

CONVERSION OF THE MANSION HOUSE AND ORANGERY FOLLOWING SOME PARTIAL DEMOLITION TO 18 APARTMENTS AND CONVERSION OF OUTBUILDINGS PART TO 8 APARTMENTS, ERECTION OF 28 NEW DWELLINGS, DEMOLITION OF REMAINING FORMER HOSPITAL BUILDINGS AND THE REINSTATEMENT OF THE SITE OF THE BUILDINGS AND ROADS TO PARKLAND AND INFORMAL GARDENS, PROVISION OF BAT ROOST BUILDINGS, RESTORATION OF PARKLAND, FORMATION OF PARKING AREAS AND FOOTWAYS AND IMPROVEMENTS TO ACCESS ROAD, ACCESS AND FOOTWAYS, SANDHILL PARK, BISHOPS LYDEARD

Grid Reference: 315617.129867

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to:

1. The views of the Secretary of State under the Departure Procedures;
2. The views of the Travel Plan Coordinator and Environmental Health;
3. The receipt of a satisfactory amended schedule of repairs;
4. Confirmation from an independent property valuation expert that the forecast sales figures for the converted and new build dwellings are appropriate; and
5. The applicant entering into a Section 106 Planning Agreement to provide for the following:
 - No works to be commenced until the Developer has entered into a repair bond with the Council;
 - Completion of repair works to be within 5 years of commencement of repair works and not allow the occupation of the last 2 dwellings on the New Build Land until the conversion works have been completed;
 - Appointment of a main contractor for repair works and received written approval of the Council of said contractor;
 - Commence landscape area restoration works within one year from commencement of development and not allow occupation of last 8 dwellings on new building land until restoration is complete;
 - Not permit occupation of the last two new build dwellings until conversion works are completed;
 - Remove hospital buildings prior to any dwelling first being occupied;
 - Not allow occupation of any dwelling until management agreements for the Mansion House, Barns, New Build and Parkland have been entered into;
 - Only allow parking in designated areas;
 - Not allow occupation of any dwelling until a Travel Plan is first approved by the Council and thereafter implement the approved Travel Plan as agreed.

The proposed residential conversion of the Mansion and outbuildings will provide a viable re-use for an important Grade II* Listed Building, thereby securing the long term future of a heritage asset currently identified as being at risk. The proposals will result in significant enhancement to the parkland, trees and setting of the Listed Building. Protected species and wildlife will be appropriately mitigated and a favourable conservation status for bats will be maintained. There will be no perceived adverse impacts upon flood risk, highway safety or neighbouring amenity. The proposed development is considered to represent the minimum necessary enabling development. As an enabling development, the scheme is considered to be financially viable and subject to the recommended Section 106 Planning Agreement, the Councils position will be safeguarded. The perceived and actual benefits to the heritage asset and landscape, together with other material considerations are considered to outweigh the conflict with development plan policies that seek to restrict new building residential developments in locations such as this. The proposed development is therefore considered to be acceptable and, accordingly, does not conflict with Policies DM1, CP6 and CP8 of the Taunton Deane Core Strategy, retained Policies EN6 and EN8 of the Taunton Deane Local Plan, Structure Plan Policies 9 and 49 and guidance contained within the National Planning Policy Framework.

RECOMMENDED CONDITION(S) (if applicable)

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

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

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

Site Location SPP.1740.1

Topographical Survey

Overview & Historic Context Plan SPP.1740.2A

Landscape Masterplan SPP.1740.3A

Enabling Development & Pleasure Grounds and Inner Parkland SPP.1740.4B

Pond Restoration SPP.1740.5

Bat Mitigation Measures SPP.1740.6

Landscape Details SPP.1740.7

Mansion Landscape Plan SPP.1740.8

Residential Landscape Plan SPP.1740.9

Access Plan P9582_H101(c)

Site Layout 1002_P_001-J

Site Layout with Roof Plan 1002_P_002-F

Site Sections - existing 1002_P-003_RevA

Site Sections - proposed 1002_P-004_RevA

House Type A 1002_P-120
House Type B-S 1002_P-121
House Type B-R 1002_P-122
House Type C 1002_P-123
House Type D1-R 1002_P-124
House Type D2-R 1002_P-125
House Type E Sheet 1 1002_P-126
House Type E Sheet 2 1002_P-127
House Type F Sheet 1 1002_P-128
House Type F Sheet 2 1002_P-129
House Type G Sheet 1 1002_P-130
House Type G Sheet 2 1002_P-131
Garage Units 1002_P-132
Context Study 1 1002_CS -001
Context Study 2 1002_CS -002
Context Study 3 1002_CS -003
Context Study 4 1002_CS -004
Context Study 5 1002_CS -005
Sketch Site Layout 1 (illustrative only) 1002_SK-055
Sketch Site Layout 2 (illustrative only) 1002_SK-056
Existing Basement Plan P9688/Rep021B
Existing GF Plan P9688/Rep022B
Existing FF Plan P9688/Rep023B
Existing SF Plan P9688/Rep024B
Roof Plan P9688/Rep025B
Post Fire Elevations 1 of 2 P9688/S011B
Post Fire Elevations 2 of 2 P9688/S012B
Demolition Plan 12/31/104.
Proposed Basement Plan 12/31/222A.
Proposed Ground Floor Plan 12/31/223B.
Proposed First Floor Plan 12/31/224A.
Proposed Second Floor Plan 12/31.225A.
Proposed Roof Plan 12/31/226B.
Proposed Elevations-Sheet 1 12/31/227A.
Proposed Elevations -Sheet 2 12/31/228A.
Stable Block And Barn - Existing Plans 07/20/301.
Stable Block And Barn - Existing Elevations - Sheet 1 07/20/303.
Stable Block And Barn - Existing Elevations - Sheet 2 07/20/304.
Orangery And Ancillary Buildings- Proposed Floor Plans 12/31/310.
Stable Block And Barn - Proposed Floor Plans 12/31/311.
Stable Block And Barn -Proposed Elevations- Sheet 1 12/31/313.
Stable Block And Barn -Proposed Elevations- Sheet 2 12/31/314.

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

3. (i) The landscaping/planting scheme shown on the submitted plans shall be completely carried out in accordance with a phasing scheme that shall first be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced. Thereafter the approved landscaping/planting scheme shall be implemented in strict accordance with the approved phasing time periods.

(ii) For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. Prior to implementation of any part of the development, hard landscaping schemes showing the layout of areas with stones, paving, walls or other materials for both the new build development and Mansion conversion shall be submitted to and approved in writing by the Local Planning Authority. Such schemes shall be completely implemented before the relevant part of the development hereby permitted is occupied and thereafter be so maintained.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

5. No part of the new build development, excluding site works, shall begin until sample panels of the proposed stone, brickwork and render, measuring at least 1m x 1m has been built on the site and both the materials and the colour and type of mortar for pointing used within the panel have been agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

6. The external surfaces of those parts of the buildings to be retained shall be retained as existing and where necessary repaired and/or renewed with salvaged materials from the existing building/matching materials, unless prior to the commencement of development the written approval of the Local Planning Authority is obtained to any variation. The development shall be carried out and thereafter maintained as such, in accordance with such approved details.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

7. Details of all guttering, downpipes and rainwater goods to be used in respect of the new build development shall be submitted to and approved in writing prior to implementation of that part of the development and the approved materials shall thereafter be maintained in perpetuity.

Reason: To ensure that the proposed development does not harm the

character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

8. The windows and doors hereby permitted shall be timber and thereafter maintained as such, in accordance with details to include sections, mouldings, profiles, working arrangements and finished treatment that shall first have been agreed in writing by the Local Planning Authority prior to their installation.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

9. Notwithstanding the parkland fencing, prior to implementation the details of all boundary walls, fences or hedges forming part of the development, shall be submitted to and approved in writing by the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before any such part of the development to which it relates takes place.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

10. Prior to the commencement of each development area, detailed drawings showing which trees are to be retained on that part of the site shall be submitted to and approved in writing by the Local Planning Authority and none of the trees so shown shall be felled, lopped, topped, lifted or disturbed without the prior written consent of the Local Planning Authority.

Reason: In the interests of the visual amenity of the area in accordance with Taunton Deane Local Plan Policies DM1 and CP8 and retained Local Plan Policy EN6.

11. Prior to the commencement of each development area (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained within that part of the development shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012. Such fencing shall be erected prior to commencement of any other site operations within that part of the development area and at least two working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with retained Taunton Deane Local Plan Policy EN8 and Core Strategy Policies DM1 and CP8.

12. No service trenches shall be dug within the canopy of any existing tree within the land shown edged red on the approved drawing without the prior written approval of the Local Planning Authority.

Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health which would be contrary to retained Taunton Deane Local Plan Policies EN6 and EN8.

13. Prior to the commencement of development a scheme and programme of works as necessary for the driveway and estate road, together with details of the future maintenance arrangements (for the drive and estate road) shall be submitted to and approved in writing by the Local Planning Authority. The necessary works shall be carried out in accordance with the approved details prior to the occupation of any of the dwellings hereby permitted, and shall thereafter be maintained in accordance with the agreed programme.

Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport in accordance with Policies DM1 and CP6 of the Taunton Deane Core Strategy.

14. None of the dwellings hereby permitted, shall be occupied until a footway has been provided between the site access, and the entrance to the Greenway estate, in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details and plans.

Reason: In the interests of highway safety in accordance with Policies DM1 and CP6 of the Taunton Deane Core Strategy.

15. No work shall commence on the development hereby permitted until additional details relating to the proposed highway works shown on Drawings P9582-H101 Rev C and P9582-H103 Rev A have been submitted to and approved in writing by the Local Planning Authority.

Such Highway works shall then be fully constructed in accordance with the approved plans and agreed specification before and dwelling hereby permitted is first occupied.

Reason: Reason: In the interests of highway safety in accordance with Policies DM1 and CP6 of the Taunton Deane Core Strategy.

16. There shall be no vehicular access to the site other than from South Drive and Station Road.

Reason: To ensure that the development does not prejudice the free flow of traffic or conditions of safety along the adjoining highway in accordance with Policies DM1 and CP6 of the Taunton Deane Core Strategy.

17. The areas allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the dwellings which they are to serve are first occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway in accordance with retained Policy M4 of the Taunton Deane Local Plan.

18. Details of the size, position and materials of any meter boxes installed in connection with the development shall be submitted to and approved by the Local Planning Authority prior to implementation and thereafter installed and maintained in accordance with the approved details..

Reason: To ensure that the proposed development does not harm the character and appearance of the area and in the interests of good design, in accordance with Policy DM1 of the Taunton Deane Core Strategy.

19. All services shall be placed underground.

Reason: To ensure that the proposed development does not harm the character and appearance of the area and in the interests of good design, in accordance with Policy DM1 of the Taunton Deane Core Strategy.

20. Prior to implementation of each development area, detailed drawings indicating height, design, intensity of light and manufacturer's specification of any external lighting in non-private areas shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out and maintained in accordance with the approved details in perpetuity.

Reason: In the interests of the visual amenity of the area in accordance with Taunton Deane Core Strategy Policies DM1 and CP8.

21. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") (or any order revoking and re-enacting the 1995 Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected on the site, other than that expressly authorised by this permission, without the further grant of planning permission.

Reason: The Local Planning Authority consider that any further such developments on the site may prejudice a satisfactory layout which would be in conflict with Taunton Deane Core Strategy Policy DM1.

22. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") (or any order revoking and re-enacting the 1995 Order with or without modification), there shall be no addition or extension to the dwelling(s) (including the insertion of dormer windows) unless an application for planning permission in that behalf is first submitted to and approved by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm neighbouring amenity and the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

23. Details of the appearance of any sub-stations for utility provision shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Core Strategy Policy DM1.

24. The development hereby permitted shall not be commenced until an overarching strategy to cover each development area has been prepared and submitted to the Local Planning Authority. This overarching strategy shall detail the protection required for bats, nesting birds, badgers, dormice, reptiles, amphibians, water voles and invertebrates. Thereafter a detailed strategy specific to the each development area (i.e. the Mansion, new build housing and wider Sandhill Park estate) should be prepared and submitted prior to the beginning of construction work within each area.

The strategies shall be based on the advice of MWA's submitted reports (Ecological survey dated November 2012, Bat emergence and activity surveys dated December 2012, Bat Hibernation Inspection dated December 2012, Reptile Survey dated November 2012 and the Confidential badger Survey dated December 2012) and further up to date surveys and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for the species
4. Arrangements to secure the presence of a licensed bat and barn owl worker to be present on site to monitor the demolition of buildings.
5. Details of outside lighting
6. A Parkland Restoration and Management Plan for Sandhill Park

Once approved the works shall be implemented in accordance with the approved details and timing of works unless otherwise approved in writing by the Local Planning Authority. Thereafter the resting places and agreed accesses for bats, nesting birds and reptiles shall be permanently maintained.

The development shall not be occupied until the scheme for the maintenance and provision of the new bat roosts, bird boxes and reptile hibernacula and related accesses have been fully implemented

Reason: To protect wildlife and their habitats from damage and to ensure that the mitigation is under pinned by relevant survey data and can address

specific issues of timing of works to ensure adverse effects or minimised and offences under relevant wildlife legislation are avoided, in accordance with Taunton Deane Core Strategy Policy DM1 and CP8 and guidance contained within the National Planning Policy Framework.

25. The development shall provide for bin and cycle storage facilities, details of which shall be submitted to and approved in writing prior to implementation. Such facilities shall be provided prior to the occupation of any dwelling to which it relates and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities exist for the future residents of the site and that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

26. Details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development, shall be submitted to and approved in writing by the Local Planning Authority before any work hereby permitted is commenced. Such schemes shall be implemented in accordance with an approved programme and details and works completed in full before any dwelling hereby permitted is first occupied.

Reason: The Local Planning Authority wish to ensure that satisfactory drainage is provided to serve the proposed development(s) so as to avoid environmental amenity or public health problems in compliance with Policies DM1 and CP1(C) of the Taunton Deane Core Strategy.

27. Prior to the commencement of the development hereby permitted, details of the proposed Sustainable Drainage Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed scheme and details shall be fully implemented and completed on site prior to the occupation of any dwelling on the site.

Reason: In the interests of the environment and flood prevention in compliance with Policies DM1 and CP1(C) of the Taunton Deane Core Strategy.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission.
2. Your attention is drawn to the Listed Building Consent relating to this site, numbered 06/12/0066LB.

3. Your attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations.
4. Your attention is drawn to the agreement made under Section 106 of the Town and Country Planning Act 1990, relating to this site.
5. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.
6. WILDLIFE AND THE LAW. The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and any activity undertaken on the tree(s) must comply with the appropriate wildlife legislation.

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

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

Trees with features such as rot holes, split branches or gaps behind loose bark, may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's advisers on wildlife, Natural England (Tel. 01823 285500). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.

7. Noise emission from the site during the construction phase should be limited to the following hours if nuisance is likely at neighbouring premises:- Monday - Friday 0800 - 1800. Saturdays 0800 - 1300. All other times including public holidays - no noisy working. The developer should ensure that all reasonable precautions are taken to prevent dust nuisance at residential and commercial premises arising from demolition.
8. You are advised to contact Wessex Water in respect of infrastructure charges which may be payable in respect of the development.

PROPOSAL

The application, as amended, comprises the conversion and restoration of Sandhill Park House and its traditional outbuildings to form 26 one, two and three bed units, with 18 flats being formed within the Mansion and Orangery and 8 flats within outbuildings that include the former stable block.

The proposals also include the erection of 28 dwelling houses on land to the North of the Mansion. The new build element will comprise

- 1 x 3-bed dwelling,
- 18 x 4-bed dwellings and
- 9 x 5-bed dwellings.

All new units will be open market with no affordable housing proposed.

The proposals are considered to encompass a comprehensive package that not only provides for the restoration of the Mansion and its outbuildings, but also provides for the demolition of the complex of former hospital buildings to the west of the Mansion and the reinstatement of the remainder of the pleasure grounds and parkland setting of the listed building.

Because of the condition of the Mansion, the basis of the application is that significant financial resources will be required to secure renovation. The package of proposals has been prepared in consultation with The Local Planning Authority and English Heritage (EH); it seeks to comply with EH guidelines for “Enabling Development and the Conservation of Heritage Assets”.

Due to the comprehensive nature of the proposals, the application includes the whole of the parkland as well as the listed Mansion and its outbuildings, and is seen by the applicants as constituting the minimum enabling development, with regard to the open market residential new build element, as to secure the restoration and viable re-use of the heritage assets at Sandhill Park.

Broadly, the development proposals will provide for the following:

Mansion and outbuildings

- Restoration of internal and external fabric;
- Replacement of roof destroyed by fire and repair of roof still in place;
- Structural repairs;
- Restoration of windows and stonework;
- Treatment of rot;
- Removal of 20th century additions;
- Relocate principle staircase to central pre 1815 position;
- Repair, rebuild and convert orangery, stable buildings and barn;
- Reinstatement traditional walled gardens to the North of the Mansion.

Former hospital buildings

- Demolish and remove all buildings to the West;
- Landscape and re-contour area to reclaim parkland and lawns;
- Restore views between the Mansion and the parkland.

New build residential

- Reduce number of new building units to 28, from 50 as per original submission in 2008;
- Dwellings to comprise three, four and five bedroom properties with garaging and off road parking;
- Design amended to reflect local rural vernacular as negotiated with Conservation Officers and EH;
- Variation in location and extent of new build site to the Northwest towards American Garden.

Parkland

- Restoration of historic parkland with extensive inspection and works to trees with minimal felling;
- New planting of parkland trees;
- Significant landscaping around new build development;
- Re-furbishment of American Gardens;
- Provision of new path network;
- Removal of fencing and replacement with new as appropriate;
- Division of parkland from residential areas with fencing to allow open grazing of land;
- Clearance of ponds.

Highway

- Provision of T-junction between private track and Greenway Road, inclusive of footpath link to Greenway and improved visibility splay;
- Amendment to highway signage;
- Re-laying of access track hard surfacing to incorporate passing bays;
- Provision of new footpaths and street lighting

Wildlife

- Provision of bat roost within basement;
- New building woodman's cottage to the West to provide bat roost, provision prior to commencement of Mansion works;
- Protection of reptiles, badgers, bats and birds through thorough survey work and landscape and habitat mitigation.

The application is supported by the following documentation and reports:

- A Design and Access Statement; Planning Statement and Heritage Statement;
- Landscape Report; Arboricultural Reports on parkland, pond, ornamental garden and woodland areas together with an arboricultural constraints report;
- Ecological Survey; Bat emergence survey; Bat hibernation inspection; Badger survey and Reptile survey;
- Ground condition report covering drainage,
- Transport Statement, Travel Plan and response to previous Somerset County Council Road Safety Audit Report;
- Flood Risk Assessment;
- Concept Statement;
- Schedule of Repairs;
- Consolidation Appraisal and Viability Report.

SITE DESCRIPTION AND HISTORY

The site is located to the South West of Bishops Lydeard and is approximately 7 miles East of Taunton. Sandhill Park is a 17th century mansion house modified in the 18th, 19th and 20th centuries; the main house is Grade II* listed and also comprises a range of traditional ancillary outbuildings and walled gardens to the North and former hospital buildings to the Southwest. The buildings sit within a large 60 hectare historic parkland landscape.

The last substantial use of the building was as a hospital, which closed in 1992. Since then the buildings have passed through several ownerships and the Mansion was used unsuccessfully as a fire museum. Some of the former hospital buildings to the west of the Mansion have been used for short lease offices with access across the front of the Mansion House.

Whilst Grade II* Listed, the Mansion is in a deteriorating condition and is included on the Buildings at Risk Register prepared by English Heritage. The building was subject of substantial damage following a fire on 22 November 2011, which resulted in significant internal damage, the loss of the main roof structure and damage to the external fabric of the building.

Whilst located within open countryside, there is residential development immediately Northeast of the site at Lethbridge Park, a development of some 50 residential properties permitted as enabling development un LPA reference 06/94/0004 and 06/97/0020. The enabling development in this instance did not achieve the desired outcome for the restoration of the mansion house. To the Southeast is Greenway, large residential estate of local authority housing.

With regard to the planning history of the site, the following applications for planning permission and listed building consent have been made in relation to the site:

06/1991/036 - Change of use of Mansion and outbuildings into national fire museum, relocation of RDA facility and residential development at Sandhill Park, Bishops Lydeard. Application withdrawn February 1995.

06/1991/037 - Change of use of Mansion and outbuildings to form museum, residential development of 50 houses (scheme B) and development of an equestrian centre, former Sandhill Park Hospital, Bishops Lydeard, application refused May 1992.

06/1992/011LB - Change of use of Mansion and outbuildings to museum, including internal alterations, Sandhill Park, Bishops Lydeard. Consent granted June 1992.

06/1992/012 - Change of use of Mansion and outbuildings to museum, Sandhill Park, Bishops Lydeard. Full permission granted May 1992.

06/1993/005 - Change of use of Mansion and outbuildings to national fire museum, relocation of Riding for the Disabled facility and erection of 50 two storey dwellings and garages, Sandhill Park, Bishops Lydeard. Permission refused May 1993. Subsequent Appeal dismissed January 1994.

06/1993/014 - Residential development of two-storey dwellings and garages on approximately 0.5 ha and relocation of riding for the disabled facility on land at Sandhill Park, Bishops Lydeard. Application withdrawn.

06/1994/004 - Change of use of Mansion and outbuildings to museum, formation of museum car park, relocation of riding for the disabled centre and residential development comprising 50 two-storey dwellings and garages on land at Sandhill Park, Bishops Lydeard. Outline permission granted January 1995.

06/1997/020 - Erection of 50 detached houses, including access road, enabling site works, etc. Sandhill Park, Bishops Lydeard. Reserve matters approved December 1997. This application was the submission of details following permission 06/1994/004 and comprises the current Lethbridge Park development.

06/1998/005 - Conversion of premises from museum to office (B1), Sandhill Park Mansion, Sandhill Park, Bishops Lydeard. Permission refused July 1998. Subsequent appeal withdrawn.

06/1998/043 - Conversion of premises from museum to offices (B1), Sandhill Park Mansion, Sandhill Park, Bishops Lydeard. Full permission granted April 2003.

06/1999/006 - Conversion of outbuildings to form three dwellings, stable block and storage barn, Sandhill Park, Bishops Lydeard. Application withdrawn.

06/1999/007LB - Conversion of outbuildings to form three dwellings, stable block and storage barn, Sandhill Park, Bishops Lydeard, Application withdrawn.

06/2003/015 - Demolition of outbuildings, conversion of buildings into 24 dwellings and erection of 46 dwellings, Sandhill Park, Bishops Lydeard. Application withdrawn.

06/2003/016LB - Demolition of part and conversion of retained buildings into 24 dwellings, Sandhill Park, Bishops Lydeard. Application withdrawn.

06/2004/013 - Demolition of some buildings, and repair, refurbishment and conversion of retained buildings into 25 self-contained dwellings, restoration of the parkland and erection of 45 dwellings, Sandhill Park, Bishops Lydeard. Full application refused by the Secretary of State May 2006.

06/2004/014LB - Demolition of parts and conversion of retained buildings into 25 dwellings, Sandhill Park, Bishops Lydeard. Application refused by the Secretary of State May 2006.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

ENGLISH HERITAGE (HISTORIC BUILDINGS AND MONUMENTS COMMISSION FOR ENGLAND) - Comments apply to both planning and listed building applications:

Summary

English Heritage has previously supported the application in 2008 for residential conversion of the Mansion House and outbuildings and provision of enabling development at Sandhill Park on the basis that it would secure the repair and reuse of this important grade II* listed country house as well as restore its parkland setting.

Unfortunately, that application was not approved at that time due to the Section 106 Agreement not being signed after the economic downturn took effect. However, discussions relating to the new housing element were subsequently revived with a different developer. In the intervening period, Sandhill Park House was the subject of a very destructive arson attack in 2011 which caused severe damage to its upper levels and resulted in extensive water penetration throughout the building. This has made the threat to the building even more intense, and the need for a viable solution extremely urgent.

This current scheme is a revival of the 2008 application with significant amendments to the enabling housing development to reflect the current economic climate and the new design approach. It has resulted in fewer larger houses which does extend the footprint of the development but is better integrated with the landscape and utilising more traditional materials. The conversion scheme for the house is largely unaltered and raises no new issues but this application takes account of the reinstatement required following the fire damage, which also has to be factored in to the amended Section 106 Agreement. Revised costings have been produced and verified by our Quantity Surveyor, although our financial assessment has not included any confirmation of the sales figures for the converted and new build housing, which, as before, we have advised the Council to satisfy itself on. Assuming that your Authority has done so, we continue to consider that there is a financial case for enabling development at Sandhill Park and that this revised scheme is an acceptable means of securing the future of the house and its setting as long as a robust Section 106 Agreement is in place to ensure that objective is achieved.

English Heritage Advice

In outlining our position on this scheme it is important that the advice contained in our previous letters of 2008 are taken into account as background to this correspondence.

The main areas where additional advice has been provided by English Heritage have been the layout and extent of the new housing development and the detailed landscaping proposals, together with the revised costings provided for the overall development. The amended scheme has resulted in a different type of layout with fewer houses which are more spread out. This has extended the footprint of the development from that previously approved, but the scheme is well screened and better integrated with the landscape and also utilises more traditional materials in the design of the houses. We now have more detail on the landscape restoration scheme, which largely accords with the overall objectives previously set in the landscape master plan, and should result in a significant improvement to the setting of the house.

Any enabling development scheme requires the costs of the restoration to be balanced against the income that is generated by the development. English Heritage has satisfied itself that the costs put forward are necessary and reasonable, however, our organisation does not provide specialist valuation skills and has, therefore, advised the Council to take advice itself on that aspect of the

development appraisal in order to make an overall assessment of the financial case for development.

Finally, the success or failure of this scheme may depend on the robustness of the Section 106 Agreement that is required to ensure that the heritage benefits are delivered. Our resources mean that we have not engaged with the revision of this Agreement as actively as we did with its predecessor, and we are aware that some of its requirements have been relaxed somewhat. More emphasis is now placed on the presence within it of a repair Bond, to be used as a default mechanism by the Council should the development fail to be completed, rather than on strict phasing requirements between the new development and building repair. This is undoubtedly a potential risk that we have had to weigh up in deciding whether to support this scheme now or hold out for a more rigorous Agreement. Due to the heightened risk to the house caused by the fire and the urgent need to secure a solution, we have decided that this is a risk that should be taken. However, we would urge your Authority to be vigilant in monitoring the implementation of the consent, and the compliance with the 106 Agreement, should it be granted. We are also aware that you are in the process of agreeing a revised schedule of works that incorporates reinstatement following the fire damage, and would stress that sufficient detail is provided in order to secure a deliverable mechanism for achieving an appropriate level of repair to the building. This should take account of the special quality of the internal plasterwork whose conservation is vital to the success of the restoration scheme.

Recommendation

Subject to the above caveats, we would support consent being granted and would hope that this results in works for the repair of the building and reinstatement of the landscape to be started as soon as possible, with close monitoring by the Council. It is not necessary to consult us again on this application. Please send us a copy of the decision notice in due course. This will help us to monitor actions related to changes to historic places.

SCC - DEVELOPMENT CONTROL ARCHAEOLOGIST - No comments received.

CHIEF FIRE OFFICER - DEVON & SOMERSET FIRE RESCUE - No comment received.

SCC - CHIEF EDUCATION OFFICER - No comments received.

SCC - TRANSPORT DEVELOPMENT GROUP –

Traffic Movement

The reconsultation saw the submission of a Transport Statement this was submitted for audit and the results of this now been returned and are set out below for your information.

Regarding person trip generation TRICS has estimated this to be in the region of 1.2

person movements per dwelling, per peak hour. Travel to Work Census data gives 80% car driver mode share for Bishops Lydeard, which would imply a very high vehicle trip generation of 27 per peak hour for the proposed 28 dwellings. Travel to Work Census data will overestimate vehicle trip rates because it does not account for school pupils who will almost never drive. However this does affect the overall conclusions of the Transport Statement.

In terms of traffic impact on the surrounding road network would be relatively small. There would be some additional traffic associated with the Station Road/A38 Priority Junction but it is unlikely that this will be 'severe' in traffic impact terms.

Accessibility is considered in Section 3 of the Transport Statement. All local facilities are well beyond a distance at which walking is likely to be a popular daily choice (the centre of Bishops Lydeard is 1.7km from the application site) although it is under 2km, therefore some limited mode shift might be possible. The limitations of footways on Greenway Road are noted in the Transport Statement and improvements are proposed. Similarly, whilst Bishops Lydeard is within a sensible cycling distance Taunton is beyond the range at which significant mode share can be expected. Paragraph 3.9 highlights that National Cycle Route 338 can be utilised. However it is more realistic that this would be used by leisure cyclists, although it should be noted that it is 14km ride to central Taunton.

It is unlikely that occupiers of these dwellings will utilise public transport as the nearest stops are located over 1km away from the application site. This is acknowledged by the applicant in para. 3.10 of the Transport Statement. In addition many peak hour services do not serve the nearest bus stops.

In regards to the parking provision, Bishops Lydeard is located within Zone B as defined by Somerset County Council's Parking Strategy. The Transport Statement argues that Zone C would be deemed more appropriate given the location. The proposal has made provision for 57 garages and 57 spaces, which totals 114 spaces for 28 dwellings. This is a ratio of 4.07 per dwelling. This can be considered to be high even when taking into account the larger size of the proposed residential units. Strict application of Zone C standards would result in provision of 96, which 7 would need to be visitor parking. It must be considered that parking restraint is very unlikely to reduce car ownership at this location. Therefore, provided that some of the spaces are allocated to visitors, and the submitted Travel Plan is considered to be robust this level of parking could be considered acceptable.

The Transport Statement has stated that internal storage of cycle parking will be provided in each dwelling or garage space. However no reference has been made to security for motorcycles or to electric vehicle charging points.

Travel Plan .

The proposal provided a Travel Plan as part of their submission. This was passed to Somerset County Council's Travel Plan Co-ordinator for audit. This has now been completed and their comments are set out below.

The Travel Plan has been produced to cover the entire development of 54 dwellings. However it is felt that this submission is substandard for a development of this size. Prior to submitting an amended Travel Plan the applicant is urged to look at the Travel Plan guidance which is provided on SCC Moving Forward web site

<http://www.movingsomersetforward.co.uk/new-development/planning-guidance>.

Although the submitted Travel Plan was not considered to be acceptable it was noted that a separate Travel Plan was written by Jubb Consulting in December 2012 for the same site. After clarification from the Local Planning Authority the Highway Authority was requested to audit this Travel Plan. This has been commenced however at the time of writing this response it has not been completed. Once the Highway Authority is in a position to comment this information will be passed onto the Local Planning Authority. Please note that the Travel Plan would need to be secured as part of a S106 agreement.

Internal Layout

It is intended that the proposed internal site layout will remain privately managed and maintained as such I have no further comments to make on this element of the proposal.

Off site Highway Works

The application requires off site highway works to the existing junction located on the north side of Greenway Road. Drawings P9582-H101 Rev C and P9582-H103 Rev A were submitted for Safety and Technical Audit a copy of the finished report has been attached for your information. I would also request that a copy is passed to the applicant to action any comments that have been raised. Please note that these off site works would need to be secured via a S278 agreement.

Conclusion

To conclude the Transport Statement is considered to be broadly acceptable although some areas will still need to be addressed whilst although the Travel Plan audit is still ongoing I am satisfied that the completed document can be finalised as part of the S106 discussions. Finally in terms of the off site highway works these can be secured via a legal agreement with the Highway.

Therefore taking into account the above information the Highway Authority raises no objection to this proposal provided that the Travel Plan is secured via a S106 agreement and the following condition

SCC - RIGHTS OF WAY - No objection. Standard advice and guidance notes regarding development and public rights of way provided.

DRAINAGE ENGINEER - Previous comments apply:

“I note the comments made by the EA regarding the disposal of surface water from the proposal and the lack of details regarding proposed SUDS techniques. Although these are outlined in the FRA produced by PFA Consulting dated December 2007, more details of their proposals are required and agreed before any planning approval is given.”

HOUSING ENABLING - This development is being viewed as enabling development

and to maximise the contribution to the building restoration there are no funds available for the delivery of affordable housing.

LANDSCAPE - The general principles, including species, sizes etc are acceptable but as this is a reserved matters application in full details required of detailed planting proposals, tree protection plan, tree management proposals, detailed parkland restoration plan, hard landscaping details, earth modelling details including spot modelling and cross sections, details of phasing the aforementioned works.

Following submission of additional information, Officer comments that:

I am now, except for the landscaping within the walled garden, happy with the details of the landscape proposals for the northern boundary housing area and for the approach to the wider landscape park. With regard to the walled garden landscaping I would like to see, as a minimum, fruit tree planting around the walls and some planting around the main path junction near its centre. This should help to give some structure to the area. I suggest an annual sum be put aside for capital improvements to the walled garden planting.

I am not clear how often or how much input the local authority would have in the implementation of the wider parkland restoration but think a programme of works with costs should be agreed with the Council on an annual basis in September of each year.

STRATEGY AND COMMUNICATIONS - No comments received.

LEISURE DEVELOPMENT - In accordance with Local Plan Policy C4, provision for play and active recreation should be made for residents of these dwellings, On site play provision should be made for each 2 bed+ dwelling. Contributions as follows should also be made:

£1454 per dwelling for outdoor recreation;
£194 per dwelling towards allotment provision;
£1118 per dwelling towards local community hall facilities.

Contributions should be index linked. Public art should be requested, by way of a commuted sum to the value of 1% of the development costs.

DIVERSIONS ORDER OFFICER - Mr Edwards - No comments to make.

ENVIRONMENT AGENCY - From the information now provided, the previous objection is withdrawn subject to conditions.

POLICE ARCHITECTURAL LIAISON OFFICER -

Design & Access Statement - Design and Access Statements for outline and detailed applications should therefore set out in '*Safer Places, The Planning System*

and Crime Prevention'. The DAS submitted in support of this application does not demonstrate how crime prevention measures have been considered in the design of the proposal and how the design reflects the attributes of safe, sustainable communities.

Crime Statistics - a check of reported crime for the period 01/04/2012-31/03/2013 reveals no crime reported, the nearest incidents being reported in the Greenway area. A check of ASB reports reveals only 1 incident of ASB Nuisance being reported in Lethbridge Park. This area can therefore be considered a very low crime area.

Layout of Roads & Footpaths - vehicular and pedestrian routes appear to open, direct and are likely to be well used. Features such as rumble strips, change of road surface by colour or texture, use of pillars or similar at entrance etc can help reinforce the defensible space of the development.

Layout & Orientation of Dwellings - the enclosed nature of the development has advantages in helping limit the search pattern and escape desire of the potential criminal. This is further enhanced by the mansion house and apartment block proposed at the entrance. The majority of dwellings appear to be positioned to face each other which also allows neighbours to watch over each other and creates conditions where the potential criminal feels vulnerable to detection.

Dwelling Boundaries - boundaries between public and private areas appear to be clearly indicated and it is desirable that dwelling frontages are kept open to view to assist resident surveillance of the street, so any walls, fences, hedges at the front should be kept low, below 1 metre in height. More vulnerable side and rear gardens need more robust defensive barriers by using walls, fencing or hedges to a minimum height of 1.8 metres. This would appear to be particularly relevant to the dwellings around the outer perimeter of the development which back onto hedgerows and fields. Those dwellings to the south back onto the walled garden and those in the centre of the development back onto each other which restricts unauthorised access to the rear. Gates to the side and rear of dwellings providing access to rear gardens should be the same height as the fencing and lockable. Such gates should be located as near as possible to the front building line.

Car Parking - all parking appears to be garage/hard standing within the dwelling boundaries, which is the recommended option.

Planting/Landscaping - should not impede opportunities of natural surveillance nor create potential hiding places and, as a general recommendation, where good visibility is needed shrubs should be selected which have a mature growth height of no more than 1 metre. Trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision.

Street Lighting - for both adopted highways and footpaths, private estate roads and car parks should comply with BS 5489.

Physical Security - the applicant is advised to formulate all physical security measures of the dwellings i.e. doorsets, windows, security lighting, intruder alarm etc in accordance with the police approved 'Secured by Design(SBD)' award scheme.

SOMERSET ENVIRONMENTAL RECORDS CENTRE (SERC) - No comments received.

NATURAL ENGLAND -

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species. Natural England uses standing advice and comments as follows:

Bats - Detailed visual inspections and evening emergence/dawn re-entry surveys have been carried out. The status of the roost and the species have been reliably identified. Bats and/or their roost will be affected, but; The mitigation proposed: is appropriate and proportionate to the scale of impact, that is, like for like in terms of (eg roost size, aspect, temperature). includes appropriate landscaping, maintenance of commuting routes, foraging areas and management of lighting etc to prevent indirect impacts upon bats.

Hazel Dormice - Natural England advises that the application is unlikely to affect the species, through disturbance to individuals, or from damage or destruction of a breeding site or resting place.

Great Crested Newts - Natural England advises that the great crested newt survey has not been carried out at the right time of year using recognised techniques.

Otter - Natural England advises that the application is unlikely to affect the species, through disturbance to individuals, or from damage or destruction of a breeding site or resting place.

WESSEX WATER - No comments received.

ASH PRIORS PARISH COUNCIL (neighbouring parish) - No comments received.

BISHOPS LYDEARD & COTHELSTONE PARISH COUNCIL - The Council supports the proposal and has the following comments:

The Council agrees with the comments of Mr J Bletcher regarding the proposed design of the houses.

The Council feels strongly that it is essential that TDBC ensures, through Section 106 and any other appropriate agreements, that the restoration of the mansion house and parkland takes place simultaneously with the construction of the new houses.

Any Section 278 agreement regarding Highways matters must be signed in advance of any work starting.

The Council requests that consideration is given to the provision of a hard surfaced footpath along South Drive, preferably dedicated as a public right of way.

In light of resident comments, the Council requests that working hours on the site be limited to 8am – 6pm Monday to Friday and 8am – 1pm Saturday.

COMBE FLOREY PARISH COUNCIL (neighbouring parish) - No comments received.

HERITAGE - No comments received on this application. Corresponding Listed Building Consent application 06/12/0066LB has been considered by the Heritage Lead.

BIODIVERSITY - The application is for the conversion and partial demolition of the fire damaged mansion and outbuildings at Sandhill Park, Bishops Lydeard, the erection of 28 new dwellings and the restoration of the parkland.

Sandhill Park is an excellent example of lowland wood pasture and is designated as a Local Wildlife site for its parkland and important assemblage of veteran trees. The application includes the loss of 0.6ha of the LWS but suggests that an area of 1.1 ha could be restored making a net gain in the size of the designated site.

Michael Woods Associates (MWA) have carried out a number of wildlife surveys on the site between August to December 2012, namely

- Ecological survey dated November 2012
- Bat emergence and activity surveys dated December 2012
- Bat Hibernation Inspection dated December 2012
- Reptile Survey dated November 2012
- Confidential badger Survey dated December 2012

MWA initially carried out an ecological walk over of the site and divided it into four separate areas namely

- Area 1 - The proposed development site comprising a mosaic of unmanaged scrub, ruderal vegetation and bare ground.
- Area 2 - The Former hospital area, comprising seven fairly modern derelict buildings.
- Area 3 - The fire damaged mansion and outbuildings
- Area 4 - The wider parkland

Bats - Prior to the fire, the main mansion house was known to support a Lesser Horseshoe roost as well as a brown long eared bat and common and soprano pipistrelle bat roost. Bat emergence Surveys and internal inspections, transect bat activity surveys and a hibernation inspection were undertaken in 2012 in the following areas.

- Area 1 - Two buildings (6 and 10) in this area were found to support occasional bat roosts of myotis and soprano pipistrelle bats. Activity surveys recorded common pipistrelle, lesser horseshoe and serotine bats

- Area 2 - Small numbers of LHB, myotis and pipistrelle were recorded roosting in three buildings on the hospital site (12, 14 and 15)
- Area 3 - The surveyor identified at least five bat species roosting in the mansion, including maternity roosts for LHB and long eared bat. The mansion house is also used by hibernating LHB
- Area 4 - The parkland with its veteran trees provides ideal habitat for foraging and roosting bats. Species recorded include common and soprano pipistrelle, myotis spp, brown long eared bats, lesser horseshoe bats, serotine and noctule bats

To develop the site the applicant will need to apply for an EPS licence

Mitigation requirements for each species are different so the surveyor has made a number of recommendations which I support namely

- A range of bat boxes
- A new roof void in the pump house in area 4
- At least two roof voids in the rebuilt mansion
- A dedicated bat house with basement for summer roosting and hibernating bats
- Sensitive lighting

Proposed bat mitigation in the mansion house should be clearly shown on all architects drawings to demonstrate that it can be achieved.

Birds - Several bird species were noted on site. The hospital and mansion buildings are used by a variety of nesting birds including swallows, swift, house sparrow and barn owl. Five swallow newts were found in the pump house and a number of owl pellets were found in buildings 17 and 14 in the former hospital area (area 2). Where possible, demolition of buildings should take place outside of the bird nesting season however prior to demolition of buildings 17 and 14 a thorough survey should be undertaken by an ecologist with a barn owl licence. If barn owl eggs or chicks are found, it will be necessary to delay demolition. I support the mitigation proposals to erect a variety of nest boxes on site.

Badgers - The surveyor found evidence of badgers on site, as identified in the Badger Survey report dated December 2012. However the surveyor considered it unlikely that any setts would be directly affected by the proposals. I support the proposal for a pre construction badger inspection of the site.

Dormice - The habitat on site is suitable habitat for dormice but has poor connectivity. Patches of scrub in area 1 are isolated and unlikely to support dormice although this cannot be ruled out. As a precautionary measure I support a finger tip inspection of scrub within Areas 1, 2 and 3.

Reptiles - The surveyor found an exceptional population of slow worms on site in the proposed development area (Area1) and in the walled gardens (Area 3). One adult and one juvenile common lizard were found on one occasion in the southern walled garden. These reptiles will need to be translocated prior to any development. I support the proposed mitigation and enhancements for reptiles detailed in the Reptile report dated November 2012. The location of suitable receptor sites need to be identified.

Amphibians - The three ponds within the site are located 250 m from the development zone and as such the likelihood of encountering great crested newts in

the development area is considered unlikely. During the parkland restoration it is the intention to restore these ponds. This work would present a risk to GCN should they be present and so I support the proposal to survey the ponds in advance of pond restoration

Invertebrates - The site is likely to support a variety of invertebrates; therefore I support the proposal of to carry out invertebrate monitoring of the parkland as part of the Parkland Restoration and Management Plan.

Water voles - The bank profiles (with the exception of pond 2) were not considered suitable habitat for water voles. I support the recommendation for further survey prior to pond restoration.

Environmental Health - comments awaited.

Representations

14 letters received from local residents raising NO OBJECTION, but making the following planning related COMMENTS:

Access and highway safety:

- This seems a good long term use for the house but concerned that the only access is through two historic gate posts with only 4.55m at the widest point and 4.32m at the narrowest; two cars cannot pass at the same time;
- Private access to neighbouring property opens onto the drive close to the access gates; concerned at possible accidents as we drive into and out of our property;
- The proposed road is inadequate and although to be upgraded need to ensure it does not turn into a racing track; suggest 20MPH speed limit be impose with traffic calming measures;
- The road cannot be widened;
- Will the track be private or adopted?
- Unsure why the new building is accessed via the South drive given the safety issues and proximity of the North drive to the site;
- Given the use of South drive and the local footpaths by young children and the elderly, it would be a shame if an avoidable accident were to occur in the future;
- Improving pedestrian routes to Bishops Lydeard should be considered as it will be increased in use by the development; the route is not currently suitable at certain times of the year;
- Signs warning drivers of pedestrians crossing West Street/A358 would be useful;
- Would be delighted to see the new development subject to access being via Greenway Road;
- There will be confusion and inconvenience if the South drive is used whilst Lethbridge Park is accessed via the North drive;
- Will the drive be lit? Will have cost implications but is necessary for safety;
- Whilst there are plans for cycling and walking, most families have two cars and therefore realistically the road requires more than passing places and more parking.

Mansion House:

- What provision is made to ensure the mansion development is not left behind?

- Safeguards need to be put in place to ensure Mansion development occurs;
- The house has historical interest to the area which must be protected within a modern development;
- A strict time scale for works must be put in place for the Mansion house restoration.

New building:

- No objection to the new building but suggest they should not be built out until long term future of the Mansion has been determined;
- Given the history remain sceptical as to whether the works to the Mansion House will ever take place;
- We are desperately in need of new homes;
- New build should be phased as to ensure the Mansion is redeveloped as per the application suggests;
- No new building should be started until 75% of works to the Mansion is completed; other amounts of 80% before more than 50% new build completed suggested;
- If the land where buildings are to be demolished is returned to pasture, it may be easy for a developer to get permission for a further housing estate in the near future;
- Planning gain is too vague. How about a cycle track to Taunton?
- TDBC should not be considering any new housing this side of Taunton without a relief road being built; traffic flows and travel times are already at a peak in the area;
- The local highway network is dangerous to cyclists and more traffic along the cycle route would be irresponsible;
- No issue with siting and layout of new development;
- Not so impressed with the design of the new houses which don't in my view meet the aspirations set out in the design and access statement – to give the effect of typical estate houses and to reflect the local vernacular;
- Fully and half hipped gables are not typical in this area and neither are shallow pitched roofs – as illustrated by the photos of the majority of the traditional houses in local villages that they have included yet nearly every house type has them. Lowered eaves do occur but generally only on the oldest properties and certainly not on every house on every street;
- Lowered eaves do occur but generally only on the oldest properties and certainly not on every house on every street;
- I suspect the overwhelming desire to keep as low a profile as possible has dominated the design teams thinking to the ultimate detriment of the streetscape. I understand the reasoning behind the use of veranda type porches but in execution they make the houses look more colonial than country estate. The most successful designs are the stone faced houses with straight gables, a template for which already exists at Sandhill Park in the gate lodge to Greenway Road. However presumably because they are more expensive to build they appear to be few and far between;
- The reference to smooth cement rendered window surrounds as a traditional feature on local stone buildings is also a little far fetched. Lots of examples in Milverton and a few elsewhere (Rauki's building in Bishops Lydeard) but they are not the traditional solution to achieving square corners with poor quality stone, which was to use either better quality ham or limestone or later on brickwork. This sort of window surround, usually formed with sand/cement render, is a modern innovation, used generally to effect cheap repairs to crumbling masonry or when an originally lime rendered property has had its render removed and the

stonework exposed. Brick surrounds (as per the lodge) or reconstituted precast stone would look much better.

Parkland:

- Who will pay for and look after these areas, a management firm? Trust that sums have been done to pay for these areas;
- Restoration of the parkland, safety of access routes and protection of footpaths should be a condition of any permission;
- Landscaping and demolition should be undertaken prior to commencement of development;
- Proposals commendable but contractual agreement needed to have work done whilst refurbishment and building is undertaken;
- What barriers will be used to prevent open access to the parkland once locked gates and fencing are removed?

General:

- Work on site and use of the access road should be limited to reasonable working hours, perhaps 8am till 6pm; no work at the weekend or public holidays;
- Access arrangements could cause a split in community;
- Demolition of the hospital buildings is an excellent idea;
- Public transport proposals are naive;
- Can local residents be assured no new development in the parkland and wetland areas will be allowed?
- Overall sustainability of this area should be looked at; if infrastructure is not in place then we are setting long term problems;
- Surely we cannot keep building in this area without a long term strategy for employment, transport and all amenities.

1 letter from member of the public received raising the following OBJECTION to the proposals:

- The 28 dwellings are a huge improvement upon the previous 50;
- I'm totally opposed to the conversion of the mansion house. This is a wrong approach and a waste of money;
- Sandhill Park is a hideously ugly lump of a building; it has never had any charm or outstanding architectural merit; it intrudes massively on the gentle rural landscape; made worse by past misuse and neglect;
- Its past merit is now long gone and irreplaceable;
- Its conversion cannot be afforded by the Council and a developer has commercial constraints to account for; the building is difficult to convert into flats; rooms are either too large or too small; such will make accommodation unsaleable at a price needed to show profit; time has shown there is no profit here;
- It should be de-listed and demolished; the building is a blot on the landscape and out of sympathy with its natural surroundings;

1 letter received from the Directors of Lethbridge Park Management Committee, making the following planning related points:

- The Mansion and parkland development should not be delayed. One of our greatest concerns relates to the likely time line of the restoration and

development of the Mansion and its parkland. We consider these aspects are so important that any planning consent should not relegate them to some future date, while allowing the development of the new build to commence immediately. On previous occasions, the proposals have typically mentioned three or five years after other works are undertaken. In view of the neglect of the Mansion and parkland, we believe any delay in commencing work on them is unacceptable;

- Planning 'Gain for the Local Community - We consider it preferable that rather than asking the applicant to contribute sums for some unknown 'planning gain' that all Section 106 type requirements be limited exclusively to the proposed development and its immediate vicinity;
- Access must be restricted to the existing South Drive, and satisfactory arrangements for on site parking determined before work commences. A speed limit should be imposed on the access road. We consider that the proposed allocation of 39 car parking spaces for residents and visitors to the Mansion is insufficient, and that more than one location/area of car parking should be provided to mitigate what otherwise could be an unsightly large car park. We are concerned that the proposal to remove an existing gate and fencing, and install cattle grids on the South Drive will facilitate unrestricted vehicular access to the fields in front of the Mansion. We know such unauthorised access is trespass, but experience tells us little can be done once it happens. The risk of unwanted and disruptive noisy visits at night that have plagued Lethbridge Park while the Mansion has been unoccupied is very likely to be relocated to Sandhill Park. We are concerned that similar problems, and the risk of unauthorised encampments may occur on land adjacent to our properties;
- Because Lethbridge Park is a residential area, we consider it is vitally important to minimise all risks of nuisance to neighbouring properties from traffic and construction noise, dust and smoke emissions during the construction phase. We consider working hours should be restricted to 0800 – 1800 Monday to Friday, and 0800 – 1300 on Saturdays. We also request a ban on Sunday working, and similarly for public and statutory holidays;
- We are unsure about the accuracy of some of the plans submitted as part of the applications, which adds to our concerns about the detail upon which any planning consent is based;
- We do not understand the references within the application to work being carried out to the structures and gardens of the 'official entrance to Lethbridge Park', and the North Lodge, which is under separate ownership;
- We hope the applicant will take an equally responsible approach to the remaining mature trees in their ownership, but to date have seen no such evidence from Gradeclear Ltd. Previous S106 agreements have applied tree work requirements at Lethbridge Park and Sandhill Park. As many of our trees alongside the boundary will be equally affected, we ask that similar provisions be expected for them. In view of this, we do not agree to any work being carried out to, or in the vicinity of, our trees without our permission.
- The parkland of Sandhill Park is seriously neglected, and the condition of some of the remaining mature trees is of great concern, especially as there has been no remedial work undertaken even to those damaged in storms during recent years. We welcome the stated intentions to re-instate and/or open up the 'parkland' views, to overhaul some of the ponds, and to plant new trees. We made the point previously that this aspect of the application should not be relegated to commence later than the other development. To that end, we note from previous applications and appeals, that a variety of such proposals have been mentioned.
- We note the applicant intends to encourage cycling as part of a multi modal journey as one means to minimise the impact of the new development on the

environment. However, the latest application no longer includes the provision of cycle parking facilities at the southern end of the access driveway so that residents are able to cycle up and down the driveway and leave their cycles in a secure location and continue their journey by public transport.

- While the site is separately accessed along its own private drive, there are opportunities to link with the public paths that run between Lethbridge Park and the site. By creating possible links off the paths a circular walk and easier all weather routes to the south and the village might be possible including cycleways. SPMC Ltd is prepared to cooperate with such a venture.

Comments from Somerset Wildlife Trust

We have noted the above mentioned Planning Application and in particular the Ecological Assessment. We have also noted that the District Council's own Biodiversity Officer has already responded with her views on the Application. We have carefully considered the proposals and also her comments. We would fully support her recommendations with particular reference to those impacting on bats and reptiles. It is essential that these recommendations are incorporated into the Planning Conditions if it should be decided to grant Planning Permission.

Comments from The Barn Owl Trust

The Barn Owl Trust concurs with the recommendations in the Ecological Survey Report (Part 2) that this site is a Barn Owl site requiring protection. As such, a pre-demolition survey should be conducted to ensure that no offence is committed under the relevant wildlife legislation. Furthermore, alternative provision in the form of Barn Owl nestboxes on trees should be erected at least 30 days before any works commence on site and stay in place until at least 30 days after the development is finished. A permanent accessible nest place should also be constructed within, i.e. inside, at least one of the finished buildings. The creation of an equivalent area of suitable Barn Owl foraging habitat to that which is to be lost should be created near the permanent provision and thereafter maintained through a habitat management scheme in perpetuity.

Comments from the Open Spaces Society

This proposal is providing a development which is not a sustainable and a separate community within the parish of Bishops Lydeard at Sandhill Park. The development will be isolated from the existing Lethbridge Park estate. It would seem that at Sandhill Park to visit a neighbour on Lethbridge Park you will have to drive down South Drive, along Greenway Road, along the A358, along the Bishops Lydeard to Lydeard St Lawrence Road to North Drive of Lethbridge Park. This is in contrast of being able to walk a few hundred yards if there was a public footpath connecting the two estates.

The proposal includes restoration of the park land, but the wider community of Bishops Lydeard will not have the pleasure of seeing this park land and the mansion. South Drive, which is not a public right of way, is walked by many inhabitants of Bishops Lydeard (majority from Greenway). The Greenway estate was created in the nineteen fifties, and the local inhabitants of Bishops Lydeard have walked South Drive before Greenway Estate was built.

Those who are frail or have mobility problems, mainly living on the Greenway Estate, walk South Drive. There is nowhere else safe, pleasant and a quiet to walk. Some are accompanied by carers. It appears that children from the proposed development will most likely be driven to school at Bishops Lydeard and not encouraged with an opportunity to walk.

There are traffic problems in the centre of the village, particularly outside of the school at times of children arriving and leaving school. Parents will make a journey by car to the village to combine shopping and delivering/collecting children at the school.

The problems quoted above can be addressed by providing dedicated public rights of way on the proposed development, in particularly along South Drive from Greenway Road and intersect public footpath T4/12. In addition the two estates, the proposed Sandhill Park and the existing Lethbridge Park should be linked and connected to South Drive by dedicated public rights of way. This would provide much needed circular walks to view the parkland and the mansion to all who live in the community. It would strengthen the community rather creating isolated small communities within the parish of Bishops Lydeard. The proposal for Sandhill will mirror the problems of Lethbridge Park being an unsustainable development.

The conversion of the Mansion House and Orangery at Sandhill Park to provide 26 apartments and the construction of 28 dwellings will be served by a private access along South Drive. South Drive crosses public footpath T4/12. If South Drive was to have a dedicated public footpath with street lighting and there was a dedicated public footpath connecting Sandhill Park it would provide a shorter route to the centre of the village and as there is an underpass to the A358 it would be a safer route.

PLANNING POLICIES

SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
SP4 - TD CORE STRATEGY REALISING THE VISION FOR THE RURAL AREAS,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
DM2 - TD CORE STRATEGY - DEV,
CP4 - TD CORE STRATEGY - HOUSING,
CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,
CP8 - CP 8 ENVIRONMENT,
M4 - TDBCLP - Residential Parking Provision,
EN7 - TDBCLP - Ancient Woodlands (HISTORIC),
EN8 - TDBCLP - Trees in and around Settlements,
NPPF - National Planning Policy Framework,
S&ENPP49 - S&ENP - Transport Requirements of New Development,
S&ENPP9 - S&ENP - The Built Historic Environment,

LOCAL FINANCE CONSIDERATIONS

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) £58,270

Somerset County Council (Upper Tier Authority) £14,567

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £349,618

Somerset County Council (Upper Tier Authority) £87,405

DETERMINING ISSUES AND CONSIDERATIONS

Changes since 21 May 2008

Some Members may recall the original scheme for the site coming before the Planning Committee on 21 May 2008; that scheme comprised the conversion of the Mansion and orangery to 18 one and two bed apartments, the conversion of outbuildings to 8 two and three bedroom apartments and the erection of 50 new dwellings. The scheme also incorporated demolition of hospital buildings, restoration works to parkland and gardens, the formation of parking areas and improvements to the existing access.

Members resolved to approve the planning application subject to the applicant entering into a detailed Section 106 Planning Agreement. However, this agreement has never been signed and so planning permission has not been granted for the scheme to date. The applicant, in submitting the revised scheme now before Members, has advised that a number of contributing factors led to the previous scheme falling by the wayside; in short these were the impact of the recent recession which resulted in the approved scheme being longer financially viable and the later fire at the Mansion, which had a major impact upon the buildings structure and historic fabric and has seen repair costs increase significantly as a result.

As a result of these factors, the applicant has now revised the proposed development to incorporate fewer new building dwellings; it has also given an opportunity to revisit the proposed conversion works for the Mansion and to update work proposed for and involving the landscape, wildlife and access at the site.

Planning Policy

Sandhill Park is a stand alone site that is not afforded specific planning policy attention within the adopted Taunton Deane Core Strategy. The site is outside any recognised settlement and therefore policies for the open countryside apply. In such areas, national and local planning policies impose strict restraint on development in the countryside, peculiarly where the provision of new residential development is proposed. Policy STR6 of the Structure Plan and Policies SP1 and DM2 of the Taunton Deane Core Strategy are particularly relevant to this case. Core Strategy Policy C4 sets out the Councils approach to the location and provision of new housing over the plan period. ; housing should be delivered consistent with the settlement hierarchy outlined by Policy SP1. Being within open countryside Sandhill Park would not normally be viewed favourably in planning policy terms.

There are of course exceptions to the strict control of development outside settlements as set out above and the re-use and adaptation of existing buildings is

one such exception, as set out within Policy DM2 of the Core Strategy. The amended application does not provide specific detail as to whether alternative uses would be appropriate for the site, however it is worthy of noting that historically many alternative uses have been explored. Prior to the 2008 submission, the building was widely advertised however no substantial interest was found to be present, even for an office use at the site. Similarly, historic applications have permitted the use of the site as a museum but such a use unfortunately failed.

In addition to the above, the condition of the site is now so severe that uses preferred within the hierarchy set out within Policy DM2 (7) of the Core Strategy are not likely to be financially viable with regard to the necessary works needed to the Mansion. Having regard to these matters, the re-use of the Mansion for residential purposes is considered to broadly comply with Policy DM2 (7) of the Core Strategy and such is consistent with the resolution of committee from May 2008 where a residential use was similarly viewed favourably.

Turning to the new build residential element of the scheme being proposed, such is contrary to the development plan, being located within open countryside. Notwithstanding this matter, the new building element is discussed below, in view of its requirement as 'enabling development'.

Enabling Development

Enabling development is development that is contrary to established planning policy national or local - but which is occasionally permitted because it brings public benefits that have been demonstrated clearly to outweigh the harm that would be caused. For instance it is often associated with proposals for residential development to support the repair of a country house.

Para 55 of the National Planning Policy Framework states that:

"Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as...where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting."

The applicant has put together a suite of detailed specialist reports together with a transparent financial appraisal that sets out the costs of restoration and future maintenance as well as potential revenues to enable these works. It is fair to say that the costs involved with restoring the Grade II* Listed Mansion to something like its former condition are substantial.

The applicants consider that their application proposes the minimum of new housing development to enable and secure the future of the Mansion, its outbuildings and parkland. They see it as a complete and comprehensive set of proposals which will restore both the Mansion and the parkland and provide a long term future for both. The scale, design, layout and number of new dwellings to be erected North of the Mansion has been reduced since the original plans were submitted to the Council in 2008.

The applicant claims that the housing market is now more receptive in areas such as this to large detached dwelling houses and as a result there are no units of less than three bedrooms being proposed. Such is at odds with the situation in early 2008 when smaller units were more sought after by house buyers. Notwithstanding this, it has been accepted that the market must, to a degree, dictate the form of new building development at the site and that any arrangement must be financially viable so as to ensure the Mansion is restored to its former glory.

It is accepted that previous enabling development has been attempted at Sandhill Park only to later fail; however the case is now more urgent given the fire damage to the Grade II* Listed Building that was already on English Heritage Buildings at Risk Register. English Heritage has assessed the proposals and are satisfied that the financial appraisal of the scheme is reasonable and viable and that subject to caveats, they are supportive of the proposals. Therefore, subject to the forecast sale figures being ratified by an independent expert, the Council is satisfied that this approach will result in sufficient fund generation as to allow the full conversion and restoration of the Mansion house to flats and to provide the developer with a profit.

The applicants/owners are to enter into a repair bond to a fixed sum that would be payable to the Council should the enabling development fail. Such provides security that if the Mansion house conversion works are not undertaken by the applicants as agreed within the Section 106, such finances will allow the Council to use the bond to repair the Mansion house to a condition whereby it is weather tight and structurally sound.

With regard to financial contributions, it is not considered appropriate to request such in relation to education, play or recreation; nor would it be prudent to request the provision of affordable housing within the scheme. The Housing Enabling Officer is satisfied with this approach as an exception to the normal rule. Clearly, given the tight economics within which the development would be working, it would be necessary to increase the amount of enabling development in order to fund such contributions. To increase the number of new building houses would be at odds with the general approach of enabling development, where it is important to identify the minimum development necessary to enable the conservation of the heritage assets.

Impact upon Listed Building

Applications for planning permission affecting a listed building or its setting must be determined in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that "In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority...shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses".

The submitted proposals have been considered in depth by the Council's own conservation specialist and also by experts at English Heritage. Prior to submission of the amended proposals, significant discussions took place between the Council, English Heritage and the applicant as to an appropriate conversion scheme for the Mansion and its outbuildings together with how best provide new building development on the site without resulting in significant harm upon the setting of the Listed Building. Comment has been received suggesting that the Mansion is nothing more than a blot on the landscape; clearly such an unsubstantiated view is at odds

with its status as a listed building for which there are historical and architectural reasons to preserve the heritage asset.

The Mansion House is currently in a very poor state of repair, as are the outbuildings, and is included on the 2007 Historic Buildings at Risk Register published by English Heritage. There has been more, significant deterioration since the fire of November 2011. The proposal would enable both the Mansion and the outbuildings to be sympathetically restored and put to appropriate and beneficial long term use.

The building will require an entirely new roof to be constructed in the main, with those elements being retained needing repair and recovering. All external joinery is likely to be replaced and repair undertaken to the stonework and painting. Internally plaster work will be repaired and restored where lost, the staircase returned to its central, original position and unsympathetic modern additions removed.

Within the immediate setting of the building, the former hospital buildings are to be demolished and the landscape returned to its former pre-war condition. The removal of these buildings, which visually jar with the setting of the Mansion is considered to significantly enhance its setting whilst the location of new building development to the North is not considered to detract from the setting of the building.

Further benefits to setting of the Mansion will be the restoration of the walled gardens, restoration of the American garden and general enhancement of the landscape through a robust and thorough landscape planting scheme and management plan. The overall redevelopment of the site will have undoubted benefits to local heritage assets and therefore the scheme broadly complies within Core Strategy Policy CP8 and guidance contained within the NPPF.

Landscape

The parkland at Sandhill Park makes a significant contribution to the distinctive character and appearance of this part of the Borough. However its own character and appearance has declined over the years by way of bad management, ill-thought out and badly designed development within the grounds and latterly by further degradation and vandalism due to the uncertain future of both the house and the parkland. Policy CP8 of the Core Strategy states that the Borough will conserve and enhance the natural and historic environment.

The revised proposals, put forward by the applicant's Landscape consultants, provides a comprehensive package of enhancement works restoring the inner and outer parts of the parkland. Works will be undertaken to the gardens and pleasure grounds, the inner park, outer park, Greenway Wood and the northern approach and farmland area. Specific attention will be made to the restoring of distinctive features including informal lawns, pleasure grounds, pathways, walks, trees, ponds etc in addition to removing inappropriate modern additions such as fencing, kerb stones and street lighting are proposed. In some instances new features such as traditional fencing are proposed.

Arguably the most significant element of the proposals in landscape terms is the removal of the complex of former hospital buildings to the west of the Mansion; this area will subsequently be restored to informal lawns and parkland. In itself, the removal of these buildings would not only significantly enhance the setting of the

listed building, but it would also restore the panoramic views across the parkland to the south, which was a key component of the original Mansion/parkland design relationship. These can also be enjoyed from public paths.

The proposed new building dwellings will be heavily landscaped and relatively well hidden from wider views within the landscape; as noted above, this element of the proposals, given the degree of screening that is proposed, will not significantly affect the character or appearance of the surrounding landscape. Parking areas have been proposed to the East of the Mansion; these will be heavily landscaped and such will minimise the impact of parked cars within the landscape and general views of the Mansion from the site surroundings. Parking at the new building site is to be off road and integrated within the development frontage. Covenants have been provided for within the Section 106 Agreement to prevent the parking of vehicles anywhere else within the site other than the designated spaces that are provided for both the Mansion and new building properties.

The proposals include a significant degree of planting of new and maintenance of existing trees, some of which are important trees within the landscape. Works to reinstate ponds to the South and views of these areas from the Mansion and its surroundings are also proposed. The Council's Landscape Officer is happy with the proposals barring the planting, or lack of, within the walled garden. Whilst planting here would be desirable it is not something that the applicants wish to provide at this stage and clearing such an issue is not so significant, given the backdrop of the overall scheme, as to warrant holding the application up.

The proposals provide for a Restoration and Management Plan which would secure the future of Sandhill Park, based on the two basic principals of conserving and enhancing the area in its entirety as a park of historical importance, whilst also maintaining its visual attraction to visitors and residents alike. There has been concern raised over the condition of some parkland trees, and suggestions that some trees have been lost recently due to poor management. The provided scheme affords more than adequate proposals to ensure the health of existing trees within the site are improved through ongoing management both pre and post occupation. All of the trees are understood to be within the ownership of the applicant and not that of any adjoining landowner(s).

Questions have been raised regarding the management of the parkland and financing of such works. The ongoing management of the parkland post completion of the development will be afforded through annual payments to be made by each subsequent occupier of the site and such is included as a provision within the Section 106 Planning Agreement. Such will cover the parkland, pleasure ground, shared roads, paths lakes and other common part or facilities used by owners and occupiers at the site. In conclusion, the proposals are considered to comply with Policy CP8 of the Core Strategy and retained Policy EN8 of the Local Plan.

Nature Conservation

Thorough wildlife surveys and reports have been undertaken and prepared by MWA on behalf of the applicants. These reports have been set out above but their findings indicate that protected species are present both within existing buildings, trees and on land surrounding the Mansion.

Badgers, Dormice, Amphibians and Water voles were all considered to have low

potential at the site given the current condition of the parkland and surrounding water features. Notwithstanding, a precautionary approach is recommended for these species.

Swallows, swift, house sparrow and barn owl are present within the Mansion and hospital buildings; a significant population of slow worms were found on the site and two common lizards were also identified. Invertebrates are also likely to be impacted upon by the proposals. The submitted mitigation measures in respect of these species have been considered to be acceptable by the Council's Nature Conservation Officer and Natural England, The Barn Owl Trust and Somerset Wildlife Trust support the recommendations of the Council's specialist officer and MWA.

At least five bat species have been identified as being present across the site, both within the Mansion, its outbuildings, former hospital buildings and the surrounding scrub land that will form the new building site. It should be noted that bats are a European Protected Species and their habitat both within the Mansion, outbuildings and around the parkland will be impacted upon as a result of the proposals.

The proposed development will result in the deliberate disturbance of a protected habitat as described within the Habitat and Species Regulations (2010), such is an offence unless a license is obtained for the works from Natural England. The ecological report confirms that an EPS license will be required for the works to be carried out. Regulation 9 (5) states that the Local Planning Authority is a 'competent authority' and must have regard to the requirements of the Regulations in consideration of any of its functions - inclusive of determining planning applications that impact upon protected species. In order to discharge its Regulation 9(5) duty, the Local Planning Authority must consider in relation to a planning application:

- (i) Whether the development is for one of the reasons listed in Regulation 53(2). This includes whether there are "...imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment" (none of the other reasons would apply in this case);
- (ii) That there is no satisfactory alternative;
- (iii) That the Favourable Conservation Status (FCS) of the European protected species in their natural range must be maintained.

These tests are considered below:

(i) Overriding reasons of public interest for disturbance

The proposed development provides for an alternative re-use of a grade II* Listed Building and its associated outbuildings; it will also provide for the restoration, enhancement and management of the surrounding parkland and landscape. The principal Mansion building is included on the 2007 Historic Buildings at Risk Register and ongoing efforts have been made to find a viable re-use for the building and its surroundings. Being a building at risk, there is significant pressure to find an alternative re-use for the Mansion; failure to do so poses a significant risk that the building may eventually fall beyond any reasonable condition as to allow repair. It is considered to be in the public interest to ensure the buildings continue to represent an example of the built environment and heritage of the area for future generations. The considerations and conclusions to the other main issues of this report will show

that the proposal is considered to be an acceptable use for the buildings that will ensure for a favourable conservation status of the bats.

(ii) That there is no satisfactory alternative

The application site is a one off example of a grade II* listed Mansion House, set within expensive parkland's. Being a one off site, there can be no alternative to provide mitigation for their loss were an alternative re-use not be found. Once lost, heritage assets cannot be replaced and therefore there can be no alternative site other than that set out within the application. Such is demonstrated by other proposals for residential conversion schemes to buildings within the countryside that would have a similar impact upon protected species.

