



Planning Committee

You are requested to attend a meeting of the Planning Committee to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 7 December 2016 at 17:00.

Agenda

- 1 Apologies.
- 2 Minutes of the meeting of the Planning Committee held on 23 November 2016 (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 48/16/0043 Demolition of dwelling and outbuildings and erection of replacement dwelling with triple garage and detached stable block a Torrington, Goosenford
- 6 48/16/0025 Outline planning application for residential development (up to 320 dwellings), green infrastructure including Public Open Space, associated works and demolition of existing buildings, with all matters reserved at Hartnells Farm, Monkton Heathfield Road, Monkton Heathfield (Resubmission of application 48/13/0008)
- 7 Latest Appeals and Decisions received

Bruce Lang
Assistant Chief Executive

02 February 2017

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

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please telephone us on 01823 356356 or email: enquiries@tauntondeane.gov.uk

Planning Committee Members:-

Councillor R Bowrah, BEM (Chairman)
Councillor M Hill (Vice-Chairman)
Councillor M Adkins
Councillor C Booth
Councillor W Brown
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, 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 Bishop Fox's Educational Foundation, Trustee to Trull Memorial Hall – Councillor Stephen Martin-Scott
- Councillor to Comeytrowe Parish Council, Member of the Fire Brigade Union – Councillor Simon Nicholls
- Trustee of Hestercombe House and Gardens, Trustee of the Somerset Building Preservation Trust, Director of Apple FM – Councillor Marcia Hill

MR G PHIPPEN

Demolition of dwelling and outbuildings and erection of replacement dwelling with detached triple garage and detached stable block at Torrington, Goosenford

Location: TORRINGTON, CHEDDON FITZPAINE ROAD, GOOSENFORD,
CHEDDON FITZPAINE, TAUNTON, TA2 8LH

Grid Reference: 324817.127781 Full Planning Permission

Recommendation

Recommended decision: Refusal

- 1 The proposed replacement dwelling would be substantially larger in size than the existing dwelling and it is unclear from the detail submitted as to whether it would be uneconomic to bring the existing dwelling to an acceptable state of repair. In particular, the size of the replacement dwelling proposed within the submitted Economic Justification Statement does not appear to correlate with the actual size of the dwelling shown on the submitted plans. Furthermore, the estimated financial details contained within the report appear to be based on proposed extension works rather than solely relating to estimated renovation/repair costs. The development is therefore contrary to Policies SP1 and DM2 of the Taunton Deane Core Strategy.
- 2 The proposed development, by virtue of the overall size and scale proposed, would constitute a new built form that is far larger than any other dwelling within the immediate area. This would create a visually over-dominant form of development, which would not be commensurate with the character or appearance of the area or its setting and would be overbearing to the neighbour causing overshadowing. Furthermore, the extent of the proposed curtilage area is unclear, as the application 'red-line' extends the full length of the plot beyond that of adjoining neighbours into the open countryside to the south. The development is therefore considered to be contrary to Policies DM1 and DM2 of the Taunton Deane Core Strategy and Policy D7 of the Site Allocations and Development Management Plan.
- 3 An Ecology report has been submitted to accompany the application, which identified the presence of bats on site. However, it is unclear as to whether additional bat surveys were carried out between June-August 2016 (during the bat maternity period), in accordance with the recommendations of the report. As such, it is not known whether a bat maternity colony resides on site, which means it is not possible to ascertain whether the development would have a detrimental impact upon protected species. In the absence of additional survey works being conducted, the information submitted to accompany the application is deemed to be insufficient. The development would therefore be contrary to Policies CP8 and DM1 of the Taunton Deane

Core Strategy.

Recommended Conditions (if applicable)

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 looked for solutions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application has been refused.

Proposal

Permission is sought to demolish an existing dwelling (bungalow) and outbuildings to erect a new detached (4-bed) two-storey replacement dwelling, along with a detached triple garage and stable block.

The proposed replacement dwelling would measure approximately 27m in length by 11m in width, with a larger single-storey rear extension to the eastern end of the building to provide an enlarged 'drawing room', approximately 6.5m in length beyond the proposed rear building line. The property would measure approximately 11m in height to the roof ridge and 6m to eaves. The dwelling would utilise a mixed render and stone finish to the walls and slate tiles to the roof. Windows and doors would utilise a UPVC finish.

A new detached triple garage is proposed to the front (north) of the property, measuring approximately 12m by 6.7m. The garage would measure approximately 6.5m in height to the roof ridge (3.5m to eaves). It would utilise materials to match the house.

A replacement stable block would be provided approximately 85m to the south of the house within the existing paddock.

Site Description

The application site concerns an existing residential property situated within the hamlet of Goosenford, which lies approximately 1km to the north-east of Taunton. The site is accessible via an existing public highway to the north of the site, which connects Cheddon Fitzpaine to West Monkton.

The site is approximately 1.5 hectares in size and comprises a detached bungalow of render and brick construction with associated garage and stables to the western boundary. There is a large front garden area, split by two vehicular access points either side. The land to the rear (south) consists of additional domestic garden space, along with a long and narrow paddock area that stretches out to the open countryside.

The property lies centrally within a linear cluster of other residential properties, which front the road. The properties adopt a mixed character, consisting of a mix of detached and semi-detached two-storey and single-storey bungalow developments.

An existing public footpath extends along the western edge of the paddock within the

site.

Relevant Planning History

There is no relevant planning history associated with the site.

Consultation Responses

WEST MONKTON PARISH COUNCIL - Parish Council supports this application.

The Council would wish to see obscured glass used in the upstairs windows of the east and west elevations to avoid loss of amenity through overlooking for the neighbours on either side of the proposed building. The recently planted hedge that runs north/south on the western side of the garden of the proposed application should be restricted to a height (6ft) that prevents it becoming overbearing and creating loss of light/outlook for the neighbour.

CHEDDON FITZPAINE PARISH COUNCIL - No response received at time of writing.

SCC - TRANSPORT DEVELOPMENT GROUP - Refer to standing advice.

SCC - RIGHTS OF WAY - No response received at time of writing.

BIODIVERSITY - Comments as follows:

The site lies within 2km of Hestercombe SAC.

Jh Ecology carried out an updated Species Survey Report of the site dated June 2016 Findings were as follows:

Bats

The surveyor undertook one dusk emergence survey and 1 week of automatic monitoring in May/June 2016.

Droppings were found of brown long eared bat, serotine and whiskered bats in the roof void of the existing bungalow.

Bats appear to access the roof void through a hole in the roof.

Six species of bat were recorded during the emergence survey.

The surveyor concluded that the bungalow offers potential as a minor hibernation site for common/rarer bat species. The garage is considered unsuitable for bats and the stables offer low potential.

The single emergence survey undertaken has not confirmed the presence (or absence) of a maternity colony of brown long eared, or other bats.

Officer supports the recommendation to carry out further bat survey between June and August 2016 (during the bat maternity period) to confirm the status of the bat roost and to inform the scale of impact. Further automated monitoring should also be undertaken.

As the proposal will involve a criminal act an EPS licence will be required from

Natural England in advance of demolition of the bungalow.

The surveyor has suggested mitigation in the form of a replacement bat loft over the new garage. THIS MUST BE SHOWN ON ARCHITECTS DRAWINGS, along with the other proposed roost provision.

The hedgerows could potentially support foraging bats.

Any new lighting should be kept to a minimum.

Badgers

A possible badger sett entrance was found on site, although it appeared to be disused at the time of survey.

Amphibians and reptiles

Habitats within the site, particularly the hedgerows and hedgebanks, the tussocky grassland and mature shrubs offer some potential for amphibians and reptiles. Precautionary measures are supported to minimise any harm to amphibians or reptiles. Any scrub and cuttings should be piled away from the working area to provide suitable habitat for reptiles.

Birds

Several birds' nests were noted in the stable block (old swallow and old robin or blackbird). Therefore the relocation of the stable block should not take place during the bird nesting season.

The Officer supports the erection of bird boxes on site.

LANDSCAPE - Comments as follows:

The replacement dwelling is very large. It may appear out of scale with neighbouring properties.

The submitted plan does not differentiate between existing and proposed trees and shrubs.

WESSEX WATER - No response received at time of writing.

DRAINAGE ENGINEER - Comments as follows:

The application falls below the requirement for LLFA statutory consultation.

Somerset County Council does not provide drainage engineering support to the Local Planning Authority.

DIVERSIONS ORDER OFFICER - Mr Edwards - No response received at time of writing.

Representations Received

A site notice was erected 29th June 2016 and neighbours notified 28th June 2016.

Comments from two local councillors have been received, their comments as

follows:

Cllr N Cavill: I write in support of this planning application.

Such a house will improve the character of the area and is in keeping with the large houses to the east and the north, whilst property to the west was two semi's, which have now been put together and further extended to the rear.

In addition the plan shows considerable planting to the north/front of the proposed house that is between the proposed house and the road, providing additional screening. Both the west and east elevations have been design carefully to minimise the impact on the adjoining properties. The proposed triple garage is a replacement for the existing triple garage and the stable block is being re-sited to a more appropriate location.

Cllr S Parrish: I am aware of the application to build the proposed house and will support this.

Two letters of support and one neutral response has been received, their comments summarised as follows:

Support

- Whilst the proposed new house is very large, it is certainly much better than the existing, tired looking bungalow which also appears quite small relative to the size of the plot.
- From the plans, it appears that the new property would overlook the rear garden of Hilltop more than the existing house but the proposed opaque windows on the western side and existing mature trees should ensure privacy is maintained both ways.
- The proposed garage block would be more visible from the side of Hilltop and the new location of the stables will be in line of sight from the rear of Dunelm, but these should not be overly intrusive.
- The proposed property would enhance the general image of the area.
- The development would replace a rundown bungalow in a poor state of repair.
- The development would greatly improve the character of the area and be in-keeping with the large houses to the east and the north. The property to the west was until developed, two semi's, which have now been put together and further extended to the rear making a large residence.
- Design includes considerable planting, which would screen the house from the road.
- Design would have minimal impact on neighbours.

Neutral

- The previous occupants had a stable block but there was no acceptable provision for the storage and disposal of horse manure nor was there any

proper facility to control the liquids (urine) and wash away water.

- The manure dump could result in strong smells and increased numbers of horse flies (as was the case previously).
- Details for the storage and disposal of horse waste should be confirmed on plan. If it were some 300m to the south of the dwelling, that would be acceptable.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), saved policies of the Taunton Deane Local Plan (2004), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

SD1 - Presumption in favour of sustainable development,
CP8 - Environment,
SP1 - Sustainable development locations,
DM1 - General requirements,
DM2 - Development in the countryside,
D7 - Design quality,

Local finance considerations

Community Infrastructure Levy

The new dwelling, garage and stables measure approximately 815m².

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £102,000.00. With index linking this increases to approximately £120,000.00.

New Homes Bonus

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough	£1,079
Somerset County Council	£270

6 Year Payment

Determining issues and considerations

The main issues in the consideration of this application are the principle of development, impact upon visual amenity/design, impact upon residential amenity, impact upon highways and impact upon biodiversity.

Principle of development

Although the development would be situated amongst a linear cluster of existing residential development, which runs alongside the main road, Policy SP1 of the Taunton Deane Core Strategy (TDCS) identifies the application site as being situated outside defined settlement limits. As such, in accordance with the Policy requirements of SP1, the development is situated in an area identified as 'open countryside', where the policy requirements of DM2 (TDCS) apply.

Whilst new development would usually be resisted in such locations on sustainability grounds, Policy DM2 does support replacement dwellings outside defined settlement limits subject to certain criteria being met. In particular, it must be demonstrated that the existing building has not been abandoned, it is a one-for-one replacement, it is uneconomic to bring the dwelling to an acceptable state of repair, and it is not substantially larger than the existing dwelling.

Whilst the dwelling is currently unoccupied, having visited the site, it is evident that the property has not been abandoned. Furthermore, although the dwelling proposed is rather large, it is apparent from the details submitted, that the new dwelling would be a one-for-one replacement.

The existing dwelling is of a single-storey construction with brick walls topped with a pitched and tiled roof erected c.1920, with an extension added to the east at a later date. The existing detached bungalow is proposed to be demolished in order to construct a new two-storey residential property. It is therefore necessary, in accordance with the Policy requirements of DM2, for the applicants to demonstrate that there is an economic case to erect a new dwelling rather than renovate and/or repair the existing dwelling. In particular, it should be clearly demonstrated that it is economically unviable to bring the existing dwelling to an acceptable state of repair.

The submitted Economic Justification Statement has identified that the existing dwelling falls below what would normally be expected of current Building Regulation standards and the report details the works that would be required to meet such standards. As this is a separate procedure to planning, it is difficult to know whether this is the case, however, it is acknowledged that a degree of renovation and repair works would be required in order to bring the property back to more modern day residential standards. That said, the report does indicate that should the existing dwelling remain, the existing structure could remain without the need to comply with current Building Regulation standards (in respect of insulation for heat loss and fuel conservation). This is because the property has an existing residential use, whereby Building Regulations would not be applied retrospectively. Any new development, such as extension to the dwelling, would be expected to meet Building Regulations

and whilst it may be desirable to ensure the whole building complies with modern Building Regulation requirements, this is not necessarily a sufficient reason to justify the replacement of an existing dwelling in this location.

