

You are requested to attend a meeting of the Planning Committee to be held in West Monkton Primary School, Bridgwater Road, Bathpool, Taunton (Main School Hall) on 1 November 2017 at 18:15.

Agenda

- 1 Apologies.
- 2 Public Question Time.
- 3 Declaration of Interests
To receive declarations of Disclosable Pecuniary Interests or personal or prejudicial interests, in accordance with the Code of Conduct, in relation to items on the agenda. Such interests need to be declared even if they have already been recorded in the Register of Interests. The personal interests of Councillors who are County Councillors or Town or Parish Councillors will automatically be recorded in the minutes.
- 4 19/17/0016. Replacement of Nissen shed with erection of a portal frame industrial unit at Station Works, Station Road, Hatch Beauchamp (retention of works already undertaken) (attached).
- 5 30/17/0022. Change of use of agricultural land to part domestic curtilage and part for tourism use with siting of 3 No. shepherd huts and erection of a toilet block on land adjacent to Cherry Tree Barn, Sellicks Green, Pitminster (to follow)

Bruce Lang
Assistant Chief Executive

19 January 2018

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, if a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: www.tauntondeane.gov.uk



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

For further information about the meeting, please contact the Corporate Support Unit on 01823 356414 or email r.bryant@tauntondeane.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please telephone us on 01823 356356 or email: enquiries@tauntondeane.gov.uk

Planning Committee Members:-

Councillor R Bowrah, BEM (Chairman)
Councillor M Hill (Vice-Chairman)
Councillor J Adkins
Councillor M Adkins
Councillor W Brown
Councillor S Coles
Councillor J Gage
Councillor C Hill
Councillor S Martin-Scott
Councillor I Morrell, BA LLB
Councillor S Nicholls
Councillor J Reed
Councillor N Townsend
Councillor P Watson
Councillor D Wedderkopp

19/17/0016

STERLING SERVICES LTD

Replacement of Nissen shed with erection of a portal frame industrial unit at Station Works, Station Road, Hatch Beauchamp (retention of works already undertaken)

Location: STATION WORKS, STATION ROAD, HATCH BEAUCHAMP,
TAUNTON, TA3 6SQ

Grid Reference: 330505.120414

Retention of Building/Works etc.

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

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

(A3) DrNo C001-LP-001 Rev P1 Location Plan
(A1) DrNo C001-MP-003 Rev P1 Proposed Site Master Plan
(A1) DrNo C001-FP-001 Rev P1 Ground Floor Plan
(A1) DrNo C001-FP-002 Rev P1 Roof Plan
(A1) DrNo C001-EL-001 Rev P1 Elevations 1-1 & 2-2
(A1) DrNo C001-EL-002 Rev P1 Elevation 3-3
(A1) DrNo C001-EL-003 Rev P1 Section A-A
(A1) DrNo C001-EL-004 Rev P1 Section B-B
(A1) DrNo 17108 L94.01 Rev C Landscape Screening Option

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

2. Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

3. No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times
0730hrs – 1800hrs on Mondays to Fridays, 0730hrs - 1500hrs on Saturdays

nor at any time on Sundays, Bank or Public Holidays.

Reason: To minimise the impact of the development in accordance with Policy DM1(E) of the Taunton Deane Core Strategy.

4. The building hereby permitted shall be demolished to ground level and all materials resulting from the demolition shall be removed within six months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
 - i. within 3 months of the date of this decision a scheme for landscaping along the south-western boundary shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation;
 - ii. if within 11 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State;
 - iii. if an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State;
 - iv. the approved scheme shall have been carried out and completed in accordance with the approved timetable.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.
2. Your attention is drawn to the publication 'Secure by Design' as a means of designing out crime. You are advised to contact the Police Liason Officer at Somerset West Police District, Police Station, Shuttern, Taunton, TA1 3QA.
3. You are advised that a separate Listed Building Consent is required for this proposal.
4. All staff should be advised that they should park within the application site and not on the public highway.
5. Drivers of HGVs visiting the site should be advised to manoeuvre within the site and leave in a forward gear and not reverse along Station Road.

Proposal

The application submitted in retrospect proposes the construction of a portal frame

industrial unit. The site currently operates as a manufacturer of architectural precast concrete and the proposed shed will be used for a similar function, for the fabrication and preparation of timber precast concrete moulds, the fabrication of steel reinforcement cages and casting concrete. Electric overhead gantry cranes will be installed within the building to replace the existing diesel mobile crane.

