

MR D CHORLEY

ERECTION OF A GENERAL PURPOSE AGRICULTURAL BUILDING AND ALTERATION TO ACCESS ARRANGEMENTS AT MATCHAMS FARM, STOKE ST GREGORY (RETENTION OF WORKS ALREADY UNDERTAKEN)

Grid Reference: 334140.128197

Retention of Building/Works etc.

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

The proposal is considered not to have a detrimental impact upon visual or residential amenity and is therefore considered acceptable and, accordingly does not conflict with Taunton Deane Core Strategy Policies DM1 and CP8.

RECOMMENDED CONDITION(S) (if applicable)

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

- (A4) DrNo 3170-06A proposed floor plan
- (A3) DrNo 3170-03A Rev B building A elevations
- (A4) DrNo 3170-04A landscaping plan
- (A4) DrNo 3170-02A site plan
- (A4) DrNo 3170-01A location plan
- (A4) Drainage Plan
- (A4) Holding Tank

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

2. Only up to one third of the building, as indicated on the plan hereby approved, may be used to house livestock.

Reason: To limit livestock kept and ensure the protection of the amenities of surrounding residential properties, in accordance with Policy DM1 of Taunton Deane Core Strategy.

3. The **first 5 meters of the access to the west, as measured from the edge of the adjoining carriageway**, shall be properly consolidated hard surfaced (not loose stone or gravel) in material to be agreed in writing by the Local Planning Authority and thereafter carried out within 3 months of the date of the permission hereby granted.

Reason: In the interests of highway safety in accordance with Somerset and

Notes for compliance

1. Land Drainage Consent will be required to be concluded for any connection to or any modification of any water course other than the Main River. Those details must be submitted and approved by the Parrett Internal Drainage Board.

PROPOSAL

Retrospective planning permission is sought for the erection of an agricultural building sited within the curtilage of Matchams Farm, Curload. The building scales 14.5m x 9m with a maximum height of 3.94m. It is open fronted with closed timber boarding on the other three sides and dark green box profile steel sheet mono-pitch roof. One third of the building is used as a calf rearing area and the remainder as a fodder and machinery store. The building is sited along the south east boundary of the site, facing north west.

SITE DESCRIPTION AND HISTORY

The site comprises a single storey dwellinghouse (formerly known as The bungalow) and its garden area. Within the site a second agricultural building has been partially erected to the north of the dwelling. This is the subject of a separate planning application 36/12/0011. Two new access's and drives have been formed, one leading to the dwelling and one leading to the farm buildings. The drive leading to the farm buildings is outside of the applicants ownership.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

STOKE ST GREGORY PARISH COUNCIL - The Parish Council wishes to impose a condition that only one third of this barn is used for housing livestock. The Council wish to make a general comment expressing concerns regarding the possibility of pollution and would ask TDBC to seek appropriate advice from the relevant authorities.

SCC - TRANSPORT DEVELOPMENT GROUP - The Highway Authority has commented on the site previously relating to retention of works, to which the two applications were subsequently withdrawn. The current applications seek to address the issues which the Highway Authority raised with planning applications 36/12/0034 and 36/12/0035.

The proposal is situated along Curload Road a designated classified unnumbered highway which a 30mph speed limit applies. It was observed from my site visit that vehicle movements in this location were low.

Firstly planning application 36/12/0010, seeks the erection of a general purpose agricultural building and alterations to the gravel access. As highlighted in my letter dated 6th March 2012 to the Local Planning Authority and email to the applicant on the 26th April 2012, the Highway Authority have no record of a consultation relating to the access which was shown on the withdrawn planning applications 36/12/0034 and 36/12/0035.

The access itself was not included as part of the red line drawing on the originally submitted applications, which meant that technically the proposed buildings did not have a permitted means of access to the highway. It is noted from the submitted drawing No. 3170-02B that the access track is now included as part of both applications and therefore provides vehicles a permitted means of access to the publicly adopted highway.

