

Amendment Sheet

4 07/2005/019

PARISH COUNCIL no objections.

7 20/2005/012

Letter received from applicant in response to Somerset Wildlife Trust comments relating to Badgers as follows:- "We have worked around badgers setts, Minehead and Thurloxton, as a part of our contracting business and have managed schemes for our construction clients with badgers on site. So far as the sett by Cedar Cottage is concerned I have no knowledge of this but it is likely that if it still exists it is an outlying sett. I certainly have no knowledge of the residents of Cedar Cottage mentioning badgers. That said the matter needs to be addressed properly so I will contact the Consultant we normally use tomorrow and ask him to come and do a site visit. Suffice to say that we are fully aware of the statutory obligations in relation to badgers and will comply with them in full. I will let you have the consultants report as soon as possible."

SOMERSET WILDLIFE TRUST indicates the presence of a badger set within 15 m of the west boundary of the site. As such the site should be surveyed prior to the granting of any planning permission and recommend that English Natures Badgers: Guidelines For Developers should be followed during construction work on site.

WILDLIFE SPECIES CO-ORDINATOR in response to Somerset Wildlife Trust comments (above) the site should be surveyed prior to the granting of any planning permission.

9 ADDITIONAL LETTERS OF OBJECTION have been received raising similar objection to those summarised in the report item plus the following issues:- the proposal does not comply with Policy KM2 and by default a settlement will occur outside the village limits; the proposal is bound to increase the reliance on motor vehicles; the authority has recently refused a house on the site with the reason being that the location was unsustainable and distant from adequate services; how can these views be ignored for this present application; the chalets are considerably closer to 2 residential properties and to the road itself and the hedge shown on the plan has been obliterated at the boundary worsening the visual impact of the development; when is the scale of the development disproportionate to the size of the village and the very limited facilities available; I witnessed an accident at Mill Cross 5 p.m. 31st August that involved a Transit van and a car pulling out of

Parsonage Lane the car ending up on its side in the bank, the Police are aware of the accident, this proves that the junction is dangerous.

Amended Recommendation:- Subject to the receipt of a wildlife report regarding badgers and no adverse comments from the Wildlife Species Co-ordinator in response to the submitted survey the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED ... (as printed).

8 25/2005/021

1 LETTER OF OBJECTION has been received raising the following issues:- seems evident that structure of this size; foundations will abut or encroach; if foundations laid beyond existing boundary line, this would not be acceptable; plans take no account of my extension; gap between two is restricted, do not see how structure can be erected without dismantling my own extension; assume that roof will not overhang the boundary line; with such a minuscule gap how will structure be maintain in future, I am not prepared to allow access to my property; not evident where sewer is situated, assumed that connection will be to private drain of 42 Stembridge Way and not my property; where is the guttering and downpipe for rainwater; proposed extension will have a material affect on my property and the reasonable amenity value I currently enjoy; if necessary assurances can be given regarding boundaries, access and other matters, with some adjustment of proposed plans, to resolve these matters to everyone's satisfaction.

Development Control Manager's comments:- The proposed extension is set 300 mm away from the boundary of the neighbouring property and will not overhang. Concerns regarding access to the neighbouring property during construction and foundations are civil matters. There are no new connections to the water main or sewer. Details of guttering and downpipes have not been submitted, but a gap of 300 mm is considered sufficient for any guttering not to overhang. Surface water from the extension will be disposed by means of a soakaway.

9 36/2005/015

SOMERSET WILDLIFE TRUST support recommendations of survey report.

LEISURE AND RECREATION MANAGER recommends a contribution of £2,562 be sought for each dwelling to improve playing field facilities. If more dwellings then consideration to on site provision should be given subject to the number exceeding 20.

10 36/2005/016

COUNTY HIGHWAY AUTHORITY no objections subject to additional conditions re visibility splays as per drawing MTF-05-07-001A, surfacing of access, provision of disposal of water to prevent discharge to highway.

11 37/2005/010

Further comment from Parish Councillor advising that no grounds for Parish Council to object.

12 38/2005/265

As amended by revised site plan received 5th September, 2005.

14 38/2005/296LB

Amend description to read "wall" not "fencing".

15 38/2005/299

As amended by drawings attached to agent's letter dated 25th August, 2005.

Further letter from applicants agent received:- Further to publication of your Committee Report for the above Application, I would take the opportunity to clarify, with particular respect to the penultimate paragraph of your "Assessment" section, that whilst retention of the Four Alls building in its entirety does indeed preclude the opportunity for a cycle lane to the southern side of Corporation Street, as a direct result of the redevelopment proposals under consideration, the existing cycle lane to the northern side of the street running alongside Michael Paul House would be subject to enhancement from a safety point of view as a result of its realignment (refer Peter Evans Partnership site access drawing accompanying their report). Furthermore, the proposed widening of the southern side of Corporation Street at the junction would improve the safety of cyclists using the highway itself as the

