

Application Details	
Application Reference Number:	45/21/0002
Application Type:	Full Planning Permission
Earliest decision date:	19 February 2021
Expiry Date	24 March 2021
Extension of time	30 September 2022
Decision Level	Committee
Description:	Change of use and conversion of part of stable building into 2 No. units of holiday accommodation at Triscombe Vale Farm, Triscombe
Site Address:	TRISCOMBE VALE FARM, TRISCOMBE, TA4 3HG
Parish:	45
Conservation Area:	NA
Somerset Levels and Moors RAMSAR Catchment Area:	Within
AONB:	Quantock Hills
Case Officer:	Briony Waterman
Agent:	Darren Addicott
Applicant:	MR & MRS ANSON
Committee Date:	05/01/2023
Reason for reporting application to Committee	The officer recommendation is contrary to views of a Parsih Council and public objections.

1. Recommendation

1.1 That permission be granted subject to the approval of Natural England.

2. Executive Summary of key reasons for recommendation

2.1 The proposal to convert the stables to holiday accommodation is considered to comply with policy DM2 of the Taunton Deane Core Strategy and would not have a detrimental impact upon the visual of the area or residential amenity of nearby properties

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

- 3.1.1 Time limit – 3 years
- 3.1.2 Drawing numbers
- 3.1.3 Holiday accommodation only
- 3.1.4 Access gates set back a minimum of 5 metres
- 3.1.5 Surfacing of parking area
- 3.1.6 Landscaping

- 3.1.7 Electric charging points
- 3.1.8 Lighting for bats
- 3.1.9 No works to the exterior of the stables between March and August
- 3.1.10 Bat box

3.2 Informatives (bullet point only)

- 3.2.1 Proactive Statement
- 3.2.2 Bat protection
- 3.2.3 Nesting bird

4. Proposed development, site and surroundings

4.1 Details of proposal

Permission is sought for the change of use and conversion of part of the stable buildings into 2no. units of holiday accommodation.

4.2 Sites and surroundings

The site is an existing "U" shaped stables located to the south of Triscombe Vale Farm. There is a high hedge that runs along the southern boundary screening the site from the highway. The access is via the existing access to the farm from a single track road. The site lies within the open countryside and within the Quantock Hills Area of Outstanding Natural Beauty (AONB).

5. Planning (and enforcement) history

No relevant planning history

6. Environmental Impact Assessment

NA

7. Habitats Regulations Assessment

The site lies within the catchment for the Somerset Levels and Moors Ramsar area as such phosphate mitigation is required. A Nutrient Neutrality statement has been submitted with details of a proposed replacement Package Treatment Plant (PTP) to serve both the existing dwelling and proposed holiday lets. This has been through the Council's phosphate team and is currently awaiting sign off from Natural England.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 28/01/2021

8.2 Date of revised consultation (if applicable): NA

8.3 Press Date: NA

8.4 Site Notice Date: 31/01/2021

8.5 **Statutory Consultees** the following were consulted:

Consultee	Comment	Officer comment
WEST BAGBOROUGH PARISH COUNCIL	<p>Cannot support the application</p> <p>Access.</p> <ul style="list-style-type: none">Majority of visitors will arrive using a vehicleaccess to the site is by a narrow, single track lane with high banks and hedgesno passing places other than by using private drivewaysaccess from the east is a via a narrow, single track lane with no passing places with lengths of very limited forward visionany increase in traffic, especially cyclists would increase the risk to all userschallenge the easy access to the Quantock Hills. <p>Local Amenities.</p> <ul style="list-style-type: none">The nearest Pub/Restaurant is a mile away along unlit narrow lanes with limited forward vision for vehicles.The next nearest pub/restaurant is 1.7 miles away again along narrow unlit lanes.The nearest shop is in Crowcombe 2.5 miles away if avoiding the A358.Bishops Lydeard, which has facilities including a chain supermarket, is 5 miles away. It is, therefore, most likely that the majority of any trips to these locations for eating out or buying basic provisions will be made by vehicle. <p>Flood Risks.</p> <ul style="list-style-type: none">Although the site is shown as EA flood zone 1 it is the lowest point along the lane.Surface water run off starts from the lane midway between Lodge Cottage and the entrance to Triscombe Nurseries, flows down past Gardeners cottage and Triscombe Cottage where 3	<p>Comments noted</p> <p>See the determining issues section of the report particularly section 10.1.1, 10.1.2, 10.1.3 and 10.1.5</p> <p>These comments are noted, however it is considered that due to the small scale nature of the proposal that vehicle movements will not have a significant impact.</p> <p>See para 10.1.6</p>

