

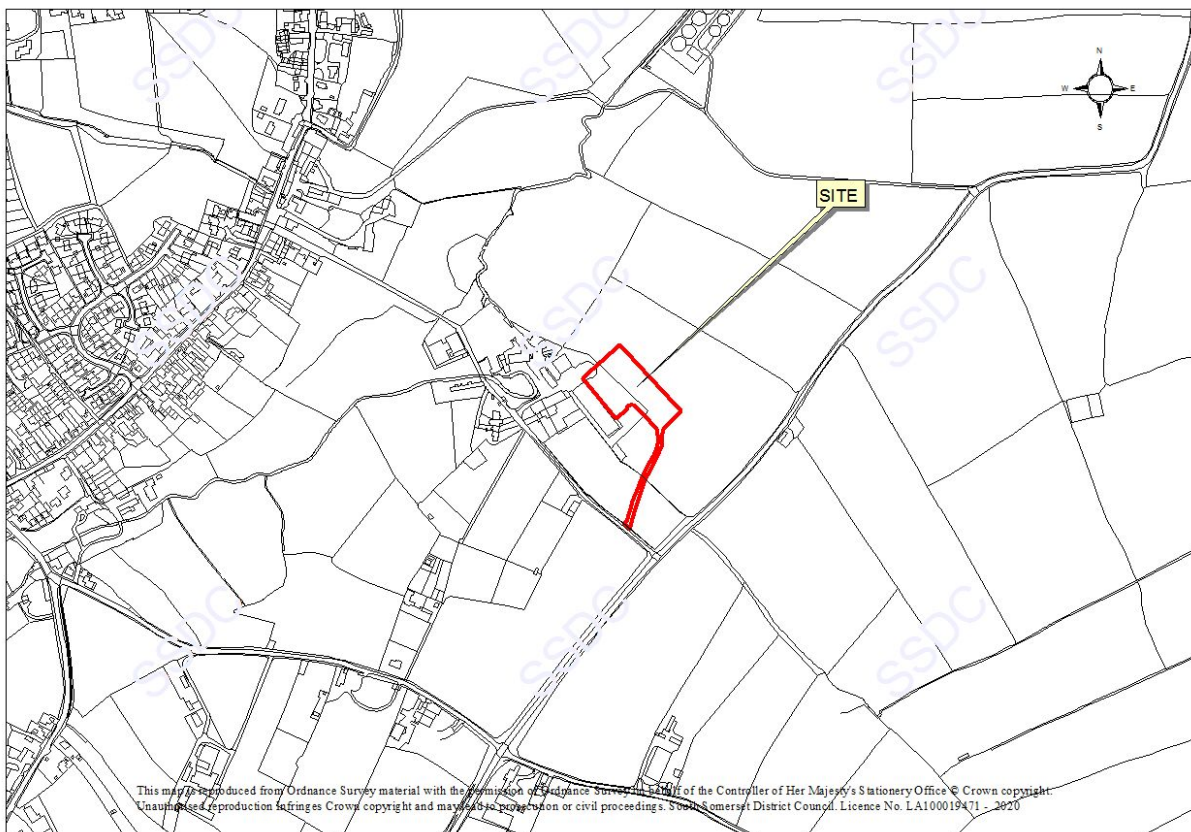
## Officer Report On Planning Application: 19/00810/FUL