The application proposes a building measuring 116.5m long and 12.1m wide, with a maximum height of 10.7m. The building is to be constructed in corrugated metal sheeting in 'Moorland Green'. An existing building located adjacent to the south-western elevation is proposed to be reclad and incorporated as part of the proposed building.

The building incorporates a fully enclosed casting shed and a partially enclosed finishing shed with overhead electric gantry crane.

In addition to an Access and Design Statement, the application is supported by a Noise Impact Assessment, an Economic Benefits Statement and a Heritage Impact Assessment.

Site Description

The site lies within the defined settlement boundary of Hatch Beauchamp, to the north-east of Station Road in the old station premises. There are a number of existing buildings within the site used in connection with the business, including the old ticket office, a grade II listed building, the setting of which will be affected by the proposal. The application has been advertised accordingly.

The site is set into a deep cutting in which the railway line originally ran. The site is screened to the north-east to some extent by existing vegetation, some of which is protected by Tree Preservation Orders. Residential properties and a primary school lie to the south-west

The previous approval 19/16/0018 allowed the removal of existing buildings to be replaced by a portal frame industrial building. The original buildings have been demolished and the building is being constructed in accordance with the current application.

Relevant Planning History

9/00/0015 - Retention of building and erection of buildings to be used for storage and manufacture of pre-cast concrete panels - Approved - 31 January 2001

19/14/0002 - Felling and works to trees covered by TPO - Approved - 20 May 2014

19/16/0004 - Felling and works to trees covered by TPO - Approved - 6 June 2016

19/16/0018 - Replacement of Nissen shed with portal frame industrial unit - Approved - 16 March 2017

Consultation Responses.

HATCH BEAUCHAMP PARISH COUNCIL - Councillors realise that this application, and the disappointing manner in which Sterling have gone about constructing the

building, has raised very strong feelings within the parish. Over a series of meetings and a site visit, Councillors have gathered a wide range of information and breadth of opinion to enable the Parish Council to formulate a response to the application.

Councillors unanimously resolved to SUPPORT the application, but with the following strong reservations which it is hoped Taunton Deane will give full weight and consideration to before coming to a final conclusion.

- screening along the whole street boundary of the site must be ensured
- noise levels that are appropriate for the site and production method should be set, and monitored to ensure that they are not exceeded
- security at the site needs to be appraised in regard to recent break-ins, and measures employed to prevent further disturbances must be considered with due regard to neighbouring residential properties
- significant concerns have been raised regarding the traffic generated by the site. It is vital that Taunton Deane are satisfied that the necessary infrastructure is in place to support vehicles safely accessing the site. Two issues have been particularly highlighted as a concern by parishioners and the Parish Council would greatly appreciate Taunton Deane's support in ensuring that:
 - i. Large HGVs accessing the site are prevented from reversing down Station Road. There is adequate turning room for large vehicles on the site and reversing down Station Road, particularly without the aid of a banksman, is unnecessary and dangerous.
 - ii. Sterling staff should be prevented from parking vehicles on Station Road. Station Road is a narrow road with a primary school very close to the Sterling site. Car parking along the road cause a significant road safety issue for the young children, and their parents, accessing the school.

ENVIRONMENTAL HEALTH - Comments awaited

BIODIVERSITY - No comments

PLANNING ENFORCEMENT - Outstanding enforcement case on the site relating to the size of the building.

ECONOMIC DEVELOPMENT - Enterprise in rural areas is vital to the growth of Taunton Deanes economy, supporting a high proportion of local jobs both directly and indirectly. In a broad sense I am therefore happy to support this application, so long as it complies with the relevant planning policies.

TRANSPORT DEVELOPMENT GROUP - Standing advice applies

HERITAGE - Hatch Beauchamp Railway Station was listed as a Grade II listed Building in March 1988. The building was built in approximately 1865, is single storey built in red brick with ashlar quoins and has a slate roof. The dominant chimneys have been lowered and capped, one of these since it was listed. The canopy of the building is on the north eastern side of the building that faces the part of the building that this application relates to. Adjoining the station is another vernacular station building which is not listed. The railway buildings are located within a treed cutting and did lie parallel to the railway line and siding which have been removed and the track bed has been raised so there is no evidence of the

track bed in the vicinity of the vernacular railway buildings. There are a number of other buildings that have been erected since 1975 which are mainly metal clad and generally single storey or one and half storeys in height. When planning permission was granted for some of these buildings the setting of listed buildings did not need to be taken into account as the station building was not listed until March 1988. There are also a number of portacabins that lie to the south of the station building. There are also areas of open air storage.

