

Taunton School Educational Charity

**RESIDENTIAL DEVELOPMENT WITH REVISED ACCESS AND LANDSCAPING,  
TWO FLOODLIT ASTROTURF ALL WEATHER PITCHES, DRAINAGE  
ATTENUATION AREAS, CHANGING ROOM AND EQUIPMENT/GROUNDS STORE  
PLUS THE PROVISION OF A CAR PARK AT LAND TO THE NORTH OF  
GREENWAY ROAD, TAUNTON SCHOOL, TAUNTON**

22000 26100

OUTLINE

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1.0 **RECOMENDATION**

I recommend that permission be REFUSED on the following grounds:-

1. The application site lies beyond the recognised settlement limits of Taunton as defined in the Taunton Deane Local Plan Revised Deposit where new development is not permitted unless it complies with 4 following criteria:- (A) is for the purposes of agriculture or forestry; (B) accords with a specific Development Plan policy or proposal; (C) is necessary to meet a requirement of environmental or other legislation; or (D) supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement. In the opinion of the Local Planning Authority the proposed development does not comply with those criteria and is therefore contrary to Taunton Deane Local Plan Revised Deposit Policy S8 and the Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6.
2. The proposed site is part of Taunton School's playing field and is zoned for recreational open space in the Taunton Deane Local Plan Revised Deposit. It is the policy of the Somerset and Exmoor National Park Joint Structure Plan Review and Taunton Deane not to permit development of recreational open space and school playing fields unless it conforms to the following criteria:- (A) there is an excess of good quality recreational open space of the type which would be lost, sufficient to meet local demand; or (B) the proposed development provides recreational or community benefit greater than the long term recreational value of the open space that would be lost; or (C) equivalent provision in a convenient location is made to at least an equal standard and with equal community benefit; or (D) in the case of school or college playing fields only: the land is needed for development of school buildings and/or associated facilities, and adequate playing fields to meet statutory requirements would be retained or provided. In the opinion of the Local Planning Authority the proposed development does not comply with those criteria and is therefore contrary to Taunton Deane Local Plan Revised Deposit Policy

C3 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 37.

3. The planning application contains insufficient information, regarding the drainage and lighting of the site, to enable an accurate assessment of the impact of those elements on the amenities of existing and proposed residents and the character of the surrounding area and the proposals are considered contrary to Taunton Deane Local Plan Revised Deposit Policies S1 criterion (F), EN30, 31 and 36.
4. The applicant has not proven that an adequate means of access can be achieved or that all other transport issues can be resolved and the proposal is thereby considered contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policies 39 and 49.
5. Notwithstanding the above mentioned reasons for refusal, the proposed layout, as indicated on the submitted plans, by reason of the form of the access roads, uniform type and disposition of the buildings about the site, is considered to be out of keeping with the character of the area and contrary to Taunton Deane Local Plan Revised Deposit Policy H1 criteria (G) and (H).
6. The proposed development is likely to have a detrimental impact on an important tree group that is covered by a Tree Preservation Order and would be contrary to Taunton Deane Local Plan Revised Deposit Policy EN7.
7. The proposed development would be detrimental to the existing character and ambience of the area as it would result in the loss of important open views across the site to the Staplegrove Green wedge and Quantock Hills Area of Outstanding Natural Beauty that lies to the north of the site and would be contrary to Taunton Deane Local Plan Revised Deposit policies S1(D) and EN12.

Notes to Applicant

1. If the principal of housing development had been acceptable the Local Planning Authority would have required a balanced mix of housing, (including an element of social housing) childrens play areas, playing field contributions, and public open space as required by the Taunton Deane Local Plan Revised Deposit.
2. With regard to reason 03 the Local Planning Authority would welcome any discussions to devise a scheme to alleviate the flooding of the Mill Lease Stream and you are advised to contact Mr J Herrington (Drainage Officer), on 01823 356356 to discuss the matter further.
3. With regard to reason 4, further discussions are currently being

undertaken with the County Highway Authority and it is possible that a scheme could be agreed to overcome their concerns.

## 2.0 **APPLICANT**

Taunton School Educational Charity.

## 3.0 **PROPOSAL**

The proposal is for the development of 6.22 hectares of existing school playing field land for the following uses:-

1. The erection of 38 detached dwellings with associated roads, public open space and garaging;
2. The provision of a changing room building for use in association with the adjoining playing fields and the provision of an attached car park with 58 spaces for cars using the playing fields;
3. The provision of a new road junction with Greenway Road controlled by traffic lights with pedestrian crossing facilities and allowing new access Roads to serve this proposal and the proposed development of the land to the south of Greenway Road which is the subject of a separate application;
4. The provision of a balancing pond and flow restriction structure associated with the drainage of the land;
5. The layout and development of the remaining recreation land to provide 4 rugby/2 cricket pitches, the resiting of the cricket nets and the provision of two floodlit Astroturf pitches for school and community use.

## 4.0 **APPLICATION SITE**

The application site lies to the North of Greenway Road and currently provides sport pitches and open space owned and used by Taunton School. It is an open area of land linking to (but not within) the Staplegrove Green wedge and countryside beyond. The access to the site is provided off Greenway Road. This is adjacent to an existing stream that forms the southwestern boundary of the site. This area of the land is level with Greenway Road, but elsewhere the site lies at a higher level than Greenway Road. On the higher ground adjacent to Greenway Road there is a row of semi-mature Beech trees and a hedge that form the boundary with Greenway Road. To the west and east of the site's boundary with Greenway Road there are existing residential properties. The main Taunton School and its grounds are located on the southern side of Greenway Road where there is an existing pedestrian entrance allowing access to the northern playing fields. Adjacent to the site access there is a flat area of land that was used formerly bowling pitch but has, for some time been unused.

## 5.0 **RELEVANT PLANNING HISTORY**

## 6.0 **RELEVANT PLANING POLICY**

**Somerset and Exmoor National Park Joint Structure Plan Review** contains the strategic policies that apply to this site. I consider that the following policies are relevant:-

STR1 Sustainable development

STR4 Development In Towns

### **POLICY STR6**

#### **DEVELOPMENT OUTSIDE TOWNS, RURAL CENTRES AND VILLAGES**

Development outside Towns, Rural Centres and Villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

POLICY 11 Areas Of High Archaeological Potential

POLICY 12 Nationally Important Archaeological Remains

POLICY 13 Locally Important Archaeological Remains

### **POLICY 37**

#### **FACILITIES FOR SPORT AND RECREATION WITHIN SETTLEMENTS**

Provision should be made for the protection, maintenance and improvement of the range of facilities for sport and recreation, where they are compatible with the size and function of the settlement involved. New developments which would generate substantial transport movements should be accessible by public transport

### **POLICY 39**

#### **TRANSPORT AND DEVELOPMENT**

Proposals for development should be considered having regard to:

- the management of demand for transport;
- achieving a shift in transport modes to alternatives to the private car and lorry wherever possible; and
- the need for improvements to transport infrastructure.

