

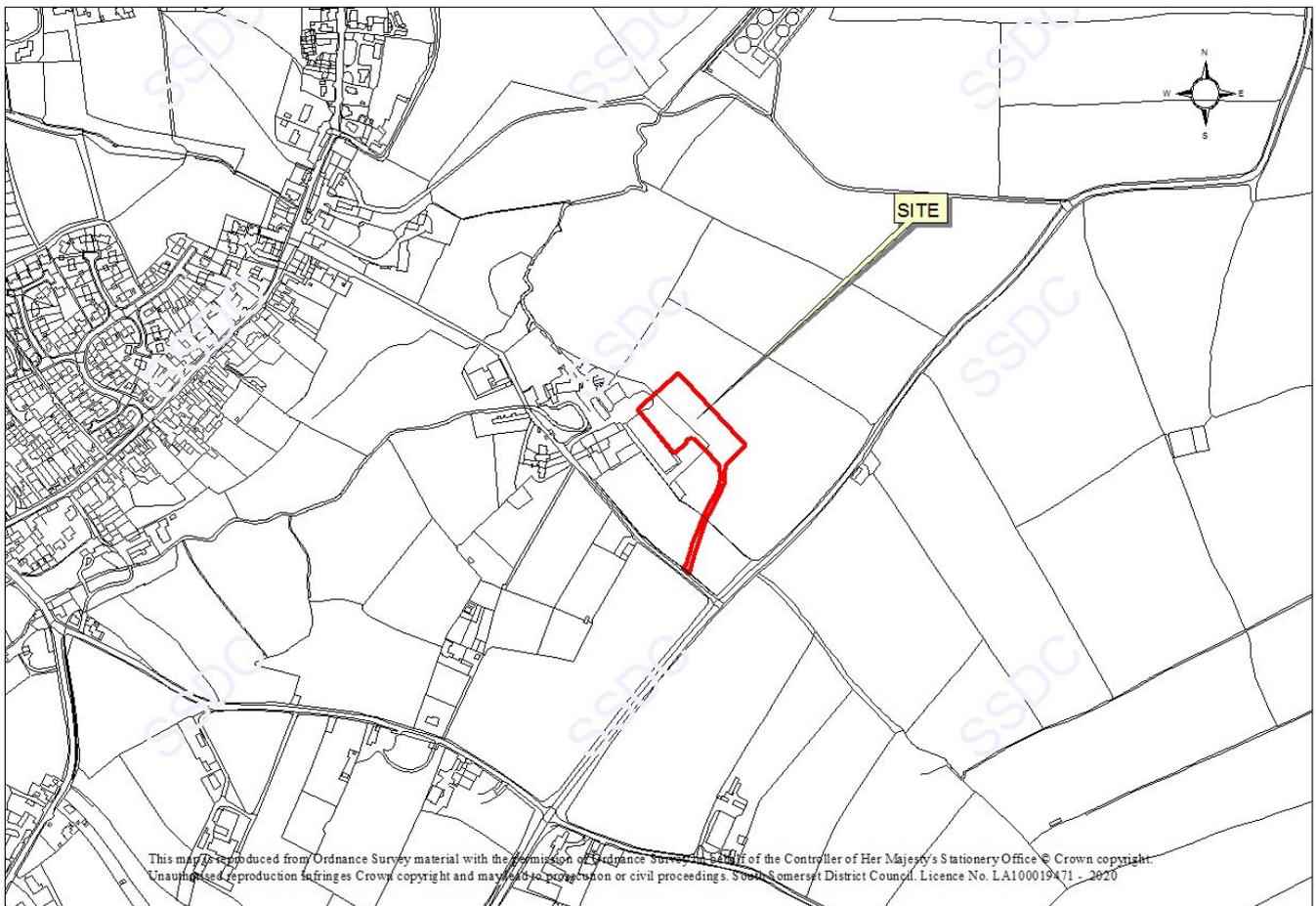
Officer Report on Planning Application: 19/00810/FUL

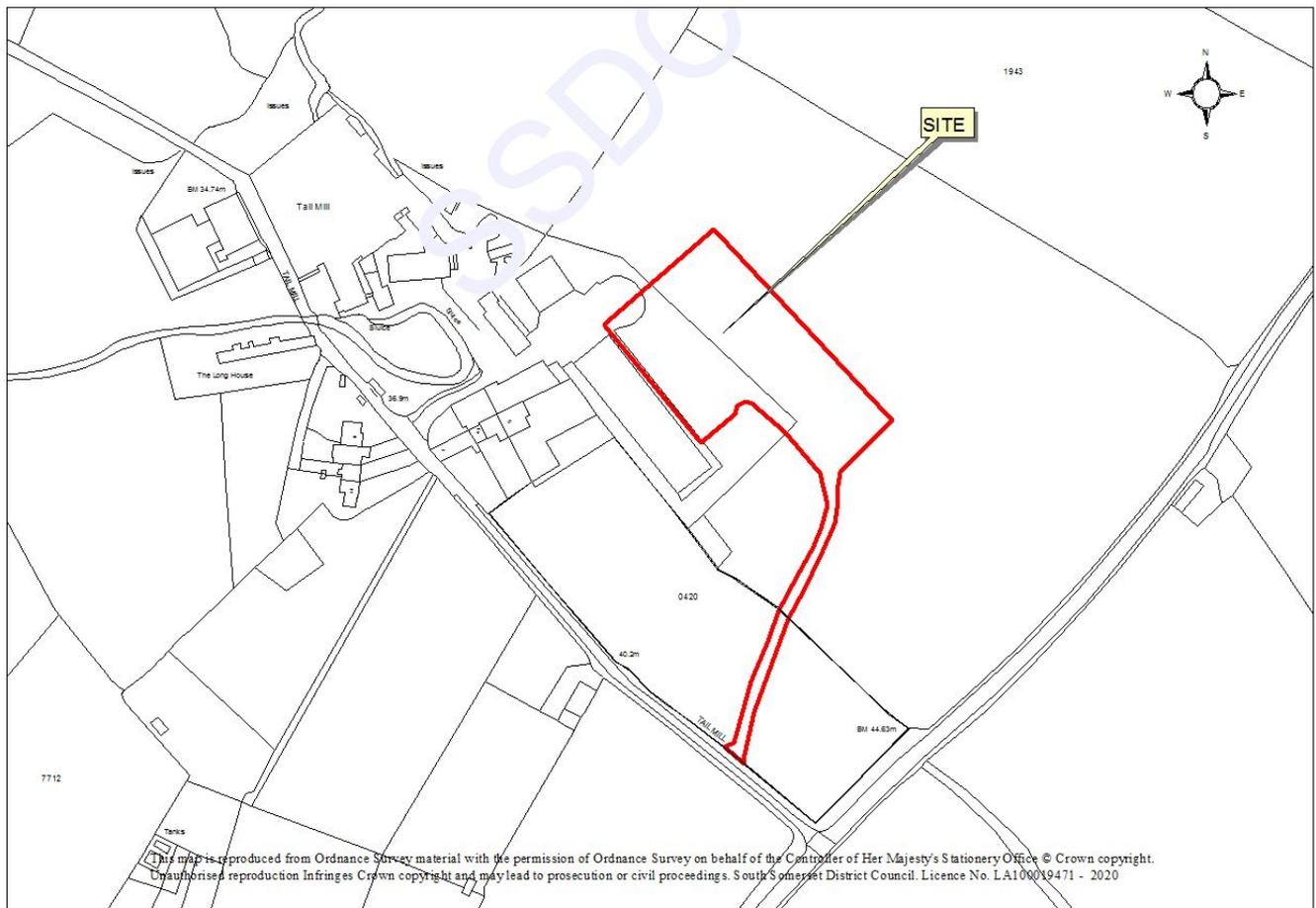
Proposal:	The erection of 2 No. commercial buildings with the provision for car parking, access and turning areas. The proposed buildings are to provide employment opportunity for SME businesses and to the local residents of Merriott.
Site Address:	Land At Tail Mill, Tail Mill Lane, Merriott TA16 5PF
Parish:	Merriott
EGGWOOD Ward (SSDC Member)	Cllr Paul Maxwell
Recommending Case Officer:	Ian Cousins
Target date:	13th June 2019
Applicant:	Mr Patrick Quinn
Agent: (no agent if blank)	Lyndon Brett Partnership, County Court Chambers, Queen Street, Bridgwater TA6 3DA
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

Members will recall that this item was deferred at the February Committee to allow negotiations to take place with the applicant regarding the layout and appearance of the road. These negotiations have taken place and amended plans received.

