

You are requested to attend a meeting of the Planning Committee to be held in The Sports Hall, Blackbrook Pavilion Sports Centre, Blackbrook Way, Taunton TA1 2RW on 4 November 2015 at 18:00.

Agenda

- 1 Apologies.
- 2 Minutes of the meeting of the Planning Committee held on 14 October 2015 (to follow).
- 3 Public Question Time.
- 4 Declaration of Interests
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 5 42/14/0069 Outline planning application with all matters reserved (except points of access) for a residential and mixed use urban extension at Comeytrove/Trull to include up to 2000 dwellings, up to 5.25 hectares of employment land, 2.2 hectares of land for a Primary School, a mixed use local centre, and a 300 space 'park and bus' facility on land at Comeytrove/Trull
- 6 38/15/0375 Conversion of roof space at 56 Mountfields Road, Taunton
- 7 38/15/0394 Erection of two storey extension to the side and rear of dwelling and formation of vehicle hardstanding/vehicle crossing at 11 Belmont Road, Taunton
- 8 Latest Appeals and Decisions received
- 9 Proposed changes to the Council's Constitution. Report of the Solicitor to the Council (attached)

Bruce Lang
Assistant Chief Executive

27 November 2015

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, if a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: www.tauntondeane.gov.uk



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

For further information about the meeting, please contact the Corporate Support Unit on 01823 356414 or email r.bryant@tauntondeane.gov.uk

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Planning Committee Members:-

Councillor R Bowrah, BEM	(Chairman)
Councillor S Coles	(Vice-Chairman)
Councillor M Adkins	
Councillor W Brown	
Councillor M Floyd	
Councillor J Gage	
Councillor C Hill	
Councillor S Martin-Scott	
Councillor I Morrell	
Councillor S Nicholls	
Councillor J Reed	
Councillor N Townsend	
Councillor P Watson	
Councillor D Wedderkopp	
Councillor G Wren	

Declaration of Interests

Planning Committee

- Members of Somerset County Council – Councillors, Coles D Wedderkopp and M Adkins
- Clerk to Milverton Parish Council – Councillor Wren
- Vice-Chairman to Kingston St Mary Parish Council and Chairman to Kingston St Mary Village Hall Association – Councillor Townsend
- Trustee to Home Services Furniture Trust, Trustee to Bishop Foxes Educational Foundation, Trustee to Trull Memorial Hall – Councillor Stephen Martin-Scott
- Councillor to Comeytrove Parish Council, Member of the Fire Brigade Union – Councillor Simon Nicholls

42/14/0069

TAYLOR WIMPEY UK, MACTAGGART & MICKEL LTD, BOVIS HOMES LTD AND SUMMERFIELD DEVELOPMENTS

OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED (EXCEPT POINTS OF ACCESS) FOR A RESIDENTIAL AND MIXED USE URBAN EXTENSION AT COMEYTROWE/TRULL TO INCLUDE UP TO 2000 DWELLINGS, UP TO 5.25 HECTARES OF EMPLOYMENT LAND, 2.2 HECTARES OF LAND FOR A PRIMARY SCHOOL, A MIXED USE LOCAL CENTRE, AND A 300 SPACE 'PARK AND BUS' FACILITY ON LAND AT COMEYTROWE/TRULL AMENDED AND ADDITIONAL INFORMATION RECEIVED 04 SEPTEMBER 2015

Location: STREET RECORD, COMEYTROWE RISE, TAUNTON

Grid Reference: 320582.122911

Outline Planning Permission

RECOMMENDATION AND REASON(S)

The decision to GRANT OUTLINE PLANNING PERMISSION be delegated to the Assistant Director Planning and Environment subject to the planning conditions recommended below and planning obligations under Section 106 to secure the following items to the Council's satisfaction:

- 25% affordable housing
- Highway works comprising bus priority measures near school and at Silk Mills roundabout
- Heatherton Park Crossroads safety scheme
- Galmington/Trull Road improvements
- Provision of park and bus and associated junction works
- Comeytrove Lane Access junction including works to Comeytrove Manor Farm
- Honiton Road access junction
- Travel Plan and Car Club benefits
- Improvements to bus services serving the site
- Timing of spine road
- Provision of on- site play equipment and sports facilities.

Should it not prove possible to agree these obligations the matter will need to be reported back to this Committee for further consideration.

RECOMMENDED CONDITION(S) (if applicable)

1. Approval of the details of the layout, scale, appearance, and landscaping of each phase of the Development (hereinafter called "the reserved matters") shall

be submitted to and approved in writing by the Local Planning Authority before any development in that phase is commenced and the development of that phase shall (unless otherwise agreed with writing by the local planning authority) be carried out as approved. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This is an outline permission and these matters have been reserved for the subsequent approval of the local planning authority in accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

2. An application for approval of reserved matters shall not be submitted until there has been submitted to and approved in writing by the local planning authority a phasing and place-making strategy covering (where relevant) the phasing of the delivery of housing, infrastructure, transport links and community facilities within the Development. The Phasing Strategy shall set out information on how the delivery of these elements will be integrated through green infrastructure to ensure that a cohesive and high quality place is created. The strategy should identify any potential opportunities for the consultation with or the involvement of the local community or other stakeholders in the delivery and/or maintenance of community facilities. Thereafter each application for approval of reserved matters shall include an explanation of how the development of the phase or sub phase it covers relates the phasing strategy of the overall Development.

REASON: To ensure comprehensive development and the creation of a high quality place, in accordance with the principles of the National Planning Policy Framework and policies SS7 and DM4 of the adopted Taunton Deane Core Strategy.

3. An application for approval of reserved matters for a phase or sub phase shall not be submitted until there has been submitted to and approved in writing by the local planning authority a Neighbourhood Masterplan and Design Guide for the Neighbourhood Area to which that application for approval of reserved matters relates. The Neighbourhood Masterplan and Design Guide shall be accompanied by a statement explaining how they accord with the Masterplan Principles Document and Parameter Plans or if they do not so accord why they do not. The Neighbourhood Masterplan and Design Guide shall provide information on the proposed arrangement of development blocks, streets and spaces for the Neighbourhood Area to which they relates. The Neighbourhood Masterplan and Design Guide should demonstrate how the Neighbourhood Area will function and its overall character and grain.

REASON: To ensure high standards of urban design and comprehensively

planned development to accord with policies DM1 and DM4 of the adopted Taunton Deane Core Strategy (March 2012).

4. An application for approval of reserved matters shall not be submitted until there has been submitted to and approved in writing by the Local Planning Authority, an Appearance Palette which includes the phase or sub phase to which that application for approval of reserved matters relates. The Appearance Palette shall include details of individual character areas, guidance on building design, building materials, surface materials, street furniture and tree species for the phase or sub phase to which it relates. Any subsequent revisions to an approved Appearance Palette shall be subject to the approval of the local planning authority.

REASON: To ensure high standards of urban design and comprehensively planned development to accord with policies DM1 and DM4 of the Adopted Taunton Deane Core Strategy (March 2012).

5. An application for approval of reserved matters which encompasses a geographical area shown in the Urban Design Framework Plan on pages 12 and 13 of the Masterplan Principles Document (September 2015) as being subject to a Design Brief, shall not be submitted until such a Design Brief has been submitted to and approved in writing by the Local Planning Authority. The Design Brief shall, for the area to which it relates, provide information on the principles for the detailed design of the following matters - areas of public open space and public realm, and the landscaping of those spaces; streets; buildings including the proposed approach to architectural design and material; 'Key Buildings' as shown on the Urban Design Framework Plan at pages 12-13 of the Masterplan Principles Document.

REASON: To ensure high standards of urban design and comprehensively planned development to accord with policies DM1 and DM4 of the Adopted Taunton Deane Core Strategy (March 2012).

6. Applications for the approval of reserved matters shall be accompanied by a statement explaining how they accord with the Parameter Plans, Masterplan Principles Document and with the applicable approved Detailed Masterplan and Design Guide, Appearance Palette, Neighbourhood Masterplan or Design Brief or (where relevant) explaining why they do not.

REASON: To ensure high standards of urban design and comprehensively planned development to accord with policies DM1 and DM4 of the Adopted Taunton Deane Core Strategy (March 2012).

7. No development shall take place in an Archaeological Mitigation Area (those areas hatched in pink in Figure J2: Outline Archaeological Mitigation Area Plan

drawing number SDP 782/115 which appears at Appendix 13.5 to the Environmental Statement) or in its immediate vicinity until a written scheme of archaeological investigation for that Archaeological Mitigation Area has been submitted to and approved in writing by the Local Planning Authority. Thereafter the written scheme of archaeological investigation shall be implemented in accordance with its terms unless otherwise agreed by the local planning authority.

REASON: Areas of the site have been identified as of possible archaeological interest and therefore as requiring further archaeological investigation in accordance with section 12 of the National Planning Policy Framework and policy CP8 of the adopted Taunton Deane Core Strategy.

8. Each application for approval of reserved matters shall include a hard and soft landscaping scheme for the phase or sub phase of the Development to which it relates. The hard and soft landscaping scheme shall include for the phase or sub phase to which it relates details of the landscaping; details of the surface treatment of the open parts of the site; a programme of implementation; and a planting schedule include numbers, density, size, species and positions of all new trees and shrubs. The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development phase.

REASON: To ensure provision of an appropriate landscaping scheme, and to ensure that the proposed development does not harm the character and appearance of the area in accordance with Policies CP8 and DM1 of the Taunton Deane Borough Council Core Strategy.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development. whichever is the sooner, or at such other time as agreed by the Local Planning Authority in writing, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local Planning Authority gives written consent to any variation.

REASON: To ensure provision of an appropriate landscaping scheme, and to ensure that the proposed development does not harm the character and appearance of the area in accordance with Policies CP8 and DM1 of the Taunton Deane Borough Council Core Strategy.

10. Prior the commencement of each phase of the Development a foul water drainage strategy for that phase shall be submitted to and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the

sewerage undertaker. The foul water drainage strategy shall include appropriate arrangements for the points of connection and the capacity improvements required to serve the phase to which it relates. The foul water drainage strategy shall thereafter unless otherwise agreed in writing by the Local Planning Authority, be implemented in accordance with the approved details.

REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property, in accordance with policy DM1 of the adopted Taunton Deane Core Strategy.

11. The first application for approval of reserved matters shall be supported by an updated outline surface water drainage strategy for the whole site covered by this outline permission based on the Flood Risk Assessment (Ref. 24721/020 and dated May 2015). This strategy (including the design) shall be submitted to and agreed in writing by the Local Planning Authority and shall incorporate measures to manage flood risk and water quality utilising sustainable drainage techniques.

REASON: To ensure that the proposed surface water drainage scheme is adequate to serve the Development and will not increase flood risk or degrade water quality elsewhere, in accordance with policies CP8 and DM1 of the adopted Taunton Deane Core Strategy.

12. Prior to the commencement of development in a phase of the Development, a detailed scheme for surface water drainage and watercourse proposals for that phase shall be submitted to and approved in writing by the Local Planning Authority. The detailed scheme of surface water drainage shall include:
 - (a) evidence that an appropriate right of discharge for surface water and any necessary improvements has been obtained;
 - (b) details of the drainage during construction of that phase or sub phase;
 - (c) details of the final drainage scheme for that phase or sub phase (including, where applicable, gullies, connections, soakaways and means of attenuation) demonstrating how a 2 l/s/ha discharge rate can be accommodated;
 - (d) identification of all future land-use limitations, ownership, operation and maintenance arrangements for the works over the lifetime of the scheme;
 - (e) provision for exceedance pathways and overland flow routes;
 - (f) a plan for the future maintenance and management of the system and overland flow routes; and
 - (g) Appropriate use of interception and porous paving/surfacing infiltration techniques detection/attenuation facilities and wetlands.

The approved scheme will need to meet the requirements of both the

Environment Agency and the Parrett Internal Drainage Board. Prior to occupation of each phase it shall be demonstrated to the satisfaction of the local planning authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: The application has insufficient details to determine if drainage matters are to be properly addressed. It is not possible at this time to know if the development of the site would have an adverse impact on flood risk elsewhere which might be contrary to the principles set out in section 103 of the National Planning Policy Framework, section 2 of the Technical Guidance to the National Planning Policy Framework and policies CP8 and DM1 of the adopted Taunton Deane Core Strategy. This condition is therefore required in order to prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development.

13. No phase or sub phase of development shall commence (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan for that phase or sub phase has been submitted to and approved in writing by the local planning authority. In discharging this condition the following information shall be supplied:
 - (a) Locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of that phase or sub phase;
 - (b) Construction vehicle routes to and from site including any off site routes for the disposal of excavated material;
 - (c) Construction delivery hours;
 - (d) Expected number of construction vehicles per day;
 - (e) Car parking for contractors;
 - (f) A scheme to encourage the use of Public Transport amongst contractors; and
 - (g) Measures to avoid traffic congestion impacting upon the Strategic Road network.
 - (h) Details of all bunds, fences and other physical protective measures to be placed on the site including the time periods for placing and retaining such measures;
 - (i) The control and removal of spoil and wastes;
 - (j) Measures to prevent the pollution of surface and ground water arising from the storage of plant and materials and other construction activities;
 - (k) The proposed hours of operation of construction activities;
 - (l) The frequency, duration and means of operation involving demolitions, excavations, drilling, piling, and any concrete production;

- (m) Sound attenuation measures incorporated to reduce noise at source;
- (n) Details of measures to be taken to reduce the generation of dust; and
- (o) Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice

The agreed Construction Environmental Management Plan shall thereafter be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety, to protect the amenities of nearby properties during the construction of the Development and to protect the natural and water environment from pollution in accordance with National Planning Policy Framework and Policy CP8 of the Adopted Taunton Deane Core Strategy.

14. Before each phase of the Development is commenced the following shall in respect of that phase be submitted to and approved in writing by the local planning authority:
- (a) a plan showing the location of and allocating a reference number to each existing tree on the part of the site within that phase which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained, the crown spread of each retained tree and which are to be removed;
 - (b) details of the species, height, trunk diameter at 1.5m above ground level, age, vigour, canopy spread and root protection area of each tree identified in the plan prepared pursuant to paragraph (a);
 - (c) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
 - (d) Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site];
 - (e) Details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

The development of that phase shall thereafter be carried out in accordance with the approved scheme unless otherwise agreed in writing by the local planning authority. In this condition “retained tree” means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

REASON: To ensure that the proposed development does not adversely impact upon the landscape quality or the value of important tree groups in accordance with Policy CP8 of the adopted Taunton Deane Core Strategy.

15. The development of a phase of the Development shall not be commenced until a scheme for prevention of pollution during the construction of that phase has been approved by the Local Planning Authority. The scheme should include

details of the following:

- (a) Site security.
- (b) Fuel oil storage, bunding, delivery and use.
- (c) How both minor and major spillage will be dealt with.
- (d) Containment of silt/soil contaminated run-off.
- (e) Disposal of contaminated drainage, including water pumped from excavations.
- (f) Site induction for workforce highlighting pollution prevention and awareness. Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

REASON: To prevent pollution of the water environment in accordance with policy CP8 of the adopted Core Strategy.

NOTE: Measures should be taken to prevent the run-off of any contaminated drainage during construction.

16. If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority to, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: To protect controlled waters in accordance with policy CP8 and DM1 of the adopted Taunton Deane Core Strategy.

17. No works (including demolition, ground works, vegetation clearance) shall be commenced on any phase of the development hereby permitted until details of a wildlife strategy (incorporating an Ecological Construction Method Statement [ECMS] and a Landscape and Ecological Management Plan [LEMP]) to protect and enhance that phase of the development for wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of all the submitted wildlife reports to date (EDP's Extended Phase 1 survey, Hedgerow survey 2011 and 2013, Bat and Building assessments 2012 and 2013, Breeding bird survey 2012, Hobby Survey 2013, Dormouse Survey 2012 and 2013, Water vole and Otter surveys 2012, Badger surveys 2012 and 2013, Amphibian survey 2012 and Reptile survey 2012.), and up to date surveys and include -

1. An Ecological Construction Method Statement (ECMS) containing details of protective measures to avoid impacts on protected species during all stages of development;
2. Details of measures to prevent pollution of Galmington Stream and other water courses on site

3. Details of the timing of works to avoid periods of work when protected species could be harmed by disturbance.
4. Arrangements to secure an Ecological clerk of Works on site.
5. Measures for the enhancement of places of rest for protected species.
6. A Landscape and Ecological Management Plan (LEMP) covering a period agreed by the LPA.
7. Details of a sensitive lighting strategy.
8. Use of protective fences, exclusion barriers and warning signs.
9. The preservation of the Galmington Stream corridor including that of any tributaries, in order to conserve the integrity of the watercourse and its riparian habitats as a linear feature, and to provide connectivity between the downstream Local Nature Reserve and the countryside beyond.

Once approved the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the mitigation planting and maintenance of the hibernacula, bat, dormice and bird boxes and related accesses have been fully implemented. Thereafter the new planting and the wildlife resting places and agreed accesses shall be permanently maintained

REASON: To ensure that valued ecological features are not harmed by the Development in accordance with National Planning Policy Framework, ODPM Circular 06/2005 and Policy CP8 of the Adopted Core Strategy 2011-2028.

18. Prior to the commencement of the Development an Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall demonstrate how the long-term conservation of new and retained environmental resources, including habitats and species of biodiversity value, shall be secured and shall include arrangements for implementation responsibilities for the operation of the Plan following completion of development of each phase or sub phase of the Development.

REASON: An Ecological Management Plan is required as the habitat needs to be maintained functionally for the life of the development in order that Favourable Conservation Status of the affected populations is maintained, and to ensure net gains in biodiversity are delivered in accordance with National Planning Policy Framework and Policy CP8 of the Adopted Taunton Deane Core Strategy.

19. No more than 12 months prior to the commencement of works on a phase of the Development in which breeding sites or resting places of European Protected Species may be present, updated surveys for that phase shall be undertaken. The species in question include but are not necessarily limited to:
 - (a) Bats;

- (b) Dormice;
- (c) Great crested newts; and
- (d) Otters

The survey results shall be submitted in writing to the Local Planning Authority together with details of any required mitigation measures and the appropriate mechanism for delivery of such measures.

REASON: In the interests of biodiversity and the protection of European Protected Species in accordance with National Planning Policy Framework, ODPM Circular 06/2005 and Policy CP8 of the Adopted Taunton Deane Core Strategy.

20. No one phase of the Development shall commence until a Lighting Strategy for Biodiversity for that phase has been submitted to and approved in writing by the local planning authority. The strategy shall:
- (a) identify those areas/features of the site within that phase or sub phase that are particularly sensitive for bats, dormice and otters and that are vulnerable to light disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - (b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
 - (c) Show that street lighting will be directed so as to avoid light spillage and pollution on habitats used by light sensitive species, and will demonstrate that light levels falling on wildlife habitats do not exceed an illumination level of 0.5 Lux. Shields and other methods of reducing light spill will be use where necessary to achieve the required light levels.

Unless otherwise agreed in writing by the local planning authority all external lighting shall be installed in accordance with the specifications and locations set out in the strategy and shall be maintained thereafter in accordance with the strategy.

REASON: In the interests of biodiversity and the protection of European Protected Species in accordance with National Planning Policy Framework, ODPM Circular 06/2005 and Policy CP8 of the Adopted Taunton Deane Core Strategy.

21. Prior to the commencement of the phase of the Development within which the road bridge crossing the Galmington Stream will lie, a detailed specification for the bridge shall have been submitted to and approved by the Local Planning Authority. In discharging this condition the Local Planning Authority will expect to see design details which assist protected wildlife species associated with the

Galmington Stream, particularly dormice and otters, to continue to disperse along the stream corridor unhindered. The agreed bridge specification shall thereafter be implemented in full and retained as such at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity and the protection of European Protected Species in accordance with National Planning Policy Framework, ODPM Circular 06/2005 and Policy CP8 of the Adopted Taunton Deane Core Strategy.

22. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus laybys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority before the commencement of each phase of the development, or as otherwise may be agreed in writing with the Local Planning Authority.

REASON: To ensure the provision of appropriate access and highway safety for all road users and pedestrians in accordance with policies CP6 and DM1 of the adopted Taunton Deane Core Strategy.

23. The proposed roads, including footpaths and where applicable turning spaces and cycle way connections, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure the provision of appropriate access and highway safety for all road users and pedestrians in accordance with policies CP6 and DM1 of the adopted Taunton Deane Core Strategy.

24. No phase of the development hereby permitted shall be occupied or brought into use until the part of the Spine Road that provides access to that phase has been constructed in accordance with plans that shall previously have been submitted to and approved by the Local Planning Authority

REASON: To ensure that the spine road will eventually link between the two approved points of access on to the A38 and the Honiton Road, which it has been established is required in order to prevent traffic congestion and danger on the highway elsewhere on the local road network, particularly in Taunton

town centre. This is in accordance with policy CP6 of the adopted Taunton Deane Core Strategy.

25. In the interests of sustainable development none of the dwellings in the first phase (as will be agreed by condition 2 of this permission) shall be used or occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of sustainable development and to encourage movement by means other than the motor vehicle in accordance with the principles within the National Planning Policy Guidance and policies SD1, CP1, CP6, CP7, SP1 and DM1 of the adopted Taunton Deane Core Strategy.

26. No more than 350 dwellings shall be occupied on the development site as a whole prior to the primary school and pre-school facility having been built in full in accordance with plans that shall previously been submitted to and approved by the Local Planning Authority, and the school and land transferred to the Local Education Authority at Somerset County Council.

REASON: The Local Education Authority has confirmed that this is the point at which the new school will be required to come on stream in order for sufficient places to be available for all of the children that will need the facility as a result of this approval. This is in accordance with policy CP7 of the adopted Taunton Deane Core Strategy.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission.
2. **WILDLIFE AND THE LAW.** The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and any activity undertaken on the tree(s) must comply with the appropriate wildlife legislation.

BREEDING BIRDS. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins.

BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Natural Habitats and Species (Amendment) Regulations 2012, also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places.

Trees with features such as rot holes, split branches or gaps behind loose bark, may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's advisers on wildlife, Natural England (Tel. 0845 1300 228). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.

3. The condition relating to wildlife requires the submission of information to protect species. The Local Planning Authority will expect to see a detailed method statement for each phase of the development clearly stating how wildlife will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.
4. Dormice and bats are known to be present on site as identified in submitted ecological surveys. Both species concerned are European Protected Species within the meaning of The Conservation of Habitats and Species Regulations 2010. If the local population of European Protected Species are affected in a development, a licence must be obtained from Natural England in accordance with the above regulations.
5. It should be noted that the protection afforded to badgers under the Protection of Badgers Act 1992 is irrespective of the planning system and the applicant should ensure that any activity they undertake on site must comply with the legislation.
6. Nesting birds are present on site and all operatives on site must be appropriately briefed on their potential presence. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed.
7. The point of water connection for the overall Comeytrove development has been identified as off the new 450mm diameter main near Cannonsgrove House. Temporary connections prior to the construction of a trunk main to the point of connection to the south will need to be agreed with Wessex Water under Section 41 of the Water Industry Act. Outline details as follows;
Subject to application 100 – 150 dwellings at the northern extent of the site may connect at an agreed point to one of the mains in the A38 close to Stonegallows.

This connection will necessitate some upgrade works to Stonegallows pumping station.

System valves are likely to be required with installation proposed at Heron Drive and Heron Close.

The remaining properties and ancillary development (subject to agreement of demand requirements and application, not exceeding 800 dwellings total, including the 100 - 150 above) will connect to the 300mm DI main in Comeytrove Lane.

Properties above 55mAOD seeking connection to the 300mm DI main will require an on site booster(s) station.

8. Somerset Industrial Archaeological Society (SIAS) have drawn attention to a relatively small but important industrial archaeological site at the former Comeytrove Farm. Research has traced sales particulars at the Somerset Heritage Centre dated 1901 which identifies the Mill House and the overshot waterwheel driving machinery via six pulleys, shafting and brackets. This particular example is worthy of consideration for retention within the overall planning scheme. It is understood that they are likely to be listed by virtue of being within the curtilage of Comeytrove Manor. If they are curtilage listed Listed Building Consent would be required to demolish or alter any of the curtilage structures. If they are not curtilage listed, the water wheel would be classed as a non-designated heritage asset and the applicant would need to make provision for the water wheel within any reserved matters application, as clearly, its loss would represent substantial harm. Every effort should be made to retain this feature.
9. The applicants are advised to formulate all physical security specifications of the dwellings i.e. doorsets, windows, security lighting, intruder alarm, cycle storage etc. in accordance with the police approved 'Secured by Design' award scheme, full details of which are available on the SBD website – www.securedbydesign.com
10. If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group.
A PROW being made less convenient for continued public use.
New furniture being needed along a PROW.
Changes to the surface of a PROW being needed.
Changes to the existing drainage arrangements associated with the PROW.
If the work involved in carrying out this proposed development would make a PROW less convenient for continued public use (or) create a hazard to users of a PROW then a temporary closure order will be necessary and a suitable alternative route must be provided.
11. It is noted that there is reference in the flood risk section of the Environmental Statement to the Routes to the River Tone Project. The applicant should be

liaising with the Project team to ensure that the development contributes to the Project and vice versa.

PROPOSAL

The proposal seeks to deliver a community which is sustainably connected and integrated with surrounding area and complements the adjacent communities, as well as providing an attractive and place to live and work. The proposed development comprises:

- Up to 2,000 dwellings;
- An employment area of 5.25 hectares which could include offices, research and development facilities, light and general industry, and warehousing (i.e. use classes B1, B2 and B8);
- A local centre which could include shops, restaurant/cafés, hot food takeaways, housing and other residential type accommodation, offices, non-residential institutions and assembly and leisure uses such as a meeting hall/community hall (i.e. use classes A1 to A5, B1(a), C2, C3 and D1);
- A “Park & Bus” facility for 300 cars;
- A Primary School;
- Playing fields and associated facilities;
- New accesses for vehicles, pedestrians and cyclists (including new junctions on the A38, Honiton Road and Comeytrowe Lane);
- The creation of general amenity areas and formal open space, including allotments;
- Creation of landscape areas;
- Sustainable drainage measures including landscaped storage basins; and
- Creation of ecological habitat areas.

The application has been submitted in Outline with only the main points of access from the A38 and the Honiton Road as well as the secondary access onto Comeytrowe Lane being submitted for approval at this stage. All other matters, including the means of access within the site, appearance, landscaping, layout and scale are reserved for future consideration by a subsequent application or subsequent applications.

The application is EIA development and so includes an Environmental Statement provided with the planning application. This document has assessed the following topics:

- Landscape and Visual Amenity;
- Ecology and Nature Conservation;
- Transport and Access;
- Air Quality;
- Noise and Vibration;
- Water Resources and Flood Risk;
- Archaeology and Cultural Heritage;
- Ground Conditions and Contamination;
- Socio Economics; and
- Agricultural Land.

SITE DESCRIPTION AND HISTORY

The application site comprises approximately 118 ha (292 acres) of land adjacent to the existing settlement limit of south-west of Taunton, approximately 1.5 miles from the town centre, within the parishes of Comeytrowe and Trull. The land lies within an area of landscape contained to the west by the Stonegallows Ridge. The site is bounded by the A38 Wellington Road to the north-west and the suburb and parish of Comeytrowe to the north and north-east. To the south, the site adjoins the farmland of Higher Comeytrowe Farm. Comeytrowe Road defines part of the eastern site boundary and provides connections to Taunton and the wider area towards the east. To the south-east, the site is bounded by Dipford Road and the parish of Trull. Manor Industrial Estate is located in the northern part of the site next to Comeytrowe Manor, catering in the main for light-industrial operations. The site also adjoins Honiton Road to the south-east which is another strategic movement corridor into the town centre. A former abattoir site lies just outside of the application site alongside Comeytrowe Lane.

The majority of the site is in agricultural use, with small groupings of housing and farms scattered along the existing lanes. It is characterised by a rolling landscape, with a number of substantial hedgerows and trees that help to define the existing field boundaries of the site. It gently undulates with the highest points in the north and north-west and lowest points around Galmington Stream in the centre. There are some other high points to the south near Dipford Road around existing farms, but these are relatively less visible compared to the northwest area. Although there are no woodlands of note within the site, there are a small number of trees, mostly along the Galmington Stream and within the hedgerows.

The site is separated into two broadly equal areas by both Comeytrowe Lane which runs diagonally through the site and the Galmington Stream. Some routes also remain in the northern part of the site connecting Higher Comeytrowe Farm to the west and settlement areas of Comeytrowe to the northeast. A number of Public Rights of Way and historic lanes cross the site connecting the scattered farms in the west to residential settlements of Trull and Comeytrowe in the east. The most significant of these forms a continuous connection between Trull in the southeast to Rumwell in the northwest.

There is no significant planning history to the site as a whole, only very small scale applications affecting individual properties.

The broad area for development was identified as early as 2004 in the Taunton Urban Extension study. This identified two key areas of land to the north and south of Taunton, which were sufficiently free from environmental constraints to accommodate up to 4,000 new homes. Firstly, land to the north-east of Taunton at Monkton Heathfield, and secondly, land to the south-west of Taunton at Comeytrowe. The study found that Monkton Heathfield should come forward for development first, followed by the land at Comeytrowe, given the former's ability to supply higher levels of employment land.

This theme was carried forward in the now defunct draft Regional Spatial Strategy for

the South West (2006), which identified two areas of search for urban extensions at Taunton. The first at Monkton Heathfield with a capacity of 4,000 dwellings, and the second at Comeytrove with a recommended capacity of 3,000 dwellings. The Panel Report from the RSS Examination in Public (2008) capped development in the Comeytrove location to just 3,000 new homes within the plan period to 2026, as it was argued that reaching the full potential of 6,000-8000 homes would have require significant transport infrastructure investment.

The adopted Core Strategy identified the SW Taunton area as a broad location for a mixed-use urban extension for up to 2,000 dwellings (Policy SS7). The emerging draft Site Allocations and Development Management Plan, identifies the extent of the proposed allocation for the urban extension (Policy TAU1) and clarifies the site delivery requirements. The Site Allocations and Development Management Plan (SADMP) has now been submitted to the Planning Inspectorate for examination. Following examination the Council anticipate adopting the plan in early 2016. Given the advanced stage of the SADMP, significant weight should be applied to the emerging policies and site allocations in the submission draft plan.

Since this application was first lodged with the Council, a further planning application has been made by the applicants for the demolition of a section of wall on the western side of Honiton Road in Trull in order to facilitate the creation of the access to the South-West Taunton Urban Extension. This is referenced under 42/15/0042, but has yet to be determined as it is inextricably linked with this current proposal.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

NATIONAL PLANNING CASEWORK UNIT -

We have no comments to make on this application.

PLANNING POLICY TEAM -

1. Background

The outline application seeks to deliver a residential and mixed use urban extension at Comeytrove/Trull to include up to 2,000 dwellings, up to 5.25 hectares of employment land, 2.2 hectares of land for a primary school, a mixed use local centre, and a 300 space 'park and bus' facility.

The site lies to the South West of Taunton. The adopted Core Strategy identified the SW Taunton area as a broad location for a mixed-use urban extension for up to 2,000 dwellings (Policy SS7). The emerging draft Site Allocations and Development Management Plan, identifies the extent of the proposed allocation for the urban extension (Policy TAU1) and clarifies the site delivery requirements.

The Site Allocations and Development Management Plan (SADMP) has now been submitted to the Planning Inspectorate for examination. Following examination the Council anticipate adopting the plan in early 2016. Given the advanced stage of the

SADMP, significant weight should be applied to the emerging policies and site allocations in the submission draft plan.

ATLAS (the Advisory Team for Large Applications) have assisted the Council in assessing the application. ATLAS have worked closely with Taunton Deane and the applicants to consider the extent to which the masterplanning work, undertaken by the applicants, is consistent with the SADMP policies. The outcome of this work, has resulted in the submission of a Masterplan Parameters and Principles document by the applicants. This document clarifies what the outline application seeks to establish and what issues will remain outstanding for consideration in a Reserved Matters application.

The Council have also commissioned independent landscape consultants, Swan Paul, to provide advice on the landscape impact of the proposals and the extent to which the proposals satisfy the landscape requirements outlined in the emerging SADMP policies.

This policy response considers the revised planning application documentation and is framed in response to the ATLAS review of the masterplan and comments submitted by the Council's landscape consultants (Swan Paul).

2. National Planning Policy Framework (NPPF)

The NPPF emphasises that 'planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.' In doing so the NPPF states that 'local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.'

3. Taunton Deane Core Strategy

The Taunton Deane Borough Council Core Strategy identified the SW Taunton area as a broad location for a mixed-use urban extension for development after 2015 for between 1,000 and 2,000 dwellings (Policy SS7).

4. Site Allocations and Development Management Plan

The SADMP has been submitted to the Planning Inspectorate for examination. Given the advanced stage of the emerging SADMP in the plan making process, significant weight should be placed on the emerging policies.

Policy TAU1: Comeytrowe/Trull

This policy seeks to establish the extent of the allocation and outlines specific requirements anticipated to be delivered as part of the overall allocation. The policy states that a:

“comprehensive and co-ordinated approach to development will be required. Any planning application will need to be accompanied by a masterplan and phasing strategy with associated infrastructure, prepared by the developer in conjunction with the Borough Council and other

stakeholders.”

Whilst the applicants’ view is that the Masterplan document alongside the planning application satisfies the policy requirements, it is fair to say that this is not the approach initially envisaged by the Council and is also reflected in many of the responses from local residents. Ideally the masterplan would have been formally consulted on and considered by the Council and key stakeholders, prior to the submission of a planning application. However in adopting an alternative approach in preparing a Masterplan document and submitting this alongside the planning application, it is difficult to say to what extent the outcome would have been any different. It is acknowledged by officers that a number of consultation workshops were provided to allow input from key stakeholders in the development of the submitted Masterplan. The planning application process also allows for input into the Masterplan from key stakeholders and the Council. Whilst this was not the preferred approach of the Council to developing a Masterplan for the area, it is not considered to be a suitable reason for rejecting the planning application. The issue for consideration is the extent to which the Principles and Parameters Plan, submitted as part of the outline application, will ensure that the Reserved Matters application stage delivers what is envisaged in the submitted Masterplan and the policy requirements in Policy TAU1.

The response below considers the TAU1 policy requirements in turn and provides a view on the extent to which the application will satisfy these requirements:

- Phased delivery of around 2,000 new homes at an overall average of 35-40 dwellings per hectare;

The outline application seeks to deliver 2,000 dwellings. It would appear from the Principles and Parameters document that the site will deliver appropriate densities across the site but this will need to be clarified in any Reserved Matters application.

The site boundary for the application is smaller than the area allocated in the SADMP and the application needs to ensure that it does not prevent or frustrate the delivery of the wider area with land at Higher Comeytrowe Farm.

- 25% of new homes to be affordable homes in line with Policy CP4: Housing
Please refer to comments submitted by the Housing Enabling Officer.

- A new mixed-use local centre comprising a convenience store (Class A1) of up to 500m² (gross); plus 500m² of other retailing (Class A1), financial/professional services (Class A2), restaurants and cafes (Class A3), at least one public house (Class A4), take away (Class A5) and a community hall building (comprising a main hall, meeting room, activity room, storage, kitchen, toilets) and associated parking, together with 0.25ha of land for a place of worship. Residential or office uses should be provided on upper floors

Whilst the outline application incorporates the provision of a local centre, it is currently unclear, from the supporting documentation, whether the proposed local centre will meet the policy requirements for the mix of uses proposed in Policy TAU1. Further

details will need to be provided as part of any reserved matters application to ensure the local centre provides what is envisaged in the policy.

- A minimum of 5 hectares of serviced employment land comprising Class B1 b and c; Class B2 and Class B8 use;

Whilst the outline application incorporates the provision of employment land, further details will need to be provided as part of any reserved matters application to ensure the employment land is incorporated as envisaged in Policy TAU1.

- Land reserved (approx. 2.5 ha) for a 14 class, 2 form intake primary school with pre-school facilities;

Officers have been working closely with Somerset County Council and the applicants to ensure a primary school is delivered on site. The Masterplan Parameters and Principles document identifies two potential locations for a 2.2 hectare area for a primary school site. The application does not provide justification for reducing the overall size of the area designated for the primary school or reassurance that the 2.2 hectare site will be sufficient to deliver the policy requirements.

Please also refer to comments from the County Education Authority.

- Multi-functional green space (including allotments, children's play, playing fields, recreational areas, amenity space) in line with the relevant standards

The Parameters and Principles document confirms that the development will include parks, spaces and green corridors to meet policy requirements. The extent to which the Green Infrastructure Parameter Plan (pg11) in the Parameters and Principles document will meet relevant standards is uncertain. Further details will need to be provided as part of any reserved matters application to ensure the green space requirements are delivered.

- Provision of a new 'Green Wedge' extending through the site on either side of the Galmington Stream;

There are concerns that the extent of the new Green Wedge is smaller than that proposed in the emerging policy TAU1. In this respect the application proposals are not in compliance with the proposed policy.

- Sufficient areas of created or enhanced habitat to enable populations of those European protected species recorded on site to be maintained or enhanced. This habitat will need to be accessible to the species affected;

Please refer to comments from the Biodiversity Officer and the County Ecologist.

- A link road between Honiton Road and the A38 Wellington Road to serve the development area. The design and layout of the road should be sensitive to the Trull village conservation area and should minimise the impact on the prominent ridgeline to the north-west of the site;

Please refer to comments from the County Highways Authority and Historic England.

- Provision of connected streets designed to be suitable for cycling and walking

and, where appropriate, additional measures to ensure that cycling and walking are safe and attractive means of transport;

The Masterplan Parameters and Principles document outlines design principles in line with the policy requirement.

Please also refer to the County Highways Authority response.

- Provision of direct and safe walking routes to access existing bus services on the A38 and Honiton Road and allowance for future provision of new local bus services within the development

The Masterplan and Parameters and Principles document outlines design principles in line with the policy requirement.

Please also refer to the County Highways Authority response.

- No through access by private car between the new development area and Comeytrove Lane and Comeytrove Road and explore options to close off Comeytrove Lane and Comeytrove Road as a through-route for private cars only, to prevent future 'rat running';

The Access and Movement Parameter Plan in the Parameters and Principles document still refers to a 'bus only access point (with vehicular access for up to 100 dwellings)' onto Comeytrove Lane. This proposal is not compliant with the policy which seeks to prevent access by private car onto Comeytrove Lane and Comeytrove Road.

- A design that minimises private car access from the urban extension to the existing residential areas in Comeytrove but maximises pedestrian and cycle lines between the existing residential areas and the proposed urban extension

The Transport and Connectivity principles in the Principles and Parameters document (principles 15-17) support this policy requirement. Further detail should be provided as part of any Reserved Matters application.

- Include options to facilitate the delivery of a new high frequency dedicated public transport link via Musgrove Park Hospital and Somerset College to the town centre

The Transport and Connectivity Principle 20 confirms that:

'Provision will be made in the development for a link to a potential future Bus Rapid Transit Corridor that is to connect with College Way and link Taunton town centre, other facilities such as Musgrove Park Hospital and Somerset College, and with land to the southwest.'

- The hilltops and ridgelines should be kept free from development. Development around these areas should be sensitively designed and appropriately landscaped to minimise the impact on the hilltops and ridgelines

Please refer to comments submitted by the Council's landscape consultants Swan

Paul.

- Parkland type trees should be provided within the housing areas to reduce the landscape impact of the housing development areas

and

- Landscape buffers and planting belts are required along the outer edges of the development to reduce the landscape impact of the developed areas

Please refer to comments submitted by the Council's landscape consultants Swan Paul.

- Detailed flood risk assessment will need to be undertaken and identify the strategic SUDS infrastructure required.

Please refer to comments submitted by the Environment Agency.

- Detailed design codes prepared for individual areas within the development

This will need to be addressed in any Reserved Matters application.

5. The Trull Parish Neighbourhood Plan

The Trull Parish Neighbourhood Plan is now at the 'Authority Publicity' stage, having gone through several rounds of public consultation. Notwithstanding this, NPPG advises prematurity will seldom be justified where the 'Authority Publicity' stage has not been completed.

The application proposals do not appear to be in conformity with the emerging Neighbourhood Plan. However Taunton Deane Officers have previously raised some concerns about emerging policies in the Trull Neighbourhood Plan and the extent to which they may render development undeliverable. Furthermore officers have also raised concerns regarding whether the policies are in general conformity with the Council's adopted and emerging development plans.

Ultimately the independent examination of the Neighbourhood Plan will confirm the extent to which the plan is sound. At this stage it is felt that limited weight can be attributed to the emerging plan in the consideration of these application proposals.

6. Strategic Housing Land Availability Assessment 2014

The SHLAA (published December 2014) identified a five year deliverable supply of 6.31 years when planning for a five percent buffer of housing land and 5.56 years when planning for a twenty percent buffer. The five year land supply position anticipates delivery of 475 dwellings at the SW Taunton urban extension, in the period between 2016/17-2019/20. This represents almost 8% of the overall five year housing land supply requirement for the period to 2019/20. This site is expected to contribute towards the Council's five year housing land requirement and delays in the delivery of this site will impact on the Council's ability to ensure a five year supply of deliverable housing land is available.

7. The Issue of Prematurity

The National Planning Guidance provides clarification on the extent to which a

planning application may be refused on prematurity grounds. The guidance states that:

'In the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- (a) The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- (b) The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.'

8. Infrastructure Delivery

Policy TAU1 in the emerging Site Allocations and Development Management Plan outlines specific infrastructure requirements in order to create a sustainable community.

There have been on-going discussions with the developers and Somerset County Council (as the Education and Highways authority) to agree the timely delivery of infrastructure required to support the development. Appendix one details the identified infrastructure needs arising from the development and the possible funding mechanism for delivery (i.e. s106 and CIL). As part of the amended CIL Regulations developers are able to deliver infrastructure items through Payment in Kind (Regulation 73A) and off-set this infrastructure payment against their CIL liability.

The proposed development is likely to generate between £11-£12m in CIL receipts over the lifetime of the development. The CIL Regulations, as amended (Reg 59A), requires Taunton Deane as the charging authority to pass 25% of the CIL receipts to a relevant parish council with an adopted Neighbourhood Plan and 15% in the absence of an adopted Neighbourhood Plan. In the case of Trull Parish Council and their emerging Neighbourhood Plan, this may result in CIL receipts for the Parish of between £2.75m-£3m, with the balance of £8.25-£9m remaining with Taunton Deane.

The developer consortium have offered to deliver the following items of infrastructure on-site as payment in kind. This would then be off-set against their CIL liability:

1. Primary school with an on-site preschool
2. Community Hall

This Payment in Kind offer will need to be considered by the CIL Board and ultimately agreed by Full Council.

The Consortium have also offered to deliver on-site infrastructure items on behalf of the Trull Parish Council and off-set against the 25% CIL receipts the Parish will receive in the event of having an adopted Neighbourhood Plan in place. This could include:

3. Sports pitches
4. Pavilion and changing rooms
5. Allotments

It is a decision for Trull Parish Council to confirm whether they choose to accept the delivery of infrastructure items in lieu of CIL payments. This will need to be agreed with the Parish Council. If the Parish Council decide not to accept infrastructure items in lieu of CIL, then CIL funds will be provided by the developer and transferred to the Parish Council. In the event that the Parish Council decide against accepting infrastructure items in lieu of CIL funds, it is unlikely these items will be delivered on site through any other means due to the lack of CIL funds available to Taunton Deane to ensure delivery.

The remaining CIL funded infrastructure item is the provision of additional secondary school places generated by the development. The Education Authority has confirmed that the development in itself does not trigger the need for a new secondary school. The Education Authority have confirmed that at present there are sufficient secondary school places in Taunton to accommodate the secondary school places generated by the development. It is acknowledged that the lack of capacity at the local secondary schools (Castle and Bishop Foxes) is due to pupils from outside the catchment area for the schools. The Infrastructure Delivery Plan (2014) highlights the need for a new 7-form entry secondary school towards the end of the plan period. The provision of CIL funding to support the delivery of the new secondary school will need to be considered by the CIL Board and ultimately agreed by Full Council.

Conclusion

The application relates to the area allocated for a mixed-use urban extension in the emerging Site Allocations and Development Management Plan and in the adopted Core Strategy. As the SADMP has reached an advanced stage in the development plan process, any view that the planning application is premature would need to indicate how the application would prejudice the outcome of the plan-making

process.

Clearly it will be for the case officer and ultimately the planning committee to determine whether or not individual or cumulative adverse impacts outweigh any benefits of granting planning permission on this site. The main policy related issues identified above are summarised below:

- The site boundary for the application is smaller than the area allocated in the SADMP and the application needs to ensure that it does not prevent or frustrate the delivery of the wider area with land at Higher Comeytrowe Farm.
- The current proposal does not comply with the policy which seeks to prevent access by private car onto Comeytrowe Lane and Comeytrowe Road.
- There are concerns that the extent of the new Green Wedge is smaller than that proposed in the emerging policy TAU1.
- The application does not provide justification for reducing the overall size of the area designated for the primary school from 2.5 to 2.2 hectares or reassurance that the 2.2 hectare site will be sufficient to deliver the policy requirements.
- Further details will need to be provided as part of any reserved matters application to ensure the local centre provides what is envisaged in the policy.
- Further details will need to be provided as part of any reserved matters application to ensure the green space requirements are delivered.
- Further details will need to be provided as part of any reserved matters application to ensure the employment land is incorporated as envisaged in Policy TAU1.

The site itself is proposed for allocation in the SADMP which is agreed Taunton Deane Council policy. The planning application is broadly compliant with the Council's Plan and this would weigh heavily in favour of the planning application. The Council also relies upon the early delivery of new homes from this site in its identified five year deliverable supply of housing land. This is another factor which weighs in its favour.

COMEYTROWE PARISH COUNCIL -

Original comments received on **12th February 2015** make the following observations

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Comeytrowe Parish Council has previously commented on and opposed potential development between Trull and Comeytrowe. Comeytrowe Parish Council continues to oppose any development adjoining its parish because it believes it is not in Taunton's interests to have further development in the area. The Council strongly believes that the town's future scope for development should be based a holistic approach which will result in the allocation of more appropriate sites and strategic opportunities. We believe any remaining land allocated should be built on before any further development at Trull and Comeytrowe and in this respect Taunton Deane Borough Council should control the rate of development on land already allocated rather than being led by the developers. There must be an organized approach to growth and development.

We believe it is in Taunton's and the Borough Council's interests that growth must be to a planned programme and not simply allocated. Taunton Deane must retain the strongest influence on when development actually occurs, not simply where it occurs. We believe this is axiomatic to successful planned development. Growth cannot simply be where and when developers choose to build for their own benefit. The 'where and when' must be of TDBC's influence in order to have any means to manage the consequences of development and the effects on the town as it happens. It should not be left to the random nature of the developer's want to profit and then leave. It must be a structured and programmed approach that takes account of the transitional impact that can only be managed under the authority's direct influence.

We believe the 'holistic' approach to Taunton's planning and growth should take account of the geographic features of the whole town and adjoining areas. The Borough Council should plan with full regard to the key aspects that surround the town, some of which comprise the current Motorway Junction at Blackbrook, the River Tone, the position of the Town Centre, Primary and Secondary Schools, Musgrove Park Hospital, the Railway Station, and developed out of town facilities at Hankridge. Gaining access to these through the town centre represents a major difficulty for the western area of Taunton. In considering any new sites for development the Parish Council believes strongly that full consideration must be given to the infrastructure that supports and provides access to them. Comeytrove Parish Council opposes development to the south and west of its boundary because of the increased demands it will place on access and infrastructure which is already at maximum levels.

The current proposal is to build on a large productive green-field site that is continuously cropped and effectively links Comeytrove with Trull. Comeytrove is a very large development formed on land to the West of Taunton. It stretches from Taunton's Wellington Road to Trull Road and effectively adjoins Parkfield and Manor which in turn adjoins Taunton town centre at Corporation Street and Compass Hill. Although well-constructed the area is a product of Taunton's piecemeal development and short-term planning during the 70's, 80's and 90's. The area is not without its issues, principally access and position in respect to other parts of Taunton, as the town's facilities and geographic features have tended to move toward the South East. These problems will only be made worse by further development in the Comeytrove and Trull area.

The stealth effect on infrastructure that the piecemeal approach Taunton has adopted over many years and the tagging-on of housing development to existing build without effective strategic planning has now resulted in the deficiency that surrounds Comeytrove and other parts of Taunton. Further development in the area immediately adjoining Comeytrove will now create significant problems, whether building 200 or 2,000 houses.

Comeytrove Parish Council strongly believes given the above, the substantial nature of the development and its application, the timing of events, and the impact it will have on the whole of Taunton, that there should be no further decisions made on the

development on the Trull/Comeytrowe site until the Core Strategy is reviewed this year. (As referenced in the SHLAA 2014 document - Introduction, para 8.)

Particular issues IF any development transpires adjoining Comeytrowe.

The proposed plan does not extend to a South Western link road from Wellington Road (the A38), across Trull Road towards the South of Taunton and its principle motorway junction at Blackbrook. Previous plans had made a case for such a major road to ease the volume of traffic that seeks to cross Taunton and which at present is essentially reached by passing through the town centre via Corporation Street or Upper High Street - both causing major traffic problems along East Reach and Priory Bridge Road. Both lead to Taunton's single and over-stretched motorway junction. The new Inner Relief Road linking Priory Bridge Road and Staplegrove Road will have no beneficial impact to the infrastructure problems created by further development at Trull and Comeytrowe. It is important that the future means for a southern link road should be preserved in any plans in this area, i.e. any proposed development should not compromise the ability to build a southern link road.

Without the previously proposed southern relief link road there is and will continue to be major congestion on Compass Hill - a one-way system that is already beyond its effective capacity and which fails to allow a continuous flow of traffic, especially when approaching from Trull Road and Wellington Road towards the town centre and access to other parts. The significant congestion here already results in regular standstill and the proposed housing development will only cause major added congestion as traffic from the new development gains access to the town centre along Wellington Road or from Trull Road. There are no solutions offered to this increased gridlock in the planned proposal.

Any raised reliance on public transport is not a credible solution. The raised pressure on movement and the roads network could jeopardise the viability of the expanded area. The raised modern every day access needs of residents on the western side of Taunton are unlikely to be met by public transport. Equally expansion on the western side of Taunton raises the pressure on the limited road network for traffic looking to access the town's facilities from the south and East side of the town.

The schools at Primary and, more particularly, Secondary level are at full capacity. The Castle School is substantially over-subscribed at every new-year intake and its site potential for new build is essentially exhausted. The development application only provides for primary schooling. Comeytrowe Parish Council are therefore concerned that the raised pressure on school places at the only secondary school on the western side (The Castle School) and any increased need to access other schools on the other sides of Taunton will only add to congestion problems in the well-known problem areas of the town. Secondary and Primary school builds must be a commitment by both the Borough Council and the County Council at the outset and accompany any further development in the area for the raised demands caused by housing development at Trull, Comeytrowe, Bishop's Hull, Norton Fitzwarren, and the proposed large scale development at Staplegrove.

There is a real need to address the schooling needs over the extended time of housing build. The Castle School is at full capacity and with little or no room for further expansion there is no planned solution to the need for school places while the housing development grows. The same could be said for Bishop Henderson Primary School and Parkfield Primary School and for Primary Schools in Trull and Bishops Hull. Effectively there is no interim solution until the new schools are built which could well be at the latter end of the housing building period. This period could be indeterminate and subject to further economic influences which could extend the period and see the demand for places at the schools increase.

School build and its timing must be a guaranteed commitment at the outset along with the means to build shops and medical centre. If the planned housing development goes ahead, at any size, there would need to be new Secondary and Primary schools for any increased numbers on the western side of Taunton early in the housing build. An opportunity to meet this need was previously lost when scarce land identified for a new school was sold off in an earlier piecemeal development in Comeytrove. This experience must not be repeated.

Corneytrove has, as referenced previously, access issues to other parts of Taunton, particularly toward its South and East sides. The existing access is via Wellington Road, Trull Road and Parkfield Road. A major issue will be the added weight of traffic from an additional 2,000 houses, which effectively doubles the demand on existing routes through the Comeytrove area to the town centre. The planned proposal makes outline reference to the prevention of access from the proposed development to the existing Comeytrove and Parkfield road network. We regard this as essential and strongly believe that any development should not be accessed from Comeytrove.

The proposal to close off access to the development from Queensway, Comeytrove Road and Comeytrove Lane is key to avoiding adding to the congestion problems that already exist. The Consortium's outline application shows a road network that is planned to serve new houses from Comeytrove Lane. We believe Comeytrove Lane at its descent from Highfield to be significant and made more dangerous if any access is taken from the new development. The fall in elevation is significant and the existing access to Comeytrove Rise is as much as the Lane can take at this point and, despite any proposed junction splay, the risks increase significantly. We feel strongly that there should be no access onto Comeytrove Lane because it would lead to significantly increased traffic volumes on the junction with Wellington Road (at Bishops Hull crossroads) and with the College Way/Galmington Road junction (leading from Queensway). It will, if any access is incorporated, become a very real raised danger and safety risk. Something we feel strongly can be avoided. Access on to Comeytrove Lane does not need to happen when there is a very real and good quality access from both Trull and the A38 via the new through Road and the estate roads that will stem from it. This is totally unacceptable and will create the 'rat-run' Comeytrove Parish Council is keen should not happen. The prevention of access would have to be implemented at the initial build stage with traffic access and road amendment to limit access to the development from the A38 and/or the Honiton

Road.

BISHOPS HULL PARISH COUNCIL -

Original comments received **10th March 2015** made the following comments-

1. The TDBC Core Strategy has established the principle of development of the site. The relevant policy is SS7 as follows:-

“Comeytrove / Trull is a broad location for a mixed use strategic urban extension for development after 2015 for between 1,000 and 2,000 dwellings up to 2028. A masterplan will be prepared to identify the full long term potential for comprehensive development in this south west sector of Taunton and the infrastructure required to provide a sustainable new community. The masterplan will phase and co-ordinate development to provide the necessary physical, social and green infrastructure. A piecemeal approach to development in this area before a comprehensive masterplan has been agreed will not be permitted.”

The Parish Council does not consider that these requirements have been met. There has been no master plan prepared to look at the potential for longer term comprehensive development of both this site and the wider area of this sector of south west Taunton. The Core Strategy alludes to further development to provide for an eventual 6-8,000 dwellings in this south west sector of Taunton. As such, the proposed development currently under consideration constitutes piecemeal development. There are important infrastructure issues, in particular transport and education provision, which need to be addressed at the outset, on a far broader strategic scale. These may include better links with junction 25 of the M5 which avoid Wellington Road and the town centre or a new motorway junction between junctions 25 and 26

2. During the preparation of the Sites Allocation and Development Management Plan (SADMP), the Parish Council has raised concerns with regard to traffic, public transport, landscape impact and secondary school provision. The Draft Plan includes Policy TAU1, which again requires a comprehensive and co-ordinated approach to development, including a master plan. The content of the Design & Access Statement is insufficient to constitute the kind of master planning exercise required by the Core Strategy. Within Policy TAU1 of the Draft Plan, these are some of the criteria that seek to address the areas of concern that the Parish Council has previously raised:-

a. No through access by private car between the new development area and Comeytrove Lane and Comeytrove Road and explore options to close off Comeytrove Lane and Comeytrove Road as a through-route for private cars only, to prevent future 'rat-running';

b. Include options to facilitate the delivery of a new high frequency dedicated public transport link via Musgrove Park Hospital and Somerset College to the town centre;

c. The hilltops and ridgelines should be kept free from development. Development around these areas should be sensitively designed and appropriately landscaped to

minimise the impact on the hilltops and ridgelines;

d. Landscape buffers and planting belts are required along the outer edges of the development to reduce the landscape impact of the developed areas;

3. Despite the requirement above, the proposal provides for up to 100 dwellings to be accessed off Comeytrowe Lane. A significant proportion of this traffic is likely to use the A38 / Comeytrowe Lane and A38 / Galmington Road junctions. The Parish Council has raised the safety record of the former junction with the Highway Authority in the past and there continues to be accidents there on a frequent basis. The Parish Council considers that there will be a worsening highway safety issue as a result of additional traffic using this junction and to a lesser extent the Galmington Road junction. In view of this, there should be no vehicular access, other than for buses, onto Comeytrowe Lane.

4. In terms of public transport, there is great reliance in the application on the enhancement of existing services, in particular the No.15 service into Taunton, with an increase in frequency, re-routing into the development and the provision of a 'park and bus' facility (which will be of little benefit to the new residents of this development). The Parish Council considers that the proposed off site enhancements to the highway along the A38 towards Taunton are totally inadequate. The provision of 3 new lengths of bus lane inbound and one outbound are extremely unlikely to result in public transport reaching the town centre much quicker than private vehicles, certainly not enough to coax people out of their private car. The TDBC Draft Plan requires the development to *"include options to facilitate the delivery of a new high frequency dedicated public transport link via Musgrove Park Hospital and Somerset College to the town centre"*. The application leaves room for this to be provided in order to link with Queensway / College Way, but the applicant considers that the provision of a physical link is not necessary as part of the current proposal, but rather potentially for possible future phases, beyond the current 2,000 dwellings. Because of the above concerns about providing one of the main public transport links along the A38, the Parish Council considers that the developers should be required to provide the physical link to Queensway or College Way (with compensatory public open space provided on the development site). Furthermore, if the developers do not make any contribution towards this as part of the current application, its provision would rest solely with the developers of future potential phases beyond the current Plan period.

5. The submission concedes that the eastbound approach to Silk Mills roundabout is 'saturated' in the am peak and that the impact can only be partially mitigated due to lack of available highway space surrounding the junction. The limited improvements proposed will make little difference to the flow of traffic between the site and the town centre along the A38. Overall, private vehicles will take much longer (and be tailed back further in the peak periods), due to the increased numbers and also the reduction from two lanes to one where bus lanes are proposed.

6. The part of the site that is within Bishops Hull Parish is within the designated Stonegallows Hill Special Landscape Feature (SLF). In the Review of Special Landscape Features carried out as part of the SADMP process, the designation for

this area has been retained. The Adopted Taunton Deane Local Plan Policy EN11 therefore needs to be complied with. This states that:-

“Development which would harm the appearance, character and contribution to landscape quality of Special Landscape Features will not be permitted unless planning conditions would prevent such harm”.

Policy ENV3 of the Draft Plan is as follows:-

“Development which would harm the appearance, character and contribution of landscape quality within Special Landscape Features (as shown on the Proposals Map) will not be permitted unless appropriate mitigation measures would reduce such harm to an acceptable level.”

The Draft Plan Policy TAU1 also requires that hilltops and ridgelines should be kept free of development and that landscape buffers and planting belts are required along the outer edges of the development to reduce the landscape impact of the developed areas. The application is only in outline, but from the information contained in the Design & Access Statement, it would appear that development (including 10 metre high employment buildings) is envisaged on hilltops and ridgelines, or if not – in a form that would breach the skyline of such features. This should not be allowed to happen. The Reports submitted actually concede that there will be a significant adverse effect on the SLF. The Justification section of the Plan indicates a requirement for landscape buffers of 20m on the edges of the development. The detailed plan of the park and bus facility shows limited scope for screening on the western boundary.

7. Although land for a primary school is to be provided, there should be more certainty that this will actually be built – in the early phase of development – rather than its construction being left to the ‘lottery’ of being funded through Community Infrastructure Levy (CIL) money. Secondary education provision seems to be entirely at the mercy of CIL payments and will therefore be in competition with other perceived requirements. With the reliance on the allocation of CIL money only to increase education provision it is unlikely funds will be sufficient to construct the necessary facilities. The Castle School is currently at or near capacity with limited scope for expansion. Also, if CIL payments are phased then the funds will only fully become available towards the end of the development with the result that all children will be required to be transported to schools away from the development greatly adding to already full road systems at both morning and evening peak times. The lack of a planned resolution to the education ‘gap’ caused by such a large scale development is unacceptable to the Parish Council as is the resultant ‘school run’ impact on the road network; both of which will have an increasing detrimental impact on local residents as the development proceeds.

8. There is an indication in the submission of intended working hours, which should be conditioned and enforced.

9. There are various anomalies in the various Reports, e.g.:-

a. It’s assumed that 55.7% of secondary school pupils will walk – Castle School is

presently at capacity with limited scope for expansion, so in practice pupils are likely to have to attend schools with capacity, elsewhere in the town. Such journeys are less likely to be on foot.

b. Some of the mode of transport figures refer to journeys by train!

c. There are several references to Wiltshire! (Obviously lifted from another submission elsewhere).

d. Table 9.10 in the Transport and Access section of the Environment Statement contains some seemingly conflicting figures.

Bishops Hull Parish Council therefore OBJECTS to the current proposal on the following grounds:-

1. The proposal does not comply with the TDBC Core Strategy and constitutes piecemeal development;
2. There should be no vehicular access, other than for buses, onto Comeytrowe Lane;
3. The proposals for public transport are woefully inadequate and do not constitute a 'high frequency dedicated public transport link' as required by the Core Strategy and Draft Plan;
4. There will be greater tailbacks of traffic and congestion along the A38;
5. The proposed development is likely to have an adverse landscape impact on the hilltops and ridgelines within the Special Landscape Feature;
6. There is inadequate provision included for both primary and secondary education provision.

The Parish Council would welcome participation in any discussions with the developer and / or the planning authority, which seek to overcome the above concerns.

Further comments received on **29th September 2015** stated that Bishops Hull Parish Council continues to object to this application on the previous grounds stated.

TRULL PARISH COUNCIL -

Original response received **March 2015** makes the following comments -

Trull Parish Council strongly objects to this application. Whilst recognising that the land has been identified for development in the Core Strategy, the Parish Council has a number of concerns which it believes make this outline application unsupportable.

1) The fixed access points.

The through road emerging onto Honiton Road with a roundabout appears to be a very over-engineered junction given the modest traffic increase being projected. The

scale of this junction is overwhelming. It is difficult to see how it can be achieved without altering the very nature of this old part of the village. Initial artists' impressions of the "street scene" have done little to soften the impact. In fact they raise concerns about access to the existing shops which rely on passing trade and the availability of immediate outside parking space for customers.

The bus stop is proposed for relocation to the roundabout meaning that those who do use the service will have to walk further. It seems that residents and traders in the parish will immediately have their lifestyle and livelihood compromised by this access. Despite any "traffic calming" measures it is inevitable that the through road will be used as a rat run by people trying to reach the A38 from the Killams area of Taunton, or indeed the M5 junction 25 from the A38. As such Trull Parish Council is seriously concerned that there will be a large number of cars passing through the village which has virtually no pavements but a number of young and elderly pedestrians.

The spine road will also be used by people hoping to gain fast access to Taunton town centre down Trull Road when the A38 past Musgrove Park is stationary. Trull Parish Council is concerned about the potential for greater use of Comeytrove Road as a rat-run when it is already bad enough.

In summary Trull Parish Council feels that the issues associated with this road and its access points need far more consideration and planning than has been presented for approval.

2. Green Space

Despite the vision statement claiming the development will have "its own distinct identity", the application does not allow enough green space for that to be true in relation to Trull. Of the two potential areas which could have been protected as green space, the first is filled with a roundabout and the second is entirely housing, which although classed as low density, is actually the least well screened on the whole development. We cannot stress strongly enough how important it is for Trull to retain its rural identity and not become part of a large urban extension to Taunton. This could be achieved by planning for a stand-alone development with significant buffers between the new development and the two parishes of Trull and Comeytrove.

3. Education

Trull Parish Council is appalled by the complete lack of provision for secondary education in the plans. It is hard to believe that a development of 2,000 homes will generate such a small demand for secondary school places. It is not acceptable to send children across town to the schools which may have space to offer. Aside from the logistics of getting there and back, this assumed travel does not constitute a sustainable community providing essential facilities. The Parish Council also has concerns about the timing for construction of a primary school – coming after the first 350 homes have been built. Where will the first phase of primary age children go? Trull Primary School is already at capacity. The Parish Council believes that a pre-requisite to this development, and therefore planning permission, must be a

commitment to building a primary *and* a secondary school, as the schools in our catchment area are already oversubscribed.

4. Master Planning.

The draft SADMP document policy TAU 1 clearly states the need for master planning if any development is to go ahead on this site. Although the applicants have talked about master planning, Trull Parish Council does not believe that master planning in the context of policy TAU 1 has been implemented and achieved. Trull Parish Council believes it would be sensible of TDBC to oppose this large scale application until this policy is adopted and the parameters it sets out can be applied.

5. Trull Neighbourhood Plan

The Trull Neighbourhood Plan Group has been working hard over the last two years to research and produce a document to help shape development in and around the Parish in the future. In particular it contains a great deal of reference to the Comeytrove/Trull development as identified in the Core Strategy. The draft Neighbourhood Plan is now in its consultation phase before the final plan can be put to a public referendum. Although some weight can be given to the plan because it has reached this advanced stage, it is unfortunate that the timing of this large application pre-empts it. Trull Parish Council would prefer this application to be opposed until the Neighbourhood Plan is adopted so that the aims and objectives of residents as documented can be properly considered.

6. Wider Implications

Trull Parish Council believes that this application would have wider implications for the whole of Taunton, given the amount of traffic that will be forced to travel across town to reach major roads, the train station, shopping centres and leisure facilities. Apart from the question of whether Taunton's infrastructure can cope with the traffic issues, the application will also generate greater stress on local services including the hospital.

7. Core Strategy.

The adopted Core Strategy identifies the broad location for development at Comeytrove / Trull for between 1,000-2,000 dwellings in the period 2015-2028 (Policy SS7). The Comeytrove Consortium has come straight in with plans for up to 2,000 homes. The Core Strategy is due for review in 2016 and with so much new housing already delivered and more in various stages of development this will give TDBC a chance to reflect on the actual demand for housing in the Deane. Trull Parish Council would welcome a rethink of the numbers proposed for Comeytrove/Trull.

It would be premature of TDBC to approve this application before it has completed the review and/or adoption of its own planning policies so that future development can be properly managed. Trull Parish Council believes that much more consideration needs to be paid to all these issues before an application of this scale is considered and would, therefore, urge TDBC to recommend refusal.

Further comments received on **19th October** make the following comments – Trull Parish Council continues to object strongly to this application and would expect that its original response of 29th March 2015 (added below) is taken fully into consideration.

It is important to stress that although the proposed development stretches from the Honiton Road to the A38 Wellington Road bordering much of the housing at Comeytrove, the vast majority of land under consideration actually falls within the parish boundary of Trull. It is Trull Parish Council that would bear the brunt of future provision and administration for this urban extension, and we would expect our objections to carry due weight with the planning committee.

Trull Parish Council would also fully endorse the comprehensive response to the application made by the Trull Neighbourhood Plan Group (TNPG). Its objection goes into considerable detail with all aspects having been researched to an impressive degree. We applaud the work carried out by members of the TNPG. Its response alone should be enough to convince members of the planning committee that this application cannot be considered acceptable on planning policy or any other grounds.

With these objections already in place Trull Parish Council has the following points to make on the amendments and additional information as submitted in September. Many of these will form material grounds for refusal when Taunton Deane is examining this proposal; Trull Parish Council expects them to be considered in that light.

1. This application is premature on several grounds:

a) TDBC's Core Strategy is due to be reviewed in 2016 and we would argue that the need for an urban extension of 1,000-2,000 houses on this site needs to be re-evaluated as part of that process. The majority of development is now taking place to the eastern side of Taunton where the road infrastructure is suitable and in place. Development on this side of Taunton faces irresolvable transport issues which will gridlock the A38 and endanger the safety of the emergency provision at Musgrove Park Hospital.

b) The Trull Neighbourhood Plan is nearing the final stages of completion having been lodged with TDBC for consultation under Regulation 14. The Plan was initiated under the Localism Act, giving communities the chance to help shape the way their areas grow and develop. To consider an application of this size with its huge impact on the community at this stage of the Plan's progress would be to make a mockery of the entire process and Government policy which has provided for it.

c) Trull Parish Council has responded to TDBC's Site Allocations and Development Management Plan at every stage of consultation with objections to development on this site, and a strong desire to preserve the identity and character of the Parish. The initial SADMP hearing sessions to discuss the proposed urban extensions at Comeytrove/Trull are scheduled for Tuesday 1st December and Wednesday 2nd December 2015. How can an application for up to 2,000 homes on

the site be considered ahead of these sessions?

2. Much of the documentation submitted is misleading and confusing and renders it impossible for TDBC to make a properly informed decision:

a) The Consortium appear to be attempting to turn this outline application into something more detailed so that they can claim that they have already had permission for certain densities, scaling and positioning of housing and green infrastructure - this must not be permitted.

b) The maps are vague and several differ slightly from one to another.

c) The term "fixed" is used in some instances when the only fixed points to be determined are the points of access.

d) The language is misleading – referring in places to the Neighbourhood Plan to imply a connection with the draft Trull Neighbourhood Plan.

e) Specific information requested by Trull Parish Council from the Consortium about traffic forecasts to allow us to fully understand several issues has not been delivered despite continued commitments to do so.

3. The fixed access point at Honiton Road in the centre of the village of Trull is ill-conceived and unsafe:

a) The Consortium has not adequately investigated all the options for access at this point. Their own analysis is confusing with plans for junctions 2a and 2b not clearly defined.

b) Trull Parish Council has particular concerns about the safety of pedestrians crossing from the existing dwellings over the Honiton Road not to mention to hundreds more from this development. It is also concerned for the safety of parishioners using the bus service with the proposed bus stop location, and the visibility afforded to drivers.

c) Any access at this point will ruin the setting of the Conservation Area which has always defined the identity of the Parish. A consultant's report for the Consortium itself states: "This conservation area designates the majority of the historic core of Trull". The designation of a Conservation Area is created to preserve areas which have importance historically and their status should not be underestimated or undermined. Taunton Deane's saved Local Plan Policy EN14 is unequivocal: "Development within or affecting a Conservation Area will only be permitted where it would preserve or enhance the appearance or character of a Conservation Area."

d) The preferred access would necessitate the loss of at least 127m of the stone wall - leaving only around 60m of the original wall at best.

e) The loss of two sections of the tree line in this Conservation Area is unacceptable in itself but would also leave the remaining trees exposed and susceptible to damage. It should be noted that these trees are covered by TPO's which should also be the subject of a separate planning application.

f) Further comments on the effect of this proposed junction to the Conservation Area are contained in a separate response to the associated planning application 42/15/0042 for "demolition of a section of wall" – this in itself is inaccurate and should say "sections".

4. Trull Parish Council has further concerns about access points and traffic

implications of this development:

a) It is Trull Parish Council's belief that the traffic surveys are out of date and do not take into consideration the impact of recent developments in Trull or Wellington. The traffic projections are also questionable.

b) There is a lack of clarity over the third proposed access point at Comeytrowe Lane and whether this is one of the "fixed" points of access.

c) There is no mention of how the existing Dipford Road will interface with the development. Trull Parish Council assumes that it will need to join the spine road on the western side in order to allow residents to access the village and Taunton. This junction must be designed and the designs made available for consultation.

d) There is no mention of how the existing Comeytrowe Lane where it turns into Lipe Hill Lane will join with the development. Again we expect that local residents will be able to continue to drive north on that road in which case this too will become a 'point of access' which needs to be designed and consulted upon.

e) There are unanswered concerns about the future of Comeytrowe Road and how the question of rat-running will be solved whilst the development is being built.

f) There has not been enough consideration of the impact of this development on the Compass Hill and Wellington Road areas of Taunton. There is no long term solution for the problems extra traffic travelling to and from this development will create, and there is certainly no quick fix. Even the creation of a bus lane along Wellington Road will necessitate the loss of one lane of traffic.

g) Somerset County Council as the Highways Authority has not been forthcoming with ideas or information, and has not responded to requests from Trull Parish Council for a meeting to discuss these proposals. There is a real fear that the authority does not have the time or resources to manage the highways infrastructure this development would demand.

h) It has been acknowledged by the Consortium that any discussion over future provision of a southern relief road is off the agenda at this time.

5. Trull Parish Council does not believe that concerns about green infrastructure and habitat loss have been addressed. The SCC Ecologist (29th June 2015) calculated that a minimum of 3.334 ha of new habitat will need to be provided to replace habitat lost. These areas are not shown on the Green Infrastructures Parameters Plan (GIPP). Trull had been promised a 'green buffer' and yet there is no buffer at all between the houses on the western side of Comeytrowe Road and the new development. This is unacceptable.

The GIPP erroneously includes in its 'public open space':

a) Part of the area set aside for the park and ride facility.

b) The area which could become the Honiton Road roundabout.

c) Part of the preferred option for the primary school.

d) The area of playing fields which has been promoted as an option for a secondary school should it become a future requirement.

6. Trull Parish Council feels there has been insufficient consideration of:

a) The impact on the Stonegallows Ridge Special Landscape Feature which is not afforded an acceptable level of protection. Although the top of the ridge is free of development there is building planned on its flanks.

b) The serious concerns about drainage and the potential flood risks particularly at Dipford which regularly experiences flooding with no solution on the horizon.

c) The funding of future infrastructure – given that proposals for the allocation of CIL payments is currently the subject of a TDBC consultation with parishes.

d) The wider implications of this proposed development for Taunton.

For these reasons, and those previously submitted, Trull Parish Council would urge the TDBC planning committee to listen to the hundreds of people and organisations objecting to this proposal which will not only have a devastating effect on the parishes of Trull and Comeytrove but will lead to problems for the whole of Taunton which no-one is in a position to address.

