

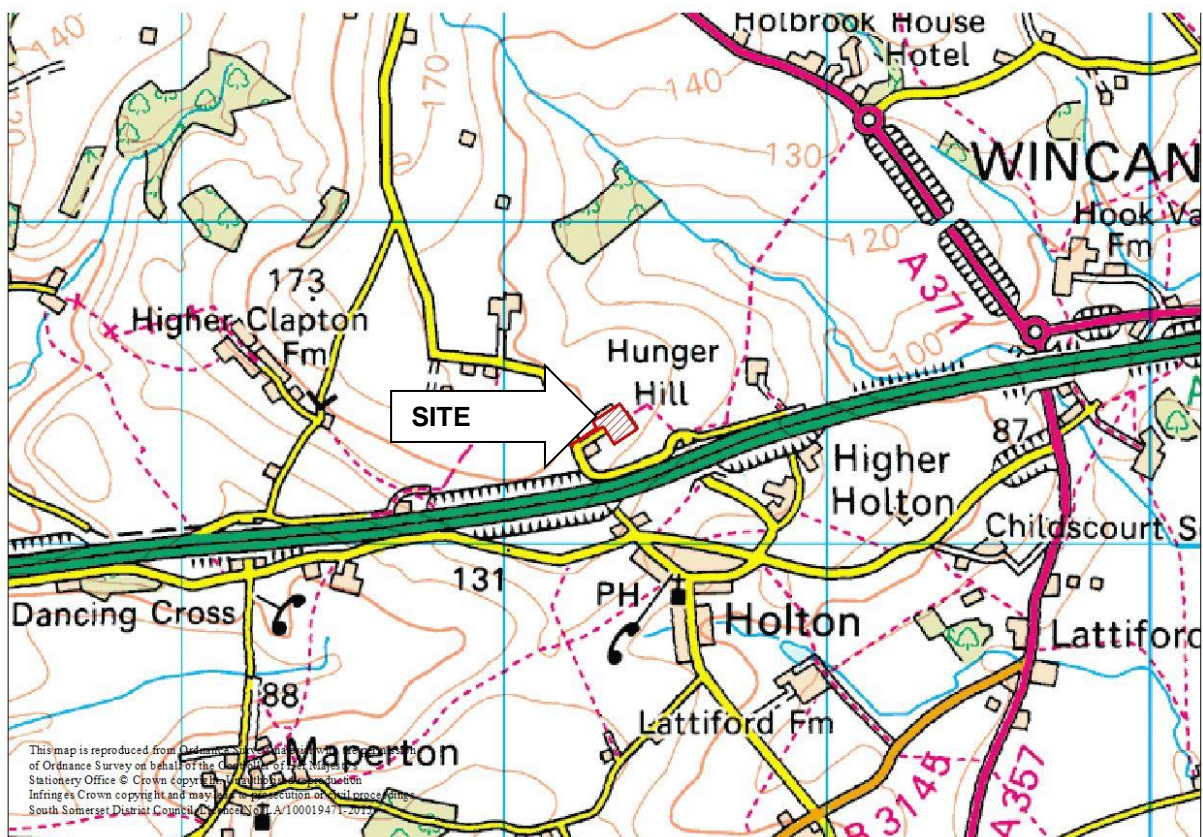
AREA EAST COMMITTEE
Officer Report On Planning Application: 15/03372/COU

