

14/2006/014

C & R BOND

REMOVAL OF CONDITION 02 OF PLANNING APPROVAL 14/2000/040 TO PERMIT THE USE OF THE BUILDING FOR B1, B2 AND B8 USE, BUILDINGS ADJACENT TO UNIT 18 CREECH MILLS, CREECH ST MICHAEL

326819/125306

REMOVAL OF ONEROUS CONDITIONS

PROPOSAL

The proposal seeks consent for the removal of condition 02 of application 14/2000/040 which reads as follows:- The use hereby permitted shall be strictly limited to the use of the site as a storage building for alloy towers and powered access equipment and for no other purpose including any purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

The condition restricts any permitted change of use to storage and distribution or B1 uses.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY No objections to the application on the basis that the two units form a relatively small part of the overall industrial estate and the increase in traffic to the whole site would be unlikely to be significant.

PARISH COUNCIL object to the application for the following reason: this type of activity would not be suitable for the Mill Lane Industrial Estate which has a difficult access, narrow entrance road and it is flanked by residential housing. It would increase traffic and noise and would be detrimental to the neighbourhood.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 - Highway safety.

Taunton Deane Local Plan Policy S1 - General Principles.

ASSESSMENT

The issues under consideration relate to the impact of the proposal on highway safety and residential amenity. The site is located at the end of Mill Lane which is accessed from a classified highway to the east of the site. The junction at this point is constrained in terms of visibility and dimensions. It would therefore follow that a substantial increase in vehicular traffic would therefore be detrimental to highway safety.

As a result the expansion of the Creech Mills industrial estate has been permitted with a certain degree of caution over the permitted uses (B1, B2 or B8) that are allowed for individual industrial units.

The site history shows that for example 12 industrial units were allowed in 2003 with a restriction on the permitted use to not allow B8 uses within the units.

Significant weight is given to the considerations of the Highways Authority. It is considered by the Highways Authority that the two buildings under application form a relatively small portion of the overall industrial estate. The removal of the restrictive condition on these units is unlikely to result in a substantial increase in traffic flow to the estate as a whole and will not therefore not result in demonstrable harm to highway safety.

The implications with regards to residential amenity relate to dwellings which front directly onto Mill Lane to the east of the application site. Mill lane is constrained in terms of its overall width and therefore a large increase in heavy traffic in close proximity to the dwellings would result in additional noise, dust, vibration and other associated disturbance. However the application site relates to a single planning unit consisting of two buildings which form a small part of the overall industrial estate. Therefore the percentage increase of total vehicle movements to the estate along Mill Lane is likely to be low. In the absence of any evidence to suggest otherwise and in light of the comments of highways authority stating that there are no objections in terms of highway safety, on balance the recommendation is to grant permission.

RECOMMENDATION

Permission be GRANTED subject to condition of time limit.

REASON(S) FOR RECOMMENDATION:- The proposed use by reason of its scale and location respects the character of the area and causes no demonstrable harm to highway safety or residential amenity in accordance with Taunton Deane Local Plan Policy S1 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

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

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NOTES:

