

THE MONKTON HEATHFIELD CONSORTIUM

PROPOSED MIXED USE URBAN EXTENSION DEVELOPMENT COMPRISING RESIDENTIAL, EMPLOYMENT, LOCAL CENTRE, NEW PRIMARY SCHOOL, A38 RELIEF ROAD, GREEN SPACES AND PLAYING FIELDS AT MONKTON HEATHFIELD.

25950/26350

OUTLINE APPLICATION

1.0 **INTRODUCTION**

The history of the major mixed-use proposal at Monkton Heathfield began with the preparation of the Taunton Deane Local Plan. The Inspector appointed by the Secretary of State considered the proposal identified in the draft plan. Need for the development of this scale in this location was satisfactory demonstrated and the allocation was therefore confirmed in the Adopted Taunton Deane Local Plan published in November 2004.

The Local Plan identifies the scale, types and general requirements three sites (one to the east and two to the west of the A38) in Proposals T8, T9, T10 and T11 as follows:-

- T8 Sites at Monkton Heathfield are proposed for a major comprehensive development including housing, employment, community facilities and associated developments as set out in more detail in policies T9-T12. To ensure the provision of a satisfactory overall development, a co-ordinated approach and the delivery of the following key elements will be necessary:
- (A) primary and secondary school accommodation in accordance with policy C1;
 - (B) social and community facilities in the local centre;
 - (C) playing fields and public open space in accordance with policy C4;
 - (D) preparation and maintenance of a local nature reserve;
 - (E) landscaping;
 - (F) surface water attenuation;
 - (G) affordable housing in accordance with policies H9 and H10;
 - (H) bus priority measures within the site and linking the site to Taunton town centre;
 - (I) revenue support if necessary to maintain a frequent quality bus service linking the site to Taunton town centre;
 - (J) a comprehensive cycle and pedestrian network within the development area and Monkton Heathfield village, providing convenient access to the schools, local centre and employment;

- (K) cycle access to Taunton town centre via the A3259 and the canal, to the Riverside Leisure and Retail facilities and from Creech St Michael;
- (L) eastern and western relief roads; and
- (M) traffic calming and environmental enhancement on the existing A38 and A3259.

T9 A site of 50 hectares east of Monkton Heathfield is allocated for a mixed-use development, to incorporate the following uses (with a minimum site area shown):

- (A) housing (25 hectares);
- (B) B1 business development (4 hectares);
- (C) public playing field (4.5 hectares);
- (D) primary school (2 hectares);
- (E) local centre (3 hectares); and
- (F) landscaping and open space (10 hectares).

Affordable housing will be sought on this site in accordance with policies H9 and H10.

T10 A site of 4.8 hectares north of Aginghill's Farm as shown on the Proposals Map is allocated for residential development.

Affordable housing will be sought on this site in accordance with policies H9 and H10.

T11 A site of 10 hectares south of Langaller is allocated for B1 light industry and B8 warehousing development.

The current application covers most of the area covered by policy T9.

The Council subsequently produced a Development Guide, which sets out the requirements for the sites in more detail. Following public consultation the Council adopted the Guide in September 2004. The applicant has subsequently embarked upon a design coding exercise as required by this Development Guide. A Community Engagement Panel has been set up to assist in the preparation of the codes. However, this process is still in its early stages.

The principal application to which this report relates was submitted in December 2005. Discussions between the Council and the applicant have continued since submission, but we have yet to reach agreement on a number of issues. The applicant has therefore now chosen to appeal against non-determination. Determination of this application will now be made by a Government Appointed Inspector following a Public Inquiry. However, it is still necessary to report the application to the Planning Committee in order to confirm the Council's position for the purposes of the appeal.

The applicant has recently submitted two further applications, for mixed-use development of this site, which will be presented to this Committee in due course.

2.0 **APPLICANT**

The Monkton Heathfield Consortium (which comprises Persimmon Homes and Redrow Homes).

3.0 **PROPOSAL**

This report refers to two applications submitted in relation to the mixed use allocated site at Monkton Heathfield. The first and primary application is an outline application for the majority of the allocated land to the east of the A38. It proposes a mixed-use development incorporating residential development (circa 900 houses including 35% affordable units), employment, a local centre including retail units, a new primary school, an A38 relief road around the eastern boundary of the site, green spaces and playing fields. The site excludes part of the allocation to the southwest, which comprises former chicken houses (The Hatcheries). The Eastern Relief Road is realigned onto agricultural land to the south, within Green Wedge and beyond the allocated site boundary as a result. The other significant departure from the Local Plan allocation is the inclusion of playing fields to the east of the Relief Road. The application is supported by the following documents: -

- Planning application forms
- Site Plan (JBR 2855 rev 03)
- Red line application site plan (JBR2855 rev 01, received on 21^t March 2006)
- Masterplan rev N
- Planning Support Statement (Nov 05)
- Design Statement (Nov 05)
- Landscape Masterplan
- Environmental Statement (Volume 1 & 2, Nov 05) as updated by agents letter dated 11 May 2007
- Non technical summary – Environmental Statement (Nov 05)
- Flood risk assessment and Drainage Strategy (Jan 05)
As amended by Hyder letter dated 11 May 2006 and attachments.
- Technical Note – Low Range Floor Event Assessment (May 05)
- Transport Assessment (July 05)
- Revised Transport assessment Jan 2007
- Residential Travel Plan Jan 06
- Employment Travel Plan Jan 07
- Safe Routes to School
- Proposed roundabout Junction at A38 Bridgwater – Langaller Road (1313.66A & 66B)
- Report on Site investigations at Monkton Heathfield (Oct 04)
- Eastern Relief Road Initial single carriageway (1313.65G)
- Eastern Relief Road cross section (1313.92)

- Statement of Public Engagement (July 06)
- Supplement to Public Consultation Statement (Dec 06)
- Memorandum of Agreement
- Residential Phasing and densities plan (ACD4839/014 rev E)
- Open Space etc Areas Plan (ACD6703/013 rev C Mar 06)
- Eastern Relief Road Landscape Proposals (1371/118D &119A)
- Schedule of hedgerows and attached plan (1371/121B)
- Eastern Relief Road Comparison between proposed and local plan alignment (1371/118B, 119C, 121B, 122A, 126B, 127A)

The second application is for a small strip of land located to the north of the site adjacent to Langaller Lane which may subsequently be needed to accommodate the slight realignment of the lane necessary to connect into the roundabouts which have been designed for possible future dual carriageway. This is attached as a list item report. (See later agenda item).

4.0 **THE SITE**

The application site comprises agricultural land to the northwest and east of the A38, which runs southwest to northeast from Taunton to North Petherton. To the north, the site includes land from the A38 to the A3259. To the west of the A38 the site extends to the Dyer's Brook with existing residential development beyond. To the northeast the site follows Langaller Lane to Manor Farm, a listed building, before turning south to the M5 motorway. The site area also includes land between the east of the A38 and the west of Hyde lane. There are 3 pairs of dwellings along Hyde Lane and adjacent to the boundary of the site. Land to the South of the site includes part of the agricultural land lying between the canal and the former Hatcheries site, (which is as stated in the introduction excluded from the proposal and is not in the control of the applicant). A number of hedgerows and existing trees dissect the site area, including "Green Lane", which runs parallel to the western alignment of the proposed road.

The existing development on either side of the A38 including residential and commercial properties is excluded from the application site.

The majority of the site lies within West Monkton Parish, although a significant element of the employment land in the northeast of the site lies within Creech St Michael parish.

5.0a **RELEVANT PLANNING HISTORY**

48/2003/054 - Residential and employment development, associated access, public open space and landscaping on land between Bridgwater Road, Hyde Lane and the Bridgwater and Taunton canal, Monkton Heathfield. Permission was refused for reasons of insufficient information and the proposed road and roundabout are located on land within the Green Wedge separating Monkton Heathfield from Taunton, outside of the defined settlement limits and the allocated site boundary and would therefore be contrary to policy. Finally the proposal was in advance of a development guide for the site and did not

provide a comprehensive development scheme for the whole allocation as required by the Local Plan.

5.0b **Planning History of adjacent Hatcheries site**

48/2007/019 Construction of a roundabout and alteration of associated roads and highway structure at the former chicken hatchery, Bridgwater Road, Monkton Heathfield. Application awaiting determination.

6.0 **RELEVANT PLANNING POLICY**

Regional Planning Guidance Note 10 - identifies Taunton as a Principal Urban Area.

Regional Spatial Strategy – In the proposed RSS the regional assembly have shown an area of land for the development of an urban extension of 3,000 – 3,500 houses etc to the north of this allocated site. The Inquiry into these proposals was undertaken in Spring 2007 and the Inspectors Report is expected around December this year.

**Somerset and Exmoor National Park Joint Structure Plan Review
Policies Saved in accordance with Direction under paragraph1 (3) of
schedule 8 to the Planning and Compulsory Purchase Act 2004.**

STR1 - requires a sustainable approach to new development, minimising the length of journeys and maximising the use of public transport, cycling and walking; conserving the biodiversity and environmental assets of an area and ensure access to housing employment and services.

STR6 - controls development outside of settlements to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

Policy 5 - safeguards the landscape character of an area with particular attention to distinctive landscape, heritage or nature characteristics.

Policy 11 - (land with high archaeological potential).

Policy 14 - development proposals should ensure that protection of archaeological remains is undertaken.

Policy 16 - requires Taunton Deane to provide for about 115 hectares of industrial, warehouse and business development up until 2011.

Policy 20 - requires retail development that is well related to settlements with a scale of provision commensurate with its function.

Policy 33 - requires Taunton Deane to provide for about 10,450 dwellings up until 2011.

Policy 41 - identifies the Taunton to Bridgwater corridor as of strategic importance.

Policy 49 - requires all development proposals to be compatible with the existing transport network and, if not, provision should be made to enable the development to proceed.

Policy 50 - (traffic management).

Policy 51 - identifies the A38 as a National Primary Route.

Policy 54 - (new road schemes).

Policy 59 - requires surface and underground to be protected from development that could harm their quality or quantity.

Policy 60 - Floodplain Protection (areas vulnerable to flooding).

Adopted Taunton Deane Local Plan

Site Specific Policies

Major Site Allocation

Policy T8

Sites at Monkton Heathfield are proposed for a major comprehensive development including housing, employment, and community facilities and associated developments as set out in more detail in Policies T9, T10, T11 and T12. To ensure the provision of a satisfactory overall development, a coordinated approach and the delivery of the following key elements will be necessary: -

- (A) primary and secondary school provision accommodation in accordance with Policy C1;
- (B) social and community facilities in the local centre;
- (C) playing fields and public open space in accordance with policy C4;
- (D) preparation and maintenance of a local nature reserve;
- (E) landscaping;
- (F) surface water attenuation;
- (G) affordable housing in accordance with policy H9 and H10 (35% affordable housing);
- (H) bus priority measures within the site and linking the site to Taunton town centre;

- (I) revenue support if necessary to maintain a frequent quality bus service linking the site to Taunton town center
- (J) a comprehensive cycle and pedestrian network within the development area and Monkton Heathfield village, providing convenient access to the schools, local centre and employment;
- (K) cycle access to Taunton town centre via the A3259 and the canal, to the Riverside Leisure and Retail facilities and to from Creech St Michael
- (L) eastern and western relief roads; and
- (M) traffic calming and environmental enhancement on the existing A38 and A3259.

East of Monkton Heathfield

Policy T9

A site of 50 hectares east of Monkton Heathfield is allocated for a mixed use development, to incorporate the following uses (with a minimum site area shown): -

- (A) housing (25 ha);
- (B) B1 business development (4 hectares);
- (C) Public playing fields (4.5 hectares)
- (D) Primary school (2 hectares);
- (E) Local centre (3 hectares); and
- (F) landscaping and public open space (10 hectares).

Affordable housing will be sought on this site in accordance with policies H9 and H10.

North of Aginghill's Farm

Policy T10

A site of 4.8 hectares north of Aginghill's Farm as shown on the Proposals Map is allocated for residential development.

Affordable housing will be sought on this site in accordance with policies H9 and H10.

South of Langaller

Policy T11

A site of 10 hectares south of Langaller is allocated for B1 light industry and B8 warehousing development.

Community Developments

Policy T12

A site of 1.6 hectares east of Monkton Primary School is allocated for educational uses.

General Policies

S1 - general requirements for all development including: - the traffic impact, accessibility of development, protection of wildlife species or habitats, an acceptable impact on the visual amenity and character of the existing environment, levels of pollution should not be unacceptable, the safety of occupants from ground instability is secured, the development should minimize any adverse impact on the environment or existing land uses, encourage recycling, make full and effective use of the site, incorporate public art.

S2 - requires new development to be of good design.

S7 - new building outside of defined settlement limits will not be allowed unless it maintains or enhances the environmental quality and landscape character of the area and it is for agricultural or forestry and accords with a specific local plan policy.

H9 and H10 - require the provision of affordable housing and the appropriate limit for sites including Monkton Heathfield.

H19 - requires new development to reduce the likelihood of crime in keeping with a need to create an attractive and sustainable layout.

EC10 – Major travel generators (including large scale offices over 600 sq m) will be a priority for Taunton or Wellington town centre uses or where this is not available then a sequential site selection is required.

Policies M1- M3 - guide the provision of non-residential parking provided in association with the employment uses.

Policy M4 - guides the amount of parking required for residential development.

M5 - requires a comprehensive convenient and safe cycle network.

M6 - indicates that existing streets will be traffic calmed to improve the environment, safety or to encourage traffic to use the most appropriate roads.

C1 - requires the provision of adequate education provision for the 4-16 year old age group.

C3 - Protection of existing open space.

C4 - requires the provision of children's open space; public playing fields; formal parks, gardens and linear open spaces as required by the allocation.

C6 - proposals requiring the diversion or closure of public rights of way will not be permitted unless a suitable alternative is provided.

C12 - Development of renewable energy sources will be permitted where relevant local plan policies are met.

Policy EN5 - (Protected Species).

EN6 - (protection of trees, woodlands, orchards and hedgerows).

EN9 - Tree Planting.

EN12 - Landscape character

EN13 - does not permit development that will harm the open character of the green wedge.

EN23 - requires sites that may have an archaeological potential to be fully investigated before planning applications are allowed.

EN25 - requires development near to rivers or canals not to be detrimental to their landscape, character, wildlife and recreational potential and to respect enhance and maximize the benefits of a waterside location.

EN26 - will not allow development that would pose a risk to the quality, quantity and availability of water in the water environment.

EN28 - outlines a site selection preference where sites that have low to medium flood risk are developed before those with a high risk such as functional site plain (known as a sequential test for site selection).

EN29 - will not allow development that would result in greater risk of flooding due to increased water run off.

EN32 - development of contaminated land will not be permitted where harm to wildlife or the public would result. Any necessary remedial measures must be undertaken before any harmful effects can occur and the proposed development comes into use.

EN33 - Building Waste.

There is also supplementary planning guidance for the allocated sites: - The Monkton Heathfield Development Guide

8.0 **RELEVANT CENTRAL GOVERNMENT GUIDANCE**

Planning Policy Statement 1 Delivering Sustainable Development

Planning Policy Statement 3 Housing

Planning Policy Guidance Note 4 Industrial, Commercial Development and Small Firms

Planning Policy Guidance Note 6 Planning for Town Centres

Planning Policy Statement 9 Biodiversity and Geological Conservation

Planning Policy Statement 10 Planning and Waste Management

Planning Policy Guidance Note 13 Transport

Planning Policy Guidance Note 15 Planning and the Historic Environment

Planning Policy Statement 25 Development and Flood Risk

9.0 **CONSULTATIONS**

County Highway Authority

"I refer to the above planning application and also my previous letter dated 27th March, 2007, in which I recommend refusal on the basis of nonconformity with the Taunton Deane Local Plan and a lack of information on Highway and Transport Issues.

A revised Transport Assessment and detailed drawings related to Highway infrastructure were received in January 2007 from the developer. These documents address the Highway and Transport issues in the vicinity of the site and on the wider highway network.

The scope of the T.A. and the methodology used, have been agreed with the Highway Authority. This uses the TSRT model rather than the traditional trip generation method, as in the case of Taunton the surrounding road network is at capacity with overloading present on all major routes and as there are many choices of route for drivers to use.

The effect of this is that analysis of individual junctions is not as detailed as with the traditional method so some approximations are included. The Highway Authority is content that it has suitably assessed junction capacity. The model also reassigns traffic to other routes on the network.

Generally the Highway Authority is content with the T.A. as submitted.

Objection was previously raised regarding non- conformity with the TDLP particularly in relation to the provision of the Western Relief Road and the southern end of the Eastern Relief Road. The application does not include the W.R.R. in its red line envelope. However the developer has indicated that they will fund it so that it can be delivered before the occupation of 650 Dwellings, but I consider that it may be more appropriate to link this to the commencement of construction of the 650th Dwelling. Taunton Deane will use its C.P.O powers to acquire the necessary land, provided that all other avenues regarding land acquisition have proved fruitless. S.C.C. will design the road and ensure its appropriate and timely construction. There is no objection to this course of action.

The E.R.R. will be provided, in its entirety, at the commencement of the development. The principal of this is acceptable. In terms of its design it will be a single carriageway with roundabouts at all major junctions. A suitable corridor to enable future dualling is provided, The Highway Authority is still waiting for the developer to provide plans to demonstrate that the roundabouts can be successfully converted to accept a dual carriageway.

The southern element of the E.R.R. and its junction with the A38 do not follow the alignment shown in the TDLP. The land on which the local plan alignment lies is not within the red line. The applicants have proposed their road and junction to the south of this land. The Highway Authority raised concerns in its letter of 27th March 2006, regarding the location of the Southern Roundabout. The developers have provided a Roundabout design, which is acceptable to the Highway Authority, therefore I consider that it is a matter for the Planning Authority to decide if this alignment is acceptable on other issues.

Questions have been asked about the accuracy of the modelling in respect of vehicles travelling through the site and how this affects the capacity of the roundabouts. A paper has been received from an objector. I am content with the developers response to this.

Questions have been asked about the location and design of the southern roundabout. It has been said that it and its connection to Milton Hill do not conform to appropriate design standards. This has been carefully checked and amended designs received to overcome the problems. The Highway Authority finds the current design acceptable, however it's location to the south of Milton Hill means that the solution is not perfect. This is however only a temporary situation and will have the effect of slowing down approaching vehicles. The permanent situation will not be in place until the W.R.R. has been constructed. The W.R.R. alignment is not fixed and will be subject to further discussion.

The suitability of Milton Hill to carry traffic associated with the development has also been called into question. In its current state, it is not suitable to provide access to all of the traffic generated by the development. It could be improved on line or constructed on a new alignment. The construction of this part of the W.R.R. on a new alignment separated from the existing alignment of Milton Hill would have the effect of lessening the effect on Farriers Green. The alignment of the W.R.R. will be the subject of further consultation.

I have received representations from Creech St. Michael Parish Council for the roundabout adjacent to the sports field, to link to Hyde Lane. This is not proposed by the developer. It has not historically been an aim as it was considered inappropriate to allow the possibility of addition traffic flow running along Hyde Lane and especially past Creech St. Michael primary school. It is the Parish Councils view however, that this would greatly benefit the village, giving another way out and would not create problems.

From the Highway viewpoint, it is possible to create an acceptable link to the roundabout. The link would not significantly affect the capacity of the roundabout. I am not convinced that opening up another link will not create significant traffic running through Hyde Lane and through the village despite the Parish Councils view, I do not support the inclusion of the link.

North Petherton Town Council have suggested that additional traffic through the town will be generated by the development to such an extent as to create significant highway problems. It is clear that a development of this nature will generate traffic on the local highway network, however the amount of traffic has not been quantified in the T.A. I do not however, expect the levels to be such that the overall link capacity of the A38 will be compromised.

The provision of enhanced Public Transport in conjunction with this development is essential, the developer has agreed a provision of additional services and bus Season Tickets for new residents.

The provision of Traffic Calming on the existing A38 and A3259 is considered essential in downgrading these roads to ensure the holistic development of the area.

The development has an effect on offsite roads and junctions contributions will be required to fund improvements designed to mitigate the effects of the development traffic.

In conclusion, The Highway Authority does not propose to object to the development proposed subject to the applicants entering into a SI06 agreement to secure the following:-

1. The provision of the Eastern Relief Road in its entirety, between the junction of Langaller Lane with the A39 and its southern junction with the A39 south of Milton Hill, including the provision of footbridges, prior to the occupation of any part of the development.
2. The funding for the total cost of the design & construction of the Western Relief Road. Such costs to include any fees/administrative costs needed to secure any appropriate consent necessary to enable the road to be delivered.
3. The provision of Traffic calming on the a) A39, between the junctions of Langaller Lane and Milton Hill and b) the A3259 between Blundells Lane and Yallands Hill. The details of the calming will be agreed by Public Consultation prior to its installation. This will include a Bus Gate on each road.
4. The provision of additional and enhancement of existing bus services to and from the development to secure a 30 minute service at the start of the development and a 20 minute service at 75% occupation.
5. The provision of Commercial and Residential Travel Plans.

6. The provision of financial contributions to offsite improvements to the Highway Network.

The following conditions will also be required:

The proposed estate road, footways, footpaths, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, street furniture and tactile paving shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

The proposal road, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

In the interests of sustainable development a network of cycleway and footpath connections shall be constructed within the development site in accordance with a scheme to be permitted in writing by the Local Planning Authority.”

“I have the following observations on this proposal:-

These observations from Somerset County Council include observations on transport and strategic planning.

Strategic Planning

The enactment of the new planning system in 2004 means that Planning Guidance (RPGIO) is now part of the development plan system until replaced by the Regional Spatial Strategy (RSS). At present, the development plan is also made up by the adopted Somerset and Exmoor National Park Joint Structure Plan Review (2000) and the more recently adopted Taunton Deane Local Plan (2004), given that Planning Policy Statement 11, para 2.54, states that structure plans will be 'saved' for a period of three years from commencement of Parts 1 and 2 of the Act or adoption of the structure plan, whichever is later.

Within the adopted planning policy framework for Taunton, there is substantial policy support for the growth of Taunton and significant planned change that will take place over the next twenty years. Existing Regional Planning Guidance (RPG10) identifies Taunton as one of eleven Principal Urban Areas (PUA's) in the South West. The emerging South West Regional Spatial Strategy (RSS) for the period up to 2026 also supports Taunton's strategic importance in the region.

However on the information supplied, from a strategic planning policy perspective, there is concern that this planning application is not in accordance with the current development plan and that it could prejudice the comprehensive development of the locality. Given the scale of development proposed, of significant concern is the fact that the planning application does not appear to provide the transport infrastructure which is essential to enable the development to proceed. As such the proposal does not fulfil the objectives of the development plan on a number of levels and appears to be contrary to the following policies:

- Policy SS14 (Taunton) in RPG10, which sets out the strategic aims for Taunton and its enhanced role as a Principal Urban Area. It states that "Local authorities, developers, infrastructure and transport providers and other agencies should work together to achieve the following for Taunton:

Investment in transport and other facilities to support this strategy" (3rd bullet point)

- Joint Structure Plan Review (2000) Policy STR4 states that new development should be in accordance with its role and function and Policy 49 which states that: "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" given advice in Policy STR2 that Taunton will provide a sub-regional role.
- Taunton Deane Local Plan (2004) Policy T8 (L) and the provision of the Western Relief Road.

Given that it is the legal duty of Taunton Deane to ensure that all material considerations have been taken into account prior to the issue of a consent or refusal, against a backdrop of an increasingly congested highway network, attention is also drawn to the fact that there is no County Council commitment to fund such a Western Relief Road. It is not in the existing Local Transport Plan, the existing adopted Structure Plan (April 2000) or the evolving RSS (Version 3.20) as submitted to Full Assembly on the 10th March, 2006.

Turning to other matters:

- The planning application as it stands is also contrary to policies W9 and W18 within Somerset Waste Local Plan 2005. Policy W9 states that, for any form of development that will generate significant quantities of waste, planning permission should not be granted unless the proposals include details of the means that will be used to manage that waste. Somerset County Council suggests that the applicant submits a waste management plan to Taunton Deane Borough Council setting out how the proposal will meet the aims of Policy W9. Policy W18 states that planning permission for dwellings should only be

granted where the Applicant has made sufficient provision for recycling. It is suggested that the Applicant consult the Waste Collection, Disposal and Planning Authorities on how best to apply this policy to the site in question.

- From an ecological perspective a survey of lesser horseshow bats and of barn owls should be conducted of the site and the impact of domestic cats on the local wildlife should be considered.

Transport and Highways

Policy T8 of the Taunton Deane Local Plan sets out the requirements for the major site allocation for the Monkton Heathfield and Bathpool development site. It allocates sites at Policies T9-T12 for major comprehensive development, which in transport and highways terms requires works which are set out in bullet points (h), (i), (j), (k), (1) and (m) of Policy T8.

The planning application submitted does not include the site at Policy T 10 and therefore does not provide the Western Relief Road as set out in Policy T8(L).

The application does include the Eastern Relief Road but this stops short of the A38 to the north of the site. No details are provided of a new junction at the junction of the A38 and Langaller Lane. The southern end of the Relief Road adjoins the A38 through land outside of the allocated Local Plan site to the south of The Hatcheries. There is no justification in the application to indicate why the junction should be in this location rather than within the land allocated, nor is there sufficient detailed information to enable the design suitability of this junction to be established at this time.

A Transport Assessment has been submitted, but this fails to justify that the infrastructure provided is adequate to cater for the traffic generated by the proposed development. It also fails to fully investigate the effect of the development on the local highway network and appears to suggest that additional development traffic makes no material difference to the degree of overloading of some of the junctions tested. The Transport Assessment states that this development does not cause overloading but only worsens it. This approach is not helpful.

The Transport Assessment seems to see capacity issues as questions to be answered at a later stage. It is my opinion that all junctions, both existing off-site junctions and new junctions on the Eastern and Western Relief Roads, must be assessed in detail at this stage as it would be folly to grant permission for a development of this scale, when the effects of the traffic on the highway network are unknown.

The provision of a suitable public transport strategy and facilities for pedestrians and cyclists for the development are essential as a means of mitigating a large increase in car numbers and are a base requirement to ensure that the development is well-planned and contributes to a balanced

transport strategy. The proposal gives insufficient detail to enable approval to it to be given at this time.

In summary, whilst it is the legal duty of Taunton Deane to ensure that all material considerations have been taken into account prior to the issue of a consent or refusal, the Transport Assessment is weak and does not provide sufficient information to enable the Highway Authority to be sure that the development will not cause demonstrable harm to the local highway network and, in consequence, refusal of the Outline Application is recommended. Suitable reasons for refusal are:-

1. As a consequence of the inadequate details on the Western Relief Road, it is not possible to conclude that the proposed development would not conflict with Policy SS14 (Taunton) in RPG10, Joint Structure Plan Review (2000) Policy STR4 and Policy 49 and Taunton Deane Local Plan (2004) Policy T8 (L).
2. The application does not provide for adequate transport infrastructure which would enable the development to proceed, and as such is contrary to Joint Structure Plan Review (2000) Policy 49 and Taunton Deane Local Plan (2004) Policy T8(L)
3. The application does not provide sufficient information to enable the Highway Authority to fully consider the effect of the traffic generated by the proposed development on the highway network.

I am now aware that the Council and the Applicants have agreed that negotiation should take place in order to overcome the objections. A meeting has been held and I am pleased to continue meeting with the applicant's transport consultants whenever it is necessary." (27th March, 2007)

"I refer to the above planning application and also my previous letter dated 27th March, 2007, in which I recommend refusal on the basis of nonconformity with the Taunton Deane Local Plan and a lack of information on Highway and Transport Issues.

A revised Transport Assessment and detailed drawings related to Highway infrastructure were received in January 2007 from the developer. These documents address the Highway and Transport issues in the vicinity of the site and on the wider highway network.

The scope of the T.A. and the methodology used, have been agreed with the Highway Authority. This uses the TSRT model rather than the traditional trip generation method, as in the case of Taunton the surrounding road network is at capacity with overloading present on all major routes and as there are many choices of route for drivers to use.

The effect of this is that analysis of individual junctions is not as detailed as with the traditional method so some approximations are included. The

Highway Authority is content that it has suitably assessed junction capacity. The model also reassigns traffic to other routes on the network.

Generally the Highway Authority is content with the T.A. as submitted.

Objection was previously raised regarding non-conformity with the TDLP particularly in relation to the provision of the Western Relief Road and the southern end of the Eastern Relief Road. The application does not include the W.R.R. in its red line envelope. However the developer has indicated that they will fund it so that it can be delivered before the occupation of 650 Dwellings, but I consider that it may be more appropriate to link this to the commencement of construction of the 650th Dwelling. Taunton Deane will use its C.P.O powers to acquire the necessary land, provided that all other avenues regarding land acquisition have proved fruitless. S.C.C. will design the road and ensure its appropriate and timely construction. There is no objection to this course of action.

The E.R.R. will be provided, in its entirety, at the commencement of the development. The principal of this is acceptable. In terms of its design it will be a single carriageway with roundabouts at all major junctions. A suitable corridor to enable future dualling is provided, The Highway Authority is still waiting for the developer to provide plans to demonstrate that the roundabouts can be successfully converted to accept a dual carriageway.

The southern element of the E.R.R. and its junction with the A38 do not follow the alignment shown in the TDLP. The land on which the local plan alignment lies is not within the red line. The applicants have proposed their road and junction to the south of this land. The Highway Authority raised concerns in its letter of 27th March, 2006, regarding the location of the Southern Roundabout. The developers have provided a Roundabout design, which is acceptable to the Highway Authority, therefore I consider that it is a matter for the Planning Authority to decide if this alignment is acceptable on other issues.

Questions have been asked about the accuracy of the modelling in respect of vehicles travelling through the site and how this affects the capacity of the roundabouts. A paper has been received from an objector. I am content with the developers response to this.

Questions have been asked about the location and design of the southern roundabout. It has been said that it and its connection to Milton Hill do not conform to appropriate design standards. This has been carefully checked and amended designs received to overcome the problems. The Highway Authority finds the current design acceptable, however it's location to the south of Milton Hill means that the solution is not perfect. This is however only a temporary situation and will have the effect of slowing down approaching vehicles. The permanent situation will not be in place until the W.R.R. has been constructed. The W.R.R. alignment is not fixed and will be subject to further discussion.

The suitability of Milton Hill to carry traffic associated with the development has also been called into question. In its current state, it is not suitable to provide access to all of the traffic generated by the development. It could be improved on line or constructed on a new alignment. The construction of this part of the W.R.R. on a new alignment separated from the existing alignment of Milton Hill would have the effect of lessening the effect on Farriers Green. The alignment of the W.R.R. will be the subject of further consultation.

I have received representations from Creech St Michael Parish Council for the roundabout adjacent to the sports field, to link to Hyde Lane. This is not proposed by the developer. It has not historically been an aim as it was considered inappropriate to allow the possibility of additional traffic flow running along Hyde Lane and especially past Creech St Michael primary school. It is the Parish Council's view however, that this would greatly benefit the village, giving another way out and would not create problems.

From the Highway viewpoint, it is possible to create an acceptable link to the roundabout. The link would not significantly affect the capacity of the roundabout. I am not convinced that opening up another link will not create significant traffic running through Hyde Lane and through the village despite the Parish Council's view, I do not support the inclusion of the link.

North Petherton Town Council have suggested that additional traffic through the town will be generated by the development to such an extent as to create significant highway problems. It is clear that a development of this nature will generate traffic on the local highway network, however the amount of traffic has not been quantified in the T.A. I do not however, expect the levels to be such that the overall link capacity of the A38 will be compromised.

The provision of enhanced Public Transport in conjunction with this development is essential, the developer has agreed a provision of additional services and bus Season Tickets for new residents.

The provision of Traffic Calming on the existing A38 and A3259 is considered essential in downgrading these roads to ensure the holistic development of the area.

The development has an effect on offsite roads and junctions contributions will be required to fund improvements designed to mitigate the effects of the development traffic.

In conclusion, The Highway Authority does not propose to object to the development proposed subject to the applicants entering into a SI06 agreement to secure the following:-

1. The provision of the Eastern Relief Road in its entirety, between the junction of Langaller Lane with the A39 and its southern junction with the A39 south of Milton Hill, including the provision of footbridges, prior to the occupation of any part of the development.

2. The funding for the total cost of the design & construction of the Western Relief Road. Such costs to include any fees/administrative costs needed to secure any appropriate consent necessary to enable the road to be delivered.
3. The provision of Traffic calming on the a) A39, between the junctions of Langaller Lane and Milton Hill and b) the A3259 between Blundells Lane and Yallands Hill. The details of the calming will be agreed by Public Consultation prior to its installation. This will include a Bus Gate on each road.
4. The provision of additional and enhancement of existing bus services to and from the development to secure a 30 minute service at the start of the development and a 20 minute service at 75% occupation.
5. The provision of Commercial and Residential Travel Plans.
6. The provision of financial contributions to offsite improvements to the Highway Network.

The following conditions will also be required:-

1. The proposed estate road, footways, footpaths, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, street furniture and tactile paving shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
2. The proposal road, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaces footpath and carriageway to at least base course level between the dwelling and existing highway.
3. In the interests of sustainable development a network of cycleway and footpath connections shall be constructed within the development site in accordance with a scheme to be permitted in writing by the Local Planning Authority.”

“I would like to clarify and sum up the Highway Authority's current position with regard to highways, transport and strategic planning issuer.

You will recall a letter dated 27 March 2006 in which the highway authority recommended a refusal of the application for three reasons. The first being the inadequate detail of the western relief road, the second being the lack of

adequate transport infrastructure to enable the development to proceed, and the third that there was insufficient information to enable the Highway Authority to fully consider the effects of traffic generated by the proposed development.

Subsequently, further information was received and after much further consideration the Highway Authority set out its comments in a letter dated 28 March 2007. This letter carefully set out the highway and transport issues and requirements for the Section 106 Agreement, which I will reiterate later.

It did not, however, formally retract the objection on strategic planning grounds. This letter corrects that omission and I confirm that the Highway Authority has no strategic planning objection to the development proposed on the basis of a Section 106 Agreement coming forward.

My colleagues and I have been in discussions with the developer regarding the master planning of the site and, whilst I am aware that these issues are to be covered under any reserved matters submission, I feel I need to make one or two comments. The design shown on the master plan in so far as they go are generally acceptable in technical detail, however they do not reflect current best practice in terms of the requirement for the internal layout to be designed so that vehicle speeds do not exceed twenty miles an hour. To this end, I will be striving through the reserved matters procedure to persuade the developer to amend his proposals in line with current best practice.

In conclusion, therefore, from a highway and transport viewpoint I can confirm that there is no highway or transport objection to the development, subject to the applicant entering a Section 106 Agreement which secures the provisions for the Section 106 Agreement and the conditions set out in my letter to you of 28 March 2007. (23rd October, 2007)

County Archaeologist

"In general the ES concerning cultural heritage is acceptable as it contains all the relevant information. However, I do not feel the archaeological mitigation put forward in each area affected is to monitor topsoil stripping and recording of archaeological remains is entirely appropriate. Because of the ephemeral nature of the remains (in particular the potential Iron Age site) the methodology may result in damage to remains through the normal working method of development. My recommendation is that the archaeological mitigation should involve the archaeologically lead stripping of the affected areas and full excavation of remains revealed in advance of development rather than during the development process. It is likely that slightly different methods of excavation may be appropriate in different areas following soil stripping including full excavation or Strip Map Sample but these can be decided following initial soil strip.

For this reason I recommend that the developer be required to excavate archaeologically those areas that are to be disturbed by the development.

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 involving excavation in advance of development in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority."

Rights of Way Officer (SCC)

"It would appear that the existing public rights of way are not affected by the proposed development, however it is not known to what extent other unrecorded rights may exist.

Should the developer require temporary closure of the rights of way during the construction phase then a formal application should be made to Somerset Highways.

As a result of consultation for the Rights of Way Improvement Plan we have received many proposals from the public for improvements and additions to the rights of way network. The only one in the vicinity of this development is for a cycle path on the southern side of the canal at Bathpool. Should the development area encompass land all the way to the canal then a multi-use bridleway route on the north side of the canal would be favourable for walkers, cyclists, equestrians and those with mobility problems as an off-road route between Bathpool and Hyde Farm.

I would also propose that the public footpath along Green Lane be upgraded to a cycle track along the length of the relief road to provide a safe off-road route for vulnerable users.

I have no further comments at this stage but would wish to remain involved in the consultation process as the development progresses." (25th January, 2006)

"I've had chance to look again at my initial response, the outline masterplan and also the RPS Planning Support Statement (5.37, J)

In addition to my previous comments regarding Green Lane, I wish to add that it would be advantageous to secure the existing footpath and the rest of the proposed green corridor down to the canal as a Public Bridleway. This would allow use by walkers, cyclists and horses. Although it may have minimal equestrian use post completion, there is a possibility that the canal path will be upgraded to a bridleway in the future and therefore it is important to ensure we capitalise on this opportunity now for future linkages. If anything it would be easier for the developer to dedicate this route as a bridleway than to go through the Cycle Tracks Act to create only a cycle track (which would exclude horse riders). I note that there are several other pedestrian/cycle links on the masterplan serving the western side of the development which I would

also seek to be either created as public bridleways or retained as public bridleways where a road is being stopped up.

With the plans that I currently have it is unclear as to the off-road extent of the Green Lane transport corridor, however I am presuming it is off-road from the NE of the site all the way down to the canal. It is also unclear from the plans that I have as to whether the development will require a diversion of the existing public footpath T 10/21.

Also it would appear that there are going to be sections of road being stopped up with retained rights for pedestrians and cyclists. This should also include equestrian rights and therefore those sections should be stopped up and retained as Public Bridleways." (12th October, 2006)

Environment Agency

"The Agency must maintain its objection to the above application, and would further comment as follows:-

From previous correspondence regarding the above outline application, you will be aware that the Agency is objecting to the application by virtue of its letter dated 3rd February, 2006 to your Council. The grounds for objection were that the developer had failed to satisfy the Agency that their flood risk assessment (FRA) was fully compliant in terms of the surface water disposal impacts associated with their proposal and the mitigation required to address those risks.

In the intervening period, a number of exchanges of correspondence have taken place between the Agency and the developer's consultants, Hyder, in an attempt to resolve the Agency's objections. As part of this process, Hyder have prepared a supplementary report on the condition of the two principal watercourses, excluding Dyer's Brook, that will ultimately receive surface water runoff discharges from the site. For information, please find enclosed a copy of the Agency's latest letter to Hyder dated 11th January, 2007, the contents of which are self-explanatory, and confirm that the Agency is not yet satisfied with the proposed surface water drainage infrastructure.

At this current time, the Agency has not received any new information regarding the detailed design of the proposed attenuation lagoons on site, over and above the information contained within the original FRA report and subsequent correspondence. It is also unclear whether the outline application covers the Aginhill's Farm site, as this is not shown in the phasing plan.

Should your Council be minded to approve the application, notwithstanding the Agency's objections, it is formally requested that the Agency is given the opportunity to comment further. The Agency would stress that as flood risk is a material consideration, it would seek to resolve the technical issues at this stage, in advance of any outline approvals.

From an ecological perspective, the Agency is opposed to the on-stream attenuation of any watercourse. Such arrangements are extremely difficult to de-silt without causing pollution of watercourses.

The Agency would further advise that in order to ensure that the proposed public open space/nature reserves are properly established and maintained (as recommended in the Monkton Heathfield Development Guide) development should not commence until an appropriate Section 106 agreement is in place. The agreement should provide for the future management (for at least 20 years) of all areas of public open space/nature reserves, including the proposed Dyers Brook LNR.

The Agency must maintain its recommendation that the planned green corridor that follows a small watercourse on the west side of the proposed development is extended southwards. This line is the historic parish boundary between West Monkton and Creech St Michael. Emphasising all of the historic boundary will add ecological and historic value and may also assist in screening the commercial units planned for the area

The Agency would advise that Wessex Water should be consulted and be requested to demonstrate that the sewerage and sewage disposal systems serving the proposed development have sufficient capacity to accommodate the additional flows, without causing pollution.

If any water is to be abstracted from a surface watercourse or feature as part of the proposed development (either during the construction phase or within the finished design), it is highly likely that the developer/operator will require a formal Abstraction Licence from the Agency, prior to any abstraction. For information, surface watercourses and features include: rivers, streams, brooks, springs, ponds and lakes (this is not an exhaustive list). Additionally, if any water is to be abstracted from a groundwater source of supply (either during the construction phase or within the finished design), it is likely that the developer/operator will require a formal Abstraction Licence from the Agency, prior to any abstraction. Abstractions from groundwater sources are often made by means of wells, boreholes, catchpits, adits and other such means. If the developer/operator is proposing to install any such means of abstraction, it is highly likely that their construction will require the prior consent of the Agency.

If the developer/operator is proposing to install or create any impediment or obstruction to flows within a surface watercourse, it is highly likely that a formal Impounding Licence will be required from the Agency, prior to any in-channel works commencing. Structures and works that may constitute an impediment or obstacle to flow include: dams, sluices and bunds (this is not an exhaustive list). The developer/operator is further advised that any works which result in the impedance of flow in any surface watercourse may also require a formal Land Drainage Consent from the Agency, prior to operations commencing.

It is the responsibility of the developer/operator to ensure that the development will not affect any existing legal water interests in the area.

Further information regarding Water Resources authorisations may be obtained from the Agency's Regulatory & Technical (Water Resources) section (tel: 01278 484644).

All other comments contained in the Agency's letter dated 3rd February, 2006, still apply.” (15th January, 2007)

“The Agency has no significant new comments to make, in response to the recently submitted details, over and above those contained in its letter dated 15th January, 2007. Accordingly, the Agency's original objection to the outline application dated 3rd February, 2006, still stands.

With regard to the potential off-line storage scheme, comprising three open ponds in the Dyers Brook catchment, the Agency believes that this option may be revised due to a meeting between the Agency and the Consortium/Hyder on 8 February 2007.

The meeting included in-depth discussions regarding the flood risk/surface water drainage objections yet to be successfully resolved to the Agency's satisfaction. In addition to the Dyers Brook catchment, you will also recall the Agency's concerns relating to the condition of the Old Tone Arm catchment, raised in its letter dated 11 January 2007 addressed to Hyder.

Following lengthy negotiations, the Consortium agreed to investigate a package of uprating works to the Old Tone Arm watercourse, and to establish whether a combined storm cell/smaller treatment pond option is viable in the Dyers Brook open space corridor. It is understood that Hyder will be reporting their findings to the Agency in the coming week, with a view to resolving the Agency's outstanding concerns. Under such circumstances, the Agency could formally withdraw its objection in favour of suitable conditions and informatives.

The Agency has requested that the Consortium keeps the LPA informed of any progress. The Agency will also advise the LPA following receipt of further drainage details to address its remaining concerns.

If your Authority wishes to approve the application, despite the outstanding concerns, the Agency would be grateful for a further opportunity to discuss the application. Further discussion needs to take place prior to any Planning Committee Meeting, to determine the application or, prior to any delegated decision being made. In the context of such discussions it would be useful for the Agency to be advised of all material considerations which are influencing the determination of the application. Such a request is made in accordance with PPS 25.

Should you wish to discuss this matter further, please contact the Agency's Development Control Technical Specialist, Mr J Southwell, at this office (tel: 01278 484561).

All other comments contained in the Agency's letter dated 15 January 2007, still apply." (19th February, 2007)

"I refer to the Agency's original letter of objection dated 3 February 2006 and its subsequent letters dated 15 January 2007 and 19 February 2007 regarding the above proposal.

During the intervening period a meeting was held between the Agency and the development consortium (and agents) in an attempt to resolve the outstanding surface water disposal and flood risk concerns.

As a result of this meeting, you will now be aware from email exchanges that the developer has offered to include an additional clause (with monies) within the provisions of the Section 106 Agreement to cover off-site improvement works to the Old Tone Arm catchment by the Agency or its agents.

The Agency is currently involved in discussions regarding the exact wording of the clause and would wish to confirm the final text with your Council's solicitor, Mrs Judith Jackson, in due course. However, the Agency would confirm that, provided an appropriately worded clause is inserted into the Section 106 Agreement, it would no longer wish to sustain its flood risk related objection to the proposal.

Notwithstanding the above, the Agency must formally request that any subsequent approval is subject to the following conditions:

CONDITION: No phase of development for any residential or commercial building approved by this permission shall be commenced until such time as full engineering details of a surface water limitation scheme for that phase has been submitted to and approved in writing by the Local Planning Authority (LPA). The details submitted shall accord with the drainage principles set out in the Hyder FRA work, and shall indicate the future ownership, operation and maintenance liability for the surface water drainage infrastructure on site. The scheme shall be constructed in accordance with the approved details and timescale.

REASON: To minimise flood risk and ensure that the site is served by a satisfactory means of surface water drainage.

CONDITION: A clear strip of land at least 5.0m in width shall be retained free from any new buildings or structures adjacent to any watercourse fronting or crossing the site. Ground levels must not be raised above existing levels within such a strip of land, unless otherwise agreed in writing by the LPA.

REASON: To safeguard the watercourse corridors for environmental and maintenance access purposes.

Attention is drawn to the earlier condition and informatives contained in the Agency's letters dated 3 February 2006 and 15 January 2007. which should be read in conjunction with the further conditions and informatives contained in this letter.

Where conditions have been imposed on the advice of the Agency, details submitted pursuant to the conditions should be submitted to the Agency for comment, before the conditions are formally discharged.

In the event of planning permission being granted, the Agency would further request that the decision notice contains the following information:

Any culverting of a watercourse requires the prior written approval of the Environment Agency under the terms of the Land Drainage Act 1991 or Water Resources Act 1991. The Agency resists culverting on conservation and other grounds, and consent for such works will not normally be granted except for access crossings.

Any surface water discharges to a watercourse should terminate in an appropriately constructed outfall, which may require Land Drainage Consent from the Agency under section 23 of the Land Drainage Act 1991.

Under the Water Resources Act 1991 and The Land Drainage Act 1991 both the Agency and Local Authority have permissive powers to maintain watercourses. Their jurisdiction depends on the watercourse designation as 'Main River' or 'Ordinary watercourse'. However responsibility for general maintenance of the watercourse and their banks, rest with riparian owners.

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively." (25th May, 2007)

Wessex Water

"Further to our letter of 12th January, 2006, concerning the above Planning Application, I can now confirm our Engineer's comments as follows:-

Foul Sewerage

Further to discussions with the developer, an appraisal is underway to identify a satisfactory point of connection to our trunk sewerage system'. The anticipated point of connection is our Taunton to Ham sewer to the south of the River Tone." This will involve a number of-road, rail, canal and river crossings at the expense of the developer. It will also form the route of disposal for any subsequent development within the Monkton Heathfield area.

Due to the difficulties associated with these crossings, we would strongly recommend that wherever possible the developer allow for the longer-term

development proposals, when considering the design of their foul drainage system.

Surface Water Drainage

There are no public surface water sewers available to serve this development. Surface water should discharge to land drainage with consent from the Environment Agency who, we anticipate, will impose a limit on the maximum rate of discharge.

Possible Adoption of New Sewers

In accordance with Government Policy, Wessex Water expect the developer to offer the on and off site drainage systems for adoption as public sewers. The applicant is advised to contact Wessex Water Developer Services to discuss the adoption.

Sewage Treatment

In addition to the sewerage modelling, Wessex Water is undertaking a review of the capacity of Ham Sewage Treatment Works, for this and other longer-term development proposals within the catchment.

Water Supply

The existing network has adequate capacity to serve the proposed development of 900 dwellings, plus up to 13 ha of employment, a local centre and a primary school. The demand has been assessed on the assumption that the employment development will require supplies of a domestic nature only and that there will not be any 'wet' processes.

The points of adequacy have been confirmed as the 300 mm diameter Ductile Iron Main adjacent the A361 Road, and the 300 mm diameter D I Main at the A38 Bridgwater Road crossing."

Highways Agency

"Having reviewed the application, we have no objection to the application as proposed and are happy for permission to be granted if you are so minded. We note that the roundabout as proposed is a variation of that associated with the Mixed Use Monkton Heathfield Development (Application Ref: 48/2005/072); the Agency has no preferential view on either layout.

The attached TR110 confirms the Agency's position."

Somerset Drainage Boards Consortium

"The following comments on behalf of the Drainage Board are restricted to issues concerning the surface water drainage from the site.

1. The Flood Risk Assessment and Low Range Flood Event Assessment appear a significant piece of work and to have begun to assess some of the concerns about local flood risk identified by Taunton Deane Borough Council and the Environment Agency.
2. Even with the attenuated discharges proposed in the Flood Risk Assessment the additional volume of water discharged from the development has the potential to increase the duration of flooding in areas of the Somerset Levels & Moors such as Curry Moor (including the closure of New Road to North Curry).

The catchment area of the development compared to that of the River Tone as a whole is small but it is the cumulative effect of continuing urban development possibly exacerbated by climate change which will, over time, be significant.

For this reason, the Drainage Board would advocate that all appropriate measures to minimise the impact of the development on surface water drainage from the site should be taken, and that the development should ideally have a positive impact on drainage from the area and seek to, significantly, reduce the peak flows (and volumes) discharging from the site.

3. Due to a direct responsibility for part of the area, Drainage Board staff are most familiar with the Old Tone Arm (OTA) catchment. Unfortunately the information used for the modelling of OTA catchment appears potentially inaccurate. For example the information we have suggests that the culvert under the canal from the Old Tone Arm channel is around 450 mm diameter x 24 m long and is partly obstructed at the downstream end. This compares with a 600 mm x 86 m long culvert used for the model. In addition there is no reference to the 600 mm diameter culvert that conveys the Old Tone Arm watercourse under Hyde Lane etc.

In this particular example the results arising from the model might not be significantly different with more accurate information. It is to be hoped that the information used for modelling of the other watercourses, which may be rather more critical, is more accurate. It may be worth checking the information so that confidence in the statements in the Flood Risk Assessment can be sustained.

4. The Flood Risk Assessment and associated technical note has already considered a number of scenarios. These seem mostly to be single relatively short events. There remains a concern that the assessment does not consider the effect of longer term rainfall events and the associated volumes of storm water. An example perhaps is the flooding that occurred during late October and early November 2000 - around 100-125 mm of rainfall might have been expected over the catchment areas of the development site in eight or nine days. The

cumulative effect of such rainfall may result in storm water volumes that exceed the currently proposed capacity of the attenuation ponds.

If the capacity of the attenuation ponds are exceeded, either due to the volumes of water or an obstruction of the outfall, the result will be significantly increased flows in the downstream catchment areas parts of which are particularly vulnerable to flooding. It is suggested that a more detailed assessment of the requirement for attenuation storage is required taking into account longer term flood producing events.

5. The development site is unlikely to be significantly affected by flooding - as noted under section 7.8 of the Flood Risk Assessment. The Assessment also suggests that there may be some positive benefit to downstream areas due to a slight reduction in storm flows. If the outline design and associated modelling are correct this may also be so in practice but it is suggested that there is the potential to further reduce the flood risk to downstream areas. Further development of the proposed storm water drainage system upstream in the development area could have a significant positive benefit for those areas downstream of the development that are currently vulnerable to flooding.

In summary it is suggested that:

1. All appropriate measures are taken to minimise the impact of the development on the wider catchment. 2. The accuracy and detail of the information used for the modelling is checked and improved. 3. The requirement for flood storage and attenuation is assessed for longer duration events. 4. Where possible the development should make a positive contribution to reducing flood risk for vulnerable areas downstream beyond the basic requirement of having no adverse impact.

If clarification or further information is needed, please contact me.” (13th February, 2006)

Education Officer

“The County Council's education/library requirements as I think are agreed with the consortium are as follows:

- Secondary school contribution: 129 additional places expected to be required @ £15,531 per place; £2,003,499; inflation- indexed to DfES Cost Multiplier at time of payment.
- Primary School site of 2.5ha transferred to SCC at nominal cost; school to be procured by developer; constructed and ready for use by construction of 400th dwelling. The procurement to be subject of a separate development agreement with the developer and in accordance with SCC requirements and normal standards. Although the development generates the need for six

classrooms, the County Council will probably require the construction of seven, together with core facilities for what would eventually become a 14-class school - this additional accommodation to be funded by SCC.

- Provision of grass playing pitch for secondary school use on land east of Dyers Brook, to be transferred to SCC at nominal cost and ready for use by construction of 400th dwelling, turfed and fenced; with a direct access path from the existing school across a new bridge across the brook (to avoid students needing to use School Road) and secured from general public use.

- Temporary classrooms until the completion of the primary school. Probably purchase one temporary building and lease one for two years and one for one year. Total cost currently estimated at £146,000.

- Library services financial contribution of £51,200.

Community enhancements and facilities at the new primary school site have previously been agreed in principle, although these would need to be funded separately and not by the County Council. They would also be the subject of a separate Community Use Agreement such as that prepared in relation to the new school at Cotford St Luke. The spec below appears to conform with the requirements as set out in the approved 'Development Guide, but these are more of a matter for the Borough Council. The school would include a hall first and foremost for use by the school, but able to be used by the community for badminton etc. It would not be a 'village hall', nor a 'sports hall.'" (11th October, 2006)

Waste (Somerset County Council)

"Following on from the email that I sent you yesterday, I would like to reiterate the fact that SCC is concerned about construction waste arising from the development. The planning permission should be conditioned so that the Construction Management Plan addresses the issues highlighted in policy W9."

Chief Fire Officer

Means of Escape

Means of escape in case of fire should comply with Approved Document B1, of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at Building Regulations stage.

Access for Appliances

Access for fire appliances should comply with Approved Document B5, of the Building Regulations 2000.

Water Supplies

All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards.”

Avon & Somerset Constabulary

“The following are the main base recommendations as far as the police are concerned: -

- communal and public open space should be located and designed to allow good natural surveillance.
- areas used for sport activities should be located away from dwellings to reduce noise/disturbance to residents.
- an estate layout using semi-private designs incorporating real or symbolic barriers e.g. defined entrances or changes in road surface/texture can improve defensible space and contribute to crime reduction.
- dwellings should be arranged in small clusters with good mix of dwelling types, occupied at different times of the day, to allow community interaction/control and improve ownership.
- there is a need to obtain a balance between security and the permeability of the estate but casual non-resident intrusion should be discouraged by restricting access to defined routes and minimising estate 'through routes', so limiting access and escape routes for criminals.
- proposed footpaths/cycle paths should be direct, open to good surveillance from dwellings, without oppressive landscaping, have motor vehicle restrictions and be well illuminated, so reducing opportunities for anti-social behaviour and reducing fear of crime.
- alleyways/lanes at the rear of dwellings are not recommended as the majority of dwelling burglaries occur via the rear. If such access lanes are necessary e.g. for refuse collection, they should be gated.
- defined open or low boundary fences at dwelling frontages should allow casual surveillance and ensure defensible space.
- rear/side garden areas should be provided with 1.8 m high boundary fencing which gives security and allows residents privacy.
- additional height fencing/suitable toppings e.g. trellis may be required at vulnerable rear/side garden areas of dwellings which back onto footpaths, open space etc as these are more accessible to criminals.
- suitable lockable gates, the same height as the fencing, should be fitted as near as possible to the front 'building line' of dwellings to improve defensible space and avoid creating recesses where criminals could hide.
- lighting of the estate should be to an adopted standard (BS 5489 part 9) as a minimum requirement to give residents increased security and reduce the fear of crime. Columns should be designed/located to restrict any climbing aids.

- proposed estate landscaping should be planted and maintained to a maximum growth height of 900 mm, especially in areas monitored by resident surveillance. Trees should have a clear trunk height of 2000 mm from ground level and must not be a climbing aid into dwellings. Defensive planting (prickly plants) can also be used to supplement security.
- all hard landscaping features and street furniture should be securely fixed and appropriately located to prevent removal and damage from vandalism.
- all service meters should be located externally at the front of dwellings reducing the need for dwelling entry by officials and is particularly useful when occupants are elderly.
- where possible ensure that car parking is provided within the dwelling curtilage, preferably in a garage. Communal parking courtyards should be small, well lit and overlooked by residents. Courtyard entrances should have physical or symbolic access control and privacy signage.
- car ports, particularly off lanes at the rear of dwellings, can obstruct surveillance and provide opportunities for thieves.
- the provision for clear naming and numbering of dwellings is essential to facilitate the emergency services and reduce opportunities for bogus persons to gain entry to dwellings.
- applicant is advised to formulate all physical design measures in accordance with the ACPO Secured by Design award scheme.

When more of the detail of the proposed development is known, we should be able to comment more fully on the specifics.”

British Waterways

“British Waterways is a public body set up to maintain and develop the network of canals and other inland waterways in a sustainable manner so that they fulfil their full economic, social and environmental potential. In addition to statutory navigation and safety functions, British Waterways has to:-

- Conserve our waterway heritage and environment
- Promote and enable rural and urban regeneration
- Maintain and enhance leisure, recreation, tourism and education opportunities for the general public; and
- Facilitate waterway transport

After due consideration of the application details, British Waterways has no objections to the proposed development, subject to the imposition of suitably worded conditions or the applicant first entering into a legal agreement relating to:-

1. British Waterways needs to be fully consulted on the proposal to install a new sewer under the Bridgwater and Taunton Canal. Work will need to be agreed under the Code of Practice for Works Affecting British Waterways.

2. The development is likely to lead to additional use of the canal towpath by walkers and cyclists for both leisure use and commuting into Taunton. It is recommended that the Council seeks a contribution from the developer towards future maintenance of the towpath and improved signage from the development to the towpath.
3. Should any future development or landscaping scheme be proposed between the development and the Canal, British Waterways would wish to be fully consulted.

If the Council is minded to grant planning permission, it is requested that the following informatives are attached to the decision notice:-

1. The applicant/developer is advised to contact John York, our External Works Engineer, on 01452 318513 in order to ensure that any necessary consents are obtained and that the works comply with British Waterways' "Code of Practice for Works affecting British Waterways".
2. The pipe crossing of the Canal will also require consent from British Waterways in its capacity as the landowner of the Canal. A licence will be required from British Waterways' Estates Team in Gloucester (Tel 01452 318000) in this respect and should be discussed at the earliest opportunity."

South West Regional Assembly

"The RPB assesses consultations on proposals on how far they would impinge on the delivery of the Regional Spatial Strategy (RSS) and therefore whether the document is in 'general conformity' with the RSS. Under the Act the current RSS is RPG10 (2001) however the emerging evidence base behind the Draft RSS is a material consideration and will carry greater weight the closer to publication the Draft RSS gets. As you know the formal public consultation drew to a close at the end of August and the EiP is scheduled for Spring 2007.

I would just like to draw your attention to two policies within the draft RSS. Firstly policy H1: Affordable Housing which requires at least 30% of all housing development annually across local authority areas and Housing Market Areas to be affordable. I note that the development is aiming towards 35% affordable.

Secondly policy H2: Housing Densities requires the density of development of housing at the Strategically Significant Cities and Towns, including Taunton, to be at least 50 dph and higher in well planned mixed use developments. I understand that the Monkton Heathfield planning application relates to an allocation in the Taunton Deane Local Plan 2004 and that it meets the minimum requirement for density in RPG10. However any further applications related to the area should take on board the requirement of this higher density."

Network Rail

“Further to my letter of 23rd February in response to the consultation on this proposal. I mentioned that the development might put additional pressure on the station and suggested that section 106 money be allocated to station improvements.

I have consulted my operational colleagues on what work may be necessary and have been informed that increases in passenger throughput might necessitate increased use of the island platform at the station and this would need work to raise the platform surface to bring it "into gauge" as well as providing more waiting facilities. Perhaps you could let me know whether these improvements to passenger facilities could be funded through any planning agreement completed.” (29th March, 2006)

English Nature

“Thank you for your letter of 23rd December, 2005. Firstly can I apologise for any delay in response. I was and still am convinced I replied to you very shortly after receiving the consultation but obviously you did not receive it and I cannot find evidence here of my letter. I believe that further information about badgers on the site has come to light since that time and that this has been discussed with my colleague Linda Tucker.

I would like to confirm that English Nature has no objection to this application.”

Natural England

“Thank you for consulting Natural England on the above proposal. Your letter was received by this office on 23 November 2006. Please note that this letter represents Natural England's formal consultation response under Section 28 of the Wildlife and Countryside Act 1981 (as amended).

Based on the information provided, Natural England has no objection to the proposal being carried out in strict accordance with the details of the application.

There are no statutory sites in the immediate vicinity. Natural England does not have any records of any protected species at this location but should be consulted if any protected species are found to be present on site or are likely to be affected by the development.

If the application is amended, Natural England must be consulted for a further 21 days in accordance with Circular 08/2005.”

National Grid

“We have searched our records and can confirm that we have no electricity or gas transmission infrastructure in the area referred to in your enquiry.”

Sport England

“Sport England believes that sport and active recreation has an important role in modern society and in creating balanced communities. Sport is high on the Government's national agenda as it cuts across a number of current topics that include health, social inclusion, regeneration and anti social behaviour. The importance of sport should be recognised as a key component of major new housing developments, and not considered in isolation.

The following comments are provided within the context of:-

1. PPG 17: Planning for Open Space, Sport and Recreation (OPDM, 2002).
2. Sport England's adopted "Planning Policies for Sport' (1999).
3. Sport England's "Providing for Sport & Recreation through New Development" (2001).
4. The South West Regional Plan for Sport 2004-2008 (2004).
5. The Planning Contributions Kitbag www.sportengland.org/planningkitbag

PPG 17 'Planning for Open Space, Sport & Recreation'

Well designed and implemented planning policies for open space, sport and recreation are fundamental to deliver broader Government objectives which include:-

- supporting an urban renaissance
- supporting a rural renewal
- promotion of social inclusion and community cohesion
- health and well being
- promoting more sustainable development

The revised Planning Policy Guidance note 17 'Planning for Open Space, Sport & Recreation' which was published by Government in July 2002 stresses that to ensure effective planning for open space, sport & recreation it is essential that the needs of local communities are known. Local authorities should undertake robust assessments of the existing and future needs of their communities for open space, sport and recreation. Assessments will normally be undertaken at district level, although assessments of strategic facilities should be undertaken at regional or sub-regional levels.

Sport England advocates that new developments should contribute to the sporting and recreational needs of the locality made necessary by their development. This approach, with regard to all development not just residential, is strongly endorsed in the revised PPG17, which states in paragraphs 23 and 33 that:-

"Local authorities should ensure that provision is made for local sports and recreational facilities (either through an increase in the number of facilities or through improvements to existing facilities) where planning permission is granted for new developments (especially housing). "

"Local authorities will be justified in seeking planning obligations where the quantity or quality of provision is inadequate or under threat, or where new development increases local needs. "

Planning Policies for Sport

Sport England has also considered the application in the light of our Land Use Planning Policy Statement 'Planning Policies for Sport'. The overall thrust of the statement is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to ensure the sport and recreational needs of local communities are met.

In particular, in this instance, it is essential that new developments take into account the sporting and recreational needs of the resulting new inhabitants, and thus make provision (both indoor and outdoor) to meet those demands.

As such, Sport England has adopted the following policy objectives:-

Planning Policy Objective 4: 'A Planned Approach

To ensure that a planned approach to the provision of facilities and opportunities for sport is taken by planning authorities in order to meet the needs of the local community. The level of provision should be determined locally, based on local assessments of need and take account of wider than local requirements for strategic or specialist facilities.

It should be recognised that new residents of this development will make demands upon a range of sport and recreational facilities (indoor and outdoor) over and above the provision of public open space including playing pitches. This range of facilities may include swimming pools, sports halls, bowling greens, multi use games areas, tennis courts, badminton, squash, aerobics, yoga, skateboarding and BMX facilities. Sport and recreation facilities should be located in line with sustainable development principles including provision in accessible locations to serve all sectors of the new community, workers and visitors.

Playing fields should be in the ownership of a group or body that will guarantee community use in perpetuity. This includes school playing fields proposed to stop them being lost to development in the future. Sport England would therefore question the proposed amount of playing fields that can be used by the community in perpetuity as part of this development. The issue of quality has yet to be addressed. All the playing fields should be constructed and laid out for a number of winter and summer sports,- depending upon local demand,- with suitable drainage systems and served by well-designed changing facilities.

Sport England would also like to raise a concern that the accompanying material fails to indicate what indoor sports provision will be provided by the development. On-site provision may include a one court sports hall., A

financial. contribution should be sought for swimming pool provision off-site if There is no facility on-site.

We would suggest that consideration be given to the concept of 'Home Zones' within this development - a significant benefit of this approach is that they provide good opportunities for safe children's play. We also promote the inclusion of multi sport areas for active informal recreation.

It is important that whatever sport and recreation facilities are to be provided by the developers, they are implemented alongside the housing development as part of a legal agreement.

Active Design - The role of master planning in creating healthy communities

Sport England believes that being active should be an intrinsic part of everyone's life pattern. The master planning of major new housing and mixed use development schemes has a vital role in providing easy access to a choice of opportunities for sport and physical activity to suit all age groups for making new communities more healthy and active. Sport England has commissioned David Locke & Associates to investigate the contribution that master planning can make to create new environments that maximise opportunities for participation in sport and physical activity

Phase 1 was recently been published and identifies three overlapping Active Design objectives that should be promoted by master plans; improving accessibility, enhancing amenity and increasing awareness. To download a full copy of the phase 1 document:-

<http://www.sportengland.org/activedesign.pdf>

Phase 2 is expected to be published in Summer/Autumn 2006 and will be produced in the form of a National Guide.

Sports Facility Calculator

Sport England has developed a 'Sports Facility Calculator' to estimate the likely additional demand for indoor sports facilities from new housing developments, based on national sports participation rates and up to date costings for sports facilities. This forms part of the new Sport England Planning Contributions Kitbag which is available from our website www.sportengland.org.

The Appendix attached to this letter sets out the estimated additional demand for sports halls, swimming pools and indoor bowls, and converts this to an estimated cost, which can be used as a basis for seeking developer contributions.

Based on the above, we would urge the District Council to consider requiring a further contribution towards off-site indoor sports provision or improvements to existing facilities in line with the attached demand estimator.

Maintenance

Sport England supports the securing of commuted sums from new development for the future maintenance of sport and recreational facilities that meet the tests of Circular 1/97 'Planning Obligations'. The Government has recently published further information on this issue in paragraphs 6.19 to 6.25 of 'Assessing Needs and Opportunities: A Companion Guide to PPG17 (ODPM, 2002). The guide (paragraph 6.20) states that commuted maintenance sums should be based on:-

- The estimated annual cost of maintenance
- An assumed rate of inflation or An assumed discount rate
- The number of years for which the authority requires the commuted establishment or maintenance sum to last.

However, on the last point, it clearly indicates through the worked example that commuted maintenance sums should last for 10 years.

Additionally, the guide in paragraph 6.24 gives further guidance on commuted establishment sums, e.g. the maintenance of a cricket wicket until such time as "sit becomes playable (for a maximum of 5 years).

Technical Guidance Notes

For your information, Sport England has published a number of technical guidance that are available from our website www.sportengland.org.

Sport England's Objection

Given the lack of information received and the subsequent issues raised in this letter, Sport England wishes to register its objection to the above application.

However, Sport England would be willing review its objection if further information were forthcoming which demonstrated that the provision and, location of the sport and recreational facilities as proposed are based on a, robust local assessment of existing and future need..

I trust that the Council's Leisure Department will be providing further information on specific deficiencies and requirements that the developers will need to address with regard to new sport and recreation provision based on a robust and comprehensive needs assessment that is compliant with PPG17 and its. companion guide.

I trust that our comments are constructive and can be considered prior to the determination of the application."

West Monkton Community Engagement Panel

“The Community Engagement Panel wishes to place on record the following report. This report is based on analysis of evidence produced by TDBC Planning Officers and The Developers' Consortium, and a site visit.

Linking the existing with the new

The CEP considers it essential that the existing community and the new development should have every opportunity to integrate. The success of the development hinges on this, and so convenient and attractive routes between the old and the new, and destinations to provide reasons to move between the old and the new areas are therefore highly desirable.

With the proposed calming/access only status of the existing A38 there would seem adequate support for the case to make the existing field footpath with permissive bridleway from the bottom of School Road to the existing A38 into a small 20 mph road. This would ensure full vehicular access from both the new development and the existing settlement to the proposed Local Centre, thus encouraging integration of the old with the new and a fully functioning and vibrant local centre. The case for the road access to be granted is strengthened by the fact that the previous objection and reason for denial namely formation of a junction onto the very busy A38 - would no longer apply, the existing A38 road would be bus gated and access only, and the new A38 would run round the southern part of the development. If the road access is again denied by SCC, then there needs to be an increase in the number of pedestrian route ways between the existing settlement and the proposed settlement. The current plan indicates no more than the existing field footpath, and a road link from the Senior Cricket Pitch area. It should be noted that a road with occasional passing traffic is, at night, a safer pedestrian environment than an isolated footpath as the primary link between old and new. There will be a need for new residents to access the existing shop, the Tacchi Morris Centre and the public elements of the Secondary School.

The site visit allowed the CEP to appreciate the difference in levels, at least one and a half metres, between the field designated for the Local Centre and the existing buildings; suggesting that raised pedestrian bridges from the Local Centre into the existing settlement could be constructed. The developers should be required to state how they propose to handle the changes in level across the land allocated as the Local Centre, whilst maintaining easy access to the Local Centre from across Dyers Brook. The site visit also enabled the CEP to see the extent to which the existing settlement buildings look away from the proposed Local Centre. The buildings are mostly the concrete backs of multiple garage blocks serving the flats, and some backs of domestic gardens.

Achievability

The Community Engagement Panel would suggest that greater proof is needed that the Local Centre is achievable. The exact location should be

determined, with a sense of its place in, and connection to, the rest of the proposed development. Clarification is needed about the character of the Local Centre, and the nature of the retail units. It is agreed that a centre of small local shops with housing above and parking for shoppers outside (rather like Priorswood shopping centre) could be successfully achieved. It might be possible, by conditions attached to the outline, to require that a fully detailed application for the Local Centre is submitted as part of the first full/reserved matters application for further development of the site. Care should be taken that the Centre does not become a high density zone with an unfriendly and deterrent character. It might be better to have high density clusters more widely distributed, and some lower density wedges into the Centre. Will there be a Health Centre in the Local Centre?

It is suggested that it is within the powers of the Local Authority to pressure SCC to open a road through from School Road to the existing A38 with a 20mph speed restriction. If this were done it would resolve the integration issue and the issue of access to the Secondary School and Tacchi-Morris centre. Access to the Secondary School is already an issue, and set to get worse when the 900 houses of the proposed development increase pupil numbers further. Disability access would be addressed by such a measure.

Primary School

Whilst the developers have stated they will build a school of the required capacity for the number of houses in the proposed development, the issue of the relocation of the existing Primary School to the same site with corresponding building by Somerset County Council must be resolved very quickly. Currently SCC states that no-one has included the matter in the Local Education Authority budgets set for the future, so it might be useful to supply SCC with the building timescale so that SCC could budget accordingly. The matter is a phasing issue and the primary school is already over-extended. This being so, it might be a case where a detailed set of plans for the school should be submitted for approval in conjunction with the first reserved matter application for new house build, and at least part of the school should be built very early in the development (e.g. not more than 200 houses in).

Dyers Brook The Community Engagement Panel understands that matters are all but agreed with the Environment Agency apart from some culverting. Following the site visit it is clear that the role of Dyers Brook as a green space and enhanced wildlife corridor needs greater definition. Some of the hedgerow trees should be retained, whilst much of the scrub and bramble should be removed. However this would expose the very negative impact of the garages and backs of houses of the existing settlement - see above. The new tree planting of the area around Dyers Brook needs further definition to ensure that it becomes a safe area of pleasant communal open parkland, not a dangerous and dark dividing barrier between the existing and the new development. The parkland should not have really narrow sections as any narrow length tends to detract from the visual amenity and any sense of safety; a minimum of 15 m and average of 25 m width is suggested.

The Playing Field proposed adjacent to the Local Centre and Dyers Brook poses some questions in terms of levels. The Developers Consortium has stated that the Playing Field would be a raised platform with the area below the playing field used for water storage. The site visit shows a drop in level from the existing footpath into a large bowl-shaped area, open on two sides, several metres deep. The slope of the field before the bowl is a drop of about one and an half metres. Levelling the area to provide a playing field could result in some extremely high banks alongside Dyers Brook, which would entirely alter its ecology. It is suggested that the Planning Authority might wish to see a clear indication of how the ground would be levelled and the location and degree of the slopes. Additionally, the field currently has some interesting botanical specimens growing in it and it is suggested that, as a part of the levelling, some of the top soil should be distributed around the edges of the field to allow the specimens to continue growing.

Bus Gates on A3259 and present A38

Arrangements for traffic calming and which roads will have bus gates need clarification. The CEP understands that the Developers Consortium anticipate traffic calming on the existing A38 will give heart to the Local Centre. However, traffic calming will increase vehicular movement times so will increase the existing problems in School Road at drop-off times. The bus gate on the A3259 will calm the A3259 at the cost of traffic to/from the north of the existing village being diverted onto the road just south of the cricket pitch and then in or out through the northernmost roundabout on the A3 8. Traffic from the south not intended for the existing village will be diverted through Milton Hill to the A3 8 Eastern relief Road. It is suggested that TDBC should ensure that the diversion routes can be engineered to handle the volume of traffic (plus anything from the Western Relief Road when it materialises): is the standard of provision adequate?

Conflict between current Outline Application 48/2005/072) and Hookipa Developments Ltd (Hatcheries) roundabout application 48/2007/019

The Community Engagement Panel seeks information regarding the position taken by TDBC Planners. Will the two applications be considered together?

It has been stated by the Developers' Consortium that theirs is a redline application. The CEP would suggest that TDBC planners need to protect the development by controls/sanctions/inducements to ensure that conditions associated with the Outline Application are met. TDBC are urged to explore every avenue to ensure that the Developers Consortium cannot subsequently evade or negate conditions imposed or assurances given at this stage.

It is recommended that a S106 is imposed to ensure the last piece of the relief road will be built at the 700 houses level - if not, TDBC should be prepared to impose a CPO on the land at the western end of the relief road from Milton Hill to the existing A3259.

Given that the bus gates give northbound traffic from Taunton on the A3259 a choice of either Milton Hill and doubling back onto the Eastern Relief Road, or of passing through the existing village and going onto the road south of the cricket pitch, which may seem more direct, the location of the southern roundabout is questionable. It will be an intrusion into the green wedge, and will have a strong visual impact on the amenity of the canal side and the St Quintins area.

Roads within the proposed development

Vehicular access to the Local Centre needs to be part of the Outline Application, to see how vehicles will move through it. The network of routes within the residential areas should be truly permeable so that people can move from one place to another. The Developers Consortium stated that Dyers Brook, Green Lane, and existing hedgerows have created a number of 'parcels' which will develop their own identities and have their own open spaces. What has been indicated on the map looks permeable, but is in fact a series of cul de sacs so movement from one area to another is not possible. This serves to deny integration of the new community within itself, and also with the existing community.

Landmark buildings and other buildings

Landmark buildings have not so far been defined although locations are marked on the map. The success of the Local Centre will be influenced by the quality and design of landmark buildings in this location, which should emphasise work/life relaxation and draw people in. By 'Landmark buildings' we do not necessarily mean that they should be tall or have some extraordinary/exotic architectural language - merely that they will provide a confident, distinct and memorable presence - providing a built identity to which old and new residents of the village might successfully relate. The Developers Consortium could consider some form of architectural competition for the commission of these buildings, which might allow a fuller and creative exploration of their potential qualities. The Developers Consortium has indicated that the High Street will be one-sided with significant buildings along the route and changes in architectural form. The CEP understands that the Local Authority supports two-storey development, and the Developers Consortium indicates that most of the site will be that, although they would support two and a half storey buildings in some places. The CEP suggests that consideration of existing buildings should be taken into account in the design of adjacent new buildings. Much of the settlement at Bathpool on the main road and down Brittons Ash is single storey bungalow style, so it is expected that adjacent new buildings will be sympathetically designed, not overpowering.

Employment Land

The CEP suggests that provision within the commercial premises design codes should be made to allow for exceptional buildings as well as sheds, although the coding needs, in the first instance, to be robust enough to deal

with the latter. Structural landscaping is important in these areas, with plenty of variety. The orientation of the two employment areas on the Creech St Michael side of the development area may need to be reconsidered as they are very overlooked from the motorway and landscaping would not have any effect.

LEAPs and NEAPs

Both TDBC and the Developers Consortium have indicated that these are matters requiring resolution and the final location of the LEAPs and NEAPs needs consideration. It is suggested that the NEAP should be situated in a position where it can be overlooked to prevent vandalism and inappropriate behaviour. People need to know where the LEAPs and NEAPS will be and the form they will take before they buy houses.

Trees

The CEP is pleased to note that the Tree Survey has been updated and members of the CEP will be identifying the trees currently protected by TPOs. The Developers Consortium has stated that top quality trees will be kept but that roads have to be fitted in. It is seen as important, therefore, to identify and protect significant hedgerows, trees, and venerable oaks. The Developers Consortium is to be commended in their retention of the hedgerows of Green Lane. The CEP notes the proposed 'Orchard Trail', starting at Langaller Manor Farm, and considers it an interesting idea worth supporting. They would welcome further information about how the fledgling trees would be protected and maintained. It is suggested that TDBC planners and the Developers Consortium should consult Mr and Mrs Small at Chariton Orchards, and also the TDBC Tree Town Project Officer.

Other comments

It is noted that the Jaguar showroom on the northern side of the existing A38 at Bathpool is not shown on the map. The Landrover garage and the ATS depot, directly opposite on the south side, are shown. This omission should be corrected before the application is considered.

Not all existing field ponds are shown on the map. The site visit revealed a number not shown. Again, these omissions should be corrected.

The site visit showed that the Hatcheries, in third party ownership, has significant employment frontage, not shown on the map. For many people this will be the first sight they have of the whole Monkton Heathfield development, so the map should be amended and measures put in place accordingly."

SERC

"Statutory & Non-statutory sites & species at the application

Statutory: Legally Protected Species

One or more Legally Protected Species have been found

Statutory & Non-statutory sites & species within 1 km

Statutory: 1990's Badger Data

One or more 1990's Badger Data have been found

Statutory: Legally Protected Species

One or more Legally Protected Species have been found

Non-Statutory: County Wildlife Sites

<u>File Code</u>	<u>Name</u>	<u>Description</u>
ST33/025	Bridgwater and Taunton Canal	Aquatic habitat with notable plant species and water voles.
ST02/004	River Tone and Tributaries	Biologically rich river and tributaries with variety of associated habitats and legally protected species

Statutory: Highway Badger Setts

One or more Highway Badger Setts have been found”

Somerset Wildlife Trust

“1. Thank you for your consultation on this is a highly significant development proposal that seems likely to set the benchmark for the further large scale developments that will be required in and around Taunton over the coming years.

General comment

2. We believe the Authority should aim for the highest environmental standards in order to maximise the prospects of delivering a genuinely sustainable community for the future and building the reputation of Taunton as a green, healthy and attractive place to live, work and invest.

