

ST MODWEN HOMES

Application for approval of reserved matters following outline approval 25/12/0032 for the erection of 227 No. dwellings, greenways, the western LEAP, landscaping, infrastructure, highways, parking and road access on land parcels H1, H1A, H2 and H3 at Langford Mead, Norton Fitzwarren

Location: TAUNTON TRADING ESTATE, WIVELISCOMBE ROAD, NORTON
FITZWARREN, TAUNTON, TA2 6RX

Grid Reference: 320140.125824 Reserved Matters

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

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

- (A1) DrNo 1730-P3-03 Rev F On Plot Planting Plan Sheet 1 of 2
- (A1) DrNo 1730-P3-04 Rev F On Plot Planting Plan Sheet 2 of 2
- (A1) DrNo 1730-L-05 Rev F LEAP
- (A1) DrNo 1730-P3-02 Rev F Green Infrastructure Plan
- (A1) DrNo 1730-P3-01 Rev F General Arrangement Plan
- (A3) DrNo 1730-A-04 Tree Protection Plan
- (A3) DrNo 35 Rev C Floor Plans & Elevations
- (A1) DrNo 32-1 Rev A Screen Wall & Fencing Details
- (A3) DrNo 31-1 Bin & Cycle Store Details Elevations & Floor Plans
- (A3) DrNo 31-2 Bin & Cycle Store Details Sheet 2 Elevations & Floor Plans
- (A3) DrNo 31-3 Bin & Cycle Store Details Sheet 3 Elevations & Floor Plans
- (A3) DrNo 31-4 Bin & Cycle Store Details Elevations & Floor Plans
- (A3) DrNo 30-2 Garage Floor Plans & Elevations Sheet 2
- (A3) DrNo 30 Garage and Floor Plans & Elevations Sheet 1 (Sales Complex)
- (A0) DrNo 29 Rev D Material Layout
- (A0) DrNo 28 Rev E Boundary Treatment
- (A1) DrNo 27 Illustrated Perspectives
- (A3) DrNo 26-01 Rev A Street Scenes
- (A3) DrNo 26-02 Rev A Street Scenes
- (A3) DrNo 25 Rev A House Type H4B1273 Floor Plans & Elevations
- (A3) DrNo 24 Rev B Location Plan
- (A3) DrNo 22-3 Rev B House Type H4B1348 V3 Elevations & Floor Plans
- (A3) DrNo 22-2 Rev B House Type H4B1348 V2 Elevations
- (A3) DrNo 22-1 Rev B House Type H4B1348V1 Floor Plans
- (A3) DrNo 21-2 House Type H4B1209 V2 Floor Plans & Elevations
- (A3) DrNo 21-1 Rev B House Type H4B1209 V1 Floor Plans & Elevations
- (A3) DrNo 20-2 Rev B House Type H4B1203V2 Floor Plans & Elevations
- (A3) DrNo 20-1 Rev B House Type H4B1203V1 Floor Plans & Elevations

- (A3) DrNo 19 Rev A House Type H4B1149 Floor Plans & Elevations
- (A3) DrNo 18 Rev A House Type H4B1044 Floor Plans & Elevations
- (A3) DrNo 17-4 House Type H3B1002V4 Floor Plans & Elevations
- (A3) DrNo 17-3 House Type H3B1002V3 Floor Plans & Elevations
- (A3) DrNo 17-2 Rev B House Type H3B1002V2 Floor Plans & Elevations
- (A3) DrNo 17-1 Rev B House Type H3B1002V1 Floor Plans & Elevations
- (A3) DrNo 16-2 House Type H3B965 V2 Floor Plans & Elevations
- (A3) DrNo 16-1 Rev B House Type H3B965 V1 Floor Plans & Elevations
- (A3) DrNo 15 Rev B House Type H3B920 Floor Plans & Elevations
- (A3) DrNo 14 Rev B House Type H3B904 Floor Plans & Elevations
- (A3) DrNo 13-2 House Type H3B947 V2 Floor Plans & Elevations
- (A3) DrNo 13-1 Rev B House Type H3B947 V1 Floor Plans & Elevations
- (A3) DrNo 12 Rev B House Type H2B835 Floor Plans & Elevations
- (A3) DrNo 11-3 House Type H3B791 V3 Floor Plans & Elevations
- (A3) DrNo 11-2 House Type H3B791 V2 Floor Plans & Elevations
- (A3) DrNo 11-1 Rev B House Type H3B791 V1 Floor Plans & Elevations
- (A3) DrNo 10-3 House Type H2B753 V3 Floor Plans & Elevations
- (A3) DrNo 10-2 Rev A House Type H2B753 V2 Floor Plans & Elevations
- (A3) DrNo 10-01 Rev B House Type H2B753 V1 Floor Plans & Elevations
- (A3) DrNo 09-2 House Type H2B637 V 2 Floor Plans & Elevations
- (A3) DrNo 09-01 Rev B House Type H2B637 V1 Floor Plans & Elevations
- (A1) DrNo 08-2 Rev B H2B660, 664 & 680 Elevations
- (A1) DrNo 08-1 Rev B H2B660, 664 & 680 Floor Plans
- (A3) DrNo 07-2 Rev B House Type H1B550 Elevations
- (A3) DrNo 07-1 Rev B House Type H1B550 Floor Plans
- (A3) DrNo 06-2 Rev A House Type H1B539 & 605V2 Floor Plans & Elevations
- (A3) DrNo 06-1 Rev B House Type H1B539 & 605V1 Floor Plans & Elevations
- (A3) DrNo 05 Rev B House Type H1B538 & 615 Floor Plans & Elevations
- (A0) DrNo 03 Rev M Planning Layout
- (A0) DrNo 03-1 Rev L Coloured Planning Layout
- (A0) DrNo 17121/8 Rev B Refuse Vehicle Tracking
- (A0) DrNo 17121/3 Rev A Kerbing & Surfacing Plan
- (A3) DrNo 17121/1 Rev C Drainage & Levels Strategy

- (A0) DrNo 03 Rev M Planning Layout
- (A0) DrNo 03-1 Rev L Coloured Planning Layout
- (A0) DrNo 28 Rev E Boundary Treatment

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

2. Prior to the occupation of plots 30-40, the footpath/cycleway to Great Western Way shall be provided and made available to the public and shall thereafter be maintained as such.

Reason: In the interests of ensuring good permeability through the development.

3. The Locally Equipped Area for Play shall be laid out in accordance with the details shown on drawing 1730-L-05 rev F and shall be implemented and made available for use to the public prior to the occupation of the 150th

dwelling hereby permitted and shall thereafter be maintained as such, remaining permanently available and open to the general public.

Reason: To ensure that appropriate play facilities are provided for the residents of the development.

4. (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of occupation of the 100th dwelling hereby permitted.

(ii) For a period of five years after the completion of the development, 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.

5. Prior to their installation, full details of the proposed 'green screens' shall be submitted to and approved in writing by the Local Planning Authority. All private boundary treatments for the dwellings hereby approved shall be implemented in accordance with the details shown on the drawings hereby approved prior to the occupation of the dwelling to which they relate and shall thereafter be maintained as such. The green screens shall be maintained in accordance with condition 4 (ii) as part of the landscaping scheme.

Reason: In the interests of the character and appearance of the area.

6. The external materials specified on drawing 29 Rev D shall be used in carrying out the development hereby approved and shall thereafter be maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the building/area.

Notes to Applicant

Proposal

This application seeks reserved matters approval for the final phase of development at Langford Mead – being the former Taunton Trading Estate. The application proposes 227 dwellings, completion of the east-west 'greenway' footpath/cycle link and associated landscaping.

The dwellings are mainly 2 storey, with some 2.5 and 3 storey. There are also some

3 storey blocks of flats within the scheme. Access would be from the B3227 to the north and Great Western Way to the south.

Site Description

The site is relatively flat, sloping down gently from northeast to southwest. There is a low hedge to Great Western Way and a chainlink fence to the B3227. At the eastern end of the northern boundary, the land is raised up from the B3227 and there is a strong tree boundary along this part of the site, albeit that there are clear views under the lower branches of these tall trees. At its western extent, the site adjoins Beaford Park caravan site.

Relevant Planning History

Outline planning permission was initially granted in 2007 for the mixed use re-development of the Taunton Trading Estate and the first phase of reserved matters at the eastern end of the site was delivered. Subsequently, the outline planning permission was renewed and two subsequent phases of reserved matters were approved. They have largely been built out.

Consultation Responses

NORTON FITZWARREN PARISH COUNCIL – Comment as follows:

the Parish Council have the following comments to make:

1. The road layout seems to indicate that drivers can access the B3227 from Great Western Way and vice versa, would this not create a 'rat run'?
2. The road layout would also increase the traffic onto the B3227 by 200+ vehicles, we request that all access from the estate should be via Great Western Way.
3. There is insufficient parking on the estate, vehicles will, as on other new estates be forced to park on the road. There must be sufficient room for emergency vehicles to pass. The Police have raised concerns about this on the old cider site.
4. The position of the play area is not good and there is no provision for the over 12's.

The Parish Council subsequently commented that they would like to request that all contractors and delivery lorries should use Great Western Way during the building of this development and not the B3227 which is already busy and congested at peak times.

SCC - TRANSPORT DEVELOPMENT GROUP – Initially raised concerns that the estate road linked the B3227 and Great Western Way. Concern was raised that an updated transport assessment was required to address this concern and a right turn lane may be required on the B3227.

Subsequently, amended plans have been received and the estate road has been closed to through traffic. On this basis, the Highway Authority have now commented that:

“The removal of any ‘cut-through’ does mean that the TA does not need to be re-visited to ensure any through traffic is considered, and I would agree that a right turn lane is not now essential for this northern access. I assume, however, that the existing right turn lane will be retained at the southern access.

My estate roads colleagues have reviewed this further revision, and comment as follows:

- *I would like to see an adoptable 1.0m wide hardened margin provided around the end of the turning head outside plot 135.*
- *Can the applicant please test the swept path for a private car when emerging from the visitors parking bay adjacent to the parking bay serving plot 134 and the private drive serving plot 135. Has sufficient space been made available for vehicles to reverse out of these areas?*
- *An adoptable 20.0m forward visibility splay will be required across the 90 degree bend of the footpath/cyclepath adjacent to plot 55.*

From an initial review of the plans it would appear that these three issues can be dealt with during the technical approval stage of any S38 application, providing the applicant is comfortable that they can address the concerns within the layout proposed”.

STAPLEGROVE PARISH COUNCIL – No comments to make.

LANDSCAPE – The proposed landscaping is generally satisfactory but I would like to see additional trees planted within the central landscape strip. Full details of shrub planting as well as tree planting are required.

LEAD LOCAL FLOOD AUTHORITY – The applicant is proposing to utilise on site attenuation with controlled discharge to the existing storm water sewer. The surface water drainage strategy meets with the strategy agreed within the outline approval reference 25/12/0032.

The LLFA has no objections to this application as submitted.

LEISURE DEVELOPMENT – With reference to the proposed LEAP, in order to prevent similarity of the play areas already constructed on phase 1, we would prefer for the proposed Vivarea Multiplay Unit J3338A, one of which is already within phase 1, to be replaced by the same manufacturer’s piece ref J3845 from the Diablo Range. This should ensure a wider play experience for the users.

Safety surfacing should be grass matt instead of the proposed rubber mulch.

There would also appear to not be a great deal of room between the pieces of equipment and would request they are spread out more. A further drawing showing details of amendments should be submitted to Open Spaces for approval.

BT OPENREACH - We have no objections to the above development but would observe there is a significant amount of BT plant including duct, cable and fibre optic services in the wide verge area that will be crossed by the proposed site access onto the B3227. We will deal with any measures necessary to protect and/or divert these in due course upon receipt of the appropriate notice from the developer.

POLICE ARCHITECTURAL LIAISON OFFICER – Comments as follows:

Crime Statistics – reported crime for the area of this application (within 500 metre radius of the grid reference) during the period 01/11/2016-31/10/2017 is as follows:-

Burglary - 4 Offences (comprising. 3 dwelling burglaries & 1 Business & Community burglary)

Criminal Damage – 8 Offences (incl. 5 criminal damage to vehicles)

Drug Offences – 1

Other Offences – 5

Sexual Offences - 4

Theft & Handling Stolen Goods - 16 Offences (incl. 1 aggravated vehicle taking, 2 interference with motor vehicles & 3 theft from motor vehicles)

Violence Against the Person – 56 offences (incl.3 malicious wounding, 5 assault ABH, 13 common assault & battery & 15 causing harassment, alarm, distress or threatening behaviour)

Total - 94 Offences

This averages approx. 8 offences per month, 2 per week, which is a low level of reported crime.

ASB reports for the same period and area total 10, which is also a low level.

Layout of Roads & Footpaths – vehicular and pedestrian routes appear to be visually open and direct and are likely to be well used enabling good resident surveillance of the street and public spaces. The design of the proposed 3 metre footpath/cycleway accords with police advice. In addition, the proposed use of physical or psychological features i.e. the road surface changes by colour or texture at various locations within the development helps reinforce defensible space giving the impression that the area is private and deterring unauthorised access. The vehicular link between Great Western Way and the B3227 increases the permeability of the development, which can be a disadvantage from a crime prevention perspective, in that it can assist the search and escape patterns of the potential criminal. However, the route is well overlooked by nearby dwellings which accords with the below comment.

Communal Areas – have the potential to generate crime, the fear of crime and antisocial behaviour and should be designed to allow supervision from nearby dwellings with safe routes for users to come and go. Ideally, the proposed LEAP/POS should be more centrally located with good all round surveillance. However, the current location appears to be overlooked by 5 dwellings (plus

additional gable ends) on three sides which may prove sufficient. It is separated from the footpath and road in Great Western Way by a hedge, which is also advisable, on personal safety grounds. The proposed Green Way running through the centre of the development appears to be well overlooked by dwellings on both sides.

Orientation of Dwellings – all the dwellings appear to overlook the street and public areas which allows neighbours to easily view their surroundings and also makes the potential criminal feel more vulnerable to detection. A large proportion of dwellings are also 'back to back', which is also recommended, as this restricts unauthorised access to the rear of dwellings where the majority of burglaries occur.

Dwelling Boundaries – it is important that all boundaries between public and private space are clearly defined and it is desirable that dwelling frontages are kept open to view to assist resident surveillance of the street and public areas, so walls, fences, hedges at the front of dwellings should be kept low, maximum height 1 metre, to assist this. Vulnerable areas such as exposed side and rear gardens need more robust defensive measures such as walls, fences or hedges to a minimum height of 1.8 metres. Gates providing access to rear gardens should be the same height as the adjacent fencing and lockable. The Coloured Planning Layout drawing indicates that the above recommendations will be incorporated into the development.

Car Parking – a large proportion of the dwellings appear to incorporate in curtilage garages and hard standings, which complies with police advice. The majority of the communal on-street parking spaces appear to be in small groups, close to and overlooked by owner's homes, which is also recommended.

Landscaping/Planting – should not impede opportunities for natural surveillance and must avoid the creation of potential hiding places. As a general rule, where good visibility is needed, shrubs should be selected which have a mature growth height of no more than 1 metre and trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision. From the Landscape Plan, this also appears to be proposed and is particularly relevant in respect of the LEAP and Green Way.

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

Physical Security of Dwellings – in order to comply with **Approved Document Q: Security - Dwellings** of building regulations, all easily accessible doorsets, windows and rooflights providing a means of access into a dwelling must be tested to PAS 24:2016 security standard or equivalent.

Secured by Design - the applicant is encouraged to refer to the 'SBD Homes 2016' design guide available on the police approved Secured by Design website – www.securedbydesign.com – which provides further comprehensive guidance regarding designing out crime and the physical security of dwellings.

WESTERN POWER DISTRIBUTION – There is essential WPD equipment across

the proposed development. Providing the developer is willing to pay for the necessary diversionary works, WPD have no other observations.

WESSEX WATER - The approach is as anticipated and fits with the drainage strategy agreed at outline stage. Any sewer adoption will be subject to satisfactory engineering proposals constructed to current adoptable standards. The developer should submit details to the local Wessex Water development engineer for S104 technical review and approval prior to construction.

Points of surface water discharge, flow rates and flood risk measures to meet strategy and should comply with LLFA requirements.

NATURAL ENGLAND – No comments to make.

BIODIVERSITY – An Ecological Impact Assessment dated October 2017 has been carried out to address the wildlife condition (9) of application 25/12/0032. I support the recommendations and the proposed enhancements.

HOUSING ENABLING – I can confirm agreement to the attached proposed affordable housing scheme. I note it includes 2 x shared ownership adapted bungalows so providing the values remain affordable in terms of meeting shared ownership affordability criteria these are accepted.

Revised comments on amended scheme:

The revised scheme, as set out on the Layout Plan AAH5341_03-1 Rev M is considered to provide an appropriate mix and tenure to meet local demand. The scheme incorporates 2 bungalows, which should be fully adapted disabled units (in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010).

It is noted that these bungalows are proposed as shared ownership rather than social rent tenure. It is essential to ensure that these shared ownership bungalows remain affordable and provided these properties meet shared ownership affordability criteria, this is considered acceptable.

The developer should seek to provide the Housing Association tied units from Taunton Deane's preferred affordable housing development partners list.

Representations Received

9 letters of **objection/comment** raising the following points:

- Views of the trees would be obscured by Plots 128 & 129.
- The road creates a through route between the B3227 and Great Western Way. This seems odd as it was not allowed in earlier phases or at other

- sites. It will create a rat-run.
- The footpath/cycleway has no connection to Great Western Way or the B3227. It stops in the middle of the site.
 - There is no easy route out of the western end of the estate for pedestrians/cyclists.
 - The cycle path on the Great Western Way cedes priority to the side road, disincentivising use of the cycle path.
 - There is poor consideration to the current residents of Langford mead.
 - Blocks of flats are poorly positioned and will make public spaces unattractive.
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- Social housing is placed on the boundaries and will impact on the saleability of the current properties.
 - Further education and medical facilities are required.
 - The vehicular entrance from the B3227 is close to the pedestrian crossing and may cause a safety risk.
 - The proposed play area seems rather small.
 - Broadband needs to be improved before any development commences.
 - There should be a crossing on the A358 between Langford Mead and Cross Keys.
 - Request rear access is provided to Burnshill terrace.
 - The greenway would be broken by the through route – the only punctuation in the whole development (save the bus gate road).
 - The LEAP is poorly located.
 - The layout could be more imaginative; 3 storey dwellings are questionably located.
 - The originally proposed nature strip against Beaford Park should be reinstated.
 - Dwellings could reduce privacy at Beaford Park.

Planning Policy Context

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

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

DM1 - General requirements,
 CP4 - Housing,
 CP6 - Transport and accessibility,
 CP8 - Environment,
 D10 - Dwelling sizes,
 D7 - Design quality,

Local finance considerations

None relevant to this reserved matters application.

Determining issues and considerations

The principle of the development has been established through the grant of the outline planning permission and cannot be revisited as a consequence of this proposal. The main issues, therefore, relate to the reserved matters: Access, layout, scale, appearance, and landscaping and the impacts arising from these matters – being highways, general design and impact on the character and appearance of the area.

Amendments have been received during the consideration of the application that have addressed the housing enabling officer's concern and the proposal is now considered to provide an appropriate mix of affordable housing.

Highways

Access is a reserved matter, although a clear indication was given in the masterplan/development framework approved at outline stage that the development would be accessed from both the B3227 and Great Western Way. That masterplan also showed a through-route through the development site linking these two junctions for access purposes.

Following concern raised by the Highway Authority, the proposal has been amended to close this through route at the point that it would have crossed the greenway cycle/pedestrian link. Not only does this prevent the 'rat running' that concerns the Parish Council and others, but provides the added benefit that the greenway would be uninterrupted to cyclists for the entire length of the development site, save for where it crosses the bus-only access at the far eastern end of the development.

The Highway Authority now consider that the proposal is acceptable, both in terms of the access to the site and the internal site layout. The potential for 'rat running' through the site, between the two main roads, has been removed and this means that the impact on the wider highway network does not need re-examining as part of this reserved matters application. Remaining matters of detailed design can be picked up through the technical approval process as part of the adoption of the roads.

The Parish Council have commented that all construction traffic should be from Great Western Way. However, it is considered that this causes practical difficulties given the amended layout that seeks to close the through route between Great Western Way and the B3227. It is considered that this, and the delivery of an uninterrupted greenway through the site are long term benefits and carry greater weight than resolving any short term inconvenience that may arise during building works. It is, therefore, considered that such a condition should not be imposed.

Design, character and appearance

The development is considered to be well designed – where possible, it employs a strong perimeter block approach to the layout; the architecture is modern without being overly bold and will deploy materials respectful of the local vernacular. During consideration of the application, amendments have been received which reduce the visual domination of the highway, increasing the amount of shared surface and allowing the dwellings to better form the spaces in which they sit. Where private boundaries are exposed, they will be built from brick or supplemented with appropriate landscaping.

A number of the dwellings do not comply with the minimum space standards set out in Policy D10 of the SADMP. In this case, the original site design work was carried out in the early 2000's and rolled forward into a second outline planning permission in 2012, when there was no space standards policy. Given the age of the outline planning permission, it is considered reasonable to accept detailed plans that accord with the parameters prevailing at that time: to do otherwise would reduce the housing yield of the site and may have knock-on implications in terms of the site layout or affordable housing mix. Given that the proposal is acceptable in terms of its detailed design and mix of housing, it is considered that the proposed dwellings are acceptable.

The development will provide a LEAP. Whilst the Parish Council comments are noted, this parcel of development was not intended to provide play facilities for older children as there is a larger play area at the eastern end of the site. Whilst the play area is not centrally positioned within the parcel, discussions prior to the submission of the application led your officers to conclude that locating it here was the best option: it allowed greater flexibility over the internal housing layout, ultimately providing a strong urban design and better sense of place and also allowed an existing mature tree to be located within the open space rather than in rear gardens or close to houses.

Since submission of the application, the dwellings closest to Beaford Park caravan site have been moved further off the boundary and have been reduced slightly in floor level. The relationship with these, and other neighbouring properties, is now considered to be acceptable.

Significant mature trees will be retained within the development and new landscaping will supplement this. The proposal will not be at odds with the character and appearance of the area.

Conclusion

The application proposes an acceptable reserved matters solution that will deliver a good urban environment that sits comfortably within the surrounding area. The proposal is considered to be acceptable and is, therefore, recommended for approval.

In preparing this report the planning officer has considered fully the implications and

requirements of the Human Rights Act 1998.

Contact Officer: Mr M Bale