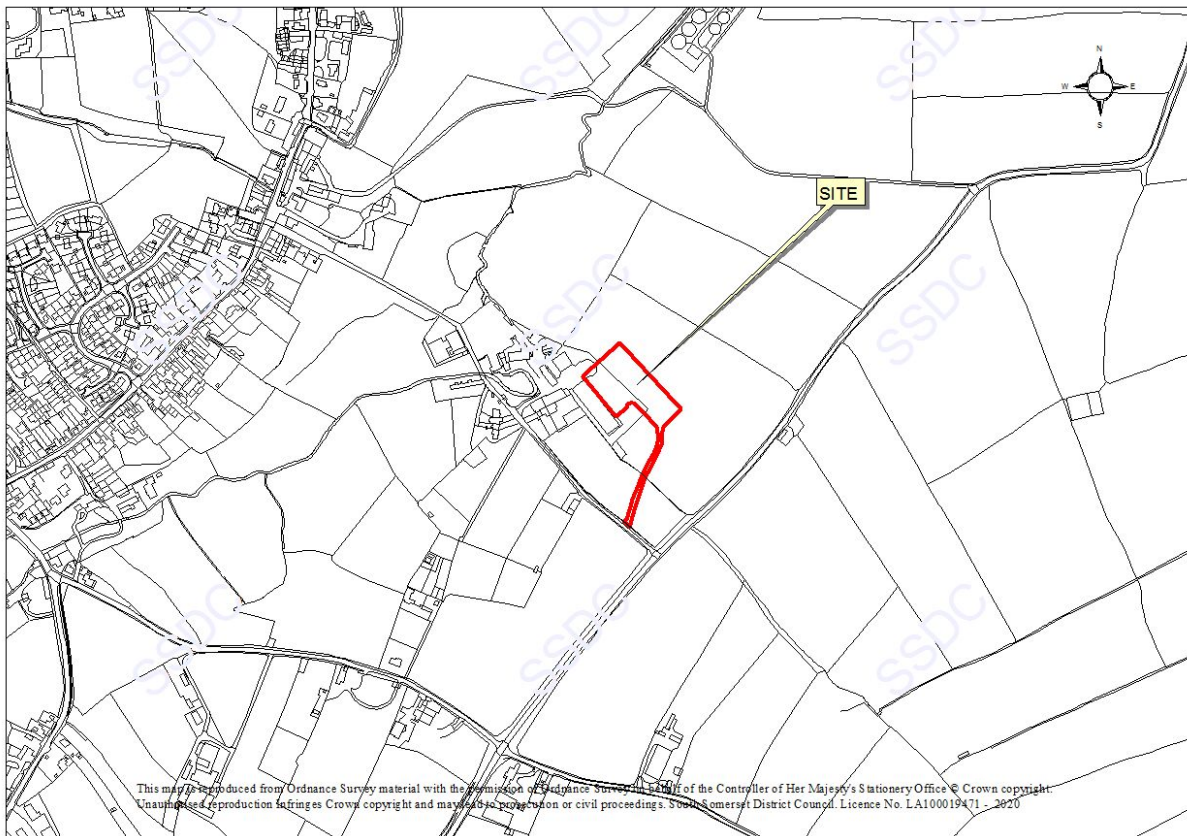
<b>Proposal :</b>	The erection of 2 No. commercial buildings with the provision for car parking, access and turning areas.  The proposed buildings are to provide employment opportunity for SME businesses and to the local residents of Merriott.
<b>Site Address:</b>	Land At Tail Mill Tail Mill Lane Merriott TA16 5PF
<b>Parish:</b>	Merriott
<b>EGGWOOD Ward (SSDC Member)</b>	Cllr Paul Maxwell
<b>Recommending Case Officer:</b>	Ian Cousins
<b>Target date :</b>	13th June 2019
<b>Applicant :</b>	Mr Patrick Quinn
<b>Agent: (no agent if blank)</b>	Lyndon Brett Partnership County Court Chambers Queen Street Bridgwater, TA6 3DA
<b>Application Type :</b>	Minor Other less than 1,000 sq.m or 1ha

### REASON FOR REFERRAL TO COMMITTEE

The application has been referred to committee by the Director (Service Delivery) in consultation with the relevant Area Chairman taking into consideration that due to the nature of the application and the evident public interest that the Committee should consider it.

### SITE DESCRIPTION AND PROPOSAL





The application site lies within the countryside to the east of Merriott and the historic Tail Mill site. The site comprises an existing commercial unit which accommodates two businesses. Access to the site is from the west between the Tail Mill re-development scheme and Tail Mill Cottages.

This application seeks consent to erect two commercial buildings to the north east of the existing building to accommodate small start-up businesses within 9 units. The units comprise a workshop/storage area with associated office and staff welfare facilities. A new road is proposed to be provided from Tail Mill Lane to the south along with parking and new landscaping.

## HISTORY

07/02464/FUL - Erection of an extension and the upgrade of existing factory together with highway improvements and landscaping. - Permitted - May 2007

08/03871/FUL - Extension to proposed factory buildings relating to planning approval 07/02464/FUL by the addition of a 6m wide bay to approved extension - Permitted - October 2008

## POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006-2028 (adopted March 2015).

## Policies of the South Somerset Local Plan (2006-2028)

SD1 Sustainable Development  
SS2 Development in Rural Settlements  
TA5 Transport Impact of New Development  
TA6 Parking Standards  
EQ1 Addressing Climate Change in South Somerset  
EQ2 General Development  
EQ3 Historic Environment

## National Planning Policy Framework

Chapter 4 - Decision Making  
Chapter 6 - Building a Strong, Competitive Economy (Paragraphs 83 & 84)  
Chapter 12 - Achieving Well-Designed Places (Paragraph 124)

## Planning Policy Guidance

Climate change  
Design  
Somerset County Council Parking Strategy (March 2012)

## **CONSULTATIONS**

### **Merriott Parish Council**

*"Support the application and recommend approval"*

### **County Highway Authority**

*"No objection as the level of parking is acceptable. Details of the disposal of surface water will need to be submitted prior to the occupation of the units."*

### **SSDC Highway Consultant**

*"Refer to comments made by County Highways."*

### **Environment Agency**

"No objections subject to an informative being imposed advising of safeguarding during the construction phase"

## **REPRESENTATIONS**

4 representations received objecting to the application on the grounds of neighbour amenity, impact on character of area, highway concerns and loss of views.

