

Area West Committee – 19th June 2013

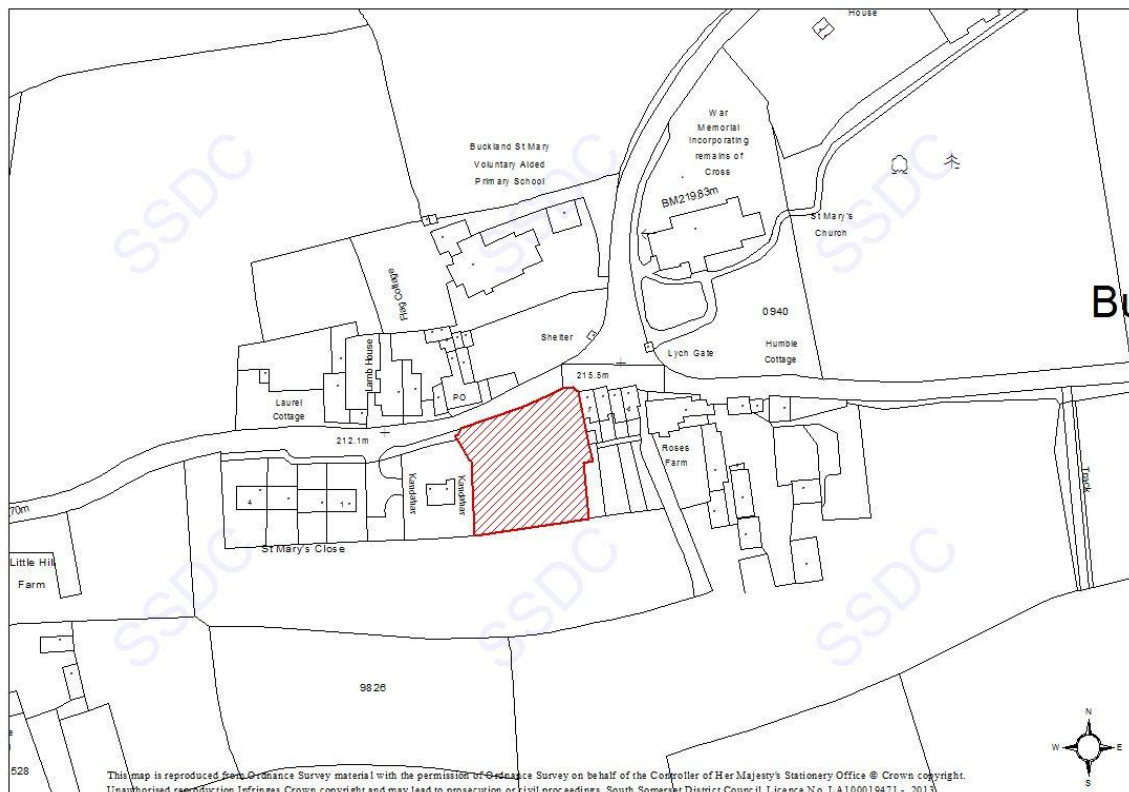
Officer Report On Planning Application: 13/00030/S73A

Proposal:	Application to vary condition 03 to alter parking arrangements and to remove condition 09 (holiday restriction) of planning permission 03/00936/FUL dated 02/06/03 (GR 327044/113354)
Site Address:	Church House Birchwood Road Buckland St Mary
Parish:	Buckland St Mary
BLACKDOWN Ward (SSDC Member)	Cllr R Roderigo
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date:	27th February 2013
Applicant:	Mr John Brooks
Agent: (no agent if blank)	Miss Katy Partridge 24 Fairfield Green Churchinford, Taunton, TA3 7RR
Application Type:	Minor Dwellings 1-9 site less than 1ha

REASON(S) FOR REFERRAL TO COMMITTEE

The application is to be considered by Area West Committee at the request of the Ward Member, with the agreement of the Area Chair. It is felt that the application should be given further consideration by members, to consider the principle of the development proposal.

