



JOINT AREA COMMITTEES IN SOUTH SOMERSET
Officer Report On Planning Application:
09/00702/COU



Proposal :	The use of land for the siting of 2 No. portakabins used in the preparation of food for delivery (Retrospective)(GR 334131/108570)
Site Address:	Little Chippings Crewkerne Road Chard
Parish:	Tatworth And Forton
Ward : (SSDC Member)	TATWORTH AND FORTON: Mr A Turpin (Cllr)
Division (SCC Member)	CHARD SOUTH: Mrs. J. Shortland (Cllr)
Recommending Case Officer:	Chloe Beviss Tel: (01935) 462321 Email: chloe.beviss@southsomerset.gov.uk
Target date :	18th May 2009
Applicant :	Miss Davina Hardiman
Application Type :	Other Change Of Use

REASON(S) FOR REFERRAL TO COMMITTEE

The application is to be considered by the Joint Area Committee - West at the request of Cllr. Andrew Turpin with the agreement of the Area Chair, Councillor Kim Turner, so that members can discuss the proposal.

SITE DESCRIPTION AND PROPOSAL



This is an application seeking retrospective permission for the change of use of land for the siting of two portakabins used in the preparation of food for delivery.

The site can be found just off the A30 on the outskirts of Chard, outside of the defined development area and comprises a mixed use of residential units, stabling and barns.

The site is within the parish of Tatworth and Forton, the A30 providing the boundary with Chard Town parish.

HISTORY

02/02601/COL: Conversion of stable block into three self-contained bedsits. Permitted 7.2.03

02/02602/COL: Conversion of stable block into a two bedroom flat. Permitted 7.2.03

02/02363/FUL: Outdoor horse ménage. Conditionally approved 8.10.02

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:

Regional Spatial Strategy:

Policy VIS 1 - Expressing the Vision

Policy VIS 2 - Principles for Future Development

Policy EN1 - Landscape and Biodiversity

Policy TRAN 1 - Reducing the Need to Travel

Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policy STR1 - Sustainable Development

Policy STR6 - Development outside towns, rural centres and villages

Policy 5 - Landscape Character

Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (Adopted April 2006):

Policy EC3 - Landscape Character

Policy ST3 - Development Areas

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

Policy-related Material Considerations:

Draft Regional Spatial Strategy for the South West (Proposed Changes July 2008):

SD1 - The Ecological Footprint

SD3 - The Environment and Natural Resources

PPS's/PPG's:

PPS1 - Delivering Sustainable Development

PPS7 - Sustainable Development in Rural Areas

PPG13 - Transport

South Somerset Sustainable Community Strategy

Goal 8 - High quality homes, buildings and public spaces where people can live and work in an environmentally friendly and healthy way

Goal 11 - Protection and Enhancement of our Natural Environment and Biodiversity

CONSULTATIONS

Tatworth and Forton Parish Council:

Support the application.

Chard Town Council (as adjoining Parish):

Members felt that portakabins were out of keeping in the area and expressed concerns regarding extra vehicle movement around an accident blackspot.

Area Engineer:

No comment.

Environmental Protection Officer:

No issues.

Food Safety Officer:

I can confirm that the food safety team are aware of the portakabins being used for food business operations at Little Chippings, Crewkerne Road, Chard. I have carried out the last 2 routine food hygiene inspections and have no reason to believe that the structures pose any significant risk to public health. However, a number of decorative improvements were identified during my most recent inspection and were detailed in my report as actions required.

Highways:

The proposed development site lies outside the Development Boundary Limits for Chard and is distant from adequate services and facilities. In addition, public transport services are infrequent. As a consequence, occupiers/staff of the new development are likely to be dependant 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 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 proposal is seeking to utilise an access directly off the A30. The A30 is allocated as a county route in the Somerset and Exmoor National Park Joint Structure Plan Review. Policy 49 of this document states that unless a special need for and benefit of a particular development would warrant an exception, new development should not derive access directly from a National Primary or County Route.

