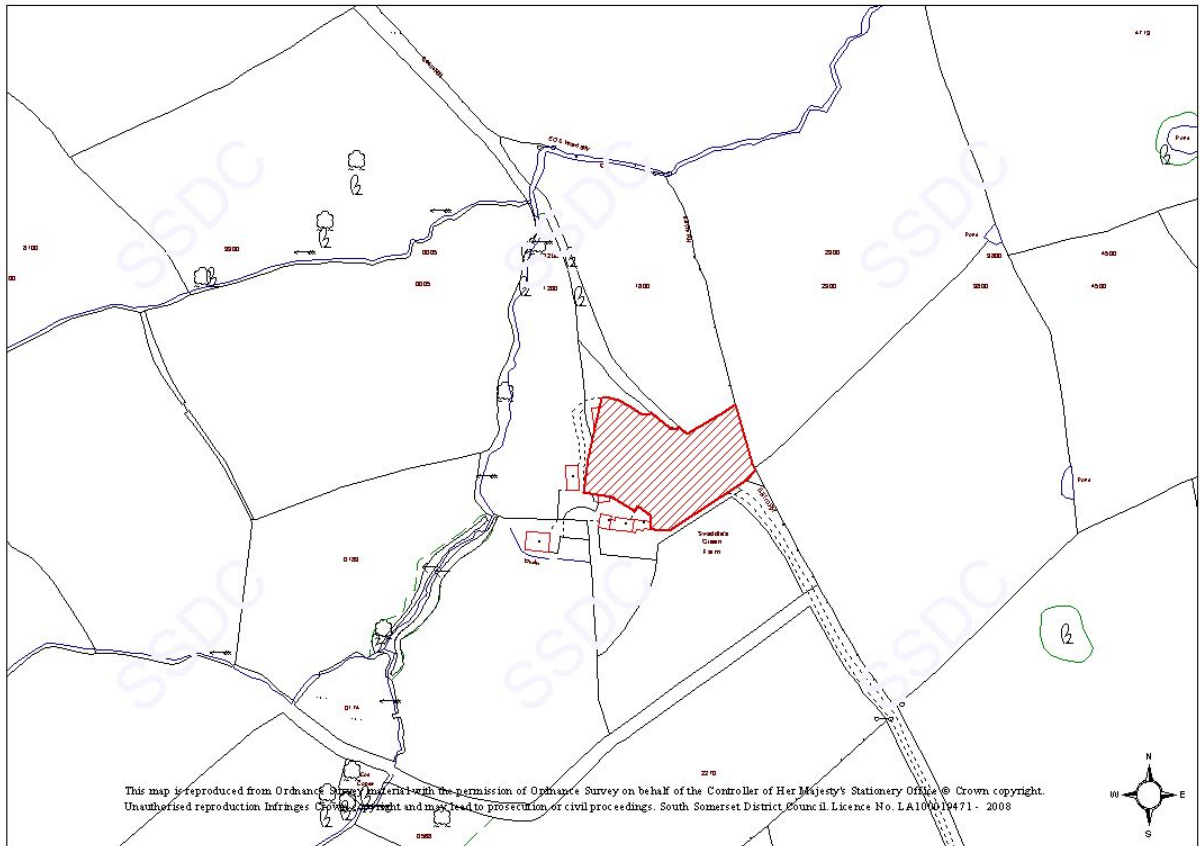


OFFICER: Andrew Gunn (01935) 462192 [Item 1]
APPL.NO: 08/02291/FUL APPLICATION TYPE: Full Application
PARISH: Buckland St Mary WARD: BLACKDOWN
DESCRIPTION: Alterations and change of use of building from butchery/meat packing and mail order distribution (use classes B1, B2 and B8) to wedding venue together with associated parking, works and the repositioning of an existing Dutch barn (GR 329169/115850)
LOCATION: Brook Farm Hare Lane Buckland St Mary Chard Somerset TA20 3JR
APPLICANT: Mr J Bourne
AGENT: Mr R Upton White Young Green Hawkrigde House Chelston Business Park Wellington SomersetTA21 8YA
DATE ACCEPTED: 3 June 2008

REASON FOR REFERRAL TO COMMITTEE:

The Chair agrees with the Ward member that the application should be presented to committee to allow full consideration of the various planning issues and in light of the level of public interest.

SITE DESCRIPTION:



The site is located approximately 1 mile west of Broadway and accessed via an access track on the northern side of Hare Lane. The access track, which is registered as a common, extends around 550m from its junction with Hare Lane to Brook Farm. The access track is formed of a gravelled drive around 4 to 4.5 metres in width with a grass verge on either side. Hedgerows bound both sides of the access. The site itself contains the main farm dwelling and various outbuildings, of which the main building, and located to the north of the house, is subject of this proposal. The site is bounded by mature trees and hedgerows. The access track comes in from the east with parking and turning areas in front of the house and eastern side of the subject building. In addition to the common and open access areas, public footpaths run close to the site to the south and south west of the site.

PROPOSAL:

This application seeks consent for the change of use of a timber clad building from butchery/meat packing and mail order distribution to a wedding venue together with associated parking, and the repositioning of an existing Dutch barn. The scheme would cater for a maximum of 150 guests and 50 car parking spaces. It is not proposed for the building to be extended but there are alterations proposed including new timber cladding and new window/door openings into all elevations to provide new entrances and additional light into the building. The size of the building is 37m in length, whilst the width of the central part of the building is 11m with the 2 wings at either end around 20m. The ridge height is 6.5m.

The central section of the building will form the main entertainment area with tables. The southern end will contain the ceremonial area, kitchen and staff rooms. On the northern end will be the reception area, toilets, cloakroom and bar area. A first floor section above this northern section will contain toilets, a gallery and office space.

A paved and grassed area will be created on the eastern side of the building with 2 parking spaces for the bridal party. The main car parking will be located on the western part of the site, a part of which is currently occupied by a Dutch barn. This will be relocated to the north of the site. An enclosed garden area will be created on the western side immediately adjacent to the building. Landscaping will be planted within the site along with provision of seating areas. Access to the development will be gained from the access track to the south east.

The scheme also proposes highway improvements in the form of the widening and resurfacing of the access track and provision of 3 passing bays along Hare Lane. Following discussions with the agent and applicant and Highway Authority, it is now only proposed to carry out alterations to the junction with Hare Lane and the creation of 3 passing bays along Hare Lane.

The applicant has stated that he would be happy to restrict the use to wedding venue only with a closing of the bar at 11pm, music at 11.30 and the venue closing at midnight. To contain noise levels under control, a decibel inhibitor will be installed. Information packs will also be sent out to guests advising them of directions and contact numbers for local taxis etc.

POLICY:

Regional Spatial Strategy

VIS 1

VIS2

Somerset and Exmoor National Park Joint Structure Plan Review

STR6 - Development outside Towns and villages

Policy 49 - Transport Requirements of New Development

South Somerset Local Plan 2006:

ST3 - Development areas.

ST5 - General Principles of Development

ST6 - Quality of Development

EC2 - AONB

EC3 - Landscape character

EP2 - Noise and pollution.

TP6 - Non residential parking provision

EH6 - Conversion of buildings in the countryside

EC8 - Protected species.

PPS7 - Sustainable Development in Rural Areas

PLANNING HISTORY:

950252 - Use of agricultural buildings for the butchery, sales of organic meats, preparation and sales of meat products. Approved 1995.

9702842/FUL - Erection of a building for use as a farm butchery in connection with a mail order business. Approved 1998.

08/02234/FUL - formation of a vehicular access and the erection of a two storey and a single storey extension to dwelling (current application).

08/02239/FUL - the erection of a replacement open fronted barn (current application).

CONSULTATIONS:

Buckland St Mary Parish Council:

Recommend refusal. Concerns over excessive noise to existing neighbours, concerns over highway safety, the volume of off peak traffic and safety of the western approach to Hare Lane. If approved by SSDC, would like to see a time restriction on the use of the venue.

Highway Authority:

Original comments.

Prior to the submission of the application the Highway Authority had extensive consultation regarding this proposal in which numerous issues and concerns were raised.

The main issue relating to this proposal is the suitability of its location. The site is located remote from any urban area and from local bus services and facilities. The development site is also not connected by continuous pedestrian and cycle facilities. As a result, customers/users of the development are likely to arrive at the site by private vehicle. 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).

In detail, the Highway Authority has concerns relating to the access arrangements and the surrounding highway network in terms of the approach roads and junction of Hare Lane with Pound Road. The existing access to the site is restricted in terms of its width. As a result, in the event of two vehicles meeting at this point manoeuvring may take place on the highway. It was also noted that the current access is not surfaced to the satisfaction of the Highway Authority and this will need to be improved so as to prevent material being dragged on to the carriageway.

As part of this proposal this access is to be improved. Under normal circumstances a proposal to create a new access in this location the Highway Authority would require visibility splays based on the minimum co-ordinates of 2.4 x 90.0m to the nearside carriageway edge in each direction. Whilst it is noted that the proposed visibility splays do not meet these requirements, the access arrangements shown on the submitted plan drawing 207640101 shows an improved arrangement when compared to that of the existing and as such it may be unreasonable to raise an objection to the proposal solely on this point.

