

48/10/0059

MR M BESLEY

**APPLICATION FOR VARIATION OF CONDITION 2 OF APPLICATION 48/03/0073 TO INCORPORATE THE MONTHS OF FEBRUARY, MARCH AND NOVEMBER TO ALLOW CAR BOOT SALES TO TAKE PLACE AT PROCKTERS FARM, WEST MONKTON**

Grid Reference: 325891.127441

Full Planning Permission

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**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval for the following reason

The proposal is considered not to have a detrimental impact upon visual or residential amenity or on highway safety and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design) and policies 48 and 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

**RECOMMENDED CONDITION(S) (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. Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995, the site shall only be used for the purpose of car boot sales on Sundays and Public Holidays between February and November (inclusive) in any year.

Reason: In the interests of highway safety and to avoid conflict with other retail users in the area, in accordance with Somerset & Exmoor National Park Joint Structure Plan Review policy 49.

3. The applicant shall not cause or permit any noise or nuisance to affect the local amenity and the car boot sale shall be limited to the following hours: Sundays - 0800 to 1300, Public Holidays - 0800 - 1300. The site of the sale and all roads must be left in a clean and tidy condition and free from litter immediately after the close of the sale.

Reason: To ensure that the proposed area is laid out in a proper manner with adequate provision for various modes of transport and no disturbance

to locals in accordance with Somerset and Exmoor National Park Joint Structure Plan Review policy 49 and policy S1 of the Taunton Deane Local Plan.

Notes for compliance

## **PROPOSAL**

The proposal is to vary condition 2 of the 2003 permission to allow for the use of the site for car boot sales on Sundays and Bank Holidays in February, March and November.

## **SITE DESCRIPTION AND HISTORY**

Previous permission 48/03/0073 for use of the site for car boot sales was granted in February 2004. The permission was for use of the site on Sundays and Bank Holidays from April through to October.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*WEST MONKTON PARISH COUNCIL* - The Parish do not support the application for Saturday car boot sales as the traffic situation is already bad enough on a Saturday and the car boot sale would bring traffic to a standstill and obstruct residents' access. Parking for the car boot sales is already a problem and extra Sunday sales should be required to do something about keeping cars off the highway, parking off the road should be made available and cones and tape placed on the highways in the vicinity to stop cars parking on the highway.

*SCC - TRANSPORT DEVELOPMENT GROUP* - The principle of development has already been accepted in this location. In terms of vehicle movements it is unlikely that the inclusion of these additional months would see a significant increase in vehicle movement over the current operating period. It is noted the current access arrangements were approved under the previous permission. I am satisfied that this access is of sufficient standard to accommodate any additional movements associated with the extension to the car boot sale operation period. I therefore raise no objection to the proposal.

### **Representations** 4 letters of concern over

- traffic disruption on main road with vehicles queueing,
- mud on road in winter,
- parking on road to avoid payment,
- traffic on dual carriageway can be dangerous,
- it should have an events licence.

## **PLANNING POLICIES**

PPG13 - Transport,  
S&ENPP48 - S&ENP - Access and Parking,

S&ENPP49 - S&ENP - Transport Requirements of New Development,  
S1 - TDBCLP - General Requirements,  
S2 - TDBCLP - Design,  
EN12 - TDBCLP - Landscape Character Areas,

## **DETERMINING ISSUES AND CONSIDERATIONS**

The application is to extend the period over when the car boot sales at the site can be held. The proposal would allow for the use in the months of February, March and November. The main issue here is one of highway safety.

There have been a number of concerns, including from the Parish Council over the level of traffic using the site. However the principle of the use here for Sundays and Bank Holidays has been accepted and the extended number of days of use for 3 additional months is not considered to create detrimental highway issues to warrant a refusal of the proposal. The use of the site in bad weather does not occur and in light of the view of the Highway Authority raising no objection the proposal is supported.

This application does not request any use on Saturdays and any permission should be conditioned for Sunday and Public Holidays

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.**

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