

51/2004/004

GILLARDS FARM LTD

CHANGE OF USE OF AGRICULTURAL BUILDINGS TO COMMERCIAL STORAGE (CLASS B8) AT WILLOWFIELDS, STATHE ROAD, BURROWBRIDGE AS AMPLIFIED BY AGENT'S LETTER DATED 19TH MAY 2004.

35976/29942

FULL PERMISSION

PROPOSAL

These former agricultural buildings have a total floor area of 1610 square metres, (17,300 square feet) and are located on the southern side of Stathe Road. There are a number of residential properties immediately opposite the site. Permission was refused in October 1990 for an unrestricted B1, B2 and B8 use in one of the buildings on the grounds that the site was unsuitable being located in a predominantly residential/rural area and the resultant detrimental effect on the area from noise, smell, smoke, fumes, traffic and loss of privacy. It was also considered that additional traffic movement along Stathe Road and at the junction with the A361 would not be in the interests of highway safety. This proposal seeks a storage use (B8) only, and the applicant has agreed to a condition being imposed restricting the use to the two businesses specified in the application. The north western part of the buildings will be used by Kingsmoor Packaging Ltd whose main premises are on the Barcombe Road Industrial Estate at Somerton. The agent has indicated that this use would generate 3 to 4 deliveries per week. The remainder of the buildings will be let to NVA Group, who are based at neighbouring premises along Stathe Road. It is envisaged that this use will generate four deliveries per week, with a small van taking items to the adjoining site no more than once per day.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAYS AUTHORITY from the information provided by the applicant the proposed vehicle movements will be less than the previous agricultural movements. Therefore there are no objections from a highways point of view. However, the planning permission should be personalised to this applicant. ENVIRONMENT AGENCY suggests the proposed development is situated within 250 metres of a known landfill site. Before commencement of the development, the applicant must ensure that all reasonable steps have been taken to investigate and where appropriate, remediate against the possibility of gas migration affecting the development site. The Agency would further comment as follows:- The site is protected from flooding from the River Parrett by embanked defences to the north. However, the moor sometimes floods in extreme circumstances, and there is a chance that these premises could flood during a particularly severe event, or if the embanked defence were to fail. It is suggested that any future users of the site should be informed of this flood risk. WESSEX WATER there is a water main in the vicinity of the proposal. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory supply of water for the proposal. This can be agreed at the detail design stage.

ENVIRONMENTAL HEALTH - no observations. PROMOTION/TOURISM - no observations.

PARISH COUNCIL At the Parish Council meeting the following concerns were raised: 1. Road safety: Access from the A361 is hazardous and unsuitable for the proposed articulated lorries. (Recently a large lorry became stuck on the corner damaging the fence belonging to Walkeys Farm) The road from the A361 to the site is narrow, without a pavement and used by pedestrians, school children and cyclists. 2. Planning creep: The adjacent site currently used by the NVA group was granted 'sui generis' permission and it is they who wish to rent one half of the Willowfield barn. It is imperative that if this application is granted, further approval is sought before any other B8 or BI use is allowed owing to the sensitivity of the site. This particular section of Stathe Road, has, following the building of several new houses, become a residential area.

14 LETTERS OF OBJECTION road is unsuitable for articulated lorries, safety of pedestrians; no guarantee use will not intensify; agricultural use should continue as apparent shortage of buildings in the area has already been demonstrated; will set a precedent for development of gap to NVA site; problems of monitoring vehicle movements; impact of previous use limited because was seasonal.

ONE LETTER OF SUPPORT has been received.

POLICY CONTEXT

The Taunton Deane Local Plan Revised Deposit Policy EC3 is relevant in this case: Outside the defined limits of settlements, the conversion of buildings to small scale business, industrial, warehousing, tourism, recreation, community, commercial or other employment - generating use will be permitted, provided that: A) the building proposed to be converted is of permanent and substantial construction, and: 1) has a size and structure suitable for conversion without major rebuilding, or significant extension and alteration or extension; and 2) has a form, bulk and general design in keeping with its surroundings; and 3) is sited near a public road; B) and the proposal would: 1) not harm the appearance, nature conservation and historic heritage or surroundings of the building; 2) be compatible with the rural character and landscape quality of the area, taking account of any visual improvements proposed; and 3) not harm the residential amenity of neighbouring properties or highway safety and adequate arrangements can be made for the provision of services; and 4) not lead to a dispersal of activity on such a scale as to prejudice town and village vitality. The site lies outside (but immediately adjoining) the development limits of the village of Burrowbridge as defined in the Taunton Deane Local Plan.

ASSESSMENT

Policy EC3 gives a general presumption in favour of the conversion of outbuildings to commercial uses provided that the proposal does not give rise to specific problems. This case therefore appears to rest upon two issues: residential amenity of nearby houses; and highway safety. Conditions are proposed relating to preventing outside storage, restricted working hours, amplified music and floodlighting. It is considered that these conditions together with the restricted nature of the use proposed should prevent demonstrable harm being caused to the occupiers of the nearby houses. Whilst the

approach road are clearly substandard the Highways Authority is satisfied that the amount of movements generated by this proposal will not result in a material increase in traffic when compared with the previous agricultural use and refusal could not therefore be justified on highway safety grounds.

RECOMMENDATION

Subject to no adverse response being received from the Parrett Consortium of drainage boards, the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and planning permission be GRANTED subject to conditions of time limit, personal permission, floodlights, amplified music, no fencing, commercial storage only, no outside storage, restricted working hours. Notes re: water supply, landfill site, flooding.

REASON(S) FOR RECOMMENDATION: The proposed use on the restricted basis proposed will not harm residential amenity or prejudice highway safety. The development therefore accords with the requirements of Policy EC3 of the Taunton Deane Local Plan Revised Deposit.

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

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NOTES: