

BROADLANDS TWENTY TWELVE

OUTLINE PLANNING APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF UP TO 250 NO. HOUSES INCLUDING HIGHWAY ACCESS OFF HONITON ROAD AND ANCILLARY SPORTS AND RECREATION FACILITIES ON LAND NORTH OF SWEETHAY LANE ON LAND KNOWN AS BROADLANDS, HONITON ROAD, STAPLEHAY (AS AMENDED)

Grid Reference: 321143.121375

Outline Planning Permission

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RECOMMENDATION AND REASON(S)

Recommended Decision: Refusal

- 1 The proposed development lies outside settlement limits of Taunton in an unsustainable location remote from the town centre and local services, poorly served by public transport and would foster the growth in the need to travel by private car. The Travel Plan provisions are not considered to make the proposal sustainable and the development is considered to be contrary to policies SP1, CP8 and CP1a of the Taunton Deane Core Strategy 2011-2028.
- 2 The proposal does not provide a suitable means for securing the appropriate affordable housing and community and leisure facilities, maintenance of on site facilities, including any Sustainable Urban Drainage scheme for the site, Travel Plan or education contributions and therefore would be contrary to policies CP4, CP5, CP6 and CP7 of the Taunton Deane Core Strategy, and retained policy C4 of the Taunton Deane Local Plan.

RECOMMENDED CONDITION(S) (if applicable)

Notes to Applicant

PROPOSAL

The proposal is an outline application for up to 250 dwellings on greenfield land between Staplehay and Canonsgrove with an intended access off Honiton Road and a link through to Sweethay Lane. Sports fields, play areas and open space are also included together with flood attenuation, wildlife mitigation planting and wildlife ponds. A section of Sweethay Lane would be closed as part of the scheme thereby limiting traffic using the existing poor junction at Sweethay Cross and sending traffic through the new development.

The application included an Environmental Statement and included a Flood Risk Assessment, Transport Assessment, Travel Plan, Archaeological Assessment, Noise Statement and Air Quality Assessment.

SITE DESCRIPTION AND HISTORY

The site consists of 4 agricultural fields to the west of Honiton Road and an additional field north of Sweethay Lane. A tree belt separates the site from the Canonsgrove Halls of Residence to the south. An established hedge runs along the eastern boundary with Honiton Road, while hedge boundaries also exist along the northern and western boundaries of the site.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

TRULL PARISH COUNCIL - The Parish Council strongly opposes this development on land which it has recently indicated as unsuitable for development. Additionally the Parish Council feels that in making provision for a southern relief road in the future, this site would be an obvious part of its route.

SCC - TRANSPORT DEVELOPMENT GROUP - The proposal relates to an outline application for up to 250 dwellings with associated access and ancillary sports and recreation facilities.

Policy

The proposed development site lies outside any development boundary limits and is therefore distant from services and facilities, whilst public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependant on their private vehicles. Such fostering of growth in the need to travel would be contrary to government advice given in the National Planning Policy Framework (NPPF) and Policy SD1 of the Taunton Deane Borough Council Adopted Core Strategy 2011-2028.

Notwithstanding the aforementioned comments, it must be a matter for the Local Planning Authority to decide whether the merits of the planning proposal or any other overriding planning need, outweighs the policies that seek to reduce the reliance on the private car.

Traffic Impact

Part of the application saw the submission of a Transport Assessment. This was passed to Somerset County Council's Traffic Analyst for comment. These observations have now been completed and our set out below.

Regarding trip generation TRICS has been used to derive average residential trip rates in paragraph 5.6.3 of the Transport Assessment (TA). The rates that have been quoted are considered to be reasonable and would result in 144 AM peak movements

and 162 movements in the PM peak. It is noted that the TA does not provide any trip rates for the playing fields and the community building. Whilst it is accepted that this will be largely a local use some vehicle movements would seem likely especially in the PM peak.

An 85th percentile rate sensitivity test has been provided. Paragraph 5.6.2 argues that the rates are robust as a proportion of the development will be affordable homes, but it is noted that the TRICS definition of 'Houses Privately Owned' may include up to 25% of other types of dwelling more typical of affordable homes and so this is not considered particularly convincing.

Therefore to summarise the figures provided within the TA are considered acceptable averages without being particularly high. There is roughly a 50% chance that the flows will be higher than those suggested.

In terms of their distribution the method used to assign traffic has been amended from that which was discussed at the pre application stage. For AM departures and PM arrivals traffic is assigned using Census Travel to Work data. Whilst this is not considered to be an unreasonable starting point, however this does have limitations. The current distribution results in 64% of AM departing traffic continuing to the Galmington Road mini-roundabout the possibility of a higher figure cannot be ruled out.

The existing Sweethay Lane access traffic does not appear to be reassigned to the development access. This has been discussed further with the applicant and they have provided further details which show that they consider it likely that the majority of Sweethay Lane traffic is associated with houses adjacent to Honiton Road, and would not therefore be reassigned. As such it is unlikely that it would have an impact on the overall results.

Regarding the traffic impact the Highway Authority is of the opinion that the general assessment is considered to be reasonable. It is noted that Tables 5.16 and 5.17 are incorrect but this error has not been carried through to the rest of the detail. Tables 6.1 and 6.2 demonstrates that the site access would operate effectively even if a substantial amount of traffic from a future larger Comeytrove development were to use it. It is noted that this applies to junction capacity, and the TA does not discuss the impact on internal roads. However the TA does not consider the capacity of the existing Sweethay Lane junction should it remain open, although it is unlikely that capacity issues would result.

The calibration of the Galmington Road/Trull Road has been reviewed and is now considered acceptable. Modelling shows that the busiest approaches in both peaks increase from ratios of flow to capacity of 80% to 88%. Delay increases substantially, from 18-19 seconds per vehicle to 29-30 seconds. It is noted that the review of the distribution will increase flows slightly in the PM peak, albeit not on the busiest arm. There is also a level of uncertainty with regards to the modelling since this junction has proved somewhat difficult to assess. It would appear that the impact is also slightly higher with maximum RFCs of 90-91%.

The TA puts forward the argument that future traffic growth may be lower than forecast. Whilst this is possible, growth is inevitable over the long term and any assessment must be based on the best evidence that is available, which in this instance is the DfT's traffic forecasts. Nonetheless it would be difficult for the Highway Authority to

characterise the impact on this junction in isolation as 'severe'. Section 6.5 of the TA considers the impact on the Trull Road/Compass Hill junctions in particular queue length surveys has been obtained. These show substantial queuing of up to 32 vehicles in the AM peak.

The TA argues that whilst these queues were recorded, vehicles were static for short periods, continuing to move northwards throughout the peak. These comments are noted but it is clear that the data shows a clear increase trend between around 08:10 and 08:45, which demonstrating that demand exceeds capacity. It shows that even by the end of the hour queuing has not cleared. It is likely that additional development traffic (52 vehicles from Trull Road) would only exacerbate this problem. Therefore it could be considered that the combined impact of the development on two junctions will cause additional congestion, which could be considered to be borderline 'severe' under the National Planning Policy Framework. Given these concerns the applicant should note that the acceptability of the proposal would need to be linked to the sustainability of the site and require a robust Travel Plan.

Paragraph 3.1.1 of the TA discusses accessibility and with the exception of Staplehay Auto Services, all open facilities are at least 900m from the application site. These are beyond ideal walking distances. Whilst Manual for Streets does note that 800m is not an upper limit, it does identify typical 'walking neighbourhoods' as having a "range" of facilities within that distance. The absence of any of these types of facilities within that distance does indicate that the walking mode share would likely be limited at this site. Section 3.3 does identify that most of Taunton is within 5km cycling distance. Cycling would be a realistic option for occupiers of the site. Although the Highway Authority does not agree with the TA conclusion that Trull Road is considered to be safe and convenient for cyclists.

It is noted that paragraph 7.2.7 does indicate that some local improvement could be provided as such the Highway Authority may seek contributions to other off-site cycling improvements.

There are limited bus services operating in the vicinity of the application site. It is understood that the applicant have suggested contributions to increase the frequency. The applicant should note any contribution would have to be secured via a legal agreement.

The exact provision of parking for the site would be determined at the Reserved Matters stage in line with SCC Parking Strategy. There is a broad commitment to this in para 4.7.1 although there is a lack of reference to electric charging points. The Highway Authority does have some concerns over the TA's lack of discussion on parking standards for the leisure facilities. The concept plan indicates 50 spaces, which would have the potential to generate a substantial amount of traffic. Whilst this is unlikely to be at peak hours it is unclear why a pavilion and football pitches might not be used during the period.

Travel Plan

A Travel Plan was provided as part of the submission. This has been passed to the Travel Plan Co-ordinator for comment. A full audit report has now been completed and a copy of which has been attached. A general overview is set out below as part of this response.

The structure of the Travel Plan (TP) is considered to be good, however all the key areas of the Travel Plan would need to be improved before the Travel Plan can be agreed. These amendments would be required before the TP is suitable to achieve an acceptable reduction in SOV for this site. This is considered especially important in this instance due to the location of the application site. Some of the key challenges are:

- Virtually all local facilities are over 900m away limiting the scope for walk;
- The town centre is over 4km away, also limiting the scope for walking and impacting on the potential to increase cycling significantly;
- The cycle route to Taunton is on-carriageway and cannot be considered very cycle friendly, also limiting the potential to increase cycling; and
- Current bus provision along Honiton Road is poor. However, the TP contains proposals to increase the frequency along the corridor to every 30 minutes.

Based on the TP that is currently been submitted it is difficult to envisage that walking or cycling will be increased from the baseline levels. It is understood that the applicant has proposed a financial contribution to improve the cycle route. This would need to be agreed before the TP is completed. The projected bus travel increase appears to be a realistic target however the improvements to the bus frequencies would need to be matched with improvements to bus stops. The increase in working from home appears reasonable but greater commitment to car-sharing measures still needs to be realised.

Therefore to conclude the applicant would need to take into account of the elements set out above for them to achieve the 7% decrease in SOV (Singular Occupancy Vehicle).

Layout - Regarding the internal layout, it is noted that at this outline stage the detailed layout has not been designed yet. However if the Local Planning Authority were to grant permission the Highway Authority would urge the applicant to take account of the following comments prior to any reserved matters application.

Access to the site will be via a standard 'T' junction onto Honiton Road. The applicant has stated in the Transport Assessment that this proposed access arrangement would have the necessary capacity to accommodate the level of vehicle movements that would be associated with the proposal. The design and layout of this access has been provided on Drawing No. BHT08128/D05 Rev C. This has been submitted for a Safety and Technical Audit. The conclusions of which are included within the attached report. Although the Highway Authority accepts the applicant's argument that a standard 'T' junction would be acceptable to serve this proposal it does however need to take into account any potential future development. As a consequence it may be considered appropriate to provide a ghost island right-hand turn lane or at the very least make sure that sufficient land is within their or the Highway Authority's control to provide one in the future.

The applicant has identified the need to not prejudice the future long term development of the Comeytrove Area. This is a statement that the Highway Authority agrees with. Therefore in light of this the Highway Authority would require the main internal link road to serve as a strategic distributor route. Therefore whilst the Highway Authority would not expect to see a width of 7.3m, it is felt that 6m is not sufficient width to cater for potential movement and access to serve such a development. The internal link road would also need to be connected, or constructed as close as possible, to the western

boundary.

The Highway Authority recognises the current desires to integrate such routes with in the development, giving a more informal 'street feeling' which is recognised in Manual for Streets 2, as well as encouraging activity along the 'street' and are pleased to see the parking bays along the route. Whilst the Highway Authority agrees with the concept of slowing vehicles through the development it still needs to cater for the potential increase in traffic that would be associated with further development.

Having considered the design coding, in terms of legibility the Highway Authority would agree that this can be created by changes treatments and materials, building massing, design and landscaping and change in road width. However some of these measures are not necessarily effective in isolation. It is felt that the standard of the cross sections will not give the legibility suggested in the code, whilst there is a 1m difference in the carriageway width between the Boulevard and The Avenue, the visual impression created by the distance between the buildings for the street 'envelope' is of a similar range and will not give the clear legibility through the site. This is especially given the need to form a principle route to the larger Comeytrove development.

In terms of the Mews Close information, the applicant has indicated that these will be shared surfaces, however no indication has been provided on what the surface will be. The applicant should be made aware that this should be different from a standard tarmac finish i.e. block pavements. This would be to indicate to pedestrians and vehicles that there are other users in the carriageway. The submitted documentation indicates that there will be no street lighting around the ponds. The Highway Authority would require that lighting would need to be provided throughout the whole site.

Off-site Highway Works

Part of the proposal includes a number of transport mitigation measures. These include offsite improvements that include the provision of a continuous 1.8m wide footway along the frontage of the site plus the provision of an uncontrolled pedestrian crossing to the north of the proposed access. In addition to this it is proposed to extend the existing 30mph limit passed the site and provide additional highway lighting. These improvement works would need to be secured via a legal agreement either as part of a S106 or a S278 with the Highway Authority.

As previously mentioned in the Traffic Impact section the proposal would also see the removal of vehicle traffic along Sweethay Lane. The applicant has proposed that this would be for pedestrians and cyclists with only emergency access for vehicles. It is noted from the Transport Assessment that the applicant has proposed that Sweethay Lane will be restricted once the new development's road system is in place or the amenity/recreation land is fully brought into use. The Highway Authority would only wish to see Sweethay Lane stopped up to vehicles once the new road network is in place. Similarly this will need to be secured via legal agreement or a Traffic Regulation Order.

Conclusion

To summarise the Transport Assessment's methodology is considered to be acceptable, however it is likely that there will be some additional, moderate, peak hour congestion at Galmington Road/Trull Road mini roundabout. Additional queuing and delay would also be expected at the Trull Road/Compass Hill junction. Both are

considered to be borderline in what is considered 'severe'. In terms of the sustainability of the site all services are over 900m from the site therefore there is limited scope for walking but some cycling could be expected. Subsidies for increasing bus frequency and a school bus provision have been suggested whilst the Highway Authority would also require a contribution to cycle improvements.

In regards to the Travel Plan the structure is considered to be good but there are a number of key areas that need to be improved before it can be agreed. These areas are set out in the attached report and will need to be adhered to considering the distance of the site from local goods and services. The Travel Plan would need to be secured via a S106 agreement.

In regards to the internal site arrangements it is appreciated that this is an outline application, however the Highway Authority would require that any site layout would need to be 'future proofed' against any potential future development.

Recommendation

Taking into account the above information it is appreciated that the proposal will see an increase in vehicle movements. However it is considered that a strong Travel Plan and improvements in bus frequencies and cycle infrastructure will mitigate against this increase in vehicle movements. As such on balance the Highway Authority raises no objection to this proposal and if the Local Planning Authority were to grant planning permission I would require the following:

- S106 agreement to include a Travel Plan, off site highway works/measures, bus and cycle enhancements and the removal of vehicle traffic from Sweethay Lane.

The County Highway Authority also recommend conditions

PLANNING POLICY - comment

Compliance with current development plan

The application site lies beyond existing settlement limits in open countryside and as such is contrary to Local Plan policies (Local Plan policy S7, Core Strategy policies CP8, SP1, DM2).

However, the wider area to the south-west of the Taunton urban area has been identified within the Core Strategy as a broad location for up to 2,000 net additional dwellings, in the period up to 2028. Policy SS7 states that:

'Comeytrove/Trull is a broad location for a mixed use strategic urban extension for development after 2015 for between 1,000 and 2,000 dwellings up to 2028. A masterplan will be prepared to identify the full long term potential for comprehensive development in this south west sector of Taunton and the infrastructure required to provide a sustainable new community. The masterplan will phase and co-ordinate development to provide the necessary physical, social and green infrastructure. A piecemeal approach to development in this area before a comprehensive masterplan has been

agreed will not be permitted.'

The Broadlands site is located within the Comeytrove/Trull broad location for growth identified in the Core Strategy for a sustainable urban extension. The Comeytrove/Trull area is considered the second most sustainable location for a strategic urban extension after Monkton Heathfield. The area of potential outlined in the Core Strategy extends from the A38 Wellington Road in the north to Honiton Road at Staplehay in the south. However the scale and complexity of transport, foul and surface water drainage and green infrastructure provision for a strategic mixed use urban extension necessitates a comprehensive masterplan to identify the full long term potential for sustainable development in this area.

The Core Strategy states that:

'It would be premature to permit piecemeal development in this area before the masterplan for the strategic urban extension has been prepared, because ad hoc stand alone development could limit the delivery of the optimum solutions and prejudice the delivery of the strategic infrastructure required for a sustainable new community. For these reasons planning permission will not be granted for piecemeal development in the short term.'

Given the Core Strategy requirement for a masterplan to be prepared for this area, it could be argued that this application is premature and therefore this application is contrary to Policy SS7. However prematurity is not generally a basis for resisting planning proposals and needs to be considered in the context of national planning policy and in particular, the presumption in favour of sustainable development.

Emerging Site allocations and Development Management Plan

The Council is in the process of preparing the Site Allocations and Development Management Plan (SADMP). The first stage of the SADMP Issues and Options consultation closed on 7th March 2013. It is anticipated that the Preferred Options consultation will be published in September/October 2013 and the Plan will be adopted in late 2014/early 2015. Trull Parish Council is also in the early stages of producing a Neighbourhood Plan.

The application site would appropriately be considered through the SADMP, since the plan-led system remains central to the planning system. The Broadlands site was included as one of a number of potential development options in the Site Allocations and Development Management Plan Issues and Option Consultation. For the purposes of analysing responses to the consultation, the Broadlands site was considered as part of the wider area of search for the Comeytrove/Trull urban extension. Specific comments relating to the Broadlands site, raised concerns about the future development of the site presenting a barrier to the delivery of a southern relief road for the Taunton urban area in the future and being premature to the Neighbourhood Plan process which is currently underway in Trull Parish. However there is no specific commitment to the delivery of a southern relief road in the Bridgwater, Taunton and Wellington Future Transport Strategy 2011-2026 and the Trull Neighbourhood Plan is at an early preparation stage and is not currently at a stage to inform the consideration of this application.

National Planning Policy

Since the SADMP is still at a very early stage in production only very limited weight can be applied to it and the process. The SADMP is therefore absent in the context of the Framework. However it could be considered that where a five year deliverable supply of housing can be demonstrated, the relevance of the Plan's absence is perhaps lessened. The 2012 SHLAA identifies sufficient land to meet the 5 year land supply requirements and satisfies the NPPF requirements for a 5% buffer, but not a 20% buffer (required if there has been persistent under delivery of housing). Nonetheless, in such circumstances, paragraph 14 of the NPPF emphasises the presumption in favour of sustainable development and indicates planning permission should be granted unless:

“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.”

In assessing the suitability of any location for housing development the NPPF requires planning authorities to

‘actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.’

In sustainability terms this site location has a very limited bus service to Taunton town centre with only one bus departing from the Crown Inn bus stop and arriving at Taunton Castle Way before 9am and the last bus departing Taunton Castle Way at 17.25 therefore limiting alternative means of transport than the car to access the town centre for employment purposes. The current bus service is hourly and given the limited service for the Trull area, the Broadlands site is not considered a particularly sustainable location for further housing development. Furthermore the cycle route from the site to Taunton is on-carriageway and therefore does not provide the opportunity to increase cycling from the site.

The site also scores poorly in terms of accessibility to facilities and services. In all aspects the Broadlands site is beyond the recommended walking distance for access to GP surgeries, the local primary and secondary school and local shops and therefore it would not be considered a sustainable location for the proposed housing development.

Local facilities and services	Approximate distance from centre of Broadlands site to facility/service		Sustainability appraisal measure	
Local primary school	1220m	R	400m	G
Bus Stop	260m	A	200m	G
Local shop	1060m	R	400m	G
Health centre	2660m	R	800m	G
Secondary School	3940m	R	1000m	G

(For black and white copies R= Red, A = Amber, G=Green)

Furthermore the Broadlands proposals do not offer sufficient critical mass to significantly improve the sustainability of this site through either the provision of on-site services and facilities or significant viable long-term transport improvements. This highlights the necessity for a more comprehensive masterplan to understand the needs of the wider development area and to ensure the provision of improved services and facilities to provide a sustainable community in this area.

Policy conclusions

TDBC is doing further work to inform the urban extension allocations in Comeytrove/Trull and Staplegrove for the SADMP. TDBC are due to publish the preferred option consultation in September/October 2013.

In the absence of an agreed masterplan for the south-western sector of Taunton, the applicant needs to clearly demonstrate that the proposed development does not jeopardise the long term delivery of the urban extension and/or any supporting critical infrastructure required in this area. The applicants have not provided a comprehensive masterplan considering the wider area. Therefore TDBC cannot be certain that the proposals submitted by the applicant will not jeopardise the delivery of the wider development area and therefore the application proposals are contrary to Policy SS7.

Clearly it will be for the case officer and ultimately the planning committee to determine whether or not individual or cumulative adverse impacts outweigh any benefits of granting planning permission on this site. However the current proposals do not offer sufficient critical mass to significantly improve the sustainability of this site through the provision of on-site services and facilities or significant transport improvements that are viable in the long-term. This highlights the necessity for a more comprehensive masterplan to understand the needs of the wider development area and to ensure the provision of improved services and facilities to provide a sustainable community in this location.

DIVERSIONS ORDER OFFICER - Mr Edwards –

Please note that the public footpaths T21/34, T21/35 will be affected by this proposal. Should outline planning consent be granted then it is recommended strongly that contact be made immediately with the Diversions Order Office to discuss matters relating to the above public footpaths.

SCC - RIGHTS OF WAY – No comments

LANDSCAPE –

My main concerns and initial comments are: the site is exposed to views from the west and east from public roads and the SE and SW from the M5 motorway. The site is on higher ground as seen from the south east and west and therefore any houses will be locally prominent. The landscape masterplan does not address these fundamental viewpoints. The existing hedgerows are largely retained but within back garden areas and therefore of limited landscape or wildlife value. The proposals offer no links in terms of green infrastructure to Taunton or the wider countryside.

4/9/13 Revised comment

I still have significant landscape concerns regarding visual impact and lack of wider green infrastructure links. The additional landscape buffer planting to the south is welcomed.

BIODIVERSITY –

The site comprises of mainly arable fields with hedges that connect into a larger well vegetated hedge network. The proposal involves the widening of an existing hedgerow break and the creation of five new breaks in the hedgerows on site. Loss of and fragmentation of hedgerows is likely to have a negative impact on wildlife on site.

Recommendations are made for ecological mitigation and enhancement, including retention of hedges and pond habitats as well as the creation of additional habitats. There seems to be discrepancies on the extent of this enhancement between the Landscape Strategy and the Ecological Mitigation plans

An Ecological Assessment of the site was carried out in December 2009 by Cornwall Environmental Consultants Ltd. An Ecological assessment Addendum was carried out by Richard Green Ecology Ltd in November 2012. Findings of the reports are as follows

Bats- There are no buildings on site; however there are several trees on the SE boundary of the site that could support bat roosts. The surveyor considered nearby Canonsgrove and Furzebrook House to have potential to support bats.

Bat surveys recorded seven species of bat foraging in the area, including barbastelle.

Bat activity was observed along the majority of the hedges but was greatest along the higher hedges and trees including the hedge that runs east –west through the centre of the site. There was no activity along the boundary to the south, probably due to lighting in association with the college.

It is possible that, potentially the effect of this development on barbastelle bats is larger on the FCS of the colony than suggested by the EcIA report, especially if the development severs access to areas beyond due to street lighting. There is also a change of habitat alongside the remaining hedgerows which may reduce prey type and abundance. This impact can be calculated by Larry Burrows using his biodiversity offsetting calculations.

Badgers - No setts were found but evidence of badgers, in the form of latrines was found on site. I agree with the surveyor that the site is likely to be used by foraging badgers.

Dormice - Survey confirmed that dormice are nesting within the hedgerows and the area of trees to the south on site.

The site has not been considered in the context of the landscape. It is known that dormice are present on the adjoining land to the west and also the

Vivary Park wedge to the east. This suggests that this site may be important in connecting these two areas.

The proposal involves the breaching of hedgerows for roads which would also be street lit. This would result in considerable fragmentation of habitat with possible reduction in individual territory sizes and quality. An EPS licence will be required to remove sections of hedgerow

Mitigation is proposed for dormice but area sizes are not given and so I am unable to make an assessment if Favourable conservation Status can be achieved for this species. My initial thoughts are that the proposed mitigation is too small. Larry Burrows should be approached to make a calculation. Off site habitat creation may be required.

Amphibian - A low population of Great crested newts was found in one of the three ponds on site. Smooth newts were also present.

The application will result in loss of terrestrial foraging habitat and the isolation of a breeding pond, so I agree that an EPS licence will be required to develop the site
The pond with the newts is highly silted and shaded and so that I agree that it can be improved for GCN. I also support the creation of new ponds on site.

Reptiles - A reptile survey was not carried out but the surveyor confirmed that hedges have potential for slow worms whilst the ponds have potential for grass snakes

Birds - No breeding bird surveys have been carried out or mitigation put forward for priority species if present.

To conclude, I support the proposed mitigation and enhancement but am concerned that the future habitat creation is insufficient.

At present, I am not confident that Favourable Conservation Status can be achieved for dormice and great crested newts.

I suggest that Larry Burrows of the County Council is approached to undertake a calculation of the amount of habitat creation (either on or off site) required as part of Biodiversity offsetting .

11/9/13 Revised comment

Initially I considered the amount of landscaping proposed for this site to be insufficient. I was not assured that FCS could be achieved for the protected species likely to be impacted on by the development. (Dormice, bats and great crested newts)

The revised landscaping / ecological mitigation which offers 1.48 hectares of woodland planting and rough meadow, three new ponds, bat, bird and dormice boxes, amphibian underpasses and hibernaculam, is a real improvement.

However I still have concerns on the short term benefits of the immature planting for dormice.(Hazel does not fruit for 7 years and it will be some time before the new planting will achieve good structure to support hibernating dormice)This landscaping should ideally be planted up in advance of the development.. I note that the cycle path

has also been re routed- another improvement. I support the use of amphibian underpasses at locations where there are breaches in the hedge.

However I do not support the removal of a section of hedge to accommodate the attenuation pond and would prefer not to see any breaches in the southern hedgerow to gain access to the Canonsgrove site.

Following a meeting with the developer a wildlife condition was drafted which covers the mitigation in greater detail.

I have added this detail to our usual wildlife condition, along with suggestions from Natural England

Suggests Condition for protected species:

SOMERSET WILDLIFE TRUST –

We have noted the Ecological Assessment carried out by Cornwall Environmental Consultants in 2009 and the follow -up survey carried out by Richard Green Ecology in 2012. We note that the survey confirmed the presence on site of a small number of Great Crested Newts as well as Smooth Newts. It also confirmed the presence of Dormice as well as use of the site by several different bat species. For these reasons it is essential that, if it is decided to grant planning permission, a condition should be included requiring the full implementation of the recommendations from both the original and subsequent update to the survey. In particular the existing pond on site should be retained as well as additional ponds in other parts of the site. Hedges should be retained and augmented so as to encourage and support dormice. All external lighting should be designed so as to minimise the light spillage and pollution and its consequent negative impact on wildlife and we would request the provision of significant numbers of bat and bird boxes across the development. We would also request that any planting schemes should only use native species of trees and shrubs and that where possible species providing food sources such as fruit, seeds and nectar should be included. We would also like to see the development designed so as to include "wildlife corridors" where-ever possible.

HOUSING ENABLING –

The housing enabling lead supports this application based on need and the comments do not reflect the suitability of the site in terms of planning.

25% of the new housing should be in the form of affordable homes. The tenure split is 60% social rented 40% intermediate housing. The requirement is for house rather than flats. The unit mix should reflect the mix of the overall site. The mix should include as a minimum 2b4p, 3b5p and 3b6p houses.

The affordable housing should meet the Homes and Communities Agency Design and Quality Standards 2007, including at least Code for Sustainable Homes Level 3 or meet any subsequent standard at the commencement of development.

The affordable housing scheme must be submitted to and approved in writing by the

Housing Enabling Lead at Taunton Deane Borough Council. The affordable housing is to be evenly distributed across the site and in clusters of no more than 15 units. The developer should seek to provide the Housing Association tied units from Taunton Deane's preferred affordable housing development partners list.

DRAINAGE ENGINEER -

WESSEX WATER –

The site will be served by separate systems of drainage constructed to current adoptable standards.

Foul and Surface Water Drainage - The foul and surface water drainage options explored in Hydrock's Report are noted and we welcome further discussions with the developer to agree a drainage strategy. There is limited capacity in the local sewerage network to accommodate the extra predicted flows generated by the proposal. There is also a sewer overflow on the downstream system which will require protection. In view of these uncertainties we request a planning condition requiring details of a foul and surface water drainage strategy.

We note the emerging surface water strategy which includes SUDs arrangements outfall to Sherford/Galmington Stream which will require approval by your Authority. The strategy also explores the adoption by Wessex Water of some existing highway drains under a Section 102 agreement which will then be utilised to convey a proportion of surface water from the site. This proposal will need to be explored once engineering details are available.

Water Supply - Network modelling will be required to determine a point of connection and the extent of any recommended off site network reinforcement. Works can be taken under a Section 41 agreement. Buildings above two storey will require boosted storage.

LEISURE DEVELOPMENT –

In accordance with Local Plan policy C4, provision for play and active recreation should be made for the residents of these dwellings. On site children's play provision in line with Local Plan policy should be made for each 2bed+ dwelling. The equipped children's play space should be centrally located, overlooked to promote natural surveillance and sited away from the main access road. The Parks Department should be asked to comment on the actual design and content of the play ground.

Unless the development proposed includes on-site equipped community sports provision a contribution currently £1454 for each dwelling should be made towards facilities for outdoor recreation.

A contribution of £194 per dwelling towards allotment provision should be sought.

Unless local community hall facilities, which are open to everyone and a focal point of communal activities for all age groups are to be provided on-site, an off-site

contribution of £1118 per dwelling should be sought to cope with the extra demand the development proposal will create.

All contributions should be index linked.

A public art contribution should be requested either by commissioning and integrating public art into the design of the buildings and the public realm or by a commuted sum to the value of 1% of the development costs.

SCC - CHIEF EDUCATION OFFICER –

We estimate 30 primary school places being required per 150 new dwellings, irrespective of size or tenure. The capital cost per place is set at £12,257.

Primary school contributions would therefore be calculated as follows:

- $250 / 150 \text{ dwellings} \times 30 = 50 \text{ places} \times 12257 = \text{£}612,850$

I can confirm that there is scope to expand the accommodation at the existing Trull primary school.

We expect 30 secondary school places to be required for each 210 dwellings, at a cost of £18,469 per place.

A similar calculation for secondary contributions would therefore be:

- $250 / 210 \times 30 = 36 \text{ places} \times 18469 = \text{£}664,884$

The County Council also has statutory responsibility to ensure adequacy of provision of pre-school places for 3-4 year-olds (and some two year-olds). The equivalent of three places are required for each 100 dwellings, again, at a cost of £12,257 per place

Six places would therefore mean an additional contribution of £73,542.

ENVIRONMENT AGENCY –

We have no objection the application as submitted subject to conditions requiring details of a surface water drainage masterplan to ensure that surface water is discharged from the site at a rate no greater than 7.0 litres per second. The masterplan shall also include details of the phasing of surface water drainage infrastructure including all off-site works and source control measures. Also require a condition for a detailed drainage design for each plot, phase or parcel of land, incorporating sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development to be submitted and approved.

SCC - FLOOD RISK MANAGER -

SCC - DEVELOPMENT CONTROL ARCHAEOLOGIST –

The archaeological evaluation of this site has shown that there are relatively significant buried remains relating to Bronze Age ritual and Iron Age/Romano-British occupation. Therefore, this proposal will impact on a number of heritage assets. In this case the assets are of local/regional significance and therefore fall under para. 141 of NPPF that requires developers to record and publish information about the impacted assets.

For this reason I recommend that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of model condition 55 attached to any permission granted.

"No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority."

NATURAL ENGLAND -

Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites – no objection

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

Protected species: Dormice, Great Crested Newts and Bats _

Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development is likely to affect dormice, great crested newts and bats through disturbance of a European protected species and the damage or destruction of a breeding site or resting place. We are satisfied however that the proposed mitigation is broadly in accordance with the requirements of the Dormouse conservation handbook (second edition), great crested newt mitigation guidelines and the mitigation guidelines and should maintain the populations identified in the survey report.

We recommend that a condition to secure the following should be appended to any consent:

- Prior to the commencement of any works which may affect dormice, great crested newts and or their habitat, a detailed mitigation and monitoring strategy should be submitted to, and approved in writing by the local planning authority. All works should then proceed in accordance with the approved strategy with any amendments agreed in writing.

The dormouse, the great crested newt and all species of bats are European Protected Species. A licence is required in order to carry out any works that involve certain activities such as capturing the animals, disturbance, or damaging or destroying their

resting or breeding places. Note that damage or destruction of a breeding site or resting place is an absolute offence and unless the offences can be avoided through avoidance (e.g. by timing the works appropriately), it should be licensed. In the first instance it is for the developer to decide whether a species licence will be needed. The developer may need to engage specialist advice in making this decision. A licence may be needed to carry out mitigation work as well as for impacts directly connected with a development.

Natural England's view on this application relates to this application only and does not represent confirmation that a species licence (should one be sought) will be issued. It is for the developer to decide, in conjunction with their ecological consultant, whether a species licence is needed. It is for the local planning authority to consider whether the permission would offend against Article 12(1) of the Habitats Directive, and if so, whether the application would be likely to receive a licence. This should be based on the advice we have provided on likely impacts on favourable conservation status and Natural England's guidance on how we apply the 3 tests (no alternative solutions, imperative reasons of overriding public interest and maintenance of favourable conservation status) when considering licence applications.

We have not assessed the survey for badgers, barn owls and breeding birds¹, water voles, white-clawed crayfish or widespread reptiles. These are all species protected by domestic legislation and you should use our protected species standing advice to assess the adequacy of any surveys, the impacts that may result and the appropriateness of any mitigation measures.

We also recommend that you consult your in-house or retained ecologist on the implications of this application for protected species and other nature conservation interests.

Local wildlife sites

If the proposal site is on or adjacent to a local wildlife site, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site, and the importance of this in relation to development plan policies, before it determines the application.

Biodiversity enhancements

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

Landscape enhancements .

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature.

Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

POLICE CRIME PREVENTION DESIGN ADVISOR –

Design & Access Statement – the NPPF makes clear that a key objective for new developments should be that they create safe and accessible environments where crime and disorder or the fear of crime does not undermine quality of life or community cohesion. Design and Access Statements for outline and detailed applications should therefore demonstrate how crime prevention measures have been considered in the design of the proposal and how the design reflects the attributes of safe, sustainable places set out in *‘Safer Places, The Planning System and Crime Prevention’*. The DAS submitted in support of this application does not do so.

Crime Statistics – reported crime and ASB for the Trull/Staplehay area for the past year is as follows:-

Burglary - 1 Offence (Domestic garage)
Criminal Damage – 6 Offences
Total – 7 Offences

Anti-Social Behaviour – 12 reports.

This area can currently be considered to be a very low crime area.

Layout of Roads & Footpaths – appear to be visually open and direct and should not undermine the defensible space of the blocks. Changes of road surface by colour and texture as indicated can also help define defensible space giving the impression that the areas are private. Routes for pedestrians, vehicles and cyclists should not be segregated and separate footpaths to isolated areas should be avoided.

Communal Areas – have the potential to generate crime, the fear of crime and anti-social behaviour. They should be designed to allow supervision from nearby dwellings with safe routes for users to come and go. Boundaries between public and private space should be clearly indicated and open spaces must have features which prevent unauthorised vehicular access. In this regard, the Public Square (C) on Concept Plan, Secondary Open Space (F), Village Green (H) and Communal Amenity Area (K) all appear to be subject to good all round natural surveillance from surrounding dwellings. However, I have some concerns about the location of the NEAP (P) which does not appear to be subject to any surveillance from surrounding dwellings. I recommend that the NEAP be relocated to one of the other more central locations

with good all round surveillance opportunities.

Layout & Orientation of Dwellings – dwellings should be positioned to face each other to allow neighbours to watch over each other and create conditions which will make the potential offender feel vulnerable to detection. Judging by the Concept Plan, generally speaking this would appear to be the case.

Rear Access Paths – research has shown that 85% of burglaries occur at the rear of dwellings and ,in view of this, it is preferable that footpaths are not placed to the rear of dwellings. If they are essential, they should be gated at the entrance.

Car Parking – at this outline stage, details of proposed resident parking arrangements have not been included. Police advice is that cars should be parked in garages or hard standings within dwelling curtilages. Where communal parking areas are essential, they should be in small groups, close and adjacent to homes and must be within view of active rooms within owners' homes. Car parking courtyards are discouraged as they introduce access to the vulnerable rear elevations of dwellings where the majority of burglaries occur. In addition, if un-gated and unlit, they can provide areas of concealment which encourage ASB and increase the fear of crime.

Planting – should not impede opportunities for natural surveillance and must avoid the creation of potential hiding places so, in areas where good visibility is needed, shrubs should be selected which have a mature growth height of no more than 1 metre and trees should be devoid of foliage below 2 metres.

Street Lighting – all street lighting should comply with BS 5489.

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

ENVIRONMENTAL HEALTH - NOISE & POLLUTION –

There are a number of issues on which Environmental Health can comment.

Air Quality

The Environmental Statement includes an assessment of the potential for air quality to be affected by the development. It considers both the construction phase and the development phase and that traffic is likely to be the main source of any air pollutants and concludes that there will be a negligible effect on air quality.

Noise

The Statement considers the impact of noise from existing sources on the development site. An assessment, based on Planning Policy Guidance 24 (which is used as the National Planning Policy Framework does not define specific criteria for noise) indicates that most of the site will be in Noise Exposure Categories (NEC) A

and the part nearest the main road in NEC B. It concludes that standard thermal double glazing will be enough to achieve the internal noise standards given in the World Health Organisation guidance. The assessment also concludes that traffic forecast to be generated by the development will have a negligible noise impact on the occupiers of existing dwellings.

Comment

It is likely that some existing properties will be affected by noise from traffic and from the construction phase of the proposed development. However, based on the information submitted in the Environmental Statement I can accept that the development will not have a significant impact on existing properties from either noise or air quality.

Contaminated land

The information submitted with the application does not include any assessment of potential contamination. The site is currently agricultural land, however, there is no information on any previous uses of the land, or the current condition of the site. As the development is for a large number of residential premises and many could have gardens this is a sensitive land use. Therefore, I would recommend that an assessment of the risks from potential contamination is carried out prior to the development. This could be submitted with the application, or by condition (suggested condition attached).

