating rural crafts and local produce. The amendments to the mixed use proposal (06/2006/021) reduce the floor area for the craft village, delete the proposed museum/art gallery and revise the car parking, delivery and bin storage. It is the appellants intention to actively encourage the production/workshop aspect of the craft elements. They anticipate that the majority of the visitors to the craft village and other tourism elements of the development will arrive and depart via the West Somerset Railway.

The second application (06/2006/022) is an outline application for the erection of an inn with restaurant and approximately 10 hotel rooms (A4 planning use), with associated parking. The materials indicated are for render and facing brick for the walls and natural slate for the roof. The floorspace is estimated at 892 sq m.

The applicants have indicated that these two applications form Phase 1 of their development proposals. Phase 2 would comprise a golf club and golf course, located to the south and west of Phase 1.

The applicants have submitted the two applications in the form they have because they consider that it is preferable to submit a reserved matters detailed scheme for the inn when a preferred client has been secured, rather than subsequently amending an approved scheme to suit individual operational requirements.

The proposals are based on seeking to provide a leisure facility to complement the adjacent West Somerset Railway. The scheme provides a craft centre, inn with restaurant and holiday accommodation. The associated housing has two objectives:- to contribute to the significant highways and service infrastructure costs; and to provide over 50% of properties to be sold to the local needs starter house market at below market rate in perpetuity in conjunction with Taunton Deane Borough Council.

The applications were accompanied by a Bat Survey, Design Statement, Ecology Report, Flood Risk Assessment, Transport Assessment and Planning Report. A Financial Appraisal was also submitted with the application. The aim of this was to establish the economic viability of the proposed commercial/tourism and leisure facilities both with and without enabling development in the form of the open market dwellings.

The applicants for the two planning applications have appealed against non-determination of the applications. The Authority is therefore now unable to determine the applications and they will be dealt with by a Planning Inspector

at a Public Inquiry. However a resolution from the Committee will establish the Local Planning Authority's position on the proposals.

5.0 **RELEVANT PLANNING POLICIES**

Regional Planning Guidance for the South West (RPG10)

Policy SS 19: Rural Areas

Market towns should be the focal points for development and service provision in the rural areas and this role should be supported and enhanced. Outside market towns, development should be small scale and take place primarily within or adjacent to existing settlements, avoiding scattered forms of development. Local authorities in their development plans should:

- locate development to support the rural areas primarily in market towns, identified and designated in development plans through a balanced mix of homes, jobs, services and facilities suitable to the scale and location of such settlements;
- adopt policies which support the restructuring of the rural economy and the provision of jobs to satisfy local needs; set out policies for supporting sustainable farm diversification schemes which help to maintain the viability of the agriculture sector and rural economic vitality;
- seek ways of providing for essential shops and services to serve the rural areas;
- promote improved and integrated public transport, communications and service delivery and support innovative community based solutions to public transport and communications, in order to increase access to jobs, housing and facilities;
- limit housing growth in market towns near larger urban areas where it would fuel commuting rather than meet local needs.

Policy EN3 – The Historic Environment

Policy EC1 – Economic Development

Policy TCS1: Tourism

Local authorities, tourism bodies and other agencies should seek to promote and encourage sustainable tourism in the South West by:

- improving the quality and range of attractions and accommodation in the region, especially those which:
- promote the special cultural, heritage and countryside features of the region;

- complement or enhance the local environment and are of a scale appropriate to the location and setting of the area;
- support regeneration initiatives in coastal resorts, market towns and larger urban areas;
- providing for major new flagship attractions in sustainable locations which:
 - will substantially expand the tourism market away from areas already under greatest pressure;
 - are readily accessible by public transport and can be integrated into cycle and pedestrian routes;
 - can provide opportunities for secondary attractions to locate nearby rather than compete with existing attractions;
 - promote the use of environmentally sound and sustainable construction, design and operational practices; (identifying and implementing management measures and action to deal with the pressures of tourism in 'honeypot' areas (i.e. traditional, well known sites that attract large numbers of tourists) and ensuring that additional development does not exacerbate the problems facing such areas;
- encouraging small scale tourism, including farm and activity tourism initiatives, in areas where it will assist the diversification of the rural economy and primarily at the most locally accessible locations (recognising that the potential for using public transport and other non-car modes is more limited than in urban areas).

Policy H03 - Affordable Housing

Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000)

STR1 Sustainable Development

STR3 Rural Centres and Villages

STR5 Development in Rural Centres and Villages

STR6

DEVELOPMENT OUTSIDE TOWNS, RURAL CENTRES AND VILLAGES
 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 5 Landscape Character

POLICY 9

THE BUILT HISTORIC ENVIRONMENT

THE SETTING, LOCAL DISTINCTIVENESS AND VARIETY OF BUILDINGS AND STRUCTURES OF ARCHITECTURAL OR HISTORIC INTEREST SHOULD BE MAINTAINED AND WHERE POSSIBLE BE ENHANCED. THE CHARACTER OR APPEARANCE OF CONSERVATION AREAS SHOULD BE PRESERVED OR ENHANCED.

POLICY 22

TOURISM DEVELOPMENT IN SETTLEMENTS

PROVISION SHOULD BE MADE FOR THE DEVELOPMENT OF TOURIST ATTRACTIONS AND ACCOMMODATION IN SETTLEMENTS OR DEFINED TOURISM DEVELOPMENT AREAS. NEW DEVELOPMENTS WHICH WOULD GENERATE SUBSTANTIAL TRANSPORT MOVEMENTS SHOULD BE ACCESSIBLE BY PUBLIC TRANSPORT.

POLICY 23

TOURISM DEVELOPMENT IN THE COUNTRYSIDE

OUTSIDE OF SETTLEMENTS OR DEFINED TOURISM DEVELOPMENT AREAS, THE PRIORITY IS TO IMPROVE EXISTING ATTRACTIONS AND ACCOMMODATION AND TO MITIGATE THE ENVIRONMENTAL IMPACT OF EXISTING DEVELOPMENT. THIS SHOULD BE SET IN THE CONTEXT OF THE FOLLOWING CONSIDERATIONS:

- PROVISION FOR THE EXTENSION OF EXISTING TOURISM DEVELOPMENT SHOULD BE MADE WHERE NET ENVIRONMENTAL IMPROVEMENT WOULD RESULT BY WAY OF THE RELOCATION OF SITES AWAY FROM SENSITIVE AREAS OR BY THE PROVISION OF BETTER LAYOUTS OR LANDSCAPING;
- PROVISION FOR TOURISM DEVELOPMENT THAT FACILITATES FARM DIVERSIFICATION SHOULD BE MADE WHERE IT IS COMPATIBLE WITH THE RURAL LOCATION
- NEW DEVELOPMENT WHICH WOULD GENERATE SUBSTANTIAL TRANSPORT MOVEMENTS SHOULD NORMALLY BE ACCESSIBLE BY PUBLIC TRANSPORT.

POLICY 35

AFFORDABLE HOUSING

PROVISION WILL BE MADE FOR SECURING HOUSING TO MEET THE NEEDS OF THOSE WITHOUT THE MEANS TO BUY OR RENT ON THE OPEN MARKET. THIS PROVISION SHALL MEET AN IDENTIFIED LOCAL NEED AND SHOULD BE AVAILABLE AND AFFORDABLE TO SUCCESSIVE OCCUPIERS.

Policy 39 Transport and Development

Policy 48 Access and Parking

POLICY 49

TRANSPORT REQUIREMENTS OF NEW DEVELOPMENT PROPOSALS FOR DEVELOPMENT SHOULD BE COMPATIBLE WITH THE EXISTING TRANSPORT INFRASTRUCTURE, OR, IF NOT, PROVISION SHOULD BE MADE FOR IMPROVEMENTS TO INFRASTRUCTURE TO ENABLE DEVELOPMENT TO PROCEED. IN PARTICULAR DEVELOPMENT SHOULD:

- PROVIDE ACCESS FOR PEDESTRIANS, PEOPLE WITH DISABILITIES, CYCLISTS AND PUBLIC TRANSPORT;
- PROVIDE SAFE ACCESS TO ROADS OF ADEQUATE STANDARD WITHIN THE ROUTE HIERARCHY AND, UNLESS THE SPECIAL NEED FOR AND BENEFIT OF A PARTICULAR DEVELOPMENT WOULD WARRANT AN EXCEPTION, NOT DERIVE ACCESS DIRECTLY FROM A NATIONAL PRIMARY OR COUNTY ROUTE; AND,
- IN THE CASE OF DEVELOPMENT WHICH WILL GENERATE SIGNIFICANT FREIGHT TRAFFIC, BE LOCATED CLOSE TO RAIL FACILITIES AND/OR NATIONAL PRIMARY ROUTES OR SUITABLE COUNTY ROUTES SUBJECT TO SATISFYING OTHER STRUCTURE PLAN POLICY REQUIREMENTS.

West Deane Local Plan

Although this Plan has now been superseded by the Taunton Deane Local Plan, the appellant's case is largely based on the change in policy stances between the West Deane Local Plan and the Taunton Deane Local Plan.

Policy WD/RT/3 allocated land west of Bishops Lydeard station for recreation and tourist development.

WD/RT/3 LAND WEST OF BISHOPS LYDEARD STATION IS ALLOCATED FOR RECREATION AND TOURIST DEVELOPMENT. A RANGE OF COMPLEMENTARY RECREATION AND TOURIST DEVELOPMENTS WILL BE PERMITTED WHICH:-

- (A) CONFORM GENERALLY WITH DEVELOPMENT PLAN POLICIES FOR THE COUNTRYSIDE;
- (B) RESPECT THE LANDSCAPE, HISTORICAL ENVIRONMENT AND NATURAL HISTORY OF THE AREA;

- (C) ENSURE ADEQUATE HIGHWAYS AND UTILITY SERVICING ARRANGEMENTS;
- (D) PROMOTE SOCIAL AND ECONOMIC BENEFITS TO THE LOCAL POPULATION;
- (E) SUPPORT THE TOURIST POTENTIAL OF THE WEST SOMERSET RAILWAY; AND
- (F) RESPECT THE CHARACTER AND SETTING OF THE STATION BUILDINGS, INCLUDING SLIMBRIDGE.

THE BOROUGH COUNCIL WILL NOT PERMIT DEVELOPMENT WHICH WOULD DETRACT FROM OR NOT CONTRIBUTE TO THESE AIMS. WHERE IT CAN BE DEMONSTRATED THAT AN APPROPRIATE RECREATIONAL OR TOURIST DEVELOPMENT COULD NOT OTHERWISE BE ACHIEVED, THE LOCAL PLANNING AUTHORITY WILL PERMIT A MODEST AMOUNT OF OTHER USES WHERE THIS CAN GUARANTEE THE PROVISION OF SUITABLE SIGNIFICANT RECREATION AND TOURISM DEVELOPMENT.

Taunton Deane Local Plan

The following policies are relevant:-

- S1 General Requirements
- S2 Design
- S3 PROPOSALS INCORPORATING A MIX OF USES WILL BE PERMITTED, PROVIDED THAT:
 - (A) ONLY USES WHICH ACCORD WITH THE DEVELOPMENT PLAN POLICIES APPLYING TO THE SITE OR AREA ARE INCORPORATED, INCLUDING THE ACCESSIBILITY OF THE SITE FOR NON-CAR TRANSPORT MODES;
 - (B) ONLY USES WHICH WOULD BE COMPATIBLE WITH EACH OTHER AND THE SURROUNDING AREA ARE INCORPORATED, TAKING ACCOUNT OF ANY MITIGATION MEASURES PROPOSED; AND
 - (C) THE SCHEME IS DESIGNED AS A UNIFIED WHOLE.