### **POLICY 49**

#### **TRANSPORT REQUIREMENTS OF NEW DEVELOPMENT**

Proposals for development should be compatible with the existing transport

infrastructure, or, if not, provision should be made for improvements to infrastructure to enable development to proceed. In particular development should:

- provide access for pedestrians, people with disabilities, cyclists and public transport;
- provide safe access to roads of adequate standard within the route hierarchy and, unless the special need for and benefit of a particular development would warrant an exception, not derive access directly from a National Primary or County Route; and,
- in the case of development which will generate significant freight traffic, be located close to rail facilities and/or National Primary Routes or suitable County Routes subject to satisfying other Structure Plan policy requirements.

**Taunton Deane Local Plan Revised Deposit** contains the detailed policies for development in the Deane. I consider that the following policies apply:-

S1 Proposals for development, taking account of any mitigation measures proposed, will be required to meet the following criteria, in addition to any other Development Plan policies which apply in a particular case:

- (A) additional road traffic arising, taking account of any road improvements involved, would not lead to overloading of access roads, road safety problems or environmental degradation by fumes, noise, vibrations or visual impact;
- (B) the accessibility of the development by public transport, cycling and pedestrian networks would be consistent with its likely trip generation and minimising the need to use the car;
- (C) the proposal will not lead to harm to protected wildlife species or their habitats;
- (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development;
- (E) potential air pollution, water pollution, noise, dust, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment;
- (F) the health, safety or amenity of any occupants or users of the development will not be harmed by any pollution or nuisance arising from an existing or committed use;
- G) the safety of any occupants or users will not be at risk from ground instability; and
- H) the site will be served by utility services necessary for the development proposed.

S8 Outside defined settlement limits, ~~development~~ new building will not be permitted unless it ~~protects~~ maintains or enhances the environmental quality and landscape character of the area and

- A) is for the purposes of agriculture or forestry;
- B) accords with a specific Development Plan policy or proposal;
- C) is necessary to meet a requirement of environmental or other legislation; or
- D) supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement.

New structures or buildings permitted in accordance with this policy should be designed and sited to minimise landscape impact, be compatible with a rural location and meet the following criteria where practicable:-

- E) avoid breaking the skyline;
- F) make maximum use of existing screening;
- G) relate well to existing buildings; and
- H) use colours and materials which harmonise with the landscape.  
and  
~~I) be of a reasonably necessary size to meet the need.~~

H1 Housing development will be permitted within defined limits of settlements, provided that:

- (A) there is safe and convenient access by bus, ~~cycle~~ or on foot to facilities and employment. In the case of proposals of a significant scale, ~~non-car~~ bus or walking access to a town centre or rural centre will be required, taking account of any off-site works proposed in accordance with criteria (B);
- (B) necessary provision is made for off-site public transport, cycling and pedestrian facilities and highway improvements to cater safely for the expected number of trips generated by the development and minimise the proportion of car trips;
- (C) traffic calming, pedestrian, cycle and bus measures are incorporated where necessary to give priority to safe and convenient access and circulation by means other than the car;
- ~~(D) outside the Taunton Central Area, sufficient car parking is provided for the likely number of residents in convenient, visible locations;~~
- (E) the layout allows people ~~provision is made for the needs of residents and visitors~~ with impaired mobility or disabilities a disability safe and convenient access and movement to and between dwellings by careful positioning of potential obstructions,

ramps, dropped kerbs, textured surfaces and reserved car parking and appropriate house types;

- ~~(F) the proposal does not create or exacerbate ribbon development;~~
- (G) ~~the character and amenity of existing residential areas will not be eroded by unacceptable increases in density~~ small scale schemes in existing residential areas will increase the development density of these areas without individually or cumulatively eroding their character or residential amenity;
- (H) a coherent approach to the overall design is adopted, including layout, landscaping, building designs, materials, open spaces and circulation routes, to ~~avoid a bland uniformity of design layout and house type and relate well to adjacent development~~ create locally distinctive developments well related to their surroundings; and
- (I) existing and proposed dwellings will enjoy adequate privacy and sunlight.
- (J) on housing developments and conversions of a substantial scale a reasonable mix and balance of housing types and sizes be incorporated to cater for a range of housing needs particularly those low cost housing types which are under represented in the current stock.

#### POLICY M3a Residential parking requirements

- C3 Proposals involving the loss of recreational open space, including allotments, public, private and school/college playing fields, sports grounds and children's play areas will not be permitted unless:
- (A) there is an excess of good quality recreational open space of the type which would be lost, sufficient to meet local demand; or
  - (B) the proposed development provides recreational or community benefit greater than the long term recreational value of the open space that would be lost; or
  - (C) equivalent provision in a convenient location is made to at least an equal standard and with equal community benefit; or
  - (D) in the case of school or college playing fields only: the land is needed for development of school buildings and/or associated facilities, and adequate playing fields to meet statutory requirements would be retained or provided.

EN7 ~~Development which would be detrimental to the landscape or nature conservation value of important tree groups will not be permitted.~~ that would harm the character, landscape or wildlife value of important tree groups will not be permitted unless:

- (A) there is a proven overriding need in the public interest for the development; and
- (B) the development cannot be located elsewhere.

Where it is decided to permit development affecting these tree groups, planning obligations will be sought requiring developers to replace the trees with trees of equal quality and coverage.

EN14 Development which would harm the open character of green wedges will not be permitted.

EN24 Where a proposal affects a site of archaeological interest or Area of High Archaeological Potential, or it is suspected the development could affect archaeological remains, developers must provide for satisfactory evaluation of the archaeological value of the site, and the likely effects on it, before planning applications are determined.

Where evaluation is considered to justify designation of an archaeological site of national or County importance, policies EN22 or EN23 will apply, otherwise, if it is decided that development is to be allowed, developers must provide for an adequate watching brief.

EN31 Development which would result in an increased risk of flooding of watercourses, land and property will not be permitted unless satisfactory measures are undertaken to obviate these risks, at the developer's expense.

EN36 New lighting will be permitted, provided that impact on the night sky, road safety and residential amenity is minimised, through the use of appropriate location, orientation, timing, shading and power to avoid any illumination of off- site areas. The design of lighting columns and other fittings should respect the character of the area.

## 7.0 **RELEVANT CENTRAL GOVERNMENT POLICY GUIDANCE**

**The following paragraphs form Planning Policy Guidance Note No.1 are relevant:-**

Paragraph 24 In preparing their development plans, local planning authorities should consider the land-use requirements of various types of social provision. For housing, the key objectives for the location of development and the allocation



of land are:-

- to ensure that the planning system identifies an adequate and continuous supply of housing land to meet future requirements which is both available and sustainable;
- to make effective use of land within urban areas, by allocating the maximum amount of housing to previously-developed sites within existing larger urban areas, which have access to a range of transport and other facilities, whilst protecting open space, playing fields and green spaces in cities and towns;
- outside urban or village areas, to promote land for housing in locations which are or will be well served by public transport and with good access to employment and a range of services including leisure, shopping, education and health facilities;
- to provide a mixture and range of types of housing to meet the increasingly varied types of housing requirements, including the need for affordable housing; and
- to ensure that housing is available where jobs are created.

Paragraph 40

The Government is committed to a plan-led system of development control. This is given statutory force by section 54A of the 1990 Act. Where an adopted or approved development plan contains relevant policies, section 54A requires that an application for planning permission or an appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise. Conversely, applications which are not in accordance with relevant policies in the plan should not be allowed unless material considerations justify granting a planning permission. Those deciding such planning applications or appeals should always take into account whether the proposed development would cause demonstrable harm to interests of acknowledged importance. In all cases where the development plan is relevant, it will be necessary to decide whether the proposal is in accordance with the plan and then to take into account other material considerations. The status of plans which are not yet adopted or approved is covered in paragraph 48.

Paragraph 47

Questions of prematurity may arise where a development plan is in preparation or under review, and proposals have been issued for consultation, but the plan has not yet been adopted or approved. In some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity. This may be appropriate in respect of development proposals which are individually so substantial, or whose cumulative effect would be so significant, that to grant permission would prejudice the outcome of the plan process by predetermining decisions about the scale, location or phasing of new development which ought properly to be taken in the development plan context. A proposal for development which has an impact on only a small area would rarely come into this category; but a refusal might be justifiable where a proposal would have a significant impact on an important settlement, or a substantial area, with an identifiable character. Where there is a phasing policy in the development plan, it may be necessary to refuse planning permission on grounds of prematurity if the policy is to have effect.

Paragraph 48

Other than in the circumstances described above, refusal of planning permission on grounds of prematurity will not usually be justified. Planning applications should continue to be considered in the light of current policies. However, account can also be taken of policies in emerging development plans which are going through the statutory procedures towards adoption (or approval). The weight to be attached to such policies depends upon the stage of plan preparation or review, increasing as successive stages are reached. For example:

- where a plan is at the consultation stage, with no early prospect of reaching deposit, then refusal on prematurity grounds would seldom be justified because of the lengthy delay which this would impose in determining the future use of the land in question;
- where a plan has been deposited but no objections have been lodged to relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted (or approved) and replace those in the existing plan. The converse may apply if there have been objections to relevant policies. However, much will depend on the nature of those objections

and also whether there are representations in support of particular policies;

- where an Inspector has recommended in favour of relevant policies to which objection has been raised, refusal on prematurity grounds is unlikely to be justified for an application which is consistent with these policies.

Paragraph 54

If the development plan contains material policies or proposals and there are no other material considerations, the application or appeal should be determined in accordance with the development plan. Where there are other material considerations, the development plan should be the starting point, and the other material considerations weighed in reaching a decision. One such consideration will be whether the plan policies are relevant and up-to-date (the age of the plan is not in itself material). Particular policies of the plan may, for example, have been superseded by more recent planning policy guidance issued by the Government.

**The following paragraphs from Planning Policy Guidance Note No. 3 are relevant:-**

Paragraph 2 Local planning authorities should:-

- plan to meet the housing requirements of the whole community, including those in need of affordable and special needs housing;
- provide wider housing opportunity and choice and a better mix in the size, type and location of housing than is currently available, and seek to create mixed communities;
- provide sufficient housing land but give priority to re-using previously-developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of greenfield sites;
- create more sustainable patterns of development by building in ways which exploit and deliver accessibility by public transport to jobs, education and health facilities, shopping, leisure and local services;
- make more efficient use of land by reviewing planning policies and standards;

- place the needs of people before ease of traffic movement in designing the layout of residential developments;
- seek to reduce car dependence by facilitating more walking and cycling, by improving linkages by public transport between housing, jobs, local services and local amenity, and by planning for mixed use; and
- promote good design in new housing developments in order to create attractive, high-quality living environments in which people will choose to live.

Paragraph 35 Windfall sites are those which have not been specifically identified as available in the local plan process. They comprise previously-developed sites that have unexpectedly become available. These could include, for example, large sites such as might result from a factory closure or very small changes to the built environment, such as a residential conversion or a new flat over a shop.

Paragraph 53 Local planning authorities should have clear policies for the protection and creation of open space and playing fields, and new housing developments should incorporate sufficient provision where such spaces are not already adequately provided within easy access of the new housing. Developing more housing within urban areas should not mean building on urban green spaces. PPG17: *Sport and Recreation* gives further guidance on the provision of open space and playing fields.

**The following paragraphs form Planning Policy Guidance Note No.16 are relevant:-**

Paragraph 18 The desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications whether that monument is scheduled or unscheduled. Developers and local authorities should take into account archaeological considerations and deal with them from the beginning of the development control process. Where local planning authorities are aware of a real and specific threat to a known archaeological site as a result of the potential exercise of permitted development rights (as set out in Schedule 2 to the Town and Country Planning General Development Order 1988) they may wish to consider the use of their powers under Article 4 of that Order to withdraw those rights and to require specific planning permission to be obtained before development can proceed. Most such directions require the Secretary of State's approval, either before they come into effect or within six months of being made, unless they relate solely to

a listed building. Further advice on the use of Article 4 Directions is given in Appendix D to DOE Circular 22/88.

Paragraph 21

Where early discussions with local planning authorities or the developer's own research indicate that important archaeological remains may exist, it is reasonable for the planning authority to request the prospective developer to arrange for an archaeological field evaluation to be carried out before any decision on the planning application is taken. This sort of evaluation is quite distinct from full archaeological excavation. It is normally a rapid and inexpensive operation, involving ground survey and small-scale trial trenching, but it should be carried out by a professionally qualified archaeological organisation or archaeologist. The Institute of Field Archaeologists (see Annex I for address), publishes a Directory of members, which developers may wish to consult. Evaluations of this kind help to define the character and extent of the archaeological remains that exist in the area of a proposed development, and thus indicate the weight which ought to be attached to their preservation. They also provide information useful for identifying potential options for minimising or avoiding damage. On this basis, an informed and reasonable planning decision can be taken.