	<p>more issue points drain into the lane.</p> <ul style="list-style-type: none"> • There is a stream bordering the Eastern boundary of the property which feeds water from the hills into this point in the lane. This flows almost continuously throughout the year. A second stream feeds into this area from the ditch that runs eastwards from this lowest point. The owners of the neighbouring property have, in recent years, carried out remedial works to the downstream drainage on their property. As a result of that work water now only accumulates on the lane/road when the roadside drains become blocked with debris. <p>Foul Waste Disposal.</p> <ul style="list-style-type: none"> • Section 13 of the application a Package Treatment Plant is shown as the proposed disposal method but it is not clear whether the outlet will be connected to an existing drainage system. • Concerned that proper consideration has not been given to the design of both the foul waste disposal final outlet into that area and the potential effectiveness of any soakaway for surface water drainage. <p>General Waste. No mention is made of arrangements to handle general waste or recycling from a commercial activity.</p> <p>Waste from the remaining stables. We recognise that the stables are currently not regularly in use. However, we cannot find any information on how, once the stables are sectioned into two uses/areas, any waste/run off from the stables would be prevented from contaminating the proposed development area.</p> <p>New driveway construction. The plans show a permeable surface. Is this a suitable surface, will it drain satisfactorily at this location?</p>	<p>Foul waste drainage is considered under the submitted Nutrient Neutrality statement.</p>
<p>SCC - ECOLOGY</p>	<p>Falls within the catchment . Bats</p> <ul style="list-style-type: none"> • Bat informative reminding of legal 	<p>Conditions added</p>

	<p>protection afforded to bats and bat roosts</p> <ul style="list-style-type: none"> • lighting design for bats condition <p>Birds</p> <ul style="list-style-type: none"> • Nesting bird condition. <p>Biodiversity Enhancement (Net Gain)</p> <ul style="list-style-type: none"> • Swallow nesting cups • best boxes <p>Please note that the recommendations above are provisional subject to the completed HRA.</p>	
SCC - TRANSPORT DEVELOPMENT GROUP	Standing Advice	Noted
WESSEX WATER	No objections	
THE QUANTOCK HILLS AONB SERVICE	<p>Objects</p> <ul style="list-style-type: none"> • The effect of further development at this locality, with the increase in traffic movements, light pollution and general domestication of the site will further alter the character of this area. • The cumulative effect of increased development with the introduction of holiday activity and all that encompasses, cannot preserve or enhance the protected landscape, especially where the character of that landscape will be permanently altered. • The potential harm from this proposal is exacerbated by the elevated nature of the site in relation to nearby properties. • no detail on lights or waste or management, safeguarding • How will the AONB's dark skies policy be safeguarded. • access to the site is via a narrow and restricted single-track lane and increasing the volume of traffic on this route should not be encouraged. • The application form states that there are no watercourses within 20 metres of the site which is blatantly incorrect (section 11), as is the statement that the site is not visible from a public road 	See para 10.1.3

	<p>(section 22).</p> <ul style="list-style-type: none"> proposal is at odds with National and Local Planning Policy relating to AONBs. The importance of the tourism industry to the local economy is recognised but it is essential that the very reason for people wanting to visit the Quantock Hills is not compromised by inappropriate siting of support facilities. The primary purpose of an AONB designation is the conservation and enhancement of the landscape's natural beauty and character. This proposal does nothing to support this aim. The cumulative effect of this proposal is likely to be significant in this particular locality and therefore it is not clear how this change will conserve or enhance the AONB. Native hedge planting, although useful in screening and buffering new development, cannot prevent the character of an area from being altered. It is considered important to draw your attention to the Quantock Hills Management Plan 2019-2024, Chapter 2.6 'Development Planning and Infrastructure 	
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8.6 **Internal Consultees** the following were consulted:

Consultee	Comment	Officer comment
Landscape	No comments received	
Economic Development	No comments received	
Tree Officer	Roots of the roadside hedge are protected from damage during formation of the car parking area and the hedgerow along the eastern boundary is retained.	Condition added

8.7 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

Nine letters of objection have been received making the following comments (summarised):

Comment	Officer Comment
Would set a precedent	Each case is determined on its own merits