PROPOSALS FORMING PART OF A LARGER MIXED-USE ALLOCATION (POLICIES T2, T3, T4 & T8) WILL BE PERMITTED PROVIDED THAT THEY DO NOT PREJUDICE THE COMPREHENSIVE AND CO-ORDINATED DEVELOPMENT OF THE WHOLE ALLOCATION AND THE DELIVERY OF NECESSARY INFRASTRUCTURE.

- S4 BISHOPS LYDEARD AND WIVELISCOMBE ARE DEFINED AS RURAL CENTRES, APPROPRIATE FOR SELECTIVE DEVELOPMENT WHICH ENHANCES OR MAINTAINS THEIR LOCAL SOCIAL AND ECONOMIC ROLE AND ENVIRONMENTAL QUALITY AND IS UNLIKELY TO LEAD TO A SIGNIFICANT INCREASE IN CAR TRAVEL.
- S7 OUTSIDE DEFINED 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 A REQUIREMENT OF 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 OF A SETTLEMENT.

NEW STRUCTURES OR BUILDINGS PERMITTED IN ACCORDANCE WITH THIS POLICY SHOULD BE DESIGNED AND SITED TO MINIMISE LANDSCAPE IMPACT, BE COMPATIBLE WITH A RURAL LOCATION AND MEET THE FOLLOWING CRITERIA WHERE PRACTICABLE:

- (E) AVOID BREAKING THE SKYLINE;
 - (F) MAKE MAXIMUM USE OF EXISTING SCREENING;
 - (G) RELATE WELL TO EXISTING BUILDINGS; AND
 - (H) USE COLOURS AND MATERIALS WHICH HARMONISE WITH THE LANDSCAPE.
- H2 Housing Within Classified Settlements
- H11 AS EXCEPTIONS TO H2, SMALL AFFORDABLE HOUSING SCHEMES WHICH MEET THE LOCAL COMMUNITY'S NEEDS FOR AFFORDABLE HOUSING WILL BE PERMITTED ON SITES WHERE HOUSING WOULD NOT OTHERWISE BE PERMITTED, EITHER WITHIN OR ADJOINING THE IDENTIFIED LIMITS OF VILLAGES AND RURAL CENTRES, PROVIDED THAT:
- (A) THERE IS A LOCAL NEED FOR AFFORDABLE HOUSING, DEFINED AS THE PRESENCE OF HOUSEHOLDS IN NEED OF AFFORDABLE HOUSING IN THE FOLLOWING CATEGORIES:
 - (1) HOUSEHOLDS LIVING OR INCLUDING SOMEONE WORKING IN THE PARISH OR ADJOINING PARISHES

- CURRENTLY IN OVERCROWDED OR OTHERWISE UNACCEPTABLE ACCOMMODATION;
- (2) NEWLY FORMED HOUSEHOLDS LIVING OR INCLUDING SOMEONE EMPLOYED IN THE PARISH OR ADJOINING PARISHES;
 - (3) HOUSEHOLDS INCLUDING DEPENDANTS OF THE HOUSEHOLDS LIVING IN THE PARISH OR ADJOINING PARISHES; OR
 - (4) HOUSEHOLDS INCLUDING A RETIRED OR DISABLED MEMBER WHO HAS LIVED OR WORKED IN THE PARISH OR ADJOINING PARISHES FOR A TOTAL OF FIVE OR MORE YEARS;
- (B) THE SITE PROPOSED IS THE BEST AVAILABLE IN PLANNING TERMS AND WOULD NOT HARM THE CHARACTER AND LANDSCAPE SETTING OF THE SETTLEMENT MORE THAN IS JUSTIFIED BY THE HOUSING NEED TO BE MET;
- (C) SATISFACTORY ARRANGEMENTS ARE MADE TO SECURE THE AVAILABILITY OF THE DWELLINGS IN PERPETUITY FOR OCCUPIERS WHO ARE IN A CATEGORY OF NEED AS DEFINED IN CRITERION (A), OR OTHER GENUINE HOUSING NEED ONLY WHERE THIS IS NECESSARY TO SECURE FULL OCCUPATION OF THE SCHEME;
- (D) THE PROPOSAL DOES NOT INCORPORATE HIGH VALUE HOUSING TO OFFSET A LOWER RETURN ON THE AFFORDABLE HOUSING; AND
- (E) THE LAYOUT AND DESIGN OF THE SCHEME CONFORMS WITH POLICY H2.

H19 Designing Out Crime

EC7 Rural Employment Proposals

EC13 WHERE MAJOR EDGE-OF-CENTRE OR OUT-OF-CENTRE SHOPPING FACILITIES ARE PROPOSED, SUCH AS RETAIL WAREHOUSING, FOOD SUPERSTORES OR FACTORY OUTLET CENTRES, IT WILL BE NECESSARY TO ASSESS THE IMPACT OF THE PROPOSED DEVELOPMENT ON THE VITALITY AND VIABILITY OF EXISTING TOWN CENTRES AND/OR NEARBY LOCAL CENTRES. SUBJECT TO THE RESULTS OF A RETAIL IMPACT ASSESSMENT, CONDITIONS MAY BE IMPOSED WHICH COULD INCLUDE:

- (A) PREVENTING THE SUBDIVISION OF RETAIL UNITS INTO SMALLER UNITS; AND,

- (B) RESTRICTING THE SALE OF APPROPRIATE BROAD CATEGORIES OF GOODS.

EC15 THE RANGE OF SHOPPING AND SERVICE FACILITIES SERVING THE ASSOCIATED SETTLEMENTS, RURAL CENTRES AND VILLAGES WILL BE MAINTAINED AND ENHANCED, AS FOLLOWS:

- (A) PROPOSALS TO PROVIDE NEW RURAL SERVICES, INCLUDING SHOPS, PUBLIC HOUSES AND SURGERIES WILL BE PERMITTED WITHIN THE DEFINED SETTLEMENT LIMITS;
- (B) APPLICATIONS WHICH SEEK TO IMPROVE THE VIABILITY OF EXISTING SERVICES THROUGH REFURBISHMENT, CONVERSION OR EXTENSION WILL BE PERMITTED; AND
- (C) PROPOSALS WHICH WOULD RESULT IN THE LOSS OF SHOPS OR OTHER COMMUNITY SERVICES WILL NOT BE PERMITTED WHERE THIS WOULD DAMAGE THE VIABILITY OF A SETTLEMENT OR INCREASE CAR TRAVEL BY LOCAL RESIDENTS AS A RESULT OF A SIGNIFICANT OR TOTAL LOSS OF SUCH SERVICES TO THE COMMUNITY.

EC19 PROPOSALS FOR NEW FARM SHOPS WILL BE PERMITTED PROVIDED THAT:

- (A) THE SHOP SELLS PREDOMINANTLY LOCAL FARM PRODUCE;
- (B) THE OPERATION DOES NOT AFFECT THE AVAILABILITY OF ACCESSIBLE LOCAL SHOPPING FACILITIES;
- (C) THE ON-SITE SALE OF PRODUCE DIRECT TO THE PUBLIC REMAINS AN ANCILLARY OPERATION TO THE MAIN FUNCTION OF THE FARM;
- (D) EXISTING FARM BUILDINGS ARE USED WHERE APPROPRIATE; AND
- (E) THE SHOP BUILDINGS ARE SITUATED WITHIN OR ADJACENT TO THE EXISTING FARM COMPLEX.

EC21 TOURIST AND RECREATION ATTRACTIONS

WITHIN SETTLEMENTS, PROPOSALS FOR TOURIST AND RECREATION FACILITIES COMPATIBLE WITH THE SIZE AND FUNCTION OF THE SETTLEMENT WILL BE PERMITTED. OUTSIDE SETTLEMENTS, PROPOSALS FOR TOURIST AND RECREATION FACILITIES WILL BE PERMITTED PROVIDED THAT:

- (A) INCREASED VISITOR PRESSURE WOULD NOT HARM THE NATURAL OR MAN-MADE HERITAGE; AND
- (B) ANY NEW BUILDINGS WOULD BE OF A SCALE APPROPRIATE TO THE LOCATION AND USE.

EC22 – see below

EC23 Tourist Accommodation

M1/M2/M3 Transport, Access and Circulation Requirements of New Developments

M4 Residential Parking Requirements

C4 Sport and Recreation Provision

EN4 Wildlife in Buildings to be Converted or Demolished

EN5 Protected Species

EN6 Protection of Trees, Woodlands, Orchards and Hedgerows

EN9 Tree Planting

EN12 Landscape Character Areas

EN16 DEVELOPMENT PROPOSALS WHICH WOULD HARM A LISTED BUILDING, ITS SETTING OR ANY FEATURES OF SPECIAL OR HISTORIC INTEREST WHICH IT POSSESSES, WILL NOT BE PERMITTED.

BL2 NEW HOUSING DEVELOPMENT WILL BE RESTRICTED TO SMALL-SCALE DEVELOPMENTS, INCLUDING INFILLING, WITHIN THE DEFINED SETTLEMENT LIMITS.

Policy EC22 is specific to the site. For completeness, the background and development of this policy are set out below.

Deposit Revision Policy EC17

EC17 LAND WEST OF BISHOPS LYDEARD STATION IS ALLOCATED FOR RECREATION AND TOURIST DEVELOPMENT. A RANGE OF COMPLEMENTARY RECREATION AND TOURIST DEVELOPMENTS WILL BE PERMITTED WHICH:

- (A) SUPPORT THE TOURIST POTENTIAL OF THE WEST SOMERSET RAILWAY;

- (B) RESPECT THE CHARACTER AND SETTING OF THE STATION BUILDINGS, INCLUDING SLIMBRIDGE; AND
- (C) WIDEN STATION ROAD AND PROVIDE A FOOTWAY FROM THE SITE TO THE A358 JUNCTION.

WHERE IT CAN BE DEMONSTRATED THAT AN APPROPRIATE RECREATIONAL OR TOURIST DEVELOPMENT COULD NOT OTHERWISE BE ACHIEVED, THE LOCAL PLANNING AUTHORITY MAY BE PREPARED TO ACCEPT A MODEST AMOUNT OF OTHER USES WHERE THIS CAN GUARANTEE THE PROVISION OF SUITABLE AND SIGNIFICANT RECREATION AND TOURISM DEVELOPMENT.

Revised Deposit Revision Policy EC17

LAND WEST OF BISHOPS LYDEARD STATION IS ALLOCATED FOR RECREATION AND TOURIST DEVELOPMENT. A RANGE OF COMPLEMENTARY RECREATION AND TOURIST DEVELOPMENTS WILL BE PERMITTED WHICH:

- (A) SUPPORT THE TOURIST POTENTIAL OF THE WEST SOMERSET RAILWAY; AND
- (B) RESPECT THE CHARACTER AND SETTING OF THE STATION BUILDINGS, INCLUDING SLIMBRIDGE. AND
- ~~(C) WIDEN STATION ROAD AND PROVIDE A FOOTWAY FROM THE SITE TO THE A358 JUNCTION.~~

~~WHERE IT CAN BE DEMONSTRATED THAT AN APPROPRIATE RECREATIONAL OR TOURIST DEVELOPMENT COULD NOT OTHERWISE BE ACHIEVED, THE LOCAL PLANNING AUTHORITY MAY BE PREPARED TO ACCEPT A MODEST AMOUNT OF OTHER USES WHERE THIS CAN GUARANTEE THE PROVISION OF SUITABLE AND SIGNIFICANT RECREATION AND TOURISM DEVELOPMENT.~~

Adopted Policy EC22

LAND WEST OF BISHOPS LYDEARD STATION IS ALLOCATED FOR RECREATION AND TOURIST DEVELOPMENT. COMPLEMENTARY RECREATION AND TOURIST DEVELOPMENTS WILL BE PERMITTED WHICH:

- (A) SUPPORT THE TOURIST POTENTIAL OF THE WEST SOMERSET RAILWAY; AND
- (B) RESPECT THE CHARACTER AND SETTING OF THE STATION BUILDINGS, INCLUDING SLIMBRIDGE.