Again as advise in my letter to the Local Planning Authority (6th March 2012), it is likely that agricultural machinery will be using this access. Therefore, it is recommended that the first 5.0m of the access is properly consolidated and hard surfaced, (not loose stone or gravel) as this is to prevent any debris from being carried onto the adopted highway. The amended applications now show this on drawing No. 3170-02B.

The access itself is provided with an acceptable level of visibility in either direction, however at the time of my most recent site visit 21st May 2012, it is suggested to maintain the vegetation along the site frontage in a Northerly direction, to improve visibility for vehicles emerging from the access.

Additionally the site is subject to planning application 36/12/0011, which is again retention of works that seeks to erect a fodder and machinery storage building. It should be noted that the proposed development is located outside defined development limits. However due to the proposed use the application would be more suited to a rural location. The Highway Authority has no objection the proposed storage buildings.

Finally, the Design and Access states, "*Mrs F Wadsley, Planning Officer, also wished us to show a second access into the site which the Applicant has a personal right to use. This is not in our client's ownership nor does he have a legal right to use it, however he has a verbal agreement with the owner of the track to use it*". The Highway Authority questions the use of this access, when the applicant has no ownership or legitimate legal right of access over. Planning application 36/12/0010 seeks alterations to the access, this should be the sole means of access into the site.

As a result, the Highway Authority raises no objection to this proposal subject to the following conditions:-

The proposed access over at least the first 5 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

required; land drainage consent may be required for any connection or modification to any water course other than the Main River.

Representations

1 letter of no objection.

Two letters of OBJECTION on grounds;

- the site is small for the accommodation of two agricultural buildings
- too close to domestic dwellings
- will cause noise, smell and disturbance and attract vermin
- risk of water to nearby rhyne

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
CP8 - TD CORE STRATEGY- ENVIRONMENT,
F1 - TTCAAP - Developments within the Floodplain,
NPPF - National Planning Policy Framework,
S&ENPP49 - S&ENP - Transport Requirements of New Development,

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations are the use of the building for agricultural purposes, the impact upon the amenities of the adjoining properties, visual impacts of the proposals, the formation of the two new access's and drainage.

Agricultural use and Visual Impact - The site is located within a very rural area where there are clusters of houses surrounded by agricultural land. The traditional character of the area is of low lying farmland. The design of the agricultural building is in keeping with what would normally be expected in a rural area and there is no adverse visual impact. The application is in accordance with policy CP8 of the Core Strategy. If approved, the buildings would be used for agricultural purposes and any other use would require the benefit of planning permission.

Residential amenity - The surrounding properties are sufficient distance away to not be affected in terms of loss of light or overbearing impact. There will be no loss of privacy and there will be minimal disturbance from the proposed use of the barn for agricultural purposes, including the keeping of livestock in one third of the building. A suitable condition may ensure livestock are only kept in one third of the barn to prevent intensification of the activity on the site and result in greater impacts on the surrounding properties.

Access - There are two access's to the site. The second access was not created following advice of the Planning Officer, as suggested in the Design and Access Statement. Following the withdrawal of the previous applications a meeting was held with the Agent and the Applicant. At this meeting the Applicant confirmed that the track to the north west of the site was what he used as access to the site for agricultural purposes. Officer advice was that if the Applicant was using this track

for access to the barns then the access needed to be included in the red line boundary on the site location plans. This has been done and the correct notice served on the land owner of the access. There is no adverse visual impact from the two access's and there is considered to be no impact on highway safety.

Drainage - The site is located within flood zones 2 and 3. Following comments from the Drainage Board the agent has submitted drainage details direct to the Drainage Board, which the agent has forwarded via e-mail. The Drainage Board are satisfied with the surface water disposal strategy and the use of the existing land drain. An informative is still relevant regarding any connection or modification to any water course other than the Main River.

Subject to conditions restricting the use of the barn for livestock to a maximum of one third of the building and improvements to the south west access, the application is considered acceptable.

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

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