The submitted report indicates that the cost of renovation works would be typically 20% higher than the costs associated with new build. However, the financial details contained within the report appear to have been estimated on the basis of works which do not solely relate to repair/renovation works. Instead, it is apparent that the estimated monetary figures have taken into account the costs involved of constructing a new extension through that permissible under householder permitted development (development that is permissible without the need for planning consent as contained within the General Permitted Development Order). Whilst no consideration has been given as to whether any extension works would be permissible without planning consent, ultimately, the report should demonstrate why it is economically unviable to bring the existing dwelling to an acceptable state of repair. The costs of any extension works are therefore considered to be irrelevant in this respect.

Taking the above information into account, the report indicates that the cost to demolish and erect a new build development would be approximately £210,000 cheaper than the cost of renovation and extension works to the existing dwelling. However, the report does not clearly demonstrate the actual costs associated with repair/renovation works over the costs associated with any extension works that may or may not be permissible under permitted development. As the estimated costs for renovation and extension works have been grouped together, the report does not give a true reflection of the financial estimates associated solely with repair/renovation works to the existing dwelling. Furthermore, the costings associated with the existing dwelling seem to have been established on the basis of a 1st floor extension being added. Again, it is considered unreasonable to use this as an argument to justify the uneconomic viability of repair works, as it is unclear how much relates solely to repair costs. In any event, the addition of a first floor to the property would require planning consent.

On the basis of the above, it is evident from the details submitted that the applicant has been unable to clearly demonstrate that it is uneconomic to bring the existing dwelling to an acceptable state of repair. Instead, the costings associated with repair works have been inflated with the financial estimates associated with extending the property. Even then, the figures quoted appear to be excessive, with an estimate of nearly £700,000 given for extension and repair works; however, it is unclear how much of this figure relates solely to the repair works. The development therefore fails one of the key test requirements of Policy DM2, and the principle of development is considered to be unacceptable in this respect.

Consideration also needs to be given to the proposed size of the dwelling to ensure it is not substantially larger than the size of the existing dwelling. Policy DM2 does allow for the provision of larger replacement dwellings and in this respect the Local Planning Authority would not object to a two-storey replacement over a single-storey (provided it would be in-keeping with the character and appearance of the area). However, in allowing an additional storey, the overall footprint of the replacement dwelling should not be substantially larger than the existing footprint.

Having measured the floor area from the plans submitted, the existing floor area of the dwelling measures approximately 152m². The size of the replacement dwelling proposed measures approximately 356m² at ground level, which over two-storeys would provide approximately 712sm² of floor space. In this respect, it is clear that the proposed replacement dwelling would be substantially larger (over 300%) than the existing dwelling, to an extent that is considered unreasonable in planning terms. The development is therefore again considered to be in direct conflict with the requirements of Policy DM2.

It should be noted that the size of the existing/proposed dwelling (as derived from the submitted plans to accompany the application) is significantly larger than the size indicated within the submitted financial report. It is therefore apparent that the financial details provided do not correlate with the size of the dwelling. For this and the reasons outlined above, the development is considered to be contrary to the policy requirements of DM2 of the Taunton Deane Core Strategy, where there is an 'in principle' policy reason for refusal. The development is clearly in conflict with the development plan and it is therefore recommended that permission be refused on these grounds.

Visual amenity/design

The application site consists of a large plot, which stretches some 300m to the south of the existing dwelling. It is set amongst a linear cluster of residential development that runs parallel to the road; the main road through Goosenford. Although the existing residential built form follows a reasonably well established building line, the houses themselves do not adopt a set character or appearance. Instead, the houses consist of a mix of detached/semi-detached two-storey and single-storey bungalows.

The plot itself is particularly large and much wider than the other domestic plots along the street. On this basis, there is certainly scope to accommodate a large dwelling on site. However, it is apparent that the size and scale of the dwelling proposed is far larger than any other, which would make it a very prominent and dominant feature from the street scene. Whilst there is a reasonably large detached two-storey property to the east, the overall mass and bulk of the dwelling proposed is not commensurate with any other development along the road.

It is also noted that the application 'red-line' extends the full length of the plot and the extent of the proposed domestic curtilage is unclear. On the basis of the red-line, the curtilage area identified far exceeds that of any other residential property to an extent that is considered unacceptable in planning terms, particularly given its setting within an area of defined 'open countryside'.

Whilst it is acknowledged a large dwelling would be suitable for the plot, the overall size and scale of the dwelling proposed, in addition to the proposed garage block and stables is considered to be too excessive. The development would appear as a dominant feature along the street scene, which is not in-keeping with the character and appearance of the area. It is therefore recommended that permission be refused on these grounds.

Residential amenity

The application site houses an existing dwelling with neighbouring occupiers

situated both sides to the east and west. Consideration must therefore be given as to whether the proposed replacement dwelling would have an increased impact upon the amenity of neighbours over or above existing arrangements.

Due to the overall size and scale of development proposed, along with the proposed additional storey, the overall height of the development would be far greater than existing, with the proposed replacement dwelling measuring approximately 11m in height to the roof ridge. As a result of this, the development would give rise to an increased impact by way of overbearance, as it would far exceed the height of adjoining neighbouring dwellings, particularly the bungalow to the west. Furthermore, as the proposed dwelling would be set-back approximately 7m behind the existing front building line of the original house, the impact by way of overbearance is considered to be exacerbated further, as the development would further enclose the sense of openness to the rear gardens of adjoining neighbours.

The plot itself is south facing. As such, there would be some increased overshadowing impact to neighbouring gardens during early morning and late afternoon periods. Whilst it is acknowledged that there would already be some degree of overshadowing impact by existing tree and other planting situated along the boundary, the proposed height of the replacement dwelling is considered to increase the impact to an unacceptable level.

As it is proposed to provide a new two-storey dwelling, any impact by way of overlooking/loss of privacy would be from the proposed first floor windows on the eastern and western elevations. However, it is considered that a condition could be attached to any permission to ensure the first floor side windows are obscurely glazed. On this basis, it is considered unreasonable to refuse the application on these grounds.

For the reasons outlined above, it is recommended that the application be refused on residential amenity grounds, as the development would give rise to increased impact by way of overshadowing and overbearing sense of enclosure.

Highways

The existing property currently has two vehicular access points either side of the front garden area. It is proposed to close the existing accesses to create a single new access to be situated centrally within the frontage. There are considered to be no significant issues associated with the new access point, as suitable highways conditions could be attached to any permission to ensure the access meets necessary visibility splay requirements, widths etc.

There is considered to be ample space available within the site for the parking and turning of vehicles and subject to relevant highways conditions being attached to any permission, the development is not considered to give rise to any significant highways impact.

Biodiversity

An ecology report has been submitted to accompany the application and the TDBC Biodiversity Officer has been consulted.

A dusk emergence survey and bat monitoring took place in May/June 2016. Six

species of bat were recorded during the survey and it was evident that bats appear to access the existing roof void through a hole in the roof and the surveyor concluded that the bungalow offers potential as a minor hibernation site for common/rarer bat species.

The single emergence survey undertaken did not confirm the presence (or absence) of a maternity colony of brown long eared bats, or other bats. Whilst the submitted ecology report did recommend that a further bat survey be carried out between June and August 2016 (during the bat maternity period to confirm the status of the bat roost and to inform the scale of impact), there is no evidence submitted to accompany the application to indicate whether such surveys were carried out. Without this information, it is not possible to ascertain whether the proposed development would have any significant impact upon protected species.

It is considered that such surveys would need to be carried out before any permission could be granted, to ensure appropriate mitigation measures could be incorporated into any approved scheme. As such, in the absence of sufficient information to confirm whether a bat maternity roost is present on site, it is recommended that permission be refused.

Conclusion

The site is situated outside defined settlement limits, where Policy DM2 of the Taunton Deane Core Strategy allows for the replacement of a dwelling subject to certain criteria being met. In this case, the applicant has been unable to clearly demonstrate that it would be uneconomic to bring the existing dwelling to an acceptable state of repair and it is evident that the proposed replacement dwelling would be substantially larger than the existing dwelling. The proposal would therefore be in conflict with policy requirements of DM2, where the principle of development is considered to be unacceptable on these grounds.

Although the built form and layout of Goosenford is mixed, the size of dwelling proposed is considered to be far larger than any other neighbouring dwelling. As such, it is considered that the development would appear overly dominant within the street scene, to a degree that would harm the character and appearance of the area and its setting. Furthermore, the extent of the proposed curtilage area is unclear, as the application 'red-line' extends the full length of the plot beyond that of adjoining neighbours into the open countryside to the south.

The proposed size and scale of the development, with an overall height of 11m to the roof ridge, is considered to be too large to an extent that would cause harm to the residential amenity of neighbouring occupiers. In particular, the development would give rise to increased overshadowing impact and lead to an overbearing sense of enclosure.

In the absence of sufficient additional wildlife surveys being conducted, it is not possible to ascertain whether the development would cause any significant harm to any protected species that may reside on site. In particular, it is not known whether the existing dwelling accommodates a bat maternity roost, and it is unclear whether mitigation measures would be necessary to allow for a development of this nature.

For the reasons outlined above, and assessed in detail within the report, it is

considered that the development would be in direct conflict with the development plan. It is therefore recommended that permission be refused.

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

Contact Officer: James Culshaw

STRATEGIC LAND PARTNERSHIPS

Outline planning application for residential development (up to 320 dwellings), green infrastructure including Public Open Space, associated works and demolition of existing buildings, with all matters reserved at Hartnells Farm, Monkton Heathfield Road, Monkton Heathfield (Resubmission of application 48/13/0008)

Location: HARTNELLS FARM, MONKTON HEATHFIELD ROAD, MONKTON HEATHFIELD, TAUNTON, TA2 8NU

Grid Reference: 325615.127233 Outline Planning Permission

Recommendation

Recommended decision: Conditional Approval

Subject to the resolution of detailed highway issues and the applicants entering into a S106 legal agreement to secure:

- 25% affordable housing.
- The agreement of a cascade regarding the affordable housing offer to provide additional financial contributions towards the cost of the construction of the Western Relief Road should it be required in the future.
- Drainage contributions to enable (i) the completion of a flood risk option study to identify an appropriate solution to overcome the drainage restrictions for this site (£50,000 max) (ii) the delivery of the agreed surface water drainage solution (£450,000 max)
- Various highway works as outlined in the application
- Travel plan to reduce vehicular traffic movements from the new dwellings
- Provision and maintenance of public open space and children's play areas
- On site provision of Integrated Public Art

The Assistant Director Planning and the Environment in consultation with the Chair of Planning be authorised to determine and if permission be granted subject to the following conditions.

Recommended Condition(s) (if applicable)

1. (i) Prior to the commencement of works on site full details of the proposed phasing (based on the submitted illustrative phasing plan), shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed phasing plan unless an alternative is first submitted to and approved in writing by the Local Planning Authority.
- (ii) Before any phase of the development hereby permitted is commenced detailed drawings of the layout, scale, appearance, access, boundary treatments, and landscaping shall be submitted to and approved in

writing by the Local Planning Authority as required for that phase (hereinafter called “the reserved matters”). The development shall thereafter be carried out in accordance with the detailed drawings.

- (iii) Application for approval of the reserved matters under (ii) above relating to the first phase of development shall be made to the Local Planning Authority within three years of this planning permission and application for approval of reserved matters under (ii) above relating to the remaining phases shall be made to the local planning authority within 10 years of the date of this permission.
- (iv) The development hereby permitted shall be begun either, not later than the expiration of three years from the date of this permission, or before the expiration of 2 years from the date of the approval of the final reserved matters within any agreed phase whichever is the later.

Reason: 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. No development shall take place within the site until there has been submitted to and approved in writing by the Local Planning Authority, a design code for the site in its entirety (herein after called the “Design Code”. The design code shall be submitted prior to the submission of any applications for reserved matters. The design code shall include detailed codings for :

- Architectural and sustainable construction principles;
- Character areas, street types and street materials;
- Block types and block principles;
- Internal highways, cycleways and footpaths;
- Cycle and car parking principles
- Building types, heights and materials
- Surface treatments for all areas and
- Boundary treatments.
- Landscaping principles
- Children’s play areas, public open space and allotments

The Design Code shall be based upon the illustrated layout no STRA2004/4001

Reason : To ensure a comprehensive, co-ordinated and well planned development with a high standard of design reflecting the character of the local area.

3. Applications for reserved matters shall accord with the approved design code unless an alternative is first agreed in writing by the Local Planning Authority

Reason : To ensure a comprehensive, co-ordinated and well planned development with a high standard of design reflecting the character of the local area.

4. The development hereby permitted shall be carried out in strict accordance with the details of the approved Flood Risk Assessment (FRA – prepared by WSP consulting and dated 20th December 2013).