ATLAS (The Advisory Team for Large Applications) -

They became involved to help with considerations of masterplanning. Their help has been mainly to engender debate and steer solutions with a view to speeding up the process and assisting the Government's housing target delivery. As such there is not a single document that can be transcribed to represent their views. However, their initial response to the original application is summarised as follows. They considered the submission in respect of two guiding principles quality and certainty.

Quality.

- The character analysis in the Design and Access Statement needs to clarify what components/characteristics should aim to embed the principles of Garden City/suburbs within the masterplan proposals.
- Green Infrastructure proposals have the potential to create a remarkable, distinctive and integrated place and community, but prior to the grant of Outline Planning Permission, an effective and detailed strategy will need to be prepared and agreed to achieve this.
- The requirements for ecological mitigation must be balanced with placemaking and retain the integrity of the green infrastructure strategy.
- Development of design responses is required to ensure linkage and integration with the local centre and residential areas to the west and the Primary school (if option one is pursued) and residential areas to the east.
- If the Option 1 location for the primary school is pursued consideration needs to be given to the design responses required to ensure that the placemaking implications of providing the primary school in this location early (by 350 dwellings) in the development are resolved.
- Development of design options is required to ensure integration of the open space with the adjoining residential areas and ease of pedestrian and cycle access across the roundabout to Trull village shops.
- Access parameter principles should set out key placemaking requirements for landscaping and development adjoining the A38 Wellington Road access
- Further evidence is required to demonstrate that the effect of mitigation proposed to ameliorate the impact of development on the Stonegallows Ridge is sufficient.

- There is a need to firm-up proposals for the provision and delivery of uses within the local centre through an agreed phasing and delivery plan once there is more agreement on social and physical infrastructure delivery
- The sustainability strategy should include objectives relating to communication and information technology connectivity, low carbon energy generation and air quality
- Clarification is required as to whether the proposed development needs to meet the needs of relevant groups with protected characteristics, as defined by the Equalities Act.
- Need for objectives relating to development of the hilltop ridges, provision of new or enhanced habitats for protected species and the provision of a dedicated transport link to the town centre
- Need for an objective relating to communication and information technology connectivity
- Need for objectives relating to safety and security
- Need for environmental objectives relating to recycling, flood risk management, energy, air quality, water conservation?
- Aspirations about the economic role and function of the Urban Extension are missing
- Need for specific objectives for the employment area and employment uses
- Need for specific objectives relating to primary school and other community facilities
- Need for objectives relating to cultural uses and activities
- Need for objectives that relate to any relevant groups with protected Characteristics.

Certainty.

- Additional application parameter plans or parameter principles are required to give more certainty to the achievement of design quality objectives:
- Ideally, a more detailed access parameter plan (or failing that principles) including the primary and secondary road network, together with strategic pedestrian and cycle routes
- The provision and general location of a dedicated public transport link to the town centre within the access parameter plan or in further access parameter principles.
- A new application parameter plan indicating the general disposition of Landscape Concept Drivers, Key Character Generators and Character Areas
- More detailed application parameter principles are required relating to the provision of the primary school, community facilities and cultural uses and activities
- Greater specificity about the economic role and function of the Urban Extension with specific application parameter principles for the employment area and employment uses.
- Within the Masterplan Parameters and Principles Document clarification of a sequential approach to the Masterplan Cascade is required and a condition attached to the Outline Planning permission will need to stipulate this.
- The Masterplan Parameters and Principles Document and the condition attached

to the Outline Planning permission will need to stipulate the requirement for the application of the parameter principles to the Detailed Indicative Masterplan and then to the Framework Plans and Site Wide Design and Appearance Palettes.

- The Masterplan Parameters and Principles Document and the condition attached to the Outline Planning permission will need to stipulate that the Detailed Indicative Masterplan will need to fix aspects of the Framework Plans or Site-wide Design Guide and Appearance Palettes.
- A condition attached to the Outline Planning permission will also need to stipulate that Reserved Matters applications need to be in accordance with the appropriate framework plan and site wide design guide and appearance palette.
- Prior to the submission of Reserved Matters applications, there will be a need for three dimensional testing and fixing of masterplan components (as currently illustrated in the strategies), which will need to be incorporated into the framework plans and site wide design guide and appearance palettes.

SCC - TRANSPORT DEVELOPMENT GROUP -

Summary

The Highway Authority has reviewed the original and revised submissions and considered the overall benefits and dis-benefits of this proposal. On balance I can recommend that there is no highway reason why permission could not be granted subject to the S106 obligations and conditions being provided. The reasons for this recommendation are set out below.

Traffic Impact

The comments set out below are based on the Transport Assessment (TA) that has been prepared by the applicant after extensive discussions with the Highway Authority and the modelling within the document is based on Somerset County Council's own model all be it that it has been recalibrated/updated to take account of the proposed development. Many elements of the TA have been agreed in principle prior to the application submission. In some cases the Highway Authority caveated them subject to the provision of additional information. Please note that this traffic impact section only relates to junction modelling and the technical assessment will follow later in this response.

Regarding trip generation the 'first principles' methodology for trip generation is similar to that which had been previously agreed. However the details have changed due to the slight changes in the development assumptions. To meet the requirements of a significant modal shift it requires the Travel Plan to set realistic and secured targets and safe guarding along with a demonstrable advantage of bus services over the private car. In addition the trip distribution this has been agreed previously with the applicant.

In terms of the site accesses junction modelling, the results of the northern access onto the A38 it shown as operating within capacity. As a consequence there are no issues in the model. Although it should be noted that the design is unlikely to have sufficient capacity for a future expansion of the site towards the local authority's future

housing allocation site.

In terms of the remaining points of access for the Park and Bus, southern site access (Honiton Road) and Comeytrove Lane access these are found to have no capacity issues in the modelling.

Turning to the Wellington Road corridor this has been modelled to assess the traffic impact. Regarding the Silk Mills Road/Wellington Road Roundabout there appears to be a significant traffic impact on this with a substantial delay on the A38 and Silk Mills Road arm as such mitigation is considered to be essential. The proposed mitigation involves the widening of Wellington Road (Nth) exit to allow two lanes. This would allow the existing current right-turn lane on the A38 to be used for ahead movements, which in principle should improve capacity.

The highway mitigation does little to reduce the delay on the Silk Mills Road arm. The applicant has also proposed contributions through marketing, signing and review of the Park and Ride to “reduce the traffic demand”. The applicant has also proposed a bus priority scheme as part of the development and having reviewed the modelling it appears that this generates no significant issues although the development would be reliant on the proposed mitigation measures. This consists of the creation of a bus priority lane on one of the arms of the roundabout which would improve bus journey times coupled with the Travel Plan (TP) and the Traffic Management Organisation (TMO) there is considered to be a level of modal shift towards public transport.

Due to the size of the development the application will have a wider impact on the highway network and as a consequence the Chelston Roundabout was therefore modelled. Results show it means that there will be an increase in traffic on the Taunton Road arm (B3187) and the A38 Taunton arm. As a consequence mitigation is required and this will take the form of lane widening of the Taunton and Wellington approaches. This appears to mitigate the traffic impact associated with the proposed development although it does not resolve the wider capacity issues at this junction.

Another junction that would be affected by the wider impact of the development is the Heatherton Park Crossroads both in terms of traffic impact and highway safety concerns. The model acknowledges that demand may have been overestimated at the junction but the sensitivity testing in the TA takes this into account. This junction suffers from existing side-arm capacity issues. These will be significantly worse by 2028 with the average delay envisaged at around two minutes. The additional development traffic would result in severe congestion. Due to the length of the delay it is likely it will lead to traffic re-routing along country lanes. The applicant has not proposed any capacity mitigation however they have proposed to reduce the vehicle speed limit from 50mph to 40mph although this is more to address the highway safety concerns raised by the Highway Authority.

Regarding the southern access junction and the route into Taunton, the main junction capacity issues will be at the Galmington Road/Trull Road mini-roundabout. The TA indicates that there will be capacity issues forecast for 2028 but this is based on the

natural growth of traffic with a maximum RFC of 111% on the Trull Road south arm in the AM peak. With the development this will increase to 132% with severe delays. Mitigation is proposed in the form of the signalisation of the junction and from the results of the modelling suggests that this mitigation would be effective and is therefore considered acceptable.

Finally in terms of both motorway junctions the TA argues that in terms of junction 25 there is “only an insignificant rise in delay and queue lengths”. It is understood that Highways England has been consulted on this proposal and have raised no concerns over capacity at either of the motorway junctions.

The TA does not consider the link capacity of the A38 between Wellington and Taunton. The Highway Authority has estimated the congestion reference flow (CRF) as 22,000 vehicles per day. The CRF is defined as the estimate of annual average daily traffic (AADT) at which a link will be congested during peak periods on an average day. The current A38 AADT is 16,300 vehicles, well below the CRF. TEMPRO forecast growth to 2028 is 15%, which would take this figure to 18,800. The addition of Comeytrove traffic has the potential to take the road almost to capacity but the proposed mitigation measures will help reduce this.

In summary, it can be seen that the impact at some junctions can be offset if the proposed mitigation schemes are implemented through a suitable agreement. There will however remain a substantial residual impact and without the mitigation that has been proposed then the impact would be considered to be severe in terms of section 4 of the National Planning Policy Framework (NPPF).

To conclude the traffic impact vehicle trip generation from the site has been underestimated however the Highway Authority believes that there will be a modal shift although this may be lower than the assumptions put forward in the TA. The proposal will result in a significant increase in traffic across the network. However with the mitigation measures that have been proposed and provided that the Highway Authority is satisfied that these can be secured and delivered then on balance the proposal could be considered acceptable in traffic impact terms.

Travel Plan

These submissions have been accompanied by a Travel Plan, which has been subject to extensive pre-application discussions between the Highway Authority and the applicant. The latest version has been audited by the Travel Plan Team and their observations are set out below.

The initial review of the Travel Plan raised a number of points that required clarification from the applicant. These were largely resolved through the revised submission.

The only remaining concern relates to the Transport Management Organisation (TMO) additional information has now been submitted which explains the proposed system in much more detail. There are still some concerns over the membership

being voluntary and amount to be charged to each household. But these are elements that can be discussed further at the reserved matters stage.

Regarding the bus priority from Stonegallows into Taunton town centre after further discussions it has been clarified that the existing bus services will be improved which will see the diversion of existing services into the site. In addition it will also see the increase of the 15 WebberBus frequency to 12 minutes. The existing 97 Hatch Green service will be increased to offer a 30 minute frequency and finally the applicant has noted that there is an opportunity to also divert the number 7 first service into the site as well. From here the buses would follow the priority route into town. From the evidence put forward in the TA the proposed mitigation measures do appear to improve journey times but this is for all vehicular traffic as such the level of model shift is likely to be less than what has been envisaged in the Travel Plan.

In terms of the targets this information has now been updated and as a consequence the Highway Authority is satisfied with the targets set out in the Travel Plan and how they are linked with the phasing of the site provided this is appropriately secured by S106.

Transporting Somerset has also provided comments on the proposed park & bus site. These are set out below.

No indication has been provided as to ownership of the park and bus site post build out or how it will be maintained in the future. Furthermore the applicant has provided no details of how they propose to scale up the existing services during the build out of the development. The proposal would require the diversion of the existing services into the site which is acceptable, however it may deter patronage from Wellington as it would extend the journey times. It would also need at least a 12min frequency during peak times. Finally it is understood that the applicant has spoken with the commercial operators who have no objection in principle to providing these additional services.

Off Site Highway Works

The proposed off-site highway works will consist of the access junctions from the north on the A38 and Honiton Road to the south with an addition access to serve emergency/bus access with limited residential access onto Comeytrove Road. The first two will take the form of roundabouts at either end with the emergency access taking the form of a standard 'T' junction. The proposed access works have been subject to extensive discussions with the Highway Authority and as a consequence we are satisfied that the principle of the proposed access arrangements can be delivered subject to a S106.

In addition to the proposed access junctions there are a number of mitigation measures that have been put forward by the developer to offset the impact of their development. These measures and their acceptability have already been discussed in the traffic impacts section of this response. However there has been further dialogue on how and when these measures will be therefore required.

From the extensive discussions between the applicant and the Highway Authority in regards to the TA it has become apparent that these measures are required to facilitate the development as without them the proposal will result in a severe impact on the highway network. Therefore the Highway Authority would want assurances that these works will be delivered by the suitable agreement. The Highway Authority is of the opinion that based on the information set out in the TA and addendum that the works should be delivered as per the table below.

Dwellings (cumulative)	Site Infrastructure (as per Barton Willmore)	Suggested off-site improvements
0		
0	Roundabout on A38	A38 at Heatherton Park – safety improvements (prior to opening)
50	Park & Bus	Bus priority (alongside Park & Bus – encourages modal shift)
150		Wellington Road/Silk Mills Roundabout (required at early stage alongside bus priority)
675	Secondary Comeytrowe Lane Access (prior to Phase 1b)	Chelston Roundabout (suggested required prior to 700 dwellings)
1275	Access from Honiton Road (prior to Phase 3)	Galmington Road/Trull Road signals (required before opening of access)
TBA	Spine Road	

Spine Road

The Highway Authority's initial response, dated 11th February, made reference to the original submission not including the lines, levels and drainage etc for the spine road. This information was considered to be essential to understand the proposed gradients and access implications. Since that response there have been further discussions with the applicant on this matter culminating with the submission of design drawings of the spine road. This information was submitted for a feasibility audit and a copy of the completed report has been passed to applicant to address the points for inclusion in their reserve matters submission.

Drainage and Flood Risk

The Highway Authority has taken the opportunity to review the Flood Risk Assessment and how it relates to highway drainage and have the following observations to make.

The A38 has a number of road gullies connecting to a highway surface water carrier system. This system is served from both directions due to the existing profile of the current carriageway. The outfall connects to an adjacent attenuation pond via a 375mm diameter pipe. The Highway Authority is aware of localised flooding and

capacity issues in the area. The applicant should note that it is standard Somerset County Council policy that where there are proposals to increase the run-off into the existing highway drainage systems it is the responsibility of the applicant to prove that the existing system is both structurally and hydraulically capable of accommodating the increased flow.

As for the secondary access onto Comeytrowe Lane there are a number of road gullies connecting to a surface water system, which outfalls into Galmington Brook via a 300mm pipe. The Highway Authority is aware that there has been some localised flooding. This issue has been compounded by the existing sluices from the industrial estate opposite Horts Bridge. Finally in terms of the southern access onto Honiton Road this, like the others, is served by a series of road gullies and connections that outfall into a combined drainage system. There has been reported drainage problems associated with Dipford Road and Gatchell Green.

The Highway Authority deems that all of our existing highway drainage systems to be fit for their current purpose, running at capacity, and will maintain these systems within the constraints of the maintenance policy and budget. Therefore our position is that the system will need to be upgraded as a result of the increased impermeable area.

The applicant should note that Somerset County Council, as the Highway Authority, will not accept any increased liability for earlier life failure of these systems that could be as a result of allowing increased flow without fully assessing the implications of such. The applicant should commission a CCTV survey and report of the existing system to enable the requisite appraisals to be completed and submit supporting evidence to the Highway Authority.

Full details of the existing highway drainage system which would need to include pipe and chamber sizes, types, depths, condition, ownership or body responsible for, should be provided between chambers upstream and downstream of the extents of the scheme and at all locations where new connections are proposed. The Area Highway Office for Taunton Deane (0300 123 2224) can provide general advice on the current system but the onus is on the applicant to carry out the survey and inspection work necessary to complete the design. The Highway Authority will not approve the drawings until all issues relating to the existing drainage system and the proposed connections have been resolved. Finally the Area Highways Office will need to be notified before any survey works are carried out.

Conclusions and recommendation

To conclude the proposal will result in a significant increase in vehicle movements on the highway network however the TA and addendum has shown that if all the mitigation measures which are proposed are implemented then the impact of the development can be considered acceptable. The Highway Authority is satisfied that the principles of the TP are considered to be acceptable at this stage although it should be noted that it will need to be secured via S106. Regarding the off-site works the points of access proposed on the A38, Honiton Road and Comeytrowe Lane are

considered to be acceptable in principle although it should be noted that these would need to be secured via a S106 and also subject to a full safety and technical audit. Based on the information set out in the TA it is the Highway Authority's view that the delivery of the mitigation measures is essential to the acceptability of the application and as such should be secured and delivered by appropriate measures and will be subject to a full safety and technical audits. In terms of the internal layout this will form part of the reserved matters application although it should be noted that the Highway Authority is in on-going discussions in regards to the spine road link through the but we are is satisfied that the general principle of the link is considered acceptable.

Finally in terms of drainage full details of the proposed works would need to be provided at the reserved matters stage as the applicant will need to show that there is capacity in the network.

Therefore upon weighing up the above information the Highway Authority recognises that the proposal would lead to a significant increase in traffic however if all the proposed mitigation were to be secured and delivered then the impact is unlikely to be considered to be severe as set out in section 4 of the National Planning Policy Framework (NPPF). As such the Highway Authority raises no objection to this proposal and would ask that the following is secured if planning permission were to be granted:

If however any of these elements are not secured by S106, there needs to be confirmation from Taunton Deane Borough Council that CIL will deliver the mitigation at an appropriate trigger to avoid an objection to the scheme, as the impacts will be severe on the highway network and the development would be contrary to NPPF Section 4.

- S106 agreement to include accesses all off-site highway works, Travel Plan and Spine Road.
- No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
 - Construction vehicle movements;
 - Construction operation hours;
 - Construction vehicular routes to and from site;
 - Construction delivery hours;
 - Expected number of construction vehicles per day;
 - Car parking for contractors;
 - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
 - A scheme to encourage the use of Public Transport amongst contractors; and

- Measures to avoid traffic congestion impacting upon the Strategic Road network.
- The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus laybys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
- The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.
- The development hereby permitted shall not be brought into use until that part of the service road that provides access to it has been constructed in accordance with the approved plans.
- In the interests of sustainable development none of the dwellings in the first phase hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- No work shall commence on the development site until an appropriate right of discharge for surface water and necessary improvements has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

HIGHWAYS ENGLAND -

Original consultation response dated **12th June 2015** made the following comments.

Highways England have now fully considered the Transportation Assessment work submitted in support of the application and provide further details below. The comments contained within this letter take into account the Dept. for Transport Circular 02/2013, *The Strategic Road Network and the Delivery of Sustainable Development* (dated 10 September 2013) and the DCLG *National Planning Policy*

Framework (March 2012). Highways England have been involved in substantial pre-application discussions in respect of this site, dating back to March 2013 which has focused on the potential impact of the development on Junctions 25 & 26 of the M5.

Trip Generations.

Trip generations have been calculated on a 'first principles' basis due to limitations within the TRICS database when considering the size of the development site. The trip generations were discussed at detail during the pre-application discussion and have therefore been agreed.

When considering the impact of development traffic on the Strategic Road Network, concerns were raised that should the modal splits of the development not be realized, the actual vehicular impact would be greater than predicted. In view of this, a sensitivity test was assessed in respect of the impact on the Strategic Road Network which has assumed an increase in trip rates of 10%. This is accepted.

Trip Distribution and Assignment.

Traffic has been distributed and assigned to the network using the Taunton Strategic Traffic Model (TSTM3), which is a SATURN model covering Bridgwater, Taunton, Wellington, including the corridor of the M5 from junction 23 to 26. The model includes an interim year assessment of 2018, and a future horizon year of 2028 to tie in with the end of the core strategy. The use of the TSTM3 model to distribute and assign traffic is accepted.

Modelling of J25 of M5.

The TSTM3 includes an interim year assessment of 2018, however Circular 02/2013 requires that developments test for an opening year. During the pre-application discussions the applicant had tested the impact of their development in 2018. However they have now determined that opening year in planning terms will be 2017. Assumptions have had to be made in respect of the level of committed development likely to be open in 2017, which in turn will result in less background traffic appearing in the modelling. The assumptions on committed development have been provided by Somerset County Council, and we accept this. Junction 25 of the M5 has been modelled using LINSIG V3, the base 2013 model has been audited in terms of its ability to replicate existing junction form, and to ensure that traffic flows, geometry and modelling parameters have been entered and used correctly. A validated model is required in order to provide the confidence that the model could be used to predict how the junction would operate in future scenarios. A full detailed check could not be undertaken of the model as the LINSIG deck has not been provided. However, checks have been made against the data presented in the LINSIG output results.

Issues Identified.

A number of issues have been identified in the model which need further consideration, as follows:

- Nearside lanes have not been correctly identified in the model; links 1/1, 2/1 and 7/1 should all be inputted as nearside lanes;

- Directly entered user saturation flows have been applied to circulatory lanes, but no justification for the value used has been given in the TA. The directly entered saturation flows for all circulatory links are input as 1900 pcu/hr. TRL Research Report 74 identifies that for circulating carriageways saturation flows for three-lane links were measured at about 4900 pcu/hr, and saturation for two-lane links were measured at about 3200 to 3400 pcu/hr. The LINSIG results for the circulatory lanes are therefore likely to be optimistic, hence further evidence of saturation flows for the circulatory lane is required;
- The give-way coefficients and the maximum flows could not be checked because the ARCADY information could not be located in the appendices. It should be noted that JCT provide some guidance on these parameters for roundabouts for LINSIG models, the recommended giveway coefficient of 0.3 and maximum flow of 1000 pcu/hr for each lane is provided in their documentation, notwithstanding this the values inputted in the model appear to be of this order. It is recommended that LINSIG deck is provided so that a full detailed check can be undertaken;
- The TA states that queue data have been collected to validate the model and therefore the model has been correctly calibrated, however no queue data appears to have been collected for the circulatory lanes. The 2013 base results indicate long queues on the circulatory and hence the potential for queues blocking back from the circulatory signal stop lines to the approach lanes, creating a possible gridlock situation. Therefore for this particular model the circulatory queue information should have been collected to provide a robust model;
- An important factor in modelling signalised roundabouts is to understand how traffic would move around the junction. Further information on the assumptions used is required to fully check if the model replicates the existing situation. The model does not appear to follow the current lane markings on the roundabout, and there are some optimistic lane changes occurring, for example arm 14 shows multiple links merging into a single link at arm 18 over a very short distance, the model results are therefore likely to be optimistic. Justification of the traffic assignment around the roundabout is therefore required;
- The model shows two long exit lanes into arm. 10, however google maps shows that arm 10 should be one long and one short lane exit;
- There is currently a yellow box junction on the circulatory between M5(N) and the A358 which would indicate some blocking back issues are present, further information on how the yellow box junction impacts on the modelling is required to enable Highways England to fully understand the impact of the proposals;
- All links are assumed to be long lanes, however some short lanes exist; and
- No information on link lengths have been provided.

In summary there are concerns with the geometric parameters, the potential of blocking back issues and how traffic has been assigned to move around the junction used in this model, these concerns would need to be addressed before the modelling can be approved.

Impact at Junction 26

During pre-application discussions the potential impact of development traffic at J26 was agreed, and the junction was modelled using ARCADY. The modelling shows

that there is adequate spare capacity within the junction to accommodate the development traffic, and no further work is required in respect of this junction.

Summary

We are largely content with the submitted Transport Assessment. There is however a number of issues in respect of the modelling of J25 for which we request further clarification.

I am therefore attaching a recommendation of non-determination for a period of 3 months to enable the applicant to address each of the issues identified above so that the full impact of the proposals on the Strategic Road Network can be determined and if necessary conditioned to ensure the construction and post construction activities are carried out in an appropriate manner to ensure the continued safe and efficient operation of J25. Please note that we can remove the recommendation of non-determination before the three month period if we are content that the necessary work has been completed to our satisfaction. We are also happy to meet with the applicant and their consultants if needed.

Subsequent consultation response dated 8th July 2015

Following additional clarification from the Agent regarding the submitted modelling, Highways England have revisited the assessment and considered it against that presented during the pre-application discussions. We are now content that the Applicant has demonstrated that the increase in queuing and delay at junction 25 [*of the M5*] is minimal, and will be contained entirely within the extents of the slip roads. On this basis, Highways England are now able to remove the recommendation of 'non-determination' and replace it with a no objection response. This replaces the recommendation dated 12th June.

SCC - FLOOD RISK MANAGER [LEAD LOCAL FLOOD AUTHORITY]-

Original comments dated **16th February 2015** make the following observations -

I have consulted the Environment Agency on this application and at this stage I wish to support their position. At some stage in the future, the responsibility for commenting on the surface water drainage aspects of the site is likely to transfer to the County Councils Lead Local Flood Authority from the Environment Agency, written statement from the Secretary of State for Communities and Local Government 18th December 2014 refers. However, transition arrangements for applications made before 6th April 2015 are not clear and so I wish to be kept informed of any negotiations or decisions with respect to drainage in case we are required to be involved at a later date.

Further comments on **4th September 2015** made the following points -

The revised Flood Risk Assessment dated June 2015 is sufficient to enable the LLFA to consider that this proposal will be acceptable if conditions are included on the subsequent planning permission to agree the construction and maintenance of a sustainable drainage system to control surface water. We support the conditions

suggested by the Environment Agency in their letter dated 26th June 2015.

SOMERSET DRAINAGE BOARDS CONSORTIUM -

The site is located outside the boundary of the Parrett Internal Drainage Board area, however any surface water run-off generated will discharge into the board's area via the main river, within which it has jurisdiction and powers over matters relating to ordinary watercourses. The Board's responsibilities requires it to ensure flood risk and surface water drainage are managed effectively.

The Board agree that a sustainable surface water design will need to be submitted to the LPA. This should seek to improve downstream flood risk by reducing the rate and volume being discharged into the receiving land drainage network. These details should provide sufficient information as well as allay any concerns associated with potential increased flood risk to downstream property and land owners.

An increase in the volume of the run-off will occur from an increase in the impermeable area of the site, unless infiltration techniques are employed. All efforts should be made to maximise any potential infiltration.

The Board suggest that if the LPA does approve the application, the condition and informative set out below must be included -

Condition - No development should proceed until the surface water drainage and watercourse proposals have been agreed with the Local Planning Authority in conjunction with the Parrett Internal Drainage Board.

Reason: The application details have insufficient details to determine if drainage matters are to be properly addressed. It is not possible at this time to know if the development of the site would have an adverse impact on flood risk elsewhere which might be contrary to the principles set out in section 103 of the National Planning Policy Framework and section 2 of the Technical Guidance to the National Planning Policy Framework.

The board has had no contact from the applicant or the developer's Agent as the site is a distance from the Board's catchment area. However, it is important that surface water drainage disposal and flood risk is considered with improvements made.

The above requirements are based on the principles set out in section 103 of the National Planning Policy Framework and section 2 of the Technical Guidance to the National Planning Policy Framework, which requires that development should not increase flood risk elsewhere.

As the site is located outside of the Board's area, it may have been considered that the Board would have little interest. However, a robust, sustainable and maintainable approach that would mitigate any impact on the receiving network, particularly increases in flow and volume within the Levels and Moors is preferable to an increase in volume.

SCC - RIGHTS OF WAY -

There are public rights of way (PROW) recorded on the Definitive Map that run through the site at the present time (footpaths T 29/11, T 29/12, T 29/12A & T 29/36). Any proposed works must not encroach on to the width of the footpaths. The proposed development might obstruct the right of ways and a diversion will be necessary. The rights of way will need to remain open and available until the (stopping up/diversion) Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the paths are built on or otherwise interfered with.

We would request to be consulted on the surface of any diverted public right of way. If the route is to be diverted, this will be dealt with by Taunton Deane District Council. The health and safety of walkers must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of the footpath, but only to a standard suitable for pedestrians. SCC will not be responsible for putting right any damage occurring to the surface of the footpath resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public bridleway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group.

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would

- make a PROW less convenient for continued public use (or)
- create a hazard to users of a PROW

then a temporary closure order will be necessary and a suitable alternative route must be provided.

DIVERSIONS ORDER OFFICER -

The proposed development area has parts of the public footpaths T29/10, T29/12, T29/13 and T29/36 within it. Attention will need to be given to these public ways.

ENGLISH HERITAGE NOW HISTORIC ENGLAND -

We do not wish to comment in detail, but offer the following general observations.

The focus of Historic England, relative to this application, is the impact that the proposed development will have upon the setting of the Trull Conservation Area, the highly graded listed buildings and the Scheduled Ancient Monument, Poundisford Park

Pale. With regard to the listed buildings there are two specifically that have the potential to be affected, Chilliswood farmhouse and Hamwood Farmhouse. The proposed development is in outline, with all matters reserved, for a residential and mixed use urban extension to include up to 2000 dwellings, up to 5.25 hectares of employment land, 2.2 hectares of land for a primary school, and a mixed use local centre and a 300 space park and bus facility.

Key to our advice to local authorities is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to “have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses”. With regard to Conservation Areas Section 72 places a responsibility on local planning authorities to pay special attention to preserving or enhancing their character. When considering the current proposals, in line with Para 129 of the NPPF, the significance of the asset’s setting require consideration. Para 132 states that in considering the impact of proposed development on significance great weight should be given to the asset’s conservation and that the more important the asset the greater the weight should be. It goes on to say that clear and convincing justification is needed if there is loss or harm.

When considering development that has the potential to affect setting English Heritage’s guidance the Setting of Heritage Assets should be referred to. The key principles for understanding setting are set out at page 5 of the guidance. Whilst there are a large number of highly graded assets within Taunton their setting essentially relates to their urban context, rather than the open countryside beyond to the southwest. Within Trull there is the Church of All Saints, which is grade I. It is separated from the proposed site by some historic housing and more modern infill.

Given the degree of physical separation and its specific orientation we do not feel that the setting of All Saints will be adversely affected. To the south of the development are Chiliswood and Hamwood farmhouses. Having reviewed the information submitted and looked at the two farmhouses we do not feel that there would be any notable impact on setting. This is partly due to the fact that there are no clear direct visual relationships, designed or otherwise, and also to the fact that post development there would still be an agricultural setting to the northeast.

Poundisford Park Pale is some distance away and a significant element of it is beyond the M5. The impact on setting is felt to be limited.

The Trull Conservation Area does not have an adopted appraisal. One of the primary characteristics is the Honiton Road that runs due south from Taunton. We note that the scheme retains the line of the road with a new roundabout junction created to the west. Also evident is a landscaped buffer that retains the break in the western residential development along Honiton Road. Future development proposals should be developed with the full engagement of your specialist conservation staff.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again.

HERITAGE (Conservation officer TDBC) -

Initial comments dated **9th February 2015** make the following observations.

The Heritage Impact Statement submitted concentrates on the physical impact of the works on the Conservation Area. I would take issue with Sections 6.2 and 7.2 that state that the stone wall it is proposed to remove has a neutral value. Will admittedly much of the wall does appear to be relatively modern in terms of construction, it is a visually prominent feature of traditional construction that positively contributes to the character and appearance of the Conservation Area. Its loss would undoubtedly cause harm to the Conservation Area's significance.

The material submitted with the application is extensive but I can find no detailed analysis of the impact of the development on the setting of the Conservation Area or the individual listed buildings that are situated close to the site. Given the scale of the proposal, there is clearly the potential for the development to cause harm to these heritage assets. If no detailed assessment of this has yet been undertaken I suggest this is addressed before this application is determined.

Further comments dated **25th August** make the following observations

Further to my consultation response of 9 February, I have now had the opportunity to view both parts of the submitted heritage assessment. I can confirm that these documents use an appropriate and sound methodology proportionate to the scale of the development and allow the impact on the built heritage assets to be properly assessed. Having assessed the reports on site, I would broadly agree with the findings. I have identified no harm, either physical or to setting, to the built heritage assets that could under the terms of the National Planning Policy Framework be described as 'substantial'. The 'less than substantial harm' to the setting of the Conservation Area and Listed Buildings is at the lower end of the scale and is accurately set out in Table 13.4 of the report as at worst moderate and can be further reduced through mitigation measures. In terms of these measures, further details will be required, particularly the treatment of the Honiton Road area, which will directly impact Trull Conservation Area.

In summary, while the proposed development would not enhance the significance of the built heritage assets, neither would it result in a degree of harm that causes me to object in principle to the scheme on conservation grounds.

Further comments on **15th October** make the following observations (in respect of the structures possibly within the curtilage of the listed Cometrowe Manor) -

It is possible that the water wheel is curtilage listed. The crucial test is the ownership situation at the date of listing - 9 November 1987. If Comeytrowe Manor and the wheel were in the same ownership at this date then the wheel is listed. The same

would apply to the industrial sheds to the north and west of the house if they were built before 1948 - some of which are on the same site as C19 buildings and could date from this period. An inspection would be required to confirm this. We cannot determine this application responsibly until this is resolved. If they are curtilage listed we could add an informative to state that LBC would be required to demolish or alter any of the curtilage structures. If they are not curtilage listed we still need to think about how we can make provision for the water wheel.

LANDSCAPE AND VISUAL AMENITY (Consultation with Swan Paul Ltd.) -

Taunton Deane Local Planning Authority instructed Swan Paul Partnership Ltd to assist with the issues and assessments required to help the Council understand and respond to all landscaping issues associated with the submitted Planning Application for the South West Urban Extension to Taunton. Their report is very detailed, dealing with complex considerations both on and off site and is far too extensive to reproduce in this section of the Committee report. However, their assessments, opinions and findings have been itemised and examined in the section later on landscaping issues.

The main issues considered by the document are

- Landscape evaluation and attributes of the application site;
- Landscape evaluation;
- Effects on the landscape resource;
- Effects on the visual amenity;
- Discussion of the positive contributions arising from the proposed mitigation;
- Aspects requiring further consideration; and
- Summary of the analysis of the relevant application documents (concerning landscape and visual matters).

In conclusion, the landscape consultation prepared by Swan Paul considers that, on balance, when the negative aspects of the proposal are considered alongside the positive, in relation to the landscape and visual effects, the proposals as put forwards by the Comeytrowe Consortium in this Outline Application are acceptable and would not cause an unacceptable level of negative impact.

BIODIVERSITY OFFICER (TDBC) -

EDP carried out a range of ecological surveys for the site between 2008 and 2013. (Extended Phase 1 survey, hedgerow survey 2011 and 2013, Bat and Building assessments 2012 and 2013, Breeding bird survey 2012, Hobby Survey 2013, Dormouse Survey 2012 and 2013, water vole and otter survey 2012, badger survey 2012 and 2013, amphibian survey 2012 and reptile survey 2012.) Chapter 8 of the Environmental Statement assesses the likely significant effects of the development in terms of ecology. The chapter incorporates a summary of the ecological baseline and summary references to the Somerset biodiversity offsetting approach to mitigation.

General findings of all the reports were as follows -

Habitat Survey

The site sits within an undulating landscape and comprises of a mix of large arable fields with some improved and semi improved grass fields. The fields are bordered by dense continuous species rich hedgerows providing key linkage throughout the site. Galmington stream crosses the site. A small industrial estate comprising 10 built structures north of Comeytrove Manor, and an area of poultry sheds are also present on site. Other notable features include mature trees, ponds and wet ditches. The site has potential to support, bats, dormice, otter, water voles, amphibians, reptiles, badgers, and birds.

Bats

Numerous bat records were received from SERC within 4 km of the site. Over nine species of bat were recorded foraging / commuting on site including leisler greater and lesser horseshoe and barbastelle bats. A small number of bat droppings were found in the roof space of one building within the industrial estate, Emergence and resurvey surveys recorded a common pipistrelle emerging. Building 11 in the industrial estate was found to support an occasional night roost for pipistrelle whilst building 8a was found to support an occasional day roost by common pipistrelle. These buildings are to be demolished and so an EPS licence will be required. Thirty trees on site, mainly located in the Trull area and along the Galmington stream and along the ditch heading eastward are considered to have potential to support roosting bats. Five of these trees are at risk of requiring removal. If these trees found to support bats EPS licences will be required.

Dormice

Evidence of dormice was recorded in the hedgerow habitat on site (two adult dormice and 14 nests) These were found in the southern section of the site near to Galmington stream, in the hedgerow bordering Comeytrove Lane just west of the abattoir and a single dormouse nest near Comeytrove Manor ditch. Removal of habitats supporting dormice will require an EPS licence from Natural England.

Otters

Otters are likely to use the watercourses on site, although no field signs were found. I support the proposal to buffer the watercourse and to ensure that the bridge design for the road crossing is of an open span design to maintain access along the watercourse for otters.

Water Voles

There are records of water voles using the Galmington stream although no evidence of water vole activity was found on site. In addition the nearby LNR has several known colonies of water vole.

Amphibians

Five ponds are located within the site with another eight off site plus some seasonally wet ditches. No evidence of Great Crested Newts was recorded on site. The survey recorded a number of smooth and palmate newts, common toads and common frogs.

Reptiles

The majority of the site is considered to be of limited potential to reptiles being mainly used for agriculture. However areas of tall ruderal vegetation and scrub e.g. around the industrial estate, offer some foraging, basking and hibernating opportunities for reptiles. In addition areas of rough grass located habitat for reptiles. The survey confirmed the presence of a large slow worm population as well as a small population of grass snakes in the two fields of semi-improved grassland north of the industrial estate. Reptiles found in areas where vegetation is to be removed will need to be translocated to a suitable receptor site.