Paragraph 22

Local planning authorities can expect developers to provide the results of such assessments and evaluations as part of their application for sites where there is good reason to believe there are remains of archaeological importance. If developers are not prepared to do so voluntarily, the planning authority may wish to consider whether it would be appropriate to direct the applicant to supply further information under the provisions of Regulation 4 of the Town and Country Planning (Applications) Regulations 1988 and if necessary authorities will need to consider refusing permission for proposals which are inadequately documented. In some circumstances a formal Environmental Assessment may be necessary. For further details see Annex 3, paragraphs 21 and 22.

Paragraph 29

Planning authorities should seek to ensure that potential conflicts are resolved and agreements with developers concluded before planning permission is granted. Where the use of planning conditions is necessary, authorities should ensure that, in accordance with DOE Circular 1/85, they are fair, reasonable and practicable. It is however open to the local planning authority to impose conditions designed to protect a monument and to ensure that

reasonable access is given to a nominated archaeologist - either to hold a "watching brief" during the construction period or specifically to carry out archaeological investigation and recording in the course of the permitted operations on site. Conditions on these lines help to ensure that if remains of archaeological significance are disturbed in the course of the work, they can be recorded and, if necessary, emergency salvage undertaken.

**The following paragraphs form Planning Policy Guidance Note No.17 are relevant:-**

- Paragraph 10 Existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown the open space or the buildings and land to be surplus to requirements. For open space, 'surplus to requirements' should include consideration of all the functions that open space can perform. Not all open space, sport and recreational land and buildings are of equal merit and some may be available for alternative uses. In the absence of a robust and up-to-date assessment by a local authority, an applicant for planning permission may seek to demonstrate through an independent assessment that the land or buildings are surplus to requirements. Developers will need to consult the local community and demonstrate that their proposals are widely supported by them. Paragraph 15 below applies in respect of any planning applications involving playing fields.
- Paragraph 13 Equally, development may provide the opportunity to exchange the use of one site for another to substitute for any loss of open space, or sports or recreational facility. The new land and facility should be at least as accessible to current and potential new users, and at least equivalent in terms of size, usefulness, attractiveness and quality. Wherever possible, the aim should be to achieve qualitative improvements to open spaces, sports and recreational facilities. Local authorities should use planning obligations or conditions to secure the exchange land, ensure any necessary works are undertaken and that the new facilities are capable of being maintained adequately through management and maintenance agreements.
- Paragraph 14 Parks, recreation grounds, playing fields and allotments must not be regarded as 'previously-developed land', as defined in annex C of PPG3. Even where land does fall within the definition of 'previously-developed', its existing and potential value for recreation and other purposes should be properly assessed before development is considered.

Paragraph 15

In advance of an assessment of need, local authorities should give very careful consideration to any planning applications involving development on playing fields (see end note 3). Where a robust assessment of need in accordance with this guidance has not been undertaken, planning permission for such developments should not be allowed unless:-

- i. the proposed development is ancillary to the use of the site as a playing field (e.g. new changing rooms) and does not adversely affect the quantity or quality of pitches and their use;
- ii. the proposed development only affects land which is incapable of forming a playing pitch (or part of one);
- iii. the playing fields that would be lost as a result of the proposed development would be replaced by a playing field or fields of equivalent or better quantity and quality and in a suitable location – see paragraph 13 above; or
- iv. the proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development of sport to outweigh the loss of the playing field.

Paragraph 18

Where recreational land and facilities are of poor quality or under-used, this should not be taken as necessarily indicating an absence of need in the area. Local authorities should seek opportunities to improve the value of existing facilities. Usage might be improved by better management or by capital investment to secure improvements. Planning obligations may be used where improvements are required to meet identified needs (see paragraph 33). In looking to improve existing open space and facilities, local authorities should:

- i. promote the compatibility of the uses made of open spaces and sport and recreational facilities with adjoining land uses;
- ii. encourage better accessibility of existing open spaces and sports and recreational facilities, taking account of the mobility needs in the local population; and
- iii. promote better use of open spaces and sports and recreational facilities, by the use of good design to reduce crime.

Paragraph 19 In considering applications for floodlighting, local authorities should ensure that local amenity is protected. The impact on the openness of the Green Belt, or on the character of the countryside, of floodlight towers or pylons should be a key factor in determining whether planning permission should be granted. Further guidance is contained in the companion document to this PPG.

**The following paragraphs from Planning Policy Guidance Note 25 are relevant:-**

Paragraph 57 The susceptibility of land to flooding is a material consideration in determining planning applications. The land concerned may be that subject to the application or elsewhere if the development may have flood implications there. The potential consequences for occupiers, either of the development or elsewhere, in terms of personal safety and financial risk can be serious. Applicants for planning permission should, therefore, assess the risk posed by the development. They should consider the specific risk of flooding to the development being proposed over its currently expected lifetime and its possible effects on flood risks elsewhere in terms of its effects on flood flows and flood storage capacity and the run-off implications. Applications for renewal of planning permission should be reviewed in the light of the latest evidence on flood risk, taking into account any reviews of land allocations conducted in accordance with the guidance in paragraph 52. Such applications should, in any event, also be tested against the criteria in the sequential test set out in paragraph 30 and Table 1.

Paragraph 60 In preparing their proposals, applicants should discuss with the local planning authority the requirements they will be expected to meet to satisfy the authority on flood risk and the run-off implications of the development proposed. They should consult the Environment Agency on the potential risks to their development, on the likely effects of their proposals on flood risk to others and on whether mitigation would be likely to be effective and acceptable. They should carry out an assessment of flood-risk and the run-off implications of their proposals that is appropriate to the scale and nature of the development and the risks involved and submit this with the application. Failure to do so may lead to delay in determining the application and could, in some cases, be a reason for refusal. Such assessments may require detailed hydrological investigations to determine the risks at particular sites and to inform the process of detailed design and the selection of mitigation measures. A flood-risk/run-off assessment, carried out by a



suitably qualified competent person, is an essential element in the overall assessment of the economic viability of the development as well as its acceptability in planning terms. Further guidance on the content of flood-risk assessments is contained in Appendix F.