The widening of the access to a width of 5.0m over the first 10.0m of its length will enable two vehicles to pass at this point. The 6.0m radii at the junction will prevent the need for vehicles in connection with the development to encroach on the opposite side of the carriageway when emerging from the site, which at present is a highway safety concern.

The approach roads to the site are substandard by reason of their restricted width and poor alignment along certain sections of the carriageway. In the additional information submitted the applicant proposes to introduce three passing places in key positions on the network. The

introduction of such facilities will enable two vehicles to pass in the event of meeting at these pinch points as well as preventing damage, which is already being caused to the existing highway verge. These passing places will need to be constructed in accordance with a design and specification to be agreed by the Highway Authority.

The junction of Hare Lane with Pound Road suffers from restricted visibility at present, especially to the northwest for emerging vehicles. It appears that vegetation in connection with the adjacent property has encroached on to land owned by the Highway Authority and as such this may need to be either realigned or removed. The Highway Service Manager for the area has been contacted regarding this matter. It is felt that with the removal or setting back of this vegetation an acceptable level of visibility can be achieved in this direction.

Whilst, there are concerns relating to the suitability of the site and the surrounding highway network the Highway Authority are aware that the site was formerly used as an organic butchery and mail order meat distribution centre. Within the transport statement submitted by the applicant there is a comparison between the existing and the likely traffic movements to and from the site as a result of this development. Whilst it is agreed that sites similar to that in connection with this development may result in traffic movements in the order of 140 per day worst-case scenario, the average figure produced by TRICS was approximately 65 movements per day. According to the applicants report the wedding venue is likely to generate 154 movements at maximum capacity and at average capacity 100 movements. When these figures are compared it is clear that the proposal is likely to result in an increase in the level of traffic movements to and from the site.

Whilst this proposal will result in an increase in the level of traffic using these approach roads, given the proposed improvements it is felt that this increase in traffic will not result in a negative impact on the capacity of the network or compromise highway safety along this section of carriageway. There are also other additional benefits associated with this development in terms of the likely reduction in the number of larger HGV in this location given that most of the users of the site will access by private vehicle.

As a result, the main concern of the Highway Authority is the likely increase in the number of private vehicle movements to and from the site. However, given the previous use and associated traffic it must mainly be a matter for the Local Planning Authority to determine whether the benefits of the proposal outweigh the sustainable travel objectives that seek to reduce the number of trips made by the private vehicle. Therefore, provided that the principle of the development is accepted I would advise you that from a highway point of view there is no objection to the proposal.

However, in the event of permission being granted I would recommend that the following conditions be imposed:

1. The proposed access shall be constructed in accordance with details shown in the submitted plan, drawing No. 207640101 and shall be available for use prior to the first use of the development hereby permitted.
2. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved by the Local Planning Authority.
3. The gradient of the proposed access shall not be steeper than 1 in 10.
4. Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 6.0m from the carriageway edge.
5. 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.

6. At the proposed access there shall be no obstruction to visibility greater than 900mm above adjoining road level within the visibility splays shown on the submitted plan. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.
7. Prior to the development hereby permitted being first occupied three passing places shall be constructed in accordance with a design and specification to be agreed in writing by the Local Planning Authority.

Note: Having regard to the powers of the Highway Authority under the Highway Act 1980 the applicant is advised that a section 184 Permit must be obtained from the Highway Service Manager at least four weeks before access works are intended to commence.

Note: Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highways Authority. Application forms can be obtained by writing to Roger Tyson of the Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning him on 01823 356011. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.

The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence team and will be signed off upon satisfactory completion.

Officer comment: Following discussion with the Highway Authority and advising them of the 'common land' status of the access track, the following additional comments have been received from the Highway Authority:

` In response to our recent telephone conversation I have since returned to the site and have the following comments to make.

As I am sure you are aware the Highway Authority requested that due to likely increase in traffic generated by the proposal improvements would need to be made to the access. These improvements sought after involved, increasing its width to enable two vehicles to pass, increase the radii and improve the existing surface which appears to be loose stone and gravel to a more consolidated surface.

From our conversation it appears that the access to the proposed development is not owned by the applicant but is classed as 'common land' and as a consequence permission for these improvements must be obtained from the Secretary of State. It is felt that if permission is not granted for the recommended improvements then the existing access is not suitable for the proposed development especially given its restricted nature and as a consequence the Highway Authority would have no alternative but to recommend the application be refused'.

Rights of Way Officer:

The access track is not recorded as public highway although a public footpath connects to it. No doubt an 'error' in 1950 when the Definitive map was being compiled- it was often assumed by Parish Councils that the enclosure droves were already public so did not require to be recorded as footpaths or bridleways.

The majority of the access track is recorded as a registered common on SCC commons register (since 1984), with no owner. The connecting 'Long Drove' is also a registered common. Local authorities therefore are obliged to protect the common. In addition under the CROW Act 2000 all registered commons are open access land for the public on foot. (SCC are involved with signing etc for open access land and Natural England are the responsible authority). Open access rights on foot extend to open air recreation thereby going beyond merely walking to include bird watching, picnicking etc and any local traditional uses for example local people say that they use the drove for horse riding.

The drove is outside the control of the applicant and only the Secretary of State (S of S) can authorise works on this common such as laying tarmac or widening the current stone strip along the middle of the drove. As part of the planning process I think that the Highway Authority (SCC) had requested a tarmac apron at the junction of the drove and Hare Lane. These works would require the consent of the S of S and I have advised the applicant to apply for such consent in advance of any planning permission. I would not object to an improvement of surface at this point.

Various documents have implied that the whole drove could be changed by laying tarmac on the stoned area, the widening of the stoned area and/or the creation of passing bays. Each of these works would also require consent of the S of S and I (together with the Open Spaces Society and others) would object to such changes. These works are not shown in the area edged red on the application.

The change of use to wedding venue for up to 150 guests would affect the quiet enjoyment of the countryside by the public of this open access land. Function visitors would arrive by motor vehicle and even if they staggered their arrival time throughout the hour before an event there is likely to be a car along the drove every minute. The common also marks the boundary of the Blackdown Hills AONB which is likely to be visited by tourists on Saturday afternoons on foot exploring the area for peaceful recreation. The concentrated and significant use by cars arriving would be unexpected and intrude on the public use. Warning signs (for walkers or motorists) or the cutting of the natural vegetation on each side of the stoned area to create a refuge for walkers would change the character of the common.

A public footpath runs along a track adjacent to the SW boundary of the site. Although there may be noise generated by the functions that could be heard by ramblers on this route I am not concerned by this aspect of the application. I would welcome additional planting to help screen the car park etc from this footpath.

For your information a previously erected (and sometimes locked) gate on the common should be removed.

CPRE:

Object for the following reasons:

The proposed development is within an AONB, cannot be demonstrated as being in the public interest and is therefore contrary to Local Plan Policy EC2.

It would generate significant levels of travel demand and the site is not accessible by transport other than the car so this makes the application contrary to Policy TP5. In this context Policy ST3 also applies because the site is outside a defined development area and the proposal would foster growth in the need to travel. It surely cannot be claimed that the development would benefit economic activity or enhance the environment.

The building concerned was originally permitted as part of a successful agricultural enterprise, where value was added to the production of organic produce. It seems the present owner no longer wishes to use it for any purpose related to farming. It is suggested that Policy EH6 disallows this proposed change of use.

Economic Development:

I have read through this application and am broadly supportive of the proposals to provide a wedding venue at Brook Farm. The opportunity for employment through catering and other wedding associated services provides an income for people who have other commitments during the working week such as education or child care. My only concern at this stage is the association of the farmstead to the proposed wedding venue service. I have arranged a site visit and will be able to comment in more detail after this visit.

Officer comment: The Economic Development Team leader subsequently commented that he did not raise an objection/issues in relation to the wedding venue and the farmstead.

Environmental Health Officer

No objections.

I feel that the site is isolated enough that noise from the weddings and associated functions should not cause a problem with regard to noise. Should it prove that noise does cause a problem then the Environmental Protection Act 1990 can be used to investigate any alleged allegations of noise nuisance being caused and take appropriate action at that stage.

Should planning permission be granted, I would like to see conditions attached preventing the playing of amplified music or otherwise out in the open, and no displays of fireworks to take place.

Ecologist:

The ecologist has recommended that this application should not be determined until further survey information, assessment of impact and mitigation have been provided. Bats currently occupy the building and the ecologist is concerned that there is currently insufficient information and detail to adequately assess the level of impact to bats. Assessment of impact should be undertaken by a professional bat consultant giving specific consideration to the proposed future use of the building and details of proposed measures for avoidance of harm, mitigation and compensation. An oral update on this issue will be given at the meeting.

Natural England:

Natural England ask that you consider carefully the impact this proposal may have on the integrity of the AONB such as the provision of extra car parks to accommodate the visitors using the venue. We understand that there is no public transport available. There is evidence of 3 species of bat being impacted upon by this proposal. Natural England supports your ecologist's advice to you in terms of seeking additional information about how the bats will be impacted upon by this proposal. This information to comply with government guidance is needed before this application is determined.

Council Landscape Architect:

I note the proposal lies just within the margins of the AONB. I have some misgivings over the proposal. The site is accessed off the local lane network, and the general area is characterised by a low level of sporadic development form, is primarily agricultural, and distinctly rural. The prospect of a commercial venue being sited within the AONB, where the conservation of the local environment is the driving ethos, does not initially appear to be appropriate. Increased and concentrated periods of vehicular activity; nightlight and noise levels; and the urbanisation of a former farm area through paving, hard surfacing and suburban landscape treatment, would appear to be at variance with policies for the protection of the AONB, and landscape character. I also note the proposals would result in the disruption of the local hedgerow pattern in places around the farmhouse, and the driveway proposal is particularly incongruous. The plan also indicates farm/storage buildings scattered at different points about the larger site, with no clear relationship evident between them, nor a means of access.

With so many misgivings, there is no landscape support for this proposal, and I suggest that it could be resisted, policies EC2 and ST5 para 4.

Open spaces Society (OSS):

The OSS notes and shares the comments of other objectors but its main objection is centred on the proposed use of the drove providing access to Brook Farm. The original letter from the OSS was unable to confirm the status of the drove as 'common land'. The OSS sought

confirmation on this point. The OSS has strong objections to the proposed resurfacing of the track as it will change the character of the drove. It will also encourage faster vehicle speeds, thus endangering users of the drove. The current surface is more favourable to pedestrians and riders. Animal footprints were found on the drove after rainfall, thus potential harm to wildlife. Additional traffic will also have a significant and prejudicial impact on the amenity of the drove and harm the enjoyment of users. The loss of verges will also have an obvious impact on wildlife habitat. The widening of the drove and loss of verges would also contravene the Highway Act that requires adequate margins or other grass margins for the accommodation of ridden horses and livestock.

Following receipt of the Open Spaces Society original letter, the majority of the track off Hare Lane leading to Brook Farm has been confirmed as a registered common. The OSS object to the resurfacing and creation of passing places along the access track. They state that any such alteration to the surface would be contrary to the public interest and the public enjoyment of this open access and common land. Additionally, the owner should be requested to cease interfering with the verges thereto. The common land should be left very much 'as is' for the continued enjoyment of walkers as intended by its registration.

Officer comment: As outlined above in the proposals part of this report, the highway works are now restricted to junction improvements as required by the Highway Authority and 3 passing bays along Hare Lane. No passing bays are proposed along the access track. The Highway Authority have stated that provided the junction improvements and passing bays along Hare Lane are implemented, they would not raise an objection.

Blackdown Hills AONB:

The Blackdown Hills AONB is primarily an agricultural landscape that has retained a sense of remoteness and remains largely unspoilt by modern development. The proposed development is located at the edge of the AONB, however the partnership have concerns that the application may damage the protected landscape in the following ways:

- Visual intrusion through car parking area, road signage when viewed from public footpaths. Wish to see conditions imposed limiting signage and screening the car park
- Light pollution
- Noise - particularly in the evenings and summer months potentially disturbing the tranquillity of the AONB.
- Traffic - increasing traffic on Hare Lane.

The AONB partnership supports the reuse of agricultural buildings and development of rural enterprise but in this instance believes that it will be necessary to address the above concerns before determining the application.

REPRESENTATIONS:

59 letters have been received raising objections and 1 letter in support. The following objections have been submitted:

- Highways/traffic/parking issues
- significant increase in traffic in the area particularly along Hare Lane and the local approach roads from Broadway and Castle Neroche.
- conflict with walkers, horseriders and farm vehicles that regularly use the local roads
- Hare Lane and approach roads are mainly single width, and particularly from the west are winding and narrow - not suitable for a significant increase in traffic.
- Potential for an increase in collisions/accidents.
- No pavements or street lighting along Hare Lane and Broadway Road
- Additional parking on Hare Lane if the car park is full
- Guests will not be familiar with the local roads

- Drawing showing the highway works at the junction of Hare Lane with the access track are inaccurate - the improvement work will result in cutting into hedgerow and/or adjoining land.
- Where are the passing bays to be located along Hare Lane?
- Creation of passing bays along Hare Lane will harm the rural character of the lane.
- Visibility at junction of Hare Lane and Pond Road is poor
- Pound Road is used heavily by Taunton bound traffic - conflict with those exiting onto Pound Lane.
- Most visitors will come by car rather than public transport.
- Nearest bus stop is around 2 miles away and train station 12 miles away.
- Additional traffic in the form of supply lorries, entertainers, staff etc.
- Sufficient wedding venues already exist in the area in Horton, Ilminster and Chard.
- Previous usage of access track much less than will be generated by wedding venue.
- Improvements/resurfacing to the access track will harm its rural appearance and harm wildlife and habitats.