Prior to any reserved matters approval, a detailed drainage scheme for that phase, plot or parcel of land shall be submitted to, and agreed in writing by the Local Planning Authority. The scheme shall include details of the phasing and maintenance of all drainage infrastructure. The development shall be carried out in strict accordance with the approved details and thereafter maintained in full working condition.

Reason : To ensure that flood risk is not exacerbated through the use of SuDs

5. (i) Prior to the commencement of work on site a landscape strategy and management plan for the whole site shall be submitted to and approved in writing by the Local Planning Authority. The landscape strategy and management plan shall include details of the proposed structural and internal landscaping, the maintenance of all open spaces including flood attenuation features and the proposed timings for the provision of the landscaping works. The landscape management plan shall include details of the extent and timing of grass cutting, shrub pruning and tree maintenance.

(ii) Prior to the commencement of each phase of development a detailed landscape and management plan for that phase, based on the agreed plan for the whole site, shall be submitted to and approved in writing by the local planning authority. The agreed landscape strategy and management plan shall thereafter be implemented on site in accordance with the approved plan unless otherwise agreed in writing by the local planning authority

Reason : To ensure that the development can be successfully assimilated into the surrounding landscape and create a high level amenity for the proposed development

6. Prior to the commencement of the first phase of development details of the Children's play areas and public open space shall be submitted to and approved in writing by the local planning authority. Such details shall be in compliance with the requirements of Taunton Deane Local Plan saved policy C4 and include details for the timing of the provision of those facilities and their subsequent maintenance. Once approved the Children's play areas and public open space shall be provided in and maintained in strict accordance with the approved details

Reason : to ensure an appropriate level of Children's play equipment and public open space to serve the residents of the development.

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (“the 2015 Order”) (or any order revoking and re-enacting the 2015 Order with or without modification), no

development of the types described in Schedule 2 Part 2 Class A of the 2015 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

Reason: To ensure that the public open space and children's play areas remain open and available for public use at all times and in the interests of the visual amenity of the area.

8. No development shall take place in any phase until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work for that phase in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development in any phase shall be carried out at all times in accordance with the agreed scheme for that phase or some other scheme that may otherwise be agreed in writing by the Local Planning Authority.

Reason: To ensure the preservation of archaeological remains in accordance with Local Policy and the National Planning Policy Framework.

9. Prior to the commencement of construction works on site a foul and surface water drainage strategy and timetable for its provision shall be submitted to and approved in writing by the local planning authority. The approved drainage scheme shall be thereafter be completed in accordance with the approved details.

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

10. Prior to the submission of any reserved matters application for the development of the land adjacent to Hartnells farm listed building detailed plans showing an open area adjacent to Hartnells Farm listed building shall be submitted to and approved in writing by the local planning authority. The plans shall be based on the details on the illustrative masterplan no 3201 and shall include the timing for its provision on site. Once agreed in writing the open area shall be laid out in accordance with the approved details and thereafter be maintained as such.

Reason: To protect and enhance the character and amenity of the listed building and its setting.

11. The layout and alignment, widths and levels of the proposed roads, road junctions, and points of access, visibility splays, footpaths and turning spaces in any phase shall be provided in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Prior to the occupation of the first dwelling in any phase, the roads etc within that phase shall have been provided in strict accordance with the approved

details unless an alternative is first submitted to and approved in writing by the local planning authority

Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport.

12. No more than 150 dwellings shall be constructed and occupied until the western relief road, as required by the Taunton Deane Core Strategy, has opened for use .

Reason: In the interests of highway safety and to ensure that the development does not result in an unacceptable overloading of the existing highway network.

13. Prior to the commencement of any construction work on site, other than any required tree planting, Somerset bank creation and attenuation ponds, details of a junction between the proposed service road and the A3259 highway, based on the submitted plan number 1492-PHL-107-A and/or 1492-PHL-108-A, shall be submitted to and approved in writing by the Local Planning Authority. None of the dwellings hereby approved in any phase of the development shall be occupied until the junction has been constructed in strict accordance with those approved details and is open for use by traffic generated by the development.

Reason: To ensure an appropriate junction with the A3259 in the interests of highway safety.

14. No dwelling shall be occupied until that part of the service road or drive which gives access to it has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety.

15. No dwelling shall be occupied in any phase until space has been laid out within that phase of the site for cars to be parked off road and where appropriate for vehicles to turn so that they may enter and leave the site in forward gear

Reason: To ensure that cars generated by this permission can be parked safely.

16. Prior to the commencement of construction works on site in any phase of development, full details of the proposed cycle parking for each dwelling within that phase shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include covered and secure storage facilities for cycles. Prior to the occupation of any dwelling hereby permitted within that phase the approved covered and secure storage facilities for cycles

for that dwelling shall be provided in accordance with the approved details and shall thereafter be maintained unless an alternative is first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that adequate facilities are included for the storage of cycles.

17. The proposed roads, 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 carriageway and footpath.

Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport.

18. No part of the access drive shall be laid out at a gradient steeper than 1 in 10.

Reason: In the interests of highway safety.

19. No work, other than the agreed tree planting and Somerset Banks, shall commence on the development hereby permitted until details/specifications of the proposed off-site highways works based on drawings 1492-PHL-104-A, 1492-PHL-107-A & or 1492-PHL-108 A have been submitted to and approved in writing by the Local Planning Authority.

These works shall then be fully constructed in accordance with the approved details, before any dwelling hereby permitted is first brought into use.

Reason: To ensure an appropriate junction with the A3259 in the interest of Highway Safety

20. (i) Other than the approved tree planting and Somerset bank, no development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out strictly in accordance with the approved plan unless an alternative is first submitted to and approved in writing by the Local Planning Authority.

(ii) The Construction Environmental Management plan shall reflect the phased delivery of the development and 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.

Reason: To ensure that the proposed development is carried out in a well planned and safe manner in order to ensure highway safety throughout the construction phases.

21. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation for that phase of development must not commence until conditions (a) to (c) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

a) Site Characterisation

An investigation and risk assessment, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages.

- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants.

- An assessment of the potential risks to

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,

- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

b) Submission of Remediation Scheme

If any unacceptable risks are identified as a result of the investigation and assessment referred to in a) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section b), which is subject to the approval in writing of the Local Planning Authority.

e) Verification of remedial works

Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by some one in a position to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage b) above).

The verification report and signed statement are subject to the approval in writing of the Local Planning Authority.

f) Long Term Monitoring and Maintenance

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval until the remediation objectives have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Reason: To ensure that land contamination can be dealt with adequately to prevent any harm to the health, safety or amenity of any users of the development, in accordance with Taunton Deane Core Strategy Policy DM1(f) and paragraphs 120-122 of the National Planning Policy Framework.

22. Prior to the commencement of development works on site details of a wildlife mitigation scheme and a separate Landscape and Ecology Management Plan (LEMP)) for the whole site, incorporating the 'Tree Planting Plan Land at Hartnell's Farm Development Site', dated 27 April 2015 prepared by EPS ecology'(which includes details of the locations, planting scheme and layout of the habitat creation enhancement), shall be submitted to and approved in writing by the local planning authority. The LEMP will include the following:

- Retention of the existing hedgerows on the boundaries of the development facing open countryside. These can be incorporated into the buffer planting
- Plans indicating the location, details and timing for the provision of Somerset banks (based on the Thurley Associates (2013a) document) around the northern and western boundaries of the residential areas of the site and (based on the details contained within the EPS tree planting plan dated 27th April 2015) around the eastern edge of the buffer planting, unless alternative details are first submitted to and approved in writing by the Local Planning Authority. Once the details are approved the Somerset bank shall be installed before commencement of the built development hereby approved unless an alternative timing is first submitted to and approved in writing by the Local Planning Authority.
- The provision and maintenance of a minimum of 20 metre wide woodland buffer and agreed Somerset bank, as set out in the EPS tree planting plan dated 27th April 2015. Once the details are approved the buffer planting and Somerset banks shall be installed before commencement of the proposed built development unless an alternative timing is first submitted to and approved in writing by the Local Planning Authority.
- The provision and maintenance of woodland areas as set out in the EPS tree planting plan dated 27th April 2015.

Reason: To protect Lesser Horseshoe bats and their habitats from damage bearing in mind this species and its habitat is protected by law.

23. Prior to the commencement of works on site a wildlife management plan for the whole development site shall be submitted to and approved in writing by the local planning authority. The wildlife management plan shall include the appropriate management of the woodland planting areas for lesser horseshoe bats and shall include measures to promote the establishment of the planting to a favourable structure for lesser horseshoe bats, such as future thinning and the replacement of 'nurse crop' species (such as poplar and Norway spruce) with oak and other native species to give a more diverse age range.

The wildlife mitigation planting areas shall thereafter be managed in accordance with the approved wildlife management plan.

Reason: To protect Lesser Horseshoe bats and their habitats from damage bearing in mind this species and its habitat is protected by law.

24. Prior to the commencement of works on site full details of the paths and cycleways into and through the woodland areas shall be submitted to and approved in writing by the local planning authority. The details shall ensure that all paths and cycle ways from outside the habitat buffer / corridor shall be constructed diagonally rather than at right angles, shall not exceed 3m in width and shall not be lit by artificial lighting at any time.

Reason: To protect Lesser Horseshoe bats and their habitats from damage bearing in mind this species and its habitat is protected by law.

25. Prior to the commencement of works on site full details of a lighting strategy shall be submitted to and approved in writing by the local planning authority. This strategy shall follow the design suitable for lesser horseshoe bats produced by Somerset County Council (Bennett, 2012) and incorporate the following measures:

- There will be no routine night-time working during the construction stage of the development.
- Street lighting will be directed so as to avoid light spillage and pollution on habitats used by light sensitive bats. All bat corridors shall not exceed 0.1 Lux which is the recommended light level for horseshoe bats in corridors through development (Natural England, 2010)
- Lighting will be of the LED type which is highly directional.

Reason: To protect Lesser Horseshoe bats and their habitats from damage bearing in mind this species and its habitat is protected by law.

26. The gable ends of dwellings or other buildings facing woodland habitat creation will not have windows in order to reduce any artificial lighting affecting the behaviour of bats in new and existing habitat .

Reason: To protect Lesser Horseshoe bats and their habitats from damage bearing in mind this species and its habitat is protected by law.

27. There shall be no external artificial lighting on ends of dwellings or other buildings facing the woodland habitat creation areas or gardens adjacent to woodland habitat creation areas unless details have first been submitted to and approved in writing by the Local Planning Authority .

Reason: To protect Lesser Horseshoe bats and their habitats from damage bearing in mind this species and its habitat is protected by law.

Notes to Applicant

Proposal

Outline planning permission was granted in November 2015 for residential development of up to 320 dwellings on 16.1ha of agricultural land in the vicinity of Hartnells Farm. This proposal is a duplicate of that application except 1) it provides full details of the proposed access from the A3259 and 2) it seeks to introduce a quantified sum of money towards the construction of the Western Relief Road and a cascade to enable the provision of the money within a viable development. For completeness I intend to prepare a full report of the duplicate application for consideration below (This will be based on the current permission and updated where appropriate).

This application is for residential development of up to 320 dwellings on 16.1ha of agricultural land in the vicinity of Hartnells Farm.

The proposal includes the position of a new access for the development off the A3259. It would be located and just to the east of the current settlement limits. The details are reserved for subsequent approval. The new access is likely to take the form of a mini roundabout (to cater for the proposed new access to the south associated with the existing outline permission and reserved matters application 48/14/0016). The proposal also includes the provision of a new footway linking west to the existing footway along the A3259 and east to the boundary of the site.

An illustrative concept plan has been submitted with the application. This indicates the likely layout for future development of the site and includes the areas required to provide wildlife mitigation, (to the west and north of the site) and a central open space and play area. To the south of the site lies Hartnells Farmhouse and barns, Grade 2 listed buildings. Whilst these have been specifically excluded from the application site the impact of future development on the setting of those buildings has been considered and as a result an open area of land is indicated to the north, west and east of the listed complex.

The outline application is accompanied by an Ecological Environmental Impact Assessment in particular considering the impact of the development on the Lesser Horseshoe Bats present at the site and likely to originate from the SAC at Hestercombe House. It includes the mitigation scheme which has been agreed for the earlier planning permission 48/13/0008 and is in conformity with the requirements of the Habitat Regulations Assessment. (The mitigation planting has already taken place in order to reduce the delay which would be linked to the establishment and functionality of such areas)

It is proposed to split the development of the site into two phases. Phase 1 will comprise the provision of 150 of the dwellings to the south of the site. It will include, highway access off the A3259 and internal access roads, surface water attenuation works, foul drainage works, A3259 highway works, ecological planting, children's play areas and public open space. Phase 2 would develop the northern section of the site when the current highway, surface water drainage and ecological objections have been overcome or adequately mitigated (detailed in the report).

The site is part of a larger Core Strategy allocation (SS1) but extends approximately 70m beyond the northern limit identified in the Core Strategy and as such has been advertised as a departure from the development plan.

