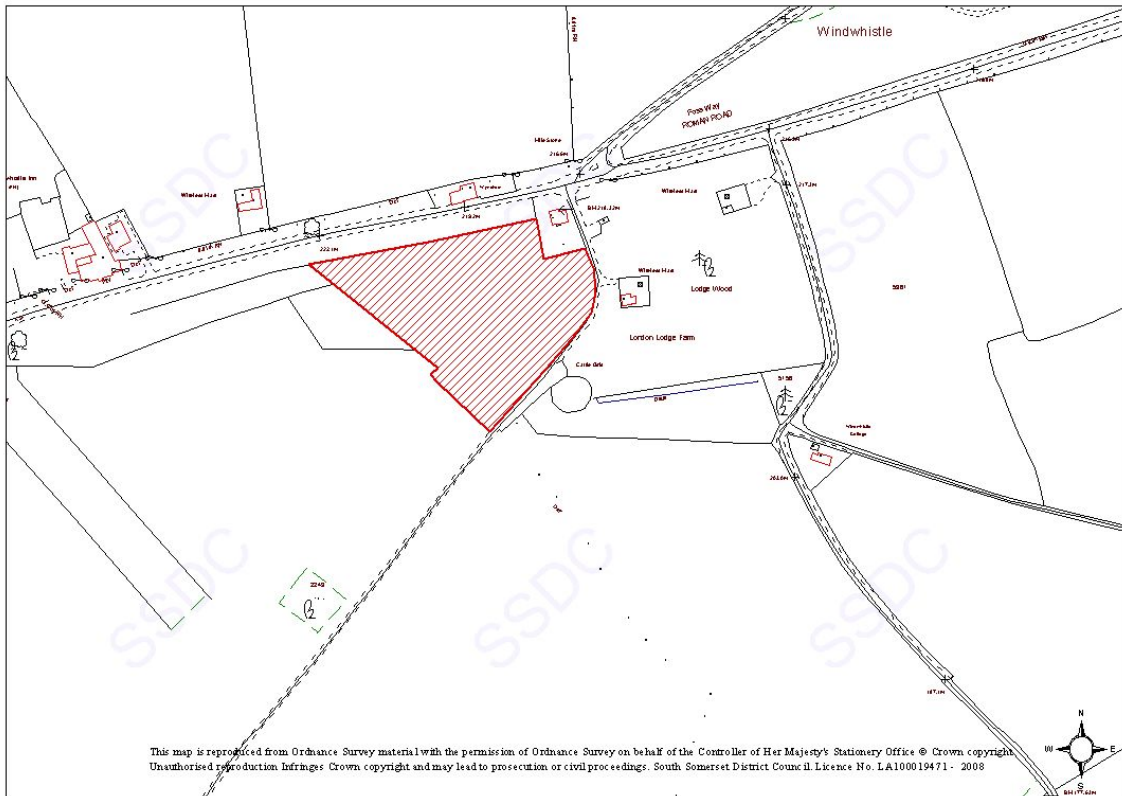


OFFICER: Andrew Gunn (01935) 462192 [Item 1]
APPL.NO: 08/02686/FUL APPLICATION TYPE: Full Application
PARISH: Cricket St Thomas WARD: WINDWHISTLE
DESCRIPTION: Proposed demolition of agricultural buildings and erection of 20 holiday lodges and 1 administration lodge with associated access, car parking and landscaping works (Revised Application)(GR 338367/109592)
LOCATION: London Lodge Farm Windwhistle Cricket St Thomas Chard Somerset TA20 4DQ
APPLICANT: Cricket St Thomas Estate
AGENT: Greenslade Taylor Hunt 1 High Street Chard Somerset TA20 1QF
DATE ACCEPTED: 30 June 2008

SITE DESCRIPTION AND PROPOSAL:



The site is located within the Cricket St Thomas estate and is included within the registered historic park - Grade 2*. The site is located on the southern side of the A30 at Windwhistle and the site area extends to just under 1.1 hectares. It is currently occupied by a range of redundant agricultural buildings previously used in connection with a dairy farm business. An existing access road which serves as an exit from the Cricket estate, in addition to serving London Lodge, is located along the southern and eastern boundary of the site.

The site ground levels are not even and it slopes down from north to south with a maximum difference in ground level of around 8m. The site is characterised by mature trees along the northern boundary facing the A30 and along the southern side of the access road. An earth bund exists along the western boundary.

This application seeks consent for the demolition of the existing farm buildings and the erection of 20 holiday lodges and 1 administration Lodge along with associated access and landscaping works. The dairy farm business has now ceased and new economic opportunities are being explored to supplement the estate income.

The 21 lodges will be distributed fairly evenly throughout the site with access gained from the A30 adjacent to London Lodge. The lodges will be constructed using stained timber boarding

and weatherboarding and natural slate tiles. Doors and windows will be constructed from timber. A variety of different sized lodges is proposed with 3 designs. The scheme includes 8 no. single storey 2 bed detached lodges (type B), 6 no. two storey 3 bed detached lodges (type C) and 3 pairs of two storey semi-detached lodges comprising 2 and 3 bedrooms (type D).

Type B units measure 11.5metres x 7.9 metres with a ridge height of 5.4m. These will contain 2 ensuite bedrooms, a kitchen/dining area and lounge. Five of these lodges will be located along the northern boundary with a further 3 located in the southern corner.

Type C units measure 10m x 9.3m with a ridge height of 8m. These will contain 3 ensuite bedrooms, living room, kitchen and dining rooms. The living room area will have a void above with a large glazed front to provide significant levels of light into the building. These will be constructed with an 'A' frame design. Three of these lodges will be located along the western boundary and three on the eastern boundary.

Type D lodges individually measure 7.5m x 7.5m with a ridge height of 7.8m. Similar layout to include living, dining and kitchen areas with a front balcony. Again, large glazed areas are proposed to provide significant light levels into the building. These will be set in the centre of the site and set into the slope of the ground to reduce their overall height within the site and to maintain the ridge height to a similar level to that of the single storey units.

The administration unit (type A) will be located in the north east corner of the site at the entrance to the site and adjacent to London Lodge. This building will measure 15m x 6.4m with a ridge height of 4.8m.

The units will be served by 2 main gravelled internal access roads. Each lodge will have its own private amenity area with 1 parking space provided for each unit. Some of the parking spaces have been grouped in pairs to help reduce the visual impact of parking within the scheme.