## **CONSIDERATIONS**

### **Principle of Development**

The site lies within an area defined as countryside and therefore the principle of development is considered against Chapter 6 of the NPPF (specifically paragraph 83 (rural economy)) and policy SS2 of the Local Plan. These policies seek to support employment opportunities appropriate to the scale of the settlement and promotes a prosperous rural economy.

Merriott is considered to be a rural settlement which has key facilities that are easily accessed from the application site. Furthermore, Merriott has accommodated development and grown over recent years.

Given this, it is considered that the scale of development is commensurate to the size and nature of Merriott and provides for employment opportunities and as such, the principle of development can be considered to be acceptable.

### **Scale and appearance**

The proposed buildings are considered to relate well to the built form of the existing commercial building and are of a scale and appearance that will not appear incongruous. Accordingly, this element of the development is considered not to be detrimental to the character of the area. Furthermore, given that the proposed buildings are to be located further away from the recent Tail Mill development than the existing industrial building, this element of the proposal is not considered to be detrimental to the historic setting of Tail Mill.

The proposed access road will cut across an undeveloped agricultural field resulting in the creation of two separate parcels of land. As a result, this element of the proposal is considered to result in development that will be visually intrusive and therefore harmful to the rural character of the countryside. In addition to this, the provision of the road is considered to visually expand the site beyond a well-defined and established boundary into open countryside which will further exacerbate the identified visual harm.

### **Highways and parking**

Notwithstanding the visual concern raised by the proposed road, it is considered that the new access road is suitable for the proposed development and can accommodate the level of likely traffic movements without detriment to highway safety. Furthermore, the new road will divert the traffic for the existing building away from the residential area which is considered to represent a benefit to highway safety and neighbour amenity.

### **Neighbouring amenity**

The closest residential buildings are located to the north west of the site, beyond the existing industrial building which is sited closer to them. It is considered that, given this distance and providing the use of the buildings is restricted to B1 or B8 use, the proposed use is compatible with the surrounding area and any noise generated will not be detrimental to neighbour amenity to any degree that would warrant the refusal of the application. The restriction of B1/B8 uses can be imposed with the use of an appropriate condition however, it must be noted that, should the applicant also require a B2 use, then a suitable noise report would need to be undertaken. The noise report would have to demonstrate that a B2 use can be accommodated on site without being detrimental to neighbouring residents.

### **Previous applications**

It has been claimed by the applicant that there is an extant consent relating to the site by virtue of the provision of infrastructure and that this consent permitted the extension of the existing building along with a new access road in a similar position to that as proposed by this application. However, it has not been documented which planning permission this is or what infrastructure has been implemented to make such a permission extant. Clarification has been sought however, no response has been provided in regard to this. Accordingly, in the absence of this information, the recommendation to refuse this planning application has been based on there being no extant consents on site.

### **Conclusions and Planning Balance**

The proposed site is considered to be relatively well related to Merriott, a rural settlement with a number of key facilities and services, and therefore complies with the requirements of policy SS2 of the Local Plan. Furthermore, given that the siting of the proposed buildings is to be adjacent to an established commercial building, it is considered that the character of the area will not be detrimentally affected by

this element of the proposal. However, the new access road is considered to unduly encroach into the countryside and as a result, will be visually intrusive and harmful to the character of the area. Whilst there is a benefit of removing existing commercial traffic from the residential area, this is not considered to overcome the identified harm.

## **RECOMMENDATION**

REFUSE

### **For the following reason**

01. This siting of the proposed access road is considered to result in development that will be visually intrusive in an area of un-developed land and therefore harmful to the rural character of the countryside. In addition to this, the provision of the road is considered to visually expand the site beyond a well-defined and established boundary into open countryside which will exacerbate the identified visual harm. As such, the proposal is contrary to policy EQ2 of the South Somerset Local Plan 2006-2028

### **Informatives:**

01. In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
  - offering a pre-application advice service, and
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.

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