SITE DESCRIPTION AND PROPOSAL





The application site lies within the countryside to the east of Merriott and the historic Tail Mill site. The site comprises an existing commercial unit which accommodates two businesses. Access to the site is from the west between the Tail Mill re-development scheme and Tail Mill Cottages.

This application seeks consent to erect two commercial buildings to the north east of the existing building to accommodate small start-up businesses within 9 units. The units comprise a workshop/storage area with associated office and staff welfare facilities. A new road is proposed to be provided from Tail Mill Lane to the south along with parking and new landscaping. The plans have been amended to include planting and a reduction in width to the access road.

HISTORY

07/02464/FUL - Erection of an extension and the upgrade of existing factory together with highway improvements and landscaping. - Permitted - May 2007

08/03871/FUL - Extension to proposed factory buildings relating to planning approval 07/02464/FUL by the addition of a 6m wide bay to approved extension - Permitted - October 2008

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006-2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028)

SD1 Sustainable Development
SS2 Development in Rural Settlements
TA5 Transport Impact of New Development
TA6 Parking Standards
EQ1 Addressing Climate Change in South Somerset
EQ2 General Development
EQ3 Historic Environment

National Planning Policy Framework

Chapter 4 - Decision Making
Chapter 6 - Building a Strong, Competitive Economy (Paragraphs 83 & 84)
Chapter 12 - Achieving Well-Designed Places (Paragraph 124)

Planning Policy Guidance

Climate change
Design
Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

Merriott Parish Council

"Support the application and recommend approval"

County Highway Authority

"No objection as the level of parking is acceptable. Details of the disposal of surface water will need to be submitted prior to the occupation of the units."

SSDC Highway Consultant

"Refer to comments made by County Highways."

Environment Agency

"No objections subject to an informative being imposed advising of safeguarding during the construction phase"

Environmental Health

"If a B2 use is to be included in the proposal, then a noise report will be required."

REPRESENTATIONS

4 representations received objecting to the application on the grounds of neighbour amenity, impact on character of area, highway concerns and loss of views.

CONSIDERATIONS

Principle of Development

The site lies within an area defined as countryside and therefore the principle of development is considered against Chapter 6 of the NPPF (specifically paragraph 83 (rural economy)) and policy SS2 of the Local Plan. These policies seek to support employment opportunities appropriate to the scale of the settlement and promotes a prosperous rural economy.

Merriott is considered to be a rural settlement which has key facilities that are easily accessed from the application site. Furthermore, Merriott has accommodated development and grown over recent years.

Given this, it is considered that the scale of development is commensurate to the size and nature of Merriott and provides for employment opportunities and as such, the principle of development can be considered to be acceptable.

Scale and appearance

The proposed buildings are considered to relate well to the built form of the existing commercial building and are of a scale and appearance that will not appear incongruous. Accordingly, this element of the development is considered not to be detrimental to the character of the area. Furthermore, given that the proposed buildings are to be located further away from the recent Tail Mill development than the existing industrial building, this element of the proposal is not considered to be detrimental to the historic setting of Tail Mill.

The proposed access road will cut across an undeveloped agricultural field resulting in the creation of two separate parcels of land. This element of the proposal raised concerns on the grounds that the design of the road would introduce an urban feature which would be visually intrusive and therefore harmful to the rural character of the countryside.

Accordingly, a revised design for the access road has now been negotiated. The pathways have been omitted and the road will narrow to a central pinch point from the junction. A grass bund will be provided to a section of the road to its north east side and planted with a hedgerow. Following these changes, it is considered that the urban appearance of the road has been suitably designed out and is now more appropriate to its rural setting. Furthermore, it is considered that the proposed landscaping will further assist the integration of the road into the landscape.

Highways and parking

It is considered that the new access road is suitable for the proposed development and can accommodate the level of likely traffic movements without detriment to highway safety. Furthermore, the new road will divert the traffic for the existing building away from the residential area which is considered to represent a benefit to highway safety and neighbour amenity. The existing access will be stopped up and abandoned however, pedestrian access into the site will remain.

