

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

8th May 2013

**OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN
AGENDA**

ITEM 10

Item No 1 Application No 13/00376/FUL
Address The Chase, Rectory Lane Compton Martin.

Following the presentation of the application at the last committee the applicant decided to submit two further drawings. Drawings 2013/chase/09a and 2013/chase/08a were received on 26th April

2013. These plans were uploaded on the Council's website and shown to Councillors when they visited the site 29th April 2013. The plans were also forward to the objector at the neighbouring property.

Drawing 08a shows a section through the site and 09a showed a street scene elevation.

Further correspondence was received from the neighbouring properties siting inconsistencies in the drawings, the correspondence is as follows:

- The Section Drawing indicates a distance from the rear of the property to the boundary hedge of 8.6 metres instead of the correct 5.7 meters giving the impression that the distance from our living rooms is greater than it is. This does not accord with the site plan dated 15th March 2013.
- The drawing described as 'Street Scene' is of the west facing elevations rather than those facing east - Rectory Lane.
- Confusingly the Section Drawing appears to show the ridge height in imperial but all other measurements in metric.

We remain concerned at the continued inaccuracies of drawings from a professional building design company. As these drawings have been produced to assist the Development Committee in its deliberations, I would be grateful if you would bring this to their attention.

The section drawings show an arrangement which is consistent with the other drawings that have been submitted. It is recognised the 'Street Scene' view is the view of the property from the rear rather than the front. The measurements on the drawing are all metric, the objector may confused in respect of level measurements.

ITEMS FOR PLANNING PERMISSION

**Item No.2 - 6 Application No.12/05660/FUL; 5661/FUL; 05662/FUL;
 05663/FUL; 05664/FUL:
Address Parcel 2866 and 005, Woolley Lane Charlcombe**

Further Comments

Following completion of the report, two letters have been received from objectors unable to attend committee but reiterating their previous grounds of objection to the applications.

Highway Comments

The comments from Highways were summarised in the Committee report. The following are the full comments:

Application No. 12/05660/FUL

Site address: Parcel 2886, Woolley Lane, Charlcombe

Proposal: Alterations and extension to existing agricultural building; alterations to access, formation of hardstanding and farm track; construction of stock pond; siting of 2 no. feed hoppers and ancillary works (retrospective). Siting of a temporary timber cabin for an agricultural worker for a period of up to 3 years.

The proposed development would appear to represent an intensification in use of the site. However, no attempt has been made to quantify this situation, the Design and Access Statement looking collectively at 5 applications and giving the applicants 'opinion' rather than making justified statements.

The applicants agent considers there is a need for one worker to be on site at all times, yet the proposed residential unit is a 3 bedroomed, family sized dwelling, which inevitably will result in a potential intensification in use of the site over and above the agricultural use.

However (in mitigation?), the application includes alteration to the access. This has not been quantified or demonstrated, the only plan being of the existing access. At the very least, if there is to be an intensification in use of the site I would wish to see reduction in access gradient, improved visibility and some squaring off of the access to the highway carriageway, to improve ease of use for southbound traffic, with further setting back of the existing gates. This has all been set out in previous highway consultation responses regarding development proposals for the site.

Regarding the farm track, details are very sketchy.

Taking into account the above, I fail to be satisfied regarding the development proposals and highway impact – compliance with Policy T24 has not been demonstrated.

Bearing in mind the above, the highway response is open of OBJECTION in the interests of highway safety.

I refer to your revised plans/information consultation received 15th March 2013. My comments are as follows:

I have drawn attainable visibility at the proposed access onto the submitted plan using the minimum acceptable set-back ('x' distance) of 2.4 metres. Not allowing for any growth of the boundary hedge, attainable visibility scales at 7.0 metres in a southerly direction and 5.0 metres in a northerly direction (see attached plan extract). Whilst Woolley Lane does not equate to a Street, as per Manual for streets, even by the visibility standards set out in that document, which are less than the requirements of the Design Manual for Roads and Bridges, the attainable visibility falls below the requirement of 11 metres for a main road speed of traffic of 10mph. This is totally unacceptable and contrary to the interests of highway safety.

Despite previous comments regarding failure to justify figures/assumptions in the Design and Access Statement, no further information has been received.

Further, no justification has been given for the size of the proposed residential unit and no details have been submitted with regards alterations to the vehicular access previously referred to.

Bearing the above in mind, the highway response remains open of OBJECTION in the interests of highway safety, the proposed development being contrary to Policy T24 of the adopted Bath and North East Somerset Local Plan.

Application No. 12/05661/FUL

Site address: Parcel 2866, Woolley Lane, Charlcombe, Bath

Proposal: Erection of a general purpose agricultural building

The submitted Design and Access Statement is inadequate for me to determine the likely impact of the proposed building. Given the poor access to the site and the single track nature of highway leading to it, it is essential that an adequate Transport Statement, at the very least is submitted.

Three of the other current applications relating to the site relate to the (retrospective) provision of poultry shed. However, this application refers to the need to store hay, bedding, feeds, machinery, use as a workshop, accommodation for lambing and calving, etc.