(iii) That the Favourable Conservation Status FCS can be maintained

The Council's Nature Conservation and Reserves Officer supports the recommendations and actions set out within the submitted report by MWA dated December 2012. Further, Natural England supports the comments of the Council's Nature Conservation and Reserves Officer and no objection has been received from either party to the proposed development. The proposals identify bat mitigation measures, which include the provision of a roost and hibernation area within the basement of the Mansion and also the construction of a bespoke 'woodman's cottage' within woodland to the West of the Mansion; such will act as a purpose built bat roost. Based upon the evidence submitted and expert advice received in relation to protected species, I am satisfied that the proposed bat mitigation can be achieved within the basement and woodman's cottage and that such will ensure that a FCS for bats can be maintained at the site.

New building dwellings - design, scale, form, layout

The stables and barns to the north of the Mansion are to be converted to dwellings, as is the orangery attached to the Mansion house. These buildings will be rebuilt and repaired where necessary and largely restored to their former character and appearance; they will remain subordinate to the main listed building and the layout out will retain the historic pattern of development to the North of the Mansion. In a similar vain, the proposed conversion and restoration works to the Mansion will return it to its former self, removing modern inappropriate additions and alterations, reintroducing architectural and historic features that are of importance to the building as a heritage asset

The grounds immediately surrounding the Mansion are to be extensively reconfigured to provide informal gardens, parking areas and walled gardens. Paths will be reinstated and provide a degree of legibility and inter-connectivity between the various different areas of the estate. Residents will be provided with recreational space and the landscaping scheme will soften any urbanisation that may result from the proposals.

With regard to the new building development, the layout now proposed together with the design of house types evolved through discussions with English Heritage and the Council following the initial resolution to grant planning permission subject to certain caveats, in May 2008. Changes in viability and house type demand resulted in the original scheme being unviable. The proposal now put forward is based upon a small village theme, with open spaces close to the existing trees that bound the site to the

North, East and West. It is similar in a sense to the development at Lethbridge Park. The area will have an informal feel to it, with no regimented parking areas; the highway will be single carriageway but wide enough to allow two vehicles to pass. No formal curbs are proposed and footways will integrate into the informal nature of the access drive.

With regard to dwelling types, a detailed analysis of the surrounding local vernacular has been undertaken so that the appearance of the area is one that accounts for local variations in design. Generally a 'cottage orne' design approach has been adopted and such will result in lowered roof and eaves heights. There will be a mixture of external material finishes applied, all of which are common to the area. Comment has been made that the design is not reflective of the area; to a degree this may be the case as the style put forward is not overly common. However, the designs do account for architectural features and materials and combine this with the overarching design style to form a more unique sense of style. Neither English heritage nor the Council's Conservation officer have objected to the house type designs; the dwellings will not compete with the principle listed building and will be subordinate to it in terms of scale and form; in general the proposals are considered to be appropriate for a site in such close proximity to a grade II* listed building such as Sandhill Park.

The scheme will result in an overall enhancement to the character and appearance of the area and the listed buildings and therefore the design, layout form and scale of the proposed scheme is considered to be acceptable in the context of the site and its surroundings, which are sensitive to change and intervention. Therefore the proposals accord with Policies DM1 and CP8 of the Core Strategy and guidance contained within Para's 60 and 61 of the NPPF.

Sustainability and Accessibility

This is not the most sustainable site on which to provide new residential development. It is distant from the main services provided within Bishops Lydeard and other than for leisure, people are unlikely to walk to the main element of the village due to the distance and footpath network involved. It has been suggested that the developer should provide for enhanced opportunities to connect the development to its surroundings and public footpath network however this would still not overcome the locational issues involved and to require the developer to do so may impact detrimentally upon the viability of the scheme. The land is also in private ownership and to allow full public access is not thought to be a matter to consider nor request as part of the proposed development.

Notwithstanding, the proposals will provide for some improvement to the footpath connecting the driveway access to Greenway. Residents of the site will also be able to readily access Bishops Lydeard by bicycle. There is also a relatively frequent bus service between Bishops Lydeard and Taunton, some of which terminate/commence at Greenway. There is therefore a reasonable choice of transport modes although it must be appreciated that residents at the site will likely be heavily dependent upon the use of the private motor vehicle.

A Travel Plan has been submitted and whilst its contents and proposals are yet to receive a full response from the County Travel Plan Advisor, it is envisaged that this plan, if successfully implemented, will help towards a modal shift in residents means of travel, away from the private motor vehicle.

The reuse of existing buildings is sustainable; it will also have conservation benefits by finding a long term use for the heritage asset which will have benefits to the local built heritage and community.

The proposals provide for the restoration of the parkland and provide for its long term management and that of the various specimen trees, woodland and pleasure grounds. In doing so, the proposals would increase diversity and any potential species found would be accommodated in situ or, if present within buildings to be demolished, consent by separate licence would be sought for their appropriate relocation. Overall, wildlife interests are likely to be enhanced.

Whilst there are issues with accessibility virtue of the sites location, there are a number of positive aspects to the development that could be used to suggest that overall, the development would be sustainable in the longer term.

Highway safety and access

The site will be accessed via a private drive off Greenway Road to the South; the driveway is some 1km long when measured from the point of access from Greenway to the Mansion house. It is a single lane drive largely laid to tarmac; it is currently in a very poor state of repair and will likely need relaying in full. Speed humps are present along the track and would act, if retained, as a traffic calming measure. The proposals incorporate measures to provide passing bays along the drive and to install features such as cattle grids. Otherwise the drive is to remain of a single carriageway in private ownership. South Drive is to be utilised as it is within the applicant's ownership; the North Drive is not. Any lighting of the driveway will be controlled by way of condition and sufficient passing places are considered to be provided, given that it is to remain a private and not adopted highway.

The application provides 114 parking spaces for the 28 new build properties, 57 within garages and 57 to the front of properties; 39 car parking spaces are proposed for the 26 flats being provided by the conversion of the Mansion, orangery, stables and other outbuildings. Cycle storage is also proposed. For the new build this averages approximately 4 spaces per dwelling and for the conversion scheme 1.5 spaces per dwelling. The former is excessive even in the context of the County Parking Strategy, while the latter accords with retained Policy M4 of the Local Plan. Whilst an over supply of parking for the new building may not help encourage a modal shift towards more sustainable means of transport, the actual number of vehicles per dwelling will largely be dictated by the demographic of future residents. On this occasion, such an over supply is not considered to represent a significant issue in relation to the development scheme as a whole.

Concern has been raised over the use of the drive and safety, particularly of pedestrians. To a degree there will be footfall over the drive, particularly from residents of the site however the public footpaths in the area only cross the driveway in once position. The drive is within private ownership and does not contain a public right of way. Notwithstanding, the drive generally provides suitable forward visibility to allow drivers and pedestrians, cyclists and the like to see one another clearly. It would be hoped that occupants of the site will not speed along the track nor can such actions be prejudged. Therefore, having regard to the passing bays and space alongside the driveway, the safety of users along the drive is not considered to be severely harmed by the proposals.

The Highway Authority have received the submitted Transport Statement and the proposed works to the junction with Greenway have been audited for safety purposes. In short, there would be no significant adverse harm to highway safety should the proposals be granted planning permission. The proposals would provide for an acceptable degree of visibility and the footpath connection to Greenway is acceptable. Additional traffic flows are not considered to result in harm to highway safety at local junctions nor cause significant overloading of the local highway network; no severe impact upon highway safety is envisaged. A condition has been requested to ensure highway works are agreed prior to implementation and advice also states that works will require a Section 278 agreement.

With regard to the Travel Plan, it is generally envisaged that the submitted Plan will likely be acceptable, subject to minor alterations however such must wait until formal response has been received from the County Council. Any alterations can be agreed as part of the Section 106 agreement and subsequent discussion.

Precedent

Concerns have been raised that the granting of planning permission in this location for new building residential development will result in an undesirable precedent being set. I do not consider this to be the case. Notwithstanding the history involving Lethbridge Park, the proposed enabling development is a one off proposal that will provide for the bringing back of the Mansion and its outbuildings into a beneficial use. A Section 106 Planning Agreement will be put in place to ensure that this is the case. If the Mansion is brought back into beneficial use in accordance with the enabling development, under current development Plan policies and the enabling development guidelines, there would be no justification for any further new residential development in this location.

Other issues

Flood risk - All additional surface water that will result from the proposed development will be drained via soakaways within the site. Detailed drainage analysis will form part of the post-decision work by the developer but at this stage. The Environment Agency do not object to the proposals subject to conditions.

Amenity - I am satisfied that the proposed development will not significantly adversely affect residents living at Lethbridge Park; indeed no substantial objection has been raised in this regard and I am therefore satisfied with the proposals and their impact upon local residents.

Working hours - There has been a number of requests to limit the hours within which works can take place at the site. To do so would likely reduce any perceived adverse impact upon local residents that may arise through physical works, the use of machinery and the like. It is acknowledged that such conditions are reasonable in some cases, they are nonetheless difficult to enforce; matters relating to a statutory nuisance are also covered by separate legislation and controlled by Environment Health. Such a condition will therefore not be imposed.

Conclusion

Sandhill Park is a listed building of Grade II* quality included on English Heritages

Buildings at Risk Register. The necessary renovation and conservation works will be extensive. The applicants have put forward a comprehensive package of enabling development proposals involving the conversion of the Mansion and its outbuildings to 19 flats and the erection of 2 new dwellings on land to the north of the former kitchen gardens. The package of proposals deals comprehensively with the Mansion, its outbuildings and the parkland and their future use and maintenance.

A thoroughly robust and comprehensive Section 106 Planning Agreement has been drafted and subject to final revisions this is considered to provide a legally binding and tight security for the future of the listed building that will prevent any potential danger of the enabling development being undertaken without any subsequent work to the Mansion. This agreement has built upon that previous formed under the 2008 submission. The original proposal was not called in by the Secretary of State; the amended scheme is considered to be an improvement to that originally submitted and therefore, subject to the receipt of comments on the Travel Plan and the S106 Agreement being finalised, it is recommended that planning permission be granted, subject to conditions.

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

CONTACT OFFICER: Mr R Williams Tel: 01823 356469