A significant landscaping scheme is proposed as part of the development. A detailed report, prepared by Simon Walding of Walding Associates Landscape Architects outlines the historical landscape evolution of the proposed site using historical OS maps, an assessment of the development in landscape terms and details of the proposed planting scheme, which is informed by the historical context. This report has been attached as appendix A to this report.

The key elements to the landscaping scheme includes planting along the existing road to re-establish the historical 'burst view' gained when entering the park by London Lodge and passing through down the park towards Cricket House. Significant further planting will be created within the site between the lodges to enhance the quality of the park and setting. Views will still be maintained in the south west corner across the park towards Cricket House.

HISTORY:

07/04050/FUL - Proposed demolition of agricultural buildings and erection of 20 holiday lodges and 1 administration lodge with associated parking, access and landscaping works. Application withdrawn.

04/00223/FUL - Proposed erection of barn to house dairy followers and dry cows (granted 2004).

01/01117/FUL - Replacement and erection of a livestock barn (granted 2001).

POLICY:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

Regional Spatial Strategy:

VIS1

VIS2

Somerset and Exmoor National Park Joint Structure Plan:

STR6 -Development outside towns, rural centres and villages

Policy 5 - Landscape character

Policy 10 - Historic Landscapes.

Policy 23 - Tourism development in the countryside.

Policy 49 - Transport requirements of new development

South Somerset Local Plan (Adopted April 2006):

ST5 - General Principles of Development

ST6 - quality of development

EC3 - Landscape character

EH8 - Historic park and gardens

ME5 - Farm diversification

ME10 - Tourist accommodation.

PPS7 - Sustainable development in the Countryside.

CONSIDERATIONS:

Members will recall that this application was considered at the meeting of the Area West Committee on 15th October 2008. Members resolved that they were minded to grant planning permission subject to conditions, contrary to the officer recommendation to refuse the application. A full copy of the previous officer report is attached to the rear of this updated report at pages 11-21 . Notwithstanding the resolution, the officer recommendation remains to refuse the application.

Following the last committee meeting, a list of conditions have been prepared and are attached below. The conditions address the issues/concerns that were raised and discussed by members at the last meeting along with others that have been requested by both internal and external consultees.

Proposed list of conditions and notes:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

- 2 The areas allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

- 3 Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure that appropriate means of foul and surface water drainage are agreed and implemented.

4 No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall see a reduction in the current rate of run-off and be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding.

5 No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development and prudent use of natural resources.

6 There shall be no means of external lighting erected or installed within the application site unless details are first submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the visual amenity of the area in accordance with Policy ST6 of the South Somerset Local Plan.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no garage(s) shall be erected on the application site without the express grant of planning permission.

Reason: To protect the character and appearance of the area in accordance with Policy ST6 of the South Somerset Local Plan.

8 The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policy ST6 of the South Somerset Local Plan.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the application site unless details are submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policy ST6 of the South Somerset Local Plan.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the buildings hereby permitted or any other buildings erected within the application site, without the prior express grant of planning permission.

Reason: To protect the character and appearance of the area in accordance with Policy ST6 of the South Somerset Local Plan.

11 Before the development hereby permitted is commenced details of the material and external finish to be used for all windows, doors, boarding and openings shall be approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policy ST6 of the South Somerset Local Plan.

12 No development shall take place until details of the surface materials to be used for the internal roads, pavements, patios or areas of hardstanding have been submitted to and approved in writing by the local planning authority. Once agreed, such surfaces shall not be changed without the written consent of the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policy ST6 of the South Somerset Local Plan.

13 The development hereby permitted shall not be commenced (including any demolition or site clearance) until there has been submitted to and approved in writing by the Local Planning Authority, a 'protected species mitigation plan'. The plan shall detail measures for the avoidance of harm, mitigation and compensation in respect of legally protected species (particularly bats and swallows). Proposed measures shall be based upon up to date surveys. The works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the local planning authority.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with Policy EC8 of the South Somerset Local Plan.

14 None of the holiday lodges hereby approved shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. Once agreed, the Travel Plan shall be fully implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason: To promote the use of and to ensure the development is accessible by a range of alternative modes of transport.

15 The scheme of landscaping, the tree and shrub planting and long term management shall be fully implemented in accordance with submitted drawing numbers; 272.03B and 272.05. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the lodges or the completion of the development, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the existing landscaping provision and to preserve the character and appearance of the area in accordance with Policy ST6 of the South Somerset Local Plan.

16 The glazing to be installed in the front elevation of lodge type B, the front and rear elevation of lodge type C and the front and rear elevations of Lodge type D, shall be constructed of tinted glass, samples of which shall be submitted to and approved in writing by the Local Planning Authority. The panels once agreed, shall be installed before the lodges are first occupied and shall be permanently retained and

maintained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid light pollution and to preserve the character and appearance of the area in accordance with Policy EP3 and ST6 of the South Somerset Local Plan.

17. No development shall start until details of the internal ground floor levels of the holiday lodges to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policy ST6 of the South Somerset Local Plan.

18. No development shall take place until details of the domestic bin storage have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policy ST6 of the South Somerset Local Plan.

19. No development shall start until details of the retaining structures adjacent to plots 10-15 have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policy ST6 of the South Somerset Local Plan.

20. The Holiday lodges hereby approved shall be occupied for holiday purposes only. The occupation of the lodges by any single person or group of persons on a single visit shall not exceed a continuous period of 28 days without the express prior consent of the Local Planning Authority.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation.

21. The holiday lodges hereby approved shall not be occupied as a person's sole, or main place of residence.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation.

22. The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual holiday lodges on the site, and of their main home addresses. This information shall be made available at all reasonable times to the Local Planning Authority.

Reason: The register shall normally be collected by the holiday lodge site licence holder or his/her nominated person.

Notes:

1. The applicant's attention is drawn to the letter received from Wessex Water, dated 14th July 2008.

2. If a new septic tank/treatment plant is proposed, or if there is any increase in effluent volume into an existing system, a Consent to Discharge may be required. This must be obtained from the Environment Agency before any discharge occurs and should be obtained before any development commences. For information this process can take up to four months to complete and no guarantee can be given regarding the eventual outcome of an application until all investigations associated with the determination have been completed and an evaluation of the proposal has been

made. The applicant should contact the Environment Agency on 08708 506 for further details on applying for a Consent to Discharge.

- 3 The development should include water efficient appliances, fittings and systems in order to contribute to reduced water demand in the area. These should include, as a minimum, dual-flush toilets, water butts, spray taps, low flow showers (no power showers) and white goods (where installed) with the maximum water efficiency rating. Greywater recycling and rainwater harvesting should be considered.

