

MR &amp; MRS G DAW

**RETROSPECTIVE CHANGE OF USE OF AGRICULTURAL YARD FOR THE STORAGE OF MATERIALS FOR ROAD REPAIRS AND MAINTENANCE AT BLACKBOY FARM BUILDINGS, WELLINGTON RELIEF ROAD, WELLINGTON.**

12800/19300

FULL PERMISSION

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**PROPOSAL**

This retrospective planning application is for the change of use of an agricultural yard for the storage materials for road repairs and maintenance. The application uses two pieces of land either side of the entrance from the A38, forming approximately 350 s m of storage space.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY this site is adjacent to the A38 (county Route) Wellington by-pass. Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review seeks to restrict new development that derived access directly to such routes unless the special need for a benefit of a particular development would warrant exception. Vehicles are subject to the national speed limit at this point. Access to the site is from a section of carriageway in close proximity to a series of bends where forward visibility is poor due to both the bends and the gradient of the road. There is a double white line system in place to prevent vehicles passing each other. In addition, the visibility for and of vehicles emerging from the site is equally substandard. Given the current site layout with its gate only 4 m from the edge of the carriageway, and its narrow access of only 3.6 m, larger vehicles may be forced to manoeuvre back and forth in order to gain access to the yard, or indeed leave their vehicle on the highway while opening the gate. Neither of these scenarios are acceptable on highway safety grounds. This is not a location where we would wish to see additional conflicting traffic movements, especially by slow moving heavy vehicles or plant which this type of proposal is likely to generate. We would like to seek confirmation of the number and type of vehicles that are likely to be accessing the site on a daily basis compared to previous permitted uses. Would question why materials of this nature are to be stored here, for what purpose and for whom?

ENVIRONMENTAL PROTECTION (Noise and Pollution) no observations to make.

TOWN COUNCIL is in favour for a temporary period of one year so that the decision can be reviewed at the end of 12 months.

ONE LETTER OF OBJECTION raising the following issues:- this yard has been used since before Christmas by this firm, making a lot of noise from 7 a.m. until 9 p.m. some nights, using welding equipment and grinding machinery in the open; 10/12 wheeled trucks reverse into this yard, bringing traffic to a halt; in the time that this firm have been using the yard, there has been 4 accidents; if planning is given I fear that this yard will

be used for other things as well; there is a waste pipe to my septic tank which crosses this yard and my solicitor has told me that I own a 2 foot wide channel across this yard to the septic tank; there are no toilets or washing facilities; all these buildings are in rundown state and with waste always being dumped, this is going to cause problems; query the number of employees and traffic movements indicated on the application forms. Photographs have also been submitted showing the partial blocking of the road by a vehicle visiting the site.

## **POLICY CONTEXT**

The West Deane Local Plan (adopted May 1997) is the adopted local plan for this site. Policy WD/IE/1 (Employment proposals) proposes that employment proposals should be assessed against a number of criteria including the contribution to local employment opportunities, the impact on the local environment, the compatibility with adjoining land uses, and the effect on highway congestion and the safety of road users. Policy WD/IE/3 promotes rural diversification and supports the rural economy provided that they do not prejudice structure and local plan policies and objectives. In the assessment of this application, the following Taunton Deane Local Plan Revised Deposit (November 2000) policies are taken on board: - S1 (General requirements), EC4 (Rural employment proposals) where the site should be near a public road, adjacent to the limits of a village within which there is no suitable size available and where there is no harm to the residential amenity of neighbouring properties, landscape, or highway safety and adequate arrangements for the provision of services. EC5 (Farm diversification) permits proposals for the diversification of farm-based enterprises provided that the proposal is compatible with the agricultural operations on the farm, and the existing farm buildings are utilised wherever possible.

## **ASSESSMENT**

In light of the County Highway Authority's considerations, the applicant has been requested to provide the specific details of the number and size of vehicles visiting the site each day. As yet no reply has been received. In light of the policies, I consider that the use of the site and the storage of materials do affect the visual amenity of the area and the amenities of the neighbouring property. The use of this substandard access on to this Class 1 road is considered to be a risk to highway safety causing road safety problems.

## **RECOMMENDATION**

Permission be REFUSED on the grounds of not in the interests of highway safety or convenience of road users due to traffic speeds, restricted visibility and substandard access, and undesirable intrusion of visual amenity

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

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