

**Planning Committee - WEDNESDAY 26th MARCH 2008
Amendment Sheet**

9 21/2008/001

ERECTION OF DWELLING ADJACENT TO WHITE OAKS AND ALTERATIONS TO WHITE OAKS, LANGFORD BUDVILLE (RESUBMISSION OF 21/2007/025)

10 36/2007/022

FORMATION OF NEW RAISED ROOF STRUCTURE OVER CAR PORT AND ENLARGEMENT OF ACCESS GATE OPENING AT WALNUT ARBOUR, CURLOAD, STOKE ST GREGORY, TAUNTON

Correction to Proposal; the first sentence should read "...one and a half story dwelling..".

ONE FURTHER LETTER OF OBJECTION on grounds that the proposal conceals a clear change to a commercial use. It will be let out to tenants. This is an unwanted change to a holiday let and will generate increased traffic and the need for obstructive on road parking.

11 38/2008/045

CONSTRUCTION OF THIRD WAY ROAD INCLUDING A NEW BRIDGE OVER THE RIVER TONE BETWEEN CASTLE STREET AND WOOD STREET, TAUNTON

COMMENTS FROM BRITISH WATERWAYS - The applicants notice should be drawn to the need to comply not only with British Waterways own Code of Practice but also with advice given in PPS25 Development and Flood Risk. We are concerned that the proposal does not include suitable landscaping at the approaches to the new bridge and feel that this may be addressed by the imposition of a condition regarding further details to be submitted to and approved. If minded to grant permission an informative should be attached to contact the works engineer.

12 38/2008/063

RETENTION OF CONSERVATORY TO SIDE AND RETENTION OF 2.2 METRE FENCE TO SIDE AT 31 WELLINGTON ROAD, TAUNTON

13 43/2008/016

RETENTION OF FENCE AT 32 SEYMOUR STREET, WELLINGTON

Last sentence of the first paragraph of the Assessment section should read "..... soften the impact, but the height and breadth are so extensive that the impact cannot be properly ameliorated".

5 48/2007/019

CONSTRUCTION OF A ROUNDABOUT AND ALTERATION OF ASSOCIATED ROADS AND HIGHWAY STRUCTURE AT THE FORMER CHICKEN HATCHERY, BRIDGWATER ROAD, MONKTON HEATHFIELD

Amendment to recommendation: Details of the Landscaping bund, referred to in the Section 106 Heads of Terms, shall be generally in accordance with that to be approved for 48/2007/061 in terms of both bund dimensions and planting scheme.

Heads of Terms to include requirement that road is constructed to site boundary.

6 48/2007/061

PROPOSED MIXED USE URBAN EXTENSION COMPRISING 900 DWELLINGS, B1 BUSINESS, LOCAL CENTRE, PRIMARY SCHOOL, PLAYING FIELDS AND OPEN SPACE, NEW A38 RELIEF ROAD AT MONKTON HEATHFIELD DEVELOPMENT SITE, MONKTON HEATHFIELD AS AMENDED BY MASTERPLAN SHOWING REROUTING OF INTERNAL ROAD RECEIVED ON 28 JANUARY 2008

Amendment to Recommendation "to refer the Committee decision to the Secretary of State under the Departure procedures and in the event of no objections, the Development Manager in consultation with the Chair...."

TAUNTON AND DISTRICT CIVIC SOCIETY - While we acknowledge that it is highly desirable that this development proceeds and that the much needed housing, employment sites, and facilities for the enlarged local community are delivered, it remains clear that the Applicants are doggedly resisting the pressure from the Borough's planning officers to deliver an urban extension of an acceptable quality.

We think it essential that the Planning Committee maintains a strong grip on the project, so that this pressure bears fruit.

We do accept that this proposal, in conjunction with 48/2007/019, does deliver an acceptable southern termination of the Eastern Relief Road, and in that respect is greatly to be preferred to 48/2005/072 and 48/2007/062. We have no

objection on this score, and explicitly support 48/2007/019.

In our view the proposal to authorise the Development Manager in consultation with the Chair of the Planning Committee to grant outline planning permission subject to negotiations on a great number - 53 - of conditions and 9 substantial S106 issues entails undue risk. We would submit that in that scenario those charged with negotiation will have no further recourse to support from the wider Planning Committee, which will have removed itself from the fray.

There is a general problem in that applicants can make applications to vary or remove conditions that they consider "onerous".

A stream of such applications might, if successful, completely negate all attempts to negotiate delivery of a development that meets the aspirations of the Council and the local community. It could be very difficult for hard-pressed officers to resist such "salami-slicing" of their negotiating position. We therefore suggest that a further condition be imposed to the effect that the full Planning Committee must consider all such applications

Further, we do not consider that the proposed conditions are entirely adequate. As a general point, we would prefer conditions linked to occupancy (the nth dwelling etc.) to be linked to the start of construction (with a suitably adjusted number).

Condition 05 (ERR construction)

This has a trigger point tied to the occupancy of the 301st dwelling. We think it will be only acceptable to wait so long if the existing A38 is in no way impacted by the process of development. We are concerned that construction traffic on the existing A38 as it passes through the application site may adversely affect traffic and the amenity of existing residents.

We would therefore wish to see a condition that all traffic related to work on that part of the site that lies to the east of the existing A38 shall be routed along the line of the Eastern Relief Road (ERR), and that the very first part of the development operation should be the construction of a work road along the line of the ERR to a standard to enable this to occur.

Condition 07 Design Code.

Some of us have recently viewed houses constructed by the Applicants on other estates (not in this Borough).