The submitted scheme should consist of a detailed list and description (including capacities, water consumption rates etc. where applicable) of water saving measures to be employed within the development. Applicants should visit <http://www.environment-agency.gov.uk/> > Subjects > Water Resources > How We Help To Save Water > Publications > Conserving Water in Buildings, for detailed information on water saving measures. A scheme of water efficiency should be submitted in accordance with the information supplied on the website. The following may also be helpful - <http://www.savewatersavemoney.co.uk/>.

In addition the applicant should aim to comply with the Code for Sustainable Homes. The applicant is advised to visit http://www.planningportal.gov.uk/uploads/code_for_sust_homes.pdf for detailed advice on how to comply with the Code.

- 4 **Pollution Prevention During Construction**
Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site.

Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes.

We recommend referring to our Pollution Prevention Guidelines, found at www.environment-agency.gov.uk/business/444251/444731/ppg/?version=1&lang=_e

- 5 Specific issues to be included in the protected species mitigation plan:
Bats - information should include timing, plans showing retention of, or provision of replacement bat roosts and access points.
Swallows - timing of works to avoid nesting season and provision of alternative nesting sites.
Measures for informing operatives on site of the presence and implications of legally protected species.

The mitigation plan is likely to be based upon recommendations made in the Protected Wildlife Survey report by Country Contracts, October 2007. It is likely that a further summer bat survey will be required in order to inform mitigation details and the European Protected Species licence application.

A Regulation 44 derogation licence in respect of European Protected Species will be required from Natural England before this development can commence. This will be applied for, on behalf of the applicant, by a licensed bat consultant, following the grant of planning permission.

Officer comment

In relation to condition 14, the requirement for a Travel Plan was raised by the Committee. The applicant's agent has written to the case officer stating that 'it is the Estate's intention to make the development as sustainable as reasonably possible, and in particular, to promote car free holidays'. Furthermore, the location offers a rare opportunity for such development with many leisure activities already on offer within walking or cycling distances of the site'. 'It is expected that the Travel Plan will include a 'pick up and drop off' service to provide links between the site and local public transport links'. Whilst it is not realistic for the development

to be car free, full implementation of a Travel Plan, to include the measures outlined by the agent, will help reduce car use and increase/encourage use of other modes of transport.

With regard to condition 16, due to the sensitive location of the development, it is considered important to keep to a minimum the amount of light pollution that will be created by the development. Condition 6 deals with the control of external lighting within the site, but the Local Planning Authority are not able to condition or indeed control the use of internal lighting. As internal lighting has the potential to cause significant light pollution, and due to the design of the lodges with large glazed areas, it is considered that the principal glazed elevations should be constructed with tinted glass. This will reduce the levels of light being omitted from the lodges whilst still allowing significant daylight into the lodges.

In relation to conditions 20-22, these shall be imposed in order to ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation and, in relation to the holiday register, provides the LPA with details of the duration of those who have stayed and those currently occupying the lodges. These conditions largely follow the guidance in a government publication entitled the 'Government's Good Practice Guide on Planning for Tourism', issued in 2006. Annex B of that document addresses the use of conditions to restrict occupancy of lodges for holiday purposes only. Annex B has been attached at the rear of this report at pages 9-10. It is understood that this approach is becoming widely used and adopted by a number of Local Planning Authorities.

Legal advice was sought on the most appropriate way to control occupation of the lodges for holiday use. Whilst the legal advice is that the LPA does not have to necessarily follow the guidance referred to above, the legal advice given is that it is difficult to tighten up the condition or make it more precise without the risk of a challenge ie an appeal on the grounds that further restriction would amount to an unreasonable condition. However, notwithstanding the last point, the case officer has been legally advised that it would be appropriate to add an additional requirement that occupation by a single person or group of persons shall not exceed a continuous period of 28 days unless express prior consent is granted by the Local Planning Authority. Members will note that condition 20 includes this additional requirement - this would require the submission of a planning application to extend the 28 day time period. However, members may consider that a more flexible and practical approach would be for the owner and/or manager to seek an extension of the 28 day period through an exchange of letters with the planning authority. The condition can be amended accordingly. This would apply each time a person or group of persons wished to stay beyond the 28 days period. This would ensure that the occupancy conditions are reasonable and put sufficient controls in place to ensure that any potential abuse does not occur.

Notwithstanding the above comments and resolution of the Area West Committee, the officer recommendation remains to refuse the application for the reasons given in the previous officer report.

SECTION 106 PLANNING OBLIGATION:

Not applicable.

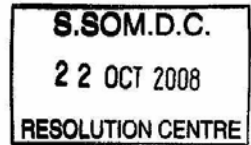
RECOMMENDATION:

Refuse permission

The proposed development by reason of its location in a historic park and garden, the scale, layout and number of lodges, does not respect the landscape character of Windwhistle Ridge nor the character of the historic park and garden. The proposal is therefore contrary to Policy 5 and 10 of the Somerset and Exmoor National Park Joint Structure Plan Review, Policies, ST5, ST6, EC3, and EH8 of the South Somerset Local Plan 2006 and advice in PPS7.

ANNEX B

Seasonal and Holiday Occupancy Conditions



1. The nature of holidays in this country has become increasingly diverse, in location, in season and in duration. Many people go away several times a year, often for short breaks and not exclusively in the summer months. Much of this demand is for self-catering accommodation – whether in new or converted buildings or in caravan holiday homes. This spread of demand improves the use that is made of this accommodation and so is advantageous to the businesses which provide it and to those host communities which are supported by the spending that it generates. It can help to reduce the disadvantages of seasonal employment, including the difficulties of retaining trained and experienced staff.
2. Whilst extension of the season has these advantages, the demand for this accommodation may occur in areas in which the provision of permanent housing would be contrary to national or local policies which seek to restrict development, for example in order to safeguard the countryside. The planning system can reconcile these two objectives through the use of occupancy conditions designed to ensure that holiday accommodation is used for its intended purpose. Planning authorities commonly impose such conditions when granting permission for self-catering holiday accommodation. Chapter 6 above explains the general use of conditions with planning permissions.
3. One type of condition frequently used for holiday accommodation, particularly in holiday areas, is known generically as a 'holiday occupancy condition'. The aim of such conditions is generally to ensure that the premises are only used by visitors and do not become part of the local housing stock. There are three principal reasons why a planning authority might seek to do this:
 - in order that national or local policies on development of the countryside are not compromised. Often the conversion of redundant rural buildings to holiday accommodation provides a means to retain those buildings without introducing a level of activity that would occur with permanent households;
 - to avoid occupation by permanent households which would in turn put pressure upon local services. Permanent households may place demands for local schools and social and health services that would not normally arise from visitors. Moreover, in remote locations the cost of providing these services is greater. It may therefore be reasonable for the planning authority to place an occupancy condition when properties are being built or converted for residential use; and
 - to strengthen tourism in a particular area by ensuring that there is a wide range of properties available to encourage visitors to come there on holiday.