Clearly, should you be satisfied by the need, such uses would be unlikely to result in intensification in use of the site and no highway objections would be raised.

However, there are existing buildings on the site and, should the intention be to free their use for other purposes, and intensification in use of the site could result which, given the nature of the approach roads and site access, could result in a highway objection.

Bearing in mind the above, clarification is required regarding the existing lawful development and uses on the site in order to be satisfied that the proposed development will not result in a material intensification in use of the site if it is to be permitted.

Application No. 12/05662/FUL, 12/05663/FUL & 12/05664/FUL

Site address: Parcel 2886 and Parcel 0005, Woolley Lane, Charlcombe

Proposal: Siting of: 4 no. mobile poultry units (retrospective); 3 no. mobile poultry units (retrospective); and, 3 no. mobile poultry units (retrospective).

I am responding to these 3 applications (12/05662, 05663 & 05664/FUL) together as they are all retrospective and the submitted Design and Access Statement refers to them collectively and the proposal for 10 such units to accommodate 7,500 birds (750 in each unit).

Bearing in mind the above, I am rather puzzled why separate applications have been submitted – it would appear to be an attempt to minimise the impact of any particular element rather and avoid the collective impact.

The Design and Access Statement states that no Transport Assessment or Travel Plan have been submitted as the impact of the development is not significant.

Each application must be judged on its merits and, given the single track nature of the approach roads and existing authorised developments on the site, it is considered that the proposed development is material and, at the very least, a transport statement should be submitted.

Furthermore, increasing the number of employees, as a result of the proposed development, importing produce from other sites to distribute along with goods produced and sorted on the site, introducing deliveries to individual customers as well as larger scale deliveries, would all point to a substantial intensification in use of the site as a result of the proposed development.

Furthermore, as indicated in responses to previous planning applications, access to the site is also substandard.

Taking into account the above, I fail to be satisfied that the impact of the development proposals has been adequately examined and addressed and believe that the proposed development results in a material intensification in use of the site and traffic generation along narrow rural lanes via substandard accesses.

Bearing this in mind, the highway response is one of OBJECTION, in the interests of highway safety, the development as I am not satisfied that the proposed development complies with Policy T24 of the adopted Bath and North East Somerset Local Plan due to the inadequacy of information submitted.

**Observations of the Planning Officer
12/05660/FUL**

The issue of the use of the land, intensification in the use of the site and the need for the temporary dwelling are addressed in the main report. The planning history and current status of the site access are also addressed in the main report.

The need for further information regarding traffic to/from the site has been requested from the applicant however no further information has been provided at the time of reporting to Committee.

Application No. 12/05661/FUL

The need for further information regarding traffic to/from the site has been requested from the applicant however no further information has been provided at the time of reporting to Committee.

The use of the building would be for agricultural purposes and not considered to result in intensification in the use of the site amounting to a change of use from agriculture.

Application No. 12/05662/FUL, 12/05663/FUL & 12/05664/FUL

The need for further information regarding traffic to/from the site has been requested from the applicant however no further information has been provided at the time of reporting to Committee.

Based on the proposed use of the site, level of employment and identified vehicle movements it is considered that the proposals do not result in intensification in the use of the site amounting to a change of use from agriculture.

Conclusion

The Recommendations and Reasons for Refusal as set out in the main report are considered to be appropriate.

**Item No 11 Application No 12/04590/OUT
ADDRESS Parcel 0025 Monger Lane Welton Midsomer Norton**

Consultations:

Highways Development Officer: Additional Comments – 29th April 2013.

For clarity on the new access road junction visibility, I would request that an additional condition be attached to any permission granted. The previously suggested conditions are also still requested.

Officer Comments: The additional condition in relation to visibility splays is considered to be acceptable and therefore should be attached to any decision issued. All other considerations for this scheme remain as per the main report and the overall recommendation is unchanged.

RECOMMENDATION: Remains as in the main report with the addition of the following condition:

Before the dwellings hereby permitted are first occupied the area between the nearside carriageway edge and lines drawn between a point 2.4m back from the carriageway edge along the centre line of the new access onto Monger Lane and

points on the carriageway edge 45m from and on both sides of the centre line of the access shall be cleared of obstruction to visibility at and above a height of 150mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: In the interests of highway safety.

Item No 14 Application No 13/00691/LBA
Address The Hay Barn, Camerton Hill Camerton

Following further consideration of the Listed Building Application and a further site visit the Conservation Officer has withdrawn the request for condition 1 to be attached to any future consent. It has been considered that as the other buildings in the group of buildings have this rafter

detail it would be difficult to substantiate an argument for their removal on this part of the complex. Therefore should consent be granted the following condition is not required:

Prior to the occupation of the development the exposed rafter feet must be removed and replaced by a traditional eaves detail. Large scale drawings of the detail are to be submitted to and approved by the local planning authority for approval prior to works being completed

Reason: to respect and safeguard the character and appearance of the setting of the listed building and adjacent heritage assets.

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