6.0 **RELEVANT CENTRAL GOVERNMENT ADVICE**

Planning Policy Statement 1 'Delivering Sustainable Development' (PPS1)

Paragraph 13 – Key Principles

Paragraph 23 – Sustainable Economic Development

Paragraph 27 – Delivering Sustainable Development – General Approach

Paragraphs 33 - 39 – Design

Planning Policy Statement 3 'Housing' (PPS3)

Paragraphs 25/26 – Market Housing

Paragraphs 27 - 30 – Affordable Housing

Planning Policy Statement 7 'Sustainable Development in Rural Areas' (PPS7)

Paragraph 9 In planning for housing in their rural areas, local planning authorities should apply the policies in PPG3. They should: (i) have particular regard to PPG3 guidance on the provision of housing in villages and should make sufficient land available, either within or adjoining existing villages, to meet the needs of local people; and (ii) strictly control new house building (including single dwellings) in the countryside, away from established settlements or from areas allocated for housing in development plans.

Paragraph 34 Regional planning bodies and local planning authorities should recognise through RSS and LDDs that tourism and leisure activities are vital to many rural economies. As well as sustaining many rural businesses, these industries are a significant source of employment and help to support the prosperity of country towns and villages, and sustain historic country houses, local heritage and culture. RSS and LDDs should:

- (i) support, through planning policies, sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and which utilise and enrich, but do not harm, the character of the countryside, its towns, villages, buildings and other features;
- (ii) recognise that in areas statutorily designated for their landscape, nature conservation or historic qualities, there will be scope for tourist and leisure related developments,

subject to appropriate control over their number, form and location to ensure the particular qualities or features that justified the designation are conserved; and

- (iii) ensure that any plan proposals for large-scale tourism and leisure developments in rural areas have been subject to close assessment to weigh-up their advantages and disadvantages to the locality in terms of sustainable development objectives. In particular, the policy in PPG13 should be followed in such cases where high volumes of traffic may be generated.

Paragraph 35 The provision of essential facilities for tourist visitors is vital for the development of the tourism industry in rural areas. Local planning authorities should:

- (i) plan for and support the provision of general tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres. Where new or additional facilities are required, these should normally be provided in, or close to, service centres or villages;
- (ii) allow appropriate facilities needed to enhance visitors' enjoyment, and/or improve the financial viability, of a particular countryside feature or attraction, providing they will not detract from the attractiveness or importance of the feature, or the surrounding countryside.

Paragraph 36 Wherever possible, tourist and visitor facilities should be housed in existing or replacement buildings, particularly where they are located outside existing settlements. Facilities requiring new buildings in the countryside may be justified where the required facilities are needed in conjunction with a particular countryside attraction; they meet the criteria in paragraph 35(ii); and there are no suitable existing buildings or developed sites available for re-use.

Planning Policy Statement 9 'Biodiversity and Geological Conservation' (PPS9)

Paragraphs 15/16 - Species Protection

Planning Policy Guidance Note 13 'Transport' (PPG13)

The introduction of this document give the underlying objectives as integrating planning and transport at the nation, required, strategic and local level in order to:-

- (i) promote more sustainable transport choices for both people and for moving freight;

- (ii) promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and
- (iii) reduce the need to travel, especially by car.

The underlying theme is that all traffic generating developments should be accessible by a choice of means of transport.

Planning Policy Guidance Note 15 'Planning and Historic Environment' (PPG15)

Paragraph 2.14 The design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart, but are woven into the fabric of the living and working community. This can be done, provided that the new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials. This does not mean that new buildings have to copy their older neighbours in detail: some of the most interesting streets in our towns and villages include a variety of building styles, materials, and forms of construction, of many different periods, but together forming a harmonious group.

Paragraph 2.16 Sections 16 and 66 of the Act require authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function. Also, the economic viability as well as the character of historic buildings may suffer and they can be robbed of much of their interest, and of the contribution they make to townscape or the countryside, if they become isolated from their surroundings, e.g. by new traffic routes, car parks, or other development.

Paragraph 2.26 - The wider historic landscape

7.0 **CONSULTATIONS**

County Highway Authority (Amended Plans)

"The site is situated on the south-west edge of Bishops Lydeard adjacent to Station Road, Bishops Lydeard Station and the Greenway housing estate.

The majority of the site is allocated in the Taunton Deane Local Plan for recreation and tourist development. However, some of the site is outside the Local Plan area and there is no provision in the plan for residential development. It is a matter for the Planning Authority to decide whether or not the proposal is compliant with Taunton Deane Local Plan. From a transportation viewpoint, it is on the edge of the village and generally not best placed to encourage travel by modes of transport other than the private car.

From a highway and transportation viewpoint there are several issues to be considered in terms of highway infrastructure. In particular, the level of traffic that will use Station Road and its junction with the A358 and the necessary alterations to the railway bridge and the junction of Station Road with the A358.

1. The site access onto Station Road is appropriately sited and has adequate visibility splays. Subject to minor alterations in its geometry and the extension of the southern footway to form a suitable crossover point to the existing northern footway, the access is acceptable. Conditions will need to be attached to any consent requiring its provision prior to the occupation of any of the development on site. I have yet to receive amended plans showing the necessary alterations which were discussed at a meeting with the developers and their consultants some time ago. The following condition will also be required to secure the appropriate internal estate road details:-

The proposed estate roads, footways, footpaths, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, street furniture and tactile paving shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

2. Station Road, and in particular the bridge over the West Somerset Railway, is hump-backed and inter-visibility between the oncoming traffic is poor. There is no footway on the south side of the bridge from which access to the station platforms is provided via steps. The absence of a footway raises safety concerns for pedestrians using the steps and the bridge to cross over the railway.

In order to overcome this, it is recommended that traffic signals should be provided on the railway bridge to restrict the traffic flow to single-way working, generally as shown on Drawing 0837.02A. This would allow sufficient width for a new footway and prevent parking of vehicles

on the bridge. It also overcomes the inter-visibility issues on the approaches to the bridge.

3. The junction of Station Road and the A358 has also been considered both in terms of capacity and highway safety. It is clear from the analysis provided that there are no significant capacity issues at the junction, and therefore any improvements required are based on the existing accident problem at the junction and the potential for further accidents should the development proceed.

Discussions have taken place with the applicant and his consultant, where alternatives for junction improvements such as right-turn lanes and roundabouts have been considered. Taking into account all of the issues, a proposal for a roundabout junction has been received and evaluated and it is considered that this is the only solution which will both reduce speeds on the A358 and overcome the existing accident problem at the junction. This roundabout is being amended at present and I await amended plans.

In conclusion, therefore, I do not propose to object to the proposal subject to the applicants entering into a Section 106 Agreement to secure the design, construction and funding of the following:-

1. The provision of a roundabout at the junction of the A358 and Station Road generally in accordance with the submitted drawing. This drawing needs minor alterations, and discussions are ongoing with the developers' highway consultants to facilitate this.
2. The provision of shuttle traffic signal installation on the West Somerset Railway Bridge.”

County Archaeologist

There are limited or no archaeological implications to this proposal, so I therefore have no objections on archaeological grounds.

Environment Agency

Because of the location of the proposal and the associated level of flood risk, the flood risk standing advice should be provided.

Wessex Water

“The development is located within a foul sewered area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage.

The developer has proposed to dispose of surface water to existing watercourse via attenuation pond. It is advised that your Council should be

satisfied with any arrangement for the satisfactory disposal of surface water from the proposal.

With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage.

It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure.”

Chief Fire Officer

“Means of Escape

Means of escape in case of fire should comply with Approved Document B11 of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at Building Regulations stage.

Access for Appliances

Access for fire appliances should comply with Approved Document B5, of the Building Regulations 2000.

Water Supplies

All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards.”

Natural England

“The survey information provided by the applicants indicates that bats and dormice will not be affected by these proposals. Although the hedgerows have potential for dormice the connectivity to nearby Ash Common, where dormice are present, is broken and the likelihood of dormice being affected by this stage of the development is reduced.

There is potential for slow worms and we recommend further surveys are done. All surveys should be carried out at an appropriate time of year and employ methods that are suited to the local circumstances. It is important that this work is undertaken by a reputable, qualified and, where appropriate, a suitably licensed consultant.

Although not a consideration for these planning proposals. Natural England can confirm that if the phase 2 proposal for a golf club and golf course proceeds we will expect thorough surveys for European Protected species such as dormice and great crested-newts to be undertaken.”

Landscape Officer

06/2006/021 "My main concern is the impact on the open countryside to the south and west of the proposed development. The proposed boundary landscape buffer should help to soften that impact but details of how the landscape strips are to be planted and maintained need to be carefully considered.

Other concerns are that the roadside treatment needs to be reinforced to retain as much as possible the rural character of the existing site.

Landscape details for the internal layout are only sketchy and need further details before a full assessment can be made."

06/2006/022 "This is a substantially formed landscape with limited screening. The main landscape features of note are the road frontage hedgerow, western boundary hedgerow, small stream to the east and some existing trees.

My main concerns are:-

- i. it is not clear as to the extent of the western and southern boundary proposed tree planting but the planting needs to be substantial to soften the impact of the development on the formed landscape. The longer term management and maintenance of these trees should be carefully considered.
- ii. the proposed planting is illustrative only but leaves very little opportunity for tree planting on the main access road from Station Road."

Conservation Officer

06/2006/021 "I would consider that this development will be detrimental to the setting of the listed building affected (Slimbridge) and also to the general amenity of the site. This currently has a very rural character and aspect in spite of the commercial units across the railway.

With the exception of Slimbridge most of the railway buildings are not listed, these collectively have strong historic character thanks to their preservation, presentation and setting. There is still the sense that this is a small rural halt. With this in mind I believe the construction of something resembling a supermarket with mini housing estate adjacent could only be harmful. The cumulative effect of this development and the commercial units across the line would be to entirely swamp the station site. From a tourism point of view it strikes me that this would destroy the thing worth coming here to see."

06/2006/022 "None of the buildings on site are of any intrinsic historic merit. If proposal deemed acceptable in principle, design, materials etc. will need to be of high quality and reflective of locality."

Nature Conservation & Reserves Officer

“Devon Wildlife Consultants' report has identified the hedgerow along Station Road as important. Dormice were not considered to be an issue on site and having looked at connectivity with Ash Common (where dormice are known to be) I agree.

I advise that if permission is granted an on site management plan should be conditioned to include hedgerow and streamside management. I also recommend that enhancement for bats (because possible roost sites will be lost) should be a requirement.

Please note that if future applications are made on land to the south of this site then great crested newts and dormouse surveys will be a requirement.”

Forward Planning Officer

“These applications relate to different elements of a single combined proposal, which must be viewed as a whole.

The stated purpose of the proposals is to deliver recreation/tourism uses which are compatible with, and will help to support the viability of, the adjoining West Somerset Railway. This is a concept that has been under consideration for many years, and which has been given expression in policy EC22 of the Adopted Taunton Deane Local Plan (TDLP).

The proposed pub/restaurant and 'craft village' including craft and farm shops and a museum or art gallery, are the types of use which are identified as being complementary to the railway in the TDLP. Likewise, I would regard the proposed holiday accommodation as supporting the tourist function of the railway. These proposals are welcomed.

