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APPL.NO: 07/01151/COU APPLICATION TYPE: Change of Use

PARISH: Somerton WARD: WESSEX

DESCRIPTION: Change of use of part of disused workshop/store to a farm shop (Use Class A1) (GR 350192/125830)

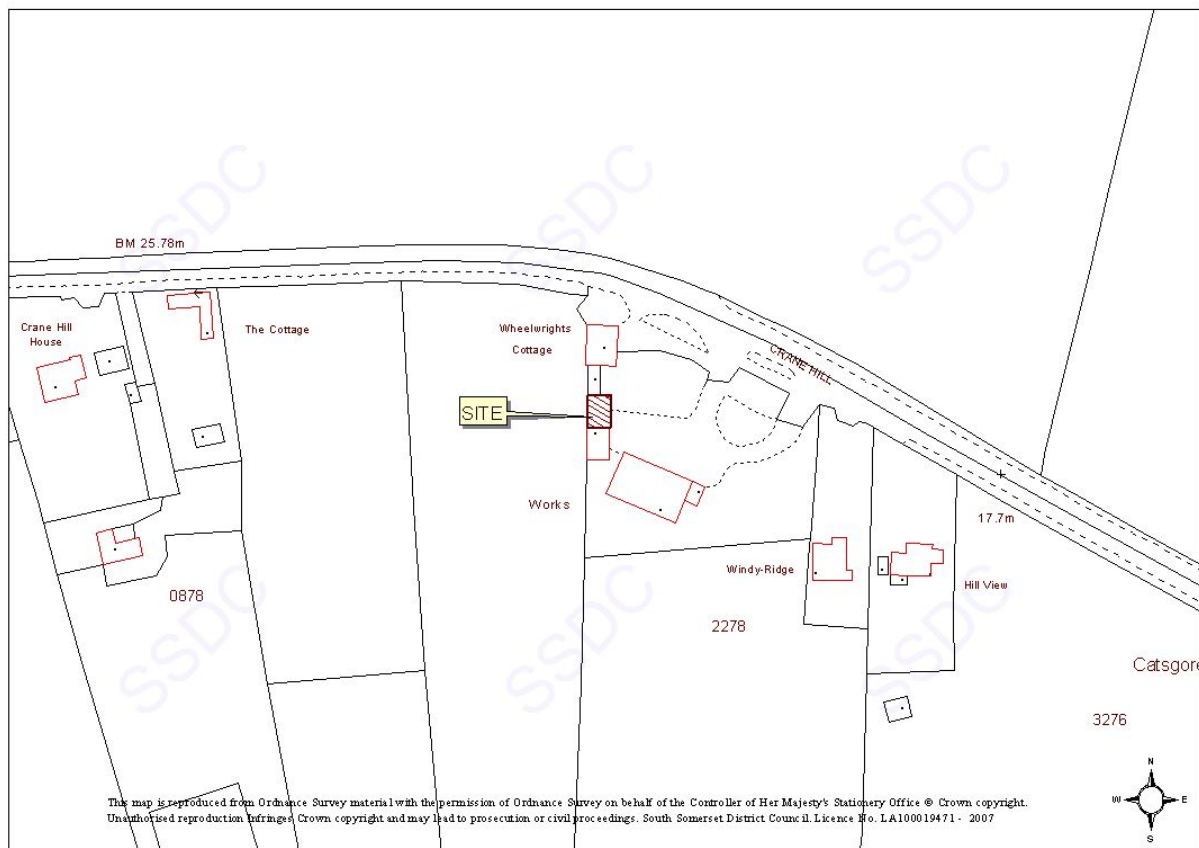
LOCATION: Adjacent Trailer Works, Catsgore Road, Somerton, Somerset TA11 7HY

APPLICANT: David Oram

DATE ACCEPTED: 19 March 2007

Reason for Referral

The Ward Members would like further consideration given by Committee that the site has commercial use, was formerly a petrol station with retail sales and now with trailer sales from the site.



Site Description and Proposal

The site is designated part of the countryside. The site is shared with Trojan trailers (sui generis) and was formerly a petrol filling station described as vacant in a 1989 application that sought part of the front of the site as a sales/ display area for several vehicles.

The proposal seeks re-use of a workshop building to provide a farm shop.

Planning History

Petrol filling station in existence before 1952.

Motor Vehicles Sales approved 1989

Residential Development Refused 1998

Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under 54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant development plan documents unless material considerations indicate otherwise.

Relevant Development Plan Documents:

Regional Spatial Strategy

VIS1 - Expressing the Vision

VIS2 - Principles for Future Development

EN4 - Quality of the Built Environment

Somerset and Exmoor National Park Joint Structure Plan 2000

STR1 - Sustainable Development

STR6 - Development Outside Towns, Rural Centres and Villages

South Somerset Local Plan 2006

ST3 - Development Areas

ST5 - Principle of Development

ST6 - Quality of Development

MS4 - Farm Shops

MS3 - Local Shops and Services Outside Development Areas

EH6 - Conservation of buildings in the countryside

TP5 - Public Transport

Consultations and Representations

Town Council

No objection

County Highway Authority

Refusal. The proposed development site is remote from any urban area and is distant from adequate services and facilities. In addition public transport services are infrequent and there is not a continuous footway network leading to the site. As a consequence, customers of the new development are likely to arrive at the site by private vehicles. 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.

In detail, visibility from the site to the east is adequate. However, the site is located in close proximity to a sharp blind bend to the west and as such visibility in this direction is restricted. As a consequence the emergence of vehicles from the site onto the classified road at this point is a serious highway safety concern. As a consequence the highway authority would not wish to see a proposal that is likely to increase the use of this access.