The metal clad building that has been erected directly to the rear of the station building replaces a single storey Nissen building that was lower than the station building. This building is very close to the station building and towers above and dominates the station building. The use of metal cladding is appropriate as many station buildings used this material.

It is considered that the setting of the station building has changed significantly since the station closed with the loss of the platform and track and the introduction of a business use and the associated buildings and storage. The replacement however of the nissen hut which was subservient to the listed building in terms of materials, size and design with such a large building so close to the station building is considered to adversely affect the setting of the station building due to its location and size.

As it is considered that the setting of the listed building is adversely affected Paragraph 132 of the NPPF is of importance and states,

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Assessing the setting of a listed building is set out in Historic England's publication, The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning: 3. There are 5 steps that need to be looked at and this is outlined on page 6. These have been taken into account and the conclusion is that the setting is significantly adversely affected for the reasons given above and below.

The areas that have been looked at are as follows. The setting of the Station House lies within the cutting that the building is situated in and the low buildings that have been erected over the years. The station building is still seen as one of the main buildings due to its location within the cutting, materials and design. The degree that this setting has on the contribution it makes to the significance of the listed building then needs to be assessed. This relates to the assets physical surroundings and the experience of the listed building. Here the topography is important and the changes that have occurred over time together with the prominence of the building as a focal point. The third stage involves assessing the location, siting of the proposed development, the form and appearance of the development, other effects of the

development and the permanence of the development. Here the proximity of the proposed development to the listed building and its extent are important criteria together with the dominance, size, scale, design and massing of the new development and how it competes or distracts from the station building. It is considered that the new building competes and dominates the station building. In addition the permanence of the building needs to be taken into account, its reversability together with economic and social viability. The building can be removed and arguments have been put forward by the applicant as to why the building is required. Whether this means that the location the building is by the station building is the only solution I have not investigated. The final stage is maximising enhancement and minimising harm. Here enhancement can be achieved through, for example, the removal of an intrusive building, replacement of a detrimental feature by a new more harmonious one, restoring a lost historic feature, introduces a new feature that adds to the public appreciation of the building, introduces new views and improving public access. Here is it considered that none of these criteria are met.

It was noted at the site meeting that the substantial wiring that is required for the new building is attached to the station building in a visually harmful way. This could be put underground and discussions could be held with the applicant to improve this part of the listed building. The applicant has verbally stated that he is happy to look at repositioning this cabling and removing the metal backboard that is attached to this part of the listed building. The roof and canopy has also been damaged and needs repairing.

If once the application has been assessed from all angles it is determined that there is less than substantial harm, under paragraph 134 of the NPPF this harm needs to be weighed against the public benefits of the proposal including securing the optimum viable use of the listed building. I have not assessed the proposal under this paragraph as I have concluded that there is substantial harm.

Representations Received

Ten representations have been received, **nine objecting** to the proposal and **one in support**. The objections make some or all of the following comments:

- considerable expansion of development on the site since 2016
- the building is not suitable for the area and is larger than originally proposed
- not in keeping with the neighbourhood and is clearly visible all year round
- creates overshadowing of area due to size and appearance
- unacceptable levels of noise and disturbance, with a negative affect on health and well-being
- negative visual impact on landscape
- increased traffic, including large lorries and additional staff, resulting in a reduction of highway safety
- no pavement along stretches of Station Road
- the road has insufficient capacity to accommodate expansion
- in close proximity to primary school
- detrimental impact on listed building by disrupting it setting
- loss of trees covered by Tree Preservation Orders
- not a sustainable form of development
- unclear as to what the new building is to be used for, appears to be a loading

area

- dust and air pollution created by the site is detrimental to health and well-being
- detrimental to quality of life

The representation **supporting** the application makes the following comments:

- noise has reduced
- with appropriate adequate screening, the new building will blend well

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

DM1 - General requirements,
CP2 - Economy,
CP8 - Environment,
D7 - Design quality,
DM5 - Use of resources and sustainable design,
NPPF - National Planning Policy Framework,

Local finance considerations

Community Infrastructure Levy

The development does not attract an infrastructure levy.

Determining issues and considerations

Principle of Development

The National Planning Policy Framework paragraphs 18 to 22 refer to Building a strong economy and that 'the planning system does everything it can to support sustainable economic growth'.

Policy CP2 sets out the requirements for economic development. Paragraph 3.34 states 'An important part of the Plan's strategy is to retain existing employment provision and allocations in the urban areas to provide local opportunities for employment and economic growth'.

The business has been established for a number of years, with original approval being granted in 1975, and provides local employment opportunities. The current business has been on site since 1997. A total of 41 people (full-time and part-time) are employed on the site.