Visible from the road, and neighbouring properties and not attractive	There are no alterations proposed to the boundary, nor significant alterations to the elevations and it is considered that the proposal would not significantly exacerbate the existing situation.
Small Stream which swells quickly	See para 10.1.6
Flooding of local streams	See para 10.1.6
No passing places	The approach lanes are outside the remit of the application, the proposal is not considered to significantly increase traffic.
Tourist accommodation is already provided elsewhere.	Noted, but not a material planning consideration.
Water supply is at capacity.	Not a material planning consideration, it is recommended that the applicant contact their water provider.
Convert a small part of the stables could allow for further development which would be inappropriate	Each case is determined on its own merit, we can only judge what is before us.
Consideration to the surface of the car parking.	The plan shows a permeable surface a condition has been included to ensure this is complete prior to occupation.
Cause noise disturbance	See 10.1.4
Increase noise and light pollution	See 10.1.4
Gravel drive likely to exacerbate flooding.	See 10.1.2
Are the stables suitable for conversion?	Not a planning consideration, however it should be noted that any substantial rebuilding of the stable to make them appropriate for conversion would require a fresh consent as the current one is solely for conversion.
Poor access	The access to the site is considered suitable for the scale of the development and highways have raised no concerns over traffic movements to the site.
Does not show sufficient parking	Each unit is one bedroom, with two parking spaces provided, one for each unit, this is considered sufficient for the proposal.
Increased risks to users of the road.	It is noted that the access to the site is narrow with few passing places, however the number of vehicle movements is not likely to raise significantly
Lanes not suitable for mountain bike and trails for mountain biking are on the east side	not a material consideration as to what the users of the holiday lets are there to do.
AONB under threat from increased visitor numbers	See 10.1.3
Development limited to agricultural or equestrian in line with the existing property	can only determine the application that is before us, which is for conversion to holiday lets, a condition has been included limiting the use to holiday only.

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site lies in the former West Somerset area. The Development Plan comprises the Adopted West Somerset Local Plan to 2032, Somerset Mineral Local Plan (2015), and Somerset Waste Core Strategy (2013).

Both the Taunton Deane Core Strategy and the West Somerset Local Plan to 2032 were subject to review and the Council undertook public consultation in January 2020 on the Council's issues and options for a new Local Plan covering the whole District. Since then the Government has agreed proposals for local government reorganisation and a Structural Change Order agreed with a new unitary authority for Somerset to be created from 1 April 2023. The Structural Change Order requires the new Somerset authority to prepare a local plan within 5 years of vesting day

Relevant policies of the development plan in the assessment of this application are listed below:

Taunton Deane Core Strategy:
DM2 - Development in the countryside,
CP8 - Environment,
DM1 – General Requirements

Site Allocations and Development Management Plan
A1- Parking Requirements.

Supplementary Planning Documents

Public Realm Design Guide for the Garden Town, December 2021

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (February 2021)

9.1 National Planning Policy Framework

The proposal is considered to accord with the general principles of the NPPF.

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

10.1.1 *The principle of development*

The site lies within the open countryside as such policy DM2 is considered relevant. The policy sets out a sequential test for allowing development within the open countryside. The policy allows for holiday and tourism within an existing building if there is an identified need and would not have a significant impact upon the surrounding area. Comments received from both the AONB and Parish raise objections that the development would have on the area, however it is considered that as the proposal is a conversion of an existing building, with no objections raised from Highways or any significant alterations to the landscaping and that there would be no significant impact upon the surrounding area.

10.1.2 *Highways*

The proposal does not create a new access from the highway but does require a new opening from the existing access driveway. The proposal provides sufficient parking and turning for the two holiday lets with sufficient space for the turning of vehicles. Comments have been received relating to the suitability of the access and the increased traffic along the main road. The Highways Authority stated “standing advice” in response to the application due to the small scale of the development. It is considered that the development of two one bed holiday lets would not significantly increase vehicle movements. The proposal for a gravel drive is considered appropriate and a number of comments relate to the potential for this to increase flood risk, however it is considered to be a permeable surface with a soakaway shown on the plans. A condition has been included to ensure that the access and parking is properly surfaced prior to the first occupation.

10.1.3 *Impact upon the Quantock Hills AONB and visual amenity.*

The proposal includes a new access into the stable courtyard off of an existing access. There are no significant alterations to the elevations with the exception of new windows on the south east and north west elevation. These windows face into the courtyard. As such the proposal is not considered to have a significant impact upon the visual amenity of the area or upon the setting of the Quantock Hills AONB. The stables currently benefit from exterior lighting and condition has been included that prior to the installation of any further lighting details should be submitted to the LPA, this is to ensure that there is not an excessive amount of light spill. Comments received from the AONB Service state that the development will alter the character of the area and the proposal does not support the aim to conserve and enhance the AONB, however the proposal is considered small scale with the conversion of one existing building into two one bed holiday lets. The area is currently used for stabling and the associated paraphernalia that is associated such as horse boxes, it is considered that the addition of two vehicles in this location would not have a significant impact upon the visual amenity of the area. The AONB Service talks of the elevated nature of the site which is higher than the road however it is still well screened by existing mature hedging and is not visible and there are no significant alterations to the stables that would increase their visibility. The AONB’s dark skies will be safeguarded by the condition restricting further exterior lighting above what is already in place.