SITE DESCRIPTION AND PROPOSAL





This application relates to a former outbuilding, within the residential curtilage of Church House. The building was converted and extended following planning permission in 2003 and has since been occupied as holiday-let accommodation. The site is located on the south side of Birchwood Road, right at the centre of the village centre of Buckland St Mary. It is within the local conservation area and the Blackdown Hills AONB and there are two listed buildings close by, the grade II Buckland St Mary primary school opposite and the grade I St Marys Church, to the east.

This application is made to remove condition 9 of planning permission 03/00936/FUL, which restricts the property to being occupied by holiday makers only and for not more than a certain period of time. It is also proposed to amend condition 3, which relates to the area of parking and turning associated with the site. Details have been submitted of a revised parking and turning area for both the application property and the main dwelling, Church House.

HISTORY

03/00936/FUL: Conversion and extension of barn to provide holiday letting accommodation - Permitted with conditions.

02/02612/FUL: Conversion and extension of barn to provide holiday letting accommodation - Refused.

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

South Somerset Local Plan 2006:
 ST3 - Development Areas
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EC2 - Areas of Outstanding Natural Beauty
 EH1 - Conservation Areas
 EH5 - Development Proposals Affecting the Setting of Listed Buildings
 ME10 - Tourist Accommodation

Policy-related Material Considerations

National Planning Policy Framework (March 2012):
 Chapter 4 - Promoting Sustainable Transport
 Chapter 6 - Delivering a Wide Choice of High Quality Homes
 Chapter 7 - Requiring Good Design
 Chapter 12 - Conserving and Enhancing the Historic Environment

Somerset County Council Parking Strategy (March 2012)

South Somerset Sustainable Community Strategy (2008-2026):
 Goal 8 - Quality Development: Sustainably sited and constructed high quality homes, buildings and public spaces where people can live and work in an environmentally friendly and healthy way.

CONSULTATIONS

Parish Council: The Parish Council fully supports this application.

SSDC Technical Services: No comment.

County Highway Authority: I refer to the above mentioned planning application received on 10th January 2013 and following a site visit on the 14th January 2013 I have the following observations on the highway and transportation aspects of this proposal.

The proposal relates to the variation of conditions 3 and 9 of planning permission 03/00936/FUL.

The proposed site lies outside any Development Boundary Limits and is therefore distant from adequate services and facilities, such as, employment, health, retail and leisure. In addition, public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependent 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 the National Planning Policy Framework (NPPF) 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), and Policy ST5 of the South Somerset Local Plan.

Notwithstanding the aforementioned comments, it must be a matter for the Local Planning Authority to decide whether the proposal or any other overriding planning need, outweighs the transport policies that seek to reduce reliance on the private car.

The proposal would result in an increase in vehicle movements as a dwelling can generate 6-8 movements per day when compared to a holiday let which generates 4

movements. However it is unlikely that the additional movements can be considered significant enough to warrant an objection on this element of the proposal.

In terms of the detail the proposal will make use of the existing access. This has limited visibility especially to the left. However the running edge is set away from the wall. As a consequence vehicle would be able move forward slightly from the access to open up the visibility to the left.

The Highway Authority held pre application discussions with the applicant regarding the layout. The Highway Authority requested that provision should be made for two parking spaces and also a turning area. From the submitted details I am satisfied that suitable parking has been provided. Regarding the proposed turning, although the area proposed for turning is a slightly confined I am satisfied that a vehicle would be able to turn and leave in a forward gear.

Therefore taking into account the above information I raise no objection to this proposal and if planning permission were to be granted I would require the following conditions to be attached.

- The development hereby permitted shall not be commenced until two parking spaces for the dwelling and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times.
- 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 parking and turning of vehicles in connection with the development hereby permitted.

SSDC Economic Development:

Comment:

Whilst I can't disagree that the takings for Church House have reduced markedly over the period that the business has been operating, I would disagree that these are purely attributable to trends in the self-catering accommodation sector (as suggested in the applicant's and contributor's letters).

The Blackdown Hills remain a relatively popular destination for UK visitors, and remains an area that does not have an over provision of self-catering accommodation.