The proposed building sits on the existing hardstanding area and the natural ground level means the proposed building would be partly screened from the surrounding area. Existing trees along the bank to the north-east provide a visual barrier. A number of the trees are protected by Tree Preservation Orders. From the south-west the site is screened by existing hedgerows and planting.

Noise

Policy DM1 e. of the Core Strategy requires that potential pollution and nuisance which could arise as a result of the development will not unacceptably harm public health and safety, the amenity of individual dwellings or residential area.

The provision of the electric gantry would significantly reduce the number of movements by the diesel mobile cranes.

The Noise Impact Assessment submitted by Acoustic Consultants Ltd indicates that whilst there would be no increase in noise as the result of the development, in some areas the development would reduce the noise by up to 10dB. It is suggested that a condition be included to ensure the noise emitted by the development does not exceed the levels indicated in the report, in order for the application to comply with the aims of the NPPF.

A condition is proposed to control the hours of operation within the site to reflect the previously approved hours of operation.

Traffic

The Transport Development Group response indicated that Standing Advice applies. Policy A1 of the SADMP sets out the car parking requirements for such a development, which indicates that for general industrial uses one car parking space is required for every 75m² of floorspace. However the application does not propose an increase to the number of car parking spaces within the site. The application acknowledges there is an increase in staff from 31 to 41.

The increase in internal floorspace is to accommodate uses which are currently carried out externally and as such would not be a significant increase in activity. It is considered that, given the proposal is rationalising existing activities on the site, additional staff car parking would not be required in this instance.

It is considered that there would be no greater impact on highway safety.

The Parish Council and local residents have raised issues regarding highway safety and in particular, preventing lorries reversing down Station Road and preventing staff parking along Station Road. Whilst an appropriate note can be included with the decision, the Council is unable to enforce the way vehicles manoeuvre on the public

highway or where private cars park.

Impact on the Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act requires that special regard is paid to the desirability of preserving the listed building, its setting and any features of historic or architectural interest when deciding whether to grant planning permission.

NPPF.12. refers to Conserving and enhancing the historic environment. The applicant has submitted a Heritage Statement with the application which describes the significance of the heritage asset and the contribution made by its setting. This assessment is required to be taken into account when considering the impact of the proposal on the heritage asset.

Weight should also be given to the significance of the asset. The more important the asset the greater the weight should be.

The railway buildings are located within a treed cutting. There is one other retained building previously associated with the railway, however the building is not listed. All other paraphernalia relating to the railway use such as the tracks and the platform have been removed. There are limited views of the building from outside the site and from the public realm.

The heritage asset has been used as an office in association with the concrete business for over 40 years. As a result the building has been maintained and has been operating as a viable use consistent with the conservation of the building. The use is considered to be sustainable and makes a positive contribution to the economic viability of the site.

The Conservation Officer has concluded that the proposed development would have substantial harm on the listed building. However, given that the value of the heritage asset in terms of its setting has eroded over time, with the proliferation of out-of-scale industrial buildings in the vicinity, the case officer does not agree and considers that the construction of the building would have less than substantial harm, which has to be weighed against the public benefits of the proposal.

Visual Impact

A key issue is the design of the replacement building and the visual impact it would have on the settlement and street scene.

The materials to be used are considered to be appropriate and in keeping with the surrounding area. Whilst there is significant increase in floor area and building height, the development would rationalise existing manufacture on the site, provide enhanced worked environment through better floor surfaces, lighting and ventilation. The building would allow for additional manufacturing operations to be carried out in an enclosed environment. The building is set into the cutting. The roof of the building would be visible from outside the site. However, improved landscaping along the south-western boundary would help to improve screening and reduce the visual impact of such a

large building. The construction of the building would also incorporate improvements to security on the site.

A number of issues have been raised regarding the impact of the building on visual amenity and the lack of planting along the south-western boundary. A landscaping scheme has been submitted proposing a range of native planting along Station Road to continue the natural vegetation along a section of the boundary where there is an existing break and to provide screening of the site from the residential properties nearby. It is considered that the provision of the landscaping would help to screen the building from Station Road and from the dwellings in that locality. However the landscaping scheme should address the whole of the frontage along Station Road and therefore an appropriate condition is proposed.

No trees covered by Tree Preservation Orders are proposed to be removed as a consequence of the development.

Conclusion

The less than substantial harm to the heritage asset should be weighed against the public benefits of the proposal including securing optimum viable use (of the asset). It is considered that the public benefits of the proposal are primarily economic, including securing local jobs, the continuation of a sustainable business on the site and continued support of the local community. With the continued use of the site for the business, the viable use of the asset is assured.