However, the proposals are contrary to policy EC22 in two respects: they include housing (both open market and affordable) and a general retail store which are not provided for under the policy, and they involve a site that is considerably larger than that allocated in the TDLP.

The justification for the inclusion of the open market housing is to provide cross-subsidy for the tourism/recreation uses which, by themselves, are claimed to have a negative development value. This is supported by a financial appraisal. The use of this type of enabling development was considered in the preparation of the TDLP, and it was decided, contrary to an Inspector's recommendation, not to allow for it within the policy because of the failure of this mechanism to secure the desired outcome on a previous occasion at Sandhill Park.

I consider that such a risk still remains. Although it should be possible through the use of conditions or a legal agreement to secure the provision of the premises for the recreation/tourism uses, the provision of the premises will not ensure that the businesses continue to operate for the long-term benefit of the railway.

Notwithstanding the above if, on balance, it is decided that in view of the railway's importance to recreation and tourism and the rural economy this is an acceptable risk, I would suggest that before determining the application the Council should ensure it is satisfied that:-

- there is a legitimate financial justification for the proposed scale of enabling development; and
- acceptable evidence is submitted that demonstrates market demand for the facilities being proposed and that they will be financially viable.

The inclusion of retail activities in the proposals is potentially problematic, as the application site is not a sustainable location for general retailing, and may threaten the viability of existing retailers in the centre of Bishops Lydeard. The sale of 'craft' goods is acceptable, but needs to be carefully controlled to prevent the sale of convenience goods which would be in competition with village centre retailers. For similar reasons I have concerns about the inclusion of a convenience store of some 3,000 sq ft.

As the site adjoins Greenway, which is identified as part of the settlement of Bishops Lydeard in the TDLP, the inclusion of affordable housing may be in compliance with policy H11 as a rural 'exception' site. However, this requires evidence of local housing need, and the provision of appropriate types and tenures of housing to meet those needs. The Council's latest survey of affordable housing needs, the Somerset Housing Market Assessment, 2006, indicated that needs within Taunton Deane were for approximately 50% social rented and 50% intermediate housing. The views of housing officers should therefore be sought regarding the appropriateness of the proposed housing.

Policy EC22 of the TDLP also draws attention to the need for proposals to respect the setting of the station buildings and Slimbridge, so regard should be given to the views of the Conservation Officer on this issue.”

Economic Development

We are broadly in support of the proposal, recognising that it will add value to the WSR activity and bring potential new jobs and economic activity to Bishops Lydeard. There are however a number of issues that we would wish to point out.

(a) Craft Village

- The proposal does not outline how the village will be managed (i.e. will individual units be let or sold?).
- We would not wish to see only retail craft activity at this site, as part of the 'crafts mix' for tourists and residents alike will be more sustainable if craft production can take place at the site also.
- We have concerns over the business viability of quite such a large crafts village in this location - and wonder whether it might be more effective to encourage a 'phased approach' that seeks to establish a

number of businesses initially that will support the potential expansion of this element of the site in future.

- We feel it is vital to the success of the site that the Crafts Village is maintained as a whole, and would encourage the presentation of a management and maintenance plan with other planning documentation.

(b) Housing proposals on the site

- Generally support the proposals for affordable housing on the site, and the proportions proposed.

(c) Holiday Accommodation

- We are not convinced by the proposal for significant levels of holiday accommodation to be built within the complex. As you know, there is strong evidence that Taunton Deane has 'reached' 'saturation point' for holiday let properties. Recent occupancy statistics provided by Visit England suggest that in 2005 only 83% occupancy was achieved in High Season in Somerset and less than 40% occupancy in other periods of the year. This calls into question the medium term viability of such an enterprise, and raises the spectre of future applications to convert this portion of the site to residential uses. We would wish to see quite stringent conditions placed on this aspect of the development to protect against this.

(d) Linkage to Bishops Lydeard

- It is critical to the success of the venture that the economic benefits are felt in the village itself. To that end the site is currently extant from the village, and has poor signage both from the road, and more particularly for pedestrians using Station Road. We would wish to see significant improvements to signage (in both directions), and to the quality of the pedestrian route. This is on both environmental and safety grounds, and recognises that it is likely that a significant proportion of the new workforce will use buses to Bishops Lydeard, and then walk into the site.

(e) Layout proposals

- We have to express our disappointment at the layout of the site as proposed. We feel there are visibility and site access issues, and the layout as proposed envisages that the craft and tourism elements of the site are accessed through the affordable housing 'zone'. We would prefer to see some segregation of road traffic in particular on safety grounds.
- In addition, the holiday accommodation is sited at the furthest point in the site from the access to the site, and it is our view that a switch of the proposed craft village and holiday accommodation would allow for

a segregated egress from this area and the visitor parking back onto Halse Road.”

Environmental Health Officer

06/2006/021

“Noise

Prior to the commencement of any development works, the applicant shall, at his own expense, appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, may be necessary to ensure that noise from existing sources will not cause nuisance to the occupants of premises on the completed development.

The consultant shall submit a written report to the Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. Such report is to be agreed, in writing, by the Planning Authority prior to the commencement of development works.

Contaminated Land

Prior to the commencement of development the applicant shall investigate the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses. The applicant shall:-

(a) Provide a written report to the Local Planning Authority, which shall include details of the previous uses of the site and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

(b) If the report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in line with, current guidance. This should determine whether any contamination could pose a risk to future users of the site or the environment.

(c) If remedial works are required, details shall be submitted to the Local Planning Authority, and these shall be accepted in writing and thereafter implemented. On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed accordance with the agreed remediation strategy.

Reason: To ensure that land contamination can be dealt with adequately prior to the use hereby approved by the Local Planning Authority.

Note to applicant: Re potential ground contamination. Commercial/ agricultural buildings are often used for the storage of material and fuels that could have lead to contamination of the ground in and around the buildings. There is also a potential risk from areas of filled ground (e.g. old

ditches/ponds or slurry pits) as the fill could contain hazardous materials, or could generate gasses as any waste breaks down.

If a detailed site investigation is required this should be carried out in line with the latest guidance. Sources of such guidance will include, although not exclusively, publications by the Department for environment, Food and Rural Affairs, the Environment Agency and the British Standards Institute. The Council has produced a Guide to the Assessment and Remediation of Contaminated Land that gives more details on the relevant sources of information available (Contact the Environmental Protection Team on 01823 356339 for a copy or look on the Council's web-site).

Cooking Odours

The following condition should be applied to all A3 class premises, with fan assisted extraction units.

Odour

Equipment shall be installed that will effectively suppress and disperse fumes and/or smell produced by cooking and food preparation as impacting upon neighbouring premises. The equipment shall be effectively operated for as long as the use continues. The equipment shall be installed and be in full working order prior to the commencement of use. The extraction equipment shall be regularly maintained to ensure its continued satisfactory operation.

The external ducting should be so designed that the flue discharges not less than 1 metre above the roof eaves level.

Reason: To ensure that unsatisfactory cooking odours outside the premises are minimised in the interests of the amenity of occupiers of nearby properties.

Noise

Noise from any air extraction system should not exceed background noise levels by more than 3 dB(A) for a 2 minute leq, at any time when measured at the facade of residential or other noise sensitive premises.

Reason: To protect the amenity of occupiers of adjoining properties”

06/2006/022

“Kitchen Extraction Unit

Odour

Equipment shall be installed that will effectively suppress and disperse fumes and/or smell produced by cooking and food preparation as impacting upon neighbouring premises. The equipment shall be effectively operated for as

long as the use continues. The equipment shall be installed and be in full working order prior to the commencement of use. The extraction equipment shall be regularly maintained to ensure its continued satisfactory operation.

The external ducting should be so designed that the flue discharges not less than 1 metre above the roof eaves level.

Reason: To ensure that unsatisfactory cooking odours outside the premises are minimised in the interests of the amenity of occupiers of nearby properties.

Noise

Noise from any air extraction system should not exceed background noise levels by more than 3 dB(A) for a 2 minute leq, at any time when measured at the facade of residential or other noise sensitive premises.

Reason: To protect the amenity of occupiers of adjoining properties.”

“Food Safety

Will you please include the following in the notes to the applicant, in the event of permission being granted: -

During planning, design and operation of this establishment the applicant will need to have regard to the requirements of:-

Food Safety Act 1990 (Amendment) Regulations 2004
General Food Safety Regulations 2004
Regulation (EC) No. 178/2002, 852/2004 of the European Parliament & of the Council.
Regulation (EC) No. 853/2004 of the European Parliament & of the Council.
Food Hygiene (England) Regulations 2006

Failure to comply with the regulations is a criminal offence.

It is strongly recommended that the applicant contacts the Food Safety Team of the Environmental Health Department once plans showing the proposed layout and work flow are available. This is to discuss any details, which may need amending to ensure the premises will comply with current legislation. Safer Food, Better Business' packs are available by contacting the Food Standards Agency on 08456060667 or by e-mail foodstandards@ecgroup.uk.com. Catering and Retail versions are available.

The applicant is strongly urged to obtain a copy of the relevant Industry Guide, due to be updated shortly, which provides detailed guidance on compliance with these regulations.

If this is a new food business, the premises must be registered with the Environmental Health Department at least 28 days prior to opening. The

applicant should contact the Food Safety Team on 01823 356342 for a registration form. Failure to register is a criminal offence.”

Drainage Officer

“I note that surface water flows are to be dealt with via attenuation ponds. However, no details of these ponds are enclosed with submission. The design of any attenuation system needs to be prepared in conjunction with the attached Guidance Notes for Developers on Surface Water Drainage Issues – Somerset Version (Revised May 2004) and approved by this Authority before any planning permission is given. The developer is therefore advised to contact these offices at their earliest convenience to discuss their surface water disposal arrangements.”

Parish Council

Recommend refusal.

West Somerset Railway

Original observations:-

“The West Somerset Railway operates on land bordering the site and holds a 99 year lease for the track bed, station buildings, road overbridge and station approach roads from freehold owners Somerset County Council. Bishops Lydeard Station is the current southern terminus of our passenger operations and as such is of vital importance to the successful operation of the Railway.

Generally, whilst we see advantages to the railway in the provision of adjoining visitor facilities (craft centre and pub/restaurant) we do have major concerns regarding the effect of residential development, including increased traffic over our bridge, pedestrian access, visual intrusion and security of our facilities adjacent to the site. We are also concerned about the effect of the overall development on the current rural setting of the railway station, essentially unchanged since construction of the line in the nineteenth century.

Specific concerns we wish to record are:-

- Railway bridge - the effect of additional traffic on the bridge, which is narrow and has no footway, will increase risks to pedestrians and road users as well as its cumulative effect on the loading of the bridge.
- Traffic Study - we note that the traffic study was carried out 3 years ago during February, when the railway was not in operation. Traffic in the area increases significantly between March and October due to visitors, and passenger numbers have risen substantially over the past 3 years, to a total of 203,000 passengers in 2005.
- Proposed traffic control over bridge - whilst narrowing of the road across the bridge will provide safer pedestrian access, we are

concerned about the effect of traffic queuing on Station Road and blocking access to the industrial estate and to the car park adjacent to the station. Other related concerns:-

- Location of traffic lights - interference with railway signalling and views from the station.
 - Requirements to provide widened carriageway for queuing.
 - Please note that we are not in favour of the alternative viewing platforms suggested.
-
- Security - Experience elsewhere on the railway indicates that the development will increase the risk of trespass on the line and of vandalism. Currently access has to be provided through our site to the Stationmaster's House - owned and rented out by the development site owner. The proposed layout indicates the exiting approach road access blocked off, with a new access through the development. This access, through our leased area, will also be required for the Stationmaster's House, Slimbridge House and the holiday accommodation, making future security provision very difficult.
 - Pedestrian route to Bishops Lydeard - the shortest route from the development would be via the current boarded railway crossing adjacent to the bridge, and this would increase risks. We already provide supervision during the hours of train operation and we are trying to reduce the need for its use. We would not wish to see additional use either during or outside operating times.
 - Future alterations to development plans - We have concerns about the viability of the craft centre and pub/restaurant and would need reassurance that use of these areas would not be altered in future - for example, for additional residential development or workshop/industrial use.
 - Problems of residential development adjacent to the railway - the inevitable noise and smoke produced by a steam operated heritage railway can lead to complaints from new residents. We would need reassurance that this would not subsequently result in constraints on our operations.