Site Description

The application site is located to the north east of the settlement of Monkton Heathfield outside but adjacent to the current settlement limits. The site is approximately 5 km from Taunton town centre. The site comprises 16.10 ha of grassland used for arable or grazing and is approximately 372m west-east x 615m north-south (largest dimensions) and stretches northwards from the A3259. There are a number of hedges around and crossing the site. The site rises gently from the south to north. The limit of development to the north is marked by a steepening of the slope towards the Hills beyond.

To the south of the site is the A3259 with residential properties beyond and to the east of the site are existing residential properties. The A3259 runs west – east through Monkton Heathfield and is one of the main links between Bridgwater and Taunton with a frequent bus service.

Relevant Planning History

48/13/0008 - Outline planning application for residential development up to 320 dwellings, green infrastructure including public open space, associated works and demolition of buildings with all matters reserved including the point of access on land at Hartnells farm, Monkton Heathfield Conditional permission granted 26th November 2016 with S106 agreement.

Consultation Responses

WEST MONKTON PARISH COUNCIL - The WRR MUST be completed before any further houses beyond the 150 of the original submission are granted planning permission.

Drainage

The development must not add further burden to the drainage system at Acacia Gardens and Bathpool pumping station, where discharging of sewers already happens. It is noted that drainage off site joins the Meadway system and is known to be under difficulties. Whilst the proposed development cannot be required to rectify existing faults, it must avoid making the situation worse. The solution offered for the removal of brown water from the site is noted and welcomed.

Highways

WMPC maintains its reservations about congestion and traffic flows in terms of the bigger picture of road infrastructure in the WM/Bathpool and Creech Castle area. Two functioning lanes taking traffic off the ERR roundabout should be provided area. It is good to see updated 2016 figures being used and WMPC has confidence in the TA as a result.

The planning application refers to the creation of a gateway feature, please do not let this be a picket fence style "gateway" as this could be anywhere and should instead be something more suitable to that area such as a sculptural installation, use of local stone or stone trough etc.

Transport systems

The application does not include the provision of facilities for bus services and bus shelters should be included thereby encouraging public use of the services in all weathers. Where is the link between local services and the Rapid bus system. The scheme does not appear to include any bus or cycle lanes?

Ecology

The PC does not understand how Somerset banks will prevent light pollution without a clear statement of the dimensions of the Somerset banks . These will need to adhere to Natural England requirements. Circa 350m of hedge are to be removed. The PC would wish to see new hedges of native/local species and fairly mature shrubs and trees rather than whips. The PC is pleased that tree planting has taken place to mitigate the impact of the development and would wish to see bird and owl boxes installed as appropriate throughout the site.

Heritage and Archaeology

The PC would wish to see all remains mapped, photographed and archived with Somerset Heritage Centre and any significant finds removed to the Museum of Somerset.

Comments on extant permission

48/13/0008

This application is outline only and so it is understood that the site plan and a substantive part of the documents presented are indicative only. This response is presented in two sections, comments on the outline and a wish list for the detailed. Following the experience and involvement (CEP) of the first 1000 house application, the Parish Council now would seek and expect full involvement at every stage through the process towards and including the detailed application. The Parish Council consider that these major applications require considerable consultation. The Parish Council has repeatedly sought for greater consultation, and this request will continue to apply as the development of 4500 houses progresses. TD Planners have been consistent in their promise to involve WMPC in regular minuted meetings. Two meetings have been convened, no minutes have been circulated subsequently, and the Parish Council is concerned that its involvement has been restricted. Under new legislation, collaboration and consultation is essential so that CIL is spent in the best possible way conforming to the 'Inclusive Community Objective' expressed by TDBC in the Core Strategy.

The Parish Council is aware that this application has come forward earlier than

expected in order to satisfy the 5 year supply of deliverable building land and would argue that this strengthens the case being made by the Parish Council, that all the MH sites within the Core Strategy should be considered as phases within a development. As such, the applications that come forward are part of a whole, and the outcome will be a 'small town the size of Wellington' (quote from the Core Strategy). WMPC submits the argument that consideration of applications within the MH Core Strategy has to be done holistically, and that if there is no overall plan then this application could be considered as premature. The current practice of only considering the application on the table denies the opportunity of building a sustainable community, which contravenes the NPPF.

In broad principles the Parish Council endorses the provision of the following:

- Public Open Space:
- 25% Social and Affordable Housing giving preference to local families, not for just the first application, but that a percentage of the rented property should be considered for local applicants every time in perpetuity, conforming to the principles of the Communities legislation keeping families together:
- Allotments, although the indicative plan has placed them centrally rather than on the periphery of the development.
- Crime prevention principles in accordance with the Crime and Disorder Act 1998.

The quality of the Parish of West Monkton as a place to 'Live, work, travel and leisure' (quote from SLP application) applies to the existing population as well. The Parish Council notes that the quality of the environment currently is affected by the very major building works currently underway, site traffic, site noise, disruption of roads access and services. This is work associated with only the first 500 of the 4500 house settlement envisaged in the Core Strategy, the downside indicates that MH will be a major building site unremittingly for the years ahead to 2028 or the completion of the delivery of the Core Strategy.

Planning application

The application is outline and much of the additional supporting documentation is therefore indicative only apart from '...highway access at land at Hartnells Farm, Monkton Heathfield', which is for detailed.

The consideration of this application should be part of broader infrastructure considerations because other sites within the Parish are identified in the Core Strategy which will come forward, and some are already in the system. Unlike previous practice, an holistic approach is needed. Therefore an overall strategic plan for the whole area is required. Without such a clear infrastructure plan and an uncompleted Western Relief Road, this application is premature.

The Western Relief Road (WRR) is critical to serve the existing population and the population that will come with the Persimmon/Redrow and Strongvox developments south of the A38. Outline permission has been granted for 900 (327 Persimmon/Redrow and 51 Strongvox have detailed permission and are under construction). The Peter Evans Transport Assessment Report (TAR) submitted for the Persimmon/Redrow 900 house application judged that the trigger by which the WRR would be required was at 651 dwellings. It would therefore be entirely inconsistent for a further 320 houses to be built before the WRR; i.e. it needs to be in place before the Hartnells development begins. Without the WRR, traffic

movements on, off, and through the A3259 will be considerably in excess of the figures presented in the WSP Traffic Assessment Report for the Hartnells application.

In the WSP UK Ltd TRA p27 para 5.7.3 states ‘...SCC has advised that until such time as the ‘western relief road’ is built, and for which there is currently no commitment from them or a developer (WMPC Italics) to do so, traffic calming on the A3259 through Monkton Heathfield will be ‘low key’ and will not act as a deterrent to through traffic’. The Parish Council takes serious issue with this statement since there is a S106 requirement, further reinforced by a Memorandum of Agreement between TDBC and Persimmon/Redrow, signed March 2007. Hard copy of this will be provided to TDBC Planners. It is of note that section 7 of this MoA reads ‘the Consortium agrees to pre-fund the Highway cost and associated administration costs relating to the making of any CPO relating to the WRR’. The Peter Evans TAR shows clearly that there is a need for the WRR and SCC has produced various plans in preparation of the WRR.

Despite the figures produced by computer modelling by WSP and demonstrated at the public exhibition, the volume of traffic and data about waiting times described in the WSP TA is considered to be on the light side by residents who use the road on a daily basis. Traffic calming **DOES** need to be in place and an example should be taken from the requirements imposed just up the road at Monkton Elms Garden Centre where a huge visibility splay and road widening was needed with supporting road markings. The Hartnells proposal does not include a safe middle lane, which potentially puts drivers turning right into Hartnells in a hazardous position since WMPC does not believe that traffic calming can be achieved by the proposed traffic lights and two pedestrian crossings. WMPC’s position is based on real life real time experiences turning onto and off the A3259 at various times of the day. The Parish Council believes that the traffic modelling produced in support of the application has been based on either, out of date, or flawed statistics.

In the absence of an overall strategic plan detailing access points, the proposed location for traffic lights on the A3259 could cause vehicular conflict and problems for a potential access to the west of Greenway site. Furthermore, when the development at Prockters comes forward under the Core Strategy, the only access shown will be through the Hartnells development. Are the proposals for the junction on A3259 and the estate roads designed to accommodate the additional traffic?

The absence of a completed WRR agreed and required at 651 dwellings on the Persimmon/Redrow site, must call into question the traffic plans for the proposed layout in the Hartnells application.

In conclusion: For the proposed layout to work i.e. no safety reservation for the right turn into Hartnells, the WRR has to be in place first. Without the WRR, the application is premature and could not be supported.

Comments on proposals

The PC endorses:

- The suggestion of an Energy Centre. However the indicative site plan does not show it.
- The Public Open space and Landscaping and the proposed green drainage schemes is endorsed. The acreage should be maintained – Landscaping

3.9Ha and POS 1.52Ha – despite any subsequent variations of housing in the detailed application. The Bat survey supports the acreage. The surface of the footpaths should be permeable and accessible for disabled.

- The indicative plans for 2 storey houses only and no flats, in keeping with other dwellings on the north side of the A3259 is endorsed. The Parish Council would have difficulty supporting the ‘coach house’ style of dwelling on the northern side of the A3259; and in any event these buildings have been a source of concern and fear of crime by neighbours.

The PC also consider that

- There must be provision of adequate space for parked cars
- There must be provision of access for refuse and emergency vehicle access
- A holistic highway solution within which details of traffic lights along the A3259, access to Hartnells farm and buildings and access to the Prockters Farm site are included and future proofed
- There must be provision of 11 – 17 year old leisure with consideration of litter, behaviour, demographics in line with the Crime and Disorder Act 1998.
- The underground water retention tanks would be an ideal site for tennis courts or MUGA type provision. Bearing in mind the Elderly demographic, the Parish Council would like to see some ground floor single storey accommodation. Drainage on the site is proposed to relieve the flooding in (adjacent) Greenway and Prockters Farm and the PC would like this to be a firm requirement for the development of this

SCC - TRANSPORT DEVELOPMENT GROUP - The Highway Authority's previous response observations focused on the traffic impact of the proposal and the submitted transport assessment (TA). The Highway Authority raised a number of points which required further input from the applicant. From reviewing the submitted information it doesn't appear that the applicant has fully addressed the points raised. Consequently these issues are still considered to outstanding. In terms of the Travel Plan the applicant's comment are noted but we would require the submission of a draft Travel Plan.

As part of the applicant's original submission details of the proposed access arrangements we submitted for a 'high level' feasibility audit. The arrangements consisted of a midi roundabout and a signalised crossing. This audit has now been completed and although the principle of a roundabout has been accepted in this location there are a number of points that would need to be addressed prior to any further submission. The main issues related to:

- Proposed roundabout ICD below the required size for this location.
- Insufficient information provided to determine the acceptability of the signalised controlled junction.
- Confirmation that the emergency access will double as a shared cycle route.

A copy of the audit report has been passed to the applicant to address the key points prior to the next submission.

Turning to drainage, the proposal is seeking to discharge restricted surface water flow from the attenuation ponds (located adjacent to the southern boundary) into the existing ditch located east of Richard's Crescent. The designer should be aware that this existing ditch, south of the proposed point of outfall, has undergone

alteration works (including introduction of piped sections) as part of the adjacent residential development. The designer will need to confirm that this section is suitable to cater for the proposed volume of discharge that will enter this system post development.

It is noted that the drainage strategy incorporates the use of attenuation ponds. Whilst it is noted that the current layout is indicative, careful consideration regarding its location/proximity to the highway will need to be given. Additionally, whilst Somerset County Council would not seek to adopt the attenuation basin Somerset County Council has a vested interest in its performance and as such a strict maintenance programme will need to be adhered to in order to safeguard the efficiency of the system. Confirmation regarding the future maintenance responsibilities will be required.

Somerset County Council, as the Highway Authority, would look to adopt a drainage system that accepts highway surface water runoff from areas of prospective highway only. Where surface water runoff from private areas enters the drainage system Somerset County Council would consider adopting gullies and connections only.

The full extent of the existing drainage infrastructure fronting the development will need to be undertaken and the interconnectivity proven to confirm that the proposed drainage is compatible with the existing arrangements both upstream and downstream of the development site.

Therefore to conclude it is apparent that there are still some outstanding issues relating to the Transport Assessment and it is our opinion that there are elements that are still outstanding as such the Highway Authority still cannot provide comment on the traffic impact of the proposal. In regards to the audit process the Highway Authority has accepted the principle of a roundabout in this location under the previous application. However there are a number of points that need to be addressed prior to any further submissions. The applicant's comments on the Travel Plan are noted but the Highway Authority would prefer to see a copy prior to it being secured via a S106 agreement. Finally the applicant will need to take note of the drainage comments set out above prior to any further submissions.

Therefore taking into account the above information the Highway Authority still requires additional information relating to the Transport Assessment to allow us to fully assess the impact of the proposal on the highway network. If this information is not forthcoming then we would have to look to recommend refusal on the grounds of lack of information.

LANDSCAPE - No objection subject to relevant conditions including the need to maintain and manage all open spaces, swales and flood attenuation areas.