Paragraph 62 Applications likely to require particular consideration of flood risk issues include those for development:

- within a river flood plain or washland shown on the indicative flood plain map prepared by the Environment Agency;
- within a coastal flood plain, including that adjacent to the tidal length of a river, shown on the indicative flood plain map prepared by the Environment Agency;
- within or adjacent to any watercourse, particularly where there might be potential for flash flooding;
- adjacent to or including any flood bank or other flood control structure;
- situated in an area where the Agency have indicated that there may be drainage problems;
- likely to involve the culverting or diverting of any watercourse; or
- of such a size or nature relative to the receiving watercourse/drainage system that there could be a significant increase in surface water run-off from the area.

## 8.0 **CONSULTATIONS**

### **County Highway Authority**

I am checking the Traffic Impact Assessment and the proposed highway works and will contact you again when this has been completed. Views awaited.

### **County Archaeologist**

A Neolithic axe has been found on the site and it is likely that further remains exist below the current ground surface. Neolithic evidence is very rare and fragile. Insufficient information has been submitted to allow a proper assessment of the effect of the proposal on any remains. As a result the applicant should provide additional information on any archaeological remains. This is likely to require a field evaluation with a geophysical survey and trial trenches.

### **Environment Agency**

No objection in principal but there have been flooding problems in Greenway Road from this site and it is essential that a attenuation scheme (including flood storage, surface water run off limitation works) is devised for the site to allow for flows in the Mill Lease Stream. Such a scheme should be provided and agreed prior to any development taking place.

### **Wessex Water**

Mains water supply and foul sewers are available and a point of connection will need to be agreed. A public water mains crosses the site and there should be a minimum 3 m Easement on either side for the purpose of maintenance and repair.

### **Avon And Somerset Constabulary**

No comment

### **Sport England**

"It is understood that both sites form part, or constitutes a playing field as defined in the 1996 Statutory Instrument No. 1817.

Sport England has therefore considered the applications in the light of our playing fields policy. I enclose a full copy of the policy for your information. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. Sport England opposes such developments in all but exceptional cases, whether the land is in public, private or educational use. It is our policy to oppose development on playing fields unless at least one of the five exceptions as set out in our policy are met, which have been incorporated into the revised Planning Policy Guidance note 17 'Planning for Open Space, Sport and Recreation' (ODPM, July 2002).

We note that a Playing Pitch Strategy is being carried out at this time for the district and the results of this detailed study with regard to the existing and predicted future supply and demand for playing pitches will not be available until later in the year. Therefore any decision on this proposal prior to publication may be premature.

This application is premature until the results of the Playing Pitch Strategy are available. Sports England have a number of concerns with the proposal:-

- The strategic need for 2 new synthetic turf pitches (STP). On what basis

are they required? Have they been identified in any published strategy?

- The proposed surface of the STPs and the possible conflict between its use for hockey during school hours and for football by the local community out of school hours. At this time, we are unaware that competition football can be played on STPs.
- Will the community use of the proposed STPs be part of a S.106 of this application, if the Council are minded to grant permission? Additionally, if the perceived local community need is for football, will the grass playing fields at the school be available for formal community use as part of any obligation?
- The appears to be a drainage issue in the area and it is not clear why drainage improvements to the grass playing fields are not part of this development proposal.
- It is not clear if any of the existing facilities are floodlit. The issue of floodlighting the 2 proposed STPs and multi use games area (MUGA) may cause amenity problems to the existing and proposed residents and this needs to be explored further.
- The submitted plan shows an access reserved for future use to the area of the site known as "Uppers". This implies that there will be a future reduction of grass playing fields in the locality.
- The details of the proposed changing pavilion are lacking. They appear to be small and it is not clear how many pitches it will serve in a peak period. Any pavilion should be designed in accordance with our technical guide 'Pavilions and Clubhouses'.
- The loss of the athletics track without a replacement facility being provided.

Finally, Sport England is not convinced that "this proposal is considered to conform with the above advice [PPG17] as part of the proposal is for use ancillary to the playing field use and the proposal as a whole is of sufficient benefit to the development of sport to outweigh the loss of the playing field" (paragraph 4.5 of the applicant's supporting statement). The changing pavilion is ancillary to the playing field. However the applicant must clearly demonstrate that the proposal meets exception criterion E.5 of our Playing Fields Policy and the final bullet point of paragraph 15 of the revised PPG17, which in our opinion the supporting statement fails to do. For the proposed development to meet any of the exception clauses of our playing fields policy, may I draw your attention to our Planning Bulletin 8 'Playing Fields for Sport Revisited (copy enclosed). It sets out the factors that Sport England consider necessary to meet E.5. In summary, the proposal would need to address the following:-

- The physical location of the new facility
- The need for the facility
- Technical suitability
- Community availability
- Sports Development
- Local level of pitch provision

In light of the above, Sport England objects to the proposal on the grounds that the development will lead to the loss of part of the existing playing field and conflicts with current Government Guidance and our Playing Field Policy.

Additionally, paragraph 10 of the revised PPG17 gives greater protection to open space, sport and recreational buildings and land. It states:

"Existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown the open space or the buildings and land to be surplus to requirements. For open space, 'surplus to requirements' should include consideration of all the functions that open space can perform. Not all open space, sport and recreational land and buildings are of equal merit and some may be available for alternative uses. In the absence of a robust and up to date assessment by a local authority, an applicant for planning permission may seek to demonstrate through an independent assessment that land and buildings are surplus to requirements. Developers will need to consult the local community and demonstrate that their proposals are widely supported by them. Paragraph 15 below applies in respect of any planning applications involving playing fields."

### **Landscape Officer**

I am concerned about the following:- loss of views, north, to the Quantocks; there has been no detailed survey of the existing trees some of which are of a high quality; there has been no consideration of the impact of the proximity of the dwellings and roads to the trees, e.g. will the land need to be lowered to allow access from the new junction and how will this effect the trees, are the dwellings within a safe distance of the trees?; there would be a loss of view from the footpath running north- south along the eastern boundary of the site.

### **Rights Of Way Officer**

The proposal does not infringe upon the route of the footpath.

### **Planning Policy**

Views awaited.

### **Leisure And Recreation Officer**

"I am awaiting information from our consultants who are undertaking the Playing

pitch Strategy in line with PPG17. The information is unlikely to be available until the New Year. The applicant states that consultation has taken place with the football leagues but does not state the outcomes. Their statement that they have complied with PPG17 seems vague and seems to suggest that providing a changing room is sufficient to comply. In fact I understand that football teams are not able to play league games on artificial pitches and the facilities would only be useful for training.”

### **Drainage Officer**

There is a history of flooding from the site and no permission should be granted until acceptable flood prevention measures and details of surface water flows have been submitted and agreed in writing.

### **Environmental Health Officer**

No objection in principal subject to conditions to control the location and level of lighting and the submission of an assessment of the likely noise from the playing field/Astroturf listing any necessary sound reduction measures that are required to ensure that there is no noise nuisance from their use.

## **9.0 REPRESENTATIONS**

39 LETTERS OF OBJECTION have been received raising the following points:-

1. The proposal is a departure from the Taunton Deane Local Plan and is contrary to the policies of both the Structure plan and emerging Local Plan.
2. Greenway Road provides the link between The A38 and M5 roads and West Somerset and North Devon and is already heavily congested and the introduction of traffic lights and additional traffic would have a detrimental effect on the flows of traffic along the road increasing the congestion and pollution from both noise and fumes for the area.
3. The proposed junction would result in the loss of on-street parking used by existing residents.
4. The traffic Lights will create more stationary traffic and it will be even more difficult for cars to enter Greenway road from individual properties and existing side roads, especially during peak times.
5. The new junction arrangements will make it more difficult for pedestrians to travel along Greenway Road safely.
6. At present there are crossing facilities along the road at the petrol station.
7. Existing dwellings will need to provide off street parking to compensate for

the lost street spaces and these will be difficult to use due to the level of traffic congestion.

8. Greenway Crescent is currently used as a rat run to get to Kingston Road and the Town centre more quickly, this proposal is likely to increase the numbers of cars using the rat run and will be detrimental to highway safety in the area.
9. The proposal is detrimental to the landscape and open character of the area and will have a detrimental impact on the adjoining green wedge.
10. The proposal will change the ambience of Greenway Road at this point from semi-rural to urban and will be detrimental to the character of the area.
11. The proposal will result in the loss of part of a green lung so removing the choice of future generations to enjoy a good quality of life which is so important in a growing urban area.
12. It will reduce the ability to increase recreational facilities on this site.
13. It will be detrimental to the existing wildlife of the area.
14. The trees adjacent to Ash Court are protected and should be retained.
15. An Ash and an Oak tree will be cut down as a result of the proposal.
16. If allowed there should be significant landscaping between the existing and proposed dwellings.
17. It will be detrimental to the amenities of adjacent residents.
18. There should not be any social housing as the area has it's fair share of such housing.
19. Housing on the northern side of Greenway Road will be at a significantly higher level than the existing dwellings to the south resulting in a loss of outlook and light and will overlook and dominate those properties to the detriment of the occupiers.
20. The proposed floodlights will make the area seem like a prison and cause light pollution at the rear of existing houses.
21. The proposed development would de-value the existing houses.
22. The plans show an access to the rear for future use, this proposal will lead the way to additional housing on the playing field land.

23. The proposed car park will result in an increased use of the land by vehicles and access to the rear of existing houses. This is likely to result in security problems from the land, noise and disturbance detrimental to the amenity of adjacent residents.
24. The dwellings adjacent to Beech Court will result in a loss of light and view for the residents and would be detrimental to the amenity of those residents.
25. It would result in light and noise pollution effecting the night sky and the amenities of existing residents, many of whom are elderly and enjoy the peaceful surroundings they have chosen.
26. It is part within a floodplain and would increase the risk of flooding.
27. Dwellings on the site are likely to raise the water table and increase existing flooding problems.
28. There has been flooding from the site across the road and effecting properties, including Taunton School, on the South side of Greenway Road. The proposal with a new traffic junction where it floods, tarmac roads and dwellings will increase the run off from the site and make the flooding worse. I do not believe the proposed balancing pond will overcome these problems and this development should aim to install measures to stop the flooding from re-occurring in the future.
29. As a resident of a property effected by flood water from the site I have always had to phone to remind either Taunton School or Taunton Deane that the culvert under the road needs cleaning, Taunton school has never carried out routine maintenance without such a reminder, what will it be like if such maintenance work becomes more important?
30. The balancing pond should be fenced off so that it is safe for children.
31. There is a shortfall of playing fields within Taunton Deane and these playing fields should be retained as they have good public access by a variety of methods(other than by car).
32. The existing playing fields are regularly used for interhouse and interschool rugby matches, javelin throwing, rounders, cricket matches in the summer and by the ATC for helicopter landing, and I do not consider this to be "lightly used" as described in the application.
33. The local community was allowed to use the playing fields and tennis courts on an informal basis until recently when the gates were shut and locked and barbed wire placed on top.
34. The loss of the tennis court will hardly encourage young tennis players for

the future.

35. Taunton School also has “Foxcome” and “lowers” playing fields but this is the only flat area of land and lowers can often become water logged.
36. The replacement floodlit Astro turf pitches are unnecessary and should not be used as a reason for allowing unacceptable development.
37. Taunton School is likely to charge large sums to use the facilities.
38. The school has never opened its facilities for use by private clubs before, they do not need to develop the site in order to do so and they can provide changing facilities without having to develop the land further.
39. New public recreation facilities are due to be opened at Ladymead school and there is no need for additional public facilities to justify this departure.
40. The footpath should be widened to form a footpath and cycle route.

1 LETTER OF OBJECTION has been received from the ward councillor, Miss Phippen raising the following points:-

- 1 The site is not included for residential development in the Local Plan.
2. The land was acquired when the school was smaller so why is it surplus to requirements?
3. The proposal is for detached houses when the greatest need is for affordable housing and starter homes that are not included in the proposals.
4. There has already been the development of Bishop Fox’s school for expensive houses and a new school built in the green wedge resulting in the loss of open spaces.
5. Unless open space is retained within Taunton it will become over-developed, a builders paradise.
6. Additional housing will lead to additional traffic adding to the existing problems in the area.
7. A large amount of traffic passes along Greenway Road including heavy goods vehicles and additional traffic is not acceptable.
8. The traffic statement contains many errors e.g. “Greenway Road meets Staplegrove Road at a signal controlled T junction”, in fact it has a roundabout, it indicates that buses 25, 28 and 28A travel along Staplegrove Road when they do not.



9. If the school has surplus playing fields, with its charitable status it should consider donating them to Taunton Deane for community use.

3 LETTERS OF SUPPORT have been received raising the following points:-

1. The proposal will provide two new floodlit artificial pitches for use by Taunton School and the local community.
2. Staplegrove Youth Football Club are looking for mid week practice pitches and find it difficult to find alternative winter outdoor or indoor facilities due to their use by other sports.
3. There are 180 boys in our football club and they would benefit from the use of the new artificial pitched mid-week.
4. The traffic lights will benefit users of Greenway Road and the proposal is unlikely to generate significant levels of additional traffic.

