

23/2006/021

CLANVILLE SAWMILLS LTD

**RETENTION OF BRIDGE AND ERECTION OF ROADSIDE TIMBER FENCE AT  
FOURACRE SAWMILLS, STATION ROAD, MILVERTON**

312528/126071

FULL

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**PROPOSAL**

It is proposed to retain an existing bridge at the northern side of the saw mill yard, and erect of a new 2 m high close boarded fence set back 2 m, at the roadside boundary. There was an application for works at this site for retention of change of use from agriculture to use for storage of timber on the northern side of the Hillfarrance Brook, retention of earth bund, retention of bridge, retention of roadside fence, and other works; this was refused by Planning Committee on 19th April, 2006 with agreement that enforcement action be held in abeyance for 6 months. The fence was refused on the basis that the existing fencing did not incorporate the necessary visibility splays which were essential in the interests of highway safety. A subsequent site meeting the applicant agreed to the provision of a new fence at a location 2 m from the edge of the carriageway

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAYS AUTHORITY views awaited. ENVIRONMENT AGENCY (on previous application) - the Agency has previously advised the landowner that it will not be taking any enforcement action on this occasion, notwithstanding the fact that a formal Land Drainage Consent should have been secured from the Agency, prior to works commencing. On current application – objects on the grounds that it is within a High-Risk flood area, the proposed development would be at risk of flooding and reduce the flood flow conveyance of the floodplain, the cumulative effect of which increases the risk of flooding elsewhere. A Flood risk Assessment is required in order to prove that engineering and mitigation works are possible to prevent the proposal from unacceptably increasing the risk of flooding over the lifetime of the development. The bridge as shown obstructs the channel, the concrete piers and deck would obstruct flood flows. Should the Local Planning Authority wish to approve the application in spite of the concerns, the Agency wishes to have further discussions. Further views awaited.

LANDSCAPE OFFICER would like to see at least two trees planted at the road frontage to soften the impact of the timber yard on this important gateway route into Milverton. CONSERVATION OFFICER timber fence detrimental to character of the area, panels with vertical boards missing could be used to help break up the expanse of fencing.

1 LETTER OF OBJECTION has been received raising the following issues:- bridge and fence already constructed; a timber fence will be better than the existing; unsightly storage of timber which should be removed; storage area seems to be

expanding; constant bonfire; the land was pasture and should be kept as a buffer and on the basis that the use is unauthorised, the application for the bridge should be refused; if a chipping machine is installed, does this need permission and are there any safeguards about noise?

## **POLICY CONTEXT**

S1 General Requirements, S2 Design, EC1 Employment development, will be permitted within defined settlements subject to criteria, EN14 Conservation Areas (the site is adjacent, but not within Milverton Conservation Area, EN28 Development and flood risk, EN29 flooding due to development, development which would result in a greater risk of flooding due to increase surface water run-off will not be permitted. Whilst there are no specific policies for Milverton, the Local Plan text states that the village streets are narrow and poorly aligned with sub-standard junctions, and acknowledged problems from on-street parking and HGV traffic.

## **ASSESSMENT**

This application follows the Planning Committee meeting in April when permission was refused, and enforcement action agreed but suspended in respect of the bund and change of use of the land. The current application shows a fence in a location agreed on site as being acceptable in highway safety terms. The design of the fence however has caused the Conservation Officer to object. The site is adjacent but just outside the settlement and Conservation Area boundary, and the Conservation Officer has strong concerns in respect of a solid fence as the site is on one of the main routes into Milverton. The agent has advised that any break in the fence to have areas of trellis or gaps to provide views through will not meet the criteria of having the security fence along the boundary. The agent has also advised that there is little scope for planting. It is concluded that the need to provide security in this instance outweighs the visual appearance issues of the fence. In any case the new boarded fence will screen the saw mill, the yard and the piles of wood and finished goods, although there will be this view in through the open gates when the yard is in operation. The Environment Agency has indicated that the objection will be withdrawn, and there is no objection to either the bridge or the new fence. The existing bridge is not considered to be detrimental to the area and is required in order to remove the piles of wood, as required by the authorisation of enforcement action agreed in April.

## **RECOMMENDATION**

Permission be GRANTED subject to conditions of fencing be installed within 3 months of the date of permission, the existing temporary fence be removed within 3 months of the date of permission, no obstructions to visibility, tree planting, Notes re contact Environment Agency, trees as per letter.

**REASON(S) FOR RECOMMENDATION:-** It is considered essential for the economic wellbeing of the applicant's operation that a secure fence be erected, and this is considered to outweigh the visual impact issues in this instance and is considered to accord with Taunton Deane Local Plan policies S1, S2, and EC1 without detriment to Policies EN28 and EN29

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

**CONTACT OFFICER: 356460 MS K MARLOW (MON/TUES ONLY)**

NOTES: