

32/18/0008

MR P SPARKS

Extension of hardcored area at Holbaines Meadow, Whiteball Road, Sampford Arundel, Wellington (Retention of works already completed)

Location: HOLBAINES MEADOW, WHITEBALL ROAD, SAMPFORD
ARUNDEL, WELLINGTON, TA21 0LS

Grid Reference: Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

1. (i) A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of the approval and prior such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted.

(ii) The scheme shall be completely carried out within the first available planting season from the date of decision

(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.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting the 2015 Order with or without modification), no alterations, outbuildings, gates, walls, fences or other means of enclosure shall be erected on the site other than that expressly authorised by this permission without the further grant of planning permission.

Reason: To ensure that the proposed development does not harm the character and appearance of the area by restricting potentially unacceptable development.

Notes to Applicant

1. In accordance with paragraph 38 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.

Proposal

Permission is sought for the extension of hardcore area intended for the horticultural use of the site.

Site Description

The site is in the open countryside, just to the south of the hamlet of Holywell Lake, between the settlement and the A38. The area of hardstanding sits to the north of the site adjacent to the existing hard surfaced area.

Relevant Planning History

32/16/0001 for the formation of a new access onto the A38 was refused in 2016., the decision was appealed and dismissed.
32/13/0007 for the erection of security fencing with gate was approved in 2014.

Consultation Responses

SAMPFORD ARUNDEL PARISH COUNCIL - Objects to planning permission being granted as any further hardstanding on the site is totally out of keeping with the rural location and surrounding area. The Parish Council totally supports TDBC's issuing of an enforcement notice to the applicant and the site for the removal of the hardcore that has been stored there for some time and supports any actions that may be required to implement the enforcement notice.

SCC - TRANSPORT DEVELOPMENT GROUP - Standing advice

PLANNING ENFORCEMENT - The application was submitted as a result of a current pending planning enforcement case.

Representations Received

Three letters of objection making the following comments (summarised):

- The field has been an eyesore as been used as a waste transfer station which is wrong in the countryside.
- Entrance to the site is already looking like the access point to a military base, steel fences and RSJs piled into the ground
- the hard standing must be required to store heavy plant or large vehicles on the land

- This is a green field in the country, it should be used to grow food or provide grazing, it should not be used to slip industry or any non-agricultural or non-horticultural business in the area.
- it is green, it should stay green
- not be covered with building rubble
- Spread of hardcore on the land is completely out of keeping with the nature of the property
- A caravan and a large plastic tank in static positions
- Retaining the area of hardcore is required if the intention is to develop it for non-agricultural commercial or industrial activity.
- Road access to the site is limited
- Cannot support any increase in traffic of any sort

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.

CP8 - Environment,
 SD1 - Presumption in favour of sustainable development,
 DM2 - Development in the countryside,
 DM1 - General requirements,

This takes into account the recent adoption of the SADMP.

Determining issues and considerations

The main consideration in determining this application is the impact upon the visual amenity of the area.

It is noted that an enforcement appeal on the site, stated that the hardcored area should be removed within six months, however this decision did not look at the planning implications only that the proposal was not considered to be permitted development. At the time of the enforcement notice no application was submitted to either Taunton Deane or the Inspectorate for determination therefore the planning merits of the case were never considered and the appeal was decided on procedural matters only. This application seeks to regularise the hardstanding.

Clarification has been sought from legal who state that the use of the land as a plant nursery (as opposed to a garden centre) which falls under the agricultural use class. It is considered that the hardcored paths and associated drainage adjacent to the existing hardcored area would be a development associated with this use class.

Comments from neighbours discuss the impacts upon the highway, however the regularising of the hardcored areas is not considered to have an impact upon the highway safety. The land has use as a plant nursery therefore any increase in vehicle movements by virtue of the hardstanding cannot be controlled, highways have referred to the standing advice and as the access and use is already authorised there is no additional effects on highway safety. The existing access to the site is via the lane that runs from the A38 to the north.

There were several comments from neighbours relating to the state of the land, however this application seeks to regularise the site where the use as plant nursery has the potential to tidy up the site. The area of hardstanding to the west of the of the site is deemed lawful. It is noted that the road access is narrow and unsuitable for a garden centre as the visibility splays are overgrown. However as an existing access with permission it is outside the remit of this application.

The site is screened from the A38 and surrounding areas by trees and hedging, which are not subject to protection therefore a landscaping condition has been included to maintain this screening.

It is therefore recommended that permission be granted subject to conditions.

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

Contact Officer: Briony Waterman