It is felt that the proposal to change the use of part of a disused workshop to that of a farm shop is likely to lead to a significant increase in the level of traffic accessing the site and as such I would recommend that the application be refused on highway grounds.

SSDC Technical Services

No comments

Planning Policy

South Somerset Local Plan (SSLP) Policy MS4: Farm Shops is not applicable in this case for although the applicant owns an agricultural holding he is not intending to locate the farm shop on that holding but will be renting the building adjacent to Trailer Works; I believe the reason for this is that he considers it to be in a more accessible location.

The site is located outside of any Development Area (SSLP Policy ST3 & Joint Structure Plan Policy STR6) and is therefore in a location where development is strictly controlled and limited to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. Whilst this proposal is likely to benefit economic activity it is doubtful if it will enhance the environment and more importantly it is likely to foster growth in the need to travel particularly by private car. In the same vein Criterion 1 of Policy ST5: General Principles of Development supports development that is accessible by a choice of means of transport and promotes a pattern of land use that minimises the length of journeys does not encourage the need to travel.

Policy MS3: Local Shops and Services Outside Development Areas, allows for small scale shops in settlements that do not have a Development Area however the proposed location for the farm shop (otherwise a retail outlet) is in open countryside and does not form part of any recognised settlement and as such will not undertake the role of meeting the shopping needs of a settlement or immediate locality.

Finally SSLP Policy EH6: Conversion of Buildings in the Countryside does allow for the change of use of buildings outside of defined Development Areas to, amongst others, commercial uses, provided a number of criteria are met. However, criterion 4 reads "The proposal does not lead to dispersal of business activity on a scale to prejudice the vitality of towns and villages." Local shops and services are already located in nearby Ilchester and Somerton (there may also be a village shop in Kingsdon), you would therefore need to satisfy yourself that this proposal will not prejudice the vitality or viability of the businesses in those places.

To conclude, whilst sympathising with the desire to provide other sources of income within the rural community this is a proposal for a new retail enterprise in the countryside which will not directly serve the needs of a local community and will encourage people to travel by private car and as such is contrary to SSLP Policies ST3, ST5 & MS3 of the local plan and STR6 of the Structure Plan.

2 neighbour notifications were issued. There have not been any responses.

Planning Considerations

The main considerations include the proposal's status, whether it can be considered under farm shop policy and policy towards the re-use of buildings in the countryside.

The proposal is made on the basis that it is for a farm shop in which case policy MS4 applies. This requires proposals to form part of an agricultural holding. The policy approach seeks a physical link between premises and the agricultural land use. The proposal fails policy MS4 because the shop does not form part of the agricultural holding, being located off site operated from rented premises.

Policy EH6 (conversion of buildings in this countryside) is considered relevant given that the proposal relates to an existing building. Criteria 4 and 5 appear most relevant. These seek to avoid the dispersal of business activity prejudicial to the vitality of towns and villages.

Criterion 5 also refers to any legitimate planning objection, which would otherwise outweigh the advantages of re-use.

The site is designated part of the countryside and fronts onto a main road. The site is regarded as remote away from development areas. The proposal is for, in effect, a retail enterprise and has potential to attract large numbers of customers to the site, located adjacent to a main road linking the Podimore roundabout with Langport.

The site has potential to attract a much wider customer base - also recognised in the applicant's farm plan - in addition to a local market to which most farm shops are geared. The proposal is for, in effect, a retail outlet in the countryside. The smaller service towns of Somerton and Ilchester are relatively nearby and the presence of a number of convenience stores should not be overlooked within an area recognised as hinterland for the respective settlements with the result that their viability might be undermined in the longer term.

An Industrial and employment use would have the potential of limiting access to the site while providing local employment and is clearly a more appropriate use. The proposal's impact in terms of its sustainability is an important consideration and there can be little doubt that a large number of traffic movements should be anticipated.

Environmental Impact

This development does not fall within the scope of the Town & Country Planning (Environmental Impact Assessment) Regulations 1999 and so Environmental Impact Assessment is not required.

Recommendation:

REFUSE

01. The proposed development derives direct access from a National Primary Road, County Route and provides no overriding special need or benefit substantiated for the proposed development on this specific site. Any increased use made of the existing sub-standard access generated by the development proposed would be prejudicial to road safety since the access to the site does not incorporate the necessary visibility splays which are essential in the interests of highway safety, further to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 2000.
02. The proposal is contrary to policy 49 of the South Somerset and Exmoor National Park Joint Structure Plan Review since any increased use made of the existing sub-standard access such as would be generated by the development proposed would be prejudicial to road safety.
03. The proposal is contrary to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review since the access to the site does not incorporate the necessary visibility splays which are essential in the interests of highway safety.
04. The proposal represents development beyond development limits and involves re-use of an existing building as a retail (A1) enterprise that has potential to draw large numbers of traffic movements to a site that is remote from any recognised settlement. The proposed farm shop is not physically related to an agricultural holding while the proposal will foster growth in the need to travel by private motor vehicle and will be contrary to the aims of sustainable development and will therefore not accord with policies STR1 and STR6 of the Structure Plane, ST3, ST5, TP5, EH6 and MS4 of the South Somerset Local Plan 2006 and advice contained within PPS7 and PPG13.

05. The proposal represents development beyond development limits and involves re-use of an existing building as a retail (A1) enterprise that has potential to draw large numbers of traffic movements to a site that is remote from any recognised settlement. The proposal will therefore foster growth in the need to travel by private motor vehicle and will be contrary to the aims of sustainable development and will therefore not accord with policies STR1 and STR6 of the Structure Plane, ST3, ST5, TP5, EH6 and MS4 of the South Somerset Local Plan 2006 and advice contained within PPS7 and PPG13.
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