Planning authorities will frame these conditions according to local circumstances, and in accordance with general Government advice that conditions should be reasonable and fair. They will also need to frame them so that they can be readily enforced by the authority but in a way that is not unduly intrusive for either owners or occupants.

Controlling use of holiday caravan and other holiday park accommodation

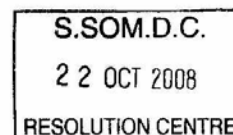
East Riding of Yorkshire Council established a joint working group to establish the best approach to secure holiday use of caravan parks. This group comprised councillors and council officers; representatives from the British Holiday and Homes Parks Association Ltd; the park operators and their agents; and the caravan manufacturers. It concluded that planning conditions needed to be stronger, requiring documentary evidence of occupiers maintaining a primary residency elsewhere to be provided.

As a result the planning committee agreed that future planning permissions for holiday caravan parks, holiday log cabins and holiday chalets shall normally be subject to the following conditions:

- (i) the caravans (or cabins/chalets) are occupied for holiday purposes only;
- (ii) the caravans (or cabins/chalets) shall not be occupied as a person's sole, or main place of residence;
- (iii) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

The reason for these conditions is to ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation. The register required in (iii) above shall normally be collected by the caravan site licence holder or his/her nominated person.

- 4. Another type of condition that may be appropriate for tourist areas is known as a 'seasonal occupancy' condition. This would seek to restrict use of holiday accommodation during particular times of year, perhaps to protect the local environment. This could be used if, for example, use of the premises or the site might affect an important species of bird during its breeding season or when it is winter feeding. Local planning authorities will need to balance the need to impose seasonal occupancy conditions with the wish to avoid exacerbating the seasonal nature of tourism in the locality and its possible adverse effects upon local businesses and jobs.



**COPY OF REPORT SUBMITTED TO
AREA WEST COMMITTEE ON 15TH OCTOBER 2008**

OFFICER: Andrew Gunn (01935) 462192

APPL.NO: 08/02686/FUL APPLICATION TYPE: Full Application

PARISH: Cricket St Thomas WARD: WINDWHISTLE

DESCRIPTION: Proposed demolition of agricultural buildings and erection of 20 holiday lodges and 1 administration lodge with associated access, car parking and landscaping works (Revised Application)(GR 338367/109592)

LOCATION: London Lodge Farm Windwhistle Cricket St Thomas Chard Somerset TA20 4DQ

APPLICANT: Cricket St Thomas Estate

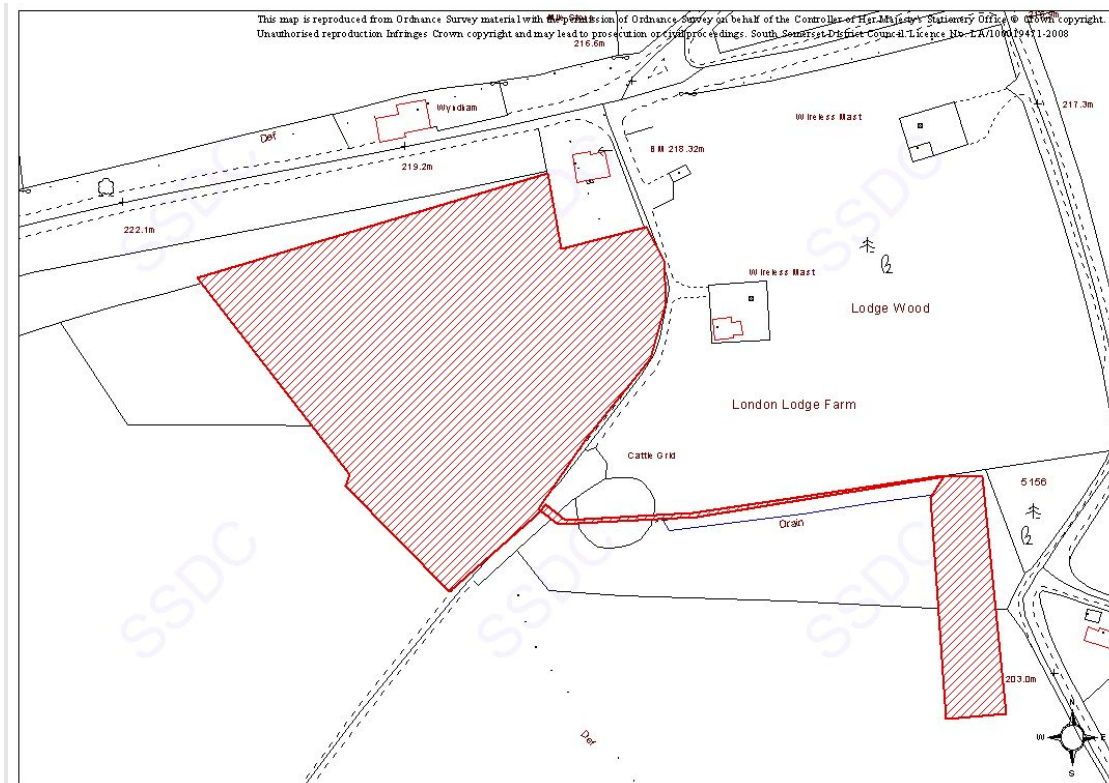
AGENT: Greenslade Taylor Hunt 1 High Street Chard Somerset TA20 1QF

DATE ACCEPTED: 30 June 2008

REASON FOR REFERRAL TO COMMITTEE:

The Chairman has agreed to the request from the ward member for the application to come to Committee in order for the size, number of the lodges and the impact of the proposal on the character and appearance of the historic park and garden and wider landscape to be fully considered.

SITE DESCRIPTION AND PROPOSAL:



The site is located within the Cricket St Thomas estate and is included within the registered historic park - Grade 2*. The site is located on the southern side of the A30 at Windwhistle and the site area extends to just under 1.1 hectares. It is currently occupied by a range of redundant agricultural buildings previously used in connection with a dairy farm business. An existing access road which serves as an exit from the Cricket estate, in addition to serving London Lodge, is located along the southern and eastern boundary of the site.

The site ground levels are not even and it slopes down from north to south with a maximum difference in ground level of around 8m. The site is characterised by mature trees along the

northern boundary facing the A30 and along the southern side of the access road. An earth bund exists along the western boundary.