The proposed impact meets with the landscape requirements of the Local Plan allocation and subject to detailed landscape proposals is considered to be acceptable.

HERITAGE - I have no objection to the above application proposals provided that the open areas to the NW and SW of the farm complex, as shown on the Illustrative

Masterplan Dr No 3201 are secured.

POLICE ARCHITECTURAL LIAISON OFFICER - – no objection subject to the following. The development is in an area with a low level of crime. I have concerns regarding the vulnerability of dwellings backing onto woodland areas, Somerset Banks and hedges and it may be necessary to upgrade the security of gardens backing onto these routes; there are three cul-de-sacs abutting areas of woodland and trees with footpaths leading into these communal areas and this could result in crime and ASB affecting residents in these cul-de-sacs. I recommend the precise location of these footpaths be reconsidered. On personal safety grounds, footpaths in the woodland areas should be as straight as possible to aid visibility for users, wide and devoid of potential hiding places, particularly as they only appear to be overlooked by dwellings from the rear; Communal areas such as the NEAP and LEAP have the potential to generate crime, the fear of crime and ASB and should be designed to allow supervision from nearby dwellings with safe routes for users to come and go. The two areas of play proposed for the centre of this development appear to comply with this requirement being well overlooked by nearby dwellings; it is important that boundaries between public and private space are clearly delineated and dwelling frontages kept open to view, so any walls, fencing, hedging etc at the front should be maximum height 1 metre. More vulnerable areas such as side and rear gardens require more robust defensive measures by using walls, fences, hedges etc to a minimum height of 1.8 metres. Gates providing access to rear gardens should be the same height as adjacent fencing i.e. 1.8 metres and lockable; Cars should be parked in garages or hardstandings within dwelling curtilages. Where communal parking areas are necessary, they should be in small groups, close and adjacent to homes they serve and within view of 'active rooms' within these homes and this appears to be the case here; Planting/landscaping – should not impede opportunities for natural surveillance nor create potential hiding places and, in areas where visibility is important, 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; all street lighting for roads, footpaths and car parks should comply with BS5489:2013.

DEVON AND SOMERSET FIRE & RESCUE SERVICE - The means of Escape and Access and facilities for the Fire and Rescue Service shall be provided in accordance with current Building Regulations.

SOUTH WEST DRAINAGE CONSORTIUM - The catchment into which the run off flows is subject to flooding and river locking by the river Tone to the extent that properties in Yew Tree Lane, Hyde lane and Acacia Gardens flood. The drainage strategy will need to include acceptable details of the restrictions on the flow, volume and long term maintenance regime of the infrastructure needs to be provided. Discharges will need to be at the least to greenfiled run off with attention to the volume of the discharge as well as the rate of discharge. The details of the design and future liability of the drainage infrastructure will need to be clearly defined to ensure that uncontrolled or excessive discharge is not experienced.

WESSEX WATER - no comments received for this application but the following comments received for 48/13/0008 -

No objection subject to conditions - Sewers will need to be constructed to the proposed new Mandatory Build Standard and Sewers for Adoption 7th Edition. There is limited capacity within the downstream sewerage system to accommodate additional flows from this development.

The drainage proposals illustrated in Appendix E of the Flood Risk Assessment appear to be in accordance with pre-application discussions between Wessex Water and the applicant's consultants. We have yet to fully appraise and agree, however, measures to reduce the risk of downstream flooding and pollution and suggest a planning condition to ensure agreement is made prior to connection to the sewerage system:

There is limited available capacity in the existing water supply network to accommodate development. Network modelling will be required to determine the nature and cost of off-site network re-enforcement required to maintain levels of service

LEISURE DEVELOPMENT - No observations subject to the same provisions within a section 106 as the existing permission.

SCC - CHIEF EDUCATION OFFICER - views to be provided on update sheet
BIODIVERSITY - No objection subject to conditions.

The proposal is an outline but the development will involve the loss of 350 m of hedgerow and some trees. Proposed landscaping seeks to retain wildlife habitats and includes off sett habitat creation for Lesser Horseshoe bats.

The Ecological Environmental statement findings were as follows:

Bats- The site supports an extensive assemblage of bat species -a minimum of 11 species, but probably 12 or 13, with high levels of commuting and foraging by common and soprano pipistrelles; a reduced, but still common level of commuting and foraging activity by Myotis and long-eared bats, as well as noctule and serotines, and additional but lower levels of use by greater horseshoe, lesser horseshoe, barbastelle and Leisler's bats.

There was no evidence of roosting within the farm buildings within the development site, however evidence indicates that locally breeding populations of both common and soprano pipistrelles are present in areas of residential housing around the site. Noctule bats probably breed in trees on site particularly woodland trees in the north east corner of the site. The hedgerows within the site are important at a local level providing corridors and feeding habitat for bat populations.

The northern boundary of the Assessment Site is c.1.7km from Hestercombe House SAC. Hestercombe House SAC "constitutes a summer maternity roost and winter hibernacula for a colony of lesser horseshoe bats. In the '*Hestercombe House SAC Appropriate Assessment Final Report*', prepared by Larry Burrows, Ecology Officer at Somerset County Council parts of the site were shown to lie within either the 'Combined Area' (CA) or 'Inferred Area' (IA) for this important bat roost. Site mitigation and off sett compensation planting for Lesser horseshoe bats

was identified for proposals in these areas. This proposal includes new woodland/scrub planting to be concentrated around the western and northern boundaries of the proposed development. This has been designed to provide long-term foraging habitat for a range of bat species (including the lesser horseshoe bats which use nearby Hestercombe House SSSI/SAC), and to limit the potential for illumination of land outside the proposed Development area and within the bat mitigation areas.

The Appropriate assessment calculates that 6.26 hectares of off sett planting is required. The amount of proposed planting for this proposal appears to be less than this figure and Larry Burrows views on the proposal are awaited (see SCC Ecologist comments below).

Monitoring - A strategy for assessing the success of the mitigation measures and enhancements will be essential as part of the proposed development of the site.

The monitoring proposed should focus on bats as a key 'indicator' species.

I support the following recommendations

- Bat activity surveys in summer to monitor the use of the offset habitat creation areas by commuting and foraging bats. This will be especially important for lesser horseshoe bats, as it has to clearly be demonstrated (by means of observations or static recordings) that these planted areas are 'functional' for this species. Without functional lesser horseshoe bat habitat being present within the Assessment Site, no development of land in the Combined or Inferred Areas can take place.
- These activity surveys to commence in the first summer following planting, and to continue on an annual basis for another five years – or until such time that lesser horseshoe bat activity has been confirmed

Badgers - Whilst the site includes or is adjacent to good foraging habitat for badgers, including herb rich unimproved grassland, cereal crops, orchards, gardens etc. there was only limited evidence of badger activity in this study area. From the limited signs of badger activity, it appears this site is not a significant foraging area.

A walk over badger survey should be carried out prior to any development to confirm that badgers have not moved into the area and built any setts in the period between 2011 when the survey was carried out and the start of development

Dormice - There was no evidence of Dormice and they are unlikely to be present due to lack of significant hedges and poor connectivity.

Amphibians - Although there are no watercourses or ponds on this site there are several ponds in the area where small numbers of common toads within the field margins and smaller fields on the far western side of the Assessment Site

(Common toad is listed as a 'Species of Principal Importance' under Section 41 of the NERC Act 2006) were identified.

Reptiles - There was evidence of adult male/female as well as juvenile slow worms using the site as well as some common lizards and a grass snake.

Birds - There is no indication of the presence of Schedule 1 species within the Assessment Site. No detail breeding surveys were undertaken as the majority of the site comprises of habitat that is likely to be used by relatively common birds. Given the generally poor habitat types present within the site, it is reasonable to assume that it will not be used by more than 25 breeding bird species. The farm buildings to the south of the site are used by swallows

The findings and recommendations for mitigation in the Ecological Environmental statement appear sound.

The surveys are already over a year old so I would expect new up to date surveys to be undertaken at detail planning stage.

SCC - NOW HISTORIC ENV SERVICE(AS NOT PART OF SCC 2015) - Since the outline permission a series of archaeological investigations has taken place on the site but it is likely that further work will be required. For this reason I recommend that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of model condition 55 attached to any permission granted.

SCC - ECOLOGY - In order to ensure the development does not have a detrimental impact on protected species the requirements of the Habitat Regulations Assessment (April 2016) must be conditioned.

ENVIRONMENT AGENCY - no comments. The matter is now dealt with by the Lead Flood Authority

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - No objection subject to conditions.

A preliminary risk assessment based on a desk top survey did not identify any significant geo-environmental issues. The report recommends that as no significant issues were identified it should not be necessary to carry out an intrusive site investigation prior to planning approval, however, it would be prudent to undertake a limited assessment when a geotechnical investigation is carried out and I recommend that such a condition is attached to any planning permission and that the investigation should include an assessment of the farm yard and buildings lying to the south of the site. .

The developer should be aware that under the National Planning Policy Framework, where a site is affected by contamination responsibility for securing a safe development rest with the developer and/or landowner. Compliance with the planning condition does not rule out future action under Part IIA of the Environmental Protection Act 1990, for example, if additional information is found concerning the condition or history of the site.

PLANNING POLICY - The site forms part of the Core Strategy allocation SS1 for

around 4,500 new homes, 22 ha employment, district centre, community facilities, green necklace, relief roads, contributions towards country park, etc.

As such, the principle is acceptable although it is disappointing that the consortium and other parties have not progressed the masterplan as to how the individual elements will all fit together in an integrated and coordinated fashion.

In this regard, the timing of this development and any contribution towards infrastructure could have been progressed as a whole rather than through an incremental approach. From a planning policy perspective I would thus have to rely on other parties (including our legal advice) as to the extent, if any, Hartnells would contribute towards the relief road or the flood prevention measures required for example.

I would however wish to reiterate earlier comments that design and community involvement in the process of form, scale, massing etc remains of vital importance (to a masterplan and/or application) as was the case with the 2004 Development Guide. I am not aware of the extent, if any, that the community have been involved in the emergence of an integrated site solution, including for example, the orchard fronting the A road towards Prockters Farm which should still be retained as a community asset.

HOUSING ENABLING - 25% of the new housing should be in the form of affordable homes. The tenure split should be 60% social rented and 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 for social rent. These homes should comply with a recognised and approved wheelchair design guide.

Currently a broad indication of the required mix would be: 15% 1b2p units to include some flats and some maisonette style properties with own garden and own front door; 40% 2b4p - predominantly houses with some flats; 35% 3b5p houses; 10% 4b6p houses

It is noted that Code for Sustainable Homes Level 3 is being wound up and we would therefore seek for the properties to be constructed to the relevant standards that supersede this at the date of approval of the planning 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/phases 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. The shared ownership units should be located within their own block/terrace and should primarily be 2b4p houses with some 3b5p houses.

NATURAL ENGLAND - We note that your authority, as competent authority under

the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects. Your assessment, which has been updated to consider the amended proposal, confirms there are no significant changes to the master plan for the scheme and concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. This conclusion has been drawn having regard for the measures built into the proposal that seek to avoid all potential impacts. On the basis of information provided, Natural England concurs with this view. The counteracting measures must be secured by condition as detailed in the updated HRA.

SCC - FLOOD RISK MANAGER - The application is for the redevelopment of an existing brownfield site that is almost The development indicates an increase in impermeable areas that will generate an increase in surface water runoff. This has the potential to increase flood risk to the adjacent properties or the highway if not adequately controlled.

The applicant has not provided details of the proposed drainage designs for the capture and removal of surface water from the development. Due to the location of the site and the proposed increase in impermeable areas it will be necessary to provide these details.

No objection to the proposed development, as submitted, subject to the suggested drainage condition.

CHEDDON FITZPAINE PARISH COUNCIL - No response

SOMERSET WILDLIFE TRUST - previous comments We have noted the above mentioned Planning Application and also Ecological Environmental Statement submitted by Turley Associates. We would fully support the comments and recommendations which have already been made by the District Council's Biodiversity Officer and we would request that those recommendations are incorporated into the Planning Conditions if it should be decided to grant Planning Permission. We also understand that the County Council's own Wildlife Officer is preparing a response to the proposals and we fully support this.

NATURAL ENGLAND

We are aware of the current planning permission and appreciate that this proposal is fundamentally the same. The application is in close proximity to the Hestercombe House SAC and SSI. TDBC are the competent Authority and must have regard for any impacts that a project may have on that area.

We note that you have screened the proposal for the likelihood of significant effects. This assessment concludes that no significant changes to the masterplan for the scheme and concludes that the proposal can be screened out because significant effects are unlikely to occur. This conclusion has been drawn having regard to the measures contained within the proposal to avoid all potential impacts and on the basis of that information Natural England concur with that view. The counteracting measures should be secured via a planning condition as detailed within the HRA. Natural England would also expect the LPA to consider other possible impacts of the proposal on local sites (biodiversity and geodiversity); local landscape character and

local or national biodiversity priority habitats and species.