Alignment with Regional Spatial Strategy

3. We are concerned that this proposal has been submitted ahead of decisions about the location of future growth in the Taunton area. It would not seem logical to allow the development of the proposal area in isolation from the remainder of the new urban centre. The development of a master plan for the entire area to be developed would be preferable. That could offer the opportunity for some greater overall environmental and community benefits, for example, in terms of self containment and the provision of green infrastructure, rather than allowing development to proceed in a more piecemeal fashion.

4. Our first recommendation would therefore be that the authority considers deferring or refusing this application pending the decision about the location and future level of growth in the Taunton area as a result of the Regional Spatial Strategy process.

5. However, we appreciate that it may be difficult to defer or refuse the application solely on grounds that it is premature and the remainder of this submission is based upon the assumption that the application is likely to be determined upon its merits in the near future.

Consistency with development guide

6. We believe that every effort should be made to minimise the total environmental footprint for the development, for example, in terms of resource consumption, waste production and climate change, in addition to conserving and enhancing key environmental assets, such as biodiversity, within and around the site.

7. Ideally we would prefer to see the application of even tighter environmental standards than those set out in that document, for example, a requirement that the development should be carbon neutral and largely car free. None the less, we recognise that government planning policies, whilst evolving rapidly in relation to climate change, do not yet provide for such a bold approach and we believe the development guide does represent a blueprint for a significant advance in the direction of environmental sustainability.

8. There are elements of the proposal that are in agreement with the environmental contents of the guide, such as the welcome Local Nature Reserve proposal but there are other aspects of the proposal that fall short of that which is required or encouraged. That is regrettable and we strongly recommend that the authority reject this application unless it is amended or replaced by an outline proposal that is more obviously environmentally sustainable and consistent with the environmental content of the development guide

Specific comments

Green Infrastructure

9. We believe biodiversity rich green spaces are vital in the establishment of sustainable communities. The beneficial ecological 'services' provided by diverse and ecologically functional green infrastructure are invaluable resources that enhance quality of life and economic value. For these reasons, green infrastructure should be fully considered from the outset as an integral part of the development, including arrangements for future management.

10. We share the concerns of the Nature Conservation and Reserves Officer that the proposed relief road and lack of green buffer areas will not allow sufficient movement of wildlife through the site and thus reducing the potential for a functional ecosystem.

11. We are of the opinion that there is scope for improvement in the general layout of the green infrastructure and the degree to which it embraces the new emphasis on the enhancement of biodiversity set out in PPS9 that has since replaced PPG9 (as was referred to in the Environmental Statement), rather than simply retaining the best of what is left. For example, many of the existing hedges are thin or have gaps but could be strengthened with additional planting and sympathetic management.

Transport and accessibility

12. We feel that it is regrettable that the Green Travel Plan, required by the development guide has not been produced. We feel that the site design is not as efficient as possible in terms of accessibility and self containment to reduce reliance upon the private car. We therefore recommend that further work should be carried out to identify and implement opportunities for minimising the need for private car use.

Water and Waste

13. We support the plans to design the flood attenuation areas with wildlife in mind. We were disappointed however not to see the use of SUDS taken beyond flood attenuation. We believe further use of SUDS measures could provide cost effective solutions to drainage and flooding issues. We urge the Authority to consider a requirement for additional SUDS measures, for example, green roofs which could improve insulation as well as enhancing the green infrastructure on site.

Energy and resource conservation

14. Homes contribute more than a third of UK carbon emissions. In light of this we strongly support the authority in requiring high standards of energy and resource conservation. There is good evidence that green building need not add a great deal to front end cost of development and note with regret that there is no mention within the supporting information of the CHP plant or other measures encouraged within the development guide. We recommend the authority accept nothing less than the inclusion of very high standards of energy and resource conservation within any proposals to develop this site.”

Sedgemoor District Council

“I have received a request from North Petherton Town Council seeking Sedgemoor District Council's support for the concerns they are raising about the above development as contained in their letter dated 9 March 2006.

Whilst supporting their general concerns I feel that Sedgemoor District Council should be consulted on this major development which has the potential to cause significant impacts on North Petherton and the district of Sedgemoor. On the receipt of such a consultation Sedgemoor would be in a position to respond as the neighbouring local planning authority.”

Landscape Officer

I shall first describe both road alignments by reference to the Local Plan and the two consortium applications of 48/2005/072 for the more southerly alignment and 48/2007/061 for the most recent Local Plan alignment. I will then raise concerns regarding the probable requirements for an increased capacity roundabout to meet the needs of 900 dwellings and longer term for the extra 3,000 RSS houses and the landscape impact of such a new road layout on the visual amenity of the Green Wedge.

I shall then set out the policy background which has formed the main objection to the proposed more southerly alignment and its impact on the Green Wedge policy EN13.

I shall then investigate the landscape and visual impact of the two road alignments.

In conclusion I will summarise that the more southerly route has an unacceptable impact on the Green Wedge which provides a sense of separation between the settlements of Bathpool and Monkton Heathfield and its strong sense of connection between the countryside and the urban areas.

The two road alignments

There are two road alignments that are being considered as part of this appeal. They are the Local Plan alignment - see road alignment as set out in application 48/2007/061 appendix * and the consortium application 48/2005/072 appendix *.

The developer preferred alignment is approximately 70 metres further south than the LDF road alignment as measured from the centre of the two roundabouts.

Impact of future development and need for a larger roundabout.

If the above road layouts need to be increased to meet SCC highway requirements for 900 houses and longer term for the extra 3,000 RSS houses, the proposed roundabouts – both the consortium preferred southerly route and the Local Plan alignment - will have to be increased significantly to accommodate larger traffic flows. The more southerly junction will have more significant landscape impact than the Local Plan alignment because it will encroach even more into the area of land designated as 'Green Wedge'. Details of how this increased capacity junction would impact on the landscape have not yet been assessed by the consortium. However, the increased capacity of the developer preferred junction will definitely require further land take from within the Green Wedge area. If it is to meet Local Plan requirements it would almost certainly require a landscape buffer of 20 metres to the south of the road layout. This would encroach on the Tanpitts Farm land – within the Green Wedge - which is currently farmed as traditional

orchard with some seasonal caravanning. This land is currently lower than the road levels and may have to be raised by approximately 1 metre to match existing road levels. This will make it more difficult to provide suitable landscape mitigation.

The developer preferred road alignment – without the anticipated extra capacity - which is proposed to run to the south of the Local Plan alignment, will significantly reduce the width of the green wedge by 80m from a maximum of 140m at present to 60m when completed. In an area of the green wedge that is already narrow I consider the developer preferred route would be unacceptable as it would split the existing Green Wedge in two and therefore no longer provide its separating role between Bathpool and Monkton Heathfield.

Policy background

EN13 – Development which would harm the open character of green wedges will not be permitted.

LDF – Inspector comments – see appendix*

The Local Plan Inspector was clear that Green Wedges were an appropriate designation and that their role was: “to prevent the coalescence of settlements, shape the development pattern of towns and extend the countryside into the town”. (7.30.4.11). He was also clear that, in regard to land south of the poultry farm, “any further erosion [into the Green Wedge] would substantially reduce its function in preventing the coalescence of the settlements.” (7.30.4.64)

Local Landscape Designations are referred to in PPS7: Sustainable Development in rural Areas (ODPM, 2004) which states that:

“Local landscape designations should only be maintained or, exceptionally, extended where it can be clearly shown that criteria-based planning policies cannot provide the necessary protection” and that” when reviewing their local area-wide development plans and LDD’s, planning authorities should rigorously consider the justification for retaining existing local landscape designations.”

Maidenbrook appeal – see appendix * *This is an appeal that this Council overturned where narrowing of the Green Wedge was a major consideration – 08/1999/006. It was pre adoption of the Local Plan but clearly showed that reducing the width of the Green Wedge was, in the opinion of the Inspector, a reason for refusal of inappropriate development.*

Superted report – see appendix* *This report provides rigorous justification for retention of the Green Wedge policy.*

Emma-Jane Preece’s supplementary study- see appendix * - *This report analysis this particular part of the Green Wedge in more detail. The report has only recently been commissioned and has not therefore had any public*

scrutiny. The work was brought forward to help the Inspector with his deliberations.

Impact on the integrity of the green wedge by the developer preferred road alignment:

- Existing Green Wedge boundary, at its narrowest along the length of the Bridgwater Road, its present 140 m width will be reduced by 80m to only 60 m with the developer preferred road alignment. In my opinion the Green Wedge will therefore no longer be viable as a continuous green wedge.
- The Green Wedge will be effectively split in two by the consortium's preferred southerly route with Tanpitts Farm to the west of the Bridgwater Road as the start of one Green Wedge and the land to the east of the Bridgwater Road as the other Green Wedge.
- It may be further eroded by future housing requirements that require the road and junction to be widened and increased in size.
- It will result in loss of urban separation.
- It will result in loss of visual separation and the existing strong sense of connection to open countryside.
- It will result in loss of biodiversity links.
- It will result in the sense of urban sprawl.

Landscape and visual impact assessment

Landscape Character Areas 1992

- Low Vale – see appendix *
- River Flood Plain – see appendix *

Cooper Partnership assessment July 2000 – *I will say that it is not conclusive either way but does highlight the importance of the canal setting/Green Wedge. I will also highlight the concerns of Emma-Jane Lee regarding the significance of the above areas.*

Views from B&T canal towpath:

- Due south – some impact from additional street lighting, traffic noise but otherwise there will be limited views of traffic.
- Due south and east 50m – there will be a significant visual reduction in the extent of the green wedge and there will be some impact from additional street lighting, traffic noise, etc.
- Due south and east 100m – there will be more significant visual reduction in the extend of the green wedge and there will be some impact from additional street lighting, traffic noise, etc. There are views from here to the Quantock Hills AONB that will be obscured.
- St Quintins housing estate: –
- Due south – from ground floor windows the impact will be similar to the views from the canal towpath as above. From first floor windows there will be some views of tops of lorries and coaches.

- Due south and east 50m – from ground floor windows and gardens there will be a significant visual reduction in the extent of the green wedge and there will be some impact from additional street lighting, traffic noise, etc. From first floor windows there will be some views of tops of lorries and coaches.
- Due south and east 100m – from ground floor windows and gardens there will be more significant visual reduction in the extend of the green wedge and there will be some impact from additional street lighting, traffic noise, etc. From first floor windows there will be some views of tops of lorries and coaches.
- Bridgwater Road:
 - From the canal road bridge – there are existing views of the green wedge, especially during the winter months. The more southerly road alignment will reduce the extent of open countryside by * with a significant loss of separation between the two urban areas to the north and south of the Green Wedge.
- Milton Hill Road
 - Travelling east and approaching the A38 junction the existing views of the green wedge come into view for the last 60m of the road. These views are of open countryside with views of the Blackdown Hills AONB beyond. The impact of the more southerly route would be to completely obscure this important view and the aspect of open countryside beyond.

Nature Conservation & Reserves Officer

“Further to our recent meeting I support CPM's Summary points in ES Volume 1, 10.9 and the master plan recommendations ES Volume 2,10, Section 4 and recommendations for further survey 4.6. The development should look to enhance opportunities for wildlife (PPS9) and so the proposed LNR along Dyer's Brook is welcome. I do still have some concerns and perhaps you could raise these at your Tuesday meeting if appropriate:

CPM' s Identification and Evaluation of Key Impacts 10.6.16 and 10.6.17 talk about the 5 badger setts. Setts nos 1 &2 are just west of Alien's Brook and according to CPM 'fall outside the application site and therefore do not form part of this assessment' However, the master plan shows the area as residential development. So my query is - what will happen to the badgers in this area?

Badger setts 4&5 will be located in POS and it is proposed that sett 3 will be relocated under licence. Whilst it is good that setts will be in POS, badgers' foraging potential will be reduced by the residential development and there may be conflict if badgers access gardens. I believe that connectivity for the species will need to be reinforced to allow badgers to move more freely around and out of the site particularly:

1. The northern part of the site looks which looks especially weak. I would advise that a more dense buffer of native species planting is planned for the area.

2. There is no indication on the master plan as to how the area between the south of the application site and the Canal will be used. I propose that 'badger' tunnels could be constructed so that fauna can access this land under the proposed new road. The land should become a nature reserve (see CPM's Vol 2, 10,4.1) providing a strong buffer zone for otters, water voles and kingfishers which use the Canal corridor." (23rd January, 2006)

"I have the following observations to make on this application:- My concern remains that badgers will be adversely affected by the development. With the development of the site badgers' foraging areas will be reduced and it is possible that the development will lead to an increase in badger road casualties. This is a material consideration and I recommend that we need further information.

I recommend that badger tunnels, or a bridge across the new southern boundary road would be helpful especially if an agreement could be reached on the land identified as open space on the Landscape Masterplan Drawing No.1371/108E, but which does not appear on the Amended Masterplan as open space. I also recommend that the northern boundary landscape proposals are strengthened.

My previous comments on conditions, July 2006, still apply as below The concerns over protected species should be covered by conditions for extra survey work. These could be included in the condition for a Construction Method Statement (Vol1 10.9.3). Any necessary licences would then be agreed before any works take place. A condition for a Habitat and Landscape Management Plan (10.9.4) would then ensure the enhancement of the site for wildlife." (7th December, 2006)

Conservation Officer

"I am concerned that the setting and context of Manor Farm (listed building) will be somewhat compromised by the large industrial units proposed immediately adjacent to it. I would have preferred to see much more of a buffer in terms of undeveloped land. Thick hedges and banks are often as conspicuous in this context as the units they screen. Would it not make more sense to shift these units south towards the motorway and preserve the open space element where it has more meaningful impact? Incidentally this would also prevent Langaller becoming an attached part of Monkton Heathfield.

One thing to note is that Manor Farm is a building of delicate construction which could be harmed if works close by cause any kind of 'shockwave' within the ground. Should the scheme proceed caution will need to be taken to prevent such damage." (29th November, 2006)

Rights of Way Officer (TDBC)

"Provision will need to be made for the public footpaths shown on the attached plan. T32/11, west of A38, has a made-up surface and is quite

heavily used by pupils attending Heathfield Comprehensive School – as you know.”

Forward Plan

In response to RPS letter of 11 August and Plan (July 2006) I will limit my response purely to open space as I am sure Ian C will provide landscape comments.

Informal Open Space. Their schedule in their letter refers to 7.6 ha usable public open space and 1.53 ha of children's play space, totalling 9.13 ha of recreational space. Our GIS measurement totals 8.36 after unusable elements such as roadside verges etc are taken into account. However, the total remains above the minimum standard specified in the Development Guide and I find this acceptable.

Landscape Buffers and other space. Management of this requires to be agreed. I believe Ian C was happy for the Borough to take this on subject to appropriate developer funding. Flood attenuation areas etc beyond the site boundary will also be laid out and managed. Who will be responsible for these?

Formal Play Space. A total of 6.63 ha is indicated. This includes the (required) retention of the existing cricket pitch. As the overall layout is now indicating a greater amount of recreational space within the allocation itself I am more prepared to accept a compromise to place the sports pitches beyond the defined allocation, subject to changing facilities and parking etc. In this location the extent of provision covers the Local Plan requirement and thus a commuted sum would not be sought.

General Maintenance: a 20 year maintenance period is required in the Development Guide. This needs to be in the legal agreement.

Laying Out: The development Guide specifies when the equipped play elements should be put in. This and other timing/phasing of spaces would need to be in the Legal Agreement.

Facilities for equipped space: The Guide specifies a minimum of 5 types of equipment for a LEAP and minimum 8 for a NEAP. We specified a MUGA and wheels game park for the NEAPS but as we are only getting one from this part of the allocation I guess Leisure will determine the most appropriate. The 'Super LEAP' is a mixture of LEAP and NEAP. Again I presume Karen will provide the specs.

OTHER COMMENT Overall the layout and quantity of open space is much better than previously indicated. I have issues with some aspects of the general layout but hopefully these can be resolved through the Design Coding.

I also note that the 900 houses on the 23.94 ha residential areas does not equate to the 35 dph indicated on their plan. (Rather, it comes to c37 dph). I assume that a mix of uses in the local centre would include residential and thus enable the overall density to reduce. Alternatively, if they are planning to do this anyway and increase to a 37dph density on the other areas this would give more houses and thus have implications for Planning Obligation requirements and potentially the TA etc as there would be more traffic on the roads. We must cover this scenario in the legal agreement, i.e. anything above 900 dwellings requires additional funding/provision etc.” (25th August, 2006).

“There are two main issues for consideration: firstly whether the principle of development accords with the Development Plan and secondly, the details of the proposal such as the level of affordable housing, provision of community facilities and commuted sums, acceptance of the Design Code/Masterplan etc.

As the Forward Plan unit have not been so involved since the application has been submitted, I have limited my policy comments to the principle of development. Development Management Officers are now better placed to assess the extent to which the proposals conform with the details in the adopted Development Guide and Forward Plan comments (dated 04.01.06) submitted on the application.

A comprehensive and coordinated approach to the Local Plan allocation

Under the provisions of S54a of the Planning and Compensation Act (1991) and S38 (6) of the Planning and Compulsory Purchase Act (2004), the determination of development proposals are required to be made in accordance with the development plan unless material considerations indicate otherwise.

Policy T8 of the adopted Local Plan requires a comprehensive and coordinated approach to the delivery of the Monkton Heathfield major development site. This requirement was not objected to at the Local Plan Inquiry and was included within the policy to ensure that the inherent problems with a ‘piecemeal’ approach to the delivery of major developments were avoided.

This requirement has been consistently stressed to the Monkton Heathfield Consortium and was a reason for refusing an earlier application (48/2003/054), which included only part of the allocated site.

The current application is again a ‘piecemeal’ approach to development. The land at Ayinghills Farm (policy T10) and at the former Hatcheries (part of policy T9) does not form part of this application. Consequently, matters regarding the delivery of the western relief road and any required improvements to the highway network between the two roads have not been addressed in the application, despite forming part of the requirements for a comprehensive and coordinated approach in policy T8.

In addition, land beyond the Local Plan allocation has been included within the current proposal to incorporate a section of the eastern relief road and highway junction by excluding the former Hatcheries site from the application. Inclusion of land beyond the Plan allocation has resulted in encroachment into the 'Green Wedge', contrary to the aims of policy EN13. For the avoidance of doubt, the alignment of the eastern relief road was not objected to at the Local Plan Inquiry. Realignment of the western relief road was considered and dismissed by the Local Plan Inspector.

Further intrusion into the green wedge has resulted from proposing the location of the required playing fields south of the eastern relief road. Whilst it has been argued that this is necessary to meet the housing numbers allocated for this site and there is no overriding policy objection to the location in this instance, it should be noted that the Consortium successfully proposed the current increased housing numbers at the Local Plan Inquiry on the grounds that they could be accommodated together with the other requirements, within the allocated site.

The Consortium has been informed that the Council would not deviate from a S54a and S38 (6) approach unless it resulted in a better planning, environmental and highway solution (i.e. relevant material considerations). To assist this Plan led approach, the Council gave a commitment at the Local Plan Inquiry that a Compulsory Purchase Order would be pursued as a last resort after the means of negotiated agreement have been exhausted and if implementing the Development Plan strategy was thus unduly hindered by third parties.

To date, no valid planning reasons have been presented to this Council to demonstrate that the encroachment beyond the allocated site produces a better planning, environmental or highway solution and no evidence has been presented as to other landowners being unreasonable in wishing to bring forward their parts of the allocation to enable a 'coordinated and comprehensive' approach to delivery of the development plan allocation.

As such, the application provides:-

- No certainty that the Hatcheries, Aginghills, western relief road and any highway improvements between the western and eastern relief roads (around Milton Hill) will be delivered;
- By virtue of excluding the former Hatcheries site from the application, an unreasonable onus on the site owner (without his agreement) to accommodate lesser value uses on their land to make up the requirements of the Plan allocation.
- Encroachment into the Green Wedge, reducing its function at a critically narrow point, to accommodate the eastern relief road.
- As a consequence of the above, this results in a current solution onto the A38 that the Highway Authority refer to as "not perfect" and "temporary" without any information of the consequences or alternatives.