This application seeks consent for the demolition of the existing farm buildings and the erection of 20 holiday lodges and 1 administration Lodge along with associated access and landscaping works. The dairy farm business has now ceased and new economic opportunities are being explored to supplement the estate income.

The 21 lodges will be distributed fairly evenly throughout the site with access gained from the A30 adjacent to London Lodge. The lodges will be constructed using stained timber boarding and weatherboarding and natural slate tiles. Doors and windows will be constructed from timber. A variety of different sized lodges is proposed with 3 designs. The scheme includes 8 no. single storey 2 bed detached lodges (type B), 6 no. two storey 3 bed detached lodges (type C) and 3 pairs of two storey semi-detached lodges comprising 2 and 3 bedrooms (type D).

Type B units measure 11.5 metres x 7.9 metres with a ridge height of 5.4m. These will contain 2 ensuite bedrooms, a kitchen/dining area and lounge. Five of these lodges will be located along the northern boundary with a further 3 located in the southern corner.

Type C units measure 10m x 9.3m with a ridge height of 8m. These will contain 3 ensuite bedrooms, living room, kitchen and dining rooms. The living room area will have a void above with a large glazed front to provide significant levels of light into the building. These will be constructed with an 'A' frame design. Three of these lodges will be located along the western boundary and three on the eastern boundary.

Type D lodges individually measure 7.5m x 7.5m with a ridge height of 7.8m. Similar layout to include living, dining and kitchen areas with a front balcony. Again, large glazed areas are proposed to provide significant light levels into the building. These will be set in the centre of the site and set into the slope of the ground to reduce their overall height within the site and to maintain the ridge height to a similar level to that of the single storey units.

The administration unit (type A) will be located in the north east corner of the site at the entrance to the site and adjacent to London Lodge. This building will measure 15m x 6.4m with a ridge height of 4.8m.

The units will be served by 2 main gravelled internal access roads. Each lodge will have its own private amenity area with 1 parking space provided for each unit. Some of the parking spaces have been grouped in pairs to help reduce the visual impact of parking within the scheme.

A significant landscaping scheme is proposed as part of the development. A detailed report, prepared by Simon Walding of Walding Associates Landscape Architects outlines the historical landscape evolution of the proposed site using historical OS maps, an assessment of the development in landscape terms and details of the proposed planting scheme, which is informed by the historical context. This report has been attached as appendix A to this report.

The key elements to the landscaping scheme includes planting along the existing road to re-establish the historical 'burst view' gained when entering the park by London Lodge and passing through down the park towards Cricket House. Significant further planting will be created within the site between the lodges to enhance the quality of the park and setting. Views will still be maintained in the south west corner across the park towards Cricket House.

HISTORY:

07/04050/FUL - Proposed demolition of agricultural buildings and erection of 20 holiday lodges and 1 administration lodge with associated parking, access and landscaping works. Application withdrawn.

POLICY:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

Regional Spatial Strategy:

VIS1

VIS2

Somerset and Exmoor National Park Joint Structure Plan

STR6 -Development outside towns, rural centres and villages

Policy 5 - Landscape character

Policy 10 - Historic Landscapes.

Policy 23 - Tourism development in the countryside.

Policy 49 - Transport requirements of new development

South Somerset Local Plan (Adopted April 2006)

ST5 - General Principles of Development

ST6 - quality of development

EC3 - Landscape character

EH8 - Historic park and gardens

ME5 - Farm diversification

ME10 - Tourist accommodation.

PPS7 - Sustainable development in the Countryside.

CONSULTATIONS:

Winsham PC:

Would like to recommend approval. They do, however, raise concerns about traffic on the surrounding lanes and traffic turning right from the A30. They would like the road connecting to the hotel to be 2 way to ease these possible problems.

Chillington PC: (Adjacent Parish)

No comment to make in relation to the actual development but raise concerns about the sight lines especially towards Chard and highway safety.

Cricket St. Thomas Parish Meeting:

The Parish has no observations to report.

Highway Authority:

The proposed development site is remote from any urban area and therefore distant from adequate services and facilities, such as, education, employment, health, retail and leisure. In addition, the public transport services that pass the site, numbers 60 and 61 are infrequent. It is also noted that the nearest stop is located at the main access to the estate. The proposed development site is located a considerable distance from the stop and due to the lack of pedestrian facilities along this stretch of the highway pedestrians will be forced to walk on the highway at this point.

As a consequence, occupiers of the new development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and to the provisions of policies

STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted: April 2000).

However, it is acknowledged that the proposal is to remove an existing group of agricultural buildings and replace with twenty holiday lodges. The existing farm generates a significant level of traffic, given the fact that this access is used not only by the existing farm but as a means of exit for the vehicles in connection with the Cricket St Thomas Estate, wildlife park and hotel complex. When these movements are compared to the level generated by the proposed holiday lodges the increase in the use made of the access onto the A30 is unlikely to be significant.

The level of visibility that can be achieved from this access is sufficient for the speed of the road at this point in either direction and the width is adequate to enable two vehicles to pass where the access meets the A30. The internal parking and turning arrangements are adequate to serve the proposed development and enable vehicles to enter and leave the site in a forward gear.

Whilst there are concerns relating to the suitability of the location of the development site, it must be a matter for the Local Planning Authority to determine whether or not the benefits of this proposal outweigh the sustainable transport objectives. In the event of permission being granted I would recommend that the following condition be imposed:

1. The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Landscape Architect:

I have viewed the material associated with the above application, and am familiar with the site and its wider landscape context. I believe the main landscape considerations to be;

- 1) the impact upon the integrity of a registered historic park (LP policy EH8) and;
- 2) the impact of development upon local landscape character (LP policies ST5 and EC3).

The Local Plan seeks to protect the character and quality of the landscape, and requires development proposals to respect and respond to the character of the local environment. In addition, policy EH8 advises that development that would adversely affect the character and integrity of historic park and garden sites should not be permitted.

I appreciate that the Cricket Estate is looking to develop its leisure portfolio within the estate, and there is an initial attraction in the prospect of the removal of the farm buildings - which are locally prominent, large-scale and functional - and their replacement by a holiday chalet proposal. However, the removal of the former does not necessarily justify the provision of the latter, particularly when considered alongside the 1) character of the local landscape, and 2) historic estate plan and evolution of the HP&G (historic park and garden).