Whilst tourism has been hit by both the recession and bad weather in recent years, it is nevertheless an economic sector that has held up reasonably well. The value of Tourism Figures (South West Research) show that the sector remains strong, and whilst there are variances in the composition of the visitor figures (e.g. less overseas tourists, but a stronger home market), the research statistics do not portray a significant downward trend.

Some statistics:

Figures from the South West Tourism Alliance (Holiday Taking in 2010) show that in 2010, 14% of all holidays taken were in self-catering accommodation. This compares to 13% in 2009, thus demonstrating an increase between 2009 and 2010 in self-catering lets.

Of course there are bound to be notable variances from year to year - caused usually by unpredictable and unavoidable factors (the bad weather in 2012 will certainly prove to be one) - so a longer term view needs to be taken to establish a trend. The Value of Tourism Reports for South Somerset (South West Research - between 2012 and 2006) do demonstrate an 11% decline in the value of the self-catering sector between 2005 and 2011. This however is a period of 6 years, showing an overall decline of around 2% per year and perhaps fairly illustrating the gradual long- term effect of the prolonged recession.

It is interesting to note that one planning application received by SSDC in 2012 (to convert a barn to self-catering accommodation) has actually cited the continuing resilience of the self-catering sector in their supporting evidence!

The application:

Whilst we can't dispute the income figures for Church House, they don't appear to fit with the general trend. This in turn begins to question other issues such as extent and effectiveness of business marketing (only one company seems to be used despite the reducing figures). Most self-catering businesses will use a variety of advertising outlets and change them if/when they prove ineffective. Furthermore, the figures provided simply show the commission-based lettings of the one agent used - they perhaps offer only a partial view of the overall business case.

From the information provided, I would say that the applicant has made neither a robust or effective case for change of use and I would find it difficult to support this application.

REPRESENTATIONS

The application has been advertised by press and site notice for the requisite period. Two letters of support have been received from local residents, both on the grounds that there is a decline in business for tourist accommodation and that there is a need for local 'affordable' housing within the village.

CONSIDERATIONS

Principle of Development

The application is made for the removal of a condition on the property, restricting its occupation to just holiday makers, allowing occupation as a separate dwelling in its own right. Associated alterations to parking arrangements will also require the amendment of condition 3, which requires the parking and turning space indicated on the original submitted plan to be kept free of obstruction.

In terms of principle, the building is located within the existing built up area at the centre of the village, however there is no defined development area. Saved policy ST3 of the South Somerset Local Plan states "outside the defined development areas of towns, rural centres and villages, development will be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel." It is noted that SSDC don't currently have the required five year housing supply, which means that the element of the saved policy making reference to housing land supply (i.e. development areas) is considered to be out of date. Notwithstanding this, the elements relating to sustainability aspects are still in line with advice contained within the 'National Planning Policy Framework' (NPPF) and therefore can be afforded weight in determining this application.

National guidance contained within NPPF, supports the potential for conversion of existing buildings where, the development would re-use redundant or disused buildings and lead to an enhancement of the immediate setting. In this case, however the building is already converted and is neither redundant nor dis-used and has until recently been used for a purpose that is considered to benefit the local economy, which would have been the main reason for approving in the first place. Paragraphs 54 and 55 of the NPPF state "In rural areas...local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites, where appropriate." And "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities...local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances." In this case, with the exception of the presence of a primary school opposite the site, there is a general lack of services locally, making it an unsustainable location for housing development. Whilst this was considered to be a suitable location for a holiday cottage/annexe due to the contributions that were made to support the local tourist economy, an open market dwelling would clearly result in unsustainable development as the future occupiers would be dependent upon private vehicles to access any services.