It is considered that, on balance, the construction of a 'fit for purpose' building, to contain activities that are currently being carried out outside, is acceptable and complies with the requirements of the relevant national and local policies.

Approval is recommended.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

Contact Officer: Denise Grandfield

30/17/0022

MR C TOWNS

Change of use of agricultural land to part domestic curtilage and part for tourism use with siting of 2 No. shepherd huts and erection of a toilet block on land adjacent to Cherry Tree Barn, Sellicks Green, Pitminster

Location: CHERRY TREE BARN, SELLICKS GREEN, PITMINSTER,
TAUNTON, TA3 7SA

Grid Reference: 321360.119236

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

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

(A3) DrNo 01 Location Plan
(A3) DrNo 02 Rev A Site Plan
(A3) DrNo 03 Rev B Block Plan
(A4) DrNo 04 Floor Plans and Elevations of Service Hut
(A4) DrNo 05 Railway Hut Elevations
(A4) DrNo 06 Field Fence

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

3. No development shall take place on the exterior of the huts and toilet block until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the

Taunton Deane Core Strategy.

4. (i) Prior to occupation of the huts hereby approved, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
- (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

5. The shepherd huts shall be occupied for holiday purposes only.

The shepherd huts shall not be occupied as a person's sole or main residence.

The site operator or owner shall maintain an up to date register of the names of all owners/occupiers of individual holiday huts on the site and of their main home addresses, and the duration of their stay and shall make this information available at all reasonable time to the Local Planning Authority.

Reason: To prevent permanent occupation that would be contrary to countryside policies as set out in with paragraph 55 of the National Planning Policy Framework.

6. There shall be no external lighting erected or installed without details first being submitted to and approved by the Local Planning Authority.

Reason: To safeguard amenity and the character of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

7. Prior to the use of the holiday huts being brought into use details for the storage of waste and recycling must first be submitted to and approved by the Local Planning Authority and thereafter retained as such.

Reason: In the interest of the amenity of the area.

8. None of the holiday huts shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details that shall previously have been submitted to and

approved in writing by the Local Planning Authority.

Reason: To prevent discharge into nearby water courses in accordance with Policy CP1(C) of the Taunton Deane Core Strategy.

9. The area allocated for parking on the submitted plan shall be properly consolidated, surfaced with a permeable material, before the holiday huts are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway in accordance with Policy A1 of the Site Allocations and Development Management Plan.

10. Should the business use cease the shepherds huts and toilet structure shall be removed from the site.

Reason: In the interests of the character and appearance of the area.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning 01823 355645. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.

The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence team and will be signed off upon satisfactory completion.

Proposal

The proposal comprises the following: -

- Change of use of land to domestic curtilage.
- Change of use of land to tourism.

- Siting of two shepherd huts for tourism.
- Erection of a toilet block.
- Car parking area.

The shepherd huts have timber cladding and a curved galvanised roof, off the hut there is a lean-to extension, also constructed in timber and with a clear corrugated roof sheeting.

The small toilet block is constructed in timber, has a pitched roof that is covered in felt.

No alterations are proposed to the existing access.

The application has been amended, removing a third hut, and reducing the area for the proposed change of use to tourism to the siting of the huts and their immediate area.

Site Description

The site currently forms agricultural land adjoining a newly built dwelling on the edge of the village of Blagdon Hill outside of its defined settlement. There is an existing access that serves the land and dwelling. The site is screened from the roadside by a high hedge.

Relevant Planning History

30/16/0030 - Erection of detached dwelling and retention of previously approved double garage with first floor annexe at Cherry Tree Barn, Sellicks Green, Pitminster.

Consultation Responses

PITMINSTER PARISH COUNCIL -

- Objects to granting permission.
- Both dwelling and tourism extend beyond the village envelope.
- Negative impact on nearby listed building.
- Poor access and additional traffic.
- Visual amenity impact of the area.
- Impact on the AONB.

SCC - TRANSPORT DEVELOPMENT GROUP -

The proposal is for the change of use of land from agricultural/equestrian to erect 3 holiday lets which will utilise an existing access onto Pitminster Road a classified un-numbered road and at the point of access is subject to a 30 mph speed limit. Due to the location of the site, Manual for Streets is applicable and the Highways Authority are satisfied that a suitable visibility at this location can be achieved and this can subject to a suitable condition.