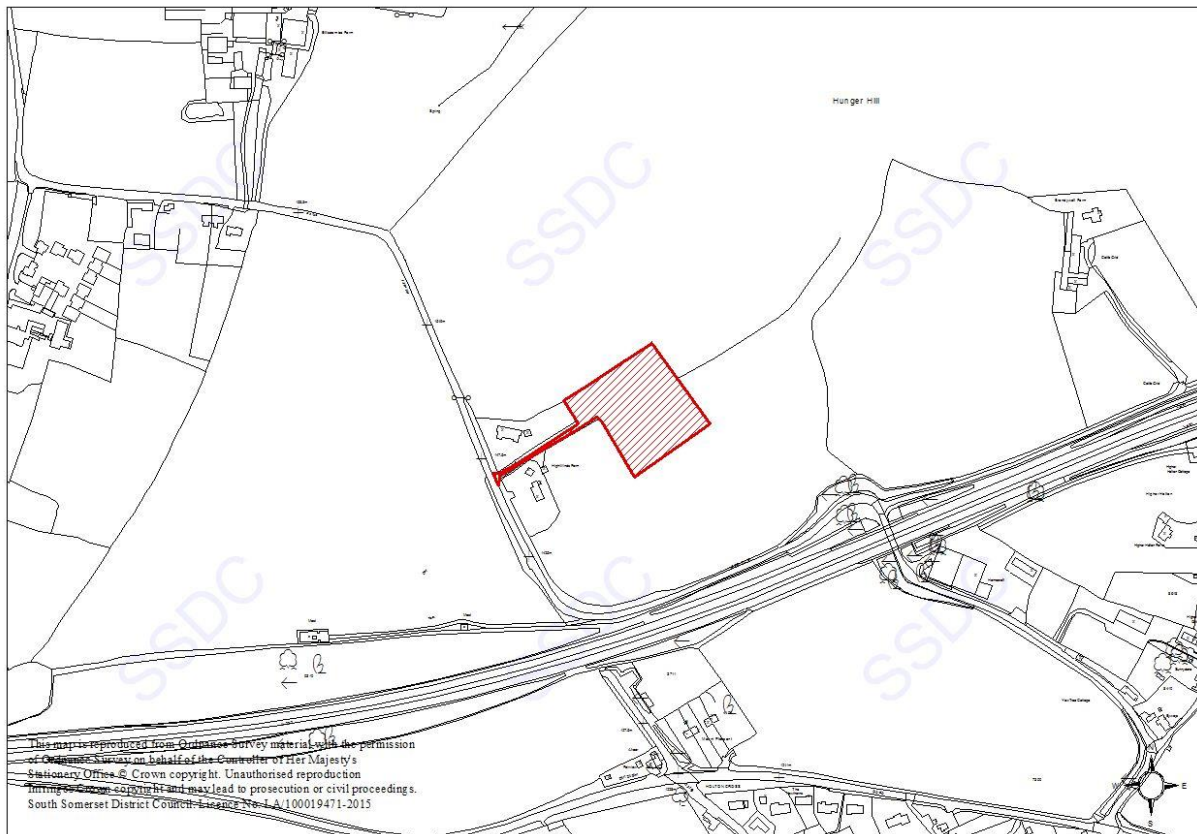
Proposal :	Change of use of redundant agricultural buildings to B1 (Business), B2 (General industrial) and B8 (Storage or distribution)(GR 368250/127287).
Site Address:	Warehouse And Premises High Winds Higher Holton
Parish:	Holton
BLACKMOOR VALE Ward (SSDC Member)	Cllr Tim Inglefield Cllr William Wallace
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	16th September 2015
Applicant :	Mr Laurence Wadman
Agent: (no agent if blank)	Mr John Shaw 8 Alexanders Close Meare Glastonbury Somerset BA6 9HP United Kingdom
Application Type :	Other Change Of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the committee at the request of the Ward Member(s) with the agreement of the Area Chairman to enable the comments of local residents and the Parish Council to be fully debated.

SITE DESCRIPTION AND PROPOSAL





The site is located in the countryside off Elliscombe Lane, Holton. The site forms agricultural buildings and yards. Mature trees at the southwest and southeast boundaries help screen the buildings. On either side of the entrance to the site that is outside the applicant's ownership are 2 single storey dwellings.

The proposal seeks permission for a change of use to B1 (business), B2 (General Industrial) and B8 (storage and distribution) that in part would regularise existing uses, namely a chocolate factory and commercial storage use, and include an extension in the area of use.

A Design and Access Statement is submitted in support of the application.

The application has been amended to reduce the area of change of use to 1,395 square metres that originally included the whole site (3,895 square metres).

HISTORY

11/03255/FUL - Installation of a range of 200 photo-voltaic cells on roof of barn for provision of electricity to farm - Approved.

98/00069/FUL - The erection of a barn for the storage of hay and straw - Approved.

932413 - Erection of an agricultural building comprising corn drying barn and cattle shed - Approved

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be 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

SS1 - Settlement Strategy

SS2 - Development in Rural Settlements

EP5 - Farm Diversification

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General development

EQ4 - Biodiversity

Regard shall also be had to:

National Planning Policy Framework (March 2012):

Chapter 1 - Building a strong competitive economy

Chapter 3 - Supporting a Prosperous Rural Economy

Chapter 4 - Promoting sustainable transport

Chapter 7 - Requiring Good Design

Chapter 8 - Promoting Healthy Communities

Chapter 10 - Climate Change and Flooding

Chapter 11 - Conserving and Enhancing the Natural Environment

National Planning Policy Guidance

Other Relevant Documents

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012 following corrections made.