Pending resolution of these issues, we will need to lodge a formal objection to the application, but we will be discussing the above with the developers and may need to amend these over the next week or so. I would be happy to arrange a meeting with our staff if you wish to discuss our comments in detail."

A similar response was received from the West Somerset Railway Association, which is a registered charity which manages and maintains the Bishops Lydeard Station and is the main support organisation for the West Somerset Railway.

The following is a text of a letter subsequently sent from the Chairman of the West Somerset Railway PLC to the applicants:-

“The arrangements for singling the carriageway over our bridge with the provision of footpaths on both sides, and with traffic control, meet our concerns here.

Your proposals for security would also meet our concerns. Would the radio link be to the station, Slimbridge House and Station House, or would it be linked with the CCTV/Security Patrol for the development?

Our experience at Minehead underlines the importance of making sure that property purchasers within the development are fully aware that the railway is operational throughout the year, and continues to expand. This will be particularly relevant how that you propose to substitute executive homes for the holiday accommodation located on the site adjacent to the down (western) platform.

We remain concerned about future alterations to plans, given the experience within developments on the eastern side of the railway. I note that you would expect to enter a S.106 agreement with TDBC, but we would need to agree the definition of activity that is 'mutually beneficial' to the WSR. Perhaps you could share a little more information with us on the parties interested in the inn/restaurant, cafe, convenience store and craft workshops, and the nature of their operations.

Also discussed at our meeting on the 11th August was the provision of mains water and mains drainage to the station, linked to the services you would be laying to serve the development. We also asked to be linked to the mains electricity supply you will be providing, as our current supply via overhead line is of limited capacity. To be specific, we would be looking for these connections to be provided at no cost to the railway, as well as the surfacing of the existing access road from Greenway Lane to the Western side of the station.

I am grateful for the assurances you have given in your letter, which largely address our operational concerns. However, they do not address the wider planning issues we raised in the letter, which, in summary, are about visual intrusion and the effect of the development on the ambience of an attractive country station, which is a principal tourist attraction for Taunton Deane. The impact of the development is changing as your plans change, and we will need to take a view on this when they have crystallised. You will need to keep us up to' date with the latest plans, elevations and illustrations as they become available.”

Subsequent to the receipt of the amended plans, the following further response was received from the West Somerset Railway PLC:-

“On 4th August, I wrote to you to set out the West Somerset Railway's concerns about this development, and to lodge a formal objection to the proposal.

Since that date, we have had further discussions with the developers, and the scheme has changed in scope as well. I am pleased to say that the specific technical concerns we had with the project have now been dealt with to our satisfaction by the developers, although our concerns about further plan changes and visual impact remains.

Specifically:

- Railway Bridge - the revised plans to provide pavements on either side of the road, to single the carriageway over the bridge, and to introduce traffic control, meet our concerns on pedestrian safety and on additional loadings on the bridge. Traffic light timing will need to be managed to avoid queues blocking back to the station approach road and the Broadgauge business park, or even to the A 358. We will need to see the final detailed plans to ensure that there is no risk of the traffic lights being visible to train drivers, but the issue is understood by the developers, and we are pleased that they have dropped the proposed viewing platforms and railway signals which we did not support.
- Traffic Study - this concern has been removed by the revised proposals for the bridge.
- Security – this has been addressed by the fencing proposals and by providing gates with entryphones to prevent access to the down (western) platform, and trespass on the railway when the station is closed. Further discussion is needed with the developer to establish the control point for the entryphone release and access arrangements to Slimbridge House, but our main concerns here have been dealt with.
- Pedestrian route to Bishops Lydeard - the fencing arrangements together with the continuous pavement via the footbridge, deal with the problem we had identified.
- Future alterations to development plans - we still have concerns about the prospects for the craft centre and pub/restaurant, and indeed, we note that the size of the former has been reduced, and the holiday accommodation has now been replaced by housing to fund the provision of the roundabout on the A358. These features, and particularly the first two, are the main benefits to the railway, and their provision is important to us. However, we recognise that no guarantees can be given and would not want to oppose the application on these grounds.
- Problems of residential development adjacent to the railway - this is still an issue, but we are satisfied that the developers will draw the attention

of purchasers to the inevitable noise and smoke associated with the operation of a heritage steam railway. This is essential to avoid future complaints, as we have experienced from occupiers of a new development next to the line at Minehead.

- Visual impact - we were also concerned about the effect of the overall development on the current rural setting of the railway station, but are reassured by the plans and elevations we have seen. We note with concern the views of the Conservation Officer which suggest that the development together with the Broadgauge Business Park "would swamp the station site." However, the implications of his remarks are that the site should remain open and rural in character, which would be inconsistent with the development of the facilities and activities for our passengers and visitors that we would like to see near the station. In view of this, we would suggest the production of a model or of artists impressions so that the context of the development can be seen, and the relationship with the historic station buildings better appreciated.

In view of these developments, we have no reason to maintain our objection to the application for planning consent, but would ask you to consider it in the context of the Conservation Officer's comments, and to involve us in any discussions on mitigation measures such as surface treatments or tree planting if this is considered necessary."

A similar letter was again received from the West Somerset Railway Association.

Letter from Member of Parliament

"This is clearly a very significant proposal with major implications for Bishops Lydeard."

Objection received from the Bishops Lydeard Residents Association making the following points:-

1. Proposal does not comply with the Local Plan.
2. It will result in more traffic in the area.
3. It could have a devastating impact on the village
4. It will destroy the unique character of an historic heritage railway station. The development will dominate and largely obliterate the remaining rural aspect of the station.
5. The Planning Statement produced by Turner Holden is misleading and confusing.
6. In the medium/long term, approval would open the flood gates for additional development and would have a disastrous affect upon the

local environment and the quality of life for the residents of Bishops Lydeard.

7. Question what has changed since 2004 when Taunton Deane Borough Council did not accept the Inspector's recommendation with regard to land west of Bishops Lydeard station. The proposal development does not comply fully with the 2004 Local Plan.
8. The local traffic assessment carried out in February 2003 by the Peter Evans Partnership is now out of date and probably irrelevant.
9. Significant traffic problems exist in Station Road and it's junction with the A358.
10. The size of the proposed development is out of proportion with the perceived needs of the West Somerset Railway.
11. It is likely that the majority of people using the railway do so because it is a romantic link with the past and they would be appalled to see an historic rural station overshadowed by another modern development which respects neither the character nor the setting of the station buildings.
12. Area is polluted by noise and smoke. Complaints from residents adjacent to the railway at Minehead station and unpleasant symptoms from sulphur fumes experienced by workers in Broadgauge Business Park, adjacent to Bishops Lydeard station.
13. The Conservation Officer has concerns with regard to the setting of a listed building (Slimbridge) and the affect on the whole environment of the heritage railway station.
14. Proposals do not reinforce the local character and distinctiveness of the area, including the landscape setting of the site and any building involved, as required by Policy S2 (A) of the Taunton Deane Local Plan.
15. The units in the so-called 'craft village' cannot rely on railway passengers alone to be viable, if only because there are no passengers at Bishops Lydeard station for about 125 days each year. If the huge pub/restaurant, supermarket and farm shop are allowed, they must generate considerable increase in car travel and hence contravene the Local Plan.
16. Does not comply with the criteria of Taunton Deane Local Plan Policy S7.
17. In Policy EC22 of the Taunton Deane Local Plan, land was allocated for recreation and tourist development, which supports the tourist potential of the West Somerset Railway and respects the character and

setting of the station buildings, including Slimbridge. No housing is included in this policy and no general retailing. The Council's allocation is exceeded by a considerable margin. Housing – both open market and affordable have been included in contravention of the Local Plan. Only 2 units of tourist accommodation are included in a total of 43 houses. A supermarket has been included. The plans do not respect the character and setting of the station buildings, including Slimbridge.

18. Policy EC19 of the Taunton Deane Local Plan states that farm shop buildings should be situated within or adjacent to an existing farm complex. Because the existing farm complex is due for demolition, this criteria can no longer be met and a farm shop should be disallowed. In any case, there is already a farm shop 200 yards away.
19. Although the West Somerset Railway Board has withdrawn its formal objection to the plan, the Chairman's letter is anything but a rigorous endorsement of it. He originally expressed concerns regarding the effect of the overall development on the current setting of the station, essentially unchanged since construction of the line in the 19th Century. The proposals have undergone very little change from those originally submitted. The front of the WSR Association brochure displays a bold declaration 'Preserving the Past for the Future'.
20. Question whether the size of this development, and therefore presumably the profit on it is related in some way to the needs of the possible golf course. The Local Plan says that golf is well catered for locally. Courses exist already at Oake Manor, Taunton Vale, Taunton & Pickering, Vivary Park and Enmore Park. There is also a 9 hole course very close by at Cedar Falls. The only course with a waiting list is Taunton & Pickering and this is almost always reduced to zero at the end of each year. This obviously raises the question whether another course will pay its way. The Local Plan concedes that golf courses have a significant impact on the landscape.
21. Not opposed to affordable housing, but do feel strongly that it should be sited appropriately and should not be used as a pretext for allowing an inappropriate development to proceed. The site is not the best site available in planning terms (as required by Local Plan Policy H11 (B) because of Policy S1 (noise and smoke) and because the development does not respect the character and setting of an historic railway station (Policy EC22B). Two more appropriate sites exist in Bishop Lydeard at Gore Farm and Kings Yard.
22. Ask for a very close scrutiny of the whole plan to establish that there is an authentic basis for the scale of the enabling development.
23. The West Somerset Railway should look at improved refreshment/cafe facilities, coupled with a suitable attraction, e.g. an appropriately sited visitor centre perhaps showing films of historic railway journeys, engineering projects, etc. It does not require a huge development to

achieve this. The scale of any development is very important in the context of a heritage railway station.

24. A dedicated bus service to Taunton is to be provided this year. For those who do not want to go so far and who find it difficult to walk the short distance to the village, a small minibus with volunteer drivers might be considered. For the relatively small number of visitors who do not catch the next train back, wonder if it is worth the risk of upsetting the commercial balance of the village by allowing this development.
25. Do not think that a roundabout should be used as justification for allowing an inappropriate building development to proceed. There are cheaper ways of improving the safety of the junction of Station Road with the A358 and Station Road itself:-
 - (a) trimming back the exuberant vegetation to the north of Station Road east;
 - (b) moving the signs on this verge;
 - (c) putting in a speed camera (30 - 40 mph) at an appropriate place to the north of the junction;
 - (d) putting in halt signs and solid white lines at the junctions;
 - (e) putting in rumble strips on the approaches to the bridge;
 - (f) putting in a simple safety rail between the parapet and the road on each side of the bridge;
 - (g) putting double yellow lines to stop parking on each side of the bridge;
 - (h) precedent for further building in the medium/long term.