With regard to landscape character, the Windwhistle ridge is typified by a general lack of development form along the ridge, and this is a distinctive characteristic of this ridgetop landscape, where the landform and tree-lines are the dominant characteristics of this relatively remote location. There is sporadic building presence, in most part dotted like beads on a necklace along the A30, but such presence is subservient to the form of the landscape, and its features.

In relation to the HP&G, London Lodge represents its easternmost built expression, which is a singular domestic form, similarly a singular built outpost of the historic estate. The farm buildings are recent additions, un-related to the design of the HP&G, but arguably not entirely out of context as an expression of rural land management in this countryside location.

This hilltop location is clearly sensitive. Against this backdrop, the proposal to site a non-agricultural building group on the hilltop is uncharacteristic. In particular, a chalet development

in this location will be a substantial 'domestic' form of building expression, which along with the likely activity and lighting associated with it, will be wholly at variance with both the local Windwhistle landscape and historic parkland character. In character terms, and with regard to the evolution of the HP&G, it can be regarded as intrusive, and thus justify a refusal, policy ST5 para 4. Having said that, I would acknowledge that a visual improvement would ensue from demolition of the large-scaled buildings, and a provision of a smaller-scaled build proposal set within an enhanced area of woodland. At this point, I should acknowledge the useful background information provided by the client, relating to the upper park's evolution and change, on which the landscape proposals within the parkland have been based, to both redress earlier diminution of the upper parkland character, and in providing an element of mitigation in keeping with adjacent woodland, to soften the impact of the chalet building form. Hence, whilst the location and nature of the chalet proposal is at variance with local landscape and historic character, the comparative scale of the build proposal and its proposed sylvan surround has the capacity to bring about a visual improvement in this location.

In summary, I continue to question if the principle of development in the form of holiday chalets is acceptable in this location, when considered alongside the historic evolution of the park relative to its built expression, and the relatively development-free character of the Windwhistle ridge. On this principle, I believe there remain policy grounds on which to base a refusal. However, I would concede that the landscape setting for the proposal is both an enhancement of the current situation, and provides a degree of reinstatement of the woody character of the upper park. Hence after considerable reflection, I would not claim the proposal to 'adversely affect the character or setting of the HP&G' as policy EH8 is worded.

Four detailed points:

1) Whilst the chalet arrangement is much improved, and less suburban than earlier layouts, I still continue to have concerns over the number and scale of the dwellings, particularly the 2-storey chalets, which include a vast amount of 'void' area. I am sure there is scope yet for a revised design that enables full use of the 2-storeys, and thus a reduction in scale.

2) Second, the landscape submission is comprehensive and well detailed. However, there are minor elements of drawing 272-05 relating to the inner planting areas that prompt concerns over the planting's ability to deliver appropriate cover within the site: Should you be minded to approve this application, I would request that the landscape detail is accepted based on the layout plans, other than drawing 272-05, to enable appropriate fine-tuning, and;

3) Levels are indicated generally, but do not indicate how the 'cut and fill' around the central semi-detached chalets will work, and what degree of retaining is required.

4) Finally, strict control should be applied to restrict external lighting, and any subsidiary structures, fencing etc within the area.

Conservation Manager:

The planning policy issues and that of impact upon the Historic Park and the landscape have been examined by others and my comments will try to concentrate only upon the design of the proposal.

The first impression of the layout and form is one of a small suburban estate located in place of the aggregation of large farm buildings in this prominent position. As such this is an alien form for such a site even though the profile of the proposed buildings with their landscape provisions may be not significantly greater than the existing structures. However the layout, with its contrived randomness feels entirely out of character and out of place in terms of plan. I cannot obtain any clear idea of the three dimensional composition because there are no levels given either for the individual buildings or their remodelled setting or access roads and I have to advise that this is a substantial omission in necessary information.

The design of the buildings, which I would describe as houses and bungalows rather than 'lodges', (which implies to me something much smaller and lower key), is strident, reminiscent of many a 1960's estate and unrelated to local vernacular. They appear not to be bespoke designs but a kit building solution and are large for the designated use. In such a sensitive location with all its constraints one could have expected a far more distinguished design prepared by a recognised firm of architects that could achieve a layout and building form more sensitive and more discrete while at the same time forming a high quality attraction.

The large gables, strong roof forms and large glazed areas will all contribute to a prominent development, which will rely completely upon a planting scheme to mitigate its impact. Because of the fine views the pressure will always be to keep the planting to a minimum to allow the view out. Lighting at night from the large windows will be one of the most intrusive aspects of this. A more discretely designed, scaled and composed solution could need this mitigation less.

Economic Development:

I raise no objection to this application on the grounds that the lodges will provide additional employment in the area and the visitors will generate additional spend.

Agricultural Development Officer:

The proposed development will provide a number of benefits to this historic parkland location: 1 removal of unsightly redundant buildings. 2 additional jobs in the Chard/Crewkerne area and 3 synergy with the established wildlife park and Cricket St Thomas Hotel. I remain in support of this application.

Ecologist:

The submitted wildlife survey report (Country Contracts, Oct 2007) concluded that the proposed development could have an adverse impact on bats and swallows. It consequently makes recommendations for mitigation measures to minimise harm.

The applicants (via the agent) have stated that they have no objection to appropriate conditions to secure the recommendations of the report.

I therefore recommend the following conditions.

Condition for submission of a protected species mitigation plan

The development hereby permitted shall not be commenced (including any demolition or site clearance) until there has been submitted to and approved in writing by the Local Planning Authority, a 'protected species mitigation plan'. The plan shall detail measures for the avoidance of harm, mitigation and compensation in respect of legally protected species (particularly bats and swallows). Proposed measures shall be based upon up to date surveys.

The works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the local planning authority.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with Policy EC8 of the South Somerset Local Plan (adopted).

Notes

Specific issues to be included in the protected species mitigation plan:

Bats - information should include timing, plans showing retention of, or provision of replacement bat roosts and access points.

Swallows - timing of works to avoid nesting season and provision of alternative nesting sites.

Measures for informing operatives on site of the presence and implications of legally protected species.

The mitigation plan is likely to be based upon recommendations made in the Protected Wildlife Survey report by Country Contracts, October 2007. It is likely that a further summer bat survey will be required in order to inform mitigation details and the European Protected Species licence application.

A Regulation 44 derogation licence in respect of European Protected Species will be required from Natural England before this development can commence. This will be applied for, on behalf of the applicant, by a licensed bat consultant, following the grant of planning permission.

English Heritage:

Thank you for your letter of 7 July 2008 notifying us of the application for planning permission relating to the above site. We do not wish to comment in detail, but offer the following general observations.