Somerset Highways Standing Advice - June 2015.

CONSULTATIONS

North Vale Parish Council was advised that an amended drawing that reduces the area proposed for change of use was received.

Their original response in considering the whole site objects on a number of points:

- As per planning policy SS2 covering rural settlements, the proposed development would be out of keeping with that policy, in terms of not adding value to the local community and not being consistent with community led plans or have the support of the local community. It would not enhance any community facilities or serve the settlement to any benefit.
- The buildings represent an area of some 16,500 sq metres which is not justified to turn into general industry and / or storage distribution, when related to a village community of 200 residents. With Wincanton being 2 miles down the road with existing Industry Parks and road network set up to support. It makes no sense to establish Holton as an industry park with its narrow lanes, no footpaths and an already existing traffic problem.
- Impact on the local community would be detrimental in terms of traffic increases in, through and around the village. Noise from the A303 is already an issue. With a site dedicated in total or in part to storage and distribution, traffic flow would be substantially increased and noise levels excessive due to increased transport movements.
- The village has no footpaths and would become even less safe than it is today.
- Concerns regarding the nature of what will be stored - hazardous waste in a rural environment, pollution, etc.
- Traffic movements potentially could be 24 hours if used as a storage and distribution centre which would seriously impact the well being of the rural community of Holton
- Speed Watch in Somerset already recognise Holton as having an issue with traffic volumes and speeds - this application would make this significantly worse.

The Parish Council would like to request an Independent Highways Assessor to undertake an assessment of traffic flow as this is a major concern in terms of traffic movements in, through and around

the village.

SSDC Planning Policy Officer: Local Plan Policy EP5: Farm Diversification permits proposals for development for the purposes of farm diversification within established agricultural holdings as long as a number of criteria are met; these include: the character, scale and type of proposal is compatible with its location and landscape setting. Paragraph 9.50 of the Local Plan requires that proposals for farm diversification must be accompanied by a comprehensive farm diversification plan, which indicates how new uses will assist in retaining the viability of the farm and the agricultural enterprise, and how the plans link with any other business plans for the farm.

The GPDO (as amended) now allows for the change of use from B1 to B8 (B8 up to 500 sqm), the change from B2 to B1 or B8 (B8 up to 500 sqm), the change from B1 to C3 (B1 (a) only) and from B1 to A1, A2 or A3 (with certain exceptions) without the need for planning permission. Given these changes to legislation the need to apply Policy EP2 will depend very much on how the uses (existing and proposed) are distributed across the total floor space.

Paragraph 28 of the National Planning Policy Framework (NPPF) expects local and neighbourhood plans to support sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings and promote the diversification of agricultural and other land-based rural businesses.

County Highway Authority - In response to the amended drawings that have reduced the area of site they do not object. They have suggested two conditions to secure consolidated surfaces, and parking and turning details.

Highway Agency - offers no objection.

County Rights Of Way - A public right of way is recorded that runs along the access but that there is no objection subject to the general comments that are made in that officer's response.

SSDC Ecologist - No comments to make.

SSDC Environmental Protection - No objections.

Area East Development Management - With reference to the above application, given the use of the premises during the last few years I have no objection to this application providing it does not create succession rights to other uses (if it would, please could there be conditions added which restrict this). (OFFICER Note: Removal of PD rights is questionable and not necessarily straightforward given current central government policy.)

Holton Heritage Trust - objects. This would enormously increase the volume of traffic, including heavy goods vehicles and lorries with trailers, using this narrow country lane. It is clearly marked 'unsuitable for Heavy Goods Vehicles'.

REPRESENTATIONS

One neighbour notification response has been received that objects to the proposal, concerned that:

- This site is very large and would generate a throng of large delivery lorries.
- The scale of the proposed conversion is massive with a number of very large units over a significant area at odds with the odd farm building. It is totally disproportionate.
- The site is down a narrow country lane which is too narrow for large lorries to use.
- It is virtually opposite the start of a footpath and bridleway which walkers and riders use regularly.
- There is no pavement on the road.
- The road is already signposted as unsuitable for lorries.
- This application would make it extremely dangerous with risk to local walkers and cyclists.
- There is no public transport generating more traffic.
- There is no local need for industrial and storage units and no employment need in Holton.