Representations have been received from the Parish Tree Warden:-

1. Surprised that a full Environmental Assessment was not required. The proposal is for a substantial scheme immediately next to a large public amenity (Bishops Lydeard railway station), a large housing estate (Greenway). Very close to Ash Priors Common Local Nature Reserve and within sight of an ancient woodland in Sandhill Park.
2. Other than the hedge next to Greenway Road, the consultants seem to have done a first-class job on the area and made entirely practical and cost effective suggestions for mitigating the very minor impacts likely there.
3. Comments with regard to the hedge next to Greenway Road:-

- (i) Assessment of plants in April alone is grossly inadequate which graded the hedge as important. There may well be notable or protected plants in such a place visible only later in the season;
- (ii) No assessment of invertebrates. Hedge could be a woodland remnant where conditions are likely to be accompanied by one or more significant invertebrates.
- (iii) Requirement for consideration of the possibility that the hedge may be an ancient boundary of, say, an estate.
- (iv) Not convinced that the technology is available to reliably move a hedge that has some evidence of it containing woodland conditions without losing them.

8.0 **REPRESENTATIONS**

78 letters of objection have been received making the following comments:-

1. The West Somerset Railway is not an all year round enterprise.
2. Part of the railway's draw is that is in a 'slice of nostalgia' and Bishops Lydeard station is a gem. It is in a rural location where it is possible to look out in one direction at least and imagine that it hasn't changed much in decades. The proposal will completely spoil the precious rural ambience of the station.
3. Will take business away from the village. A restaurant will affect the three pubs and other commercial outlets in the village.
4. The Local Plan appears to stand for so little.
5. Will lead to further urbanisation of this village.
6. Reference to the development at Sandhill Park being allowed on the excuse of a fire museum, which proved to be a non starter.
7. Once this housing scheme is granted, there will be nothing to stop the creeping greed of further development to Tithill Lane and beyond towards Cotford St Luke.
8. Bishops Lydeard is already a large village and should not expand any further.
9. The traffic at the cross roads between the station and the village is becoming increasingly dangerous and this proposal would worsen this.
10. Contrary to Taunton Deane Local Plan Policy EC17 - should therefore be rejected out of hand, rather than taking the line that rules are there to be broken.

11. The existing balance of facilities should not be disturbed.
12. More houses will mean that the village street will grind to a halt. Traffic jams would lead to more parking restriction, less parking would mean less shoppers, their loss of trade would lead to closure of shops and that would kill the village.
13. The provision of houses has nothing to do with recreation or tourist development and breaks the terms of the Taunton Deane Local Plan.
14. The craft village is a sop to the soft hearted who think that railway tourists need to be occupied for half an hour with shopping opportunities. The 'craft' side is doomed to failure because true craft people do not have the sort of turnover and gross margins of profit to begin to pay rent, rates and other standing costs on units that would only attract light seasonal trade.
15. There are already a cafe and shop on the station platform, a museum and a play area and it is only a few minutes walk to the nearest pub.
16. The retail units are not needed and clearly break the rules of the Local Plan. Historically the Greenway Estate had a convenience store, which closed down due to lack of support. There is now a farm shop on the business park.
17. The golf course, phase 2, is hopelessly impractical and unwanted. The 90 acres of land shown as available is insufficient for 18 holes. The owners of the adjoining land are unlikely to sell. The demand for the course, in addition to the existing ones in the area, is very questionable. If only 9 holes were to be built, it would be another small course within a mile of that at Cedar Falls, which itself is only lightly used. Access to roads and services would inevitably site any clubhouse next to the station, which would blight any remaining rural view from the station. Traffic generation figures for the proposed golf course do not equate with a successful operation.
18. Commercial elements will without doubt be found to be unviable and more houses will appear. Query whether the museum role is genuine or, like the fire museum, just a planning sweetener later to be abandoned in favour of additional buildings.
19. Question why a craft village should be successful so soon after the closure of the one at Washford. Proposals as shaky as these should not be allowed to bulldoze through the agreed policy of the Council.
20. The only interest of the landowner and the developer is to line their pockets.

21. Developments are springing up all over the place in Taunton Deane like cancerous tumours e.g. Cotford St Luke and Broadgauge Business Park.
22. Let us have planners who talk on limiting population growth and tidying up the mess already created, not creating more, such that our homeland will be able to sustain us and survive beautifully for centuries to come, where a quality of life is possible savouring the peace of nature and the simple fulfilment it offers, where people are not continually being upset.
23. More traffic would be hazardous for children, particularly where the school bus turns round and picks up children.
24. Bird song will be replaced by noise from building work.
25. Road and footpath over the railway is very narrow and dangerous.
26. If plans go ahead, Council should pay relocation expenses for those who feel forced out of their homes.
27. Loss of greenfield land.
28. Will overshadow the country station, which encourages tourism, in an area which relies on farming and tourism for its sole income.
29. The site is outside the main housing development of the village.
30. The type of houses building will be 3 and 4 car homes.
31. Steam trains give off noxious fumes which cause headaches and the eyes to smart, which future householders would not wish to have. Smoke smuts are given off and any buildings would become covered and turn black in a few year's time.
32. Major developments at Norton Fitzwarren, Cotford St Luke and Sandhill Park are more than adequate.
33. Public house will result in anti-social behaviour.
34. The village is being increasingly ruined by new housing developments.
35. Only one entrance to the site.
36. Public transport past the site only has 11 buses a day six days a week.
37. The railway bridge will be expected to take ever increasing traffic flows in normal operations as well as many lorry movements during the construction period.

38. A planning application in 2004 for land west of Bishops Lydeard was rejected being not required to meet a housing shortage.
39. If an intended retail use proves unsuccessful, other retail uses may be allowed.
40. If the proposed inn/restaurant proves to be non-viable commercially, houses or apartments are likely to be built on the site.
41. Question why tourism needs a boost when the railway is successful as it is.
42. The proposal take three times the area allocated in the Local Plan.
43. There are other areas, such a Sandhill Park, that can accommodate the need for new housing, affordable or open market, and would very much improve the current state of that area.
44. Do not want or need more people, cars, kids filling our overcrowded school, more rubbish for landfill sites, more seeking jobs, hospital beds and doctors, more people means more drugs, rubbish, muggers, thieves, litter, graffiti etc. Want to keep Bishops Lydeard a village, not a town full with foreigners.
45. There is already enough traffic which commutes through Bishops Lydeard to Taunton and beyond, causing tailbacks from the Cross Keys roundabout at Norton Fitzwarren. This will also be worsened when new developments in Norton Fitzwarren take place.
46. A number of the back lanes in the area will be used as a 'cut through' which would increase the probability of accidents.
47. By positioning shops and a pub right next to the station will discourage visitors from visiting the village fully and contributing to the local economy.
48. If businesses in the area close, this will result in loss of jobs.
49. Proposed access is from a fairly narrow road that covers traffic to and from Halse and houses and farms along that road as well as the 130 house Greenway Estate, where only exit is onto Station Road is almost opposite the proposed access. The exit from Sandhill Park, where the present owners are hopeful of creating residential development, is also near the proposed access point. The junction with Greenway is used as a reversing point for buses, including school buses. Increased traffic from the new development will make such manoeuvres more difficult and more dangerous.
50. The bridge over the railway is of considerable historic importance. An increased use of the bridge by both construction traffic during work on

the proposed development and after completion may cause damage to a structure that was never designed to carry such loads. Reinforcing the bridge will detract from part of one of the districts most successful and popular tourist attractions.

51. The bridge is also a very popular 'viewing point' to tourists to look at and photograph the trains at the station. Increased traffic generated by the proposed development will inevitably make this position even more dangerous for these people than it is at present.
52. The suggested traffic lights on the road over the bridge is going to cause even more delays because of both the increased use and the junctions from side roads, existing and proposed.
53. Visitors from the railway cross Station Road to reach the underpass that takes them to the village; increased traffic use will also increase the dangers to these people.
54. Proposed retail units will not support the tourist potential of the railway as required by the Local Plan.
55. Thirty-two parking spaces are not enough for the proposed craft centre.
56. Alternative catering nearby is likely to adversely affect the income the railway receives offering refreshments to its visitors.
57. Possible noise nuisance from the pub may affect the 'railway experience' for visitors.
58. If the retail unit sells railway related gifts, this will affect the income of the small shop on the station.
59. The retail building resembles an out of town supermarket, not the sort of building that will enhance the immediate surroundings of this small and attractive historic station and important tourist attraction.
60. There was a small craft centre in the village selling items from various local craft people, but this was not successful and closed.
61. There are very few possibilities for a small museum without external funding. It is a small area in which to establish another type of attraction and the length of time railway travellers spend in the area is limited because of the railway timetable. Those travelling on the railway may not be particularly interested in something non-related. If the proposed museum/attraction is railway related, it will probably detract from the excellent museum at the railway station. The same arguments apply to an art gallery. The tourist attraction at Bishop Lydeard Mill may also be damaged by the proposed development.

62. Will entail the removal of hedges and the felling of trees with the adverse implications for wildlife. There are also a number of streams and ponds on the area of the proposed golf course and wildlife will inevitably be affected here by the proposed changes.
63. Question whether it can be guaranteed that the affordable housing units will remain affordable when the first occupants sell them on. Further social houses have not been seen to be necessary.
64. The proposed houses do not match the traditional architectural style of the village.
65. The residents of the Greenway Estate have experienced a noticeable drop in water pressure since the new houses at Cotford St Luke were built. The proposed development is likely to have a further deleterious effect on the services for people in these houses.
66. The village primary school at present is at maximum pupil capacity. Additional housing is likely to put pressure on the school, which may affect its quality of teaching and pupil learning.
67. A further increase in the local population is likely to add to the problems of getting an appointment to see a doctor at the medical centre for non emergency/urgent consultations.
68. Loss of the rural environment currently enjoyed by local residents.
69. Increased levels of traffic noise and noise from the pub/restaurant.
70. Light pollution.
71. Query what benefits there will be to the railway. Unlikely that more people would be tempted to use the railway either starting from Bishops Lydeard or travelling to it because of this proposed development, as most travellers interested is in using/seeing the trains, not going to a convenience store or one of the other retail units planned.
72. A new pub on this development would not attract any of the local inhabitants.
73. If the West Somerset Railway is eventually re-routed through to Taunton, passengers will not get off at Bishops Lydeard.
74. Adverse effect on residential property values in the area.
75. Less expensive options other than a roundabout on the A358 should be considered.

76. Question whether the pub/restaurant will generate drunkenness and destructive behaviour on the return railway journey.
77. Increased security risk at the station.
78. Loss of views from the station and the bridge.
79. Impact of golf course on public footpaths in the area.
80. The tourist facilities proposed are of a scale far beyond the needs of visitors to the railway. It will be essential for their economic viability to draw in customers from a wide area, who will come to the site by car.
81. Proposals lack architectural merit.
82. A planning officer should attend pre-application exhibitions, as the local community was presented with a presentation which was obviously biased in favour of the development, assured those attending that the proposals did fall within local plan policy and that the development was very much a 'done deal' so there was little point in objecting.
83. Any craft centre should be located at Broadgauge Business Park.
84. What would be of more benefit to the West Somerset Railway would be some modest development of its own facilities, not competing retail facilities next door.
85. Question viability of development in the event of the West Somerset Railway extending its services to Taunton, with Bishops Lydeard ceasing to be a terminus.
86. Occupiers of new dwellings will not want the other parts of the proposal next to their homes with the traffic passing their properties.
87. The teenage children of the residents will get bored and will steal from or break into the retail outlets, play chicken on the railway or vandalise the railway stock or buildings.
88. Lethbridge Arms will close if the pub/restaurant goes ahead as it relies heavily on the West Somerset Railway for business for both food and accommodation. No pub company was interested in building one at Cofford St Luke.
89. The development is only an excuse for a badly conceived housing estate.
90. Needs a very close scrutiny of the whole plan to establish that there is an authentic financial basis for the scale of the enabling development.