10. **PRINCIPAL ISSUES FOR CONSIDERATION**

- A. Is development of the site acceptable as a departure from the Taunton Deane Local Plan Revised Deposit? POLICY
- B. Are the proposed highway alterations acceptable? HIGHWAYS
- C. Is the loss of this part of the playing field justified and would it conform to the exceptions identified in Planning Policy Guidance Note 17 and Taunton Deane Local Plan Policy C3? PLAYING FIELDS
- D. Will the proposed development have a detrimental impact on the amenity of the occupants of the neighbouring residential properties? AMENITY
- E. Will the proposal result in an increase in flooding downstream of the site and will a flood alleviation scheme resolve the existing flooding problems? FLOODING
- F. Will the proposed development effect an important archaeological site? ARCHAEOLOGY
- G. SUSTAINABILITY

**A. Policy**

The site is located outside of the settlement limits of Taunton as shown in the Taunton Deane Local Plan Revised Deposit, on land identified for recreational open space. This allocation has been contested at the Local Plan Inquiry on the grounds that development broadly as now proposed should be put forward in the

local plan and the Inspector's Report is awaited. Until such time, the emerging Local Plan has undergone sufficient public consultation for its policies to be given due weight. In these circumstances I consider that the site lies outside of the settlement limits of Taunton on land that is allocated for recreational open space. The proposal is clearly contrary to this allocation and as such the proposed residential development of the land is contrary to those policies. In addition it is the policy of the development plan and Government advice that playing fields should not be developed for non-recreational purposes unless the proposal conforms to given exceptions. In this case it is not considered that the proposal conforms to those exceptions and is therefore considered contrary to those policies within the development plan. The formal views of the policy section are awaited and will be reported to the Committee on the update sheet.

### **B. Highways**

The application has included a Traffic Impact Assessment that is currently being considered by the County Highway Authority. Obvious errors have been noted in this document and an amended T.I.A. will be required. It is recognised that Greenway Road is heavily used and is used to link the M5 motorway with the north side of town, West Somerset and North Devon. As outlined in the Somerset and Exmoor National Park Joint Structure Plan Review policies 39 and 49, it is important to ensure that any proposed development is compatible with the existing transport infrastructure and that any necessary improvements are incorporated. As mentioned above, the T.I.A. will require revision however, as the proposal is considered to be unacceptable in principle, I do not intend to wait for the necessary revisions prior to the determination of the proposal, but consider that insufficient information has been forthcoming to date to allow a proper assessment of the highway impact of the proposal and I consider the application to be contrary to Somerset and Exmoor National Park Joint Structure Plan Review policies 39 and 49.

### **C. Playing Fields**

The proposed development is on land currently forming Taunton School's 'Uppers' playing field and as such must be considered in relation to the Somerset and Exmoor National Park Structure Plan Review Policy 37 and Taunton Deane Local Plan policy C3 and Government advice contained within PPG 17.

The applicant has submitted a statement that claims the land in question is surplus to requirements. It is claimed that Taunton School with 800 pupils requires 40 hectares of team game playing fields. The School currently owns (including the artificial pitches which count for twice their area) 182 hectares of playing fields, which is well in excess of their need. They also claim that the loss of hard court recreational space can be retrieved by alterations to the remaining hard court by making it rectangular.

Taunton Deane Local Plan Revised Deposit Policy C3 requires playing fields to be protected and maintained, irrespective of their ownership and that proposals

resulting in the loss of such playing fields will not be permitted unless it complies with the four exception criteria namely: - there is an excess of good quality recreational open space of the type that would be lost, sufficient to meet local demand (this demand is not restricted to Taunton School's needs but applies for the local need of the area); the proposed development provides recreational or community benefit greater than the long term recreational value of the open space that would be lost; equivalent provision is made in a convenient location of at least an equal standard and with equal community benefit; and finally, for school playing fields the land is needed for the development of school buildings and/or associated facilities and adequate playing facilities to meet statutory requirements would be retained or provided.

At the present time consultants have been undertaking a study of the supply and demand for playing pitches within the Taunton area and this is likely to be available in the New Year. At the moment there is no such assessment and any decision to develop playing fields would be premature. It is possible for the applicants to undertake their own assessment of the wider local need but to date no such information has been forthcoming. Whilst some of the proposed development would improve the school facilities, the residential development does not and in the circumstances Sport England have raised an objection to the proposals in line with the requirements of PPG17 and on the basis of this advice I consider the proposals to be contrary to Structure and Local Plan policy.

#### **D. Amenity**

The proposed development will have an impact on the visual amenity of the area and will affect the amenities of adjacent residential occupants.

At present the site has an open character with a flat open entrance to the site raising up to a higher grassed level further to the north and east (where housing is to be located). The visual amenity of the entrance, when viewed from Greenway Road, will be affected by the introduction of a balancing pond with a car park area and pavilion in the foreground and the provision of two Astroturf pitches to the rear. These pitched will be floodlit and are likely to be surrounded by high fences. The impact of these proposals will be to alter the character and ambience of the area giving an impression of developed land rather than the more open rural character with views of the Quantocks that are evident now. I consider this to be detrimental to the visual amenity of the area.

The playing field has existing housing around it that will be affected by the proposed development in several ways:-

1. The proposed balancing pond, car park and pavilion are all sited adjacent to the boundaries of existing residential properties. The balancing pond is located to the front of the site and should not, in itself, have a detrimental effect on the amenity of nearby residents provided it is safely designed. The car park is likely to result in increased levels of activity during the day and evening. This will introduce a level of noise, lighting and pollution that

are not present at the moment, however I consider that conditions can be applied that would limit its use so that the impact is at an acceptable level. I also consider that landscaping could be provided along the boundary of the site to lessen its visual impact from those properties. The pavilion has been sited approximately 20m away from its eastern boundary and the plan indicate planting on the intervening land. I consider that this will not have a material impact on the amenities of the adjacent occupants.

2. The proposed floodlit Astro turf pitches are located to the rear of the pavilion and are offset from the rear of the surrounding dwellings, presumably to minimise the impact of the lighting and noise on those residents. At present dwellings around the site look out onto unlit green fields and whilst details of the lighting have not been provided it is my experience elsewhere in the district that, due to the relationship of the pitches to the existing and proposed dwellings, there is likely to be a significant detrimental impact on the amenity of the occupants by lights from the floodlights.
3. The proposed dwellings would be located on the southwest corner of the site on elevated ground to the rear of the existing Beech trees that border the road. Dwellings on the opposite side of the road are at a lower level than the proposed dwellings and the proposed housing will partially obscure their views of the playing fields and skyline. However, the new housing would be over 40 m away from the existing dwellings and behind the Beech trees and hedge that run along the boundary of the site. In the circumstances I do not consider that there would a detrimental impact on their amenity.