One local resident has submitted a detailed 'Rebuttal Document to the Transport Statement'. This details alleged errors and mistakes in the Transport Assessment submitted as part of the application. The rebuttal document was forwarded to the Highway Authority.

Impact on local residents and the AONB:

- Substantial and inappropriate development in an AONB
- noise generated by the development, particularly late at night, from guests and traffic will disturb local residents, local wildlife and farm animals
- light pollution
- peaceful enjoyment of the AONB, local Public footpaths, open access areas and common land will be harmed by the development.
- Safety concerns particularly with regard to local elderly people and an influx of large numbers of strangers.
- Concerns over possible increase in events in the future
- Conflict with pedestrians in Horton and Broadway.
- Legal restriction imposed on the previous meat packing/distribution business limiting it to its permitted use only, likely to have been imposed as any other development would be out of keeping.
- Noise will carry a long distance particularly when windy.
- Harmful impact on residents of Hare Lane due to increase in traffic, road safety and nuisance.
- Not clear as to the surface material for the car park.
- A 'sea' of cars parked on site will be visible from the public footpath and harmful to visual character and appearance of the AONB.
- If allowed, would set a harmful precedent for similar developments in the this and other AONB'S.

Other issues

- the venue will create a large amount of waste that will be stored at the junction of Hare Lane and the access track.
- Other local wedding venues outlined by the agent are not in an AONB and are closer to A roads.

1 letter has been received supporting the application:

- the development will offer excellent regeneration of the buildings, providing employment.
- They will have low numbers of functions a year not exceeding the previous amount of traffic as Swaddles Farm.
- Site has been tidied up.
- A positive venture that should be supported.

CONSIDERATIONS:

As outlined earlier in this report, the majority of the access track leading to Brook Farm from its junction with Hare Lane is registered as a Common, with no owner. In addition, all registered commons are open access land for the public to enjoy on foot. The Rights of Way officer has expanded upon this in more detail above and raises objections to the impact that the proposed development would have on the quiet and peaceful enjoyment of the open access land and common.

However, notwithstanding the issues of the impact of users of the open access land and common, the fact that the access track is registered as such and with no owner, means that only the Secretary of State can authorise works on the common such as laying of tarmac and/or widening the current stone strip along the middle of the drove (access track). Members will note that the Highway Authority has specifically sought the improvement of this junction seeking an access 5m wide along its first 10m to allow the safe passing of two vehicles at that point. Under normal circumstances and with the land under the control of the applicant, this requirement is not usually a problem and can be conditioned. However, as the land is outside of the applicant's control, the legal advice given to the case officer is that the imposition of a condition requiring such works would not be reasonable, and thus would fail one of the 6 tests of a planning condition. For the same reasons, it would not be acceptable to enter into a legal agreement or agree to a unilateral undertaking. In addition, only the owner has access rights to the farm and it is not permitted for others to use private vehicles along the access track. This issue is not a planning issue. However, should planning permission be granted, the applicant would need to secure the necessary access rights to allow wedding guests to travel the track by private vehicle.

Following the receipt of that advice, the Highway Authority were asked to confirm whether they would object to the proposal without those improvement works. As can be noted above, the Highway Authority has revised their original comments and raise an objection on highway safety grounds.

A key issue with regard to this proposal is the impact in highway terms of the proposed development on the local highway network, in particular the suitability of the local network to accommodate the traffic generated by the development and impact of the traffic on the amenity of local residents and on the character of the AONB and the wider countryside.

In terms of the suitability of the local network to accommodate the proposed development, it is important to first examine the traffic movements associated with the previous use of the building and compare this with the likely levels of traffic that will be generated by a wedding venue, catering for up to 150 guests. The previous use for the building was for a farm butchery in connection with a meat packing and mail order meat business. This operated for around 8 years from 1998. The previous applicant had indicated that staff numbers totalled 20, split into two shifts of 10 and four van trips per day. Whilst it has been stated by a couple of local residents that the actual number of employees on average was lower, nevertheless, the figure of 20 employees provides a good guide for comparing the number of traffic movements between the extant and proposed use.