An existing vehicular access is to be used and there are no proposals to alter it as part of this application. The existing access is currently made of loose stone and will

need to be consolidated for the first 5 metres from the edge of the highway to prevent material being deposited on the road. A fence approximately 1.8 metres high was observed to be located within the visibility splay area in both directions and will need to be repositioned behind the splay, and the hedgerow will also need to be cut back to re-establish the splays either side of the access. In its current condition therefore the access is considered to be substandard.

In terms of traffic impact, the average holiday let typically generates in the region of 2 to 4 vehicle movements per day from each unit, with a worst case of 12 trips per day. Due to the nature of the development these are likely to be spread out throughout the day and, this would not be considered to have a detrimental impact on the surrounding highway network therefore and it would not be considered significant enough to be considered to be severe under Section 4 of the National Planning Policy Framework (NPPF).

Moving to the internal arrangements the applicant is proposing 3 parking spaces, one per hut with associated turning area and this is considered acceptable. It is noted that the proposed access is a shared access and right of way to Cherry Tree Barn, and the arrangement is considered satisfactory for a small scale low key holiday let business, however if any additional lets are to be proposed in future the access is not likely to be suitable and improvements would be required to bring it up to an appropriate standard.

To conclude considering that the development may result in a small increase in vehicle movements it is the Highway Authority's opinion that this is not considered to be material and it would be unreasonable to raise a Highway objection in this particular case. Therefore based on the above the Highway Authority raises no objection and if planning permission were to be granted the following conditions would need to be attached:-

- There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.
- The areas allocated for parking on the submitted block plan, drawing number 03, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.
- Before the holiday lets hereby permitted are first occupied, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) 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.
- 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. Such provision shall be installed before the first holiday let is occupied and thereafter maintained at all times.
- Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 5 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Standard Note:-

Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning 01823 355645. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.

The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence team and will be signed off upon satisfactory completion.

LANDSCAPE -

Hasn't this development boundary already been extended recently? If permission is granted then the boundary should be defined by a native hedge.

The shepherd huts and toilet block will be screened from the public highway by an existing hedge. However I welcome additional landscaping.

ECONOMIC DEVELOPMENT - None received.

HERITAGE - Whilst there are listed buildings in the area, none are directly associated with this site.

The question is whether this development would impact on the setting. In my view the proposed buildings are mobile and easily removed. Whilst you may see them, they are appropriate for the location in terms of design, so I don't consider that there will be harm as prescribed in Chapter 12 of the National Planning Policy Framework. I am happy for you to determine this accordingly.

Representations Received

Twenty eight letters of objection (including a letter sent from a solicitor on behalf of a resident):-

- Outside of village settlement.
- Increased traffic on roads used by pedestrians and horse riders.
- Highway safety and poor visibility; verges and hedges not maintained; narrow lane.
- Object to a 'caravan park'.
- Noise.
- No real benefit to community; will not support local economy.
- Additional paraphernalia.
- Devalue property.
- Elevated field' proposal visible; impact on landscape.
- Small field does not support application for holiday accommodation.
- Spoil has been brought onto the site.
- Light pollution.
- Whole field could be used for cabins, caravans, pitches if classified as tourism.
- Loss of agricultural land.
- Impact on AONB.

- Site sits in isolation; no footpath links.
- No turning areas near huts to prevent headlights shining.
- Tourism and equestrian use not reversible.
- Collection of waste?
- No need for extra garden area.
- Will the annexe be used for tourism as well?
- Not diversification.
- No disabled facilities.
- Setting of listed building at Goose Hill Farm.
- Pressure/demand of sewerage system.
- Not mobile.
- Against policies SP1 and DM2; Other applications for tourism within Taunton Deane refused based on these two policies.
- Misleading information.
- Against local policy and National Policy Framework.
- Should be assessed against national legislation.
- Insufficient information to assess proposal.

Three letters of representation:-

- Permission for the whole field as whole field outlined in red.
- After three huts and I would not support any further development.
- Some letters of support from people who do not live in the area.

Ten letters of support:-

- Tourism, albeit on a small scale, should be welcomed to the area.
- Enterprising initiative; local businesses important to rural economy; encourages visitors to the area;
- Potential for local employment.
- Set against established hedge and with careful thought to landscaping, should not be a blot on the landscape.
- Village has lost one pub, application may help preserve remaining pubs.
- Growing number of glamping pods found in villages up and down the country.
- Discrete development.
- Two temporary structures will not be detrimental to the area.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

DM1 - General requirements,
DM2 - Development in the countryside,
CP8 - Environment,

This takes into account the recent adoption of the SADMP.

Local finance considerations

Community Infrastructure Levy

None.

New Homes Bonus

None.

