

Amendment Sheet

6 14/2004/036

Letter from agent:- It is disappointing that it is only the Landscape Officer who has raised an objection to this proposal resulting in your recommendation for refusal, especially as we have had no objection from local people, Councillors and the support of the Parish Council. In your report, no mention was made to the additional information and photos that I sent justifying the height of the proposed mast. As previously stated, without this height, the required coverage of the railway will not be complete because of the obstructions along the line (trees etc). The Radio Planner used a cherry picker at the site to ascertain the minimum height possible. This is a technical constraint (a material planning consideration) of which the Landscape Officer is not probably aware of, or need to take into account when making his own personal assessment which is limited only to landscape impact. Also, in your report you mention that we re-contact the owner of the Creech Mills industrial buildings to persuade them to accept telecom equipment on their building. However they have said that they do not want telecom equipment on their buildings and are so uninterested so how do you suggest that we change their minds? (In any case a height requirement for the antenna will still need to be equal to this 20 m height so visual impact will be similar). Thus this suggestion has no merit. You also mention that there will be 'numerous antenna and dishes'. Whilst I appreciate you use this term in order to try and sell your recommendation, I would not say that 4 antenna and two dishes are numerous. Surely one would only use the term 'numerous' when there are so many items that you are unable to count them.

7 19/2004/015

Further letters from agent:- (Letter 1) So far as internal pallet storage is concerned we would make the following points. You have seen the buildings and they are completely racked out. There is no internal room for pallet storage. Moreover there is no essential reason why pallet storage should not be external in that they are to be sited in a location which is self evidently out of the way and out of view. They are there only temporarily whilst awaiting collection. They are placed in a position that can quite legitimately be occupied by parked vehicles. To change the use from vehicle parking (which could include large lorries) to pallet storage of a limited height should result, on objective assessment, in there being no adverse consequences so far as the amenities of adjacent properties are concerned. Indeed it could be argued that these amenities would be improved. How the site is operated

is, mainly a matter for the site owners and occupiers. It only raises a planning issue if those operations can be said to affect other planning interests. For the reasons given above we think there is no adverse affect. Although the amenities of neighbours is a perfectly proper planning interest to consider these are not adversely affected in this case from having studied the third party representations on the planning file that none of them have sought to compare the consented position (i.e. with parked vehicles present) with what is proposed. Perhaps you would confirm in the light of these observations where you stand on this issue?

(Letter 2) In relation to the proposed Pallet Storage Area the Fire Safety Officer advises that an optimal solution would be to provide a secure storage compound (essentially some protective fencing and a secure gate) to discourage possible attempts at arson. However, he went on to say that this is not essential. The pallets are to be stored away from the buildings. He did request that a "vehicle width" be left between the pallets and the nearest vehicle which presumably can be equated to a single parking bay. We can advise that two stacks of pallets, side by side, with a small gap between them occupies 2.9 metres or if the stacks are adjacent to each other somewhat less. Allowing for a 2 metre gap (say) to the next nearest vehicle gives a width of 4.8 to 4.9 metres. The depth of a parking bay (which is a relevant depth for this exercise as they are not sub-divisible) is also 4.8 metres. The above indicates that the dimensions shown on the application plan are correct. In the light of the above we suggest that a condition could be attached to a consent as follows:- "No vehicles shall be parked closer than 2 metres from the nearest pallet stored within the approved pallet storage area". We also confirm that our clients are willing to mark out a defined pallet storage area together with its adjacent "safety zone". This action together with the future maintenance of the relevant markings can be secured by condition.

COUNTY HIGHWAY AUTHORITY there are currently 28 parking spaces provided on this business park, which equates to one car space per 40 sq m of floor area. If it can be demonstrated that the loss of two parking areas will not cause a parking problem on the business park, I would have no objection to this proposal.

Amended Recommendation:- Condition should restrict height to 2 m not 4 m. Addition condition requiring marking out of safety zone around pallet storage area and preventing vehicle parking within area.

N/A 23/2004/030

As amended by letter dated 13th December, 2004 with accompanying drawing.

ENGLISH NATURE the badger sets will be affected by the proposals and a badger consultant will need to obtain a licence from English Nature. In order to protect badgers during the period of breeding and rearing young, a licence is not normally issued between 1st December and 30th June in any year. All wild birds, their nests and eggs are protected under the Wildlife and Countryside Act 1981 (as amended)

so care must be taken not to disturb birds during the time of nesting and rearing young (normally April to September).

LANDSCAPE OFFICER (further observations) the detailed landscape proposals submitted for the new road junction should overcome my original concerns of loss of hedgerow and possible 'engineered' solution to the new junction. Given these proposals, there should also be an increase in wildlife value of the site.

TAUNTON DEANE RAMBLERS GROUP - without considering any other aspects of the planning application would support the removal of all goods traffic from the road from High Street to Milverton Court.

The representations from CPRE should be regarded as a response from a local resident and the following formal response from CPRE Somerset substituted:- Enhanced business on this site will further endanger the safety of pedestrians and local people and potentially cause more unsuitable use of the highway for inappropriately sized lorries. Approval of the application should be accompanied by measure to avoid such impact and enable the continuing safe and tranquil enjoyment of public rights of way. Should it be regard as essential that the hedgerow be removed, it should be replaced along the new line with a hedge of enhanced quality.