Neighbouring amenity

The closest residential buildings are located to the north west of the site, beyond the existing industrial building which is sited closer to them. It is considered that, given this distance and providing the use of the buildings is restricted to B1 or B8 use, the proposed use is compatible with the surrounding area and any noise generated will not be detrimental to neighbour amenity to any degree that would warrant the refusal of the application. The restriction of B1/B8 uses can be imposed with the use of an appropriate condition however, it must be noted that, should the applicant also require a B2 use, then a suitable noise report would need to be undertaken. The noise report would have to demonstrate that a

B2 use can be accommodated on site without being detrimental to neighbouring residents.

Conclusions and Planning Balance

The proposed site is considered to be relatively well related to Merriott, a rural settlement with a number of key facilities and services and therefore complies with the requirements of policy SS2 of the Local Plan. Furthermore, given that the siting of the proposed development is to be adjacent to an established commercial building, it is considered that the character of the area will not be detrimentally affected by the development. The new access road is now considered to be visually acceptable with the benefit of removing existing commercial traffic from the residential area.

RECOMMENDATION

APPROVE for the following reason:-

01. The proposed site is considered to be relatively well related to Merriott, a rural settlement with a number of key facilities and services and therefore complies with the requirements of policy SS2 of the Local Plan. Furthermore, given that the siting of the proposed development is to be adjacent to an established commercial building, it is considered that the character of the area will not be detrimentally affected by the development. The new access road is now considered to be visually acceptable with the benefit of removing existing commercial traffic from the residential area.

SUBJECT TO THE FOLLOWING:

01. 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.

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

Proposed Site Location Plan - A24/200227
Proposed Site Location Plan - A22/200226
Proposed Site Location Plan - B23/200226
Proposed Block Plan - B11/190402
Proposed Landscaping Plan - B14/190402
Proposed Plans and Elevations - C1/190402
Proposed Plans and Elevations - C4/190402

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

03. The development hereby permitted shall not be used other than for those activities which fall within the definition of Class B1 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: In the interests of protecting neighbour amenity.

04. No work to the buildings hereby approved shall proceed beyond damp proof level until details of the materials of the external surfaces to be used in their construction have been submitted to and

approved in writing by the Local Planning Authority. The buildings will then proceed in accordance with the approved details.

Reason: In the interests of ensuring a visually satisfactory form of development.

05. The area allocated for parking and turning as shown on the approved proposed block plan B11/190402 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.

Reason: In the interests of highway safety

06. Details of secure cycle storage to serve the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be fully implement prior to the first occupation of any of the units hereby approved.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

07. Prior to first occupation of any of the units hereby permitted, 3 electric charging point (of a minimum 16amps) for electric vehicles shall be provided adjacent to the designated parking spaces as shown on the approved plan. Once installed such charging points shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

08. 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 in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of any of the units hereby approved and thereafter maintained.

Reason: In the interests of highway safety.

09. All planting comprised in the approved scheme shall be carried out within the first dormant planting season (November to February inclusively) following the first occupation of any of the units hereby approved; and if any trees or shrubs which within a period of five years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the character of the area and enhancing biodiversity.

10. With the exception of pedestrian use, the existing access into the site shall be stopped up and abandoned to vehicular traffic prior to the occupation of any of the units hereby approved. Access to pedestrians shall remain in place unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbour amenity and highway safety.

11. Prior to the commencement of works to the new access road, details of the planting and bunds to the new road as indicated on the approved plans shall be submitted to and approved in writing by

the Local Planning Authority. These works shall be implemented within the next planting season following the first occupation of one of the business units hereby permitted. If any trees or shrubs which within a period of five years following the planting, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of protecting the rural character of the area.

12. There shall be no external lighting to the any part of the development hereby approved unless a lighting scheme has been submitted to and approved in writing by The Local Planning Authority. The lighting scheme shall then be fully implemented in accordance with the approved details.

Reason: In the interest of protecting the rural character of the area.

Informatives:

01. Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:
- The use of plant and machinery
 - Wheel washing and vehicle wash-down
 - Oils/chemicals and materials
 - The use and routing of heavy plant and vehicles
 - The location and form of work and storage areas and compounds
 - The control and removal of spoil and wastes
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