10.1.4 *Residential amenity*

The stable building is located approximately 44m away from the nearest properties

separated by a road and mature hedging. it is considered that the proposal would not have a detrimental impact upon the residential amenity of the neighbouring properties. Comments received from neighbours highlight that there could be increased noise and light pollution, however it is considered that as the proposal is for two one bed holiday units with no new exterior lighting proposed that this would be minimal.

10.1.5 *Phosphates*

The HRA for a biological PTP has been agreed by the Council's Phosphate team, this has now gone to Natural England for sign off, once this approval has been received the application can be issued with a condition details of which will be provided on the update sheet.

10.1.6 *Flood Risk*

A number of comments mentioned the risk of flooding, whilst these comments are noted the site lies outside of flood zones 2 and 3 as do the roads to the site. The development itself is not likely to increase the risk of flooding, however it is considered that the applicant should make users of the holiday lets aware of what to do in a flood emergency.

11 Local Finance Considerations

11.1 Community Infrastructure Levy

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £9,500.00. With index linking this increases to approximately £13,500.00

12 Planning balance and conclusion

12.1 The proposal is considered to meet policy DM2 of the Taunton Deane Core Strategy for the conversion of an existing building to holiday use. The proposal is not considered to cause significant harm to the visual or residential amenity, or upon the setting of the Quantock Hills Area of Outstanding Natural Beauty due to the small scale nature of the conversion it is considered there will not be a significant impact upon highway safety. Therefore for the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning conditions and Informatives/ Reason/s for refusal

Conditions

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 20200074 001 Location & Block Plan

(A3) DrNo 20200074 003 Proposed Drawings - 2 No. Holiday Lets

(A3) DrNo 20200074 005 Proposed Site Layout Plan & Street Scene

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The converted stables shall be occupied for tourism purposes only.

The converted stables shall not be occupied as a person's sole or main residence.

The site operator or owner shall maintain an up to date register of the names of all owners/occupiers of individual converted stables on the site and of their main home addresses, and the duration of their stay and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To prevent permanent occupation of the residential units within the open countryside.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and re-enacting that Order, with or without modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 5m behind the highway boundary and hung so as to open inwards only.

Reason: To allow a vehicle to wait off the highway while the gates are opened or closed and thus prevent an obstruction to other vehicles using the highway, in the interests of highway safety.

5. The development hereby approved shall not be occupied or the use commenced until space has been laid out, drained and surfaced within the site in accordance with the approved plan for the parking and turning of vehicles,

and such areas shall not thereafter be used for any purpose other than the parking and turning of vehicles associated with the development.

Reason: To ensure that there is adequate space within the site for the parking and turning of vehicles clear of the highway, in the interests of highway safety.

6. A landscaping scheme shall be submitted to and approved in writing by the local Planning Authority prior to such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted.

(ii) The scheme shall be completely carried out within the first available planting season (1 October to 31 March) from the date of commencement of the development. Written confirmation of the completion of the landscaping scheme shall be submitted to the Local Planning Authority.

(iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow or are uprooted shall be replaced by trees or shrubs of similar size and species.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

7. Prior to first occupation of the development hereby permitted the provision of facilities for the charging of electric vehicles shall be provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of securing sustainable development.

8. Prior to the erection of any additional lighting on the stables a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating Lux levels. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Taunton Deane Core Strategy 2011 -2028: Policy CP 8 Environment.

9. No works to or demolition of buildings or structures shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before works to or demolition of structures commences and provides written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority by the ecologist accompanied by dated photos showing the site before and after clearance. In no circumstances should netting be used to exclude nesting birds.

Reason: In the interests of nesting wild birds and in accordance with Taunton Deane Core Strategy 2011 -2028: Policy CP 8 Environment.

10. The following will be integrated into the design of the proposal
 - A. Installation of 2x Schwegler No. 10 swallow nesting cups, or similar, to be erected on a main beam of the open side buildings and maintained thereafter.
 - B. Four Vivara Pro Woodstone Nest Boxes (32mm hole version) or similar mounted between 1.5m and 3m high on the northerly facing aspect of trees and maintained thereafter.

Plans and photographs of the installed features will be submitted to and agreed in writing by the Local Planning Authority prior to first use.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

Notes to applicant.

1. In accordance with paragraph 38 of the National Planning Policy Framework 21 the Council has worked in a positive and creative way and has imposed planning conditions to enable the grant of planning permission.
2. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.
3. The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