We have noted

3-storey houses with stairwells with no access to exterior light, requiring artificial lighting at all times.

Second bedrooms (out of 3) with floor space for two beds, but so crammed into a roof that an adult (or anyone much over 4ft) could only stand upright on about 25% of the floor surface (in line with the small dormer window).

Doors that, when opened, hit light fittings, or hid light switches, and other poor designs.

We would wish to see Condition 07 be extended to review internal designs, to ensure that we build houses suitable for practical use and family life - fit for humans rather than dwarves.

A recent survey has indicated that over 40% of new housing fails to meet its own design specification for energy efficiency/conservation. We suggest a condition

that a random sample of dwellings be tested (preferably after a period of occupancy) to ascertain if they do achieve the required specification.

Weak or Absent Conditions

In earlier comments on the 48/2005/072 application both West Monkton Parish Council, and we ourselves, sought measures to promote the integration of the existing and new communities. We do not see clear evidence in the proposed conditions that this aim is being actively pursued.

In particular we are concerned that there is no requirement for the developer to seek agreement to, and then to fund, an extension of School Road into the new development to link with the (by then traffic calmed) residential road that is currently the A38 at Brittons Ash. We would wish to see a condition to that effect.

The problems caused by quite sharp variations in level around Dyers Brook (particularly to the east of the stream), and by the impermeability and poor quality of the eastern boundary of the existing settlement do not appear to have been resolved, and we are concerned that the area may become a rather narrow trough which is perceived to be unsavoury and unsafe.

We do not think Condition 44 is adequate to ensure that this does not happen.

Condition 44 may protect wildlife, but it may not protect people.

More generally, we see no evidence of an explicit requirement to design to reduce crime and opportunities for anti-social behaviour. If this is not to be a separate condition (and we think this would be justified) it should at least be added to the list of criteria in Condition 07.

PLANNING OFFICER'S RESPONSE - A Crime Prevention Plan shall be incorporated into the requirements for the design code.

NATURAL ENGLAND - The north western corner of the site is located roughly 2.4km from the Hestercombe House Special Area of Conservation (SAC) - an important roosting and breeding area for bats. The findings of much survey work is that 'Hestercombe House bats' feed and socialise in the area between the Hestercombe House SAC and as far south as the north western area of the proposed development site itself. Survey findings suggest that bats are unlikely to commute further south than this, hence the conclusion that development south of the proposed Western Relief Road is unlikely to have a significant affect on the features and interests of Hestercombe House, for which it has been designated a SAC.

Natural England has no objection to a phased delivery of this project, with development within the larger southern area being 'phase 1' and a separate planning application to develop the Western Relief Road and the area north of it (phase 2) being submitted at a later stage. It would be at this stage that further survey work would be required as part of an appropriate assessment to determine the affect of 'phase 2', alone and in combination with other development, on the Hestercombe House SAC. The extent of this survey work will depend on the findings of ongoing surveys between now and then.

Natural England would stress the importance of developer contributions being accrued from each phase of the project and placed in a single 'pot' for use as mitigation for loss off habitat/affect on Hestercombe House SAC of the

development as a whole - e.g. the creation and ongoing management of a country park near Hestercombe House SAC.

ENVIRONMENTAL AGENCY - Removal of objection to the proposal subject to a Section 106 Obligation securing contributions to improve watercourses in the area, as deemed appropriate by Environmental Agency and Internal Drainage Board.

ADDITIONAL LETTER OF REPRESENTATION - I last wrote to you on 6th July 2006 updating you about the lack of negotiations re land required for the western bypass in the ownership of this company.

No negotiations have taken place since then, which makes a mockery of the statements on page 49 of the committee report for tomorrow's meeting that the applicants have been unable to conclude the purchase. They have never tried! I am very concerned about the memorandum that is said to have been signed yet it is not in the public arena as far as I can see.

I can therefore only comment on the references in the committee report.

The report refers to funding the compulsory purchase if required but does not appear to be specific that the agreement includes the applicant funding all the land costs awarded by the Lands Tribunal. If a very precise clause to that effect is not included then the reality is that given the current track record of the applicants there will be no western bypass.

There is also reference in the committee report to the applicants only funding 50% of the costs, the remainder being funded by the owners of the Aginhills site. [Page 49].

There is no Section 106 in place in respect of the Aginhills site and there is therefore no guarantee that the element for the funding will be forthcoming.

Furthermore, I have no brief or connection whatsoever with the with the Aginhills site but am of the view that it is totally unrealistic to expect that small site to fund 50% of all the costs.

In summary, based on the contents of the committee report, I remain unsure that adequate provisions are in place guarantee the provision of the western by pass.

PLANNING OFFICER'S RESPONSE - Page 49 references to continues negotiations between the developer and third party landowner should state commencement of negotiations.

The Western Relief Road is required following 650 house leaving 350 houses to be built. The Aginhills site would be required to fund 100/350 of that cost not 50%.

ADDITIONAL LETTER OF REPRESENTATION (four signatures) - The school should be sited in the western area of the site and care should be taken over the effect on Britton Ash in respect of house and disturbance with the inclusion of an acoustic fence if required and any hard surfaced playing areas away from existing properties; no formal play equipment should be sited at Brittons Ash; and the area should be left as an informal and open area; new houses adjacent Brittons Ash should be sited to avoid overlooking.

Additional Condition retaining of 5.0m width of free land from buildings or structures adjacent to any watercourse fronting or crossing.

AMENDMENT to Page 61, Section M. Retail, first paragraph confirming that the

submitted Design and Access Statement does specify 3ha of land for use as a local centre.