TWO FURTHER LETTERS OF OBJECTION raising the following further issues:- (1) The track from Butts Way has been used by walkers for well over 20 years on a regular basis and through the common law doctrine of dedication and acceptance becomes a public right of way. (2) Planners swayed by commercial gain in terms of employment at such a cost to Milverton, both in safety, conservation and human rights.

TWO FURTHER LETTERS OF SUPPORT - further representations raised:- (1) Will enhance existing junction in Butts Way between the wide and narrow sections of the highway and thereby offer improved vision and several other advantages to traffic using this part of Butts Way. (2) Will further enhance the bus route making visibility easier to cope with for their drivers at this otherwise difficult narrowing of the highway. (3) Will secure the continuation of the second largest employer in Milverton, which has knock on effects for local service providers. (4) By re-routing HGV traffic away from the village centre, they are avoiding the routing of HGV vehicles through the central special status Conservation Area in the heart of the village. (5) Protest documents and petitions should be ignored as they deal with other highway matters, quite separate from this application. (6) Given the traffic surveys done, the increase in traffic on Butts Way would be completely insignificant, even if traffic generation were to double. (7) If Herb Company move out, other occupiers may generate more traffic. (8) Historically the proposed route has always been used as the main access to the farm. (9) The idea that the application will 'strike at the heart of the village' is ludicrous. The village store, farmers and other businesses have far more traffic associated with them. (10) The lifeblood of the village is dependent upon its industry.

Applicant has circulated to Members a pack including questions and answers. An updated version of this was e-mailed to Members. Further copies are available if required.

9 38/2004/479

CONSERVATION OFFICER The application proposals are an improvement on those previously refused, due to the availability of reorganising spaces, as a result of introducing internal staircases between 'lower ground' and 'ground' floor plans. Such an approach has meant more subdivision of the lower ground floor but more importantly has meant that only one new wall is introduced into the ground, designed spaces, at ground floor. I met with the applicants conservation consultant, Dr C Miele, on 25th November, 2004, when a number of points about the scheme were raised and discussed. These have been responded to by Diane Alison (see letter dated 1st December, 2004) and the agent (see letter dated 29th November, 2004 with amended drawing 0309/09C). Given the above, I now consider that an acceptable scheme has been arrived at that will respect the important designed spaces and give this important building a new lease of life. On the basis of the revised drawing 0309/09C and Diane Alison's undertaking in her letter dated 1st December, 2004, I can support the amended application details, subject to the following conditions:- 1. M002 (time limit), 2. M103A (materials) delete 'external', include 'materials as indicated in the application form and plans'. 3. Prior to the work for which consent is hereby granted is commenced, historic paint/finishes analysis, shall be undertaken by a qualified/recognised expert in this field, of the existing stair, lobbies and other common areas and submitted to the Local Planning Authority for approval, with a view to reinstatement of original finishes. 5. Prior to the works for which consent is hereby granted is commenced, specific details of all new joinery shall be submitted to and approved in writing by the Local Planning Authority, such new joinery to include doors, linings, architraves, skirtings and staircases and provide for accurate representation or original detailing. 6. Prior to the work for which consent is hereby granted is commenced, specific details of the means by which fire separation, sound insulation and limitation of reverberation in common areas, shall be submitted to and approved in writing by the Local Planning Authority. 7. Prior to the works for which consent is hereby granted is commenced, specific details of the means by which the main staircase can be positively adapted to comply with health and safety/building regulations, shall be submitted to and approved in writing by the Local Planning Authority, such details to include the removal of the 'extended' handrail. 8. Prior to commissioning, specific details of new/adapted windows, venting of enclosed baths/en-suites and kitchen fittings, shall be submitted to and approved in writing by the Local Planning Authority. 9. No suspended/horizontal ceilings shall be introduced without the prior written approval

of the Local Planning Authority. 10. M670 (no removal of chimney breast/fireplace), 11. M679 (new works), 12. M658 (removal of partitions), 13. M659 (new partitions), 14. M660 (new partitions).

Amended Recommendation:- Subject to completion of a S.106 Agreement agreement in relation to sport and recreation and conditions as advised by the Conservation Officer the Development Control Manager ... (as printed)

10 38/2004/480LB

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11. M679 (new works), 12. M658 (removal of partitions), 13. M659 (new partitions), 14. M660 (new partitions).

11 38/2004/521

AVON & SOMERSET CONSTABULARY I have now studied the revised plans for the planning application and have no adverse comments to make. The architect, Paul Harris, has addressed all of my previous concerns. I intend to suggest to Gadd Homes Ltd that they may wish to apply for a 'Secured by Design Award'. I feel that providing physical security measures are to 'specification', an award should be achievable.

4 FURTHER LETTERS OF OBJECTION on the following grounds:- traffic; impact on parking in area; noise and air pollution from traffic.

ONE VERBAL OBJECTION on grounds of impact on rear of 10 Gloucester Street.

THREE FURTHER LETTERS in response to revised proposals re-iterating earlier objections.

Copies to:
CHAIR/NTN/TB/JM/CDW/AG/DA/JH/KM/JLH/IC/TAB/CJW/HM/H&L/RWF/
Planning Reception/JJ/RB/17 Committee Members/15 Public