Representations Received

12 Letters of OBJECTION have been received on the current application raising the following points:

- The proposal does not conform to the development plan for the area
- If traffic can leave this site and use the new link road between the A3259 and A38 what provision will be made for the access to and from the new houses along the road as they have no turning facilities within their boundaries and getting into and out from their properties could be dangerous
- The new link road will become a busy rat run and, with parked traffic, how will congestion be avoided?
- The development already underway is threatening village identity where is local democracy and why is the community voice not being heard?
- With the additional traffic from 320 houses occupation of this development should be linked to the opening of the WRR
- It is difficult to exit Mead Way at peak times already and traffic from an additional 320 houses will exacerbate this
- The type of access into the site from the A3259 has not been agreed and the impact of the two options has not been assessed nor has the implications of the future bus gate in the area
- Additional traffic assessment is required to take account of the proposed WRR
- Traffic volumes seem to have increased with recent development at Stockmoor Village at North Petherton/Bridgwater has account been taken of this?
- The current level of congestion means that traffic can be queued back to Obridge roundabout and further exacerbation would have the effect for the whole of Taunton along with additional pollution from fumes of stationary traffic
- When congestion is bad lanes through Goosenford, Cheddon Fitzpaine and Upper Cheddon could become a rat run and highly dangerous
- The footpath/cycle link through Meads Way will change a quiet cul-de-sac into a thoroughfare to the detriment of the amenity and safety of existing residents/pedestrians. The link should be for a locked emergency access only.
- The proposal indicates a link from the application site into Mead Way. This is a cul de sac and there was no suggestion that this quiet backwater would change into a thoroughfare and potential playground for children for over 300 homes causing unacceptable amounts of noise and nuisance
- We welcome the puffin crossings but this will not overcome the congestion which will get worse with additional dwellings. (puffin crossings will only work if people want to cross the road but on a winters evening, 5.30 there is no sign of pedestrians and the traffic will neither be slowed or stopped and it will be extremely difficult to take a right turn from Mead Way to Taunton.
- There is inadequate information regarding traffic flow or transport in the transport assessment for the proposed development nor do the figures appear to include additional traffic generation from committed development
- The traffic assessment does not take account of congestion since the opening of the ERR
- The travel plans for the MH1 development have not worked with a low take up of travel passes and services being cut rather than increased.
- The figures do not take account of the effects of bottlenecks on the A3259 Obridge viaduct during peak times and their effect on the A3259 and the data

appears flawed

- Bathpool is an area increasingly affected by floodwater and has been affected by bubbling sewage coming through manhole covers in Swingbridge. I do not consider that the plans will prevent greater volumes of water from being displaced from current open land onto the Bathpool drainage system and hence the development will have a detrimental impact
- The emergency access via Mead Way will go past an existing play area and would be unsuitable and should be relocated elsewhere.
- The emergency access/ pedestrian and cycle link through the existing play area onto Mead way should be re-thought
- The proposed development will be at a higher level (3 – 4m) to existing properties and surface water is likely to make the existing ground conditions worse is not adequately dealt with
- Drainage from this site must be dealt with properly to avoid additional flooding of land and or properties downstream
- The surface water storage pond and Mead Way has been at capacity in the recent months and has no capacity for additional water from the adjacent site
- A drainage ditch must be created between Hartnell Farm and Mead Way
- The dwellings should take account of the level differences with Mead Way and avoid undue overlooking
- The proposed levels of development in the area will change the village forever and it will lose its identity
- The illustrative layout indicates a row of houses overshadowing and overlooking existing dwellings which, due to differences in ground level, will be exacerbated. An increase in the tree buffer zone to 20m from the site to its western boundary.
- There should be a wedge of undeveloped land between the new development and the existing community
- Insufficient consideration has been given to wildlife in general (other than the Lesser Horseshoe)
- A green area should be included adjacent to the boundary of the site with Greenway and Mead Way allowing a wildlife/dog walking area and the hedges and trees protected. This will also help reduce light pollution from the development
- The hedge running to the back of Mead Way should be protected in the future as it is approx 3m in width and has a healthy wildlife - nesting birds, toads, frogs etc. New properties should not be allowed to remove this feature.
- A high density of housing in such close proximity to existing housing will result in noise and air pollution
- Living in a thatched property with a thatched garage approx. 8m from the boundary with the development site we are concerned that additional housing will increase the risk of fire
- Where there are future links east to Procters farm the hedges and fences will need to be high and secure in order to prevent trespass. The “dead end” roads should not assume the development of the land to the east in the near future and should instead be designed as loops which avoid the links to Procters at the current time.
- The proposed bat mitigation planting adjacent to Sidbrook Cottage is too close to the dwellinghouse and has not been carried out in line with the Guidance “only smaller trees and shrubs to ensure owners do not have their views and light substantially impaired”. The planting should be in accordance with BS5837 and NHBC Standards 2006,chapter 4.2. At the very least the planners

“rule of thumb” no trees should be within 2/3 their mature height from buildings” should be adhered to. I consider that the planting as carried out is too close to the dwellinghouse and the future impact will be overbearing for example the planting of two oak trees in the closest rows. NHBC standards suggesting oaks should not be planted within 25m of a building, the current distance being 8m.

- Gardens backing onto the site are under water for most of the winter and further development at a height level will exacerbate this
- If the new roundabout is provided before the Western Relief Road the development will result in mayhem along the A3259 and with a blind corner at Richards Crescent and Sunningdale cottages there will be a further increase in the risk of accidents

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), saved policies of the Taunton Deane Local Plan (2004), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

SS1 - TD CORE STRATEGY MONKTON HEATHFIELD,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
CP8 - CP 8 ENVIRONMENT,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
DM2 - TD CORE STRATEGY - DEV,
DM4 - TD CORE SRATEGY - DESIGN,
NPPF - National Planning Policy Framework,
ENV4 - Archaeology,
D9 - A Co-Ordinated Approach to Dev and Highway Plan,
C2 - Provision of recreational open space,

Local finance considerations

Community Infrastructure Levy

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £367,702

Somerset County Council (Upper Tier Authority) £91,925

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £2,206,211

Somerset County Council (Upper Tier Authority) £551,553

The Community Infrastructure Levy is applicable to this application. The current rate for this would be £70 per sq. m residential floorspace. Based on average density and housing mix, the CIL receipt for this development is approximately £1,113,000

Determining issues and considerations

Introduction

There is an extant 3 year outline planning permission, granted on 26th November 2015, for a similar application to that being considered in this proposal. That permission has a signed S106 agreement covering the provision of affordable housing, public open space and children's play areas, a drainage contribution for additional , draft travel plan and contribution to public art. That permission establishes the principle of this development and imposes a grampian condition restricting the number of housing occupations to 150 prior to the completion of the Western Relief Road. The planting required to mitigate the impact on wildlife, in particular the lesser Horseshoe Bats from Hestercombe House SAC, has now been completed.

The application that you are considering tonight seeks to amend that permission in the following way:

1. to replace the current grampian condition with a S106 financial contribution;
2. to introduce the principle of a cascade approach towards the provision of affordable housing in the event that additional monies are required in order to complete the WRR
3. it includes more detailed information on the proposed mini roundabout junction for the site access.

Policy

The development plan comprises the newly approved "Taunton Deane Core Strategy". The Core Strategy allocates land at Monkton Heathfield for a mixed use urban extension for approximately 4,500 dwellings, district centre etc. (see full policy above). Urban Initiatives formulated a draft masterplan to guide the development of the site but this remains in draft form with the need for further alterations, in particular regarding the transport solution on the A38. The Core Strategy policy requires a masterplan to guide new development in a co-ordinated and comprehensive manner. Whilst the draft masterplan has not been agreed in its

entirety, there are some principles for this site that I would not expect to change moving into the future namely

- The use of the Hartnells Farm site for residential development ;
- The need for buffer planting and off site planting to the north in order to mitigate for the impact of the development on the Lesser Horseshoe bats based at Hestercombe House, a European Special Area of Conservation
- The need to contribute site specific infrastructure i.e. contributions towards affordable housing (25%), playing fields and open space, children's play areas, surface water drainage
- The need to contribute towards wider strategic infrastructure for the whole allocated site including education, bus rapid transport etc via CIL contributions.

The application site lies within the northern area of the allocated site. A small section would project beyond the northern limit shown on the Core Strategy and draft masterplan plans, into unallocated land beyond the northern limit. For this reason the application has been advertised as a departure from the Core Strategy allocation.

This planning application is for a residential development of the site and proposes acceptable mitigation measures for the Lesser horseshoe bats and other ecology effected by the development and therefore conforms to the first two points above. S106 Head of terms have been suggested which, in principle would cover the affordable housing; surface water drainage and leisure.

The division of the site into 2 separate phases is consistent with the need to establish the wildlife buffer before the northern part of the site can be developed; the need to undertake additional surface water drainage investigation. The application secures financial contribution towards the construction of a Western Relief Road, to link the A38 and A3259 roads, which will overcome the capacity problems identified with the current junctions of Milton Hill and the A3259 and enable the construction of all of the dwellings hereby approved.

Highways

Principle - This proposal forms part of the Monkton Heathfield urban extension site. It has been included within the Taunton Deane Core Strategy and subject to providing acceptable highway and drainage solutions was regarded as an interim site in order to provide additional housing development prior to the development of the larger Core Strategy site.

The previous local plan allocation at Monkton Heathfield required the provision of a new southern relief road highway network which was made up of a new eastern relief road (ERR, east of the A38) and new western relief road (WRR, linking the A38 to the A3259 via the southern section of Milton Hill). These new relief roads were required in order to overcome the highway junction capacity issues associated with additional traffic along the A38 and A3259 as a result of the development and also to remove the through traffic from the centre of the development area to aid community cohesion. The ERR and WRR schemes included the installation of bus gates along both the A38 and A3259 roads in order to reduce the level of through

traffic and enforce the use of the relief roads thereby reducing the level of traffic along those roads and overcoming junction capacity issues. The ERR is now complete and in use and whilst there is planning permission for the WRR a detailed build design is yet to be finalised and third party land, required for the delivery of the road, is yet to be obtained.

The Hartnells Farm development gains access off the A3259 and SCC highways consider that traffic generation in association with a development of 320 new dwellings would have a significant adverse impact on the junction of Milton Hill and the A3259 (one of the junctions with capacity issues) without the WRR, and bus gate alternative.

The extant planning permission established that mitigation, in the form of a series of signalized crossings along the A3259 providing "gaps" in the traffic flow would enable an increased capacity at the junction equivalent to traffic generated by the occupation of 150 and imposes a grampian condition requiring the construction and opening of the WRR prior to the remaining 170 dwellings being occupied.

A memorandum of understanding has recently been signed by Persimmon Homes, Redrow Homes and SLP (applicant for this proposal) which provides a mechanism for the funding, design and construction of the western relief road and some of the measures contained therein have already commenced. This gives increased confidence that the road will be provided in the near future. In view of this MoU the applicant proposes to make a financial contribution to the costs involved in the delivery of the WRR in lieu of the existing grampian condition. At current build rates in the area (75 dwellings per outlet per annum) it would be likely to take at least 2 years for the site to be completed (post reserved matters approval) by which time the WRR should be constructed thereby reducing levels of traffic along the A3259 and making the proposed development acceptable.

Detail - The proposed development lies to the north of the A3259 and would be accessed via a new highway junction. The location of the proposed junction is directly opposite to the new link road between the A3259 and A38 in the vicinity of the cricket club. The extant permission suggested a new mini- roundabout junction along the A3259 in order to provide a safe junction between all roads and this application includes details of that mini-roundabout which are yet to be agreed with highways.

Drainage

The development site drains into the Dyers Brook/ Maidenbrook and Allensbrook catchment which runs through Bathpool and into the River Tone. Currently there are flooding problems at Bathpool which would be exacerbated by the development of the Hartnells Farm site if unattenuated, in particular in respect of volumes of surface water from the site as well as flow rates. In this case, the surface water drainage of this catchment is complex with discharge from the catchment being locked whilst the River Tone is in flood conditions (remaining up to 17 hours after the rainfall). Water cannot discharge and therefore backs up into the Bathpool area and an additional volume of water is likely to exacerbate this leading to increased flooding. The submitted flood risk study (undertaken in association with the extant permission and submitted in association with this permission) identified a number of possible

solutions including: 1) pump the surface water from the catchment at Bathpool into the River Tone, above the flood level 2) divert the surface water downstream to a point where the levels of the River Tone are sufficiently low to enable discharge.

In view of the above the applicant proposes to phase the development so that phase 1 (150 dwellings) would be developed with the provision of improved on site surface water attenuation thereby reducing the amount of water running off the site to below greenfield rates and volumes which should result in a reduction to the existing flooding at Bathpool.

In regards to foul sewage from the site there are known capacity issues in the current foul pipe system. Whilst it is hoped that an upgrade in the capacity can be provided in the future this development is proposing a tank at the south of the site (to the north of the listed farmhouse) to store the sewage at times of peak flow and allow for their discharge when there is spare capacity in the pipe work. Provided the tank is operational prior to first occupation the foul drainage proposals are considered to be acceptable.

Landscape

The landscape assessment and proposals is in accordance with the extant permission (48/13/0008) and is considered to be acceptable in principle.

The site includes gently sloping land rising up to the hill behind and the development has the potential to have an impact on the landscape, amenity and character of the surrounding area.

It is currently composed of agricultural and grazing fields surrounded and divided by hedgerows with trees within them. Development of the land will completely alter the landscape character of the site and it is considered important to assess that impact and ensure that the landscaping of the proposed development will limit those impacts and help to assimilate the development into its surroundings. A full landscape assessment has been submitted in support of this application.

The landscape approach for the development of this site, as with the extant permission, is to retain as much of the existing hedgerow and trees on site and complement this with a landscape structure that promotes additional planting throughout the site. This would begin at the entrance to the site which would create a well landscaped area of land adjacent to drainage ponds either side of the highway going northwards into the site. Using street trees it is proposed to create north – south lines of street trees breaking up and softening the blocks of housing. These street trees would link to a landscaped central open space which would combine landscaping with children's play area, public open space, wildlife mitigation and drainage ponds. The site rises up from the south to the hills further to the north. Areas of woodland planting are proposed on the higher northern boundary and this should serve to frame the housing development and provide a wooded backdrop when viewed from the A3259. It is considered that the proposed landscape structure would be acceptable subject to the agreement of the final details at the reserved matters stage.

Ecology

The Ecological Environmental assessment and mitigation proposals are in accordance with the extant permission (48/13/0008) and are considered to be acceptable in principle. The planting required in connection with the development has already taken place, in advance of any commencement of development on this site. This will promote the functionality of the mitigation areas and reduce any delay between development of the different phases of the site moving northwards and eastwards.

An Ecological Environmental Statement dated February 2013, agreed within the extant permission, was submitted (under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011) in support of this planning application. To inform this document a suite of detailed ecological surveys were undertaken, including phase 1 habitat surveys, and detailed surveys for bats, Dormice, reptiles, amphibians and hedgerows. The results of the surveys were used to assess the impact of the development on the ecology (fauna and flora) of the site and to devise a mitigation scheme which would ensure that the proposal does not have a long term negative impact on the ecology. The Ecological Environmental Statement identifies that the site is of local value to breeding birds and common bat species and of site value for reptiles, amphibians and badgers. Of particular importance is the presence of Lesser Horseshoe bats, which in the absence of evidence to the contrary, are presumed to come from the Hestercombe House SAC site which lies approximately 1.7 km to the north-west. The colony at Hestercombe House is considered to be of national significance.

Ecological mitigation and compensation measures are identified as an integral part of the development scheme design and include off site offset woodland planting to replace the lost habitat for the wildlife and in particular for the Lesser Horseshoe bats. (This is the same as that permitted within the extant permission and the planting has already taken place in advance of development on the site). In addition the outline proposals are to retain and enhance existing wildlife habitats, particularly to the west and north of the site and link them within green infrastructure areas and street design. The detailed design of these areas is a reserved matter but is likely to include a design and lighting strategy that will enable the hedgerow and woodland areas to remain unlit and suitable for all wildlife.

In accordance with the Conservation of Habitats and Species Regulations 2010 the County Ecologist (on behalf of TDBC) has undertaken a Test of likely Significance of the development on the population and habitat of the Lesser Horseshoe bats (Hestercombe House SAC) for the proposed development. Based on the submitted details, the SCC Ecologist identifies the mitigation measures that are considered necessary to ensure that the development is unlikely to have a significant effect and requires conditions to ensure the measures are agreed in detail and in place at the appropriate time and appropriately maintained in the future. Subject to the imposition of those conditions Natural England raise no objection to the proposal.

Heritage

The National Planning Policy Framework, Section 12 requires "Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any

necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.”

The development site is known to contain Archaeological Heritage Assets as well as the Grade 2 listed building complex at Hartnells Farm. A Heritage Statement and Archaeological Assessment were submitted in support of the planning application.

The Archaeological Assessment includes details of desk top investigations into the potential for archaeology at the site and this is supported by a limited amount of on-site trial trenches. Following this the site was archaeologically evaluated in 2007 as part of a pre-planning proposal. The evaluation showed that there are remains relating to Bronze Age settlement on the site. The evidence suggests that these are likely to be of local value and in those circumstances an archaeological excavation is required prior to the commencement of development. The application is in outline and I suggest a condition to ensure that a programme of archaeological excavation is submitted to and approved by the Local Planning Authority and implemented in accordance with the approved programme.

The Heritage Statement considers the impact that the development will have on Hartnells Farm listed building complex and its setting. The statement identifies that the listed complex is a good example domestic vernacular architecture "a substantially intact late-C17 through-passage farmhouse with C18 and C19 extensions". The listed building also forms part of a wider complex of historic farm buildings and structures; located to the north west of the farmhouse and attached barn. The presence and appearance of these older buildings, in particular the stone built barn immediately to the north west of the farmhouse within the yard, contribute to the significance of the listed building and an understanding of the historical development of the farm over time. The barn may be contemporary with the house although with later additions and alterations of the 18th/19th century.

A development of this size will completely transform the agricultural landscape which surrounds the listed complex. The site has been included within the Core Strategy for development. It is therefore important to ensure that the impact on the setting of the listed building is balanced against the development potential of the site. As a result the submitted masterplan suggests that the built development can be kept away from the listed complex with the use of open grassed areas of public open space (above a submerged foul drainage tank) and open land surrounding a highway access. It is considered that the proposal, as outlined in the masterplan will retain a limited open setting for the listed complex which is considered to be sufficient given the Core Strategy allocation.

Leisure

The Taunton Deane Draft Site Allocation and Development Management Plan requires development to provide for the increased demand for recreational open space resulting from the development in accordance with the relevant standards which are contained with the Councils Green space Assessment and Strategies on Allotments, Children's Play areas, Playing Pitches, Green Spaces and Built Sports Facilities. A development of this size is required to contribute towards the provision of all types of open space within the site. The proposed number of dwellings does

not justify the provision of a playing field on the site but contributions are required in order to provide new playing field facilities or improve existing playing field facilities in the vicinity of the site. This would be secured via CIL as sport and recreation is contained within the Regulation 123 list.

Whilst this application is in outline and details of open space are reserved matters, the submitted masterplan indicates the provision of open space located throughout the site. In the southern area, to the north of Hartnells Farm and the southern surface water drainage pond, areas of general open space are suggested (the area of the open space provision does not include attenuation ponds as they are not suitable).

Running west – east, across the “middle” of the site the masterplan indicates a belt of open space, which would include some of the bat mitigation and surface water attenuation ponds as well as the LEAP and NEAP requirements. To the north of the site significant areas of tree planting are proposed as part of the mitigation measures for the Lesser Horseshoe bats. These areas would also have informal footpath links running through them.

Policy SS1 envisages the provision of a multi-purpose green necklace around the allocated site to provide for public open space including allotments, outdoor recreation and wildlife habitat. Crucially it is suggested that the types of use within the green necklace would vary around the necklace depending on circumstances. In particular sites to the north have to provide a belt of planting in order to protect the Lesser Horseshoe Bats from Hestercombe House SAC.

Allotments - In accordance with Taunton Deane Borough Council policy this development will generate a requirement for the provision of allotments. The illustrative masterplan for the site indicates the provision of land for allotment purposes within the central open space area.

As mentioned above the leisure proposals are reserved matters and I therefore propose conditions to ensure that adequate on site children’s open space and public open space are provided in accordance with the council’s standards. I also propose that contributions towards the maintenance of these areas are secured via a S106 agreement unless alternative private maintenance is agreed.

Education

The extant planning permission establishes that the proposed residential development would introduce additional numbers of pupils for pre-school, primary and secondary schools. Taking into account the committed development in the area, Somerset County advised that there is no spare capacity and new school places need to be provided. The developer is required to contribute towards the cost of the provision of those new places. Education contributions are now covered within the CIL payments along with provisions for Community Hall facilities.

Sustainability _

The Taunton Urban Extension study and Taunton Sub Area Study, which informed the Regional Spatial Strategy (now revoked) and the Taunton Deane Core Strategy,

identified Monkton Heathfield as the most sustainable location for a strategic urban extension for Taunton hence the site's allocation in the Taunton Deane Core Strategy as a strategic site covered by Policy SS1.

It is envisaged that, when complete, the allocated site will be developed into a sustainable urban extension providing key services, leisure facilities and employment within walking and cycling distances of new residents. These improvements would be provided in a phased manner as the development of the Strategic Site progresses and either funds become available for key infrastructure improvements or works on key infrastructure improvements are undertaken. All development, including the current application, will be expected to fund their share of those costs via CIL and/or Section 106 contributions. The provision of over £1m in CIL payments and over £2m from New Homes Bonus as a result of this development carries significant weight in favour of the application.

The application site has a range of wildlife that will be affected by the development including Lesser Horseshoe Bats from the Hestercombe House SAC. In order to ensure that the site is sustainable and does not have a detrimental impact, ecological mitigation is proposed as detailed above.

This application is only for a residential development and, in order to provide sustainable development of the whole strategic allocation, it would be required to make proportional contributions to the provision of all other necessary transport improvements, services and facilities required to ensure that the site is sustainable. In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

Contact Officer: Mrs J Moore

APPEALS RECEIVED – 7 December 2016

Site: 81 PARKFIELD ROAD, TAUNTON, TA1 4SD

Proposal: Erection of two storey extension at 81 Parkfield Road, Taunton

Application number: 38/16/0152

Appeal reference: APP/D3315/D/16/3158180

Planning Committee – 7 December 2016

Present: - Councillor Bowrah (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillor M Adkins, Booth, Brown, Gage, C Hill, Martin-Scott, Morrell,
Nicholls, Mrs Reed, Townsend, Watson, Wedderkopp and Wren

Officers: - Matthew Bale (Area Planning Manager), Gareth Clifford (Principal Planning Officer), Julie Moore (Monkton Heathfield Project Team Leader), Tim Burton (Assistant Director-Planning and Environment), Martin Evans (Solicitor) and Tracey Meadows (Democratic Services Officer)

Also present: Councillor Coles and Councillor Berry. Tim Baker, Strategic Land Partnership. Mrs A Elder, Chairman of the Standards Advisory Committee.

(The meeting commenced at 5 pm)

108. Declarations of Interest

Councillors M Adkins and Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Mrs Hill declared personal interests as a trustee to Hestercombe House and Gardens, a trustee to the Somerset Building Preservation Trust and as a Director of Apple FM. Councillor Townsend declared personal interests as Vice-Chairman of Kingston St Mary Parish Council and Chairman of the Kingston St Mary Village Hall Association. Councillor Nicholls declared a personal interests as a Member of Comeytrowe Parish Council and as a Member of the Fire Brigade Union. Councillor Martin-Scott declared personal interests as a trustee to Bishop Fox's Educational Foundation and a trustee to Trull Memorial Hall. Councillor Wren declared personal interest as he was Clerk to Milverton Parish Council.

109. Applications for Planning Permission

The Committee received the report of the Area Planning Manager on applications for planning permission and it was **resolved** that they be dealt with as follows:-

- (1) That **outline planning permission be granted** for the under-mentioned development:-

Outline planning application for residential development (up to 320 dwellings), green infrastructure including Public Open Space, associated works and demolition of existing buildings, with all matters reserved at Hartnells Farm, Monkton Heathfield Road, Monkton Heathfield (Resubmission of application 48/13/0008)

Reported this application.