As referred to briefly above, the original planning permission for the conversion of the building was granted on the basis that it would contribute towards the local tourist economy and as such accorded with the relevant local plan policy (ME10) that sought to promote new and improved tourist accommodation. The policy made it clear that such proposals would be subject to conditions restricting the use to holiday accommodation only in order to ensure that the accommodation continued to support the local tourist economy. The NPPF sets out very clear policies that seek to support rural tourism in order to create jobs and prosperity within rural areas. The Council's Economic Development Team have commented on this application and while not disputing the decline in business and associated takings, concerns are raised that this does not fit with the general trend for tourism. In the locality, particularly within the Blackdown Hills AONB, which is not considered to have an over provision of self-catering accommodation. The Economic Development Team are of the view that despite the impact of the recession and bad weather in recent years, the sector has held up reasonably well and tourism figures show that it remains strong. These figures and the lack of overall business case for a change of use away from this economic use have led to an objection being raised on the grounds that no robust or effective case has been made to show that the holiday unit is financially unviable.

Notwithstanding the limited justification on economic grounds, the applicant's main reasoning appears to be through a desire to downsize and discontinue the holiday business. They also argue that the dwelling could make a good centre of village affordable/starter home that would assist in maintaining the vitality of the existing local community. There has previously been a need for affordable housing within the village, which was formally identified in a housing survey carried out prior to the approval of the Rookery Rise development, not far to the west. This four home development carried out by Hastoe Housing Association and was approved under 07/02889/FUL. This time round however, no formal need has been identified and even so, the property would be open market housing, with no guarantees that it would be used to meet a local need. As discussed earlier, while this is at the centre of the village, it is in an unsustainable location, where there is limited access to essential services.

Historic Context, Scale and Appearance

The north elevation of the property forms the roadside boundary of the site so this part is relatively prominent within the local street scene. There are however, no alterations

proposed to the property itself, with the only works comprising the re-arrangement of parking facilities to allow for a separate parking and turning area for the application property and the existing main dwelling, Church House. These arrangements are considered to be acceptable in visual terms and also meet the requirements of the County Highway Authority in terms of highway safety. Overall, the proposed works are contained within the application site and will have no adverse effect on the appearance of the conservation area or the setting of the nearby listed buildings.

Residential Amenity

The site is located to the side of Church House, the curtilage of which currently spreads to the west beyond the holiday-let accommodation and to the south. The application will see the retention of the garden area to the west with the former holiday-let and the rest retained with Church house. The two gardens will remain private from each other and are well contained meaning that there will be no unacceptable levels of overlooking. The same applies to the properties themselves. The drive will be shared but otherwise, there are few openings that will allow interaction between the residents of the two properties and the principal elevations look towards the private amenity spaces associated with each property respectively. The relationship between the two properties is considered to be acceptable with no unacceptable harm to residential amenity. The property is well separated from any other neighbouring dwellings and as such there are no other issues.

Conclusion

In summary, the use of this building as holiday accommodation/annexe was granted permission on the basis that a holiday use would support the local tourist economy and was therefore in compliance with the relevant plan policy. In this case, the removal of condition 9 to allow the re-use of the building as a full residential unit would be tantamount to the creation of a new unit within the countryside, which is considered unsustainable development for which there is no policy support. Furthermore, there is concern that approval in this case would set an extremely undesirable precedent that could impact upon all permissions for holiday accommodation that have been approved in the recent past. This could have a significant and deleterious impact upon the tourist economy of the area contrary to advice within the NPPF. For these reasons, the recommendation to Members is to refuse permission.

RECOMMENDATION

Refuse.

SUBJECT TO THE FOLLOWING:

01. The conversion of this building was approved on the basis that it would provide holiday accommodation that would support the local tourist economy; to allow the building to be used as unfettered residential accommodation would be tantamount to a new dwelling in the open countryside. Such development would be unsustainable and as such the proposal is contrary to saved policy ST3 of the South Somerset Local Plan and guidance contained within the NPPF.

02. The granting of permission in this case would set an extremely undesirable precedent that would make it very difficult to resist the approval of similar applications within the open countryside. The loss of holiday accommodation would have a significant and deleterious impact upon the local tourist economy. This is contrary to saved policies ST3 and ME10 of the South Somerset Local Plan and guidance contained within the NPPF.