Having visited the site the Highway Authority also has concerns regarding the standard of the existing access. At present, the level of visibility achieved by emerging vehicles is restricted due to the presence of vegetation that fronts the highway in both directions. Whilst it is noted from the block plan that the applicant has control of sufficient land to the west to enable significant improvements to be made to the level of visibility achieved, this is not the case with the land to the east. As vehicles approaching the site from this direction are on the nearside carriageway this restricted level of visibility is a highway safety concern.

As a result of the above the Highway Authority would not wish to see a proposal that is likely to result in an increase in the use made of the access. The applicant, in the additional information, states that no additional members of staff will be employed at the site and as such the proposal appears to be small scale. However, there are concerns that the proposal will involve numerous traffic movements in connection with the delivery element of the proposal and as such this increase in the use of the access is likely to occur.

Therefore, given the above concerns I would recommend that the application be refused on highway grounds.

Landscape Architect:

The portakabins are sited within a parcel of land that is well contained to the west and north by established hedgerows, and are in proximity to existing farm buildings. I note however, that their location also spreads development further to the south than the current limit of the farm buildings.

Ideally, I would wish to see the cabins relocated to a more compact arrangement with the other buildings. However, if we are to accept the location before us, then I would advise a landscape condition, to seek hedgerow planting to the immediate south of the plot, running between the existing hedge to the west, and the field access to the east, to define and contain the area.

REPRESENTATIONS

Seven neighbours notified and site notice posted. No comments received.

CONSIDERATIONS

The main considerations in this case relate to the potential for impact on residential and visual amenity, the landscape character and highway safety.

The site comprises a main dwellinghouse, which also has lawful use certificates relating to conversion of stables into bedsits and a flat. The portakabins associated with the proposed use are sited a fair distance from these residential units and are therefore not considered to pose a significant adverse affect to residential amenity.

Whilst it is considered that the proposal will not cause a detriment to residential amenity and the Environmental Protection Unit and Food Safety Officer have no significant issues with the proposal, the Highway Authority have recommended the application be refused. It is considered that the proposal will involve numerous traffic movements in connection with the delivery element, thereby increasing the use of the existing sub-standard access derived off a county route (A30). On the basis that no overriding need or benefit has been demonstrated to warrant an exception for the proposed development on this specific site in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011, the proposal is contrary to Policy.

In terms of the potential for impact on visual amenity and the landscape character of the area, the Landscape Officer has concerns that the location of the portakabins spreads the development further to the south of the site beyond the existing buildings and would wish to see them relocated closer to these buildings unless a scheme of landscaping was implemented immediately to the south of the plot to contain and define the area. No details of proposed landscaping have been submitted with the application, it is therefore considered that as the proposal stands, unacceptable harm will be caused to the character and quality of the local landscape and it will adversely affect the visual amenity of the area due to the portakabins being uncharacteristic in the surrounding landscape.

In terms of sustainability, the application site is some distance from the town that it will predominantly serve (Chard) and is inaccessible by foot. This means that every delivery will be in a vehicle and that the average delivery will be further than from a premises based within the town of Chard. This is directly contrary to the principles of sustainable development.

The proposal is considered to be contrary to Policy EC3, ST3, ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006) and Policies STR1, STR6, 5 and 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011 for the reasons stated above. As such, the application is recommended for refusal.

RECOMMENDATION

Refuse.

1. The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) since the proposed development derives direct access from a County Route and no overriding special need or benefit has been demonstrated, to warrant an exception for the proposed development on this specific site.
 2. The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) since any increased use made of the existing sub-standard access such as would be generated by the development proposed would be prejudicial to highway safety.
 3. The proposal, by reason of its siting and design fails to respect the character of the surroundings and is considered to cause unacceptable harm to the local landscape which is contrary to the aims and objectives of policies EC2, ST5 and ST6 of the South Somerset Local Plan (adopted April 2006) and policies STR1 and 5 of Somerset and Exmoor National Park Joint Structure Plan (adopted 2000).
 4. The food preparation/delivery business is located in a remote location, away from the settlement that it will predominantly serve. This will result in an increased average journey length and preclude the opportunity for pedestrian based deliveries, which will foster a growth in the need to travel by private motor vehicle. The proposal is therefore contrary to the aims of sustainable development and in particular policy ST3 of the South Somerset Local Plan 2006 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review 2000.
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