91. The West Somerset Railway should look at improved refreshment/cafe facilities, coupled with a suitable attraction, e.g. an appropriately sited visitor centre perhaps showing films of historic railway journeys, engineering projects, etc. It does not require a huge development to achieve this. The scale of any development is very important in the context of a heritage railway station.
92. Construction traffic will put the safety of small children and domestic pets at risk.
93. Impact of HGV vehicles delivering to pub/restaurant and retail outlets.
94. Out of season, the courtyard will end up being used as a skate board park.
95. Badgers may not be living on the farm – but they use it as a thoroughfare.
96. Light pollution.
97. There is no guarantee that the pub/restaurant will be built – if it isn't , we shall have development with a large hiatus in it – with pressure for more houses.
98. Likelihood of the possible repeat of the Sandhill Park fiasco of a few years ago.
99. Will attract undesirable people into the affordable houses/flats who are not wanted in our village.
100. Seems that Taunton is being governed by Gadds rather than Gadds being governed by Taunton.
101. Houses on Greenway are not selling because of the proposal.
102. Will displace the West Somerset Railway Steam Rally, a very successful annual event.
103. Proposal will create a whole new town.
104. Policy BL3 of the Taunton Deane Local Plan states that although the open areas west and south of Bishops Lydeard are partially protected by their inclusion in the Conservation Area and by their situation outside the settlement limits, it is considered appropriate to protect them more directly from development by a specific policy.
105. Fail to see who would wish to stay in holiday lets on such a site.
106. Destruction of ancient hedges will isolate a variety of populations of mammals and insects.

107. Because of the affects of global warming, its almost certain that Britain will have to be much more reliant in producing its own food to feed its population and probably will need to produce bio-fuels from crop plants. Every square metre of agricultural land will be required in the not too distant future. Very great consideration should be given to the loss of prime farming land, such as Station Farm.

One of the letters of objection was from the owner of the paper shop in the village and one from the landlord of the Lethbridge Arms in the village.

19 further letters from existing objectors have been received following the submission of amended plans reiterating the previous comments and making the following points:-

1. Objections made previously are now even stronger because the amended plan moves the whole proposal still further away from Policy EC22. The first casualties are the very elements which drove the scheme in the first place, i.e. tourism and recreation to encourage greater use of the railway.
2. The holiday/tourist lets have been reduced from 6 to 2 against the strong advice of the Economic Development Manager.
3. The so called 'craft village' has been reduced in size, but the only item not reduced is the supermarket.
4. The slight benefits of a roundabout are more than offset by the damage to the business of the village, the spoiling of a successful tourist attraction and the destruction of the countryside enjoyed by local residents.

5 letters of support have been received making the following comments:-

1. Provision of a much needed roundabout is to be applauded.
2. There is a relatively small residential element.
3. Proposal will provide affordable housing, craft shops and ancillary development, job creation (both short and long term) and a roundabout. These will be at no cost to the rate payer.
4. This is a rather unique application where the planning benefit and gains are considerable and outweigh the disadvantages.
5. Affordable housing will encourage young families to remain in the village, which is important especially as the members at the local primary school have suffered as a result of the opening of Cotford St Luke school.

6. Then proposed roundabout on the A358 will hopefully reduce the number of accidents here – a known accident blackspot.
7. Additional shops and facilities encourage residents to buy locally and the obvious benefits here include easy off-street parking and reduction in village congestion.
8. Facilities would encourage visitors on the West Somerset Railway to spend more time in the village, resulting in additional jobs and money for our local economy.
9. Surprised that proposals for further amenities at the station have not come forward before now. Refreshment facilities are seriously lacking.
10. Will enhance the local economy and give employment to local people.
11. Open market affordable housing for local people can only be seen as a positive move.
12. The holiday accommodation will offer families the opportunity to explore our beautiful region.
13. The area in general and this site in particular appear to be crying out for this kind of facility.

9.0 **PRINCIPAL ISSUES FOR CONSIDERATION**

- A. Does the proposed development comply with relevant Local and National planning policies? POLICY
- B. Is the access to the site and the road network of the area suitable to serve the proposed development? HIGHWAYS AND ACCESS
- C. Are the proposed tourism and leisure facilities viable without the enabling development? NEED FOR OPEN MARKET DWELLINGS
- D. Will the proposed leisure and tourism elements be viable in the future? VIABILITY OF LEISURE AND TOURISM DEVELOPMENTS
- E. Will the proposals affect the commercial viability of existing services in the area? IMPACT ON LOCAL SERVICES.
- F. Will the proposed development support the tourist potential of the West Somerset Railway? WEST SOMERSET RAILWAY
- G. Is the site a suitable location for affordable housing and is the proposed development capable of delivering such housing? AFFORDABLE HOUSING

- H. Has the proposal development made appropriate arrangements for any wildlife present on the site? WILDLIFE
- I. Is the site at risk of flooding? FLOODRISK
- J. Will the setting and character of the station buildings, including Slimbridge be respected? IMPACT ON STATION BUILDINGS
- K. What will the landscape impact be of the proposed development? LANDSCAPE IMPACT
- L. Is the proposed development sustainable? SUSTAINABILITY
- M. OTHER ISSUES

A. Policy

The development of land alongside Bishops Lydeard Station as a tourist attraction has been considered for a number of years and was first formalised in the now superseded West Deane Local Plan which was adopted in 1996. The Plan noted that there are poor visitor facilities at Bishops Lydeard Station and that land west of the station has the capacity for a major residential and tourist facility which would create economic benefits in its own right and help to support the continued viability of the railway. The Plan allocated by Policy WD/RT/3, (the wording is included in the Relevant Planning Policies section of this report) an 8 ha. site for recreation and tourist development.

At this time, the Authority accepted that tourist and recreation proposals here may not be viable in their own right. This was in part because of the uncertainty surrounding tourism businesses, and in part because of the likelihood of expensive off-site highway improvements being required. The policy therefore allowed for 'modest' levels of non tourist or recreational developments, such as housing or offices, where this was necessary to underpin tourism proposals. This would be subject to a detailed financial appraisal proving that the non-tourist 'enabling' development is necessary to ensure the viability of the recreation and tourist development.

The 8 ha. site proposed in the West Deane Local Plan took in the current application sites and land to the east and south.

The West Deane Local Plan has now been superseded by the Taunton Deane Local Plan. The Deposit version of the Plan, published in 1998 (at that stage Policy EC17) carried forward proposals for recreation and tourist development west of Bishops Lydeard Station. The Policy stated that the Authority may be prepared to accept a modest amount of other uses, where this can guarantee the provision of suitable and significant recreation and tourism development. In the Revised Deposit version of the Plan, published in 2000, the allocated area was significantly reduced, resiting to the north western part of the originally proposed site. It did, however, indicate that Station Farm, lying between the allocated site and the station, would be

suitable for similar uses. The reference to provision of a modest amount of other uses was deleted from the policy.

This reduction in site area was the subject of objections which were heard at the Local Plan Inquiry. At the Inquiry, the Authority contended that the site is not a sustainable location for substantial residential development or a significant tourist development due to its remoteness from Taunton, and therefore conflicted with national, strategic and local planning policies. It was furthermore noted that a similar allocation at nearby Sandhill Park had resulted in the development of 50 dwellings (now known as Lethridge Park), but the museum (Blazes) which was set up in conjunction with the housing had subsequently closed.

The objections considered at the Inquiry proposed the re-instatement of a more substantial area for development in line with that included in the West Deane Local Plan and the deposit Draft version of the Taunton Deane Local Plan. They considered that the Revised Deposit proposal was not viable without significant housing development of up to 60 dwellings to enable the leisure proposal to proceed.

The Local Plan Inspector concurred with the Council's view that substantial housing development of the magnitude suggested by the objectors would be unsustainable in this location. The experience of Sandhill Park also led him to conclude that there was no guarantee that substantial enabling development would provide for ongoing benefits to the West Somerset Railway which could be set against general policy. In addition he considered that the development of a substantial housing scheme in this location would be harmful to the setting of the existing station and the environment of the area generally.

Notwithstanding the above conclusions, the Inspector considered the West Somerset Railway to be a valuable heritage and tourism facility and he noted that the then current provision for visitors in and around the terminus to be poor. In his view, the Local Plan should seek to encourage the further development of facilities for the railway and he considered that the policy in the Revised Draft Local Plan was less supportive of that objective. He therefore concluded that a reference should be reinstated in the policy to indicate that the Council would consider a modest amount of enabling development where an acceptable development scheme based on improvement to the West Somerset Railway facilities was proposed.

The Authority did not accept this Recommendation of the Inspector. In its reasons for not accepting the Recommendation, reference was made to the experience at Sandhill Park. The Authority also considered that more appropriate and sustainable opportunities could be justified. Examples indicated were a related joint commercial/West Somerset Railway allocation on land adjoining the bulk of the West Somerset Railway operation, south of Broadgauge Business Park or a residential allocation east of the A358, in closer proximity to existing village facilities. The Authority therefore considered that there were valid planning reasons for resisting the

reinstatement of wording in its policy to facilitate enabling development at the West Somerset Railway.

Further representations to the Local Planning Authority on behalf of the appellants contended that the reasons for not accepting the Local Plan Inspectors Recommendation did not present valid planning reasons for resisting the enabling development, since it was clear that without it the desired improvements to the facilities at the station simply would not take place. The representations therefore requested the reinstatement of the Inspector's Recommendation with the need for there to be a modest amount of enabling development. This was not accepted by the Authority in accordance with the final adopted version of the Local Plan (Policy EC22).

The Adopted Plan does not, therefore, provide for any enabling development. The current proposal provides for enabling development in the form of unrestricted open market housing. In this respect, the proposal is therefore contrary to the Adopted Local Plan policy related to the land west of Bishops Lydeard railway station. The application sites are also substantially larger than that allocated in the Local Plan, albeit partly being on the site of farm buildings to which reference is made in the Plan that further suitable development may be appropriate. The proposal also provides for a convenience store and a farm shop, neither of which are referred to the supporting text to Local Plan Policy EC22 and neither of which could strictly be considered to be directly supportive of the tourism potential of the West Somerset Railway. There is the concern that it would be difficult to restrict sales of items sold in the convenience store to 'travel needs' of passengers on the West Somerset Railway. It could well become a general store, with any potentially agreed list of items for sale being very difficult to enforce.

B. Highways And Access

A Transport Assessment was submitted with the planning applications. The aim of the Assessment was to assess the suitability of the proposed development in terms of traffic and transport matters. The Assessment considered the accessibility of the site by means of travel other than the car, the existing traffic and safety conditions in the vicinity of the site, and the capacity of the local road network to cater for the development traffic. A survey of existing traffic flows was carried out.

A number of bus services operate via Bishops Lydeard, including services which operate regularly throughout the day to Taunton (including Sundays). There are bus stops close to the site and further bus stops are provided within the village.

Car parking is provided on the basis of 47 spaces plus 4 disabled spaces for the inn/restaurant and 32 spaces for the craft centre. Each dwelling will have at least one parking space.

The Transport appraisal amends the proposed development in terms of its potential impact upon the local highway network and also for its consistency

with transport policy. The Appraisal contends that the proposals are consistent with Central Government and Local transport planning policies.

The analysis of accident records indicates that there are no shortcomings in the immediate vicinity of the site and the proposed access on Station Road. The proposed traffic signals on the railway bridge to restrict traffic flow to single way working would improve the inter-visibility between oncoming traffic on approach to the bridge and allow sufficient width for the new pedestrian footway between the site and the A358.

The amended plans provide for a roundabout to be provided at the junction of Station Road and the A358. On this basis the County Highway Authority does not raise objection to the applications.