- Knock on but as yet unknown implications on the green wedge around Tanpitts Farm for any future connection/alignment west of the A38 and onto the proposed western relief road by excluding the former Hatcheries site.
- Unlikelihood of a CPO being supported for a route beyond the allocation without a full assessment of the consequences and any firm evidence as to why the allocated route cannot be followed, thus adding to uncertainty of delivery.
- No comprehensive assessment of the full impact of the development through failing to address the comprehensive nature of the proposals.
- Uncertainty in apportioning S106 requirements without knowledge of if, when, how much and what type of development on other parts of the allocation may take place.

Although no evidence has been submitted to establish that the current proposals provide a better solution than the Local Plan allocation, it is understood that a third party application showing a road junction onto the A38 over the allocated former Hatcheries site has been submitted, seeking to demonstrate the technical acceptance of the Local Plan alignment. Moreover, the Consortium has now submitted an application to align into this third party application. Notwithstanding the fact that it is still a 'piecemeal' proposal, it does demonstrate that a solution following the Plan alignment of the relief road can be pursued and, without any firm evidence that the current application is a better solution, provides a more sustainable solution that should be followed.

In summary, the current proposal provides neither the basis for a comprehensive or coordinated delivery of the Local Plan allocation. The proposal deviates from the adopted Development Plan without any reasoned justification. It does not constitute effective planning of the area, provides uncertainty and could undermine the implementation of the development plan strategy if approved.

Environmental Health Officer

"The areas that would be considered by the Environmental Protection Team would be contaminated land, noise and air quality.

Contaminated Land

The reports by Johnson Poole and Bloomer give details of a desk study and a site investigation that was carried out for the application site. The report concludes that the site has been agricultural land for at least 120 years and that there is no significant environmental groundwater/ground contamination. It did identify one area of hydrocarbon contamination adjacent to industrial premises on the A38, for which it recommends further investigation. It also suggests that it would be prudent to instigate a local ground gas monitoring programme re the old landfill sites to the south west and east of the site.

The reports are acceptable as a desk study and initial investigation and assessment of the site. The additional works should be carried out as suggested.

I would recommend that the standard contaminated land condition be used for this application. The information that has already been submitted would make up the requirements for the first phases of the condition.

The developer should be aware that under Planning Policy Statement 23 the responsibility for ensuring that the development is safe and suitable for use for the purpose for which it is intended lies with the developer. 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.

Noise

Part 8 of the Environmental Statement covers noise and vibration. The applicant's consultants carried out some monitoring of current noise levels and produced predictions of noise levels at a number of locations within the proposed development. The main source of noise on the site will be road traffic, therefore, the predictions are based on the predicted traffic flows.

Noise levels were calculated for a number of scenarios based on the proposed road layouts (e.g. with or without the eastern and/or western relief roads) and with noise mitigation measures (noise barrier along the Eastern Relief Road).

The results indicate that a lot of the application area earmarked for housing will be classed as Noise Category B (from PPG 24) and some areas in category C. The guidance states that for these sites noise is taken into account during any development and that conditions can be imposed to ensure an adequate level of protection against noise.

The applicant does provide some details of proposed noise mitigation measures. These consist of acoustic barriers bordering the proposed residential areas close to the eastern relief road. It recommends a 2 m high earth bund topped with a 1.8 m close boarded fence. (sec 8.8.7)

The report also mentions that mitigation could be achieved by careful layout (sec 8.8.11), and mentions that attenuation can be achieved by two storey houses in parallel to a carriageway. This can be effective if carried out correctly and the internal layout of any houses is also considered. However, it also states that attenuation can be achieved with as much as 30% gaps on the frontage length. I do not have a copy of the guidance that they quote for this figure, but this is not likely to be the case. The best attenuation is obtained by a continuous barrier, any gaps will greatly reduce the effectiveness of the barrier.

The report also makes recommendation for the types of glazing that could be used on different parts of the site, taking into account the noise levels.

Comments

The noise monitoring and predictions appear to be satisfactory. It should be noted that the noise predictions are based on predicted traffic flows. If the traffic flow data has to be modified it may be necessary to recalculate the predicted noise levels.

The proposed noise barriers are a standard way of shielding houses from traffic noise. The detailed location and design would need to be submitted before I could comment further. Note that the barriers would also have to meet the requirements of other consultees, for example, heritage and landscape, leisure and highways.

The proposal for using some of the housing to shield other premises could also be used. Again, the details would have to be submitted. It is recommended that if this measure is used the developer designs the layout of the houses/flats so that the noise sensitive rooms (living rooms and bedrooms) face away from the noise source.

Specially designed, glazing can also be used to reduce internal noise levels. The applicant would also have to consider the type of ventilation that could be used in these premises. It is better practice to try to minimise disturbance by methods such as room layout rather than relying on acoustic glazing.

The report also mentions noise from construction works. This type of work is likely to cause disturbance, however, this can be reduced by limiting the hours of any noisy work on the site and by using best practice.

The applicant could also investigate whether the use of quiet road surfaces would result in a significant reduction in the traffic noise in any areas.

Noise from commercial premises on the development site

There is not enough information to comment on the likely impact of this type of development. The main way to reduce any potential problems is to separate any potentially noisy activities from residential premises. The outline proposal does seem to do this in some areas by having commercial sites to the south/east of the Eastern Relief Road. It would be good if the location, type, hours of use of any plant on commercial sites could be controlled through the planning process.

Air Quality

Chapter 9 of the Statement considers air quality. The two pollutants that were considered most likely to be of concern were Nitrogen Dioxide (NO₂) and small particulate matter (PM₁₀). Pollution concentrations at a number of receptors in the vicinity of the site have been estimated using traffic flow data and these have been compared to existing levels and national air quality standards. Sec 9.11.7 states that the predicted concentrations at all the selected receptors are below the Air Quality Standards objective for all scenarios.

The report concludes some properties near the relief roads will experience an increase in concentration of pollutants, while those on the existing main roads should experience an improvement in air quality. Sec 9.8.5 states that the development with both the eastern and western relief roads will result in the greatest number of properties experiencing an improvement in levels of NO₂ and PM₁₀ and the least number of properties experiencing a deterioration in concentrations of NO₂ and PM₁₀.

The report also conclude that the predicted concentrations will be below the AQS objective for all scenarios and will not have an impact on the two existing Air Quality Management Areas in Taunton Deane.

Construction Phase The report also includes an assessment of the construction phase, in particular the likely impacts of airborne and deposited particulates. The report (9.10.3) outlines some dust mitigation measures that could be used during the development. However, no specific details of the site or construction methods have been made available. It is recommended that a construction management plan is prepared for the site. The developer should ensure that all contractors use best practice to minimise the generation of dust on site.

Odour

An odour assessment was also carried out re the Priorswood Civic Amenity and Composting Site. This concluded that the likely odour impact on the Monkton Heathfield development would be low. Table 9.5.1 of the report does state that there are "no known complaints from Cashford Gate (sic) residential dwellings, only 50 m from the site". However, Taunton Deane Council and the Environment Agency have dealt with complaints about smells from the Priorswood site over a number of years, in particular about smells from the composting facility. Most complaints were from residents in the Waterleaze area which is nearest to the site (Cashford Gate is over 250 m away). The situation has improved over he last two years.

Lighting

At present Environmental Health have no powers to deal with complaints about lighting. It is proposed that light will be included as a Statutory Nuisance under the Environmental Protection Act, however, there is no guidance on how this will be implemented or on what level of light will be considered a nuisance.

The best way to deal with any potential light issues would be through the planning process." (3rd March, 2006)

"I am writing further to our meeting last week concerning the above development. I also refer to my memo of 4th March, 2006 with my comments on contaminated land, noise and air quality. I would like to make the following points.

Noise. The calculations in the Environmental Statement were based on road traffic data. I understand the traffic assessment is being revised, which could affect the results of the noise assessment. The developer's consultant should review the new traffic data to see whether the noise assessment may need to be revised.

I would still recommend a condition for noise as before, with the amendment to include the existing premises.

Recommended condition:-

Prior to the commencement of any development works, the applicant shall appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, may be necessary to ensure that noise from existing and proposed road sources will not cause noise or vibration nuisance to the occupants of existing premises and premises on the completed development.

The consultant shall submit a written report to the Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. Such report is to be agreed, in writing, by the Planning Authority prior to the commencement of development works

Air Quality The air quality assessment was also based on the road traffic data. This should also be assessed to see whether it will need revising.

Light. The new powers that allow local authorities to investigate complaints light nuisance have been introduced. However, the legislation can only deal with light from one premises affecting the use of another, and there are a number of exemptions. It is designed to deal with things like badly aligned security lights and does not cover increases in levels of light or "sky-glow". Therefore, it is still better to deal with the potential for increased light pollution through the planning process." (26th September, 2006)

Drainage Officer

"My comments on this application and the Flood Risk Assessment and Drainage Strategy Report enclosed are as follows:-

- (1) It is noted that the initial design was carried out using greenfield run-off rates from a 1 in 2 year return period storm giving a rate of 3.6 l/s/Ha. This has been reduced from 3.6 l/s to 2.5 l/s as a revised adopted value.

In the initial meeting with Hyders engineer and also outlined in the Development Guide reference was made that any design was to be carried out in conjunction with the "Guidance Notes for Developers on Surface Water Drainage Issues - Somerset Version (May 2004). In no guide is it a requirement that calculations are located on a 1 in 1 year

storm using 10% impermeability. Were calculations carried out applying this requirement and if so how does the run off rate of 2.5 l/s/Ha used in their design.

- (2) I note that the piped highway system will be designed to adoptable standards as contained in Sewers for Adoption 5th Edition and that the design will be to a 1 in 1 year standard.

Can this be checked with Wessex Water who I assume will be the adopting authority for any surface water sewer system. I believe their requirements for adoption are as follows:-

Sites with average ground slopes greater than 1% : 1 in 1 year design storm.

Site with average ground slopes 1% or less : 1 in 2 year design storm.

- (3) I note that in 4.5 Drainage Strategy flow in excess of the trunk sewer drainage capacity are to be channelled via the road network and intercepting ditches to the attenuation basins proposed.
- (4) I note that all the attenuation basins are to be “dry ponds”. I believe Ian Clark’s wishes were that they be “wet ponds”. Has he commented on this proposal?
- (5) It would appear that the basin referred to as Old Tone Arm Basin 1 is to utilise the proposed football pitches for surface water storage. I believe this goes against the wishes of Karen Hughes and Chris Mulcaly - have they commented on this proposal?” (3rd February, 2006)

“I note that the method of on site surface water attenuation has not as yet been decided (RPS letter 30th October, 2006) although I understand further consultations have taken place with the Environment Agency. Any chosen system will have to have the consent of the Environment Agency and this Authority.

Details should be submitted for the systems chosen, information regarding who will be responsible for their ongoing maintenance and operation. Details will also be required that confirm that financial provision has been made to cover ongoing maintenance and operational costs for these facilities.

If the attenuation system chosen is to be within Public Open Space then commuted sums will be required for any ongoing maintenance and the Council’s Leisure Development Manager and Landscape Officer should be consulted. The above should be made a condition if any outline approval given.” (21st February, 2007)

Bus Shelters

“The requirements for bus shelters in Taunton Deane are as follows:-

Enclosed shelter with minimum internal dimensions of 3 m x 1 m wide, complete with 2 No. openings to suit footway layout.

Framework from extruded aluminium with a single midrail with laminated glass above and below. Low barrel vault roof. Wedge perch seat and timetable case (portrait style). Finish: powder coated to RAL 6005.

The majority of shelters recently installed have been approved by Abacus Lighting Ltd. Any style/manufacturer chosen will need Taunton Deane Borough Council's approval."

Leisure Development Manager

"My concerns about the scheme that I looked at with you the other day are:-

Football pitches; if they are within an attenuation pond this will not be acceptable to us as we aim to have our pitches available for hire throughout the football season, any water logging will put them out of use for long periods.

Pavilion; I am concerned about the position of the pavilion and existing house. It does seem quite close and we could have problems with noise for the existing home owners.

Playing field access; this looks very poor as users travelling to away matches would have to use the back lanes to find the entrance. Also I consider that the local people who will use the playing field will have to cross the busy road.

Cricket field; is there a children's playground next to the cricket field? if so then this is not an ideal position as cricket balls hit into the play area would be a significant risk to users.

Public Open space alongside the proposed new main road. I do not consider that this is useable public open space and it should not be included in the total POS for this development. Also any future road widening scheme would reduce the provision of green 'space.'" (23rd January, 2006)

"In terms of laying out the Football pitches they should be laid out, developer required to agree irrigated, levelled and seeded to a design and specification approved by the Sports Turf Research Institute. Football goals approved by the FA must be installed and the pitch sizes must be suitable for senior football.

The pavilion must be provided to a specification outlined by the Football Foundation - Changing rooms and Clubhouses Data Sheet 4.

Hard surface car parking must be provided directly adjacent to the pavilion and the access must be off the mini roundabout rather than via Hyde Lane as

originally envisaged. Suitable fencing should be provided behind each goal where there is a possibility of footballs being struck onto the adjacent roads.

In terms of the cricket field if we are to adopt it as part of the 'formal adult sports' allocation then this will require a 20 year commuted sum. The pitch must be enlarged to ensure the boundaries comply with (at least) minimum ECB standards. Netting should be provided on all sides of the ground where the boundary is adjacent to housing or the NEAP/LEAP. This fencing should be 5 metres high and supported on poles. In an ideal world both the poles and netting should be, demountable to ensure that purchasers of the housing adjacent to the pitch have a more pleasant outlook. We could not adopt the pavilion as it stands and a new pavilion to serve this pitch should be provided.

A 20 year commuted sum should be provided for both the pitch and pavilion.

If the above is unacceptable to the developer then we are not prepared to adopt this area as formal adult sports and a sum for 'off site' provision should be sought in lieu. Any arrangement regarding the use of this site should then be between the developer and the Club.

In terms of triggers all facilities should be provided prior to the completion of the 300th dwelling. The cricket pitch revisions and new pavilion (should this be accepted) should be provided by the completion of the 300th dwelling or when works to build houses next to the cricket ground starts.

I hope this helps - commuted sums can follow the designs are agreed."

"As requested here are our comments on the letter from Sport England relating to the MH development.

On page 2 Sport England (SE) refer to 'robust needs assessments' - TDBC is currently undertaking such an assessment for Built Sports Facilities having already carried out such work for public open space and playing pitches. In the meantime we make use of the Sports Facilities Calculator to work out required contributions. That aside I support the view of SE in their final 2 paragraphs under PPG17 - this development will increase local need, that is fact, therefore planning obligations should be sought.

Their view regarding both indoor and outdoor provision is confirmed under planning policies for sport and this is the aim of our 'needs assessment'.

At the top of page 3 SE suggest that obligations could be sought through employment and commercial development .so although I rather doubt this Council would support such an approach.

SE refer to 1000 dwellings at the foot of page 3 - I have based previous figures on 600 houses. I note and support their stance regarding protecting community use of playing fields in perpetuity. You will note their view regarding access to school playing fields which is directly at odds with the SCC view aired at our recent meeting!! The SE view on well drained playing

fields and a well designed pavilion (we must follow Football Foundation guidelines for the design of this facility) is all that I would expect - SE probably don't even realise that the pitches are proposed in an attenuation basin - they will not accept this once it is clear that this is the proposal, and nor should we!

Paragraph 3 on page 4 echoes my disappointment that we have failed to date to seek contributions for indoor sports facilities - I note and support their comment regarding swimming facilities. Without addressing these matters I suspect that their objection will remain.

I have used the sports facilities calculator (see my email 16/02/06) referred to in working out the required contributions (based initially on 600 houses - a clause is required concerning contributions from any further houses) for indoor sport and endorse the SE view that we should seek contributions for Indoor Sport.

I'm not surprised that SE objects to this proposal - it would be even more vociferous were SE to be aware of the true extent of the playing fields situation." (27th February, 2007)

Housing Officer

"I support this housing and mixed use site application in the local plan. The requirement for Affordable Housing is 35% of final residential numbers with 50% as social rented and 50 % affordable housing as intermediate housing. This 50% to be divided into 25% low cost market housing and the remaining 25% to be on an equity share basis. The breakdown of the mix to be advised but should provide houses for families ranged from 2 - 5 beds, one and two bedroomed apartments and some disabled persons accommodation."

Taunton Civic Society

The Taunton and District Civic Society ("we") wish to make representations as follows as regards this outline application.

Land Usage

- 1 The application conflicts with Local Plan Policy T8 in that it does not offer a coordinated delivery plan for the major site allocation as defined in the Local Plan. In particular we would cite the omission from the application of:
 - 1.1 The land north of Aginghill's Farm (conflict with policy T9) and
 - 1.2 The land currently occupied by the former chicken hatchery to the southeast of the A38, although this is included within the Masterplan.
- 2 The application includes land that is outside the site as defined in the Local Plan and MHDG, but within the Green Wedge which violates policy EN13. While this land is used as POS/ROS there will be

pressure for the further development of facilities on the land (a Pavilion is already proposed). Sport pitches are not compatible with the preservation of a natural environment. This implies that the proposal does not deliver sufficient open space within the proper allocation.

- 3 The application includes more land (to the southeast of the A38 at the southern end of the site) dedicated to employment use than specified in the MHDG. This element in the application is presumably responsible for the very unsatisfactory road layout in this area, on which we comment later.
- 3.1 This additional employment land causes the new route of A38 to extend further south (into the Green Wedge) than the site as defined in the MHDG.
- 3.2 The erection of offices etc at this point, which is on rising land, will immediately suggest to those approaching from the south that the site is primarily an employment area. On the other hand this part of the original site allocation is ideal for housing, offering good views from a southeast facing slope.

Transport, Road Layout etc

- 4 By comparison with the MHDG the application introduces an additional roundabout at the southern end of the site. This introduces unnecessary delays. The southern part of the A38 relief road is displaced into the Green Wedge.
- 5 Access to and from “old” Monkton Heathfield and the part of the allocated site by Yallands Hill (north of Aginghills Farm) via Milton Hill is made awkward by the southern displacement of the A38 relief road. (Perhaps the applicants feel this does not matter to them, as they may not want to develop here).
- 6 The existing A38 remains a main access road for the southern half of the site, right up to the local centre. It is not clear that traffic calming will be successful in creating a residential environment along this route trees down the middle could simply be a safety hazard if calming results in a chicane exercise for boy-racers. It is unclear what happens north of the centre: can the old A38 road be an exit?
- 7 The extension of the spine road across the existing A38 to skirt the south edge of the cricket pitch and connect to the A3259 creates the potential for a “rat run”. While this may be appropriate for a bus route we believe that general vehicular access to/from the A3259 should run from the roundabout that concludes the A38 relief road at the north of the site.

Design Quality

- 8 The applicants may argue that an outline application does not need to be explicit in matters of design and site layout. We maintain that it is essential that a major outline application should provide a basis for confidence that the developer(s) will go on to deliver a good quality design containing architecture of a good standard. Where there is a development guide, the outline application should provide evidence that the requirements will, in general, be met. We think this application fails to do this. The examples provided seem to be more representative of a subset of the “one style fits all” approach that the MHDG specifically sought to exclude.
- 9 There is also lack of evident about what will actually be provided
- e.g:
- No detail of housing layout, not even for a subsection of the site. For example, no evidence of courtyard garaging.
 - No street scenes, and no street or housing elevations.
 - No illustration of what is to be produced as “key buildings”, and of how the developers will select appropriate designs for them, Are they simply bigger?
 - No indication of the developer’s policy as regards to the way individual housing designs may be selected as appropriate for specific locations.
- All this gives no confidence in the outcome as it will appear in three dimensions.
- 10 The suggestion that the local centre, having as it does a high density of housing, should also have a high proportion of affordable housing is questionable. There should be NO tendency to “ghettoise” affordable housing, and anything that may create such an impression would be a very serious handicap to the viability of a successful local centre.