Determining issues and considerations

Principle

The proposal would be sited next to a previously granted dwelling, though both the site for the shepherd huts and the area of extended domestic curtilage fall outside of the settlement limits of Blagdon Hill. A proposed site that falls outside of the settlement limits is normally considered to be within open countryside where policies would not restrict new development. In this particular case, the site is found close to the settlement, near to other residential properties, is not isolated, and is not considered to be a significant encroachment of built form into the countryside.

Policy DM2 (Development in the Countryside) allows holiday and tourism use, though the policy restricts such uses to conversion of existing buildings that support existing farming and service enterprises, it is not considered that the proposed application should be dismissed based on this policy.

In the absence of the proposed type of tourism use from with policy DM2, it is considered that policy DM1 (General Requirements) should apply in this case, due to: the location of the proposal close to the settlement limit; within easy reach of the Blackdown Hills; supporting local services within Blagdon Hill and Pitminster; and the temporary nature of the huts that can be easily moved and taken off site.

Highways

The Highway Authority have not raised an objection to the proposed huts and the intended use. The proposed huts are small and cannot accommodate large numbers of people at any given time. As such, there is not considered to be a significant increase in vehicle movements that would be detrimental to highway safety.

The site has an existing access that was granted under application 30/13/0028

where the approved visibility splay was granted as 2.4m x 30m, and this did not raise an objection from the highway authority. Application 30/16/0030 also conditioned that there should be no obstruction above 900mm within the previously approved visibility splay. Given the previous permissions granted regarding the access and the limited increase in vehicular movements the suggested visibility splay of 2.4m x 43m is not considered to be required in this case.

Details regarding parking service and surface water will be requested.

Heritage

The proposed huts are sited away from any listed buildings and are partially screened by the existing hedgerow. Furthermore, there is road separating the proposal from the nearest listed building. The Conservation Officer has not objected to the proposal and considers the huts to be appropriately designed for the location and they can be easily removed, Therefore there is not considered to be any harm to the setting of any heritage assets or listed building.

Landscape

Whilst the huts will be partially screened by the existing hedgerow, new hedgerow planting can be achieved along the proposed new garden boundary. As such, a landscaping condition is proposed.

The application is not sited within the Area of Outstanding Beauty (AONB), and given the distance to the AONB, and the backdrop of other residential properties, the small timber huts are not considered to have any harm from views of the AONB.

Amenity

Given the number of huts proposed, and their size, the number of occupants would be low, and as such, the proposal is not considered to generate any significant increase in noise to the area. As the owners of the proposal live next to the site, any complaints regarding noise can be easily and quickly responded to.

A condition will request details of any external lighting prior to installation.

Wildlife

Whilst SERC have identified sites and species within 1km of the application site, the proposal is not considered to cause any harm to wildlife. The garden boundary currently has a boundary fence that will be replaced in a different location, and new hedgerow planting will provide a benefit to wildlife. The shepherd huts are raised off the ground and have a very small footprint, and the siting of the huts does not involve any loss to the hedgerow.

The only identified species recorded at the site was a bat in 2007. As there is no loss to forage, habitat or flight paths, the proposed developed is not considered to harm any bats, if still within the area. Furthermore, a planning condition requires details of

any external lighting prior to installation.

Other matters

A condition will request details of waste storage.

Surface water and foul water discharge details will be requested as a condition.

As mentioned within the proposal, the application site no longer includes the whole field.

The letters of support received are either from residents within Taunton Deane, or from residents who used to reside within the area.

Conclusion

The proposed shepherd huts will provide tourism to the area, helping the local economy. Furthermore, the huts can be accommodated without detrimental harm to visual amenity, highway safety, or the character and appearance of the area. The extended domestic curtilage can be achieved without harm to the visual amenity of the area and will provide the benefit of additional landscaping. The proposals are therefore considered to be acceptable and recommended for approval.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

Contact Officer: Mr D Addicott

Planning Committee – 1 November 2017

Present: - Councillor Bowrah (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillors Brown, Cavill, Coles, Gage, Hall, C Hill, Nicholls, Sully,
Townsend, Watson, Wedderkopp and Wren

Officers: - Matthew Bale (Area Planning Manager), Gareth Clifford (Principal
Planning Officer), Martin Evans (Solicitor, Shape Partnership Services)
and Tracey Meadows (Democratic Services Officer)

Also present: Mrs A Elder, Chairman of the Standards Advisory Committee.