Badger

I agree that an up to date survey is required prior to developing the site. A licence will then be needed to disturb any active sett.

Birds

A total of 45 bird species were recorded within the application site. No hobby were recorded although suitable nesting sites are present on site.

Mitigation measures

The development will unfortunately result in the loss of 34% of the hedgerow network, 25% of mature trees and 28% of ponds on site. At detail stage if additional landscape features can be retained this will have biodiversity and landscape benefits. The Somerset Biodiversity offsetting methodology was applied to this site prior to submission of the planning application. During the process three species (dormouse, Barbastelle bat and pipistrelle bat) were identified as being umbrella species representing the key habitats lost to development. Complex Calculations in terms of Habitat Units (HUS) calculated that a total of 60 HUs (3.38 ha) is required as mitigation habitat. Having reviewed the emerging landscape proposal myself and Larry Burrows of the County Council agreed that, in principal, the ecological effects of the proposed development could be adequately mitigated on site. The new habitat, proposed at present, includes 0.57 ha of new hedgerow, 3.8ha of new tree and woodland planting, 1 ha of new orchard, 1.9 ha of new species rich grassland and 7 ha of swales /attenuation features. As well as habitat enhancements on site I support the additional proposed biodiversity enhancements in the form of bat boxes, bird boxes, nesting platforms for raptor birds, dormice boxes, hibernacula and a sensitive lighting scheme. I agree that, at present the ecological surveys are up to date but depending on timescales and phasing it is likely that detailed species surveys will require up dating prior to commencement of the relevant phase of development. I suggest the following condition.

Condition for protected species:

The development hereby permitted shall not be commenced until details of a wildlife strategy (incorporating an Ecological Construction Method Statement ECMS) and a Landscape and Ecological Management Plan (LEMP)) to protect and enhance each phase of the development for wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of all the

submitted wildlife reports to date (EDP's Extended Phase 1 survey, Hedgerow survey 2011 and 2013, Bat and Building assessments 2012 and 2013, Breeding bird survey 2012, Hobby Survey 2013, Dormouse Survey 2012 and 2013, Water vole and Otter surveys 2012, Badger surveys 2012 and 2013, Amphibian survey 2012 and Reptile survey 2012.), and **up to date surveys** and include -

1. An Ecological Construction Method Statement (ECMS) containing details of protective measures to avoid impacts on protected species during all stages of development;
2. Details of measures to prevent pollution of Galmington Stream and other water courses on site
3. Details of the timing of works to avoid periods of work when protected species could be harmed by disturbance.
4. Arrangements to secure an Ecological clerk of Works on site.
5. Measures for the enhancement of places of rest for protected species.
6. A Landscape and Ecological Management Plan (LEMP) covering a period agreed by the LPA.
7. Details of a sensitive lighting strategy.

Once approved the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the mitigation planting and maintenance of the hibernacula, bat, dormice and bird boxes and related accesses have been fully implemented. Thereafter the new planting and the wildlife resting places and agreed accesses shall be permanently maintained

Reason: to protect and accommodate wildlife

Informative Note

1. The condition relating to wildlife requires the submission of information to protect species. The Local Planning Authority will expect to see a detailed method statement for each phase of the development clearly stating how wildlife will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.
2. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.
3. Dormice and bats are known to be present on site as identified in EDPs ecological surveys. Both species concerned are European Protected Species within the meaning of The Conservation of Habitats and Species Regulations 2010. If the local population of European Protected Species are affected in a development, a licence must be obtained from Natural England in accordance with the above regulations.
4. It should be noted that the protection afforded to badgers under the Protection of Badgers Act 1992 is irrespective of the planning system and the applicant should ensure that any activity they undertake on site must comply with the legislation.
5. Nesting birds are present on site and all operatives on site must be appropriately briefed on their potential presence. Nesting birds are protected under the Wildlife and

Countryside Act 1981 (as amended) and if discovered must not be disturbed.

SCC - ECOLOGY (Original comments dated 25th February 2015) -

The site supports the rare barbastelle and greater horseshoe bats and hedgerows host a population of hazel dormice. Bats and dormice are afforded protection under the Habitats and Species Regulations 2010 [the 'Habitats Regulations'] which includes making it illegal to cause disturbance that is likely to impair a species ability to survive, rear or nurture their young, and to affect significantly the local distribution or abundance of a species. Furthermore, Regulation 9 obligates local authorities to have regard for the Habitats Directive 1992 which under Article 1 includes the 'Favourable Conservation Status' (FCS) of an Annex IV species, on which schedule all afore mentioned species are included. FCS basically requires that a species' population and the habitat to support it is maintained. A planning officer's report to committee on an application must demonstrate FCS apart from any subsequent licensing requirements as one of the 'three tests' required by the Regulations. The application must also pass two other tests: is the development of overriding public interest and are there alternatives? Again these must be set out in the report to committee.

The result of the evaluation showed that a minimum of c.5.2ha of optimal habitat for barbastelle and dormouse would be required. This was located within the green wedge and along the western edge of the development, although this appears to be cut off from both part of the population of dormice and commuting access by the potential provision of a secondary school at the south of the site. For dormice this should be habitat outside the floodplain of the Galmington Stream as during winter they hibernate at ground level. Both species are sensitive to introduced artificial lighting whether from street and footpath / cycleway lighting or then uncontrolled amenity or security lighting in back gardens. Barbastelle and greater horseshoe bats require grassland habitat managed to produce large numbers of Noctuid moths in conjunction with mature tall hedgerows for commuting. The latter habitat would also be required for dormice along with woodland and scrub which would need to be 'dry' at the base in order that winter nests could be built. This habitat would need to be in place and functional prior to any site clearance work commencing on site. The figure of 5.2ha does not allow for any time lapse and would need to be increased should habitat planting commence. Using Defra's (2012) 'Risk Factors for Different Habitats' woodland and grassland are considered of medium difficulty to create, and a multiplier of 1.5 would be applied; in addition a temporal risk factor of 1.4 for a delay of 10 years to functional at least for the woodland. So I would be looking for around 10 to 11ha of replacement habitat.

It is proposed in the Ecology and Nature Conservation Chapter that 3.8ha of new native woodland and 1.9ha new species-rich grassland created within the site's open spaces, a total of 5.7ha. However, reviewing the submitted Masterplan for the site a distributor road is shown at the southern end of the 'green wedge' within the red line area. This is likely to be street lit and therefore any habitat creation north of it must be discounted as would any internal hedgerows within the built development. I also note that there is a footpath / cycleway alongside the Galmington Stream that may

be lit potentially negating the habitat creation. A significant amount of woodland habitat is north of the distributor road and grassland is within the built development. Therefore I would consider that the amount of habitat creation offered south of the distributor road may not be sufficient to mitigate the loss to barbastelle and greater horseshoe bats and dormice and that FCS of these species could be in doubt. Furthermore dormice also currently occur north of the proposed distributor road and if not displaced over a large distance to south of the road, which may be unacceptable as mitigation, may be isolated and suffer local extinction. However, a bridge is suggested in the Ecology and Nature Conservation chapter to provide access either under or over the road but not given in the summary of mitigation in Chapter 17 where this becomes 'Strategic planting with shrubs and planters to facilitate dispersal under/over the road bridge across Galmington Stream'. However, this would be compromised by street lighting and relies on connectivity to existing habitat in the green wedge.

I would therefore suggest a condition such as the following to ensure that adequate provision is given and as the application is outline:

- A minimum of 10 hectares of woodland and grassland habitat designed for and accessible to bats and dormice will be created and maintained in perpetuity, including 6 hectares south of the distributor road and out with any urban development. The location of these areas to be submitted to and agreed by Taunton Deane Borough Council
- An Ecological Management Plan (EMP) will be produced and submitted to Taunton Deane Borough Council for approval before any site clearance work commences on site
- To minimise the effects on bats and dormice, a specific lighting strategy (to be produced at the reserved matters stage) will be produced, including contours showing Lux levels down to 0.1 Lux and incorporating the following measures and to be approved by Taunton Deane Borough Council.
- Street lighting will be directed so as to avoid light spillage and pollution on habitats used by light sensitive species. The applicant will demonstrate that light levels falling on wildlife habitats do not exceed an illumination level of 0.5 Lux. Shields and other methods of reducing light spill will be use where necessary to achieve the required light levels.

Reason: Bats and dormice are afforded protection under the Habitats and Species Regulations 2010 [the 'Habitats Regulations'] which includes making it illegal to cause disturbance that is likely to impair a species ability to survive, rear or nurture their young, and to affect significantly the local distribution or abundance of a species. Taunton Deane policy, etc. An Ecological Management Plan is required as the habitat needs to be maintained functionally for the life of the development in order that Favourable Conservation Status of the affected populations is maintained.

As the development is permanent than the management of created habitats must be permanent.

I remain concerned about the potential fragmentation caused by the development on the local dormouse population.

Skylarks (a section 41 species NERC Act 2006) were recorded breeding on site but no mitigation is given. This species has been affected several developments around Taunton and effects are becoming increasingly cumulative.

Following extensive negotiations on the above issues, further comments were received on **10th August** confirming that ecological matters had been resolved.

NATURAL ENGLAND -

This reply comprises our statutory consultation response under provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, Regulation 61 (3) of the Conservation of Habitats and Species Regulations 2010, and Section 28(I) of the Wildlife and Countryside Act 1981 (as amended).

Internationally and nationally designated sites – No objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

We note that the Somerset County Council Ecologist agrees that the site is unlikely to be a foraging area for lesser horseshoe bats from Hestercombe House Special Area of Conservation approximately 6.5km away.

Designated Landscapes

This is a large development within approximately 3,000m of Blackdown Hills Area of Outstanding Natural Beauty. We therefore advise you to seek the advice of the AONB Partnership. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the AONB designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan.

Protected Species

We have not assessed this application and associated documents for impacts on protected species although we note the concerns of the Somerset County Council ecologist about the current mitigation proposals for dormice, bats and skylarks. We also note the likely need for mitigation licences for Bats and Dormice and the potential need for a development licence for Badgers. We would therefore encourage the developer to discuss these matters with Natural England an early stage.

Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk

Green infrastructure and biodiversity enhancements

The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. As such, Natural England would encourage the incorporation of GI into this development following the approach set out in the Taunton Deane GI Strategy. There are also guidelines on the development of this site that were agreed as part of the allocations process for the Taunton Deane Plan.

The application provides for an extensive green infrastructure. The LPA should review the proposed green infrastructure carefully to ensure that:

- it can be established and provide the required level of mitigation within an acceptable period;
- the planting design, species mix and other aspects of the scheme are appropriate to their landscape setting; and
- the appropriate management of the green infrastructure is properly provided for in terms of funding and a long term management plan.

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

This is a large development with a Local Wildlife Site (Galmington Stream) and parts of a Special Landscape Feature (Stonegallows Ridge) and Trull Conservation Area within the site. We advise that any decision takes into account the effects on these locally important sites and environmental features and seeks to avoid, mitigate or compensate for losses accordingly.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society) and a local landscape characterisation document in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

HOUSING ENABLING -

25% of the new housing should be in the form of affordable homes. The tenure split is 60% social rented 40% intermediate housing in the form of shared ownership. The type and size of the affordable housing units to be provided should fully reflect the distribution of property types and sizes in the overall development. 10% of the total affordable housing provision should be in the form of fully adapted disabled units. These homes should comply with a recognised and approved wheelchair design guide. The affordable housing should meet the Homes and Communities Agency Design and Quality Standards 2007, including at least Code for Sustainable Homes Level 3, or meet any subsequent standard which may supersede at the date of approval of the full application or reserved matters application.

Whilst no indication of the location of the affordable units within the scheme has yet been provided, this should be an integral part of the development and should not be visually distinguishable from the market housing on site. In addition, the affordable housing is to be evenly distributed across the site and in clusters of no more than 15 units. The practicalities of managing and maintaining units will be taken into account when agreeing the appropriate spatial distribution of affordable housing on site. Additional guidance is available within the Adopted Affordable Housing Supplementary Planning Guidance. The affordable housing scheme must be submitted to and approved in writing by the Housing Enabling Lead at Taunton Deane Borough Council. Early engagement with the Housing Enabling Lead to agree the affordable housing provision is recommended. The developer should seek to provide the Housing Association tied units from Taunton Deane's preferred affordable housing development partners list.

ENVIRONMENT AGENCY -

Their initial comments received on **13th February 2015** stated the following -

The Environment Agency OBJECTS to the proposed development, as submitted, on the following grounds:

All our pre-application discussions so far with the applicant have stated that surface water runoff for this site should be limited to 2 l/s/ha. From the Flood Risk Assessment (FRA) provided, they are now proposing to discharge at QBAR (6.4 l/s/ha). This is 3 times more than previously discussed. For a site of this size (50ha), this would mean the discharge would be 300 l/s instead of 100 l/s. We have also discussed an 8m buffer/exclusion zone on each side of the watercourse. There is no reference to this in the FRA.

This site is within the Taunton Deane Borough Council (TDBC) site allocation document, which states that surface water runoff from this site should be limited to 2 l/s/ha and provide buffer strips along watercourses. This application should be referred to both the Lead Local Flood Authority (LLFA) and TDBC drainage engineers as they will be the lead on this application in the future. Provided the above objection can be overcome we would wish to make further flood risk comments.

In addition to the above and subject to our objection being overcome, we would also seek the application of the following conditions and informatives:

CONDITION:

No development shall commence until a Green Infrastructure Strategy has been agreed with the Local Planning Authority (LPA). We would expect any such strategy to include preservation of the Galmington Stream corridor including that of any tributaries.

Reason: To conserve the integrity of the watercourse and its riparian habitats as a linear feature, and to provide connectivity between the downstream Local Nature Reserve (LNR) and the countryside beyond.

Note: At a minimum we would expect any development to lie beyond the Flood Zone 2 boundary or 8 metres from the watercourse, whichever is greater? Any such strategy should identify the measures to be included and how these will be managed in the future including if necessary a S106 agreement. To be effective green corridors need to be sufficiently wide to accommodate multiple uses without conflict.

CONDITION:

Any crossing of the Galmington Stream and tributaries should be by clear span bridges.

Reason: To maintain continuity of bank side habitat and free passage of protected species especially otter, in accordance with "the good roads guidance".

CONDITION:

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, an amendment to the remediation strategy detailing how

this unsuspected contamination shall be dealt with.

Reason: To protect controlled waters.

CONDITION:

No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been approved by the LPA.

The scheme should include details of the following:

1. Site security.
2. Fuel oil storage, bunding, delivery and use.
3. How both minor and major spillage will be dealt with.
4. Containment of silt/soil contaminated run-off.
5. Disposal of contaminated drainage, including water pumped from excavations.
6. Site induction for workforce highlighting pollution prevention and awareness.

Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

Reason: To prevent pollution of the water environment.

Note: Measures should be taken to prevent the runoff of any contaminated drainage during the construction phase.

The following informatives and recommendations should be included in the Decision Notice.

- We note that the outline proposals are the result of significant consultation. We also note reference in the flood risk section to the Routes to the River Tone Project. Those responsible for this development including the LPA planners should be liaising with the Project team to ensure that the development contributes to the Project and vice versa.
- In Para 5.22 Ecology Strategy within the D&A section we note that it states there are no statutory designated sites of nature conservation interest within or adjacent to the site boundary. This is not correct as the South Taunton Streams LNR is a statutory site.
- We have some concerns over the potential proposal to provide some sort of foul storage to deal with foul discharge from the development. There need to be safeguards to ensure that any such system is adequately monitored. The site the event of an emergency overflow.
- We particularly welcome the siting of schools within easy reach of the green corridor so that full advantage could be taken of opportunities for education, exercise and "wildplay". This is one of the key objectives of the Routes to the River Tone project. Local schools have already benefited from "wild play" and the Glasses Mead area of the Galmington Stream has already demonstrated the value of green space with a small watercourse.

Further comments received on **11th September 2015** make the following observations -

Thank you for referring the revised details concerning the above application, which was received on 4 September 2015. The Environment Agency has no comments

to make, in addition to those contained in its letter dated 26 June 2015 regarding the proposal.

DRAINAGE ENGINEER -

I fully agree with the comments of the Environment Agency in their response dated 13th February 2015 and the need for a revised FRA.

At some stage a surface water limitation scheme will have to be submitted to and agreed in writing by the LPA. The use of sustainable drainage systems will be required as stated in any FRA to reduce the rate of run-off and pollution risks etc. These techniques involve controlling the sources of increased surface water and should include interception and porous paving/surfacing infiltration techniques, detection/attenuation facilities and wetlands.

No development shall commence on site following any planning permission, until a full operation and maintenance strategy has been submitted to and approved in writing by the LPA. The strategy shall identify all future land-use limitations, identify the ownership, operation and maintenance arrangements for the works over the lifetime of the scheme.

WESSEX WATER -

The site will be served by separate systems of drainage constructed to current adoptable standards please see Wessex Water's S104 adoption of new sewer guidance DEV011G for further guidance.

The developer has been working with Wessex Water over a period of time to review water and waste services required to serve this new development and subsequent proposed phasing. An outline foul drainage strategy has been agreed in principle which will require further development and agreement. Arrangements include connection to existing New Barn pumping station for an initial 300 dwellings with sewer upsizing and additional pumping station storage with EA consent review. Additional downstream sewer upsizing and storage will be required for future phases over the initial 300 dwellings.

As detail has yet to be agreed we request a planning condition as follows:

Foul Water Planning Condition -

The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker.

- a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing.
- the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream

property.

Surface Water.

The developer is proposing to drain surface water from the site to existing land drainage systems with flood risk measures to be agreed with the Environment Agency and the Local Planning Authority/Lead Local Flood Authority. Elements of the system can be offered for adoption by Wessex Water.

Water Supply informative

The point of connection for the overall Comeytrowe development has been identified as off the new 450mm diameter main near Cannonsgrove House. Temporary connections prior to the construction of a trunk main to the point of connection to the south will need to be agreed with Wessex Water under Section 41 of the Water Industry Act. Outline details as follows;

- Subject to application 100 – 150 dwellings at the northern extent of the site may connect at an agreed point to one of the mains in the A38 close to Stonegallows.
- This connection will necessitate some upgrade works to Stonegallows pumping station.
- System valves are likely to be required with installation proposed at Heron Drive and Heron Close.
- The remaining properties and ancillary development (subject to agreement of demand requirements and application, not exceeding 800 dwellings total, including the 100 - 150 above) will connect to the 300mm DI main in Comeytrowe Lane.
- Properties above 55mAOD seeking connection to the 300mm DI main will require an on site booster(s) station.
-

LEISURE DEVELOPMENT -

In accordance with local plan policy C4, provision for play and active recreation should be made for the residents of the proposed dwellings.

On a development of 2000 dwellings, on-site provision of recreational open space of 13 hectares should be sought. Of the 13 hectares, 9 hectares should be active recreational open space to include playing fields laid out and equipped for formal sports plus recreational open space and 4 hectares of both equipped and non-equipped play space should be provided. The equipped childrens play areas proposed on the Green Infrastructure Parameter Plan of 4 x LEAP and 1 x NEAP are insufficient for the size of the development.

On-site allotment provision of 15.4 square metres per dwelling should be sought as the quality standard stated in the Council's adopted allotment strategy. A development of 2000 dwellings should provide 3.8 hectares of allotments.

An on site community hall consisting of a main hall, toilets, kitchen and two meeting rooms should also be provided as detailed in the Council's policy for the provision of community halls in Taunton Deane.

A contribution to public art should be requested by commissioning and integrating art into the design of the buildings and the public realm.

POLICE ARCHITECTURAL LIAISON OFFICER -

Makes the following comments with regard to designing out crime and disorder:-

NPPF – the NPPF states that new developments should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion (para.58) and safe and accessible developments, containing clear and legible pedestrian routes and high quality public space, which encourage the active and continual use of public areas (para.69).

Design & Access Statement – the DAS for outline and detailed applications should therefore demonstrate how crime prevention measures have been considered in the design of the proposal and how the design reflects the attributes of safe, sustainable places set out in ‘Safer Places, the Planning System & Crime Prevention’. In this regard, the DAS submitted in support of this application in Section 5.3 headed ‘Safety & Security’ addresses all the attributes of safer places i.e. Access & Movement; Structure; Surveillance; Ownership; Physical Protection; Activity; Management & Maintenance. Without reiterating all the comments made, this indicates to me that the applicant has considered crime prevention measures in the design of this proposal.

Crime Statistics – reported crime for the area of this proposed development during the period 01/02/2014-31/01/2015 (within 500 metre radius of the grid reference is as follows) is as follows:-

Criminal Damage - 2 Offences (1 damage to dwelling & 1 damage to motor vehicle)

Theft & Handling Stolen Goods - 4 Offences (incl. 1 theft from motor vehicle)

Violence Against the Person - 6 Offences (incl. 3 Common Assault)

Total - 12 Offences

This averages 1 offence per month, which is a very low crime level, probably due in part to the fact that the majority of the area of this proposed development is currently undeveloped land.

Layout of Roads & Footpaths – although there is limited detail on the Illustrative Masterplan, the proposed routes appear to be visually open and direct and should not undermine the defensible space of neighbourhoods. The comments made in the ‘Access and Movement’ section of the DAS appear to support this.

Layout & Orientation of Dwellings – dwellings should be positioned facing one another to allow neighbours to easily view their surroundings and make the potential offender feel more vulnerable to detection.

Public Open Space – communal areas have the potential to generate crime, the fear of crime and anti-social behaviour and should be designed to allow supervision from nearby dwellings with safe routes for users to come and go. This would appear to be

covered in the sections headed ' Surveillance' and ' Quality and Management of the Public Realm' in the DAS. At this outline stage, the only potential areas of concern in this respect appear to be parts of Areas 15, 9 and 6 referred to in the Illustrative Masterplan which may be subject to limited natural surveillance.

Dwelling Boundaries – it is important that boundaries between public and private areas are clearly indicated. The bullet points made in the sections headed 'Ownership' and 'Structure' in the DAS appear to cover this.

Car Parking – cars should either be parked in locked garages or on a hard standing within the dwelling boundary. Where communal car parking areas are necessary they should be in small groups, close and adjacent to homes and within view of 'active' rooms within these homes. Rear car parking courtyards are discouraged as they introduce access to the vulnerable rear elevations of dwellings where the majority of burglaries occur.

Planting – planting should not impede opportunities for natural surveillance nor create potential hiding places and, in areas where good visibility is needed, shrubs should be selected which have a mature growth height of no more than 1 metre and trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision.

Street Lighting – all street lighting for both adopted highways and footpaths, private estate roads and footpaths and car parks should comply with BS 5489:2013.

Secured By Design – if planning permission is granted, the applicants are advised to formulate all physical security specifications of the dwellings i.e. doorsets, windows, security lighting, intruder alarm, cycle storage etc in accordance with the police approved 'Secured by Design' award scheme, full details of which are available on the SBD website – www.securedbydesign.com

NHS ENGLAND AREA TEAM -

The Bristol, North Somerset, Somerset and South Gloucestershire (BNSSSG) Area Team of NHS England welcomes the opportunity to comment on the proposed new developments in Taunton. The comments in this response should be used by the Planning Authority to relate to Infrastructure Requirements for NHS England to ensure access for residents of new residential developments to GP Primary Care services is secured.

The new homes Taunton will generate a significant number of new residents who will all require access to Primary Care Services in the area including GP services. The majority of comments are based on statutory responsibilities to provide healthcare facilities for the population of Taunton Deane and build on the work within the Area Team Boundaries, which sets out how it will ensure easier access for residents of this new residential development to GP Primary Care services.

[NHS England commissioning responsibility.](#)

NHS England has a duty to commission local healthcare services to meet the expected needs of the population of South Gloucestershire including the demands of the additional population of the new developments. The NHS structure within England changed on the 1 April 2013 with the enactment of the Health and Social Care Act (2012). This change principally created NHS Commissioning Board, known as NHS England, replacing the Primary Care Commissioning function previously undertaken by Somerset Primary Care Trust (NHS Somerset). At a local level, Public Health now sits within Somerset County Council which leads on the health and wellbeing agenda, focusing on the promotion of prevention and the reduction of health inequalities, through partnership working and commissioning across the five district council areas of Somerset. NHS England will be developing a Primary Care Strategy with the new partner NHS organisations including Somerset Clinical Commissioning Group. This strategy will inform NHS England's responses to Infrastructure requirements e.g. on new communities and new housing developments within Somerset. In the interim, the BNSSSG Area Team of NHS England is considering the work developed by NHS Somerset, and has used this to inform the comments on the proposed new neighbourhoods in Taunton. This sets out how access to GP Primary Care services is ensured for residents of this new residential development in Taunton Deane.

Nature of General Practice

Primary Care services account for around 90% of the public's contact with the NHS and can significantly improve the health of the local population, identifying and managing chronic disease and illness, and reduce reliance on hospital care. Primary Care needs to sit at the heart of natural communities, supported by community and social care services. NHS England's vision is to make an increasing percentage of care available close to people's homes and to deliver more services in primary care and community settings, whilst reducing unnecessary reliance on hospital care. This will support the delivery of productivity and efficiency savings in secondary care, but will also make additional demands on primary care providers in terms of both direct service provision and in playing a more active role in managing local resources (for example developing and regularly reviewing care plans to reduce the risk of vulnerable people being admitted to hospital for preventable illness). The commissioning trend across the whole of the England is towards larger practices employing more GPs or through federations of practices, together with the increasing co-location of Primary Care and other services. This is because larger practices have more capacity to provide increased services and the necessary infrastructure to ensure that quality standards are being met and that clinical staff receive appropriate support and development.

In general larger practices are better able to provide a wider range of health services and support the systematic tracking and improving of the quality of care for patients with conditions such as asthma, diabetes and coronary heart disease, and for those with the most complex care needs in the community. By developing bigger practices, we can provide a wider range of services to patients and provide extended access to services in the evening and at weekends. Bigger practices are better able to work with partners to pursue areas of joint practice. The development of new primary care

estate must facilitate improvements in the range and quality of services offered in primary care. In particular it should enable GPs and their teams to play an even greater role in primary and secondary prevention of ill health, and to maintain and further improve the quality of services. As a result it is unlikely new small stand-alone practices in North Somerset would be commissioned with less than four GPs and preferably six GP practices as they would be probably unable to provide a wide range of high quality primary medical services.

Healthcare facilities for new development.

Early NHS policy set a straightforward geographical criterion such that a GP is “within walking distance for mothers with prams”. The NHS still recommends that patients register with their local GP. New residents are able to choose which GP practice to register with but NHS North Somerset believed that residents having access to a GP within 15 minute walk or public transport is an appropriate measure of accessibility. At this stage of the development it is not possible to determine travel times for public transport or walking but the Area Team of NHS England would support the requirement for public transport and cycling/walking routes to be provided within the development area to provide that accessibility.

The Planning Authority has indicated that 1500 new houses in Staple Grove, and 2,000 in Comeytrove would result in 8,400 new residents in Taunton. This equates to approximately 4.9 GPs to provide sufficient capacity for the new residents.

Capacity in neighbouring general practices

There are several practices in the area with 4 practices close to the sites. However, based on an analysis of the number of GPs at these practices and space available there is insufficient capacity to accommodate the numbers of new patients expected. For the purposes of overall planning, the policy was to define capacity in general practice as fewer than 1,700 patients per GP. This was the standard adopted by NHS Somerset in considering new developments, the equivalent of one extra GP for each additional 1,700 new residents. This is above the national average number of patients per practitioner which has fallen from 1,795 in 2000 to 1,567 in 2010. Therefore fewer GPs were commissioned in NHS Somerset than average areas. In the absence of national policy, NHS England, South, South West has used these guidelines to inform our recommendations for this document. Patients can register with a GP practice of their choice, as long as they live within its catchment area and it is accepting new patients. GP practices now agree their practice boundaries with NHS England. Practices can apply to NHS England if they have insufficient capacity to care for further patients to close their patient list. Currently there are no practices in Somerset with a closed patient list. An analysis of the capacity of neighbouring practices to determine the typical costs and sizes of primary healthcare facilities could incorporate the population projections for the area. To assess the infrastructure requirements a benchmarking exercise was undertaken to determine typical costs and sizes of primary healthcare facilities so a projection of future demands and need could be made. The results of this indicate there is no local capacity that is accessible and hence the assessment of the need in total for each development is

Staplegrove 2.12 additional G.P.'s
Comeytrowe 2.82 additional G.P.'s
Both of which will require an additional 700 m. sq. of new space.

NHS England South, South West recommends there is a requirement for creating this additional space within a Business case to redevelop one or more of the existing surgeries to include the space needed for the proposed the new population of 8,400 residents in Taunton. This is because the existing surgeries do not have sufficient capacity to be extended. NHS England and Somerset CCG are preparing a Local Estates Strategy due to be published in December 2015, which will address the proposed population increases in Taunton and propose the preferred option to meet the need.

Early provision of healthcare facilities

The BNSSSG Area Team of NHS England would strongly endorse the need for healthcare facilities to be provided at the outset of the construction phase because it is important that there are healthcare facilities available before residents occupy their houses. Given there is no capacity in neighbouring practices outlined earlier, NHS England would be unable to fulfil its statutory duties without further interim provision of local healthcare services during the development process. NHS England would therefore support the potential for temporary provision and co-location in appropriate locations until the completion of the final facilities – provided that this was at no additional cost to NHS England and satisfied relevant CQC Regulations and appropriate standards for a new GP Practice. NHS England believes that additional GP provision should be available for the new residents of Taunton by the completion of the 250 dwellings at each site. This would allow for incremental increase in services available in good time for when they will be needed. This would also allow sufficient time to plan and develop the permanent facility required on the completion of the proposed new neighbourhoods at Taunton.

Pharmaceutical services

The NHS Somerset Pharmaceutical Needs Assessment, 2011 (PNA) provides an overview of pharmaceutical services provision. This document identified new housing developments with planning permission within Somerset. When the PNA was approved there were no gaps identified within current provision, and the national contract with each existing community pharmacy does not have a ceiling to contractor activity. Therefore the current level of contractors is adequate to meet the needs of the current population. A pharmaceutical services provider can apply for a new pharmacy contract when a gap is identified within the PNA. Access to pharmaceutical services is anticipated to be available in (or adjacent to) areas where people access routine healthcare (GP surgeries) and/or major retail areas. These are considerations in planning access to pharmaceutical services for each new community development, in addition to access to existing services

Additional Pharmaceutical Services

Although there are adequate pharmaceutical services to meet the needs of the new populations, the pharmaceutical provision from nearby pharmacies may not be

readily accessible to the new population. Nearby pharmacies are sited adjacent to and/or near other local primary care centres or in major retail areas, and they may require excessive travel. Thus, securing accessible pharmaceutical services within the new community may require the provision of pharmaceutical premises within the Taunton New Neighbourhoods. The BNSSSG Area Team of NHS England would, therefore support the provision of accommodation within the retail centre or co-located with the GP practice(s) for pharmaceutical services should be planned. In line with the commissioning guidance under which NHS England operates, Somerset Council will carry out full reviews of the PNA every three years. Any 'gaps' in pharmaceutical service provision for the new residents of Taunton New Neighbourhoods which are identified and published within the PNA will allow the consideration of a new pharmacy contract within the Taunton New Neighbourhoods.

Dental services.

Since 2006, patients are not registered with dentists and a dentist is only responsible for a patient's care whilst they are in a course of treatment. Although many practices do have their 'regular' patients, the commissioning of dental services differs somewhat from that of general practice.

Additional Dental Services

Dental needs are calculated on Units of Dental Activity, which relate to calculating the amount of dental time needed to provide a range of treatments e.g. an examination = 1 unit and a complex treatment conducted over a number of weeks might equal e.g., 12 units of activity or standard appointment slots. The usual planning assumption is 1 dentist per 2,400 patients and so the Taunton new neighbourhood would equate to approximately an additional 3.5 dentists.

Staplegrave - would require about 1.5 dentists to provide care for the new population
Comeytrowe – would need 2 dentists to provide care for the new population

The majority of the General Dental Services contracts were within the range of 96%-100% contractual achievement. The practices in the immediate area may not have capacity for growth. Under the terms of the dental commissioning guidance NHS England would have to carry out a tender process before awarding any new General Dental Services contract within the Taunton New Neighbourhood or increasing any existing contract.

Optometry services

As with dental services above, patients are not registered with an optometrist and an optometrist is only responsible for a patient's care in respect of assessing a patient's vision and eye health, issuing optical prescriptions and provision of optical vouchers for appliances such as spectacles and contact lenses. However, as with dental services, many optometrists do have their 'regular' patients. NHS England has a responsibility to arrange for essential primary ophthalmic services i.e. NHS sight tests for those who are eligible. Furthermore, any suitable optometry provider is able to apply for a contract to provide NHS sight tests and there are no restrictions on the number of contracts that may be awarded or the number of sight tests they may carry out. The current national contract with each existing optometry provider does not have a ceiling to contractor activity.

Additional Optometry Services

Although there may be adequate optometry services to meet the needs of the new population in the town centre, the optometry provision from nearby optometrists may not be readily accessible to the new population. Nearby optometrists are sited adjacent to and/or near other local primary care centres or in major retail areas, and they may require excessive travel. Thus, securing accessible optometry services within the Taunton New Neighbourhoods may require the provision of optometry premises within the Neighbourhood Centre to improve accessibility to these services. NHS England anticipates some optometrists may apply for a new contract(s) in these two developments as all current premises are located around the Town Centre of Taunton. Accommodation should be made available within the neighbourhood centre or within the GP practice(s) for optometry services.

Outline of Healthcare Infrastructure Needs

The BNSSSG Area Team of NHS England requests contributions to enable the construction of extension space for 5 GPs, 3 dentists with retail space available for optometrist and pharmacy outlets.

- GP Services: contribution of 700sqm towards a new surgery to replace one or more of the existing surgeries would be c£1,575,000 +VAT = £1,890,000 at an estimated project cost of £2,250 per sqm the current NHS construction costs advised by the District Valuation Office.
- a three dentist surgery of 120m² of space (GIA) with a budget cost of £270,000 (excl VAT) at £2250/m² = £324,000

This funding will be required on the completion of 250 homes in each development to ensure adequate capacity can be developed and planned to a total of £2,214,000 (incl VAT) excluding land. This would be applied pro rata to each development with

Staple Grove = $1500/3500 * £2,214,000 = £949,000$

Comeytrowe = $2000/3500 * £2,214,000 = £1265,000$

BLACKDOWN HILLS AONB SERVICE (Planning Officer) -

I note the principle of this development is contained within the adopted core strategy, and that all matters are reserved, except for point of access. In due course there may well be design and master planning matters that could impact on the AONB – for example light pollution from street and amenity lighting, development in locations that are very prominent in long views from the Blackdowns. For now I would like to highlight the importance of green infrastructure provision connected with the development, which has the potential to provide physical links with the AONB, and to ensure that development here does not prevent the opportunity to develop walking and riding links between the Blackdown Hills and Taunton.

SCC - CHIEF EDUCATION OFFICER -

Primary School Places

A development of 2000 dwellings would equate to the need for 400 primary school places. The primary schools on this side of Taunton are all at or near capacity now given the rise in birth rates over recent years and it would not be possible to provide anywhere near sufficient places to serve this development without providing a new school. In the absence of being able to secure funds directly from the developers through Section 106 of the Planning Act, the County Council would require CIL receipts collected by the Borough Council to be made available for this purpose.

Pre-School Provision

The County Council has a statutory duty to ensure the sufficiency of pre-school places for all three-four year-olds and a proportion of two year-olds. Using the same statistical analysis from which school pupil forecasts are derived, the Local Authority anticipates that each 100 new dwellings are likely to result in about six children aged three-four requiring statutory childcare and one child aged two. On the assumption that each child would attend either a morning or an afternoon session, each 100 new dwellings would generate the need for three-and-a-half full-time childcare places to be provided. A development of 2000 dwellings would therefore equate to the need for 70 such places and it would be preferable if at least the majority of these were made available at a new primary school. Again, CIL receipts would be necessary to assist in the delivery of these.

Primary School Site

There are two potential alternative sites indicated in the application. Option 1 would be preferable, given its relatively level nature, but it is essential for the reasons outlined above that the school is delivered at the earliest opportunity. Option 2 could probably be delivered sooner under present proposals regarding phasing of construction, but the County Council is very concerned about the practicality of the extent of earthworks necessary in order to facilitate an acceptable school layout and it would be likely to be unacceptable for this reason. The County Council would therefore prefer the construction programme to allow early provision of Option 1, which would also be more central to the urban extension as a whole.