The Transport Statement submitted with the application uses the figure of 20 staff. Including staff and other trips i.e. deliveries, the Transport Assessment calculates the number of daily trips at 52, with peak hour trips at 11. Comparing this with the proposed wedding use, the figures are 154 daily trips and 56 at peak hours, if operating at a maximum capacity of 150 guests, and 100 daily trips and 34 peak hours trips for an average capacity of 90 guests. This clearly shows a significant increase in trips in connection with the proposed wedding venue compared with the meat packing business. The Transport Assessment also includes worst case scenario figures for a change of the existing use to office use. It is stated that this change could be implemented under permitted development. However, whilst in theory that would almost treble the number of daily trips to 140, a legal agreement signed in 1998 in connection with the meat business, prevents other uses of the building without the express grant of planning permission. Thus, the only fair comparison is based on the permitted use

and the staff figure of 20. However, it is important to state that even if the number of trips was similar, it is not just a numbers argument but also the timing of those movements and overall impact on the amenity of residents and the AONB. This issue will be discussed later in the report.

It is clear from the figures above that the proposed development will generate significantly higher levels of traffic than the previous use. The Highway Authority also confirm that the proposal will result in an increase in the level of traffic movement to and from this site. Members will note however, that whilst the Highway Authority accept that there will be an increase in traffic levels, given the proposed improvements, the Highway Authority does not consider that the increase in traffic would result in a 'negative impact on the capacity of the network or compromise highway safety along this section of carriageway'. The Highway Authority do acknowledge, however, that the junction of Pound Lane with Hare Lane offers 'restricted visibility at present' and would require the realignment or removal of boundary hedgerow. No further details have been submitted to the case officer on this particular matter and will be sought prior to the committee meeting.

The Highway Authority acknowledge that the approach roads are substandard in terms of width and poor alignment along certain sections. The Highway Authority states that this situation will be improved by the introduction of passing bays along Hare Lane. It is understood that the passing bays will be within highway land and would not require any hedgerow removal. Those improvements works, however, are based on the assumption that the vast majority of guests will arrive from the east along Hare Lane via Broadway and/or Horton. In addition, the Transport Assessment only talks about the primary route from the east and not about the highway network from the west.

Whilst the applicant will encourage visitors to arrive from the east through information packs and a travel management plan, it is impossible to prevent visitors from arriving from the west, especially with the aid of sat nav systems seeking the shortest route or those who are simply lost. Here, the approach roads are particularly narrow, hilly, and winding with blind bends. No improvement works are proposed on those approach roads. Whether any improvements could be made that are both safe in highway terms and acceptable from a visual point of view is one matter, but a bigger concern is that the western approach is not conducive to additional traffic. Moreover, a concern raised by many local residents is the substandard nature of the road network from the west and the potential conflict between additional road users and pedestrians, other road users and agricultural traffic. In addition, it is considered that this situation would be compounded by the fact that visitors are very likely to be making a one off journey to the site and thus be unfamiliar with the nature and use of the local roads. Thus visitors are less likely to make allowances in their driving than regular users to take account of the nature and range of different users of the local roads.

The Highway Authority also raised concerns about the unsustainable nature of this development due to its isolated nature, the poor level of public transport accessible to the site and the significant increase in levels of traffic to the site. Whilst the applicant has outlined measures to reduce car use by keeping the parking to a maximum of 50 spaces and encouraging car sharing and use of local minibuses, it is expected that the vast majority of trips will be made by private car and for some functions will generate more than 50 cars. Whilst it is accepted that by its very nature, a wedding venue will create journeys, a percentage of which will be made over long distances, it is considered that because of poor public transport links, the vast majority will arrive by private car. Allied to the fact that the development will significantly increase trip levels, the scale of the proposed development is considered to promote growth in the need to travel by private car, which is contrary to both local and national policies.

In addition to the ability of the local highway to safely accommodate the additional traffic, a further key issue is the impact that the additional traffic will have both on the amenity of local residents and on the peaceful and tranquil nature and character of the local countryside and, in particular on the AONB. Concern has been raised that the increase in traffic through Horton and Broadway and beyond, often along unpaved and unlit streets, will increase the potential for conflict between cars and pedestrians. Of more concern and impact is the significant

increase in traffic travelling late at night leaving the venue. This additional traffic will not only impact on the amenity of local residents but also on the peaceful and tranquil nature of the AONB and the surrounding countryside. Whilst it is accepted that the site has benefited from business use and associated activity, the nature and form of that activity is very different from the proposed use. The traffic movements will have been lower in number and will largely have occurred during the day. In contrast, the significant level of traffic noise movement and disturbance that will occur late at night, in a reasonably concentrated period of time, is considered to be harmful to the peaceful and tranquil character of the countryside and AONB.

Closely connected with the traffic impact of the proposal on the character and amenities of the area is the impact of the noise and disturbance of guests at a wedding function in a tranquil and peaceful environment. It is accepted that business activity has occurred at this site and indeed, a certain level of noise and activity is certain to be found in rural areas. However, it is the specific nature and scale of the proposed activity that is of concern. Whilst it is accepted that local and national policies seek to encourage reuse of buildings in the countryside, and indeed support economic activities in rural areas, those uses must be weighed against the overarching policies that seek to protect the countryside for its intrinsic value and prevent uses that are neither appropriate in scale nor preserve its character, particularly in highly sensitive areas such as AONB's.

The applicant has made strong representations about ensuring strict management of the site and wedding celebrations that take place in order to reduce the noise and disturbance that is generated by the development. A management plan will be drawn up to assist this approach. Whilst this approach is to be applauded, it is inevitable that, with a combination of upwards of 150 guests, the need to pop outside for fresh air, smoking regulations, the consumption of alcohol and people generally celebrating and enjoying themselves, will result in outside noise that will harm the peaceful and tranquil nature of the countryside and AONB. This noise and disturbance is not only contrary to the policies that seek to protect the intrinsic value and character of the countryside for its own sake but also will be harmful to the amenity of local residents and also to those seeking to enjoy the peaceful and tranquil nature of the common and/or or public rights of way in the area. It is important to stress that it is not the fact that an activity is proposed to take place at the site but the nature, scale, form and time of use that raises strong concern.

Concerns have been raised by the landscape officer in terms of the changes proposed to the former farm area through paving, hard surfacing and suburban landscape treatment. The area to the front of the building has already been domesticated to a large extent and on that particular issue, is not considered significantly harmful to warrant refusal. However, any consent will need to be conditioned to agree all of these details to ensure the landscape impact is minimised. The new car parking area will also enlarge and extend the areas of hardstanding. However, on balance, with careful control over surface treatment and appropriate landscaping is not considered to be sufficiently harmful to warrant refusal. Of more concern is the creation of a large grouping of cars parked in the AONB with potential for glare particularly during summer months. This would be contrary to the character and appearance of the AONB.

Light pollution has also been raised as a concern by the landscape architect, several local residents and the Blackdown Hills AONB. The proposal does involve a significant increase in glazed areas and thus light pollution is a concern particularly in winter months with longer hours of darkness. External lighting can be controlled but it is much more difficult to control internal lighting as this is outside of planning control. Conditions can be imposed to seek tinted glazing but would only offer a partial solution. Therefore, it is considered that additional sources of light would harm the character of the AONB and be contrary to local and national policies that seek to protect the natural beauty of the countryside and particularly sensitive areas such as AONB's.

The concerns raised about the development need to be balanced against the economic benefits that this development would bring. In particular, around 3/4 permanent staff as well as a larger number who will gain employment working at each function. In addition, it is likely that business and the local economy in the wider area will benefit by an influx of people

coming to a wedding ceremony with some visitors wishing to stay and visit the area over a weekend. However, whilst these are clear economic benefits, it is not considered that those benefits outweigh the range of concerns that have been outlined above.

Concern has been raised at the possibility of expansion of the site in the future. If permission is granted, it would be expected that controls through conditions or possibly a legal agreement, to prevent further expansion of the development and to control the number of events etc unless a further planning permission is obtained would be imposed. The agent has indicated that a condition removing the rights to erect marquees is acceptable.

RECOMMENDATION:

Refuse permission.

1. The proposed development by reason of its location in an isolated location, poor public transport provision, cycle and pedestrian links will foster growth in the need to travel by private car. This is contrary to guidance in PPG13 and RPG10, Policy STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy ST3 and ST5 of the South Somerset Local Plan.
 2. The proposed development by reason of the increase in traffic movements to and from the site and activities associated with a wedding venue will increase the levels of noise and disturbance which is harmful to the peaceful and tranquil character of the countryside and the character of the AONB. It will also harm the peaceful enjoyment of users of the public rights of way, common land and open access land. This is contrary to policy EC2, EC3 and ST5 of the South Somerset Local Plan.
 3. The substandard nature of the access at the junction of Hare Lane with the access track to Brook Farm by reason of its restricted width, poor visibility and substandard surface is prejudicial to highway safety. This is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and to Policy ST5 of the South Somerset Local Plan.
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