(The meeting commenced at 6.15 pm)

71. Apologies/Substitutions

Apologies: Councillors Mrs J Adkins, M Adkins, Martin-Scott, Morrell and
Mrs Reed

Substitutions: Councillor Wren for Councillor Mrs J Adkins
Councillor Cavill for Councillor M Adkins
Councillor Sully for Councillor Martin-Scott
Councillor Hall for Councillor Mrs Reed

72. Declarations of Interest

Councillor Townsend declared that he was a Kingston St Mary Parish Councillor. With regard to application No. 30/17/0022, Councillor Brown declared that he had been approached by a member of the public opposing application. He declared that he had not 'fettered his discretion'; Councillor Coles declared that he had received a letter from Clark Wilmot and Clark and declared that he had not responded or 'fettered his discretion'; and the Chairman, Councillor Bowrah, declared that he had received two letters from Clark Wilmot and Clark, and declared that he had not 'fettered his discretion'. Councillor Wren declared a personal interest as he was the Clerk to Milverton Parish Council.

73. Applications for Planning Permission

The Committee received the report of the Area Planning Manager on applications for planning permission and it was **resolved** that they be dealt with as follows:-

- (1) That **planning permission be granted** for the under-mentioned development:-

19/17/0016

Replacement of Nissen shed with erection of a portal frame industrial unit at Station Works, Station Road, Hatch Beauchamp (retention of works already undertaken)

(a) The development hereby permitted shall be carried out in accordance with the following approved plans:-

- (A3) DrNo C001-LP-001 Rev P3 Location Plan;
- (A1) DrNo C001-MP-003 Rev P1 Proposed Site Master Plan;
- (A1) DrNo C001-FP-001 Rev P1 Ground Floor Plan;
- (A1) DrNo C001-FP-002 Rev P1 Roof Plan;
- (A1) DrNo C001-EL-001 Rev P1 Elevations 1-1 and 2-2;
- (A1) DrNo C001-EL-002 Rev P1 Elevation 3-3;
- (A1) DrNo C001-EL-003 Rev P1 Section A-A;
- (A1) DrNo C001-EL-004 Rev P1 Section B-B;
- (A1) DrNo 17108 L94.01 Rev C Landscape Screening Option;
- (A1) DrNo Figure 1 Swept Path Analysis of HGV;

(b) Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority;

(c) No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times 0730hrs – 1800hrs on Mondays to Fridays, 0730hrs - 1500hrs on Saturdays nor at any time on Sundays, Bank or Public Holidays;

(d) The building hereby permitted shall be demolished to ground level and all materials resulting from the demolition shall be removed within six months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:-

- (i). Within three months of the date of this decision a scheme for landscaping along the south-western boundary shall have been submitted for the written approval of the Local Planning Authority and the scheme shall include a timetable for its implementation; (ii). If within 11 months of the date of this decision the Local Planning Authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State; (iii). If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State. (iv). The approved scheme shall have been carried out and completed in accordance with the approved timetable;

(e) Parking shall be provided in accordance with the approved plan;

- (f) The area identified for the turning of Heavy Goods Vehicles (HGVs) on Drawing No Figure 1 should be kept clear from obstruction;

(Notes to applicant:- (1) Applicant was informed that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way and had imposed planning conditions to enable the grant of planning permission; (2) Applicant was advised that attention is drawn to the publication 'Secure by Design' as a means of designing out crime. You are advised to contact the Police Liaison Officer; (3) Applicant was advised that a separate Listed Building Consent was required for this proposal; (4) Applicant was advised that all staff should be advised that they should park within the application site and not on the public highway; (5) Applicant was advised that drivers of HGVs visiting the site should be advised to manoeuvre within the site and leave in a forward gear and not reverse along Station Road; (6) Applicant was advised that deliveries to the site should be timed to avoid school drop-off and collection times; (7) Applicant was encouraged to investigate a travel plan for the site with a view to reducing staff travel to and from the site by means of the private car.)

- (2) That **Planning permission be refused** for the under-mentioned development:-

30/17/0022

Change of use of agricultural land to part domestic curtilage and part for tourism use with siting of 2 No. shepherd huts and erection of a toilet block on land adjacent to Cherry Tree Barn, Sellicks Green, Pitminster

Reason

The site is situated outside the settlement limit for Blagdon Hill and is, therefore, in the open countryside. The extension of residential curtilage into agricultural land is contrary to Policy DM2 of the Taunton Deane Core Strategy, which causes harm to the visual amenities of the area.

The proposed tourism use is not a diversification of an existing farming business. The provision of huts in this location, not being a touring caravan or camping site, is not supported by Policy DM2 of the Taunton Deane Core Strategy and the proposal would not be significantly beneficial to the local economy.

(The meeting ended at 8.46 pm)