Further comments

Further to my email of 8th April 2013 I have now reviewed the information that has been submitted regarding potential contamination - Desk Study. 12th March 2013, by Hydrock. The report includes details of the history and past land uses of the site and a walkover survey. It states that the site has been used as agricultural fields. There is a preliminary risk assessment for any potential risk to people or the environment and it concludes that any risks will be low or very low. Section 6.0 of the report recommends that an intrusive site investigation is carried out. This would mainly be a geotechnical investigation, however, it also recommends contamination analyses of soil and water and an interpretive report.

As further work is recommended I would suggest that this is covered by a planning condition. I attach a copy of the standard model condition. The desk study and preliminary risk assessment that has been carried out would be acceptable to meet the requirements of the first parts of part a) of the condition.

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

Representations

Ward Councillor Edwards - There are a significant number of sites being considered across the Borough many of which will not be allocated but have to be considered as part of the SADMPP. The Council undertook the initial "issues and options" consultation earlier this year and has recently published for consideration the additional potential sites consultation and it is now for the Council to consider its "Preferred options" in the Autumn which will then need to be fully consulted on before being finalised in advance of being inspected and then finally adopted.

There have been a number of planning applications submitted recently, which I consider are premature to that process and I would strongly suggest that these applications are refused so that the engagement can take place with the community to therefore arrive at the most sustainable and appropriate plan which relates to the size and need of the community.

Wilton & Sherford Community Association - No provision is made for improving road infrastructure, in particular Honiton Road. At certain times this commuter route is exceptionally busy and the development would heighten the problem. Compass Hill is a bottleneck and rush hour commuter traffic can queue back to Trull Stores. There is no commuter car park south of the A38 between Junction 25 and Wellington. Use of residential streets for commuter parking to avoid centre car parking charges is an issue. TDBC and SCC should insist the developer provide a park and ride scheme perhaps via agreement with the owners of Canonsgrove site.

Trull School - The Head Teacher advises that the school has a capacity for 238 pupils and has 258 on role and no way to manage a sudden or gradual influx of around 60 pupils. The school has neither the funding for extra staff that would be required or the space in which to accommodate the pupils. In addition the school is a Voluntary Aided Church of England primary school. The responsibility for admissions and pupil numbers and capacity increase lies with the school's governing body as the appropriate authority. I am not aware of any way that the Local Authority can insist on the size of the school increasing. The school is not able to accommodate further pupil increases arising from a local development and nor will the governing body accept an increase being forced upon it by the local authority.

102 letters of OBJECTION on grounds of

Road and Traffic Issues

- increase in road traffic of up to 500 cars,
- Honiton Road is not 'A' or 'B' and is not suitable for extra traffic,
- at times traffic is jammed on the approach to and in the town centre,
- roads struggle to cope at peak times and would lead to rat run situation,
- the suggestion that "no highway safety problems exist within the immediate vicinity" is unjustified and based on personal injury data only,
- impact on congested roads not properly addressed,
- will lead to gridlock,
- surveys are inadequate and predictions underestimate the increase in traffic,
- Honiton Road is a link to the A303 for heavy goods vehicles,
- Honiton/Trull Road is not safe for cyclists,
- existing local residents are car dependent,

- extra car journeys generated but no road network improvements proposed,
- traffic will exacerbate already dangerous situation through Staplehay,
- lack of provision for pedestrians and difficulty for pedestrians crossing the main road,
- significant development on the south west side of town should only be undertaken with a strategic reappraisal of the road network,
- suggestions to minimise car use are unlikely to make much difference,
- additional cars are likely to be 350-400,
- urban extension traffic has not been agreed let alone traffic from 250 houses onto the road,
- closure of Sweethay Lane unacceptable, it will cut off properties from the village, is not justified and no local need for the sports facility is shown,
- problem of traffic on Sweethay Lane,
- it will impact on Dipford Road and increase access to the motorway,
- Honiton Road floods and the closure of Sweethay Lane would prevent it being a diversionary route,
- any access onto Sweethay Lane should be prohibited,
- Sweethay Lane is dangerous,
- existing bus service is not convenient,
- what happens to bus subsidy after 5 years,
- drivers do not adhere to 30mph limit so danger to highway safety,
- impact on infrastructure such as schools and buses,
- concern over parking, dropping of and drive used as turning,
- need for extent of parking to serve playing fields
- increased risk to cyclists, pedestrians and motorists,
- it will lead to further road deterioration,
- motorway access to the south of Taunton is required,
- disruption due to construction has not been addressed.

Policy, Sustainability and Facilities

- impact on countryside,
- site is green wedge agricultural land,
- site is green belt,
- geology is unsuitable,
- loss of valuable agricultural land,
- the site is unsustainable,
- 250 dwellings is disproportionate and inappropriate for the size of Trull,
- speculative and way above local need,
- lack of infrastructure,
- creates sprawl and erodes the character of the village,
- it would place unacceptable strain on traffic, education and other local facilities,
- Trull school is already full and no plans for enlargement,
- the school not taking pupils would make the development less sustainable,
- huge pressure on secondary schools as well,
- school development should come with development,
- no medical centre,
- nearest medical centre is two bus journeys away,
- the hospital is creaking at the seams,
- no employment provision,
- no need for a meeting room,
- Trull will be over-provided with recreational open space,
- it does not take into account the Trull neighbourhood plan or the Council's Core

Strategy,

- it is both premature and irrelevant,
- it circumvents the neighbourhood plan,
- it undermines the Core Strategy,
- it conflicts with the Core Strategy as it lies with the search area for the urban extension and does not respect the need for a masterplan and leaving preparation of such plans to developers is an abrogation of responsibility,
- an application before the masterplan is premature,
- it is piecemeal development prior to a masterplan and should be refused,
- it does not comply with Core Strategy policies CP1, CP3, CP5, CP6, CP7, DM1, SP1, SP2 and SS7,
- it pre-empts the conclusion of the Amberd Lane application and any redevelopment of Canonsgrove Halls,
- it does not recognise the need for infrastructure and information available is inadequate,
- it would pre-determine the Site Allocations and Development Management Policies Plan,
- it pre-empts the emerging Neighbourhood Development Plan,
- it would increase Trull's housing by 25%,
- it does not agree with the Strategic Housing Land Availability Assessment phasing which indicates development from 2018,
- it represents an approximate expansion of population by 40% and will change the character from a village to an out of town housing development,
- 250 houses is substantial and meets the test for prematurity in line with recent appeals,
- too many houses forming an estate that locals have chosen to avoid,
- future development at Comeytrove/Trull should be a stand alone scheme and not link to the proposal,
- prematurity as the proposal would miss the opportunity to contribute to the costs of infrastructure through CIL,
- the scope of the EIA is inadequate as it does not address the effects of the wider urban extension,
- no need for new houses,
- there is no air quality survey or noise survey,
- cumulative impacts have not been addressed,
- road traffic noise data are not provided,
- Levels of noise from the sports pitches are not addressed in the noise statement,
- Archaeological report indicates a resource of considerable importance and regional significance and site should have more detailed survey work and be opened to public and should not be lost and buried under concrete,
- archaeology survey results should be advertised as further information,
- a more modest development fronting Honiton Road should be considered,
- concern over overlooking and loss of privacy,
- impact on community with new facility provision making others less viable,
- cheap, cramped housing for commuters is not needed
- it is a money making exercise rather than fulfilling housing needs of the area,
- local residents are opposed to the development.

Wildlife Issues

- it will cut wildlife corridors and threaten protected species,
- the Authority has a responsibility for protected species,
- a licence should not be granted for protected species as there are no overriding

- interests of public safety and there are alternatives to the site,
- the assessment of impacts on protected species is inadequate with inadequate bat surveys, impacts on bats of phases of the development have not been fully considered,
- impact on Great Crested newts,
- survey of newts not fully assessed importance of the site,
- survey work has not adequately taken account the population of newts that use the area,
- the impacts of dormice on different phases of the development have not been fully considered,
- the survey of plants has not fully assessed the importance of the site,
- no survey on invertebrates has been undertaken,
- an independent survey by the Wildlife Trust should be commissioned,
- impact on pond and wildlife,
- Noise Statement fails to consider nuisance to humans and wildlife.