C. Need for Open Market Dwellings

The Financial Appraisal submitted with the planning applications concluded that without open market housing the final value of the proposed tourism and leisure elements is negative. This in part is brought about by the abnormal cost associated with the location of the development involving additional access roads, road works in the form of traffic controls and a roundabout at the A358/Station Road junction and costs of dealing with services in the form of an electricity sub-station and drainage disposal. The appellants consider that the mix of development reflects the optimum mix of commercial and open market dwellings in order to provide a financial viability that is acceptable to bring the scheme to fruition.

D. Viability of Leisure and Tourism Developments

An assessment of the applicant's Financial Appraisal and the future viability of each element of the proposal has been obtained from an independent consultant.

This concluded that demand undoubtedly exists for a pub/restaurant, for which the location would provide a wide catchment. This element therefore produces a positive contribution to viability. The amount of proposed holiday accommodation is relatively small and, although the consultant considered the location unconventional for this use, the proximity to the West Somerset Railway is a positive feature and market demand is anticipated. This element therefore also produces a positive contribution to viability.

The consultant considers that the demand for the retail/craft units, including a convenience store and café, is marginal. The demand for a convenience store is considered to be questionable in the light of existing, competing stores. Its use does not relate well to or support the tourist potential of the West Somerset Railway. This element is therefore considered to be a negative contributor to viability. If restrictions are placed on the retail sales permitted, the viability reduces still further. The poor viability of the retail element is considered to be a burden to the scheme. The conclusion,

therefore, is that the retail/craft centre, including a convenience store and café is not viable.

The demand for a crèche is doubtful.

The view of the consultant is therefore that, on the basis of the mix and form of uses proposed, the elements making up the craft village are unlikely to be viable in the long term. The Economic Development Officer also raises concerns over the business viability of such a large craft village in this location. He considers that a phased approach may be more appropriate that seeks to establish a number of businesses initially that will support the potential expansion of this element of the site in the future.

The conclusion, therefore, is that although with 'cross-subsidy' from the open market housing, the craft village can be financed and built, in the medium and long term, the viability of the various components is in doubt. The provision of the premises will not ensure that the businesses continue to operate for the long-term benefit of the railway. The likely scenario is that although the craft village will be built, there will be letting and occupancy problems. Against this background, there will be pressure for alternative uses for the buildings which would not normally meet the policy requirements in this location. Furthermore, the tourism benefit would not have been achieved. The result would be open market housing in the open countryside with no benefits. This would be clearly contrary to Local Plan policy and was not the intention when the site was allocated for tourism and recreation development in the Local Plan.

E. Impact on Local Services

The rural centre of Bishops Lydeard lies on the other side of Bishops Lydeard to the site. The local facilities include 2 public houses, newsagents, post office, corner food store, Co-op, butchers, health centre/pharmacy, builders merchants, public library, veterinary surgery, primary school and church. The footway on the northern side of Station Road continues to a 2.5 m wide lit subway for pedestrians and cycle use under the A358, emerging to join a footway on the Bishops Lydeard centre side.

There are a number of existing public houses and restaurants in Bishops Lydeard and the surrounding area. The independent consultant indicates that the proposed development could affect these existing outlets, but fundamental viability may not be adversely affected. The holiday cottages are likely to have a minor impact.

The consultant considers that the proposed convenience store is bound to compete with services in Bishops Lydeard, where there is an equivalent store, general store, butcher, greengrocer, farm shop, post office and newsagent. The new shop in Cotford St Luke would also be affected. The impact on other craft and visitor attractions along the West Somerset Railway is likely to be marginal. The cafe proposed could compete with any catering facilities provided by the West Somerset Railway.

The consultant states that the development of a significant visitor attraction could potentially benefit the West Somerset Railway and the local economy and business by bringing in leisure visitors to the area. Benefits could be distributed to other parts of the West Somerset Railway and associated settlements.

F. West Somerset Railway

The West Somerset Railway is an important tourist attraction for the area. However, facilities for visitors at Bishops Lydeard station, the southern terminus of the line, are limited. Proposals are encouraged which enhance the tourist potential of the railway. Therefore proposals for further facilities to meet the needs of existing visitors to the West Somerset Railway are encouraged, subject to meeting the requirements of Local Plan policies, in particular Policies EC21 and EC22.

Although the technical concerns raised by the West Somerset Railway initially have now been dealt with to their satisfaction, they do remain concerned about the visual impact of the proposals. Although they wish to see the development of facilities and activities for passengers on the railway, they note with concern the views of the Conservation Officer, who suggests that the development would swamp the station site.

G. Affordable Housing

The proposed development provides for 22 affordable housing units. These will be provided at a discount to open market value in perpetuity to produce sale prices starting at approximately £65,000 and rising to around £95,000.

The Housing Officer supports the provision of affordable housing, and I consider that this is an appropriate location for such use in terms of proximity to services and the suitability of the access. However, its provision on the site has to be considered against the background of the views of the Conservation Officer and the impact of the setting of the overall proposals on the rural setting and character of the railway station.

H. Wildlife

A bat survey was submitted with the planning applications. The proposal involves the demolition of a number of buildings. No evidence of use by bats was found in any of the buildings. Several of the buildings were considered unsuitable for bats, although one of the traditional brick barns offers potential bat roosting between the roof tiles. Several swallow nests were present in the outbuildings. Shrew and mouse droppings were found in the attic of the bungalow. No evidence of use by barn owls was found. The conclusions of the survey state that the roof of the brick barn should be dismantled carefully by lifting tiles rather than sliding them. Should any bats be discovered during dismantling, the work should cease and English Nature be contacted for further advice. The survey also recommends that demolition work should be

planned for between September and March to avoid risking destruction of active swallow nests, which are protected under the Wildlife and Countryside Act.

A Wildlife Habitat Survey was also carried out to look for signs of legally protected species and to evaluate the wildlife value and potential of the site. Within the site there are hedgerows, ditches, a minor brook, small areas of semi-improved grassland, and a number of trees present. The results of the survey indicated that the site holds no statutory or non statutory designations and there are no records of protected or notable species on the site. No protected habitats or rare species of flora were noted during the site survey. A small horticultural hedgerow growing along the bungalow driveway is considered to be of some value to nesting birds. Piles of rubble provide a potential refuge for reptiles. The farmyard is considered to be of low ecological value. Small areas of semi-improved grassland to the north of the site and to the immediate west of the bungalow garden provide a potential foraging ground for species of reptile in particular slow worms. These areas are considered to be of low - moderate ecological value. The pasture fields are considered to be of low ecological value. The habitat adjacent to the brook provides potential habitat for slow worms and grass snakes. SERC have identified numerous records of reptiles within 1 km. of the site.

If the above reptile habitats are to be affected by the proposed development, the survey states that a reptile survey utilising artificial refuges is required prior to commencing site works. If reptiles are confirmed to be inhabiting these areas, a translocation programme should be put in place to remove the reptiles to a new habitat prior to commencing site works.

The hedgerows are deemed unsuitable for dormice, no direct evidence of which was identified within the hedges. No sign of badgers were identified during the survey.

In conclusion, although no direct evidence of protected species activity within the boundary of the site has been identified, habitats which are suitable for a number of protected species have been identified during this site survey. In particular, it recommends that any work where birds may be disturbed should be avoided during the bird breeding/nesting season, which is generally between March and September.

Part of the proposals provide for the translocation of one of the hedgerows to the rear of the visibility splay along Station Road. The Wildlife Consultants consider that although the hedgerow is considered 'important' due to its age and wildlife value, under the Hedgerow Regulations 1997, its overall ecology would not suffer greatly if translocated nearby. A bat survey is recommended prior to any works being undertaken to the mature pedunculate oak tree on the site. The Consultants recommend that any planting schemes on site should only utilise native species or those horticultural species known to be of benefit to wildlife.

Neither the Council's Nature Conservation Officer of Natural England object to the proposals subject to appropriate conditions.

I. Flood Risk

A Flood Risk Statement was submitted with the planning applications. Whilst the site is outside the identified flood risk zones, consultants were commissioned by the applicants to produce a strategy in liaison with the Environment Agency for the dispersal of surface water runoff from the estate roads, buildings and associated hard landscape areas, utilising the land to the south of the application site. The strategy also covers the existing stream, as well as establishing the optimum finished floor levels for the housing and commercial accommodation.

J. Impact On Station Buildings

Taunton Deane Local Plan Policy EC22 states that any development must respect the character and setting of the station buildings, including Slimbridge, a Grade 2 listed building.

The Conservation Officer considers that the proposed mixed use development will be detrimental to the setting of Slimbridge (a listed building) and also to the general amenity of the site. He believes that the construction of something resembling a supermarket with mini housing estate adjacent could only be harmful and would result in the station site being completely swamped. From a tourism point of view he considers that this would destroy the thing worth coming here to see. The West Somerset Railway also voice concern in this respect.

K. Landscape Impact

The Taunton Deane Local Plan notes that the site is potentially sensitive in landscape terms. However, the Landscape Officer does not raise any in principle objection to the proposal and considers that the proposed boundary landscape buffer would help to soften the impact of the proposal on the open countryside to the south and west of the proposed development.

L. Sustainability

The proposed development is close to bus services linking Bishops Lydeard with Taunton and is also within reasonable walking distance of the rural settlement of Bishops Lydeard, with its range of local facilities.

The proposed 'craft village' would be an attraction to visitors arriving by train on the West Somerset Railway. However, there are times of the year over the winter period when no services are run. I consider that it is inevitable that a proportion of the customers of the craft outlets would arrive by car.

I do not consider that the provision of a general convenience store in this location to be sustainable.

Adequate provision could potentially be made for any wildlife on the site.

M. Other Issues

Reference is made in the appellant's submission to the current proposals comprising Phase 1 of an overall development, with Phase 2 being a future golf course and club house. The golf course proposals are not the subject of the current application and should have no bearing on their consideration.

A number of the letters of representation make reference to smoke and fumes from the steam engines on the West Somerset Railway having an adverse impact on the amenity of the future occupiers of the new dwellings. However, the Environmental Health Officer has not raised this as an issue and I therefore do not consider that it is appropriate to raise objection to the scheme on these grounds.

It is being contended in the representations that an Environmental Impact Assessment should have been submitted with the application. However, the site is not within a sensitive area as defined in the Regulations. The scale of the development is considered to be of local significance only and it is not considered that the proposal will have any significant effects on any environmentally sensitive location. For these reasons, an Environmental Impact Assessment is not considered necessary.

The size of the housing element of the proposal is below the threshold at which contributions for improving education facilities in the area may be sought under the Local Plan policies.

Loss of value of existing residential properties is not a valid planning issue.

10.0 CONCLUSION

Part of the site is allocated for tourism and recreation development in the Taunton Deane Local Plan. Such development could be seen to support the tourism potential of the West Somerset Railway and include basic facilities for the comfort and convenience of existing railway passengers. No reference is made in the Adopted Policy to any enabling development. It is therefore considered that the proposed components of the development go beyond what is allowed for in the Local Plan.

Although the Financial Assessment considers that enabling development is essential to fund the proposed tourism and recreation development and the assisted infrastructure works, this will not guarantee that the tourism element will be viable in the medium and long term. The Authority's independent appraisal concludes that the proposed commercial elements comprising the 'craft village' are unlikely to be viable in the medium and long term. This could mean that residential development would be provided, but the tourism benefits which the housing was seeking to enable, would not be carried through in the long term.

The Local Plan Policy also requires that any development should respect the character and setting of the station buildings, including Slimbridge. I consider that the scale of the proposal would result in this not being the case.

My recommendation is therefore that if the Local Planning Authority had been in a position to determine the application, it would have been refused.

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

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