APPLICANT'S SUPPORTING CASE

The applicants supporting planning statement states that they acquired High Winds because it adjoins Elliscombe Farm (their existing business) in order to obtain more land for the purpose of supporting the existing farming enterprise at Elliscombe Farm.

It is important for the business to have a source of income that is not linked to the dairy industry and provide a relatively stable source of income at a time of uncertainty.

CONSIDERATIONS

The main considerations include the principle of development, character and appearance, highway safety and neighbour amenity.

Principle of Development:

The amended scheme has reduced the overall area identifying the existing use that would be regularised by this permission and allowing for a little more flexibility by extending this area. This would leave the rest of the site as agricultural.

The proposal better accords with the small scale farm diversification initiatives commonly found in support of farming activities, whose proportionate approach is not always to seek a robust farm diversification plan. This application is not supported by a farm diversification plan and in consequence the overall scale of change of use originally envisaged was not supported. The amended scheme is considered contributes towards local economic benefits that would be 'in-keeping' in the locality. As explained by the applicant this small scale introduction is supportive of their farming activities. As such there is support in principle for the development. Accordingly the main considerations include character and appearance, highway safety and neighbour amenity.

Character and Appearance:

The application involves a change of use rather than physical external alterations and while these may well be introduced at a later stage the location is considered relatively well screened while the presence of activities within the site and of vehicles being parked involves relatively low level use and the proposal would not have any adverse harm in terms of the site's character and appearance.

Highway Safety:

The County Highway Authority have not raised any objection to the change of use. They have proposed two planning conditions that would be attached to any permission. In response to Ward Member concerns, notwithstanding the reduced area of change of use involved the council's own Highway Consultant has sought an assessment to understand likely number and type of vehicles generated to permit a comparison. The applicant's agent rejected the request and sought determination of their application forthwith. While the independent highway consultant's response differs from that given by County Highways' the latter's response was that the reduced proposal did not have any detrimental impact in terms of highway safety.

Neighbour Amenity:

The nearest neighbours are on either side of the access. The level of proposed use is not considered would give rise to any greater use of the access than should be envisaged by the site's continued agricultural use. Likewise, disturbance from the possible uses, this currently involves a chocolate factory that would or could exude certain smells should be seen in light of the livestock unit that could continue in situ, while the change of use has not been an issue for the Environmental Protection Officer.

Parish Council and Neighbour responses:

Their comments anticipate the wholesale change of use of the site although the amended scheme's area is much reduced. This reduced scale of change of use in considering a proportionate approach is not considered uncommon in support of farming activities and is arguably closer to the approach taken under Policy SS2 that is referred to in the response by the Parish Council.

Concluding Remarks:

The amended site plan identifies a scale that is more in keeping with its locality with a use that can be

supported. Notwithstanding the additional evidence sought by the council's in-house highway consultant, in considering the scale of development that is involved it is considered that the proportionate approach would be to accept the position taken by the County Highway Authority.

RECOMMENDATION

Approve

01. The proposed change of use by reason of its scale and location represents an acceptable that accords with Policy EQ2, TA5 and TA6 of the South Somerset Local Plan 2006- 2028.

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: Location Plan received 1 December 2015 and Plan of Demolition received 22 July 2015.

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

03. Within 3 months of the date of this permission a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) a minimum width of 5m and for a distance of 6m details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety further to Policy TA5 of the South Somerset Local Plan 2006- 2028.

04. Within 3 months of the date of this permission for change of use there shall be submitted to and agreed by the Local Planning Authority a scheme for parking and turning provided in line with the Somerset County Council Parking Strategy. The said spaces and access shall be properly consolidated and surfaced within a timescale to be agreed, and shall thereafter be kept clear of obstruction at all times and not used other than for the parking of vehicles or for the purpose of access.

Reason: In the interests of highway safety further to Policy TA5 of the South Somerset Local Plan 2006- 2028.

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows or other openings (including doors) shall be formed in the building, or other external alteration made without the prior express grant of planning permission.

Reason: In the interests of visual amenity and character and appearance, further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.