English Heritage Advice

English Heritage's interest in this application arises from the fact that Cricket St Thomas is included on our Register of Parks and Gardens at grade II*. The Register is a select list of nationally important designed landscapes. Government advice, as set out in PPG 15, para 2.24 is that 'the effect of proposed development on a registered park or garden or its setting is a material consideration in the determination of a planning application'. PPG 15 also requires local authorities to protect registered parks and gardens in preparing development plans and determining planning applications.

We stated in our response to an earlier version of this proposal (letter of 11 October 2007) that we did not have an 'in principle' objection to some form of holiday accommodation on the site of the redundant farm buildings, and our opinion has not changed. However, we were concerned about the quantum of development and this concern remains, despite the improvement to the layout and landscape scheme in the present proposal. From the supporting information we understand that a financial rationale has been sent to your authority justifying the level of development. We urge you to seek professional advice on the financial assumptions and projections of this rationale, as this has a direct bearing on the level of development.

We are concerned that the intended holiday use of the proposed dwellings should not, at some point in the future, be subject to a change of use to permanent residential occupation, forming an isolated settlement 'by the back door'. Additionally, we have concerns about the potential for incremental development, for example extensions, garages, conservatories, swimming pools, fences and so on. We would therefore strongly advise you to take the necessary steps to control such development, including the removal of permitted development rights.

Turning to the detail of the design proposals, we would ask you to consider the following. Roads should be self-binding gravel, not a sealed surface. We would suggest this material is used in the parking bays too in place of the proposed geoblock product. Street lighting should not be permitted. New planting should be protected from rabbits and, where individual parkland trees are proposed, protection from stock should also be conditioned. All planting should be covered by an undertaking relating to long-term establishment; too many landscape schemes fail because of lack of after-care.

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

Garden History Society:

Cricket House is a site of national importance, as signified by its inclusion on the English Heritage Register of Parks and Gardens of special historic interest. This is a highly selective list, comprising just under 1600 sites. As a Grade II* site, Cricket House is in the top 40% and is of exceptional historic interest. PPG 15 is quite clear in its advice that 'planning authorities should protect registered parks and gardens in preparing development plans and in determining planning applications' (para.2.24). The PPG also confirms that the effect on a registered park or garden or its setting is a material consideration in assessing an application (para.2.24).

We have visited the site and we have studied the application plans and accompanying documents on your web site. We ask you to consider the following comments:

The Society considers that the proposed development would cause considerable harm to the historic landscape of Cricket House. We are concerned about the potential adverse visual impact of the proposed development on this Grade II* site.

The landscape in the vicinity of the Cricket House has been severely compromised by the Warner Leisure development but much of the designed landscape can still be appreciated, particularly along the drive towards the house and from the house towards London Lodge. The proposed erection of 20 holiday lodges and 1 administration lodge with associated access and car parking would severely impact on the approach to London Lodge. The development cannot be assimilated into the historic landscape and would irretrievably damage its character and appearance.

Whilst it is accepted that the character of the landscape on the approach to London Lodge has been degraded to some extent by the more recent farm buildings, we consider that the fact that the degradation of the landscape by the farm buildings does not provide any justification whatsoever for their replacement by 20 holiday lodges, 1 administration lodge and car parking.

The construction of such a large scale new development, which would impact on the setting of a Grade II* Registered Landscape, is clearly against all current planning guidance. The only possible justification must be that it 'enables' the heritage asset and this is certainly not applicable in this case. It is evident from the submitted plans that the proposed new buildings present substantial new development within landscape of exceptional historic interest. There is no justification in respect of the historic landscape for such proposals. We advise that proposals for new development should not compromise the potential for repairs to the historic landscape in the future.

In conclusion, the Society is concerned about the adverse visual impact of the proposed new development, which would severely compromise the character and appearance of the historic landscape of Cricket House. We would advise that the potential for damage to the fabric of the historic landscape is high and we feel we must advise your Council to refuse consent for this application.

Officer Note:

A letter was received from Walding Associates responding to the comments from the Garden History Society and is attached at appendix B.

Environment Agency:

No objections subject to conditions and informatives relating to surface water regulation system, water efficiency and pollution prevention.

Wessex Water:

No objections.

SSDC Tourist Officer:

The proposal accords with key aspects of the tourism strategy in this area, to extend beyond the traditional summer visitor season into marketing the area as a quality, year-round, sustainable tourism destination. Cricket Hotel is well established as a tourist destination and have noted the high occupancy achieved in the hotel. The setting is beautiful with the wildlife park, footpaths and bridle paths offering so much to enjoy plus the other on-site facilities, which are not weather dependent. The Estate is well placed for reaching a range of other tourist attractions. I particularly welcome your commitment to developing energy and water supplies and waste disposal using eco-friendly methods. Reducing the impact of tourism on the environment is increasingly important and research is showing that visitor awareness of environmental issues can have an influence on choice of places to stay.

CPRE:

Object to the application. The site is outside of the development area. Whether the proposed development would genuinely benefit economic activity is debatable since it would almost certainly attract custom from other established businesses. It would not enhance the environment and would undoubtedly foster growth in the need to travel. Therefore it would be contrary to Policy ST3. The development would damage the setting of the park surrounding Cricket House and therefore not conform with Policy EH8. Finally, it must be pointed out that redundant agricultural buildings do not qualify as 'brownfield' land for housing and the same principle must surely apply to tourist accommodation.

REPRESENTATIONS:

6 letters have been received. 5 in support with 1 letter objecting to the development. The supporting letters make the following comments:

- the development would enhance the Cricket St Thomas Estate and improve upon the currently discussed agricultural buildings.
- Positive impact on local employment
- Well designed and appropriate agricultural diversification project
- Extensive proposed structural landscaping will mitigate the visual impact of the new development and preserve/enhance the parkland setting.
- Benefit other attractions in the local area and wider economy.

The objector makes the following comments:

- Increase in level of traffic using Fisherway Lane and highway safety concerns.
- Increase in vehicles turning onto the A30 from London Lodge junction and increase difficulty using junction with Fisherway Lane.
- Increase in traffic movement accessing shops and amenities.

CONSIDERATIONS:

It is considered that the main planning considerations with regard to this proposed development are the visual impact, the impact of the development on landscape character, impact on the registered historic park and garden and economic and tourism issues.

The site is located within a Grade 2* registered historic park and garden. Policy EH8 of the SSLP seeks to prevent development that would 'destroy or adversely affect the character, appearance or setting of historic parks'. In terms of assessing the impact that the proposed development would have on this part of the historic park and garden, it is useful to understand the historical context of the site and to look at previous uses of the site.