Resolved that subject to the resolution of detailed highway issues and the applicants entering into a Section 106 Legal Agreement to secure the following:-

- (a) Financial contributions of £1 million towards the provision of the Western Relief Road;
- (b) 25% affordable housing;
- (c) The agreement of a cascade regarding the affordable housing offer to provide additional financial contributions towards the cost of the construction of the Western Relief Road should it be required in the future;
- (d) Drainage contributions to enable (i) the completion of a flood risk option study to identify an appropriate solution to overcome the drainage restrictions for this site (£50,000 maximum); and (ii) the delivery of the agreed surface water drainage solution (£450,000 maximum);
- (e) Various highway works as outlined in the application;
- (f) A Travel Plan to reduce vehicular traffic movements from the new dwellings;
- (g) Provision and maintenance of public open space and children's play areas; and
- (h) On site provision of Integrated Public Art;

the Assistant Director - Planning and Environment be authorised to determine the application in consultation with the Chairman or Vice-Chairman and, if outline planning permission was granted, the following conditions be imposed:-

- (a) (i) The development shall be carried out in accordance with the agreed phasing plan; (ii) Before any phase of the development hereby permitted is commenced detailed drawings of the layout, scale, appearance, access, boundary treatments, and landscaping shall be submitted to, and approved in writing by, the Local Planning Authority as required for that phase (hereinafter called "the reserved matters"). The development shall thereafter be carried out in accordance with the detailed drawings; (iii) Application for approval of the reserved matters under (ii) above relating to the first phase of development shall be made to the Local Planning Authority within three years of this planning permission and application for approval of reserved matters under (ii) above relating to the remaining phases shall be made to the Local Planning Authority within 10 years of the date of this permission; (iv) The development hereby permitted shall be begun either, not later than the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the final reserved matters within any agreed phase whichever is the later;
- (b) No development shall take place within the site until there has been submitted to, and approved in writing by, the Local Planning Authority, a Design Code for the site in its entirety (herein after called the "Design

Code”. The Design Code shall be submitted prior to the submission of any applications for reserved matters. The Design Code shall include detailed coding’s for:

- Architectural and sustainable construction principles;
- Character areas, street types and street materials;
- Block types and block principles;
- Internal highways, cycleways and footpaths;
- Cycle and car parking principles;
- Building types, heights and materials;
- Surface treatments for all areas and
- Boundary treatments;
- Landscaping principles;
- Children’s play areas, public open space and allotments;

The Design Code shall be based upon the illustrated layout No STRA2004/4001;

- (c) Applications for reserved matters shall accord with the approved Design Code unless an alternative is first agreed in writing by the Local Planning Authority;
- (d) The development hereby permitted shall be carried out in strict accordance with the details of the approved Flood Risk Assessment (FRA – prepared by WSP Consulting and dated February 2016); Prior to any reserved matters approval, a detailed drainage scheme for that phase, plot or parcel of land shall be submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall include details of the phasing and maintenance of all drainage infrastructure. The development shall be carried out in strict accordance with the approved details and thereafter maintained in full working condition;
- (e) (i) Prior to the commencement of work on site a Landscape Strategy and Management Plan for the whole site shall be submitted to, and approved in writing by, the Local Planning Authority. The Landscape Strategy and Management Plan shall include details of the proposed structural and internal landscaping, the maintenance of all open spaces including flood attenuation features and the proposed timings for the provision of the landscaping works. The Landscape and Management Plan shall include details of the extent and timing of grass cutting, shrub pruning and tree maintenance; (ii) Prior to the commencement of each phase of development a detailed Landscape and Management Plan for that phase, based on the agreed plan for the whole site, shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed Landscape Strategy and Management Plan shall thereafter be implemented on site in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority;
- (f) Prior to the commencement of the first phase of development details of the children's play areas and public open space shall be submitted to, and

approved in writing by, the Local Planning Authority. Such details shall be in compliance with the requirements of Taunton Deane Draft Site Allocations and Development Management Plan Local Plan Policy C2 (current standards at the time of this permission are contained within Appendix E) and include details for the timing of the provision of those facilities and their subsequent maintenance. Once approved the Children's play areas and public open space shall be provided in and maintained in strict accordance with the approved details;

- (g) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 ("the 2015 Order") (or any Order revoking and re-enacting the 2015 Order with or without modification), no development of the types described in Schedule 2 Part 2 Class A of the 2015 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission;
- (h) No development shall take place in any phase until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work for that phase in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development in any phase shall be carried out at all times in accordance with the agreed scheme for that phase or some other scheme that may otherwise be agreed in writing by the Local Planning Authority;
- (i) Prior to the commencement of construction works on site a foul and surface water drainage strategy and timetable for its provision shall be submitted to, and approved in writing by, the Local Planning Authority. The approved drainage scheme shall be thereafter be completed in accordance with the approved details;
- (j) Prior to the submission of any reserved matters application for the development of the land adjacent to Hartnells Farm listed building, detailed plans showing an open area adjacent to Hartnells Farm listed building shall be submitted to, and approved in writing by, the Local Planning Authority. The plans shall be based on the details on the illustrative Masterplan No 3201 and shall include the timing for its provision on site. Once agreed in writing the open area shall be laid out in accordance with the approved details and thereafter be maintained as such;
- (k) The layout and alignment, widths and levels of the proposed roads, road junctions, and points of access, visibility splays, footpaths and turning spaces in any phase shall be provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. Prior to the occupation of the first dwelling in any phase, the roads etc. within that phase shall have been provided in strict accordance with the approved details unless an alternative is first submitted to, and approved in writing by, the Local Planning Authority;

- (l) Prior to the commencement of any construction work on site, other than any required tree planting, Somerset Bank creation and attenuation ponds, details of a junction between the proposed service road and the A3259 highway, based on the submitted plan No 1492-PHL-107-A and/or 1492-PHL-108-A, shall be submitted to, and approved in writing by, the Local Planning Authority. None of the dwellings hereby approved in any phase of the development shall be occupied until the junction has been constructed in strict accordance with those approved details and is open for use by traffic generated by the development;
- (m) No dwelling shall be occupied until that part of the service road or drive which gives access to it has been constructed in accordance with the approved plans;
- (n) No dwelling shall be occupied in any phase until space has been laid out within that phase of the site for cars to be parked off road and where appropriate for vehicles to turn so that they may enter and leave the site in forward gear;
- (o) Prior to the commencement of construction works on site in any phase of development, full details of the proposed cycle parking for each dwelling within that phase shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall include covered and secure storage facilities for cycles. Prior to the occupation of any dwelling hereby permitted within that phase the approved covered and secure storage facilities for cycles for that dwelling shall be provided in accordance with the approved details and shall thereafter be maintained unless an alternative is first submitted to, and approved in writing by, the Local Planning Authority;
- (p) The proposed roads, 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 carriageway and footpath;
- (q) No part of the access drive shall be laid out at a gradient steeper than 1 in 10;
- (r) No work, other than the agreed tree planting and Somerset Banks, shall commence on the development hereby permitted until details/ specifications of the proposed off-site highways works based on drawing Nos 1492-PHL-104-A, 1492-PHL-107-A and/ or 1492-PHL-108 A have been submitted to, and approved in writing by, the Local Planning Authority. These works shall then be fully constructed in accordance with the approved details, before any dwelling hereby permitted is first brought into use;
- (s) (i) Other than the approved tree planting and Somerset Banks, no development shall commence until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the

Local Planning Authority. The works shall thereafter be carried out strictly in accordance with the approved plan unless an alternative is first submitted to, and approved in writing by, the Local Planning Authority;

(ii) The Construction Environmental Management Plan shall reflect the phased delivery of the development and 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;

(t) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation for that phase of development must not commence until conditions a) to c) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition d) has been complied with in relation to that contamination;

a) Site Characterisation

An investigation and risk assessment, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages.

If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;

An assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
- adjoining land;
- groundwater and surface waters;
- ecological systems;
- archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance;

b) Submission of Remediation Scheme

If any unacceptable risks are identified as a result of the investigation and assessment referred to in a) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures;

c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works;

d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section b), which is subject to the approval in writing of the Local Planning Authority;

e) Verification of remedial works

Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement shall also be provided by the developer which is signed by someone in a position to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage b) above).

The verification report and signed statement are subject to the approval in writing of the Local Planning Authority;

f) Long Term Monitoring and Maintenance

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval until the remediation objectives have been achieved;

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance;

(u) Prior to the commencement of development works on site details of a wildlife mitigation scheme and a separate Landscape and Ecology Management Plan (LEMP) for the whole site, incorporating the 'Tree Planting Plan Land at Hartnell's Farm Development Site', dated 27 April 2015 prepared by EPS Ecology'(which includes details of the locations, planting scheme and layout of the habitat creation enhancement), shall be submitted to, and approved in writing by, the Local Planning Authority. The LEMP will include the following:-

- Retention of the existing hedgerows on the boundaries of the development facing open countryside. These can be incorporated into the buffer planting;
- Plans indicating the location, details and timing for the provision of Somerset Banks (based on the Thurley Associates (2013) document) around the northern and western boundaries of the residential areas of the site and (based on the details contained within the EPS tree planting plan dated 27 April 2015) around the eastern edge of the buffer planting, unless alternative details are first submitted to, and approved in writing by, the Local Planning Authority. Once the details are approved the Somerset Banks shall be installed before commencement of the built development hereby approved unless an alternative timing is first submitted to, and approved in writing by, the Local Planning Authority;
- The provision and maintenance of a minimum of 20m wide woodland buffer and agreed Somerset Banks, as set out in the EPS tree planting plan dated

27 April 2015. Once the details are approved the buffer planting and Somerset Banks shall be installed before commencement of the proposed built development unless an alternative timing is first submitted to, and approved in writing by, the Local Planning Authority;

- The provision and maintenance of woodland areas as set out in the EPS tree planting plan dated 27 April 2015;

(u) Prior to the commencement of works on site a Wildlife Management Plan for the whole development site shall be submitted to, and approved in writing by, the Local Planning Authority. The Wildlife Management Plan shall include the appropriate management of the woodland planting areas for Lesser Horseshoe Bats and shall include measures to promote the establishment of the planting to a favourable structure for Lesser Horseshoe Bats, such as future thinning and the replacement of 'nurse crop' species (such as Poplar and Norway Spruce) with Oak and other native species to give a more diverse age range.

The wildlife mitigation planting areas shall thereafter be managed in accordance with the approved Wildlife Management Plan;

(v) Prior to the commencement of works on site full details of the paths and cycleways into and through the woodland areas shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall ensure that all paths and cycleways from outside the habitat buffer / corridor shall be constructed diagonally rather than at right angles, shall not exceed 3m in width and shall not be lit by artificial lighting at any time;

(w) Prior to the commencement of works on site full details of a Lighting Strategy shall be submitted to, and approved in writing by, the Local Planning Authority; This strategy shall follow the design suitable for Lesser Horseshoe Bats produced by Somerset County Council (Bennett, 2012) and incorporate the following measures:-

- There will be no routine night-time working during the construction stage of the development;
- Street lighting will be directed so as to avoid light spillage and pollution on habitats used by light sensitive bats. All bat corridors shall not exceed 0.1 Lux which is the recommended light level for Horseshoe Bats in corridors through development (Natural England, 2010);
- Lighting will be of the LED type which is highly directional;

(x) The gable ends of dwellings or other buildings facing woodland habitat creation will not have windows in order to reduce any artificial lighting affecting the behaviour of bats in new and existing habitat;

(y) There shall be no external artificial lighting on ends of dwellings or other buildings facing the woodland habitat creation areas or gardens adjacent to woodland habitat creation areas unless details have first been submitted to, and approved in writing by, the Local Planning Authority;

(z) The development hereby permitted shall be carried out in accordance with the following approved plans:-

- 1001 Rev B Red Line Plan;
- 3201 Illustrative Masterplan;
- 4001 Alternative Illustrative Masterplan;
- 4001 Phasing Plan attached to agents e-mail dated 6 December 2016;
- 3501 Parameter Plan;
- 1492-PHL-104 Rev A – Signal Controlled Junction Indicative layout –March 2016;
- 1492-PHL-107 Rev A- 22.8m ICD Roundabout General Arrangement – March 2016;
- 1492-PHL-108 Rev A-Preliminary Highway Layout – March 2016;
- 1492-PHL-112 Rev A-Roundabout Option 2 General Arrangement – March 2016;
- 1402-PDL-01J Surface water strategy;1492-PDL-02E Foul water drainage strategy;

(2) That **planning permission be refused** for the under-mentioned development:-

48/16/0043

Demolition of dwelling and outbuildings and erection of replacement dwelling with detached triple garage and detached stable block at Torrington, Goosenford

Reasons

1. The proposed replacement dwelling would be substantially larger in size than the existing dwelling and it is unclear from the detail submitted as to whether it would be uneconomic to bring the existing dwelling to an acceptable state of repair. In particular, the size of the replacement dwelling proposed within the submitted Economic Justification Statement does not appear to correlate with the actual size of the dwelling shown on the submitted plans. Furthermore, the estimated financial details contained within the report appear to be based on proposed extension works rather than solely relating to estimated renovation/repair costs. The development is therefore contrary to Policies SP1 and DM2 of the Taunton Deane Core Strategy.

2. The proposed development, by virtue of the overall size and scale proposed, would constitute a new built form that is far larger than any other dwelling within the immediate area. This would create a visually over-dominant form of development, which would not be commensurate with the character or appearance of the area or its setting and would be overbearing to the neighbour causing overshadowing. Furthermore, the extent of the proposed curtilage area is unclear, as the application 'red-line' extends the full

length of the plot beyond that of adjoining neighbours into the open countryside to the south. The development is therefore considered to be contrary to Policies DM1 and DM2 of the Taunton Deane Core Strategy and Policy D7 of the Site Allocations and Development Management Plan.

3. An Ecology report has been submitted to accompany the application, which identified the presence of bats on site. However, it is unclear as to whether additional bat surveys were carried out between June-August 2016 (during the bat maternity period), in accordance with the recommendations of the report. As such, it is not known whether a bat maternity colony resides on site, which means it is not possible to ascertain whether the development would have a detrimental impact upon protected species. In the absence of additional survey works being conducted, the information submitted to accompany the application is deemed to be insufficient. The development would therefore be contrary to Policies CP8 and DM1 of the Taunton Deane Core Strategy.

(Note to applicant:- Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and looked for solutions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application had been refused.)

110. Appeals

Reported that one appeal had been received details of which were submitted.

Resolved that the report be noted.

(The meeting ended at 6.25 pm)