### **E. Flooding**

To the east of the application site the "Mill Lease Stream" drains the surrounding land in a southwards direction. The stream has a culvert under Greenway Road that often has insufficient capacity for the surface and stream water. This results in water flooding across the road and effecting land (including the main Taunton School campus) and properties that lie to the south of Greenway Road. The proposal includes the provision of a balancing pond that will contain excess flows until there is sufficient capacity for the water to drain through the culvert. However, the application does not include the details of the scheme and the Drainage Officer is unable to assess whether the proposals are acceptable or not. In addition the erection of houses and roads will increase the surface water run off from the site and no details have been submitted to indicate the drainage of this water. Taunton Deane Local Plan Policy EN31 does not permit development that would result in an increased risk of flooding watercourses, land or property. In the absence of full details establishing that the proposal would not result in an increased risk of flooding the proposal is considered to be contrary to that policy.

## **F. Archaeology**

The application site is located to the north of Greenway Road where a Neolithic axe has been found. This indicates the presence of prehistoric activity and such sites are very rare. The County Archaeologist advises that it is likely that there will be further remains within the field below the ground surface but there is, currently, insufficient information to form an accurate assessment. In these circumstances The Somerset and Exmoor National Park Joint Structure Plan Review Policy 11, Taunton Deane Local Plan Policy EN24 and Government advice, contained within PPG 25, advises that a full evaluation is undertaken and it's results assessed and necessary protection measures agreed before any planning permission is granted. I therefore consider that the proposed development is contrary to the requirements of the above policies and advice.

## **G. Sustainability**

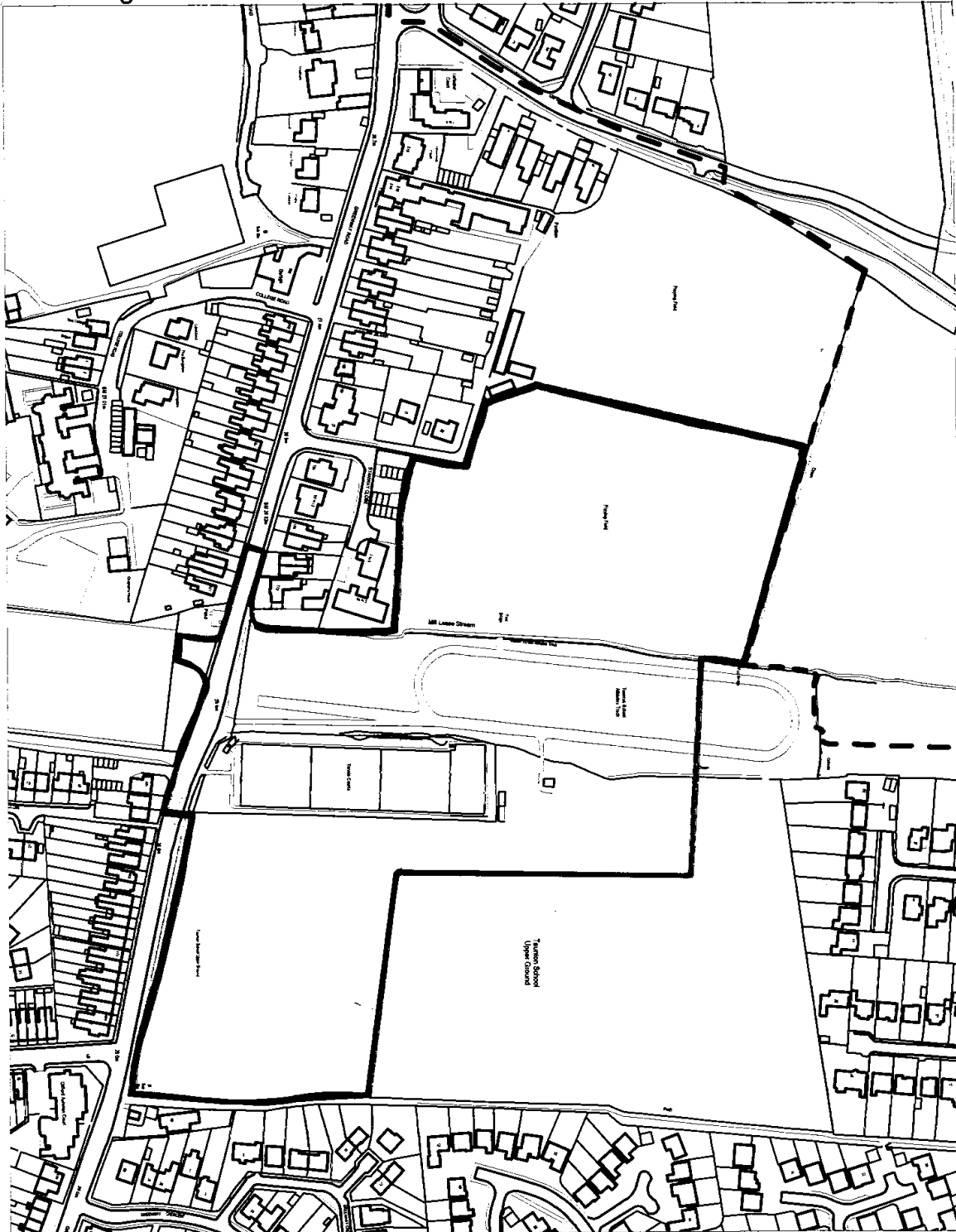
Whilst not within the settlement limits of Taunton the application site is in close proximity to bus, pedestrian and cycle networks and can be considered to be in a sustainable location. Policy STR1 of The Somerset and Exmoor National Park Joint Structure Plan Review requires sustainable development to minimize the use of non-renewable resources. The loss of the existing playing field and recreational open space would not easily be replaced in such an accessible location and I consider that the development of the site would result in an unsustainable development for that reason. In addition the proposal may lead to additional flooding from the Mill Lease stream and its culvert under the road and I consider that this would also be unsustainable.

## **11.0 CONCLUSION**

The proposal for development of playing field land lying outside of the settlement limits is considered to be contrary to the policies of the development plan for the area and Government advice, as contained within the planning policy guidance listed above. In addition the site is known to require improvements to the existing highway network and drainage and the application has not included sufficient information on the existing problems and proposed solutions to establish that the impact of the application will be acceptable. The proposed Astro turf pitches are located in the proximity of existing residential properties where future floodlighting is likely to be detrimental to the amenities of those properties, there is insufficient information included within the application to ensure that the lighting is not detrimental to the amenities of occupants of those dwellings.

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

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