vehicles will have a greater distance available to clear cycles when passing. Whilst writing, I would also respond to the Consultation Response provided by the Civic Society as follows. The concerns expressed regarding the possibly excessive horizontality of the elevational treatment to Corporation Street envisaged in the context of the originally submitted scheme largely mirror the comments made by Terence O'Rourke and so should have effectively been addressed with our recently submitted amended scheme. In terms of materials, the photomontage images now provided probably give a more realistic impression of the proposed render colour and 'penthouse' level treatment. The "strong, blue colour" referred to is in fact intended to be a shade similar to that of patinated copper, which it is considered would relate well to the rest of the materials 'palette' (including the respective distinctive material finishes of the adjacent Four Alls and Hunt's Court buildings) whilst lightening the effect of the set-back upper storey given this colour would tend to that of the sky. Terence O'Rourke appear to be sympathetic to our philosophy in this respect and are also comfortable with the proposed restrained use of timber panelling - the possible such use of this material having been suggested within their own "Vision" Report for the future development of the town. It is considered other subtleties of detailing of the proposed elevational treatment (a number of these newly introduced following receipt of Terence O'Rourke's views) should avoid any risk of blandness. Finally, as anticipated by the Trust, and promoted also by Terence O'Rourke, the scale and internal environment of the proposed Arcade have indeed been enhanced under our modified proposals which will now provide the basis for an Approval. We note and appreciate the positive Officer Recommendation in this instance and await formal determination of the Application next week.

COUNTY HIGHWAY AUTHORITY refer to previous correspondence on this matter. I am aware that the existing Four Alls building frontage is to remain intact and therefore I assume no improvements can be made in terms of widening the very narrow public footway on the corner of Corporation Street and Park Street. My first preference with regard to this development is for it to be car-free with no vehicular access onto Corporation Street. This however is not before me, and consequently I have negotiated with the applicant's agents, Peter Evans Partnership to carry out highway works which mitigate against the increased traffic generated to and from the public highway at this point. The previous application 38/2005/099 also proposed a vehicular access and the principle of this was from a highway viewpoint reluctantly accepted. That proposal had access to serve nine parking spaces. The present development is a larger development and proposed eighteen car parking spaces. Having agreed the principle of a left in/left out access I do not believe that the traffic generated by the additional nine spaces will create significant additional conflicts as to warrant a highway recommendation of refusal. Negotiation has taken place with the developers' highway consultants regarding financial contributions towards proposals to improve facilities for vulnerable road users (pedestrians and cyclists) in the vicinity. The Highway Authority would suggest that a contribution of £50,000 be made available for improvements to be made to the highway network to improve such pedestrian/cycle facilities. In consequence therefore subject to details of access, visibility, parking and turning etc. shown on the drawing in Appendix 3 of the Transport Assessment dated August 2005 which includes new traffic islands, cycle lanes, pedestrian build-outs, and the removal and remarking of some of the existing roadside parking bays and the contribution of £50,000 being subject of a

Section 106 Agreement to secure the appropriate design construction funding of the above works, I would have no highway objection to the proposed development.

E-mail received from TERENCE O'ROURKE LTD "I am pleased with the changes and believe the scheme has come a considerable way since the scheme seen in May".

DRAINAGE OFFICER a culverted watercourse passes through this site on the eastern boundary, the condition and status of which is unknown. The applicant is advised to carry out a survey of this culvert and forward details of what protection measures are to be carried out to it, for approval by this office before site works commence.

It is understood that the applicants are satisfied with the principle of the contribution, but suggest that the figure be subject to agreement.

Amended Recommendation:- (1) delete "the comments of the County Highway Authority" and (2) after sporting contributions insert "and a contribution (sum to be agreed) to secure the funding for the proposed highway works".

16 38/2005/322

Amend description to read "Special Care".

Amended Recommendation:- Subject to no comments raising new issues by 14th September, 2005 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED ... (as printed).

17 38/2005/323

COUNTY HIGHWAY AUTHORITY withdraw refusal recommendation and comment that the existing premises on the site also generate traffic that uses this access. It must therefore be a decision for Members as to whether they are prepared to accept the development with parking provision as proposed or whether they would wish to see a revised scheme without parking.

1 ADDITIONAL LETTER from residents of St James Court pointing out that walls of present building at 46 is 6 inches from garden wall of St James Court, it should therefore not be necessary to interfere with garden wall as it is a feature of the garden giving a rustic background.

Amended Recommendation:- Subject to no further representations raising new issues by 14th September, 2005 and ...(as printed).

18 49/2005/043

DRAINAGE OFFICER no concerns subject to condition regarding surface water disposal as included in previous application 49/2000/044 and made part of any approval.

1 ADDITIONAL LETTER OF OBJECTION raising no new comments.

Amended Recommendation:- Subject to the receipt of no further comments raising new issues by 21st September, 2005 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED ... (as printed).

19 49/2005/047

1 FURTHER LETTER OF OBJECTION has been received raising the following issues:- roof terrace and toilet window will overlook lawn and bungalow destroying privacy; devaluation of property.

Development Control Manager's comments:- Amended plans raise cill height of toilet window and increase height of fence around roof terrace to 2 m in height.

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