Secondary School Requirements

A development of 2000 dwellings would equate to the need for 286 secondary school places. Castle School is the most accessible from the development site and this falls within its catchment. However, the school is already over-subscribed and there are very restricted options to enhance its capacity on its current site. The Trull Pre-Submission Draft Neighbourhood Plan suggests that opportunities to create a new campus for the school to the south-west of Taunton, which would also cater for the new community, should be explored; the County Council would support this.

WALES AND WEST UTILITIES -

We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of General Conditions for your guidance. This plan shows only those pipes owned by Wales & West Utilities in its role as a Licensed

Gas Transporter (GT). Gas pipes owned by other GT's and also privately owned pipes may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty and the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Wales & West Utilities, its agents or servants for any error or omission. Wales & West Utilities has pipes in the area. Our apparatus may be affected and at risk during construction works. Should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable. You must not build over any of our plant or enclose our apparatus. Please note that the plans are only valid for 28 days from the date of issue and updated plans must be requested before any work commences on site if this period has expired.

Representations

A total of 562 consultation responses were received from members of the public about the outline planning application for the SW Taunton urban extension (up to 12th October 2015).

A significant number of responses (444) referred to the impact the development will have on traffic congestion in the local area. This was the most frequently mentioned issue and also often referred to the existing problems with 'rat running' on the local residential roads, concerns surrounding pedestrian safety and the problem of parking in residential areas due to visitors and staff at Musgrove Park Hospital. The responses raised concerns that these existing problems would be exacerbated by the proposed development.

A significant number of responses raised concerns about the delivery of supporting infrastructure and local services, in line with the development. In some cases the importance of infrastructure being delivered ahead of the proposed development, particularly the proposed primary school (197 responses). These responses also focused specifically on concerns regarding the lack of a new secondary school as part of the development (257 responses) and also the capacity of the local health services (151 responses).

A significant number of responses raised concerns about existing flooding problems in the local area and sought reassurances that the new development would not increase the risk of flooding on the Galmington Stream and the Sherford Stream.

Several responses also questioned the overall need for the development, given the level of existing housing development elsewhere in the borough and emphasised the need for brownfield sites (Firepool and Tangier) to come forward ahead of the proposed development at SW Taunton. Some responses also questioned why the former abattoir site does not form part of the development proposals.

The perceived lack of employment opportunities in the wider Taunton area was also a concern. Often associated with this, was the view that most Taunton residents need access to the M5 for commuting and further housing development would be more appropriately located at Junction 25.

Several responses raised the need for the link road between Honiton Road and the A38 to be completed early in the development whilst other responses raised concerns about the resulting increase in traffic on the Honiton Road and the impact this would have on Trull village and pedestrian safety.

The siting and size of the green buffers between the existing residential areas and the proposed development was also a regular issue raised with respondents, requesting these areas be increased in size to minimise the impact of the new development on the village of Trull and the existing residential areas in Comeytrowe.

Concerns regarding the loss of agricultural land and open countryside were also frequently mentioned. The overall impact of the development on the local environment and especially the impact on Trull village and the rural nature of the local area were also concerns raised. The effects on wildlife was another concern.

The following issues were also raised by respondents but less frequently:

- Impact of the proposed bus route on Comeytrowe Park
- Prematurity of the proposals in terms of the emerging Trull Neighbourhood Plan
- The lack of public transport in the local area and questioning the need for an additional park and bus site
- Impact of construction traffic on the local road network
- Impact of the construction over a long period of time in terms of noise and air pollution

Themes and specific comments raised include:

1. Traffic congestion, impact on local road network and transport related issues (431 responses)

- Concerns about existing use of local road network as 'rat runs' to avoid congestion on A38 and Honiton Road and how the proposed development will exacerbate this situation. Many responses requested traffic calming measures on existing residential streets as a result of the development.
- Concerns that the proposed link road between A38 and Honiton Road will increase traffic in Trull village as motorists seek to avoid congestion on A38.
- The proposed link road between A38 and Honiton Road should be completed early in the development.
- Concerns about the existing use of local road network for parking by visitors and staff at Musgrove Park Hospital and how the proposed development will exacerbate this situation.

- Concerns about existing pedestrian safety due to the lack of pavements in the local area and how the proposed development will increase risk to pedestrians.
- Concerns about the traffic congestion approaching Compass Hill and the lack of any proposals to address this problem.
- The need for a southern relief road to provide better access to the Junction 25 without having to travel through the town centre. Travel times to M5 were considered excessive.
- Access from the proposed development to Comeytrove Lane should not be provided.
- Concerns about the impact of the proposed bus route through Comeytrove Park and the resulting loss of green space.
- Concerns about the adequacy of existing public transport and whether improvements to bus services, will provide an attractive and viable alternative means of travel to the existing and new population.
- Concerns about the need for an additional park and bus site given that the Silk Mills P&R does not operate at full capacity and whether the proposal will provide an attractive and viable alternative means of travel to the existing and new population.
- Concerns about traffic congestion and the ability of emergency vehicles to access Musgrove Park Hospital.
- Concerns raised about the adequacy of the transport modelling work and the timely delivery of required transport related improvements.
- Questions raised about the assumptions in the Transport Assessment and whether the proposed on-site employment, bus service improvements and personalised travel planning were sufficient measures to address arising traffic congestion.
- The Transport Assessment of junctions does not include Trull Road junction where it joins the A38 Compass Hill.
- Concerns about the increase risk of air pollution due to the increase in traffic congestion.
- The application should provide more detail on the points of access and the route for the link road.
- The Road Safety Audit contains a recommendation that “The proposed A38 access, ghost island, and right turn lane should not be provided”. These recommendations have not been accepted by the Applicants being justified by a perceived need to encourage patronage of the park and ride site prior to any queuing at the roundabout. This assertion simply doesn’t stand scrutiny.
- It is good highway practice and safer to take access to development off nearby existing or proposed side roads rather than allowing direct access onto a

through route.

- The data submitted shows that for the years analysed there were 2.5 times more personal injury accidents on T or staggered junctions than roundabouts and 16 times more fatalities. The application should be refused because the proposed access arrangements for the Bus Park and Ride are not the safest practicable solution. In addition to introducing potential high speed conflicts on the A38 there is also the potential for queuing traffic in peak periods to block traffic travelling to Taunton.
- The planning application and Environmental Statement are silent on the issue of congestion on Trull Road and at its junction with Compass Hill. In October 2014 Parsons Brinckerhoff published the final version of the Site Allocations and Development Management Plan modelling Assessment which identified the Compass Hill Gyratory as one of the worst performing junctions in Taunton & Wellington in 2028 and noted that the Trull Road approach was identified as significantly over-capacity. The omission from the Planning Application of any analysis of the Trull Road/Compass Hill junction, or the Compass Hill Gyratory is inexplicable and should be rectified before the planning application is determined.
- The analysis actually shows that in 2028 the proposed development would increase the predicted maximum queue on Regent St (Bradford-on-Tone road at the Heatherton Park Staggered Crossroads) from 3 vehicles to 23, an increase of 20, and delay per vehicle would increase from 2 to 11 minutes, when compared to 2028 conditions without the proposed development. This is a severe residual impact that if left unaddressed should be cited as a reason to refuse planning permission.
- An unrealistically optimistic view of congestion is being modelled at individual junctions. Before community changing planning decisions are made TDBC and the Highway Authority need to satisfy themselves that the prediction model submitted reasonably reflect current congestion conditions, as measured by queue lengths and average delay.
- TDBC should satisfy itself that the congestion modelling it is relying on to determine the application is adequately validated against current 2015 traffic conditions, otherwise additional congestion impact will adversely affect the lifestyle of Taunton residents and its attractiveness to job creators and inward investors.
- Wellington Road is already at full capacity and is at a standstill during rush hours
- Why is the bus route needed into the site off Comeytrove Road/Lane. This will be used when the A38 is jammed and put additional pressure on Queensway.
- Comeytrove Road floods. Adding more houses will exacerbate the problem. The topography is not suitable for more houses.
- Comeytrove Lane will become a rat-run and there is no evidence of any

planned measure to address this.

- I have no expectation that planned pedestrian/cycle routes and the park and bus facility will suitably mitigate for an additional 2000 households adding to A38 congestion.
- The representation of the roundabout *[at Trull]* portrays a bucolic scene of open fields surrounded by trees. Missing are the lighting (which would have an adverse effect on both wildlife and residents) and signage that would be required!
- The highway mitigation measures proposed are very small for such a large development where the A38 already has severe congestion issues.
- None of the road schemes identified in the IDP will assist in mitigating the effect of this development. For these congestion reasons alone the development should be rejected, as it is unsustainable - which is a fundamental TDBC requirement as set out in the NPPF, Core Strategy SS7 and SADMP TAU1.
- No through access by private car between the new development and 'Comeytrowe Lane and Comeytrowe road', a road junction is not needed here, and should be removed from the developer's plans. There doesn't appear to be any proposal to separate the 1950 dwellings from the 50 within the development - the 50 being the ones that are presently proposed to access the development via Comeytrowe Lane. The whole of the 2000 houses could by this lack of separation 'rat-run' through Comeytrowe - unless there is no access road at all. Busgates do not appear to be mentioned in the proposals, and have also a poor record in Taunton of being maintained in operation.
- In spite of assurances to the community that there would be no permeability through Comeytrowe, the developer now seeks to put a bus route through Comeytrowe Park by this amended application.
- what guarantees can be given that the spine road will be fully built?
- The details of the spine road as set out in Design statement and the Transport Assessment are totally unsuitable for a main connection route like this. It does not comply with DMRB or Manual for Streets 2. Parallel parking will introduce the problems of Comeytrowe all over again and MUST be resisted on this spine road. This should not be an estate road – it is a main circumferential connection.
- The spine road needs to be fully in place before the school building is begun. Additionally there must be provision for dropping off by separated lay-bys for the safety of the children and parents.
- The Honiton Road Galmington Road junction is the wrong place for traffic lights.
- The favoured roundabout choice for the Trull access has a number of safety failings.
- The Applicant has not addressed the concerns raised in Somerset County

Council's Safety Audit.

- The proposed Comeytrove Lane access will be unsafe because of the increased traffic.
- The application does nothing to mitigate the existing chaos on the A38 let alone traffic from the additional 2000 homes proposed.
- There needs to be a clear timetable and funding for a southern relief road before this development is approved.
- The proposed buslink into Tauton town centre is shown as going through a neighbourhood park. This is totally unacceptable.
- If the development goes ahead the spine road has to be completed first before any significant takes place.
- All site traffic must come off the A38.
- I understand the Honiton Road roundabout will not be constructed until 2024. This will be too little, too late.
- The roundabout at Honiton Road should be continued to create the much needed southern relief road.
- There appears to be no solution offered to the problems this development will create when the increased weight of traffic converges on Compass Hill from either the Honiton Road or the Wellington Road.
- All access should be from the planned new link road as there is absolutely no need for a bus gate or emergency access off Comeytrove Lane.
- If this development goes ahead, Comeytrove Road should cease to be a through road and become a pedestrian and cycle route only for reasons of safety and amenity. The break should be at Horts Cottages to allow their continued access from the north end, and the cottages at Trull access from the Honiton Road end.
- The submission includes a Transport Management Organisation (TMO) which will not work efficiently. Can the consultants specify anywhere in the UK where such a scheme works?
- This development cannot possibly be justified as sustainable development when it will inevitably result in serious traffic congestion with the potential to bring the entire town of Taunton to a grinding halt.
- The proposed changes in priority to the Chelston roundabout would be likely to cause more problems than they solve.
- There appears to be a problem with the new southern splay from the existing Honiton Road to the new road. I estimate that gradient as being 1 in 6 uphill.
- A chicane system would have the desired effect of slowing down traffic using

Comeytrove Lane whilst acting as a deterrent to motorists who would have an alternative route (the spine road).

- CPRE Somerset maintain that the main road network in and around Taunton is already overloaded and building a road through the new development, connecting Rumwell to Trull will simply add to the pressure on the Honiton road where daily jams already occur.

2. Infrastructure

- Concerns about the timely delivery of infrastructure required to support the new development and the strain the proposed development could place on existing infrastructure.
- Concerns about the shortage of primary school places in the local area and the need for the primary school to be delivered early (195 responses).
- The lack of a new secondary school as part of the proposals and the shortage of secondary school places at Castle School (255 responses, incl. CPRE Somerset).
- Concerns about the impact on health services especially Musgrove Park Hospital and College Way Doctors Surgery (149 responses).
- Concerns about the timely delivery of the local centre.
- Concerns about the ability of the existing sewage network to accommodate the new development.
- Concerns about increased waste arising from the development and lack of waste facilities to address this problem.
- Requests that the development provide facilities for faith communities.
- The FRA focuses on downstream risk and not on upstream risk.
- Dipford Road becomes flooded after prolonged and heavy rainfall and thereby blocked.
- Other streams and water outlets discharge into Galmington stream and have not been referenced.
- It is not acceptable to try and sort out existing flood risk deficiencies at a later stage.
- Please push hard to try and create environments where people can find their place in neighbourhoods which will have meeting places and amenities for real life, especially a faith community facility.
- The proposed Public Open Spaces are insufficient in number and area and too sparsely distributed.
- The Application does not make provision for the following: a District Heating

Scheme, a Secondary School, any Residential Institutions, or a second 'village' centre.

- We question whether this scheme should be proceeded with when the aspects of industrial growth and job creation in the town are so patently not being realised.
- The Primary school is shown in the field's lowest point, the point which floods. The school should be moved south and east.
- 1000 extra people will burden the already overstretched local medical services before any on site provision is made.
- The new Green Infrastructure Parameter Plan differs significantly from the Surface Water Drainage Strategy plan in its land use allocation, throwing doubt on the calculations.

3. Flooding

- Concerns raised about existing flooding risk associated with Galmington Stream and the increased flooding risk the proposed development would pose to the local area.
- Concerns raised about existing flooding risk associated with Sherford Stream and the increased flooding risk the proposed development would pose to the local area.
- Concerns that the supporting flooding evidence does not reference local flood events of 2013/14 and that Environment Agency flood maps/data is inaccurate.
- The flood alleviation plan has not considered flooding on the local rural roads especially Dipford Road and Comeytrove Lane.
- Taunton Deane Borough Council should ensure that maintenance arrangements are in place to ensure flood alleviation proposals are maintained in the longer term.
- The existing large sewer pipes which cross the Galmington Stream at the bridge in Claremont Drive act as a dam which collects debris and increases flood risk to local properties.
- Concerns regarding increased flooding risk associated with the Kinglake development in Bishops Hull and the impact further development may have on increasing flood risk to existing properties.
- Flood defences should be improved upstream from Horts Bridge.
- The Future flood risk map for 100year + climate change shows that part of the area planned for the school building could be at risk of flooding in this 1% chance+ climate change allowance.
- The spine road alignment shows a flood level at around 31.5m AOD, which is

some 0.6m below the road level. This might need raising so as to accommodate climate change flood level & construction depth.

- The Applicant has not investigated the hydrology of the site and wider catchment, and has made unverified assertions about permeability. As such, the proposals do not meet the recommendations in their own Flood Risk Assessment.
- The construction of buildings and hard surfaced parking areas (park n bus) in the west of the application area will only increase flooding on the A38 and surrounding farmland
- The water table is very high for most of the winter in the field opposite Colman Road and is the natural place for an attenuation pond. This will ease any pressure the development will place on Galmington Stream. The whole field should be used as an attenuation pond and double up as an amenity area, much like Long Meadows on Silk Mills. The amended plans only show a modest attenuation pond as an overspill widening to the existing stream.
- No detailed SuDS plans are available so it is not possible to assess this aspect of the proposal.
- No provision is made for any routine monitoring or maintenance of the SuDS system.

4. Principle of development

- Question the need for further housing in Taunton given the level of existing housing developments under construction.
- The Core Strategy housing requirement should be reviewed.
- Suggestions that new housing should be located at Junction 25 or further along the A38 towards Wellington to allow access to Junction 26.
- Responses highlighted the need for brownfield sites in the town centre to be developed before further greenfield development is permitted.
- Concerns about the perceived lack of employment opportunities for the incoming population.
- Question need for 2000 houses given that the Core Strategy only proposes up to 2000 dwellings.
- Concerns about the lack of an agreed Masterplan ahead of the planning application being submitted.
- Nobody in the community wants this development and it is being foisted on us by the developer and by the councils – if this is allowed to proceed. Neither is it in the best interests of Taunton as a whole.
- The key principle of sustainability must be accepted by everyone involved. Rejection or disregard of any aspect of this crucial and cherished principle must

mean the rejection of the whole development plan.

- The proposed amendments still have not addressed the issue of the former abattoir brownfield site which is situated in the middle of the proposed development. Where is the justification and reasoning for ignoring this large brownfield site in preference to building on green field agricultural land particularly in view of the Government's commitment?
- The Trull Neighbourhood Plan Group consider that jobs are unlikely to show a net increase in growth over the (local) plan period and therefore it would be inappropriate to arbitrarily apportion an even growth in housing over the same period. No application for this Urban Extension should be granted at this time.
- The Trull Neighbourhood Plan Group considers that a decision on an Application of this size is premature given the imminent examination of the SADMP.
- The Trull Neighbourhood Plan Group state that the draft Trull Neighbourhood Plan is now open to consultation under Regulation 14 and as such carries planning weight.
- The Trull Neighbourhood Plan Group consider that the environmental information necessary for the evaluation of the Access Points, the parameter plans and the road system is inadequate.
- The Trull Neighbourhood Plan Group does not oppose the development per se but is concerned that the access proposals should be appropriate, safe and respect the Conservation Area and its ecology.
- Why can't we build on brownfield sites instead of areas of outstanding beauty and prime agricultural land.
- The constant and unrelenting expansion of Taunton with the aim of turning it from an attractive regional town into a conurbation will result in all of the troubles Bristol now faces.
- These houses are not wanted by the people and it would appear that Taunton Deane has no power nor the courage to stand up to Whitehall and represent the will of the people.
- CPRE Somerset object as they believe there is no demonstrable need for this scale of housing numbers at this time. The application is premature and the land should be retained for release for new housing in future years as the necessary infrastructure such as jobs, sustainable transport and schools are in place.
- CPRE Somerset maintain that the creation of this vast number of new houses will encourage the development of Taunton as a dormitory for major commercial expansion in Exeter, Bridgwater and the Bristol conurbation.
- The Trull neighbourhood Plan Group consider that this application is in conflict

with many of the proposals currently being considered for the Trull Neighbourhood Plan, which should be accorded some weight. They state that the Trull Neighbourhood Plan loses its purpose and fails its community if this proposal were to go ahead. Therefore the application must be refused.

5. Impact on Trull Village and the Trull Neighbourhood Plan

- The Trull Neighbourhood Plan Group have commented that the Application is a very different proposal from the one we need to see. The absence of a Masterplan; the lack of essential infrastructure including transport; the minimal green space and lack of a Trull buffer-zone; increased flood risk; the dearth of employment; and the extent, layout and design of the development, are all contrary to the expressed wishes of the Trull Parish Community.
- The proposed development will result in Trull village merging with the Taunton urban area and it will lose its village identity.
- The proposed development is premature in terms of the Trull Neighbourhood Plan and should be refused.
- The proposed development is not consistent with proposals in the Trull Neighbourhood Plan
- The proposed roundabout at Honiton Road is not an appropriate solution, is too close to existing houses and will impact on the Trull Conservation Area and the village identity.
- The proposed roundabout at Honiton Road will have a detrimental impact on pedestrian safety.
- The proposed roundabout at Honiton Road will have a detrimental impact on the local shops in this area especially due to loss of on-street parking near the local shops as a result of the roundabout.
- The proposed green buffers should be enlarged to ensure a greater separation between the proposed development and Trull village.
- Concerns about the lack of an agreed Masterplan ahead of the planning application being submitted.
- The design of the dwellings should be sensitive to the local area and building heights should be restricted in development areas near the village.
- Concerns raised about the impact of the proposed development on listed buildings in Dipford and there should be sufficient green buffers to minimise the impact.
- Green buffers and screening should be provided to ensure Dipford remains a rural hamlet.
- Concerns raised about the disruption and impact of development and development traffic, whilst site is under construction.

- The wall is over 100 years old and forms part of the character of Trull. The demolition of a large amount of this very old wall in order to form an access into the development area will detrimentally affect the village.
- There has been no direct consultation with local residents, to consider how the visual and sound impact of such a major structure could be mitigated, if the development was approved.
- The proposed housing scale is inappropriate in the Parish of Trull.
- The alternative parking spaces offered for users of the shops in Trull are insufficient.
- It is the Trull Neighbourhood Plan Group's unanimous view that no development whatever should be allowed on the green space to the south of Dipford Road, i.e. that area allocated in the application for a roundabout and three residential areas. This is in accord with the submission by Trull Parish Council to define future Green Wedge areas.

6. Impact on Comeytrowe area

- Concerns about existing parking in residential areas due to visitors and staff at Musgrove Park Hospital and how the proposed development will exacerbate this situation.
- Concerns about existing use of local road network as 'rat runs' to avoid congestion on A38 and Honiton Road and how the proposed development will exacerbate this situation, particularly in the Comeytrowe area.
- Impact of proposals for a bus route through Comeytrowe Park and loss of public open space.
- Concerns about the height of proposed development in relation to existing nearby properties restricting views.
- Concerns about the lack of an agreed Masterplan ahead of the planning application being submitted.
- Proposals should not allow access from the new development to Comeytrowe Lane.
- Concerns raised about the disruption and impact of development and traffic, whilst site is under construction.
- Parking for contractors should not be permitted in the local area.

7. Landscape impact, loss of open countryside and agricultural land

- Concerns regarding the loss of valuable agricultural land (86 responses)
- CPRE is concerned about the loss of good agricultural land, known as Best & Most Versatile land. They consider it unacceptable that this large scale destruction of greenfield land will be permitted in the first few years of a Local

Plan that is intended to run until 2028. Taunton has a large number of brownfield areas which could and should be developed before this BMV land is released for housing.

- Loss of valued open countryside
- Impact of the local environment and loss of rural identity for the local area
- Loss of green fields and the need to develop town centre brownfield sites
- Concerns about lack of inclusion of former abattoir site as part of the development proposals.
- Concerns about light, noise and air pollution arising from the development.
- Need to ensure Green Wedge is provided and safeguarded.
- Lighting should be kept to a minimum to maintain the rural nature of the local area.
- Stonegallows Ridge should be kept free of development and nearby street lighting should be kept to a minimum.
- Stonegallows Ridge should be maintained as the natural boundary to western development in Taunton.
- A buffer is needed at the northern boundary to protect the houses in Highfield who do not even have the buffer of a country lane between their properties and the new houses, and whose previous open view will have disappeared. A similar requirement is needed at the Trull end alongside the southern end of Comeytrove Road, where again people's property will have housing immediately adjacent to their properties.
- The Special Landscape Area of Stonegallows Ridge is not protected.
- The Green Infrastructure Parameter Plan shows inadequate provision of habitat mitigation and Public Open Space.
- All hilltops and ridgelines should be kept free of development.
- Tree belts should be planted along the outer edge of the development to reduce the schemes impact.
- There is no attempt to preserve a significant clear green space between Trull village and the proposed development.
- The latest amendments continue to show housing and shops on the top of the Stonegallows Ridge. This should be opposed.

8. Lack of Employment Opportunities in Taunton

- Responses questioned the need for additional housing relative to the employment opportunities in the Taunton area.

- Concerns regarding the level of out-commuting in Taunton resulting in traffic congestion in the Taunton area. Responses felt that additional housing would exacerbate this situation.
- Questioned suitability of locating housing to SW Taunton when it is felt a significant proportion of Taunton residents need easy access to the motorway to access employment.
- Questioned suitability of locating housing in SW Taunton given proposals for a strategic employment site at Junction 25. It was considered that additional housing should be located at J25.
- The proposed employment land just replaces the employment land lost at Comeytrove Industrial Estate.

9. Wildlife and ecology

- Concerns raised about the removal of hedgerows and trees.
- The loss of mature trees has been considerably underestimated by the Applicant and will result in the loss of biodiversity and landscape features and impact upon the populations of European Protected Species.
- Concerns raised about the impact on wildlife.
- The statements provided by TDBC Biodiversity Officer and the Applicant regarding green infrastructure are contradictory.
- Natural England have responded with a standardised text including the alarming phrase “we have not assessed this application and associated documents for impacts on protected species”!
- It is impossible to envisage a lighting strategy that could deliver both road safety and satisfy ecological requirements.
- Existing wildlife corridors along Comeytrove Road and Lane will be severed by the proposals in several places.

10. Heritage

- Concerns were raised about the impact of the proposed roundabout on the Trull Conservation Area.
- Concerns that the applicants documents do not refer to the Bronze age findings at Broadlands.
- Concerns raised about the impact of development on the listed buildings in the area. The development should ensure green buffers are provided around the listed buildings close to the development to protect their setting.
- The Honiton Road junction will have a dangerous and unacceptable effect on Trull’s Conservation Area.

- The stone wall (to be lost as part of the access proposals in Trull) is characteristic of Trull Parish and its loss will cause significant harm to the Conservation Area.
- The loss of trees to form the new access in Trull will harm the Conservation Area.
- The wall being demolished to make way for the new roundabout is much older than the applicants claim.
- The plan for the new access off Honiton Road will destroy 40% of the plantation, one of the most prominent mature tree features on Taunton's southern access, housing a rookery.
- In peak times much of the shared space proposed for the old/existing Honiton Road will be occupied by queueing traffic thereby not being a pedestrian friendly and attractive area.
- The Somerset Industrial Archaeological Society point out the small but important industrial archaeological site at the former Comeytrowe Farm, which only came to their attention last year. Sales particulars at the Somerset Heritage Centre identifies the Mill House and the overshot waterwheel driving machinery via six pulleys, shafting and brackets. SIAS submits that this particular example is worthy of consideration for retention within the overall planning scheme. The site should initially be flagged up as a possible open public area, the combination of the wheel and restored building providing a leisure facility to the greater enjoyment of the public. Their stance is therefore one of objection to the eradication of the site.

11. Housing

- Housing provided should be low density and a high quality design.
- Development should not exceed three storeys.
- Development should be single storey where the development is close to existing residential areas to minimise overlooking and loss of natural light.

12. Other non-specific comments

- Will the developers ensure that everyone's quality of life and prosperity will be favourable and continue to grow and thrive?
- It is a matter of profound concern that so many of the statutory consultees each acknowledge significant material deficiencies in this application, but are prepared to accept that all of their problems will be solved post approval as reserved matters.
- The entire application is ill thought out and fails to take the good of Taunton and those living in the surrounding areas into consideration.
- Provision should be made for a faith community facility possibly combined with the community hall and/or the school.

TDBC ADOPTED PLANNING POLICIES

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SD1 - Presumption in Favour of Sustain. Dev,
SP1 - SUSTAINABLE DEVELOPMENT LOCATIONS,
SS7 - COMEYTROWE/TRULL LOC GROWTH,
SP4 - REALISING THE VISION FOR THE RURAL AREAS,
CP1 - CLIMATE CHANGE,
CP4 - HOUSING,
CP6 - TRANSPORT AND ACCESSIBILITY,
CP7 - INFRASTRUCTURE,
CP8 - ENVIRONMENT,
CP5 - INCLUSIVE COMMUNITIES,
CP2 - ECONOMY,
DM1 - GENERAL REQUIREMENTS,
DM4 - DESIGN,
,

LOCAL FINANCE CONSIDERATIONS

The development of this site will result in payment to the Council of the New Homes Bonus. New Homes Bonus is received when houses have been completed and occupied. The amount is currently £1079 per dwelling up to a maximum of 6 years, which would give a total over that period of £6474 (per dwelling). This figure would need to be multiplied by the number of houses eventually completed and occupied (which could be up to a maximum of 2000 new homes – the total permissible by this outline approval, if granted. This would give a total maximum new homes bonus, over the lifetime of the permissions, when all of the houses approved had been completed and occupied, of almost £13m, although there are a range of factors that mean that it is difficult to provide an accurate figure at this stage.

CIL receipts will also be applicable to this proposal and will relate to both the residential and retail (local centre) elements of the scheme. The current rate is £70 per sq. m. for residential dwellings and £140 per sq. m. for retail development. The levy is payable upon the start of development, although if the reserved matters are phased, then the receipt of monies would accordingly be phased. Also, the Council has introduced a mechanism for phasing payments, so the entirety of the CIL generated by this development would not be due upon commencement anyway. Of the total CIL receipts received, a percentage must be passed to any Parish Council whose area is covered by the application proposal. If that Parish Council has an adopted Neighbourhood Plan, then the amount will be 25% of all receipts. If there is not an adopted Neighbourhood Plan in place, then the figure drops to 15%. The developer is also permitted to claim a discount against the affordable housing element. It should be noted that the CIL figures dealt with in this report are based on the charging schedule adopted in 2014. More detailed information on all financial obligations is covered below.

DETERMINING ISSUES AND CONSIDERATIONS

Planning policy and the principle of development.

(a) National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published on the 27th March 2012, confirming the Government's commitment to streamlining the planning system and encouraging growth. It introduces a presumption in favour of sustainable development at the heart of the planning system in terms of both plan making and decision taking to promote a positive approach towards planning and growth. The NPPF emphasises that 'planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise.' In doing so the NPPF states that 'local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.'

More specifically, Paragraph 14 of the NPPF sets a presumption in favour of sustainable development. The guidance requires local planning authorities to positively seek opportunities to meet the development needs of their area. For decision-taking this means approving development proposals that accord with the development plan without delay. Where the development plan is absent, silent or relevant policies are out of date, it means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The NPPF sets out three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF states (para. 52) that the provision of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages or towns that follow the principles of Garden Cities.

The Government's support for good design is reiterated in paragraph 56 of the NPPF

which states that good design is a key aspect of sustainable development and is indivisible from good planning. The guidance states that new development should:

- Function well and add to the overall quality of the area.
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including public open space) and support local facilities and transport networks.
- Respond to local character and history and reflect the identity of local surrounds and materials, while not preventing or discouraging appropriate innovation.
- Create safe and accessible environments.
- Be visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 66 states that applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the view of the community. Proposals that can demonstrate this in developing the design for the new development should be looked on more favourably.

Section 8 sets out some key objectives for facilitating social interaction and creating healthy, inclusive communities. It states that decisions should aim to achieve places which promote:

- Opportunities for meeting between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active frontages.
- Safe and accessible environments.
- Safe and accessible developments containing clear and legible pedestrian routes which encourage the active and continual use of public areas.

This current proposal needs to reflect all of these aims.

Following on from the NPPF, Planning Minister Nick Boles delivered a speech entitled 'Housing the Next Generation' in January 2013, which reaffirmed housing as a priority for the Government's planning policy. In it he made quite clear that "The original source of our housing crisis is the failure of past governments to provide enough land for development. As planning minister, it is my job to persuade local authorities to make more land available so that more homes can be built and the prices of new homes comes down." It is absolutely clear that that the Government is committed to increasing housing land supply across England and local authorities are urged to make appropriate land available for new homes and, wherever possible, grant planning permission for new homes.

(b) The Taunton Deane Borough Core Strategy.

The Core Strategy was adopted by the Council in September 2012 and sets out the vision for the Deane and the policies to meet that vision. In the context of this application it performs a number of roles. Firstly, it specifies the locations and quantity of growth to be accommodated within the Borough until the year 2028 and identifies

the locations for developments and mixed-use urban extensions. Most crucially however, it identifies land at Comeytrowe/Trull as a broad location for the delivery of between 1,000 and 2,000 new homes and considers the land at Comeytrowe and Trull as being the most sustainable location for a strategic urban extension in the Taunton urban area, after Monkton Heathfield.

As the largest town within the Borough, Taunton is identified within policy SP2 (realising the vision for Taunton) of the Core Strategy as the main focus for growth and will accommodate 13,000 new homes before 2028, which equates to approximately 75% of the planned development in the Borough. Recent Strategic Housing Land Availability Assessments (SHLAA's) have identified the urban extension at Comeytrowe/Trull as being required to deliver all 2,000 new homes from the years 2018 to 2028. The 2014 SHLAA (the most recent version) identifies a developable supply of 1,525 dwelling units at the Comeytrowe Urban Extension during the next 5 years and identifies the total capacity as being 2000 dwelling units. These figures form part of the calculations that demonstrate a five year supply of housing sites within the Council's area. Only Monkton Heathfield (at 1,674 dwelling units of the next 5 years) is identified as supplying more housing. Therefore it is quite clear that the south-west Taunton Urban Extension is an important and integral part of the Council's housing supply figures and without all 2,000 new homes coming forward at the application site, the Council could be at risk of falling short of delivering the minimum target of 13,000 new homes before 2028.

Policy SD1 of the Core Strategy is also relevant as it sets a presumption in favour of sustainable development in accordance with Government policy contained within the NPPF. It states that planning applications which accord with the policies of the Core Strategy will be approved without delay, unless material considerations indicate otherwise. The 'other' material considerations will be discussed in detail below, but it is considered that in general terms, and subject to the conditions and planning obligations suggested, they do not indicate other than approval. Policy SP1 (Sustainable Development Locations) of the Core Strategy follows on by identifying the sustainable development locations. It states that development will be focussed on the Taunton Urban Area, which needs to accommodate at least 13,000 new homes in the period up to 2028. This position is carried through in policy SP2 (Realising the vision for Taunton) where Comeytrowe/Trull is identified as broad location for the development of between 1,000 and 2,000 dwellings.

Policy SS7 of the adopted Taunton Deane Core Strategy states that:-

“Comeytrowe/Trull is a broad location for a mixed use strategic urban extension for development after 2015 for between 1,000 and 2,000 dwellings up to 2028. A masterplan will be prepared to identify the full long-term potential for comprehensive development in this south west sector of Taunton and the infrastructure required to provide a sustainable new community. The masterplan will phase and co-ordinate development to provide the necessary physical, social and green infrastructure. A piecemeal approach to development in this area before a comprehensive masterplan has been agreed will not be permitted.”

Other policies, namely CP1 (Climate Change), CP4 (Housing), CP5 (Inclusive Communities), CP6 (Transport and accessibility), CP7

(Infrastructure) and CP8 (Environment) are relevant because they identify broad general requirements in relevant subject areas. The requirements of these policies are not generally site specific, but lay ground rules for acceptability of schemes. It is not considered that there are any requirements within any of these 6 policies which either are not or cannot be met by this proposal.

(c) Site Allocations and Development Management Plan (SADMP).

The draft Site Allocations and Development Management Plan (January 2015) identifies the application site as comprising most of the preferred option for an urban extension at Comeytrove/Trull. Whilst the site comprises the vast majority of this preferred option, the illustrative masterplan accompanying the application demonstrates that the proposals would not prevent the future development of remaining small parcels of land that also lie within the allocation. Spatial policy TAU1 (Comeytrove/Trull) states that "any planning application will need to be accompanied by a masterplan and phasing strategy with associated infrastructure, prepared by the developer in conjunction with the Borough Council and other stakeholders". A number of items are listed as being essential for inclusion in the masterplan and these will be considered shortly.

Whilst the applicants' contend that the Masterplan document alongside the planning application satisfies the policy requirements, it is fair to say that this is not the approach initially envisaged by the Council and is also reflected in many of the responses from local residents. However, it is acknowledged by officers that a number of consultation workshops were provided to allow input from key stakeholders in the development of the submitted Masterplan. The planning application process also allows for input into the Masterplan from key stakeholders and the Council. The issue for consideration is the extent to which the Principles and Parameters Plan, submitted as part of the outline application, will ensure that the Reserved Matters application stage delivers what is envisaged in the submitted Masterplan and the policy requirements in Policy TAU1. The discussion below considers the TAU1 policy requirements in turn and provides a view on the extent to which the application will satisfy these requirements:

- Phased delivery of around 2,000 new homes at an overall average of 35-40 dwellings per hectare;
The outline application seeks to deliver 2,000 dwellings. It would appear from the Principles and Parameters document that the site will deliver appropriate densities across the site but this will need to be clarified in any Reserved Matters submission. The site boundary for the application is smaller than the area allocated in the SADMP and the application needs to ensure that it does not prevent or frustrate the delivery of the wider area with land at Higher Comeytrove Farm. Delivery of housing at Higher Comeytrove Farm can be safeguarded by condition and the applicant has agreed to this approach.
- 25% of new homes to be affordable homes in line with Policy CP4: Housing
This percentage will be delivered in accordance with the Core Strategy policy. The precise mix and tenure will be agreed through negotiations relating to the s106 obligation. Please refer to comments submitted by the Housing Enabling Officer.

- A new mixed-use local centre comprising a convenience store (Class A1) of up to 500 m. sq. (gross); plus 500 m. sq. of other retailing (Class A1), financial/professional services (Class A2), restaurants and cafes (Class A3), at least one public house (Class A4), take away (Class A5) and a community hall building (comprising a main hall, meeting room, activity room, storage, kitchen, toilets) and associated parking, together with 0.25ha of land for a place of worship. Residential or office uses should be provided on upper floors
 Whilst the outline application incorporates the provision of a local centre, it is currently unclear, from the supporting documentation, whether the proposed local centre will meet the policy requirements for the mix of uses proposed in Policy TAU1. Further details will need to be provided as part of any reserved matters application to ensure the local centre provides what is envisaged in the policy. This will be covered by a condition which will ensure delivery of the local centre in accordance with a detailed design brief that will have been previously negotiated and agreed.
- A minimum of 5 hectares of serviced employment land comprising Class B1 b and c; Class B2 and Class B8 use;
 Whilst the outline application incorporates the provision of employment land, further details will need to be provided as part of any reserved matters application to ensure the employment land is incorporated as envisaged in Policy TAU1. This can however be achieved.
- Land reserved (approx. 2.5 ha) for a 14 class, 2 form intake primary school with pre-school facilities;
 Officers have been working closely with Somerset County Council and the applicants to ensure a primary school is delivered on site. The Masterplan Parameters and Principles document identifies two potential locations for a 2.2 hectare area for a primary school site. The application does not provide justification for reducing the overall size of the area designated for the primary school but the agents have confirmed that this will be sufficient to deliver the a primary school with pre-school facilities as required by the County Education Authority. The comments of the County Education Authority on this issue are given earlier in the report.

 - Multi-functional green space (including allotments, children's play, playing fields, recreational areas, amenity space) in line with the relevant standards
 The Parameters and Principles document confirms that the development will include parks, spaces and green corridors to meet policy requirements. The extent to which the Green Infrastructure Parameter Plan in the Parameters and Principles document will meet relevant standards is uncertain. Further details will need to be provided as part of any reserved matters application to ensure the green space requirements are delivered. This is achievable.
- Provision of a new 'Green Wedge' extending through the site on either side of the Galmington Stream;
 Concerns have been raised that the extent of the new Green Wedge is smaller than that proposed in the emerging policy TAU1. The applicants maintain that the proposals have always allowed for the provision of a Green Wedge as an important and integrated feature of the proposed masterplan, and similarly, the

representations they made to the draft SADMP have maintained support for the principle of a proposed Green Wedge along the Galmington Stream Corridor. As presently drafted, Policy TAU1 of the SADMP requires the “Provision of a new Green Wedge, extended through the site on either side of the Galmington Stream.” The policy is supported by the draft ‘Comeytrowe Concept Plan,’ which depicts a green wedge centred on the Galmington Stream that follows existing hedgerow boundaries, approximately equi-distant from stream on either side. As the title of the plan denotes, this is a concept – something that does not appear to have been based on more detailed landscape, ecological and visual assessments. The application proposals, however, have been informed by comprehensive landscape, visual and ecological site appraisals and surveys. Following detailed consideration of these issues, the applicant states that it would not be possible, nor desirable, to achieve the western boundary of the SADMP Policy TAU1 Green Wedge (which is shown abutting Comeytrowe Lane) due to the topography of the site and the ‘Medium Importance’ hedgerow running along Comeytrowe Lane. The submitted application Parameter Plans show development set back from this edge by between 23m and 87m further than the TAU1 wedge proposes. The hedgerow on the eastern side of the stream has been identified through the landscape and ecological assessments as being of low importance and suitable for removal. It is important to note that the submitted Land Use Parameter Plan defines the maximum extent of residential development and the application, and therefore, provides considerable flexibility on the alignment of the built form edge and the width of the Green Wedge. The exact size, shape and dimensions of the Green Wedge would be determined via the submission of subsequent Reserved Matter submissions. It is correct to state that the maximum extent of residential development as defined by the Parameter Plans does identify some land to the east of the stream that is within the area shown on the TAU1 Concept Plan as Green Wedge but it also shows the western edge further west than the Green Wedge in the TAU1 Concept Plan to avoid the hedgerow along Comeytrowe Lane and areas of steep land. The assessments supporting the Outline Planning Application demonstrated that the proposals are robust and that a significant Green Wedge of approximately 23.5ha will be delivered. The exact alignment differs marginally to that shown on the TAU1 Concept Plan and the green wedge shown on the Parameter Plans is approximately 9% smaller in total area than the one in TAU1 (the TAU1 Concept Plan shows a Wedge of approximately 25.94ha). It should be borne in mind that the ‘Parameter Plans’ do in any event show the maximum extent of residential development, and the detailed plans could actually provide greater green space. It is clear that the proposal still delivers the intention of the ‘Green Wedge’ and it is not considered that there is any reason to justify refusal on these grounds. On balance, and given that the proposal is for a minimum size anyway, it is not considered by officers that such a small shortfall over the policy requirements (if any) could reasonably be considered to make the application non-compliant with the proposed policy.

- Sufficient areas of created or enhanced habitat to enable populations of those European protected species recorded on site to be maintained or enhanced. This habitat will need to be accessible to the species affected;

The evidence submitted shows clearly that this can be achieved and this has been verified by the Council's Biodiversity Officer, the County Ecologist and Natural England. However, carefully drafted conditions will be required to ensure delivery.

- A link road between Honiton Road and the A38 Wellington Road to serve the development area. The design and layout of the road should be sensitive to the Trull village conservation area and should minimise the impact on the prominent ridgeline to the north-west of the site;

The applicants have confirmed that this will be provided. A feasibility study has been submitted to the Highway Authority to show a suggested alignment and construction of such a road. The Highways Authority has considered and accepted that it can be achieved to their standards. This however, is not a matter for confirmation with this application as the internal road layout of the proposals site will be a reserved matter. Members are simply asked to note at this stage that it can be achieved. The relationship of such a road with the Trull Conservation Area and the prominent ridgelines are matters that will be appropriately considered at the reserved matters stage, based upon any detailed alignment proposed..

- Provision of connected streets designed to be suitable for cycling and walking and, where appropriate, additional measures to ensure that cycling and walking are safe and attractive means of transport;

The Masterplan Parameters and Principles document outlines design principles in line with the policy requirement. This will be a matter for consideration at the reserved matters stage, but it is noted that there are no objections to the proposal at this stage from either the Highway Authority or the County Rights of Way Officer..

- Provision of direct and safe walking routes to access existing bus services on the A38 and Honiton Road and allowance for future provision of new local bus services within the development

The Masterplan Parameters and Principles document outlines design principles in line with the policy requirement.

- No through access by private car between the new development area and Comeytrove Lane and Comeytrove Road and explore options to close off Comeytrove Lane and Comeytrove Road as a through-route for private cars only, to prevent future 'rat running';

The Access and Movement Parameter Plan in the Parameters and Principles document still refers to a 'bus only access point (with vehicular access for up to 100 dwellings)' onto Comeytrove Lane. This proposal is not compliant with the policy which seeks to prevent access by private car onto Comeytrove Lane and Comeytrove Road.

- A design that minimises private car access from the urban extension to the existing residential areas in Comeytrove but maximises pedestrian and cycle lines between the existing residential areas and the proposed urban extension

The Transport and Connectivity principles in the Principles and Parameters document (principles 15-17) support this policy requirement. Further detail should be provided as part of any Reserved Matters application.

- Include options to facilitate the delivery of a new high frequency dedicated public transport link via Musgrove Park Hospital and Somerset College to the town centre

The Transport and Connectivity Principle 20 confirms that - "Provision will be made

in the development for a link to a potential future Bus Rapid Transit Corridor that is to connect with College Way and link Taunton town centre, other facilities such as Musgrove Park Hospital and Somerset College, and with land to the southwest."

- The hilltops and ridgelines should be kept free from development. Development around these areas should be sensitively designed and appropriately landscaped to minimise the impact on the hilltops and ridgelines

The Council's landscape consultants have raised some concern in this regard, although on balance, they conclude that with the mitigation proposed, any negative impact will be minimal. This will in any event be a matter for detailed design negotiations at the reserved matters stage. Members should also refer to the comments submitted by the Council's landscape consultants in the appropriate section of this report.

- Parkland type trees should be provided within the housing areas to reduce the landscape impact of the housing development areas
and

- Landscape buffers and planting belts are required along the outer edges of the development to reduce the landscape impact of the developed areas

The landscaping buffers and planting belts required are indicated in the principles and parameters plan. The need for suitable trees within the housing areas will be covered by detailed landscaping plans that will be required for the reserved matters stage. This is all discussed in the landscaping section of this report.

- Detailed flood risk assessment will need to be undertaken and identify the strategic SUDS infrastructure required.

This has been done and is covered above by the comments from the relevant bodies. Conditions will be required to ensure delivery of the measures agreed,

- Detailed design codes prepared for individual areas within the development

This will need to be addressed in any Reserved Matters application.

It can be seen from the above list, that the application proposed either meets all of the criteria required by policy TAU1 of the SADMP or is capable of meeting them, with perhaps the possible exception of the issue surrounding no through access from the proposed development to either Comeytrove Lane or Comeytrove Road.

The SADMP has been submitted to the Secretary of State for Examination. An initial date of 1st and 2nd December 2015 has been set to look at heritage and ecology issues relating to the Comeytrove and Staplegrove Urban Extensions. The Inspector may set further dates for other topics and/or other issues. The submitted application either does deliver or will be capable of delivering all of the above referenced requirements and so it is not considered that there is any conflict with the policy at this stage. Following examination the Council anticipate adopting the plan in early 2016. Given the advanced stage of the SADMP, significant weight should be applied to the emerging policies and site allocations in the submission draft plan.

(d) Neighbourhood Plans.

The Trull Neighbourhood Plan Group is currently preparing a Neighbourhood Plan for Trull Parish, which includes most of the planning application site. The draft plan has now been submitted to Taunton Deane. On Thursday October 1st a notice was published in the Somerset County Gazette to bring the submission to the attention of people who live, work or carry out business in the area. Comments have been invited to be submitted within the six weeks consultation period which runs from Thursday 1st October until Friday 13th November 2015. It will be noted from the public comments given above that the Trull Neighbourhood Plan Group does not oppose the development proposed by this application *per se* but is concerned that the access proposals should be appropriate, safe and respect the Conservation Area and its ecology. They also clearly states that (in their opinion) a decision on an application of this size is premature given the imminent examination of the SADMP. The National Planning Policy Guidance (NPPG) advises that prematurity will seldom be a relevant issue where the 'Authority Publicity' stage has not been completed. This applies in this instance (see f below).

There has been significant recent litigation over the amount of weight that should be given to Neighbourhood Plans as they pass through the various stages leading up to being fully part of the adopted local plan. Most however, appears to relate to neighbourhood Plans in areas in which there is no evident 5 year housing land supply. This is not the case here within Taunton Deane. Legal advice sought recommends that the amount of weight to be allocated to an emerging Neighbourhood Plan will be a matter for the planning decision maker, in this case the TDBC Planning Committee. In reaching a view, Members are asked to take on board the following factors, which are considered to be relevant.

1. The fact that the Neighbourhood Plan is at a relatively early stage in its process, and
2. The comparison between (a) the scope of the content of the draft Neighbourhood Plan, when compared with (b) the scale of the South West Taunton Urban Extension.
3. The extent of unresolved objections to the Neighbourhood Plan, including those on behalf of the applicant which relate to the plan's compliance with national policies, the Core Strategy and its potential impact upon viability and the five year land supply as a result.

In broader terms, there is also the point that the Neighbourhood Plan is required to reflect the policies in the Development Plan. Officers have previously raised some concerns about emerging policies in the Trull Neighbourhood Plan and the extent to which onerous requirements may render development undeliverable. Furthermore officers have also raised concerns regarding whether the policies within The Neighbourhood Plan are in general conformity with the Council's adopted and emerging Development Plans. Ultimately the independent examination of the Neighbourhood Plan will confirm the extent to which the plan is sound. On the other hand, it has already been demonstrated that the current planning application substantially reflects Core Strategy policy. This is a wider issue, but is relevant to the overall issue of the Neighbourhood Plan and its place in the decision making process. It is officers' opinion that whilst the Neighbourhood Plan should be accorded some weight now that it is at 'Authority Publicity' stage, until it has been through its public

examination and conformity with the Local Plan established, it should only be accorded limited weight.

(e) Strategic Housing Land Availability Assessment (SHLAA) 2014

The SHLAA (published December 2014) identified a five year deliverable supply of 6.31 years in Taunton Deane when planning for a five percent buffer of housing land and 5.56 years when planning for a twenty percent buffer. The five year land supply position anticipates delivery of 475 dwellings at the South West Taunton Urban Extension, in the period between 2016/17-2019/20. This represents almost 8% of the overall five year housing land supply requirement for the period to 2019/20. This site is expected to contribute towards the Council's five year housing land requirement and delays in the delivery of this site will impact on, possibly even undermine, the Council's ability to ensure a five year supply of deliverable housing land is available.

(f) The Issue of Prematurity

The National Planning Policy Guidance provides clarification on the extent to which a planning application may be refused on prematurity grounds. The guidance states that:

"In the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- (a) The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- (b) The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area."

The Guidance makes clear that refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process. In this instance, the current application has been demonstrated to be broadly in conformity with the Local Plan (Core Strategy and SADMP). It is also argued above that the Neighbourhood Plan should carry little weight at this stage, particularly given that it has not yet passed through the 'Authority Publicity' stage. On this basis, a refusal of the current application on the grounds of prematurity could not be justified or defended.

(g) Principle of the development.

The above discussions of the relevant planning policy documents shows that the principle of the development of a mixed use urban extension for between 1,000 and 2,000 dwellings within the Comeytrowe/Trull area of south-west Taunton is a long standing commitment by the Council and has been established through adopted planning policy, particularly by policy SS7 of the adopted Core Strategy. The location for the application has been endorsed, based on a number of assessments, as the best location for the urban extension by the Taunton Strategic Urban Extensions Study. The application site also forms the preferred option for the location of the urban extension in the Publication Draft of the Site Allocation and Development Management Plan, which now carries considerable weight. Furthermore, the proposed development would achieve the aspiration of adopted Core Strategy policy SS7 for a comprehensive, masterplanned development which delivers the necessary physical, social and green infrastructure and avoids piecemeal development. It is also capable of meeting the requirements of policy TAU1 of the emerging Site Allocation and Development Management Plan. The principle of development of the site for a mixed use urban extension must therefore be considered to be in accordance with adopted and emerging policy.

Community Engagement

The National Planning Policy Framework (NPPF) states, "Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably."

The applicants have undertaken a consultation process with local residents, the Local Planning Authority and a range of local stakeholders including Parish Councils, the Local Education Authority, Chambers of Trade and local employers and community organisations. Two stakeholder workshop events were arranged on 8th March and 21st June 2013, with a public exhibition scheduled in between. The public exhibitions were held at two venues, Trull Village Memorial Halls, Saturday 11th May 2013, and Taunton Conference Centre on Wednesday 15th May 2013. Invitations were issued to local residents in Trull and Comeytrowe. Over 550 people attended with over 200 either completing feedback forms on the day or sending them back via a freepost address. On 18th July 2013, representatives from Trull, Comeytrowe and Bishops Hull Parish Councils were invited to a special meeting by the development team to present the masterplan and explain how the proposals had been amended to address the issues raised by the Parish Councils. Various meetings have taken place with the Local Planning Authority, the Parish Councils and interested parties since the application has been submitted. It is clear to Officers that the proposals have undergone significant levels of community engagement, which accords with advice in the National Planning Policy framework.

MasterPlanning issues.

ATLAS (the Government's Advisory Team for Large Applications) have assisted the Council in assessing the masterplanning element of the application. ATLAS have worked closely with Taunton Deane and the applicants to consider the extent to which the masterplanning work, undertaken by the applicants, is consistent with the SADMP policies. The outcome of this work, has resulted in the submission of a Masterplan Parameters and Principles document by the applicants. This document clarifies what

the outline application seeks to establish and what issues will remain outstanding for consideration in a Reserved Matters application.

Whilst the applicants' view is that the Masterplan document alongside the planning application satisfies the policy requirements of the submitted SADMP, it is fair to say that this is not the approach initially envisaged by the Council and is also reflected in many of the responses from local residents. Ideally the masterplan would have been formally consulted on and considered by the Council and key stakeholders, prior to the submission of a planning application. It is acknowledged by officers that a number of consultation workshops were provided to allow input from key stakeholders in the development of the submitted Masterplan. The planning application process also allows for input into the Masterplan from key stakeholders and the Council. Whilst this was not the preferred approach of the Council to developing a Masterplan for the area, it is not in itself considered to be a suitable reason for rejecting the planning application. The issue for consideration is the extent to which the Principles and Parameters Plan, submitted as part of the outline application, will ensure that the detailed proposals deliver what is envisaged in the submitted Masterplan and the policy requirements in Policy TAU1. ATLAS have challenged both the LPA and the developer on the following issues, which became the subject of debate and negotiations between the interested parties, and resulted in improved parameter plans and principles that will form the basis for any approval.

It is the view of ATLAS and therefore the Council, that the outline planning application submission provided an appropriate level of detail and information to enable the development to be properly considered in the light of relevant policies and guidance, site constraints and opportunities; and also to ensure that a high quality development of the allocated site would be delivered through incorporation of relevant parts of the application documents into an outline planning permission. As such, it is their view that the submitted application proposal and material could meet the following objectives:

- Delivery of the project vision;
- Compliance with Core Strategy policies in term of use, quantum of development, key characteristics and design, including sustainable design;
- Delivery a comprehensive and coordinated approach to development, particularly in relation to phasing and delivery of infrastructure; and
- Inclusion of a suite of plans and documents that provide an appropriate level of detail and information to enable the development to be properly considered in the light of relevant policies and guidance, site constraints and opportunities

ATLAS looked at the proposal under two key headings – quality and certainty. The discussion below is a summary of their initial response to the proposal as submitted. Many of these items have subsequently been amended by discussions and negotiations with the LPA and the relevant expert bodies advising the LPA on this application. Some have been taken on board in the suggested conditions. Others are more appropriately considerations for the reserved matters stage. On this basis, officers are now satisfied that there are no substantial masterplanning issues that have not, cannot, or will not be appropriately addressed. The issues originally raised by ATLAS are considered under two broad headings (quality and certainty), and are given

as follows -

1. QUALITY.

(a) Concepts, Character Generators & Areas.

It was ATLAS's opinion that to achieve the outcomes anticipated in the project vision key concepts would need to be applied and incorporated into the parameter principles.

These include -

- the landscape concept drivers should;
- Hill top vista parks should be created and the vistas that need to be provided from the parks should be identify;
- A sequence of spaces along a central spine;
- The Broadland Park and the space within the local centre should have strategic importance.
- The general location of Character Areas together with their main characteristics should be captured in the access, layout, density, scale and green infrastructure principles.

(b) Delivery of a 'Green Heart and One Community'.

The following were identified as key factors -

- The 'Green Wedge' has the potential to segregate the site into two neighbourhoods.
- Suitable design responses are required to ensure linkage and integration with the local centre and residential areas to the west and the Primary school (if option one is pursued) and residential areas to the east?
- If the Option 1 location for the primary school is pursued consideration needs to be given to ensuring that the placemaking implications of providing the primary school in this location early (by 350 dwellings) in the development are resolved?

(c) Access and Movement.

In respect of access and movement within the new community, the following issues have been identified as being important considerations –

- The Main Street has the potential to be a barrier between the residential areas to the east and west and Trull Green to the south. In addition, the roundabout could act as a barrier to pedestrians and cyclist wishing to use the local shops in Trull
- Need to ensure integration of the open space with the adjoining residential areas and ease of pedestrian and cycle access across the roundabout to Trull village shops
- A38 Wellington Road access – appears to be designed 'solely in response to traffic or engineering considerations.'
- Access parameter principles should set out key placemaking requirements for landscaping and development adjoining this junction.

(d) Delivery of Policy Requirements.

The project vision and objectives do not refer to the need to:

- Keep hill tops free of development

- Provide sufficient areas of new or enhanced habitat for protected species
- Deliver a dedicated public transport link to Musgrove hospital and the town centre.

(e) Stonegallows Ridge.

The function of the ridge is to 'screen and contain' Taunton. It clearly defines the western boundary of Taunton and its suburbs from both the east and west. The Policy objective is to keep the 'hilltop' free from development. Whereas the the masterplan response is to identify the 'hilltop' as the 'the local high ground and woodland at Rumwell Copse above the 60m contour. The employment area encroaches on this area, but will be kept free of built development with only landscaped car parking or gardens allowed. Below this contour, employment buildings will be restricted to a height of 10m. A landscaped park and bus site is proposed immediately to the south of the A38. This approach (defined in the application parameters) is considered to mitigate the impact of development on the Special Landscape Feature status of the ridge, but the material submitted is not conclusive on this issue. Further evidence is potentially required to demonstrate that the effect of this mitigation in ameliorating the impact of development on the ridge is sufficient.

(f) Integrated Ecological Mitigation.

The masterplan proposals include a coherent ecological strategy. This is encompassed within a broader green infrastructure strategy that has the potential to create a remarkable and distinctive sense of place and community. The overall provision of land for ecological mitigation is (5.7ha). The County Ecologist considers this to be insufficient to satisfactorily mitigate the impact of the development on protected species and requires (a minimum of 10 ha.) of woodland and grassland. Given that the amount of open space within the masterplan exceeds policy requirements (circa 14 ha), in theory additional land for wood land and grassland could be found through a reallocation of open space provision. Reallocating open space for ecological purposes creates the following challenges to the masterplan:

- Providing land that is functionally effective as ecological mitigation.
- Ensuring retention of the integrity of the overall green infrastructure strategy.
- Avoiding further segregation of the two Neighbourhood.,

(g) Timely, Comprehensive Delivery.

Within the application submission there is an absence of detailed information on the phasing of key infrastructure and masterplan components other than that indicated in the initial Phasing Strategy in the Design and Access Statement. The masterplan proposes a range of uses within 'flexible and adaptable' units within the local centre, but there is limited information on what these will be, when they will be provided and how flexibility and adaptability can be secured. There is a need to firm this up through an agreed phasing and delivery plan once there is more agreement on social and physical infrastructure delivery.

(h) The Green Infrastructure Synergy.

Green Infrastructure proposals have the potential to create a distinctive integrated place and community – but an effective strategy will be required to achieve this.

2. CERTAINTY.

(a) Masterplan cascade

A sequential approach is intended, which involves the submission of the detailed indicative masterplan followed by the framework plans and the site-wide design guide. This needs to be clarified in the Masterplan Parameters and Principles Document and a condition attached to the Outline Planning Permission will need to stipulate this. There will be a need for some three dimensional testing and fixing of masterplan components prior to the submission of Reserved Matters applications, which should then be incorporated into the framework plans and site wide design guide and appearance palettes. The Detailed Indicative Masterplan should fix aspects of the Framework Plans or Site-wide Design Guide and Appearance Palettes. This also needs to be clarified in the Masterplan Parameters and Principles Document and the condition attached to the Outline Planning Permission will need to stipulate this. The condition attached to the Outline Planning Permission will also need to stipulate that the Reserved Matters application will need to be in accordance with the appropriate framework plan and site wide design guide and appearance palette.

(b) Additional Application Parameters.

ATLAS have queried whether or not at this stage in the design process can additional parameters be incorporated, which define other key fixes that are potentially fundamental to achieving design quality outcomes, such as views/vistas or the general location of specific components. They have stated that there needs to be a more detailed access parameter plan including the primary and secondary road network, together with strategic pedestrian and cycle routes. Also, a new application parameter plan indicating the general disposition of Landscape concept drivers, Key Character Generators and Character Areas. They do state that if it is too early in the design/assessment process to prepare these application plans, additional application parameter principles will be required to give more certainty to the achievement of some design quality objectives.

(c) Access and Movement Parameter.

It is the opinion of ATLAS that the absence of any of the movement hierarchy within the parameter plan means that the fundamentals of placemaking; (strategic movement network and structure) is not fixed at the Outline Planning Permission stage. Neither can any firm direction be given to the application of street typologies. The Main Street is a key (integrating) masterplan component. As it is not an application parameter, its general location is not fixed, neither are its key characteristics, e.g. ' as a central boulevard street', passing through defined areas of the masterplan (employment area, residential areas, local centre, Green Wedge and other strategic public open spaces). On this basis, a more detailed access parameter plan or further access parameter principles are required

OVERALL CONCLUSIONS.

ATLAS considers that the proposed application submission can meet the following objectives:

- Delivery of the project vision.

- Compliance with Core Strategy policies in term of use, quantum of development, key characteristics and design, including sustainable design
- Delivery a comprehensive and coordinated approach to development, particularly in relation to phasing and delivery of infrastructure; and
- Inclusion of a suite of plans and documents that provide an appropriate level of detail and information to enable the development to be properly considered in the light of relevant policies and guidance, site constraints and opportunities, subject to the parties coming to agreement on how to approach the recommendations made by ATLAS. (This has now happened).

MASTERPLANNING IN RELATION TO THE WIDER AREA.

Officers have made clear that the land identified in policy SS7 of the adopted Core Strategy and policy TAU1 of the Publication Draft of the SADMP shows a red line for potential development as part of an Urban Extension and that it is this line which is of paramount importance rather than the number of dwelling units that might be reasonable and practicable to place on the land. This application does have a slightly smaller land take than that proposed in the policy documents, due primarily to land ownership constraints. As such, Officers could not rule out the possibility of other, but much smaller, sites coming forward within the red line area during the plan period. Whilst any such proposals would be considered on their own merits, it would not be good planning to prevent such proposals from coming forward by not ensuring suitable and acceptable linkages from this current application site.

The applicant has been asked to clarify the relationship of the current proposal to surrounding possible development sites, which might also come forward, because it is important to maintain links and connectivity from the application site to neighbouring land. The applicant has responded that the proposals have been designed to ensure that development on adjoining land within the TAU1 area can be accessed and delivered. It is now agreed that the proposed development would not preclude or prejudice future development on adjoining land in the form of built development next to Higher Comeytrowe Farm in particular (a likely additional development site) or access to public open space within the Green Wedge. This is considered to satisfy general principles of good masterplanning.

Highways and transportation (incl. access, public transport and travel plan)

(a) Site analysis and the existing situation.

The site is well connected to primary vehicular routes. The A38 Wellington Road is immediately to the north of the site and connects with Taunton town centre to the east, passing through the settlement areas of Comeytrowe and Galmington. The M5 is within easy reach, with the nearest junction approximately 4 miles away to the west, accessed via the A38. There are number of existing lanes that cross through the site itself. Comeytrowe Lane crosses diagonally through the centre of the site and Dipford Road bisects it in the south, connecting with Trull Road which runs towards the town centre. The application proposes that the A38 in the north and Honiton Road in the south should form the main access points to the site with the introduction of new junctions.

The A38 is a primary bus corridor used by First Bus service 15 to Wellington, Rockwell Green, Taunton, Bridgewater and Burnham-on-Sea with services 22 and 22A running between Taunton and Wellington. The typical morning peak hour timetabled journey time between Stonegallows on the A38 and Taunton Town Centre is between 7 and 12 minutes. Service 7 serves the Galmington Estate residential area and is accessed from Comeytrove Lane. Other local routes operate inter-town services to Wellington, Exeter and Tiverton and are accessed from Stonegallows. The Honiton Road is also a bus corridor. It is used by the demand responsive SLINKY bus service and the timetabled town service 97 between Taunton and Canonsgrove. The typical timetabled journey time between Staplehay and Taunton Town Centre is around 18 minutes. The proposals show a central primary movement corridor through the site between these two roads, creating an easily accessible and central bus route for the new community. A secondary access point is shown off Comeytrove Lane to provide access for buses, pedestrians and cyclists, with limited vehicular access for up to 50 dwellings. A priority bus route option is being considered which would connect the new community with the existing residential areas of Comeytrove and Galmington, linking to Musgrove Park Hospital, Somerset College and the town centre.

There are some Public Rights of Way that cross through the site and these will need to be incorporated into the scheme. Comeytrove Lane and Dipford Road, which cross through the centre and south of the site respectively, also offer potential pedestrian and cycle linkages to the surrounding countryside to the west and town centre to the east.

(b) The points of entry into the new community.

The main vehicular accesses into the site are not reserved matters and will therefore obtain full planning permission with any approval granted to this outline application. This has been done in this way because it is a fundamental consideration with the proposal and will enable early access onto the site so that the phases of development can be planned and begun. Vehicular access is proposed into the new community at 3 key points across the development. Firstly, a new access is proposed off the existing A38 Wellington Road, which is shown designed as a four-arm roundabout junction with an Inscribed Circle Diameter of 60 metres. This is to be accompanied by a reduction in speed limit on the A38 from 50 to 40mph along the development frontage, with improved pedestrian facilities. Secondly, a new access is proposed in the south-east of the new community in the form of a three-arm roundabout with an Inscribed Circle Diameter of 40 metres. This will come off the existing Honiton Road and will provide links between Dipford Road, the proposed development and the old Honiton Road, including local improvements to pedestrian facilities. The designs for these two junctions has been agreed with the Highway Authority. Whilst the roundabout at the Honiton Road end is larger than would ideally be preferable given its proximity to Trull, its conservation area and the shops, 5 other alternative junction designs have been explored and none of them work for reasons of engineering design, massive land take outside of the applicants control and environmental impact. The applicants have agreed to Officers suggestion of a design brief to handle the new junction, the future of the 'old' Honiton Road, the shops and the Conservation Area, with a view to providing an excellent environment at this point that would be pedestrian friendly,

would increase patronage of the shops and make this, eventually, an attractive, prosperous and pleasant environment. The design guide would be required by condition before any work took place on the new junction. Officers have already seen a feasibility study of the required design guide and are confident that it will produce the attractive reinvigorated space that the area deserves.

Thirdly, access is proposed off Comeytrowe Lane as a new priority junction, including a 5.5m wide carriageway and 2m wide footways and crossing facilities, with improved facilities for pedestrians. This is intended primarily for use as a bus access point (using bus gates), for cyclists and for pedestrians. Initially it was also proposed to access up to 100 dwellings (maximum) off this road and provide temporary access to the new school until the on-site highways infrastructure was advanced enough to take over. The Council are currently in negotiations to try and reduce the number of dwellings that would be accessed off this new highway.

(c) The proposed park and bus facility.

The existing 'Park and Ride' (Taunton Flyer) operates from car parks located at Taunton Gateway Park and Ride site to the east of Taunton and Silk Mills Park and Ride to the west of Taunton. The service stops at Taunton town centre shopping area, bus station and Somerset College at the stop known locally as 'The Cemetery'. The service operates from 6.40 am to 7.30 pm and runs to and from the Gateway site to the Silk Mills site.

The application proposes to deliver a 'Park & Bus' service, with up to 300 car spaces, off a new junction. The facility will measure approximately 1.4 hectare and will be landscaped and easy to access. The proposal for development at South-West Taunton is predicated upon the provision of a new 'Park & Bus' facility as this will provide the means by which there is a modal shift in travel, which is essential to alleviate problems that are otherwise predicted to exist on then surrounding road network. It is therefore an essential piece of infrastructure necessary for this development to proceed. The Core Strategy has aspirations to deliver a Priority Bus Corridor link between Bridgwater and Wellington via the A38 corridor in any event. This would run past the proposed development site and so would link in well with the application proposals in this regard.

(d) The Environmental Statement - Transport and access.

The Transport and Access chapter of the Environmental Statement contains an assessment of the likely significant effects of the proposed development in relation to traffic and access. The Transport and Access chapter is supported by a Transportation Assessment and Travel Plan. As part of the assessment, future forecasted traffic levels have been considered, including flows from cumulative developments. A package of measures has been proposed to mitigate any adverse effects including Travel Plans, new and improved pedestrian and cycle routes and improvements to bus stops and a park and bus facility. It should be noted that the Highway Authority has reviewed the original and revised submissions and considered the overall benefits and dis-benefits of this proposal. On balance they recommend that there is no highway reason why permission could not be granted subject to the S106 obligations and conditions being provided.

(e) Traffic Impact

In terms of the site accesses junction modelling, the results of the northern access onto the A38 it shown as operating within capacity. As a consequence there are no issues in the model. In terms of the remaining points of access for the Park and Bus, southern site access (Honition Road) and Comeytrowe Lane access these are found to have no capacity issues in the modelling.

Turning to the Wellington Road corridor this has also been modelled to assess the traffic impact. Regarding the Silk Mills Road/Wellington Road Roundabout there appears to be a significant traffic impact on this with a substantial delay on the A38 and Silk Mills Road arm, and as such mitigation is considered to be essential. The proposed mitigation involves the widening of Wellington Road (north) exit to allow two lanes. This would allow the existing current right-turn lane on the A38 to be used for ahead movements, which in principle should improve capacity. However, this would do little to reduce the delay on the Silk Mills Road arm. On this basis, the applicant has also proposed contributions through marketing, signing and review of the Park and Ride to “reduce the traffic demand”. The applicant has also proposed a bus priority scheme as part of the development and having reviewed the modelling it appears that this generates no significant issues although the development would be reliant on the proposed mitigation measures. This consists of the creation of a bus priority lane on one of the arms of the roundabout which would improve bus journey times coupled with the Travel Plan (TP) and the Traffic Management Organisation (TMO) there is considered to be a level of modal shift towards public transport.

Due to the size of the development the application will have a wider impact on the highway network and as a consequence the Chelston Roundabout was also modelled. Results showed that there would be an increase in traffic on the Taunton Road arm (B3187) and the A38 Taunton arm. To mitigate this, widening of the Taunton and Wellington approaches has also been proposed. This is considered sufficient to mitigate the traffic impact associated with the proposed development, although it does not resolve the wider capacity issues at this junction.

Another junction that would be affected by the wider impact of the development is the Heatherton Park Crossroads both in terms of traffic impact and highway safety concerns. This junction suffers from existing side-arm capacity issues. These will be significantly worse by 2028 with the average delay envisaged at around two minutes. The additional development traffic would result in severe congestion and due to the length of the delay it is likely to lead to traffic re-routing along country lanes. The applicant has not proposed any capacity mitigation at this junction, but have proposed to reduce the vehicle speed limit from 50mph to 40mph. This would address the highway safety concerns raised by the Highway Authority.

Regarding the southern access junction and the route into Taunton, the main junction capacity issues will be at the Galmington Road/Trull Road mini-roundabout. The TA indicates that there will be capacity issues forecast for 2028 but this is based on the natural growth of traffic. With the proposed development this would increase to severe delays. Mitigation is therefore proposed in the form of the signalisation of the junction. The results of the modelling suggests that this mitigation would be effective and is therefore considered acceptable by the Highway Authority.

Finally in terms of the motorway junctions, the TA argues that in terms of junction 25 there is “only an insignificant rise in delay and queue lengths”. Highways England has been consulted on this proposal and have raised no concerns over this or the capacity at junction 26 of the motorway.

The TA does not consider the link capacity of the A38 between Wellington and Taunton. The Highway Authority has estimated the congestion reference flow (CRF) as 22,000 vehicles per day. This figure (the CRF) is defined as the estimate of annual average daily traffic (AADT) at which a link will be congested during peak periods on an average day. The current A38 AADT is 16,300 vehicles, well below the CRF. Growth is forecasted at 15% in 2028, which would take this figure to 18,800. The addition of Comeytrove traffic has the potential to take the road almost to this capacity, but the proposed mitigation measures will help reduce this. Therefore there is unlikely to be a capacity issue with the A38 arising from this current proposal.

The traffic impact vehicle trip generation from the site has been underestimated, however the Highway Authority believes that there will be a modal shift which would mitigate any impact in this regard. The Highway Authority believe that this modal shift may be lower than the assumptions put forward in the TA and the proposal will result in a significant increase in traffic across the network and without the mitigation that has been proposed then the impact would be considered to be severe in terms of section 4 of the National Planning Policy Framework (NPPF). However, it is recognised that the impact at some junctions can be offset if the proposed mitigation schemes are implemented through a suitable agreement. With the mitigation measures that have been proposed and provided that the Highway Authority is satisfied that these can be secured and delivered then on balance the proposal could be considered acceptable in traffic impact terms.

(f) Travel Plan

The planning application has been accompanied by a Travel Plan, which has been subject to extensive pre-application discussions between the Highway Authority and the applicant. The latest version has been audited by the Travel Plan Team at the Highway Authority. Initial concerns about the Travel Plan have subsequently been resolved through the revised submission. The only outstanding issue relates to concerns that the membership of the Transport Management Organisation is voluntary and the amount to be charged to each household. However, the Highway Authority considers that these are elements that can be discussed further at the reserved matters stage.

Regarding the bus priority from Stonegallows into Taunton town centre, it is now clear that the existing bus services will be improved which will see the diversion of existing services into the site and an increase in frequency of the main services. The applicant has spoken with the commercial operators who have no objection in principle to providing additional services. The Highway Authority is now satisfied that the proposed mitigation measures in the TA will improve journey times but this is for all vehicular traffic as such the level of modal shift is likely to be less than what has been envisaged in the Travel Plan. On this basis, the Highway Authority is satisfied with the targets set out in the Travel Plan and how they are linked with the phasing of the site, so long as this can be appropriately secured by a s106 legal agreement.

(g) Off Site Highway Works.

In addition to those works referred to above, the proposal will also include three new access into the site. Two of these will include new roundabouts and access into the site from on the A38 (northern access) and Honiton Road to the south. The third new access is proposed to provide an emergency/bus access onto Comeytrowe Road with only limited residential access. All three of these works have been subject to extensive discussions with the Highway Authority who are now satisfied that the principle of the proposed access arrangements can be delivered subject to a S106.

From the extensive discussions between the applicant and the Highway Authority in regards to the TA it has become apparent that all of the off-site highway works proposed are required to facilitate the development, because without them the proposal will result in a severe impact on the highway network. Therefore the Highway Authority would want assurances that these works will be delivered by the suitable agreement.

(h) Conclusions to the highways issues.

To conclude, it is recognised that the proposal will result in a significant increase in vehicle movements on the highway network. However the TA and addendum has shown that if all the mitigation measures which are proposed are secured and delivered, then the impact is unlikely to be considered to be severe as set out in section 4 of the National Planning Policy Framework (NPPF) and the impact of the development can therefore be considered acceptable. The Highway Authority is satisfied that the principles of the TP are considered to be acceptable at this stage although it should be noted that it will need to be secured via S106. Regarding the off-site works, the points of access proposed on the A38, Honiton Road and Comeytrowe Lane are considered to be acceptable in principle although it should be noted that these would need to be secured via a S106 and also subject to a full safety and technical audit. Based on the information set out in the TA, it is the Highway Authority's view that the delivery of the mitigation measures is essential to the acceptability of the application and as such should be secured and delivered by appropriate measures and will be subject to full safety and technical audits. In terms of the internal layout this be considered at the detailed stage. It should be noted that the Highway Authority is in on-going discussions in regards to the spine road link through the site, but they are satisfied that the general principle of the link road is acceptable.

On the basis of the above, the Highway Authority raises no objection to this proposal subject to conditions and legal agreements as specified. It is therefore recommended that this application should not be refused on traffic or transportation grounds, so long as the suggested conditions are incorporated into any approval subject to the required off-site measures can be secured.

Landscaping and visual amenity considerations.

(a) Landscape introduction.

The planning application is accompanied by a Landscape & Visual Impact Assessment which has informed the Landscape and Visual Amenity chapter of the Environmental Statement.

The landscape and visual chapter concludes that, while the Proposed Development

would have significant effects on the landscape character of the Application Site itself, it would not significantly alter the character of the surrounding landscape. Furthermore, it argues that those effects would reduce quickly with distance (from the site) so that the overall effects on landscape character types would not be significant. In relation to designated landscapes, there would be a major/moderate significance adverse effect on a small portion of the Stonegallows Ridge Special Landscape Feature, but this would not affect the role of the Stonegallows Ridge as a landscape feature or its function of providing a visual barrier to Taunton.

The Stonegallows Ridge Special Landscape Feature is a local designation under saved policy EN11 of the 2004 Local Plan. Policy EN11 itself seeks to avoid harm to the appearance, character and contribution to landscape policy of Special Landscape Features. By contrast, policy CP8 of the Core Strategy seeks the conservation and enhancement of natural environments unless other material factors are sufficient to override their importance. Policy CP8 also seeks that development outside settlement boundaries should protect, conserve or enhance the landscape.

In terms of visual amenity the Landscape and Visual chapter notes that the overall visibility of the application site is relatively well contained due to the existing Stonegallows Ridge landform to the west, the urban area of Comeytrove and Trull to the east and existing tree and hedgerow vegetation within the surrounding areas. The relatively contained nature of the application site therefore ensures that effects are predominantly within localised areas comprising the application site and its immediate context. The retention of existing hedgerows and trees along and within the application site boundary, together with the provision of new public open space and planting to the west of the proposed development, will help to integrate the proposed development into the urban and rural context.

Within the wider landscape, mature hedgerow and tree vegetation and the Stonegallows Ridge help to screen the proposed development from the north, south and west, thus retaining its inherent function within the landscape.

(b) Background to the landscape assessment.

Taunton Deane Local Planning Authority instructed Swan Paul Partnership Ltd to assist with the issues and assessments required to help the Council understand and respond to all landscaping issues associated with the submitted Planning Application for the South West Urban Extension to Taunton. In their capacity as Chartered Members of the Landscape Institute they looked at the landscape and visual elements of the application and examined whether the basis of the evidence was sound and reliable and met current landscape assessment guidelines. From all this they have been able to comment on the appropriateness and comprehensiveness of the information submitted by the applicant and made an impartial and detailed critique to assist the Council in understanding the landscape issues and considerations involved in the proposal. This consultation with Swan Paul was required due to the complex and time consuming resources required to deal with the landscaping issues arising from an application of this size. The advice given is intended to aid the LPA in making its decision on the application and to examine whether the mitigation proposals

described will meet the stated objectives.

(c) Landscape evaluation and attributes of the application site.

The topography of the area is complex and important with the site sloping to the north east, facing Taunton and bisected by the Galmington Stream, having higher ground to each side of it at Hillbrook and around Higher Comeytrowe Farm. It is therefore generally contained and contiguous with the existing urban fringe of Taunton. The land either side of the Galmington Stream is allocated under the Local Plan Policy CP8 as Green Wedge. These are proposed to be delivered as an integral part of urban extensions and will be expected to “adopt Natural England’s Accessible Natural Green Space Standards” and contribute to the TDBC Green Infrastructure Strategy. Where the Galmington Stream continues north east beyond Comeytrowe Road and outside the site it is designated as a Local Nature Reserve (South Taunton Streams).

The Stone Gallows Ridge is designated as a Special Landscape Feature within the Local Plan and lies to the south west of Taunton and the majority of the site. It is a crucial element when considering development in this locality, which is reinforced in the TDBC Taunton Strategic Urban Extensions study produced by Parsons Brinkerhoff in 2013. The ridge extends to the north of the A38 at Stone Gallows Hill where views south towards the site are prominent.

The site contains a number of hilltops and areas of high ground within it including areas at Hillbrook, and to the south and east of Higher Comeytrowe Farm, and to the north (around the area referred to as North Park in the Masterplan Appendix 1). Development on these would be visible at a local level from within the site and the edge of Comeytrowe. A small reduction in visibility from west of the Stone Gallows Ridge and from more distant receptors is possible, however these high points remain significant markers within quite a wide area. High ground to the south is encompassed by the Blackdown Hills Area of Outstanding Natural Beauty and the potential impacts of the development upon this designation will be an important consideration.

The general agricultural and pastoral nature of the land south west of Comeytrowe is important and provides a rural character to the settlement settings of Trull and Rumwell.

Panoramic and distant views towards the Blackdown Hills, Quantock Hills and glimpses of Exmoor National Park are available out of the site from the high ground within it. Ridgelines and hilltops form a prominent part of the undulating landscape beyond the site including and views into the site from these locations are also an important consideration.

There are a number of Tree Preservation Orders (TPO’s) affecting individual trees, groups of trees and woodlands within the application site. All trees and hedgerows found within the application site make an important contribution to its character and the site supports a strong and consistent small to medium scale field pattern bounded by a strong network of hedgerows. The hedgerows and mature hedgerow trees also provide functional links between settlements at Dipford, Sweethay, Trull and Staplehay

and could be strengthened as part of any new development. The existing network of attractive country lanes including Comeytrowe Lane and Dipford Road should be retained and enhanced if practicable but this should not be at the expense of road safety (for example visibility splays). Views from Comeytrowe Road are important and existing hedge boundaries and trees should be preserved where possible. A green buffer strip would help achieve this.

There are a limited number of built elements within the application site with the only significant structures being to the north at Comeytrowe Manor. Comeytrowe Road forms the current boundary to the built up area of Taunton and buildings along this route generally face the pastoral landscape of the application site to the south west. The transition of the site boundary at Comeytrowe Road will therefore be an important consideration.

The Trull Village Conservation Area lies to the east of the site straddling Honiton Road with some of it falling within the application site at its boundary and access junction with Honiton Road. Maintaining the quality and character of the conservation area will be an important consideration in this area. The setting to the Trull Conservation Area should be preserved and enhanced with incongruous and urbanising influences kept to a minimum.

The Galmington Stream forms an attractive visual element with associated trees and riverine vegetation scattered along its route. This should be preserved and enhanced. Public footpath links traverse the site and the Galmington Stream, connecting the villages of Rumwell, Trull and Staplehay. They form valuable and sustainable recreation routes that can be used with a minimum (or no) vehicle trips required to access them, and from a sizeable population. Views from the footpath network are important and features that lend character and visual appeal to these routes, such as stiles, hedges and trees should be retained where possible.

(d) Landscape evaluation.

The development site falls largely within the Taunton Deane Landscape Character Assessment area 1A – Vale of Taunton Deane and it assesses the landscape to have a moderate strength of character and to be in moderate condition, giving an overall evaluation quality as ‘moderate’. In terms of landscape evaluation the Council’s consultants have assessed the quality of the site landscape as ‘good’. The condition of the landscape would be assessed as ‘moderate/good’ with the hedgerow network in need of better management and enhancement. Overall the sensitivity of the landscape would be ‘moderate/high’ due to the prominent ridgelines in and around Stone Gallows Ridge; the presence of the Local Nature Reserve being contiguous with the stream passing through the site, and parts of the site being included within the Trull Conservation Area. It is also visible from the Blackdown Hills AONB ridge to the south.

(e) Effects on the landscape resource.

The landscape section of the submitted Environmental Statement (ES) identifies a number of effects that would arise from the proposed development and the Council’s

Landscape consultants have been asked to verify these. Whilst there is a measure of agreement, there are also some areas of disagreement. It is not felt that the areas of disagreement unduly affect the conclusions reached and further mitigation has in any event been suggested.

(f) Effects on the visual amenity.

The LVIA concludes that, from a landscape and visual perspective, the Application Site is suitable for the proposed development due to the 'embedded' mitigation, which has been employed to reduce the landscape and visual effects of the proposals. It states "this will have a limited effect on views from the surrounding areas as it would be perceived in the context of the existing urban areas of Comeytrowe and Trull to the east, and within the longer term would represent a well-designed and sensitive extension to the wider settlement. Within the wider landscape, mature hedgerow and tree vegetation and the Stonegallows Ridge topographic feature help to screen the Proposed Development from the north, south and west, thus retaining its inherent function within the landscape." The Council's landscape consultants largely agree with this statement and conclude that, with some additional considerations and information, that the development proposals would be acceptable. To summarise those considerations would be:

- More detail of the main junctions at each end of the spine road and confirmation that the reduction of landscape and visual impacts is primary among the design considerations.
- Improvements to the western structural landscape buffering to the park and ride area and employment area.
- Confirmation of the additional impact considerations at the Stone Gallows Ridge SLF (update of EDP report).
- Better vehicle connection between the new proposals and the existing urban areas to the north.
- Ensuring that high points within the site are primarily reserved for structural landscaping and not built development, with the 60m contour being considered as a design height limit across the site.
- Greater consideration of the existing field pattern and the retention of hedges and trees in the layout.
- That the design of the main spine road is sympathetic to its suburban location and is not dominated by elements such as signage, lighting, barriers, bollards and unnecessary visual clutter. It should also be difficult to use as a 'rat run' around Taunton and should be safe and appealing for residents to cross.

Many of these requirements will, however, fall to be decided at the reserved matters stage and need not concern Members at the Outline stage.

(g) Conclusions.

The proposals have set out to demonstrate how the urban extension is a suitable response to the site and its setting. In general, all assessments recognise the importance of the Stonegallows Ridge; the small to medium size fields and hedgerows; Galmington Stream Local Wildlife Site and Green Wedge; important views to the AONB and landmark features such as the Queens College Tower and a number of

veteran trees. All TDBC documents (ref: Parsons Brinkerhoff Study 2013) also stress the importance of keeping any development below the ridgeline as not to break the skyline. The proposals masterplan has much to recommend it and this is borne out in the assessment of the landscape and visual impacts as made by the EDP landscape and visual impact assessment. In particular the Council's landscape consultants emphasise the following as being a **positive contribution** to the design and mitigation strategy as put forwards by the consortium:

- The proposals meet the recommendations of the NPPF in that the functionality, quality and sustainability of the proposals have been well considered.
- Core Strategy Policy CP8 and the SADMP have been well integrated into the proposals, particularly with reference to the Green Wedge proposals that create extensive public open space along the Galmington Stream.
- The Trull Ridge open space remains largely unaffected by the development and will not experience effects that have been assessed as significant.
- National Landscape Character and the Blackdown Hills AONB are assessed as having no significant effects resulting from the development.
- Regional landscape character remains largely unaffected by the proposals, particularly at some distance from it with Landscape Character Area 1 'Farmed and Settled Vale and Landscape Character Type 3 'Farmed and Settled High Vale' having impacts assessed as moderate/minor and not significant at both construction and completion stages.
- The proposals build on earlier masterplanning studies and include the majority of the recommendations from these, combined with changes brought about by extensive public consultation into the new proposals.
- Although the proposals were formulated before the Trull Neighbourhood Plan was published it does include many of the recommendations of that report (in landscaping terms). Although it is not adopted by the Council at this stage this convergence demonstrates that many of the local sensitivities have been met. These include the creation of distinct neighbourhoods, creating a green buffer to Trull and respecting the Galmington Stream and a potential recreational space.

(c) Many of the hedges existing on the site have been maintained and incorporated into the development.

- The masterplan includes extensive vegetation buffers to the south west edges of the housing areas to ease the transition to the rural landscape and the density of development is also decreased towards these.
- Much of the detail of the Parsons Brinkerhoff masterplanning study has been followed including elements such as two distinct neighbourhoods separated by the Galmington Stream open space, an organic spine road to reduce traffic speeds and including vegetation buffers to existing residential areas.
- SUDS development within the proposals has been considered and reduced urban drainage established as an important consideration.
- The sensitivity of the SLF has been well considered with reference to Policy EN11 of the Core Strategy, with building heights restricted to 60m AOD within it and adequate screen planting provided to the north and west. Building density is also reduced to its west edge.
- Most high points within the site have been kept free of development (in line with earlier studies) including Areas west of the employment land, Higher Comeytrowe

Farm (some parts) and North Park.

In making a detailed analysis of the application documents that are of relevance to landscape and visual matters it has become clear to the Council's landscape consultants that there are also a number of issues where we feel that the proposals are not offering the optimum solution. With reference to the landscape and visual impacts of the development they found that the following issues need **further consideration:**

- The analysis of the viewpoints assessed within the LVIA concluded that there were two additional viewpoints that were worthy of consideration. These have not been included by EDP and we can only assume that the consultants have visited these sites and have discounted them. A note within the document to this effect would aid completeness.
- We believe that there are sections of the outline masterplan that will sit on the ridgeline and will have a higher impact on the landscape and visual amenity than has been assessed. Also, development proposed for the high ground around Higher Comeytrove Farm will be visible from the south and west, particularly while any mitigation planting is establishing.
- There is also development proposed for the high ground at Hillbrook just north of Gatchell Farm and this may be a better location for the proposed Broadland Park shown on the Masterplan. It is however acknowledged that the park is well located centrally to nearby proposed development and relates well to the existing public footpath.
- Whilst the addendum report on the potential effects of the park and ride and employment land on the SLF has concluded that they can be kept within acceptable levels our analysis of this information has concluded some further points of consideration which include:
 - The recommendation that building heights within the study area should be restricted to 60m AOD to be confirmed.
 - Pale colours within the employment buildings are more recessive and to be recommended.
 - EDP 'viewshed' diagram EDP5 to be given greater consideration in directing development to the north and west of the site.
 - Buffer planting to the west of the site be increased in depth.
- The proposed access roundabouts at each end of the spine road have the potential to affect character and visual amenity. This is less problematic to the north at the A38 where the nature of this busy road has a higher capacity to accommodate change; however, detailed design considerations should seek to minimise visual clutter from excessive signage and lighting.
- The junction to the south at Honiton Road and within the Trull Conservation Area is more sensitive and detailed proposals should seek the minimum of engineering intervention. The addendum drawing 13708.9940 rev C produced by Barton Willmore proposes appropriate design in response to the shops on Honiton Road which will form an attractive streetscape in this area. However, the drawing does not show how the roundabout will be treated in detail, where again a minimum of signage and lighting would be appropriate. To reduce the likelihood of the development spine road being used as a 'rat run' consideration should

be given to making this a T junction as an alternative.

- There is poor vehicle connectivity between the development and Comeytrove to the north east with vehicle access being only from the main junctions to the north and south. This will limit the functioning of the development as an 'extension' of Taunton and make it more of an isolated suburb. Consideration should be given to extending one or two vehicle links into existing built development to the north east. This will also relieve pressure on the north and south access points, providing opportunities to reduce their size/ capacity and enabling less engineered design solutions.
- The location of the key service area designed around a central square could be an attractive feature if handled well at the detailed stage. Care should be taken to ensure that the central spine road does not detrimentally affect this and at the detailed stage consideration should be given to traffic calming and adequate pedestrian access to both sides. Measures that prevent the spine road being used as a 'rat run' would also be welcome for the safer functioning of this area.
- The location of the sports pitches on the southern boundary does have the effect of softening the perimeter of the development, however, it is unclear how this will be managed or if any associated buildings/ changing facilities will be provided. It is also located on south facing sloping ground and a percentage of cut and fill will be required to achieve level playing pitches, creating an artificial landscape appearance from the south.
- Although this is only an Outline Application it is unclear how some elements of the Masterplan will be managed and this will need clearing up at the detailed stage. As well as the sports pitches mentioned above there are also elements such as planting design, species mixes etc. and the management of the green infrastructure to promote biodiversity enhancements. The proposal for orchards and wildflower areas is admirable adding an extra ecological layer to the open green space but again concern is the future maintenance of these spaces. Even with a set management plan in place, if handed across to local authority control the overall desired effect maybe become lost due to budgetary constraints.
- The need to incorporate SUD's design into the scheme could be taken further using the new development as a design exemplar with swales running through the centre or edges of roads rather than a series of small attenuation ponds in public open spaces, which would make the public open spaces more accessible to the public.
- It appears as if formal play areas are not as extensive as they could be.
- Some of the hedges identified as 'important' under the Hedgerow Regulations and identified on the D&A Constraints and Opportunities Plan have been replaced by development blocks and the justification for doing this needs to be made clearer.

The applicant has seen the landscaping report prepared on behalf of the Council and has responded to the points it raised which stated that further consideration was required. Where proposals have needed to be changed, the applicant has taken this on board and has agreed to make those changes in the reserved matters application for landscaping. Where there was confusion or misunderstanding, clarification has been given. In more detail, the matters identified in the Swan Paul report above have been addressed and the applicants offer the following comments in response.

- The revised landscape information has included, within the addendum, a viewpoint at Poundisford, as requested by Swan Paul. It is maintained that there is no view

of the proposal from here. The second viewpoint referenced by Swan Paul is one to the north of the A38 and included in the updated report.

- In respect of Swan Paul's contention that there would be sections of the outline masterplan that will sit on the ridgeline and will have a higher impact on the landscape and visual amenity than has been assessed, The applicant has clarified that the blue areas on the submitted graphic are not those above the 60m contour (the blue actually sits arbitrarily across multiple contours). In fact the blue represents 10m residential development, and excludes the special treatment for the commercial areas. The applicant has confirmed that the areas above 60m are indeed kept free from development on the Illustrative Masterplan.
- The location of Broadland Park is acknowledged to be flexible as set out in the Urban Design Framework Plan. The optimum location can be agreed as part of the detailed masterplanning and design guide.
- Buildings are stated as being restricted to 68m AOD, with footprints not higher than 60m AOD.
- This is an outline application and the colours of buildings are to be agreed at a more detailed design stage.
- In respect of the contention that the proposed access roundabouts at each end of the spine road would have the potential to affect character and visual amenity, it is acknowledged by the applicants that matter was also raised by ATLAS and on this basis the applicant has agreed to prepare a design brief for both of these areas (areas defined on the Urban Design Framework Plan) prior to the submission of Reserved Matter Applications.
- The Honiton Road Access Report submitted with the Addendum explains how the proposed roundabout option is the only technically viable solution. Further to the discussions with ATLAS, the applicants have agreed to prepare a design brief for this area (as defined on the Urban Design Framework Plan) prior to the submission of Reserved Matter Applications.
- In consultation with the local community over the last few years it has become clear to the applicants that local residents, especially those in Comeytrove, are opposed to any vehicular connections between the existing areas and the proposed community. The proposals include a bus/cycle pedestrian link in this area (as well as vehicle connectivity for up to 50 dwellings). A total of 5 new bus/cycle connections are proposed along the eastern boundary to optimise the potential for integration between the existing and new communities as well as a proposed bus link and provision for a further future rapid-transit connection. All of these will provide for connectivity and integration via sustainable means of transport. Neither the County Highway Authority nor ATLAS have requested further vehicle connections between the existing communities and the proposed development.
- The detailed design of the central square will be fixed through the preparation of the detailed masterplans and design guide required prior to the submission of Reserved Matter Applications. These will include consideration of traffic calming and safe pedestrian access.
- The sports pitches will create a soft edge to the development, and will reflect the character of the cricket pitch in this area. There will however be some inevitable

impact on landscape character, and this has been considered in the round within the EIA, and found to not unduly harm the landscape character of the wider context. Furthermore these pitches are located close to the existing neighbourhood at Trull, and close to the existing cricket pitch, thereby creating a well-connected set of recreational spaces.

- The outline application makes a commitment to the provision of an integrated sustainable drainage system to control surface water runoff. The Detailed Masterplans and Design Guides required before the submission of Reserved Matter applications will set out further detail on these and their design will be the subject of discussion and consultation at that stage.
- The “Indicative Green Space Provision” set out in the Design and Access Statement was discussed and agreed with the LPA and the proposed provision and the calculations behind them is based on the TDBC Green Space Strategy. In any case, it is not proposed to fix the exact areas of specific types of play at this stage (this is a reserved matter). The purpose is to demonstrate that the amount of open space proposed can accommodate the range of uses required. The exact quantum, location and arrangement of each type of open space will be fixed at the Detailed Masterplan / Design Guide / Reserved Matter stage.

Taking the above responses into account and giving an overview on the landscaping submission as a whole, it is the view of the Council's consultants that the proposal is acceptable in landscaping terms. It is then view of Swan Paul that, on balance when the negative aspects of the proposal are considered alongside the positive, at least in relation to the landscape and visual effects the Council's landscape consultants consider that the proposals as put forwards by the Comeytrowe Consortium in this Outline Application are acceptable and would not cause an unacceptable level of negative impact. This **conclusion** has been reached following the analysis of the relevant application documents with reference to landscape and visual matters and can be summarized as follows:

- The analysis of the LVIA has concluded that the effects on the landscape resource will be moderate or minor, reducing over time as the mitigation measures take effect. These effects will be greater at the construction phase and are associated with the sudden landscape change and the site activity.
- Effects on the Blackdown Hills AONB would be noticeable, with the built envelope of Taunton moving further west. With the extensive green infrastructure breaking up the site and the distance we do not consider this to be significant.
- Regional landscape character is assessed as moderate minor and not significant.
- On a local scale the character is assessed by baseline analysis with four landscape units (Units A-D) being analysed within the LVIA. Changes at this level are assessed as major/ major moderate and therefore significant. Structural mitigation planting will lessen these effects
- The effects on local landscape designations such as the Trull Conservation Area and the Stonegallows Ridge SLF have been analysed in the LVIA and supplementary addendum in Appendix 7.7 of the Environmental Statement. The landscape consultants consider that the sensitivities of these resources are mainly local and have been mitigated to an adequate extent, but could be further improved subject.
- Visual effects are assessed as reducing in significance at greater distance from the

development with only some very close viewpoints experiencing change that could be described as significantly adverse. The mitigation proposals seek to reduce these and will be largely successful, however, in particular it is felt that development on high ground needs further consideration.

- The Design and Access Statement has presented a thorough analysis of the landscape constraints and demonstrated a good degree of community involvement in the decision making process. Landscape context is provided by the LVIA and the masterplanning process has been influenced by previous reports made on the site, in particular the 2013 masterplan by Parsons Brinkerhoff and the TDBC Green Infrastructure Strategy.
- It has been noted that local consultation has possibly over influenced the design to the extent that the integration between existing and proposed development (particularly vehicular) is quite poor, and this is one of the elements we recommend for further consideration.
- In general a strong landscape strategy has been used to direct the development within the Masterplan area which will result in an attractive and cohesive development. This is further enhanced by the provision of a number of distinct neighbourhoods. This has a few Weaknesses, in particular development proposals on some high ground contrary to the advice of the landscape consultants in their 'Viewshed' diagram, which is recommended for re-consideration

Officers are now of the opinion that there are no outstanding issues which either have not been resolved or are not capable of resolution (in landscaping terms) when the reserved matters are submitted. Subject to the consideration of these elements (as listed above) and further dialogue with officers of Taunton Deane Borough Council on the nature of any action or change to the proposals, the landscape consultants commissioned by the Council consider that the benefits of the scheme in delivering much needed housing (as required by the Local Plan), outweigh any negative and mainly very local significant effects and the application can therefore be supported on landscape grounds.

Flood risk and drainage issues (incl. ground conditions and contamination).

(a) Flood Risk

The Environment Agency flood map shows the majority of the site as lying within Flood Zone 1. This means that it is an area outside the limit of extreme flooding from tidal or fluvial sources with less than 1 in 1000 annual probability of flooding, in any year. Only narrow strips of land adjacent to the Galmington Stream are located within Flood Zones 2 and 3, where the risk of flooding is greater. In accordance with the NPPF and PPG, all development, other than essential road crossings, would be located in Flood Zone 1 to ensure the flood risk to properties is low.

The application is accompanied by a Flood Risk Assessment (FRA) and the results of which are included in the Water Resources and Flood Risk chapter of the Environmental Statement. The FRA demonstrates how the proposed mitigation measures will manage the risk of surface water flooding (to a 1 in 100 year event, plus a 30% allowance for predicted climate change). The proposed attenuation and drainage strategy for the site comprises the following. Open pond storage and linear

storage features, containing both the attenuation and long-term storage. The ponds would be located within areas of public green space throughout the site. The application maintains that the ponds will be integrated into the landscape as a combination of publically accessible green space which is allowed to flood in extreme events, and ecological wet areas utilising suitable planting, boardwalks and other features to enhance the amenity benefit. The flow from these ponds is controlled to the annual average greenfield rate prior to discharging into the brooks. There will be no on-line attenuation on the Galmington stream itself, the characteristics of which would therefore remain unaltered by the development proposals.

The surface water drainage strategy has been designed to ensure that the buildings within the proposed development would not be flooded by a 1 in 100 year flood event (including a 30% allowance for climate change). The rates of surface water run-off draining to Galmington Stream has been demonstrated to be limited to the same as, or better than, current conditions. Accordingly, the risk of flooding to the proposed development is low.

(b) Ground conditions.

The planning application is accompanied by a Phase 1 Ground Conditions Report. The results of which have informed the Ground Conditions and Contamination chapter of the Environmental Statement. In summary, the report concludes that it is unlikely that there are any geoenvironmental and geo-technical ground conditions that will have any significant implications for the site layout and land usage of the proposed development. This is not disputed, and would not in any event affect the ability of the Planning Committee to grant planning permission.

Archaeological and cultural heritage and conservation issues.

The planning application is accompanied by an Archaeological and Heritage Assessment, the results of which have informed the Archaeology and Cultural Heritage chapter of the Environmental Statement. The designated heritage assets identified include:

Grade II listed buildings:

- Comeytrowe Manor;
- Former Entrance to Comeytrowe Manor;
- Comeytrowe Farmhouse and Attached Farm Buildings to South West;
- Higher Dipford Farmhouse;
- Dipford Farmhouse Barn;
- Higher Dipford Farmhouse;
- The Lawn;
- White Lodge;

Conservation Areas

- Trull Conservation Area

The Archaeology and Cultural Heritage chapter considers the effects of the development on designated and undesignated heritage assets. It concludes that there would be no significant effects on either designated or undesignated assets. However, there will be residual effects on the significance to two designated heritage

Assets. Firstly, a moderate/minor direct effect through construction within a small area of the Trull Conservation Area, and secondly, a moderate effect on the setting of the Conservation Area, and thirdly, a moderate/minor effect on the setting of Grade II listed Rumwell Park. None of these effects is considered to amount to 'substantial harm' to the significance of a designated asset for the purposes of Part 12 of the NPPF. The NPPF (paragraph 134) states that where less than substantial harm to the significance of a designated heritage asset is identified, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. A similar statement is contained in policy CP8 of the Core Strategy which states that the Council will not permit development which causes harm to the historic environment unless other material factors are sufficient to override their importance. The Environmental Statement argues that the harm to the Conservation Area and setting of the listed building is considered to be limited, but it nonetheless must be given considerable importance and weight. This creates a presumption against the grant of permission which must be outweighed. It is considered that the public benefits the proposal would bring identified elsewhere in this report, particularly in achieving the Core Strategy's vision for a mixed use urban extension at Comeytrove and thereby contributing to meeting the Borough's housing needs, do outweigh the limited harm to designated heritage assets and the statutory presumption in favour of their preservation.

During the course of this application, the Somerset Industrial Archaeological Society (SIAS) have drawn to our attention a relatively small but important industrial archaeological site at the former Comeytrove Farm. It is not included in the Archaeological and Heritage Assessment submitted but this is probably because it only came to the attention of SIAS last year. Further research has traced sales particulars at the Somerset Heritage Centre dated 1901 which identifies the Mill House and the overshot waterwheel driving machinery via six pulleys, shafting and brackets. SIAS submits that whereas farm mills were once common in Somerset, this particular example is worthy of consideration for retention within the overall planning scheme. They suggest that the site should initially be flagged up as a possible open public area, the combination of the wheel and restored building providing a leisure facility to the greater enjoyment of the public. They state their willingness to co-operate with the developers over its enhancement. The Council's own research has identified that it is possible that the water wheel is curtilage listed. The crucial test is the ownership situation at the date of listing - 9 November 1987. If Comeytrove Manor and the wheel were in the same ownership at this date then the wheel is listed. This is not clear however. The same would apply to the industrial sheds to the north and west of the house if they were built before 1948 - some of which are on the same site as C19 buildings and could date from this period. The Conservation Officer has sensibly recommended that, if they are curtilage listed we could add an informative to state that LBC would be required to demolish or alter any of the curtilage structures. If they are not curtilage listed, the water wheel would be classed as a non-designated heritage asset and the usual tests applied in the NPPF. In that circumstance, the application would still need to make provision for the water wheel, as clearly, its loss would represent substantial harm. Therefore, every effort should be made to retain this feature. The applicant has reviewed the information from the Somerset Historic Environment Record and National Heritage List for England, and confirms that neither

of these sources mention a waterwheel or give any indication of important buildings in the curtilage of the Grade II listed Comeytrowe Manor. On this basis, the applicant supports the Conservation Officer's recommendation to provide an informative note appended to any future planning permission, which would ensure that any subsequent listed building consent is obtained for the demolition, or conversion of the Manor outbuildings (if any survive). The applicant also points out that even if the outbuildings and waterwheel are listed by virtue of being within the Manor's curtilage, it does not prejudice the outline planning application, which simply establishes the principle of development and its broad form.

Biodiversity.

- **Ecology and nature conservation.**

Appropriate ecological surveys have been undertaken at the application site, which have helped inform the planning application for the development. The results of the surveys are included in the Ecology and Nature Conservation chapter of the Environmental Statement, which includes an assessment of the impacts and the mitigation works proposed. In summary, the habitats within the site are generally of low ecological value, reflecting the agricultural land use which dominates. However some habitats of higher value were identified, namely the Galmington Stream (which is part of a Local Wildlife Site and connects with a Local Nature Reserve), hedgerows, trees and ponds. Protected species and species groups which were recorded within the site include bats, birds, dormice, badgers and reptiles. The long-term strategy to mitigate adverse effects proposed by the application includes creating and managing new habitats of ecological value and/or new opportunities for protected species, to provide net gains for biodiversity. The design and layout of the proposed new and compensatory habitats, which includes woodland, hedgerows, flower-rich grassland and wetlands, has been closely integrated with the other objectives for undeveloped open ('green') spaces such as public enjoyment and surface water management. The Application maintains that through sensitive design and additional mitigation measures proposed, there are no significant ecological constraints to development on the site and there are opportunities for ecological benefits to be delivered as part of the development.

It is clear that Natural England does not object to the planning application, nor does it have any significant concerns regarding the proposals. Both the site-specific comments, and the generic advice provided, have been fully addressed by the application proposals at an appropriate level of detail for an outline planning application. It is noted that Natural England have no objections on the grounds of internationally and nationally designated sites. This accords with the position agreed between the applicants' biodiversity consultants and Somerset County Council's Ecologist, namely that no adverse impacts upon internationally and nationally designated sites are anticipated as a result of the proposed development. In terms of designated Landscapes, the potential impacts upon the Blackdown Hills AONB and other landscape receptors have been assessed in detail within Landscape Assessment, submitted with the planning application. This has been agreed by the Council's own landscape consultants. In respect of protected Species, it is noted that

Natural England have not assessed the application for impacts upon protected species, instead referring to their Standing Advice. Reference is made to concerns raised by Somerset County Council's Ecologist in relation to dormice, bats and skylarks, although these concerns have been subsequently resolved through correspondence and meetings. A full record of this consultation is provided within the Environmental Statement Addendum. There is confirmatory correspondence from the County Ecologist, dated 10 August 2015, which states "I can confirm that ecological matters are resolved". However, the applicants agree that further advice from Natural England should be sought in this respect at the detailed design stages of the development. In respect of green infrastructure and biodiversity enhancements, Natural England notes that "The application provides for an extensive green infrastructure," which is one of many benefits of the proposed development. It is agreed that further details regarding species planting and management will be required in due course, but this is clearly a matter of detail which is capable of being controlled through the attachment of planning conditions to the outline planning consent. Similarly, a range of measures are proposed within the submitted Ecological Assessment which would provide biodiversity enhancements, full details of which would be submitted for approval by the LPA at the detailed design stages and which should be secured by planning condition. Natural England rightly expects the LPA to also consider impacts upon features (sites, habitats and species) of local importance, including non-statutory nature conservation designations such as the Galmington Stream Local Wildlife Site. Such features have been fully considered throughout the design process and in determining the principles of mitigation to ensure that no significant adverse impacts would arise. It is clear that Natural England does not object to the planning application nor does it have any significant concerns regarding the proposals. Both the site-specific comments, and the generic advice provided, have been fully addressed by the proposals at an appropriate level of detail for an outline planning application.

To re-iterate, the County Ecologist (8th August 2015) has now confirmed that all ecological matters are resolved

Social dimensions.

(a) Local centre

A mixed use area of up to 1.6 hectares is proposed at the centre of the site on the intersection of the proposed east-west avenue and the south avenue link, as the key location for activity. It is important that the local centre complements, rather than competes with existing town centre retail facilities and so it will need to provide a range of small-scale facilities within convenient walking distance of new homes. Although this application seeks to establish the principle of a mixed use local centre, the exact composition will be reserved for later consideration by the Local Planning Authority. However, the Environmental Statement assumes the following maximum gross internal floor space areas within the local centre:-=

- (d) Up to 1,000 m² of A1, A2, A3, A4 and A5 Use Classes;
- Up to 500 m² of B1 Use Class;
- Up to 250 m² of D1 Use Class.

It is anticipated that a range of facilities could include a local food store with a gross internal floor space of 500 m², other retail with a gross internal floor space of up to 500m², office (on upper floors) and multi-functional community uses. Uses within this range are considered to be appropriate for a truly local centre and would not adversely compete with existing town centre facilities.

It is clear that the new local centre needs to be handled sensitively given the many functions and activities it will host. The applicants have agreed to the suggestion of a design brief to handle all aspects of the local centre, with a view to providing an excellent, well planned environment at this point that would be pedestrian friendly, have a strong economic viability, a pedestrian friendly and human scale environment, and an attractive, prosperous and pleasant environment. The design brief would be required by condition before any work took place on this phase of the development.

(b) Employment

The Proposed Development includes potential employment opportunities within the proposed Local Centre and the employment area, with floorspace proposed within the A and B use classes. The submitted information calculates the indicative number of jobs that are likely to be generated in accordance with guidance provided in the Homes and Communities Agency, Employment Densities Guide 2nd Edition, 2010 (Ref 15.21) and provides the range of potential jobs created from worst to best case scenario, demonstrating the extremes of floorspace per full time worker within each use class. The Table demonstrates that a worst case scenario of 358 jobs and a best case scenario of 836 jobs could become available. Deducting the 31 existing jobs identified in the baseline assessment, generates a net additional employment figure of 327 to 805 jobs. On the basis that there currently exists a 5.5% unemployment rate within TDBC; that over 1,000 local residents are claiming out of work benefit; that the job density within TDBC has decreased over the past decade; and that the Region overall relies heavily on Manufacturing as an economic driver which, due to improvements in technology is generating fewer and fewer jobs, the provision of an additional 327 to 805 job opportunities is considered to have a moderate beneficial effect on employment.