Drainage Issues

- drainage problems with water pouring off fields in heavy rain,
 - it will interfere with land drainage,
 - the Environmental Statement fails to provide enough information and the non-technical summary fails to include flood impacts,
 - run off will still impact on Sherford Stream,
 - the site is clay with poor infiltration capacity and any SUDs scheme is likely to require substantial revision to prevent increased flood risk elsewhere,
 - the footpath adjacent to Wildoak House has been a stream for much of the winter and using the pond as a basis for a soakaway system seems optimistic.
 - concern over increase of flooding with further run off from new development,
 - the foul and surface water drainage strategy and FRA are merely preliminary and there is no detail or calculations of effective SUDS.
- loss of house value

A further 23 letters of OBJECTION have been received on the revised illustrative plans reiterating points referred to above.

1 letter of SUPPORT on grounds of

- the area being suitable for residential development,
- the site is reasonably contained by existing development and is not green wedge or other designated landscape protection area,
- it would not prejudice the Core Strategy or future Site Allocations DPD providing suitable infrastructure contributions are secured,
- the site is a sustainable location and is self-contained and well related to the urban fabric of the town,
- it would provide additional housing to meet the need for a 5 year supply.

PLANNING POLICIES

NPPF - National Planning Policy Framework,
SD1 - SD 1 TDBC Presumption in Favour of Sustain. Dev,

SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
SS7 - TD CORE STRATEGY - COMEY TROWE/TRULL LOC GROWTH,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
CP4 - TD CORE STRATEGY - HOUSING,
CP5 - TD CORE STRATEGY INCLUSIVE COMMUNITIES,
CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,
CP7 - TD CORE STRATEGY - INFRASTRUCTURE,
CP8 - CP 8 ENVIRONMENT,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
DM4 - TD CORE STRATEGY - DESIGN,
C4 - TDBCLP - Standards of Provision of Recreational Open Space,
M4 - TDBCLP - Residential Parking Provision,

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) £269,767

Somerset County Council (Upper Tier Authority) £67,442

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £1,618,602

Somerset County Council (Upper Tier Authority) £404,651

DETERMINING ISSUES AND CONSIDERATIONS

The starting point for making any decision on a planning application is the development plan in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. Relevant policies of the development plan are set out above and decisions should be made in accordance with the development plan unless material considerations indicate otherwise.

The main considerations with the proposal are the policy issues, sustainable location, landscape and wildlife impact, community issues, affordable housing, drainage, access and highway safety.

Policy and Sustainable Location

The site lies outside the existing settlement limits in the open countryside and as such is considered contrary to policies SP1, CP1 and CP8 of the Core Strategy. The context of the area and other policies of the Core Strategy also have to be considered.

The wider area to the south west of Taunton urban area has been identified in the Core

Strategy as a broad location for up to 2000 additional dwellings. Policy SS7 addresses the provision of an urban extension and in the last sentence of the policy states that "*A piecemeal approach to development in this area before a comprehensive masterplan has been agreed will not be allowed*". The reasoning behind this is to ensure that there is no development which would prejudice the wider development of an urban extension. Given that the Core Strategy requirement for a masterplan to be prepared for the area it could be argued that the application is premature and contrary to policy SS7. However prematurity in itself is not generally a reason for resisting planning proposals. The development would not prejudice the development of other sites around Taunton. The developer has borne the prejudicial issue in mind and has designed a scheme which is stand alone and would allow possible future linkages through the site, although the site is currently separated by over 400m from the likely potential urban extension site to the north in separate ownership. Work currently being carried out by consultants to inform the process would also seem to reflect the likely masterplan area to the north. If this area is proposed in the Site Allocations and Development Plan (SADMP) as the preferred option then it is not considered reasonable to resist the development here on prematurity grounds in respect of policy SS7.

The site would appropriately be considered through the Site Allocations and Development Management Plan since the plan led system remains central to planning. The Broadlands site was identified as a potential option for the SADMP. However each application has to be considered on its merits and there is no requirement to wait until a Local Plan or Neighbourhood Plan in the process of being developed is finalised to determine applications within such areas. Local Plans only have significant weight once they have gone through publication and formal consultation and Neighbourhood Plans only have such weight once they have gone through a referendum.

As quoted in the Policy response above, the SADMP is at a very early stage and only limited weight can be applied to it. The SADMP is therefore considered absent in the context of the National Planning Policy Framework (NPPF). Although the Policy Section consider there to be a five year deliverable supply of housing, paragraph 14 of the NPPF still applies and emphasizes that there is a presumption in favour of sustainable development and planning permission should be granted unless

"any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted".

In assessing the suitability of the site for housing the NPPF requires Local Authorities to *"actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable"*.

In terms of sustainability the site is not considered to be in a particularly accessible location other than by car. There is a limited local bus service and the direct cycle route from the site to town would be along the carriageway. The Highway Authority do not consider the route to be cycle friendly and consider this to limit the potential to increase cycling. The Highway Authority also advise that the town centre is over 4km away and this limits the scope for walking and the potential to increase cycling significantly. While the site has reasonable walking distance access to a bus stop, the distance to walk to the local primary school is over 1200m and the shop is around 1000m. Furthermore the

health centre and secondary school are over 2.5km away. If the primary school were limited in the ability to take new pupils this would affect the sustainability of the site. The Policy Officer considers the site not to be a sustainable location for housing development or to offer sufficient critical mass to improve the sustainability of the site through provision of on-site services or significant viable long term transport improvements.

In light of paragraph 17 of the NPPF the matter of whether the site can be made sustainable has to be considered. The applicant has submitted a Residential Travel Plan to address this matter. The plan proposes 19 measures to improve the sustainability of the site, ten of which include information provision. Others range from parking provision, information boards and travel vouchers, to the subsidising of the 97 bus service to the tune of £85,000 per year for 5 years to improve the frequency to a half hourly service Monday to Friday and an hourly service on Saturdays. In addition it is proposed that upgrading of the secondary school bus service at a cost of £20,000 per year for 5 years. A sum of £235 per dwelling is also proposed as a safeguard to undertake Personalised Travel Planning if the modal split targets are not met.

The bus service measures would be an initial benefit, however the bus service would only run every 30 minutes and the subsidy would only guarantee five years provision. The consideration of when this would start and the likely timescale for completion of the scheme would mean a limited impact for securing a shift to bus use and would be likely to foster the growth in need to travel by car. It is therefore considered that the Travel Plan provisions are insufficient to outweigh the unsustainable location.

In terms of the NPPF paragraph 7 identifies three dimensions to sustainable development, economic, social and environmental. The Framework puts great emphasis on the need for economic growth. However the glossary definition of economic development excludes housing and this proposal is specifically a housing scheme. While an element of working at home may occur in any location this is considered to be low level. Therefore similar to the Inspector in the appeal on land west of Milverton Road, Wellington I consider little weight can be accorded to the economic role of the proposal.

The NPPF defines a social role as *"supporting strong, vibrant and healthy communities by providing the supply of housing to required to met the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being."*

The site is viable and available and could be delivered without delay. While this is positive the site is considered to have poor accessibility to local services and there are considered to be more sustainable sites for development adjacent or within the urban area.

The Framework identifies an environmental role as *"contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."* The scheme is not considered to harm the historic environment or biodiversity and conditions can be included to ensure appropriate mitigation is provided. A condition could also be included to address the design code and renewable energy provision. Adequate land for recreation and open space is provided

and there is not considered to be significant landscape harm. The location however would not be well related to the town centre and it is considered that this would lead to reliance on the private car which would release carbon to the atmosphere and not address climate change.