The detailed report submitted by Walding Associates Landscape Architects outlines the historical context using a historic map regression exercise. This was based on OS maps dating back to the late 19th Century. The (attached) report states that from assessing 1887 maps, the application site 'does not appear to be part of the parkland landscape being

separated by a well treed boundary on the south east side and with no apparent parkland presence'. Thus, while the site now forms part of the registered park and garden, the site has previously been visually separated from the rest of the park and not deemed to be as important as the rest of the parkland. The development of the farm and associated buildings would appear to indicate the lower landscape value attributed to this part of the estate. Also, the gradual loss of trees along the sites southern boundary has lessened the 'burst view' one experiences when entering the parkland by London Lodge and moving down towards Cricket House.

However, it is important to state that, notwithstanding the importance attached historically to this site, it now forms part of the registered historic park and garden and thus, any development proposal must accord with Policy EH8. The proposals seek to re-establish the original 'burst view' into the park and with additional planting helps redefine the sense of containment on the north west side of the drive down to the house. Furthermore, the new planting will seek to contain the lodges within a woodland setting whilst allowing views out from the south west across the parkland.

In terms of the landscape setting for the proposal, it is considered that the proposed planting scheme provides and reintroduces a significant element of tree cover that existed historically and would positively add to the parkland setting. Furthermore, in purely visual terms, the landscaping scheme will provide an attractive setting for the lodges as well as providing a screen to the development when viewed from the lower part of the park and from the A30. In addition, it is also considered that the loss of unsightly and prominent agricultural buildings would be visually beneficial to the park. Therefore, it is difficult to conclude that the visual appearance of this part of the park would be adversely affected by the development.

However, Policy EH8 also relates to 'character'. This is very different from visual impact. It is clear that the character of the park is defined by open spaces of grassland and groups of trees set around Cricket House and more recently the hotel. Where buildings do exist, these are historically individual and isolated buildings. The park is not characterised by a large group of 'residential style' buildings. Therefore, on that point, it is considered that the proposed development would not be in accordance with the character of the park and thus would adversely affect the character of the historic park and garden, contrary to Policy EH8.

Expanding the character argument beyond the boundaries of the park, the area along Windwhistle Ridge is characterised by very limited development. Where development does exist, the character is one of single, isolated buildings. A concentrated development of 21 lodges would therefore clearly be at variance with that character.

Therefore, it is considered that the proposal would be contrary to Policy ST5 (4) and ST6 (2 and 4).

In terms of the application site, it could be argued that the existence of a number of agricultural buildings is not in keeping with the character of Windwhistle Ridge and that this could justify the proposed development in landscape character terms. However, agricultural buildings are considered to be an accepted part of the countryside and, indeed, often form the character of most rural areas. Whilst holiday lodges do exist in rural locations, these are not usually characteristic of rural areas and, importantly, not part of the character of Windwhistle Ridge.

A further issue of concern is the scale of the proposed development both in terms of number of lodges and physical scale. Indeed, whether the site can deal with the number and scale of lodges in capacity terms. The agent and applicant have both clearly indicated that 20 lodges and of this scale are required in order to make the whole scheme economically viable. Whilst it is accepted that the applicant is seeking to provide high quality and spacious accommodation, one of the key assessments to make with regard to this proposal, is whether the number and physical scale of the lodges is acceptable for this sensitive site. English Heritage has raised concerns in relation to the scale of the development. Furthermore, the Council's landscape architect has concerns over the number and scale of the lodges. Therefore, whilst there may be an economic rationale for the number and size of the lodges, it

does not necessarily follow that the proposal is therefore appropriate to this site. Due to the number and size proposed, it is not considered that the density, form and scale of the development in such a sensitive landscape respects the character and appearance of the area. As a comparison with this proposal, it is understood that similar developments within Forestry Commission sites are usually characterised by chalets in smaller clusters in larger wooded areas. This may be a more acceptable solution in this case but may not be feasible due to viability issues and proving high quality accommodation. However, based on the details and proposal as it stands, it is considered that the proposal would not preserve the key characteristics of the location in order to maintain its local distinctiveness. The scheme would therefore be contrary to Policy ST6 (2+5) of the SSLP.

Notwithstanding the concerns raised above, careful consideration should be given to the benefits that will be gained from this development and whether from a planning point of view those benefits outweigh the concerns raised.

The obvious initial benefit will be the removal of the agricultural buildings. With the cessation of dairy farming at the site, the agent has outlined that the range of buildings are currently redundant and unlikely to be used again for agricultural uses. Moreover, the buildings have no architectural merit and are not worthy of retention and it is questionable as to whether the buildings are conducive to alternative uses. Therefore, there is no objection to the removal of the buildings and would bring about a visual improvement to the area.

The second benefit would be the additional visitors that the creation of the lodges would bring into the area, not only benefiting the Cricket estate but also the wider economy in the locality. The agent has indicated that the proposal would also create 2 to 3 full time jobs. There would be clear linkages with the hotel and the wildlife park, along with usage and patronage of local shops, services and the wide range of other attractions in the local towns and villages. Visitors would also use the local footpaths and enjoy the stunning countryside.

The development would also bring an enhancement of the park through the comprehensive landscaping scheme that is proposed. The development would also contribute towards the diversification of activities on the estate in order to help support the overall viability of the estate. With the closure of the dairy farm and associated loss of income, it is important that other sources of income are identified.

In addition to the benefits outlined above, there a number of both national and local policies that support new tourist development in the countryside. These policies acknowledge the great importance that tourism plays in helping the rural economy. Both policies in PPS7 and in the SSLP support provision of new tourist accommodation. However, provision of such development has to be appropriate in scale to its rural location and in accordance with other plan local plan policies. It is considered that whilst there are clear benefits to this scheme, there are strong concerns about the number and scale of units proposed, the impact on the character of the historic park and garden and the harmful impact of the development on the wider landscape character of Windwhistle Ridge. It is concluded that the proposed scheme is not appropriate to its sensitive location and would be contrary to a number of local plan policies. Therefore, on balance, the scheme is recommended for refusal.

SECTION 106 PLANNING OBLIGATION:

Not applicable.

RECOMMENDATION:

Refuse permission

The proposed development by reason of its location in a historic park and garden, the scale, layout and number of lodges, does not respect the landscape character of Windwhistle Ridge nor the character of the historic park and garden. The proposal is therefore contrary to Policy 5 and 10 of the Somerset and Exmoor National Park Joint Structure Plan Review, Policies, ST5, ST6, EC3, and EH8 of the South Somerset Local Plan 2006 and advice in PPS7.