(c) Healthcare

It will be noted from the comments provided by NHS England (earlier in this report) that a considerable sum of money has been requested in order to ensure the kinds of health services at a local scale that as new community of this size would need. This would include a new doctors surgery, 2 doctors, pharmaceutical services, optometry services and dental healthcare. From debate below in the section on planning obligations, it will be noted that the applicants do not accept the need to fund these services through a s106 agreement, as they make the case that the request is not necessary to make the development acceptable in planning terms, it is not directly or fairly related to the development, it is not fairly and reasonably related in scale and kind to the development, and was likely to fall foul of the requirements not to have more than five contributions pooling towards a provision. These arguments have been subsequently disputed by NHS England. However, caselaw implies that this type of infrastructure should not be funded through s106 monies. Whilst healthcare does not specifically appear on the Council's regulation 123 (CIL) list, healthcare funding could

still theoretically be delivered through CIL, although in light of the many demands on CIL funding, it is officers' opinion that it is highly unlikely that this will be the case.

(d) Education

The application proposes a primary school which has been required by the County Education Authority. The Masterplan Parameters and Principles document identifies two potential locations for a 2.2 hectare area for a primary school site and land has been set aside for this purpose. Officers have been working closely with Somerset County Council and the applicants to ensure a primary school is delivered on site. It is not critical to identify which site would be preferable at this stage because the application only seeks outline permission and that would be a detailed consideration that would be agreed at the reserved matters site. Officers have raised a query about the size of land proposed for allocation of the school and whether or not it would include pre-school facilities (a County Education Authority requirement). The applicant has now confirmed that the application proposals seek to reserve land for 2.2 hectares of land for a "14-class, 2-form intake primary school with pre-school facilities," in accordance with Policy TAU1 (5th bullet point). They make the case that the policy simply refers to a generic requirement for "approximately 2.5 hectares" of land. The proposals provide for 2.2 hectares which meets the Government's Design bulletin guideline. This is therefore considered to be in line with the relevant policy within the Publication Draft of the SADMP.

The Applicants have indicated that they would be willing to deliver the primary school and pre-school facility 'in kind' against its CIL liability. The County Education Authority has welcomed the developers' commitment to early delivery of the school. They have requested that it should be delivered at 350 dwellings.

(e) Community hall.

The developer has offered to build the community hall and off-set its cost against their CIL liability. However, due to other demands on TDBC's proportion of the CIL funding, and in the event of 25% going to the Parish, it is considered unlikely that the community hall will be delivered unless the Parish Council is willing to use its proportion of CIL towards this.

(f) Sports pitches, play areas, allotments and other areas of open space.

The application proposes at least 26 ha of land for use as public open space to include a Neighbourhood Equipped Area of Play (NEAP), 3 Locally Equipped Areas of Play (LEAP), at least 1.35 ha of allotment space, at least 7.5ha of active recreation space (as defined in the Taunton Deane Green Space Strategy 2010), amenity open space, natural areas (including ecological habitat areas) and other green space.

Planning Obligations and Infrastructure Delivery.

Policy TAU1 in the emerging Site Allocations and Development Management Plan outlines specific infrastructure requirements in order to create a sustainable community. These have already been considered above.

There have been on-going discussions with the developers and Somerset County Council (as the Education and Highways authorities) to agree the timely delivery of infrastructure required to support the development. Discussions have also taken place

with relevant officers within Taunton Deane Borough Council. Appendix one details the identified infrastructure needs arising from the development and the possible funding mechanism for delivery (i.e. s106 and CIL). As part of the amended CIL Regulations developers are able to deliver infrastructure items through Payment in Kind (Regulation 73A) and off-set this infrastructure payment against their CIL liability. This has been suggested in the case of the proposed new school.

The proposed development is likely to generate between £11-£12m in CIL receipts over the lifetime of the development. The CIL Regulations, as amended (Reg 59A), requires Taunton Deane as the charging authority to pass 25% of the CIL receipts to a relevant parish council with an adopted Neighbourhood Plan and 15% in the absence of an adopted Neighbourhood Plan. For the maximum amount to be due (25%), the Neighbourhood Plan has to have passed through its examination, had a positive result from its referendum and been adopted formally by the borough Council. In the case of this application, these steps would need to have been completed before the submission of a reserved matters application, otherwise the amount due to the Parish Council would be 15%. The amount due to the Parish Council may change over the course of the reserved matters applications, as they are likely to be the subject of phased submissions. The best estimate that can currently be given is that for Trull Parish Council, this could result in CIL receipts to the Parish of between £2.75m - £3m, with the balance of £8.25 - £9m remaining with Taunton Deane.

The developers have offered to deliver the following items of infrastructure on-site as payment in kind. This would then be off-set against their CIL liability:

- Primary school with an on-site preschool
- Community Hall- Any such proposal would ultimately need to be considered by the by Full Council.

The Consortium have also offered to deliver on-site infrastructure items on behalf of the Trull Parish Council and off-set these against the 15% / 25% CIL receipts the Parish will receive. Such matters could include:

- Sports pitches
- Pavilion and changing rooms
- Allotments

It is a decision for Trull Parish Council to confirm whether they choose to accept the delivery of infrastructure items in lieu of CIL payments. However, due to other demands on TDBC's proportion of the CIL funding, and in the event of 25% going to the Parish, it is considered unlikely that these facilities will be delivered unless the Parish Council is willing to use its proportion of CIL in this regard.

The remaining CIL funded infrastructure item is the provision of additional secondary school places generated by the development. The Education Authority has confirmed that the development in itself does not trigger the need for a new secondary school. The Education Authority have confirmed that at present there are sufficient secondary school places in Taunton to accommodate the secondary school places generated by the development. It is acknowledged that the lack of capacity at the local secondary schools (Castle and Bishop Foxes) is partly due to pupils from outside the catchment areas. The Infrastructure Delivery Plan (2014) highlights the need for a new 7-form entry secondary school towards the end of the plan period. The provision of CIL

funding to support the delivery of the new secondary school will need to be considered by the Council based upon its CIL Governance arrangements.

As confirmed earlier in this report NHS (England) have asked for a considerable sum of money to fund new healthcare practices to serve the new development. The applicant has sent in a detailed response explaining why in their opinion the request does not meet the tests in the regulations for either a CIL or s106 payment. The request is not necessary to make the development acceptable in planning terms, it is not directly or fairly related to the development, it is not fairly and reasonably related in scale and kind to the development, and was likely to fall foul of the requirements not to have more than five contributions pooling towards a provision. These arguments have been subsequently disputed by NHS England. However, case law implies that it should not be funded through s106 monies. Whilst healthcare does not specifically appear on the Council's regulation 123 (CIL) list, healthcare funding could still theoretically be delivered through CIL, although in light of the many demands on CIL funding, it is officers' opinion that it is highly unlikely that this will be the case.

There has been some debate between the applicants and the Council's Community Leisure Officer as to the exact amount that will be due to support community leisure facilities. In particular, whether the figures should be based in accordance with the standards found in the Council's most recent Green Space Strategy (2010), or the saved Local Plan Policy C4 and its supplementary planning guidance (SPG) ('Public Space Developer Guidance,' 2008). However, it is now recognised that the Green Space Strategy should be used to calculate the requirement for leisure facilities and any required payments. This will need to be agreed as part of the s106 legal obligation.

Appendix one attached gives officer's opinion on how the infrastructure works could be funded. The list of required infrastructure is accurate and reflects the requirements of the various consultees on this application. However, the detail will still need to be confirmed and ratified in a legal agreement. The detailed requirements of the s106 obligations will need to be delegated to the Assistant Director to resolve under delegated powers in consultation with the Chair/Vice-Chair of the Planning Committee. In the event that agreement cannot be reached, the application would be referred back to the Planning Committee for their further consideration.

Conclusions.

It is concluded that the applicants have demonstrated that a high quality, sustainable development is achievable and deliverable. The proposals have been shaped by the involvement of the local community and key stakeholders through a series of comprehensive and collaborative workshops. It is considered that the development of the proposed allocation site will be largely visually contained within the landscape and will form a natural and sensitive urban extension to Taunton. The proposed development will be well-connected to the surrounding area and the proposed mix of uses will complement the existing uses in the immediate and wider area. The transport strategy has demonstrated that the site is both accessible and permeable. A comprehensive green infrastructure network demonstrates an appropriate landscape setting for the development as well as providing a green interface between the new neighbourhood and nearby existing residential areas.

The application relates to the area allocated for a mixed-use urban extension in the emerging Site Allocations and Development Management Plan and in the adopted Core Strategy. The site itself is proposed for allocation in the SADMP which is therefore already agreed Taunton Deane Council policy. The planning application is broadly compliant with the Council's Plan and this must weigh heavily in favour of granting permission. The Council also relies upon the early delivery of new homes from this site in its identified five year deliverable supply of housing land, all of which are factors that weigh in its favour of approval. As stated above, the application proposal is in accordance with development plan policy and would deliver the sustainable comprehensive mixed use urban extension that Taunton needs. The application should, therefore, following NPPF paragraph 14, "be approved without delay".

Officers are satisfied that the level of detail supplied, the responses to the negotiations and the revisions incorporated into the scheme have now provided a scheme that can be accepted by Members, subject to the delegation of various matters in terms of Planning obligations and conditions as indicated. The recommendation is therefore one of conditional approval, subject to conditions and the agreement of planning obligations under the Assistant Director's delegated powers.

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

CONTACT OFFICER: Mr J Burton Tel: 01823 356586

Item	Development Cost	CIL	Section 106
EDUCATION			
Primary School with on-site preschool		✓	
Secondary Education provision off-site		✓	
HIGHWAY WORKS			
A38 Bus Priority & Silk Mills Roundabout			✓
A38 Bus Priority, near school			✓
Heatherton Park Crossroads Safety Scheme			✓
A38 Chelston Roundabout			✓
Galmington Road/Trull Road Improvements			✓
Park & Bus			✓
A38 Park & Bus access Junction			✓
Comeytrove Lane Access Junction including works to Comeytrove Manor Farm			✓
Honiton Road Access Junction			✓
Dipford Road Crossing	✓		
Comeytrove Lane Crossing including downgrading of highway	✓		
Higher Comeytrove Farm Access	✓		
Reinforcement/realignment of existing pedestrian/cycle access points.	✓		
New pedestrian/cycle access points	✓		
Pedestrian Access Point; upgrading existing	✓		
Pedestrian Access Point; new	✓		
Formal Footpath - 2m wide unlit	✓		
Informal Footpaths - 2m wide unlit	✓		
Cycleways - 3m wide lit	✓		
Link road between A38 and Honiton Road	✓		
TRANSPORT			
Improvement to the Webber bus service between the northern part of the site, the park and bus site and the town centre via the railway.			✓
Improvement to the Hatch Green bus service between the southern part of the site and the town centre via Trull Road			✓
Car Club			✓
Travel Plan			✓
ON-SITE LANDSCAPE			
Squares, parks, amenity space, landscape buffers and green areas	✓		
SOCIAL & COMMUNITY			
Affordable Housing		✓	
Community Hall		✓	
Allotments		✓	
FLOOD ATTENUATION			
Swales	✓		
Retention basins	✓		
PLAY EQUIPMENT AND SPORTS FACILITIES			
LEAPs			✓
NEAPs			✓
MUGAs			✓
Skate Park			✓
Play Equipment Maintenance Costs			✓
Laying out of Sports Pitches		✓	
Pavilion / Changing rooms		✓	
Open Space Maintenance Costs			✓
ECOLOGY			
Ecological Management Plan - Long Term Management	✓		

38/15/0375

MR & MRS SQUIRE

CONVERSION OF ROOF SPACE AT 56 MOUNTFIELDS ROAD, TAUNTON

Location: 56 MOUNTFIELDS ROAD, TAUNTON, TA1 3BJ

Grid Reference: 323546.123293

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A1) Dr No J134/03 Survey and Proposal Drawing

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The window(s) in the side (west) elevation shall be glazed with obscure glass to be agreed in writing by the Local Planning Authority and shall thereafter be so retained. There shall be no alteration or additional windows in this elevation without the further grant of planning permission.

Reason: To ensure the privacy of the adjoining occupiers in accordance with retained Policy H17(A) of the Taunton Deane Local Plan.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has granted planning permission.

PROPOSAL

Construction of a hipped roof dormer window on the side (west) of the property. The dormer will have a hipped roof and will be clad with tile hanging to match the existing roof. The window that will serve the dormer will be obscure glazed and openable and will serve the proposed stairway up to the proposed bedroom and en-suite. The dormer needs permission as the window is openable.

The application is being presented to Planning Committee as the Agent is related to a Member of Staff.

SITE DESCRIPTION AND HISTORY

56 Mountfields Road is a semi-detached property which is part brick and part render under a tiled hipped roof. There is a window on the existing side elevation that serves the staircase.

There have been other dormer windows along some of the properties within Mountfields Road and also side extensions, which vary in style and design.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

None received.

Representations

None received.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
H17 - TDBCLP - Extensions to Dwellings,

LOCAL FINANCE CONSIDERATIONS

Not applicable in this instance.

DETERMINING ISSUES AND CONSIDERATIONS

The proposed dormer will be constructed on the side elevation facing the adjacent neighbour. The window contained within the dormer will be obscure glazed and serves the new staircase. The retention of this glazing for the future has been controlled by condition. Therefore, it is considered that there will be no additional

overlooking from the proposed window than from the existing window on the side elevation. There are other dormer windows and side extensions along the street that differ in size and design. In this regard the dormer, will not cause a harmful impact on the street scene and is therefore considered to be acceptable.

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

CONTACT OFFICER: Mrs S Melhuish Tel: 01823 356462

38/15/0394

TAUNTON DEANE BOROUGH COUNCIL

ERECTION OF TWO STOREY EXTENSION TO THE SIDE AND REAR OF DWELLING AND FORMATION OF VEHICLE HARDSTANDING/VEHICLE CROSSING AT 11 BELMONT ROAD, TAUNTON

Location: 11 BELMONT ROAD, TAUNTON, TA1 5NS

Grid Reference: Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A2) DrNo J118/02B Proposed Plans and Elevations

(A3) Dr No J118/01 Existing Ground and First Floor Plan, Existing S, E and N Elevation Location Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) Order 2015 (or any order revoking and re-enacting the 2015 Order) (with or without modification), no window/dormer windows shall be installed in the west or east elevation of the development hereby permitted without the further grant of planning permission.

Reason: To protect the amenities of adjoining residents in accordance with Policy DM1(E) of the Taunton Deane Core Strategy.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

PROPOSAL

Erection of a two storey hipped roof extension at the rear and side of the property, to provide an additional bedroom and bathroom at first floor level and a living room and wet room at ground floor level. The proposed extension will project from the rear elevation by 3m by 5.5m and will wrap around the side elevation and project 1.8m with a depth of 6m. There are no windows shown on the east or west (the side) elevations. The proposed new windows will look down the rear garden at both ground and first floor levels. The extension will be finished in facing brick and tiles to match the existing property.

The plans that were initially submitted showed the extension projecting 3.69m from the rear of the property. After discussions with the Housing Project Manager this has been reduced to 3m and amended plans have been received.

In addition, it is proposed to construct a tarmac surfaced driveway with a turning head at the front of the property.

The application is being presented to Planning Committee as the Agent is related to a Member of Staff.

SITE DESCRIPTION AND HISTORY

11 Belmont Road is a semi-detached, hipped roof property that is finished in brick under a tiled roof. There is a pedestrian door and a landing window currently in the side (east) elevation. The existing brick built outhouse is attached to the similar one on the boundary at 13 Belmont Road. This will be removed as part of the application.

A 1.8m fence encloses the garden.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

None received.

Representations

Letter received from 13 Belmont Road raising concerns with regards to the reduction in sunlight on the back garden, the brick shed at the rear of the property would become unsafe and overlooking will occur as the windows on the side are too close.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
H17 - TDBCLP - Extensions to Dwellings,

LOCAL FINANCE CONSIDERATIONS

Not applicable in this instance.

DETERMINING ISSUES AND CONSIDERATIONS

The main issues for consideration are the impact on the character of the building and the amenity of the neighbours.

A two-storey extension is proposed at the rear of the property and wraps around to the eastern side. There are no windows shown on either side elevation of the extension and this has been controlled in the future by condition. This will restrict any windows being added without the benefit of planning permission and protect the amenity of the neighbours. The windows in the new bedroom and living room look towards the rear garden and the ones in the wet room and bathroom to the front. The design of the extension will reflect the existing property and the reduction in the size of the extension brings the projection in-line with that which could be erected as permitted development, albeit without the wrap around element. The impact on the neighbour in terms of light and proximity is therefore considered to be an acceptable one.

The extension is considered acceptable in terms of size, scale, materials and design and will not harm the character of the dwelling. There will be no additional overlooking issues as the windows will be facing towards the rear garden. The maintenance of the adjoining brick outhouses is not a planning matter and would need to be addressed as a civil matter between the neighbour and applicant.

The provision of the hard standing and turning head at the front of the property does not cover the front garden in its entirety, therefore part of the garden will be available for any surface water to drain within the curtilage of the property and not onto Belmont Road.

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

CONTACT OFFICER: Mrs S Melhuish Tel: 01823 356462

Appeal Decisions

Site: 55 Richmond Road Taunton

Proposal: ERECTION OF REPLACEMENT SINGLE STOREY AND TWO STOREY EXTENSION TO THE REAR OF 55 RICHMOND ROAD, TAUNTON.

Application number: 38/15/0049

Reasons for refusal

1. The proposed design of the two storey extension, by virtue of its flat roof, will detract from the character and appearance of the building within the terrace and as such the proposal is contrary to the retained Policy H17(C) of Taunton Deane Local Plan and Policy DM1(d) of Taunton Deane Core Strategy.

Appeal decision: ALLOWED

Site: LAND AT BAKERS FIELD, CURLAND, TAUNTON, SOMERSET

Proposal: PRIOR APPROVAL FOR PROPOSED CHANGE OF USE FROM AGRICULTURAL BUILDING TO DWELLING HOUSE (USE CLASS C3) AND ASSOCIATED BUILDING OPERATIONS AT LAND AT BAKERS FIELD, CURLAND

Application number: 15/15/0001

Reasons for refusal

The Local Planning Authority considers that the site was not used solely for an agricultural use, as part of an established agricultural unit on 20th March 2013. Therefore, the proposed development does not comply with the limitations or restrictions set out in Schedule 2, Part 3, Class MB, paragraph MB.1 (a) of the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 and it is not permitted development.

Appeal decision: DISMISSED

Appeal Decision

Site visit made on 21 September 2015

by **G P Jones Bsc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08 October 2015

Appeal Ref: **APP/D3315/D/15/3062070**

55 Richmond Road, Taunton, Somerset, UK TA1 1EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Murray against the decision of Taunton Deane Borough Council.
 - The application Ref 38/15/0049, dated 4 February 2015, was refused by notice dated 7 April 2015.
 - The development proposed is described as 'Existing extension had to be demolished due to dangerous brickwork. Proposed works are to reinstate previous two storey extension with slightly larger ground floor footprint'.
-

Decision

1. The appeal is allowed and planning permission is granted to reinstate previous two storey extension with slightly larger ground floor footprint at 55 Richmond Road, Taunton, Somerset, UK TA1 1EN in accordance with the terms of the application, Ref 38/15/0049, dated 4 February 2015, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: jpm/7050, jpm/7051, JPM/7052, JPM/7053, JPM/7054, JPM/7055, JPM/7056, JPM/7057 and JPM/7058.
 - 2) Unless within two months of the date of this decision a scheme for the details of the materials to be used in the construction of the external surfaces of the building hereby permitted, is submitted to the local planning authority for approval, and unless the approved scheme is implemented within six months of the local planning authority's approval, the occupation of the building hereby approved shall cease until such time as a scheme is approved and implemented.
 - 3) If no scheme in accordance with condition 2 above is approved within eight months of the date of this decision, the occupation of the building hereby permitted shall cease until such time as a scheme that has been approved by the local planning authority is implemented.

Procedural matters

2. For the sake of consistency I have used the description of development that was contained in the original application form, even though this differs from that given in the Council's decision notice.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, having particular regard to the host property.

Reasons

The effect of the proposal on the character and appearance of the area, having particular regard to the host property

4. The appeal property lies within a block of terraced properties that are all of a similar appearance in terms of their front elevations. However, there are a variety of architectural styles within the surrounding area, and the Council considers that the rear elevations of this terrace of properties also contain a variety of styles. The proposed development is a replacement ground floor rear extension and a replacement first floor rear extension. At the time of my site visit the proposal had been commenced but not completed as the blockwork walls of the ground floor extension had been constructed, and the first floor rear extension that had previously existed had been removed.
5. The proposed ground floor rear extension would be a replacement of a previous rear extension that would be of the same depth but would be wider as it would cover almost the entire width of the rear elevation. The proposed first floor rear extension is also a replacement of a previous extension and it would be of similar depth and width as the previous extension, and would cover approximately half of the width of the property's main rear elevation.
6. The majority of the properties in this stretch of Richmond Road do have both ground floor and first floor rear extensions. The depth of the ground floor extension would match the depth of the ground floor extension at No. 53. In addition, although wider than previously, the width and height of the rear ground floor extension would be such that the extension would still appear subservient to the host property and generally in keeping with that of other rear extensions in the locality. Therefore I consider that both the scale and design of this element of the proposal would not be significantly detrimental to the character or appearance of either the area or the host property.
7. The main difference of the reasonably small scale replacement first floor extension would be the proposed use of a flat roof rather than a 'cat slide' roof. Nearly all of the first floor extensions in this stretch of terraced properties have 'cat slide' tiled roofs that adjoin the main roofs and blend in accordingly. The exception to this is the first floor rear extension at No. 47 that lies a few doors away and which has a flat roof enclosed by a parapet wall. In addition, the appellant has cited a number of flat roof dormer extensions that are located within the area.
8. The appellant contends that providing a replacement cat slide roof would result in an inadequate amount of headspace in the first floor extension, since the ground floor extension has had to be built up to a higher ground level to provide a level floor throughout the ground floor area. From the evidence of my site visit I could see that this was indeed the case, and there was a difference in levels between the replacement ground floor extension and the adjoining rear garden area.
9. The replacement first floor extension would be relatively small scale in nature and it would sit below the eaves of the main roof. Consequently it would

appear subservient to both the main property and the proposed ground floor extension. Although the proposal would mean that the first floor flat roof of No. 55 would be juxtaposed with the cat slide roof of the first floor extension of No. 53, I do not consider that this would be significantly detrimental to the character and appearance of the area. Furthermore, due to its scale and location on the rear elevation, and the fact that there are already examples of first floor and dormer extensions with flat roofs in the locality, I consider that the proposal would not be significantly detrimental to the existing character and appearance of the area nor to the host property.

10. As such I consider that the proposal would accord with retained Policy H17(C) of the Taunton Deane Local Plan, adopted November 2004, and Policy DM1(d) of the Taunton Deane Core Strategy 2011-2028, adopted September 2012, that both seek, among other matters, to ensure that developments, including extensions, do not harm the form and character of the dwelling and are subservient in scale and design.

Personal circumstances

11. The appellant has made reference to personal circumstances and the Public Sector Equality Duty. However, given my aforementioned conclusion, this matter would not be determinative and it is not necessary to consider it any further.

Other matters

12. The appellant has proposed that a parapet wall could be constructed around the perimeter of the first floor extension. However, such a proposal was not part of the original application and I have no plans before me that depict such a proposal. Therefore I have considered this appeal on the merits of the details that were originally submitted.

Conditions

13. In addition to the standard condition which limits the lifespan of the planning permission, the Council has suggested a number of conditions in the event that the appeal succeeds. I have considered these in the light of the advice contained within the Planning Practice Guidance (the PPG). In allowing the appeal I shall impose conditions accordingly, improving precision where necessary in accordance with the advice in the PPG. However, as the development has clearly already commenced I cannot impose the standard time limit condition for commencement that the Council has recommended.
14. A condition to direct that the development accords with the approved plans is required for the avoidance of doubt and in the interests of proper planning. A condition requiring details of external materials is required to ensure that the materials would accord with the character and appearance of the area and of the host dwelling. Due to the difference in external finishes between the original part of the property and the proposed extensions, and the fact that a flat roof is proposed, a materials condition requiring details to be submitted for approval, rather than one that only requires the proposed materials to match the existing, is considered necessary.
15. The purpose of conditions 2 and 3 is to require the appellant to comply with a strict timetable for dealing with the submission of the details of external materials which needs to be addressed in order to make the development

acceptable. The purpose and effect of the conditions is therefore to ensure that the occupation of the building authorised by the grant of planning permission may only continue if the appellant complies with each one of a series of requirements.

Conclusion

16. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

GP Jones
INSPECTOR



Appeal Decision

Site visit made on 21 September 2015

by **G P Jones Bsc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 October 2015

Appeal Ref: APP/D3315/W/15/3070027

The Barn at Baker's Field (Grid Ref - 327847, 117323), Curland, Taunton, Somerset

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development)(England) Order 2015.
 - The appeal is made by Mr Andrew Helliar against the decision of Taunton Deane Borough Council.
 - The application Ref 15/15/0001/CMB, dated 9 February 2015, was refused by notice dated 10 April 2015.
 - The development proposed is prior approval of proposed change of use of agricultural building to a dwellinghouse (use class C3), and for associated operation development.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Andrew Helliar against Taunton Deane Borough Council. This application is the subject of a separate Decision.

Procedural matters

3. The application that is the subject of this appeal was made under the Town and Country Planning (General Permitted Development) Order 1995 (as amended). However, the 1995 Order has been superseded by The Town and Country Planning (General Permitted Development)(England) Order (GPDO) that came into force on 15 April 2015. Under the new GPDO permitted development rights for the change of use of agricultural buildings to dwelling houses now fall under Class Q of Part 3 to Schedule 2, rather than Class MB. As such, the effect of the Interpretation Act 1978 is that anything done under the revoked Class MB now has effect as if done under Class Q. Accordingly I refer to the provisions of Class Q in reaching my decision.
4. The provisions under Class MB have been replaced by similar provisions under Class Q. However, there are slight differences between the two Orders that are of relevance to this appeal. Class Q.1(a)(ii) of the GPDO now states that: 'in the case of a building which was in use before that date but was not in use on that date, when it was last used'. Whereas Class MB.1(a)(ii) of the 1995 Order stated that: 'if the site was not in use on that date, when it was last in use'.

5. As the application is for prior approval under Schedule 2, Part 3, Class Q of the GPDO, matters such as housing land supply and use by an agricultural worker are not considered relevant and have not been given any weight.
6. For the sake of consistency I have used the description of development as stated in the application form, even though it refers to 'operation development', rather than the more customary 'operational development'.

Main Issue

7. The main issue is whether the proposed development is one which is permitted by the provisions of Schedule 2, Part 3, Class Q of the GPDO, and if so, whether prior approval should be granted.

Reasons

Whether the proposed development is one which is permitted by the provisions of Schedule 2, Part 3, Class Q of the GPDO, and if so, whether prior approval should be granted.

8. The barn that is subject to this application is in a rural location on the outskirts of the small hamlet of Curland. The barn could be accessed directly off Baker's Lane via a gated entrance, although the access used for the site visit was via the gate that lies at the junction of Baker's Lane and Muttonrib Lane. The barn lies in the northern part of a field that is enclosed on all sides by hedegrows interspersed in places with some mature trees. At the time of my site visit the barn was largely empty except for two small hay bales and an old oil drum.
9. The refusal of the prior approval now falls under the terms of Q.1(a) of the GPDO which are that the site was not used solely for an agricultural use as part of an established agricultural unit on 20th March 2013, and in the case of a building which was in use before that date, but was not in use on that date, when it was last in use.
10. The appellant does not provide any evidence that the site was in agricultural use on 20 March 2013, and it is stated in the appellant's Final Comments that the field was used by the appellant's family prior to 2004 for the production of hay. The appellant claims that the site is part of the New England agricultural unit, agricultural holding number 36/267/9001, and has been previously been in agricultural use and has not been used for any other purposes since. A number of livestock movement records have been provided by the appellant to support this case. However, these movement records would seem to relate to the overall agricultural unit of New England and not specifically to this field, now known as Baker's Field, within which the barn is located.
11. A number of people have disputed the appellant's assertion and instead contend that this field, which contains the barn and its curtilage, has never been in established agricultural use. However, on the balance of

probability I consider that the field within which the barn is located has been used at some time in the past for an agricultural use, and it has not been used for any other purpose since this last agricultural use.

12. The appellant contends that the barn was constructed in 2008 and this has not been disputed by any other of the parties. The appellant has not provided any evidence to confirm that the barn was in agricultural use on 20 March 2013. However, the appellant contends that here have been times since its

construction when the barn has been used for the storage of straw and as such has had an agricultural use as its last use prior to 20 March 2013.

13. Although not specifically referred to in the Council's decision notice, the officer's report and a number of representations from both Neroche Parish Council and members of the public, to both this and previous applications, claim that the barn building has been boarded up ever since it was constructed in 2008 and has never been used. Minutes have been provided of an Extraordinary Meeting of Neroche Parish Council in August 2014 in which the appellant is reported as confirming that the barn has never been used to house animals or agricultural equipment.

14. The appellant has not provided any specific evidence to demonstrate that the barn was ever brought into an agricultural use or any other use. The photographs contained in Appendix 1 of the appellant's Final Comments show the barn to be boarded up and both the barn and the immediately surrounding area to be in a broadly similar condition to that when I conducted my site visit. On my site visit I observed that there was no clear evidence of farm machinery tracks leading to this barn and I also noted that the boarding was relatively easy to remove. Despite the presence of two small hay bales, the barn did not have the appearance of having ever been used for any agricultural purpose.

15. Given the conflicting information I have referred to above, together with the paucity of substantive evidence before me, I am unable to conclude that the appeal building was used for an agricultural use as part of an established agricultural unit, when last in use before 20 March 2013. As such, the proposal would fail to satisfy the requirements of paragraph Q.1(a)(ii) and therefore it would not be permitted development under Class Q.1(a) of the GPDO.

16. As regards the matter of the installation of the two proposed dormer windows in the front (southern) elevation of the building, I consider that these would have the effect of extending the external dimensions of the building beyond the external dimensions of the existing building, and as such would not accord with Q.1(g) of the GPDO. The appellant contends that these dormer windows would not increase the floorspace of the building. However, the test required in Q.1(g) of the GPDO specifically refers to the external dimensions of the building and not the floorspace. I note the appellant's proposal that a planning condition could be imposed to ensure that rooflights rather than dormer windows would be installed. However, such a proposal is not

indicated on any of the plans that are before me for consideration and in reaching my decision I have only considered the scheme that has been proposed.

17. The Council did not refuse the proposal on the grounds of the criteria detailed in Q.2(1) (a) to (f) inclusive of the GPDO as it only considered the matters pertaining to Q.1(a). As I am dismissing this appeal for other reasons I have also not considered the proposal in terms of the criteria contained within Q.2(1) (a) to (f) inclusive of the GPDO.

Conclusion

18. For the above reasons, and having regard to all other matters raised, I conclude the appeal should be dismissed.

GP Jones

INSPECTOR

APPEALS RECEIVED

Site: 19 ARDWYN, WELLINGTON, TA21 8BW

Proposal: ERECTION OF A TWO STOREY AND SINGLE STOREY EXTENSION
TO THE REAR OF 19 ARDWYN, WELLINGTON

Application number: 43/15/0090

Appeal reference: APP/D3315/D/15/3135974

Taunton Deane Borough Council

Planning Committee 4 November 2015

Proposed changes to Constitution – amendments to recommendations at Planning Committee

Report of the Solicitor to the Council

(This matter is the responsibility of Executive Councillor Habgood)

1. Executive Summary

This report seeks Members' views on changes which are being proposed to the Council's Constitution, which if ultimately approved, will allow the Planning Committee to propose that applications for planning permission be determined contrary to the officer recommendation.

At present, the Constitution's definition of "amendment" does not allow this.

2. Background

- 2.1 Following recent meetings of the Committee, officers have been considering possible changes to the procedures under which Members consider applications for planning permission, as set out in Part 4 of the Council's Constitution (Rules of Procedure).
- 2.2 At present, Part 4 paragraph 6 limits the range of potential amendments to substantive motions which may be proposed at Planning Committee. In particular, paragraph 6 states that amendments as proposed "*shall not have the effect of introducing a significantly different proposal or of negating the motion*".
- 2.3 The current arrangements within the Council Constitution in Part 4 operate well at Full Council and at most of the Council's Committees. However, it is arguable that they do not align satisfactorily with the decision making process under which the Planning Committee determines applications for planning permission, where a decision which is entirely contrary to the "motion" (or recommendation) is entirely possible.

- 2.4 Specifically, paragraph 6 prevents Members from proposing that an application should be refused where the officer recommendation is that planning permission should be granted. (Obviously it also prevents Members from proposing that permission be granted where the officer recommendation is for refusal).
- 2.5 Accordingly, the Constitution in its current form has the effect of limiting the Planning Committee's ability to debate applications in a flexible and responsive way (and in this regard differs from virtually every other local authority Planning Committee, including West Somerset).
- 2.6 On two recent occasions at the September Committee, Members voted against the officer recommendation for approval. However as the discussion up to that point had effectively been framed by the officer recommendation, no potential detailed reasons why the applications should/could be refused had been identified. There had also been no detailed debate on whether any such reasons were viable as a justification for refusal, or whether they had a reasonable prospect of being upheld on appeal.
- 2.7 As a result, Members – having voted down the recommendation to grant permission - were placed in a position where they then had to identify reasons which would support the refusal to which they had effectively already committed themselves.
- 2.8 In the view of officers, this current arrangement creates the potential for situations in which Members are placed under pressure to come up – almost retrospectively - with reasons for refusal to justify their rejection of officer recommendations (often in a situation in which the applicant or their agent is in the room). It also deprives the Committee of the opportunity to discuss in detail (and debate) potential reasons for refusal of the application – and if necessary obtain officers' advice on the issues – prior to (rather than after) the point at which Members have still to reach an overall view on the application i.e. at a time when a discussion on the viability of a decision contrary to officer recommendation can still have a meaningful influence on the Committee's ultimate decision.
- 2.9 Officers' view is that such difficulties can be avoided in future by a straightforward amendment to paragraph 6 of the Rules of Procedure, insofar as it applies to Planning Committee.
- 2.10 The effect of the proposed change would be to allow Members to propose a determination of any application in a manner wholly contrary to the officer recommendation, subject to (a) any proposal being seconded and (b) the Member/s making the proposal indicating possible planning reasons for the proposal at the time that their proposal is made.

2.11 In officers' view, there would be significant advantages to the Planning Committee operating in this amended manner. In the case of an amendment proposing refusal, the Committee would be able to consider the planning reasons advanced in support of the amendment, and adjust and refine (and potentially add to) these reasons in the course of discussion. In this manner, any final decision made contrary to officer recommendation would by definition only follow a comprehensive discussion of all relevant issues. In a situation where Members are proposing a grant of planning permission contrary to officer recommendation, this will allow the Committee to consider in full detail the need for any conditions which could potentially be needed in order to make the development acceptable.

2.12 On this basis, the proposed amendments to paragraph 6 of the Constitution would take the following approach:

- a. The changes would only have effect in relation to Planning Committee and the determination of applications.
- b. Full Council and all other Committees would still be subject to paragraph 6(1) to (6), with the arrangements relating to amendments remaining entirely unchanged
- c. Members of Planning Committee will be able – subject to seconding and the identification of reasons – to propose any of the following (all of which are precluded by paragraph 6 currently)
 - i. Refusal where the officer recommendation is for approval
 - ii. Approval where the officer recommendation is for refusal
 - iii. Deferral in any case
 - iv. The addition of further conditions or the amendment of proposed conditions where there is an officer recommendation for approval (at present, it is necessary for officers, on hearing any points being made by Members, to amend their own recommendation in response if they see fit)
- d. If any amendment is voted down, then the Committee would return to consideration of the officer recommendation as originally advanced (subject to consideration of any further amendments).

3. Finance Comments

None

4. Legal Comments

Contained in main body of report

5. Links to Corporate Aims

Officers' view is that the proposed change will improve the process followed during meetings of the Committee, with resulting benefits for all the Council's corporate aims.

6. Environmental Implications

None

7. Community Safety Implications

None

8. Equalities

No specific impacts

9. Risk Management

Officers' view is that the proposed changes will make the Committee's decisions even more robust and secure from legal challenge or appeal

10. Partnership Implications (if any)

None

11 Recommendations

The matter is due to be reported to the Constitutional Sub Committee on 27 November 2015, and thereafter to Full Council for final approval

Members of this Committee are invited to give their views on the proposal, which views will be included in the report to the Constitutional Sub Committee.

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