Landscape

The site does not lie within any special landscape designation and is not 'green wedge' and is currently agricultural land to the west of the Honiton Road. The site is largely screened from the south by the existing tree screen that forms the boundary with the Canonsgrove Halls of Residence. The Honiton Road frontage is clearly prominent in local views and the access provision will result in the loss of 25m of hedge. However the road frontage of approximately 220m will not all be built upon. The revised Landscape Strategy plan shows areas of structural landscape planting to site boundaries to help assimilate any development into its surroundings. In addition an area of woodland planting is also provided to the south to provide wildlife habitat mitigation. This leaves the built form taking up only 110m of the frontage and with landscaping this is considered to off set any long distance views from the M5 to the south east. The mitigation of 1.34ha provided to improve wildlife habitat also provides linked green corridors within the site and while this does not link to areas beyond the site it is considered to be an appropriate level of on site provision.

Wildlife Impact

A number of wildlife surveys have been carried out in respect of the site and a number of protected species have been found. Development of the site would result in certain hedges being disturbed during construction by the formation of the new vehicular access points and water attenuation. This could impact on protected species. The hedgerows within the site and around the site boundaries are of ecological interest, particularly as dormice have been found in the area but also for bat foraging habitat. Also of ecological interest are the ponds within and adjacent to the site as Great Crested Newts have been found on site.

The hedge features are proposed to be largely retained within the development and mitigation of any impacts are proposed through habitat creation and planting which can be controlled through planning conditions. The extent of habitat creation has been considered by the County Ecologist and the Council's Biodiversity Officer and the applicant has taken this on board and produced a revised ecological mitigation strategy which offers 1.48 hectares of woodland planting and rough meadow, three new ponds, bat, bird and dormice boxes, amphibian underpasses and an hibernaculum.

In accordance with the Habitats and Species Regulations (2010) the proposal will result in 'deliberate disturbance' of protected habitats, which is an offence under these regulations, unless a license is first obtained from Natural England. However, under Regulation 9(5), the Local Planning Authority as a 'competent authority' must have regard to the requirements of the Regulations in the consideration of any of its functions – including whether to grant planning permission for development impacting 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 need for additional housing is in the public interest and it would be a potential economic and social benefit if it were granted. It is clearly in the public interest to deliver this housing in the most sustainable way, and so therefore, if this development is considered to be sustainable, then it would follow that this test would be passed.

(ii) That there is no satisfactory alternative

The need for additional housing and the reason why this site can be considered for development has been considered at length in the policy sections of this report, above. As previously discussed, given the current local planning policy framework, it is considered that sites that can be found to be sustainable development within the meaning of paragraph 14 of the NPPF should be granted planning permission. In this context, as with the first test, it is considered that if the site is found to be suitable and sustainable, then there would be no satisfactory alternative in terms of the overall location of development and for these reasons, the test would be passed. In the event of the development being refused the wildlife would not be affected and the test would not be required.

(iii) That the FCS can be maintained

The submitted ecological impact assessment outlines proposals for protecting wildlife during construction and for providing mitigation with habitat improvements. These include, for example, the creation of 3 new ponds as well as utilising the surface water attenuation feature, additional native species planting and protected movement corridors under the new roads and along hedge boundaries. In terms of great crested newts and dormice, for which a license would be required, mitigation planting is proposed within the site which can be controlled, and the Council's Biodiversity Officer and County Ecologist have not objected to the proposals, believing that, subject to the additional planting and pond provision details, favourable conservation status can be maintained with habitat improvements. The proposed development has not been objected to by Natural England and they have suggested a condition to address this and ensure habitat enhancements are achieved.

There is potential for other wildlife to be affected by the proposals, albeit to a lesser degree. These include bats and badgers. However, the Biodiversity Officer is content that measures can be put in place to mitigate the impact on wildlife and suggests an appropriate condition. I conclude that the proposal would not cause harm and would provide benefit in the longer term and therefore, it is considered acceptable and not to conflict with policy CP8 of the Core Strategy which includes the aim to conserve and

enhance the natural environment.

Community Issues

The County Education Officer recognises that there is a need for additional places and expansion of both the primary school and secondary school. As a result there is a request for appropriate monetary contributions to fund expansion in respect of both primary (£612,850) and secondary education (£664,884) and this would be secured by a Section 106 legal agreement. The County Officer has also confirmed that there is a need for pre-school places which would equate to a sum of £73,542. The Education Officer considers the existing site at Trull primary is sufficient to provide additional accommodation, although this is disputed by the Head of the school. The school has however recently had permission for an additional two class rooms which have yet to be built.

The Community Leisure Officer requires provision for adequate play and recreation provision in line with retained policy C4 of the Taunton Deane Local Plan. In light of assessing the layout it is considered that such facilities should be provided on the new recreation area. This will require a contribution of £1434 per dwelling towards the provision of outdoor active recreation and a contribution of £2668 per dwelling towards the provision of children's play facilities. Such contributions would be index linked and secured through a Section 106 agreement.

In addition to the above there is a requirement for allotment provision and community hall facilities. The applicant is willing to pay the appropriate contribution per house for allotment provision and it is considered that the Section 106 will be required to secure this. There is also a request for community hall facilities which should be open to everyone and this contribution can be secured through the legal agreement if it is not to be provided on site.

Affordable Housing

The proposal is in outline for up to 250 houses and policy CP4 of the Core Strategy requires a 25% provision of affordable units split between 60% social rented and 40% intermediate housing. This requirement would be secured through a Section 106 Agreement if permission were to be granted here.

Drainage

The site lies within Flood Zone 1 outside of a floodplain and is therefore an appropriate location for residential development to be located under the NPPF. However the proposal still needs to demonstrate that development will be safe and will not increase the risk of flooding elsewhere as a result of impedance of flood flows or increase in surface water run-off. With this in mind a drainage strategy for the site has been produced and this has been considered by the Environment Agency. The strategy involves the use of sustainable urban drainage systems to include a suitably designed attenuation pond. The principle of this is considered acceptable by the Environment Agency and suggested conditions are put forward to ensure that there is a suitable drainage strategy provided for the site.

The foul drainage is controlled by Wessex Water and Wessex are satisfied that a suitable drainage system can be provided and are recommending a condition to address the detail and to ensure that there is no increased risk of sewer flooding to downstream properties.

Access and Highway Safety

The access off Honiton Road is part of the details submitted at outlined stage and provides a 'T' junction off the main road. Adequate visibility splays can be provided in both directions with out further loss of boundary hedge other than removed for the access itself and this could be conditioned. The design of the junction and internal access road has been agreed with the Highway Authority and will be sufficient to allow for future development in the area. The development of the site would not therefore prejudice any future housing scheme.

The Highway Authority are also satisfied that the proposed scheme would not have an adverse impact on safety on the existing road network and that the traffic flow and capacity of junctions is sufficient. The link through the site and closing off of Sweethay Lane would significantly reduce the level of traffic using this substandard junction which would be beneficial and the timing of this can be controlled by condition, although the actual closure would need to be secured through a legal agreement in association with the Highway Authority.

Other Issues

Noise and air quality reports have also been submitted with the application and have been assessed by the Environmental Health Officer. The outcome of this is that it is accepted that the development will not have a significant impact on existing properties from either noise or air quality. The site has also been assessed for contaminated land and the initial assessment work is that risks are low. A standard condition to address the need to satisfactorily assess the contamination risk is recommended by the Environmental Health Officer and is proposed as a condition in this instance.

An archaeological assessment of the site has been undertaken and an evaluation and dig has been carried out. This has identified areas of interest and if the development were to proceed then a specific condition will be required to ensure a further programme of archaeological work is carried out on site at the applicants' expense.

A new homes bonus would be payable for an approved development here, however this is not given significant weight in determining the proposal.

Conclusion

In summary the development for up to 250 houses on a greenfield site would not cause harm to issues of landscape, wildlife and access and highway safety. Adequate provision could be made for affordable housing, community facilities and drainage. The location however is considered an inappropriate one and one that is considered to be unsustainable and would not be made so by the measures proposed in the Travel Plan.

The development therefore fundamentally is not considered to meet the main thrust of the NPPF in achieving sustainable development and is considered contrary to policies SP1, CP1a and CP8 of the Taunton Deane Core Strategy.

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

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