Adherence to the Monkton Heathfield Development Guide

- 11 We note many deviations from the Monkton Heathfield Development Guide (MHDG). We have previously criticised this guide for being over-prescriptive as regards the architectural features for housing, but we completely support the overall concept and approach. While the MHDG states that it is not “a tablet of stone” we do not think the Council should permit any significant change unless there is a very strong cause for it. (We do not think purely commercial factors should be considered strong causes). The application does not present any real justification for most (if any) of the significant changes. There can be no question that the Consortium has had every Opportunity of comment on the MHDG and to understand it fully, so this represents a clear attempt to manipulate the policy of the local community for its own ends. As examples (by no means exhaustive) of these deviations, we cite:

- 11.1 The movement of the senior sports fields across the new A38 route into the Green Wedge. Even with the connecting bridge this heightens the accident risk of the A38.
- 11.2 The additional employment land mentioned at 3 above.
- 11.3 The road layout variations mentioned at 4 to 7 above.
- 11.4 The additional extent of the high-density mixed-use local centre to the north (on the northwest side of the existing A38) of the area marked in the MHDG.

Project Plan and Phasing

- 12 The application seems to be inconsistent: the area to the north of Avinghill's Farm is not within the application site, but is included within the Masterplan. We have already note the similar issue around the former hatchery.
- 13 Responsibility is not clear as regards the provision of infrastructure, or the provision/build of employment facilities.
- 14 We suggest that the local centre (which should include a new community centre adequate for the whole of Monkton Heathfield as it will be after the Urban Extension scheme is complete) be given a specific phase identity, and that it be complete immediately after Phase 1 (ie with no delay). Housing development allocated in the application to Phase 2 should become Phase 3. Every effort should be made to avoid a Cotford St Luke scenario.
- 15 We are pleased to see that the A38 relief road is in Phase 1. We would suggest that it must be firmly established as the first part of the his phase, so that construction traffic does not unduly affect existing residents or traffic on the A38.

Conclusion

- 16 We content that the Council should not approve this application until it has been substantially revised and conforms more closely to the Local Plan and MHDG.
- 17 In view of the expertise deployed by applicants making such major proposals, we would urge the Council to employ additional expertise as appropriate to analyse and assist in the control of such development.
- 18 We are still concerned that provision for Health services appears to be via Creech St Michael. This is not primarily an issue for the Developers, but we feel that the issue should be re-opened with the current or future PCT before all land is allocated to other purposes.

- 19 Please keep us fully informed about progress with this and future applications affecting Urban Extension areas.

Head of Design South West (Creating excellence/CABE)

I have, as you aware, been involved in assisting the work of the community engagement panel for this project and I have had persistent concerns about several aspects of the design. But in addition, and most profoundly, the layout and therefore movement patterns proposed within the enlarged settlement do not sufficiently promote the vitality of the local centre. The quality of the (vaguely-defined) local centre and its associated areas of public realm are further undermined by ill-considered responses to natural constraints. I firmly believe that if the enlarged settlement of Monkton Heathfield is to in any way approximate to a 'sustainable community' then this new local centre has to be a real success. There is for me much doubt that this will be achieved.

West Monkton Parish Council

The proposal is not comprehensive and does not conform to the Local Plan. It is not deliverable, as it does not provide the Western Relief Road. Whilst not a mandatory document the Parish consider that the proposals should reflect the Development Guide as this took account of local views and opinions. The current proposal deviates from the Local Plan in the following ways: -

Playing fields, these have been moved so that the allocated site can accommodate the number of houses that the consortium stated could be provided within the allocated site at the Local Plan inquiry. The playing fields will be remote from the settlement and schools (800m) and sited on the opposite side of the new relief road. This is not considered to be acceptable. Vehicular access is to be through Hyde Lane and there will be no direct access from the settlement to their playing fields. Hyde Lane is inadequate for this purpose. The proposed surface water drainage would prohibit the use of the playing fields during wet weather. The playing fields would extend the allocated site onto land where, 3 years previously, the development of the land was rejected. The remote location of the playing fields leaves a high risk of vandalism. West Monkton Parish Council considers that the best location for the playing pitches remains next to the local school as envisaged in the development guide.

Relief Road, provision of the relief road at the beginning is welcomed but there is still concern that the Western Relief Road does not form part of these proposals. The location of the southern roundabout would result in a dogleg that would be likely to result in most of the traffic using the overloaded Creech Castle junction, irrespective of its ultimate destination. A careful design is needed for the western relief road, taking account of the need for safe routes for school and the Parish Council believe a new relief road is necessary rather than continues use of the existing Milton Hill by the additional traffic. The parish council were also concerned that any closure of the A38 would

increase journeys for local people with an additional danger of increased rat running through West Monkton, Goosenford and Cheddon Fitzpaine.

Primary school, There is concern that the projected school will not be large enough and further contributions from the County, developers and Church of England would be required to provide a school that is of adequate size. There are no proposals for the interim period when the development starts to generate more pupils but the new school has not been provided. The Parish Council would prefer to see the school being built at the start of development as the current school is already congested with play area being lost due to portacabins. Traffic to the school is already congested and increases may result in gridlock and jeopardising the Safe routes to school.

Community Facilities, it is important that additional community facilities are provided and any assistance that is possible towards the extension of the existing village hall would be welcomed.

It is important that open space provides connectivity for wildlife and Otters etc; Play areas should be as noted in the design guide. Any reduction in the overall number should be combined with improved facilities for the remainder. The amount of Office space is too high, the retail units should be occupied with a variety of sensible uses for the local community and provision should be made to ensure they are retained for the future and not allowed to revert to a residential use, public transport should be provided to a high standard, there is a history of flooding in the area and the flooding risks need to be fully explored and explained and any scheme should be robust and avoid serious flooding problems further along the river, the road frontages should be controlled by one developer to ensure uniformity of design approach.

The Parish Council considers that the public consultation was poor and the vice chairman received 78 complaints regarding it. The staffs manning the event were poorly informed about the proposals and responses given were at odds with advice given to the Parish Council by the Consortium. (A second public meeting has now taken place)

Creech St Michael Parish Council

The Parish Council would like to see full details of the traffic proposals including methods to avoid congestion and ease existing trouble areas such as Creech Castle and the entrances/exits to the new housing areas.

Senior Football Ground, The Parish Council are opposed to the siting as it lies outside of the Local Plan boundary and has no direct access across the A38 Relief Road but would have to go via Hyde Lane, increasing the need to travel contrary to sustainable development objectives and highway safety. Drawing from experience of Creech St Michael's remote playing pitch it is difficult to integrate the facility into the community. Road alignment: - The proposed road is not in the Local Plan location and it is considered that this will result in increased traffic congestion from Bathpool to Creech Castle. The new road should cross the A38 to link with Milton Hill as shown in the local plan. We

wish to see appropriate signage at the Langaller junction and Ruishton to discourage any rat running through our village. The developer has stated that footbridges over the relief road will be disabled user friendly but we are concerned that disabled persons will be unable to use the bridge due to slopes. A ground level road crossing should be provided for these people. When the Traffic Assessment is considered it should also look at the impact of the increased traffic on roads at Adsborough and Northend Creech St Michael where they may result in additional highway danger. Flooding, the development must have adequate flood attenuation with the capacity to cater for extremes, such as that experience in October- December 2000. The flood scheme must be designed so it does not exacerbate flooding in Creech St Michael, Ham, Ruishton and the Somerset Levels. Housing development should be limited to two storeys in height as this would be appropriate to its rural setting. Affordable housing should be provided, as there is an unmet need within our parish. Employment Land, where employment land is provided near to residential properties hours of operation should be imposed to protect the amenity of occupants. Traffic during development, It should be conditioned that construction traffic uses main roads and does not travel through the surrounding villages. Public Footpaths, There is confusion over the impact of the proposal on the footpaths but these routes must be retained and accommodated safely within the proposals.

Following on from the above, the Parish Council understand that there has been a further study regarding the risk of flooding and we wish to see these details of this and any flood storage basins. Can we be assured that there will not be flooding of Hyde Lane as in the past as this will provide the only direct link for residents of Creech St Michael to Creech Castle?

North Petherton Parish Council

The Parish Council have grave concerns about the increased use of the main road through North Petherton, which is already above capacity, as a result of this proposal. Whilst a bypass is planned this is not for some 35 years. Perhaps a new access onto the M5 at Walford Cross would alleviate the problems?

Ruishton and Thornfalcon Parish Council

Would like to see the traffic assessment before commenting further on the application

Cheddon Fitzpaine Parish Council

Existing medical centres at Lyngford Park and Crown Medical Centre are overloaded and the development at Monkton Heathfield should include new medical facilities; there must be a new primary school to cater for the development; the proposed highways should be designed to avoid access problems needing chicanes as these are ineffective; the new relief roads should be completed prior to occupation.

10.0 **REPRESENTATIONS**

49 letters of objection have been received raising the following issues: -

1. There is no explanation to support the deviation of the proposals from the local plan boundaries.
2. The roundabout cuts across the green wedge where recent proposals have been refused, this is contrary to the Local Plan policy to retain the open character of the green wedge areas.
3. I am angered at the proposed location of the southern most roundabout, it is ridiculous that the roundabout does not go through the hatcheries land and to suggest the road will be modified later beggars belief and will encourage traffic to use Bathpool as the main through route. It is not a good enough argument for the consortium to just say they do not own the land in question.
4. The southern roundabout is in the wrong location and the proposed junction is unsafe, technically.
5. The route of the relief road does not conform to the local plan boundary. The proposal constitutes piecemeal development of a larger allocated site contrary top the requirement of the local plan allocation and development guide for the site.
6. The relief roads should be put in place, in total before the development is occupied.
7. Extra traffic using Milton and Yallands Hill is inappropriate to the residential area/occupants
8. The predicted traffic flows seems very low and cannot possible account for the traffic connected with the school runs.
9. Bus only access to Hyde Lane would stop existing residents from accessing their properties.
10. The existing roads and infrastructure are in adequate to cater for the additional traffic.
11. The proposal is not a comprehensive scheme for the whole development allocation.
12. The current application does not provide for the Western Relief Road and does not include Aginghill's allocated for 100 houses.
13. The realignment of the relief road outside of the local plan site has not been justified apart from an unsubstantiated claim that Milton Hill

cannot be upgraded. The Green wedge is at its most vulnerable at this point and the proposed alignment of the southern relief road would impact on its open character and reduce its width significantly undermining the principles of the Green wedge and resulting in the coalescence of Taunton and Monkton Heathfield.

14. The proposed roundabout appears to have technical failings in terms of highway design and safety. It is likely that it would result in queuing in peak times on the approach to Creech Castle back to the humpbacked bridge resulting in the approaching drivers having insufficient visibility to the stationary queuing vehicles.
15. The current proposal does not include the provision of the Western Relief Road does this suggest that it will be funded and provided by the Avinghill's development alone, a modest development of this size could not afford to finance the road.
16. The development is too big.
17. The development would result in the irretrievable loss of farmland.
18. Monkton Heathfield will become a suburb of Taunton.
19. The schools should be provided before the housing.
20. The current roads are inadequate for the additional traffic.
21. Creech Castle junction will come under particular pressure from new residents going to the shops at Hankridge, the motorway, and travelling to and from town and an underpass should be built prior to the completion of the development.
22. The development will result in an overuse of local roads and the creation of bottlenecks even with the proposed relief road.
23. This is a green field site and should not be developed.
24. The development will not be for local people.
25. The doctors, police, and other services are already overstretched and this will make matters worse.
26. Lighting should comply with standards to avoid light pollution.
27. The Western Relief Road is essential to alleviate traffic problems and all of the road should be built "up front".
28. The A3259 should be severed to retain current levels of amenity.

29. How high will the local centre be? Buildings that are very high will stop open views for existing residents.
30. The impact of the additional traffic on the motorway junction must be taken into account.
31. The sports pitch is outside of the local plan boundary and will not preserve the natural environment.
32. Offices on the rising land as you travel north to meet the development will give an industrial feel and should be residential
33. There is additional employment land.
34. The link near to the cricket pitch will create a rat run between the main roads.
35. The outline application should support the local plan.
36. Affordable housing should be spread around the site to avoid the creation of a ghetto.
37. The local centre should be completed in the first phase.
38. There should be a new health centre as the existing Musgrove and Health Centre at Creech St Michael are not sufficient.
39. Land at Brittons Ash should be made wider to provide greater privacy for existing residents.
40. Housing should be a maximum of two storeys.
41. Construction traffic should be banned through Creech St Michael and Creech Heathfield.
42. There is inadequate sewerage provision.
43. The provision of planned facilities must match the provision of housing.
44. Access onto Acacia drive will be difficult and a traffic light should be installed.
45. The new school must have sprinklers.
46. Housing adjacent to 134 Bridgwater Road must be a maximum of two storeys only.
47. The hedgerow and retention plans clash.
48. Any rows of trees should be of a mixed variety.

49. Why has the A3259 been ignored from the scheme?
50. When will the Western relief road be built?
51. Cycle lanes must be provided through the site.
52. Development should reflect the West Country character and charm.
53. The proposed housing would be too close to Britons Ash.
54. Will Green Lane have an increased use as part of this development?
55. The main sewer goes across Yallands Hill and must be accounted for when the site is developed.
56. How will Creech Castle junction cope with the additional traffic?
57. There will be increased traffic using the A3259 instead of the A38 resulting in increased traffic danger.
58. How will the existing schooling facilities cope with the additional demand before new provisions are made.
59. Industrial buildings should be single storey only to protect the amenity of Hyde lane Cottages.
60. There must be a planted, high bank between the road and Hyde Lane Cottages.
61. The dry basin for surface water should be as far from Hyde Lane Cottages as possible.
62. Brittons Ash should remain a cul de sac .
63. The proposed pedestrian cycleway using the existing lane at Brittons Ash is not acceptable as the lane is too narrow for adequate segregation of cycles, walkers and vehicles.
64. The land should remain in informal use as at present.
65. The proposed cycle lane link beyond Brittons Ash to the Green Lane is unacceptable due to the characteristics and width of the existing Lane and the existing hedgerows and natural aspect of the lane should be protected.
66. These larger development allocation have proven to be difficult to achieve and smaller sized proposals would be likely to have less problems more easily overcome and therefore built quicker .

67. This is the most important approach road into Taunton but the numerous roundabouts will downgrade the importance of the route.
68. The provision of a relief road around the existing development is essential.
69. Could the roundabout at the North (to Creech via Langaller) not give access to the industrial site resulting in one less roundabout? most heavily transport from the industrial land could then join the motorway at North Petherton .
70. The land to the south of the proposed road will not be used for intensive farming in the future and could be positively used for public open space and the provision of additional sporting facilities, such as an additional field for the nearby rugby club.
71. The new school building should be in pride of place in the street scene.
72. To plan for the construction of the Western Relief Road so late in the development is unacceptable as traffic from 1000 houses will end up using the main road connections that are already inadequate.
73. If the smaller parcel of land at Farriers Green comes forward early, as I expect it will, it may gain access via the petrol station, then the Western Relief Road will not be constructed in the near future, a travesty for the area.
74. The hatchery land is not part of this application and should not be allocated for any specific use as the allocation for the site is mixed use.
75. Surface water run off from Yallands Hill must not be left to run into Allen's Brook and must be provided for.
76. There should be adequate landscaping and banks between the proposed housing and existing housing at Brittons Ash.
77. Windows from new properties should not overlook Brittons Ash.
78. The pavilion and parking for the sports pitches are too close to Hyde Lane Cottages resulting in unacceptable levels of noise and activity. The pavilion and parking should be relocated to the other side of the site.
79. We are pleased to see additional land for and the repositioning of the primary school.
80. The proposed school should be large enough for the development.

81. To limit noise an acoustic fence should be constructed to the rear of the Brittons Ash dwellings.
82. Only low-density dwellings should be built in close proximity to Brittons Ash dwellings.
83. I object to higher density development as this will result in proposals like the Obridge site, out of keeping with a village setting.
84. The development will spoil the rural setting of the two existing villages and result in near gridlock conditions.
85. There are sufficient trading estates within Taunton already.
86. Re-routing the A38 to Walford Cross is unnecessary and a waste of tax payer's money.
87. The only people to benefit by this development are the developers.
88. Insufficient thought has been given to the impact of the development on traffic flows as a result of changes to the major roads of the area.
89. When built Farriers Green was designed to be a district distributor road the Secretary of State allowed Farriers Green to be developed on the condition that the Milton Hill link road was constructed to a distributor road standard (7.3 m) and whilst only built to 6.6 m width the road has to date largely functioned as envisage and alleviated traffic pressures.
90. All of the existing roads are subject to heavy use particularly at peak times; the proposed traffic calming works to the A38 will have the effect of reducing road capacity for heavy goods vehicles at the same time as increasing volumes of vehicular traffic from the development site. The closure of the A3259 will merely move the problem elsewhere in the village.
91. The effect of the proposed changes will be to increase the use of Milton Hill, a road not built to cater for such levels of traffic, having a detrimental effect on locals by virtue of noise and pollution and greatly increasing the risk of injury to school children, pedestrians and cyclists all of whom use the road at peak times.
92. The master plan also proposed an adaptation to this road at its northern section, this will result in more traffic using the link and increased danger to existing pedestrian and cycle users and residents in this essentially residential area.
93. Increased traffic flows using the Creech Castle junction will increase the congestion in the roads and as such will effect Taunton and the surrounding area .

94. Looking at the land over which the Western Relief Road is to be built it is clear that the construction of the route will be costly and prolonged and will result in delays with unacceptable levels of traffic in the interim.
95. The only acceptable alternative is a completely new road link, fit for purpose, and built early on to avoid all the difficulties attached to the increased use of the existing road network.
96. There are concerns about the proximity of the residential properties to the existing cricket square, the housing should retain sufficient land for the adequate running of the cricket facilities.
97. If the proposal requires the cricket ground to be moved the costs should be covered by the developer.
98. Any children's play area near the cricket pitch should be sited as far away as possible to avoid cricket balls hitting the area and protective fencing erected .
99. The proposal will result in the loss of access and parking currently provided in the adjacent field, the provision of replacement access and parking for uptown 20 cars must be made at the expense of the developer.
- 100 The eastern relief road will divert traffic away from the A38 and have a devastating and detrimental impact on the levels of trade for the existing Landrover and Jaguar garages.
- 101 The closure of the A38 will be impossible to achieve as it will need to retain an adequate access for heavy goods vehicles, customers servicing and parts provided at the garages.
- 102 Residential development to the rear of the existing garages must make adequate provision for the noise and disturbance produced by the functioning of the existing garages, including the backing up of servicing vehicles and deliveries.
- 103 If the plans continue the garages may have to look for alternative premises and, as a suis generis use, would need to discuss this further with the planning department.
- 104 Objections have been raised to the way in which the community involvement was conducted. The developer should have arranged its involvement in accordance with the draft Taunton Deane Statement of Community involvement. The community involvement took place after the application was submitted and clearly did not expect to make adjustments to take account of discussions taking place during the exhibition. The venue, the Rugby Club, is not located within the village of Monkton Heathfield and there was only limited signage to the

venue, the displays were crammed into a small room and it was difficult for more than 2-3 people to view the displays at any one time. The information was just a copy of the application and there was no real opportunity for the community to become involved in shaping its proposals. To conclude the public exhibition does not conform to the advice in PPS1 and does not meet the needs of the Council's own Statement of Community Involvement.

105. Object to the proposed phasing strategy which places the land at Avinghill's in the last Phase even though it is not part of the planning application currently being considered.
106. There are existing flooding problems in Hyde Lane, this proposal should ensure that these are not worsened in any way.
107. The red line includes land outside of the local plan allocation.
108. The masterplan includes land not part of this application or in the control of the applicant so how can its provision in accordance with the master plan be guaranteed.
109. The B1 and B8 uses are below those allocated in the Local Plan by 580 sq m.
110. The proposal does not exclude offices from the employment land at Langaller contrary to the development guide.
111. The break down of open space is inadequate to assess the level of provision.
112. Flood alleviation ponds are not appropriate for open space as they are not available throughout the year.
113. The football pitches have been located outside of the local plan site in a non-sustainable location, divorced from the settlement.
114. The community facilities should be provided early on in the process.
115. There is insufficient information on the proposed housing to the rear of Yallands Hill.
116. Over concentration of development in the south of England.
117. The community infrastructure will not be provided up front as suggested during the allocation of the land.

11.0 **PRINCIPAL ISSUES FOR CONSIDERATION**

- A. Does the proposed application site conform to the Local Plan allocation and if not are there material considerations such that would justify a departure? POLICY
- B. Does the proposal ensure the provision of comprehensive and coordinated development? COMPREHENSIVE DEVELOPMENT
- C. Is there sufficient information contained within the application to ensure the delivery of high quality development? QUALITY OF DEVELOPMENT
- D. Does the Environmental Assessment and subsequent updating information establish the impact of the proposal on the wildlife, landscape, archaeology....of the area (see Rogers scoping report) trees and hedges too? ENVIRONMENTAL ASSESSMENT
- E. Will the development enable the retention of the green wedge separation between Monkton Heathfield and Taunton? GREENWEDGE
- F. What impact will the development have on the area and will the proposed landscaping philosophy adequately mitigate for any detrimental impacts or enhance any areas with potential? LANDSCAPE
- G. Does the proposal provide adequate community facilities for the new population? COMMUNITY
- H. Does the proposal provide adequate education facilities for the increased demand resulting from the development? EDUCATION
- I. Will the proposed development provide the required amount of affordable housing as outlined in the Taunton Deane Local Plan? AFFORDABLE HOUSING
- J. Does the proposed structural highway network cater for the expected increased use of the roads by the traffic likely to be generated by the proposal? HIGHWAYS
- K. Will the proposed surface water and foul drainage cater for the changing and additional volumes expected from the development of the land? DRAINAGE
- L. Will the proposed development provide adequate facilities for leisure and recreation in accordance with the Local Plan requirement? LEISURE AND RECREATION PROVISION
- M. Would the land indicated for employment use be in accordance with the Local Plan requirement? EMPLOYMENT

- N. Does the proposal provide for a local centre with adequate retail provision in accordance with the Local Plan requirement? RETAIL
- O. Has the proposal taken account of the likely impact of the proposal on the wildlife and ecology of the area? WILDLIFE
- P. Has the proposal identified the Archaeological potential and is the impact of the development on any archaeological potential acceptable? ARCHAEOLOGY
- Q. Will the proposal result in an acceptable living environment for future residents adjacent to the new Eastern Relief Road? NOISE/POLLUTION

A. Policy

The local plan allocates approximately 67 ha of land for the provision of a comprehensive and co-ordinated mixed use development to include the provision of approximately 1000 houses, 14 ha of business use, 4.5 ha of playing field; 2 ha for a primary school; 3 ha for a combined local centre and 10 ha of landscaping and open space.

The development is required to ensure the provision of 13 key elements :-

- education;
- social/community facilities;
- playing fields and open space;
- local nature reserve;
- landscaping;
- surface water attenuation;
- affordable housing;
- bus priority measures;
- subsidised bus provision;
- cycle and pedestrian network;
- cycle access to Taunton town centre;
- cycle access to the canal, to the riverside leisure and retail facilities and from Creech St Michael;
- eastern and western relief roads; and
- traffic calming and environmental enhancement on the existing A38 and A3259.

The red line application site does not include all of the allocated land as outlined within the local plan allocations T8- T10. In particular it omits the land required for the Western Relief Road and any road improvements that would be required to link the Eastern and Western Relief Roads; the western development site at Aginhills Farm and the former Hatcheries site located adjacent to the A38. In addition the application site includes the following land that is outside of the local plan allocation:- land to the north of Langaller Lane; land adjacent to Hyde Lane and to the south of the proposed Eastern Relief Road, for the provision of playing fields, and land to the south of the former

Hatcheries, for the provision of a junction (roundabout) from the proposed Eastern Relief Road, to the A38. The latter two being located outside of the settlement limit on Green Wedge allocated land). As a result the application has been advertised as a departure.

Under the provisions of S54a of the Planning and Compensation Act (1991), Section 38(6) of the Planning and Compulsory Purchase Act (2004) and Planning Policy Statement 1 require all proposals to be determined in accordance with the Local Plan unless material considerations indicate otherwise.

The applicant has put forward the following justification for the departure from the local plan:-

North of Langaller Lane

The enlargement of the northern roundabout near Manor Farm has required a slight realignment to the route of Langaller Lane from the A38 and does not have a significant impact on the allocated site or surroundings.

Playing Fields

The applicant argues that there is insufficient space within the allocated site to provide all the land use requirements of policy T8 and the playing fields and that their inclusion within the site would result in the loss of potential for approx 250 houses. They argue that Green Wedge Policy EN13 accepts that playing fields are an appropriate use within green wedges and that to relocate these would enable the provision of the 900 houses and the other mixed-use elements within the site boundary with minimal impact on the area. Initially the Council raised concerns in relation to the remoteness of the site and the inaccessibility of the playing fields and associated facilities to the occupants of the new development. As a result of these concerns the applicant has introduced a new vehicular access to the playing fields from the Eastern Relief Road and suggested that the proposed foot and cycle bridge across the new road would enable access by vehicles and pedestrians.

The Eastern Relief Road junction with the A38 and future Western Relief Road at the south of the site.

The Local Plan proposals map indicates the line of the Eastern Relief Road within the allocated site, to cross the A38 approximately in line with Milton Hill to enable the Western Relief Road to utilise Milton Hill as part of its route. The submitted application deviates from this alignment and proposes the new junction with the A38 approximately 60 m to the south. This protrudes into land identified as Green Wedge. The Local Plan identifies impact upon the Green Wedge as a key consideration for the development of the site recognising the need to retain a separation between Monkton Heathfield and the settlement of Bathpool, in the south and Taunton/ Cheddon Fitzpaine in the west, retain the open character between those urban areas to provide a

corridor for wildlife, an air conduit and a place for relaxation and recreational use.

In support of their departure from the local plan the applicant claims the County Council have expressed concerns that Milton Hill would not be capable of being upgraded sufficiently to operate as the western arm of the relief road and the consortium argue that a purpose built new road would be preferable in the longer term, especially taking into account the additional demand that is likely should a further urban extension be included in the RSS. Furthermore the Consortium argue that upgrading of Milton Hill could result in a significant degree of severance for residents in Farriers Green (although the application does not indicate such an alignment).

In addition the applicants state that they have been unable to negotiate the acquisition of the former Hatcheries land. As a result the relocation of the road will therefore ensure the delivery of the allocation, which would not be the case if the original alignment were to be insisted upon.

Whilst the applicants' arguments in relation to the relocated playing fields and realignment of Langaller Lane are accepted, they have failed to provide any technical justification as to why the Eastern Relief Road could not be constructed on the alignment identified in the Local Plan. In addition although the applicants claim they have been unable to negotiate with the owners of the former Hatcheries land the applicant has not provided any evidence in support of this assertion.

The Landscape Officer in his comments has identified significant adverse impact in both landscape and green wedge terms from the realignment. The proposed departure is therefore significant and there would need to be compelling reasons if the Council were to grant permission in the face of this policy objection.

In conclusion, the applicant has not proved a case for the proposed departure from the local plan in respect of the location of the southern road arrangements and as such this proposal is clearly contrary to the Local Plan allocation T9, and Section 54a of the Planning and Compensation Act (1991), Section 38 of the Planning and Compulsory Purchase Act (1996) and the advice contained within Planning policy Statement 1.

B. Comprehensive and Co-ordinated Development

As stated in paragraph (A) above all proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. The Taunton Deane Local Plan requires the provision of a co-ordinated and comprehensive development of the entire allocated site. The applicant does not control all of the land required for the entire development and have limited their application to the parts of the site over which they do have control. As a result the proposed application site does not include all of the land covered by the Local Plan allocations T9 –T12. It excludes the land covered in policy T10 (Land North of Avinghills) and part of the land covered

by policy T9 (The former Hatcheries). By excluding the Hatcheries land the application fails to delivery the 4 ha of employment land required in policy T9.

I refer the details of this application to the requirements of local plan policy T8 and have commented on each element in turn.

(A) primary and secondary school accommodation in accordance with Policy C1

As discussed in more detail below the applicant has agreed in principle to the primary and secondary education requirements. Initially the Local Education Authority required the provision of a footbridge across Dyers Brook to enable direct access from within the school and County owned land. However the consortium have now agreed that the school will use a small stretch of public highway, with the addition of some safety railings, to gain access to the playing field.

The Local Education Authority is currently seeking the provision of a development agreement within any Section 106 agreement for the provision of the new school. This would ensure that the County has full details of the build quality etc of the new school in plenty of time to ensure it is adequate for their purposes. In the absence of a section 106 agreement securing the provision of the education requirements, the proposal would not ensure the provision of the necessary education facilities and would not comply with the Taunton Deane Local Plan allocation and Monkton Heathfield Development Guide in this respect.

(B) social and community facilities in the local centre

The social and community facilities relate to the provision of community meeting rooms, kitchen, toilets and joint use hall (The provision of these is to be annexed to the new primary school facilities with the hall being built to a larger size than required by the school to allow for sport and community use when not required by the primary school); the provision of 2 new playing fields, car parking and a pavilion with changing facilities; the provision of children's play areas through out the development; the upgrading of the library service to cater for the additional demand; the provision of a local centre to provide for the immediate needs of the new community. The principles of these have generally been agreed and are to be provided in full by the applicant. The final details/quality of the community facilities attached to the Primary School and equipment to be provided within the Children's play areas have yet to be defined. Again all of these items would normally be contained within a Section 106 agreement. In the absence of such an agreement the above requirements are not secured and the proposal is contrary to the requirements of the Taunton Deane Local Plan allocation and Monkton Heathfield Development Guide.

(C) playing fields and public open space in accordance with Policy C4

The Taunton Deane Local Plan policy T9 (for the development of 50 hectares to the east of the A38) requires the provision of 4.5 ha of public playing fields and 10 hectares of open space and landscaping. As discussed above, the current proposal locates the public playing fields outside of the local plan allocated site, within the Green Wedge between the allocated site and the Taunton and Bridgewater canal that runs to the south and adjacent to Hyde land which runs to its east. The proposal includes the principle of the provision of a serviced pavilion and associated parking in connection with the playing fields.

I consider that these proposals are not as well integrated into the new settlement as they would have been had they been located amidst the allocated site and that they may suffer, to a degree, from a remote site that is not overlooked by any significant properties. However I accept that recreational use such as this is considered appropriate on land within the Green Wedge and I consider that the delivery of the full 900 houses and associated community facilities within the site is of paramount importance, sufficient to outweigh those concerns in this case. Whilst the provision of the playing field and parking could be secured through planning condition the provision of a fully serviced pavilion, its ownership and management all require a Section 106 agreement. In the absence of such an agreement this cannot be achieved and the proposal would not therefore be in accordance with the requirements of that policy in that respect.

The development proposes 11.33 hectares of open space including land for the provision of the required LEAPS (local areas of equipped play space for children under 6 years of age) and NEAPS (areas of equipped play space for children over 6 years of age). The Monkton Heathfield Development Guide states that there shall be 1 LEAP within a 400m walking distance of properties in the new development. The development guide stated that this would result in a need for 6 LEAPS but plans submitted by the developer show that with careful siting 4 LEAPS would be required to ensure that the whole development is adequately served. The development guide suggests a similar criteria is adopted for the location of NEAPS but the developer has used a criteria of 600m walking distance to the facilities for older children and the Leisure Development Officer has accepted this. However there has been concern that the 600m walking distance would require crossing of the A38 for new residents in the north west of the site and as a result of those concerns the developer has agreed to provide a SUPER LEAP in that area. This would be a facility with a greater level and range of equipment to perform a dual function. The developer is proposing to provide the land required for the play areas and pay a commuted sum to the Local Authority to enable the provision of the necessary equipment and its maintenance. There are on going discussions regarding the appropriate level of payments and this matter is not currently agreed. As a result the proposal would not provide the equipped play areas required by the planning policy.

(D) preparation and maintenance of a local nature reserve

The outline application and supporting masterplan indicate the provision a local nature reserve adjacent to the Dyer's Brook to the west of the site. Full details of this area would need to be submitted and approved through the reserved matters application. The future ownership and maintenance of the Nature Reserve has been agreed in principle as either the Local Planning Authority or Local Wildlife Trust but this needs to be contained within a Section 106 agreement. In the absence of a Section 106 agreement the Local Planning Authority cannot ensure the retention and long-term maintenance of the area contrary to the requirements of the Taunton Deane Local Plan allocation.

(E) landscaping

The detailed landscape proposals are reserved for subsequent approval. However the application contains assessments, (within the Environment Statement), of the existing landscape and the likely impact of the proposal on that landscape. In so far as the details refer to the allocated site the principles would appear to be acceptable, subject to a condition requiring the submission of a strategic landscape masterplan (or similar) prior to the submission of any reserved matters applications for any part of the development.

However there remains a landscape objection to the southern realignment of the proposed Eastern Relief Road. In this case the impact of the Eastern Relief Road is increased as a result of the realignment. In addition it has been indicated, by the County Highway Officer that the proposed arrangement for the link between the southern roundabout and Milton Hill will need to be upgraded before the construction of the 651st house. This would result in a new link road being provided across land to the south and west of Milton Hill, a further area of important Green Wedge. Full details of this new link have not been provided to the Local Planning Authority to enable a full and accurate assessment of the likely impact of this realignment.

(F) surface water attenuation

As discussed in more detail below, the application site has two separate catchments, the Dyers Brook and Old Tone Arm. There are known flooding problems downstream of the proposals and it has been important to ensure that surface water run off generated by the proposal is properly catered for to avoid any on site problems or the creation of additional problems further downstream. The proposed surface water drainage comprises a series of flood attenuation features, above and below ground. These would seek to retain water during periods of high runoff and allow for their slow release into the system. In addition the Environment Agency has identified the need to improve some of the "receiving" water courses so that when additional water is released from the storage facilities over a long period of time the receiving watercourses have enough capacity to perform properly. Whilst the surface water attenuation details can be reserved matters the improvements to the receiving watercourses are off site works that would normally be provided within a Section 106 agreement. In the absence of such an agreement the

necessary improvements have not been obtained and the Environment Agency raise an objection to the proposal.

(G) affordable housing in accordance with Policies H9 and H10

As is discussed in more detail below, whilst the quantum and tenure of affordable housing has been agreed, the precise mechanism to ensure this is provided and retained as affordable housing is still being disputed. As a result the proposal does not conform to the requirements of the Taunton Deane policies T8 and T9.

(H) bus priority measures within the site and linking the site to Taunton town centre

The transport assessment was used as a basis to produce a transport package that includes bus linkages to Taunton town centre. These have resulted in a package of measures that include financial contributions for work and provision of bus shelters and these have been agreed in principal with the County Highway Authority. These contributions would normally be included within a Section 106 agreement. In the absence of an agreement the proposals do not ensure the improvements to the bus services and the proposal is contrary to Taunton Deane Local Plan policy T8 (H)

(I) revenue support if necessary to maintain a frequent quality bus service linking the site to Taunton town centre

The County Highway Authority has agreed the principle of the above revenue support. Again this was to be achieved via Section 106 agreement and in its absence the contribution is not secured and the proposal is contrary to Taunton Deane Local Plan policy T8 (I).

(J) a comprehensive cycle and pedestrian network within the development area and Monkton Heathfield village, providing convenient access to the schools, local centre and employment

AND

(K) cycle access to Taunton town centre via the A3259 and the canal, to the Riverside Leisure and Retail facilities and from Creech St Michael

The detailed cycle and pedestrian network remains a reserved matter and detail has not therefore been included within the outline submission. However, the Environmental Statement includes an assessment of the existing cycle and pedestrian facilities and an acceptance that improved facilities and links to the existing network will be required. Appropriate details can be conditioned requiring approval within a phased strategic document prior to the submission of reserved matters.

(L) eastern and western relief roads

The Local plan policy requires the provision of two relief roads in order to (1) alleviate the existing traffic levels using the A38 and bring together (currently split in two by the A38) the existing and proposed site as one settlement with a core of community facilities aimed at uniting the residents and development; and (2) cater for the additional road traffic generated by the additional development of the allocated sites.

The Eastern Relief Road forms part of the current application and its details are not a reserved matter. The County Highway Authority has agreed the technical details of the road. The traffic assessment submitted in December 2006 establishes that the Eastern Relief Road as proposed would cater for traffic generation from all the allocated land.

However, before occupation of 651st dwelling and more than 23,250 sq m of employment floorspace the Western Relief Road is required to facilitate distribution of traffic through the existing highway network. This application cannot therefore be implemented in its entirety without the provision of the Western Relief Road.

The Local Plan identifies a general alignment for the proposed Western Relief Road, which links with Milton Hill, which in turn meets the Eastern Relief Road at a junction at the former Hatcheries.

The current application does not include any details of the Western Relief Road or the route that would connect it to the A38 and Eastern Relief Road. As a result it is not possible to assess the impact of the road in terms of either highway safety or the other environmental impacts of the road on the existing area. I strongly contend that further information is required in order to carry out analysis of the impact of the relocation of the roundabout in respect of land to the west of the A38, particularly in terms of any additional impact upon the Green Wedge resulting from the repositioning of the southern roundabout.

The current proposals from the roundabout to Milton Hill indicates use of the existing carriageway with minor modifications. The County Highway Authority have indicated that this is acceptable, but only as a temporary solution until the Western Relief Road is constructed. As previously stated, the Western Relief Road has to be constructed once 650 dwellings have been occupied.

The applicant has argued that they do not need to include the Western Relief Road in the current application as its design can be secured by a time limited condition and because they have offered a mechanism that will ensure its provision, (by supporting the Local Planning Authority in Compulsory Purchase action (CPO) should all other negotiated efforts prove fruitless).

I am concerned about their assertions for the following reasons:-

The Eastern Relief Road alone is not sufficient to deliver the development in its entirety as proposed in the application (i.e. 900 dwellings). A condition could limit this development to a reduced quantity until the Western Relief Road is constructed. However this not only creates the possibility that only

650 houses being built which would not therefore ensure the long-term delivery of the entire allocated site as required by the local plan, but also impacts upon the potential alignment of the Western Relief Road and link without having any analysis of the effects having been done.

(M) traffic calming and environmental enhancement on the existing A38 and A3259

The current Transport assessment makes long-term proposals for traffic calming of the A3259 and a package has been discussed and agreed by the County Highway Authority for inclusion within the Section 106 agreement (or similar). However, detailed proposals cannot be finalised until a formal consultation has been carried out with the affected frontages.

Conclusion

I consider that the lack of information on the Western Relief Road and the route that would connect it to the Eastern Relief Road, combined with the lack of information on the effect of the realignment of the Eastern Relief Road on the Green Wedge to the north and west of the A38, will prejudice the ability to achieve a comprehensive and co-ordinated development of the entire allocated site. In addition I consider that the inability to secure the required details including contributions and timings in terms of education, community facilities, leisure, surface water attenuation, affordable housing, bus links and support for bus services via an agreed Section 106 Agreement would also result in a proposal that is contrary to the Local Plan requirement for a comprehensive and co-ordinated development of the entire allocated site.

(Please note that the Section 106 Agreement heads of terms are still being discussed and may be resolved prior to any appeal in which case concerns over the provision of items that need to be obtained via a Section 106 Agreement would be overcome)

C. Quality Development

This outline planning application was submitted on the basis of a red line around the site, with all other matters left for the reserved matters for a subsequent approval other than means of access. Full details of the Eastern Relief Road were therefore submitted along with a master plan as required by the Local Plan and an Environmental Statement.

The Environment Statement provided an assessment of the impact of the proposal on the surrounding area. This submitted a description of the amount of development (figures updated during the course of the application) and included assessments on the following matters: - policy context; a socio-economic; transport, traffic and movement; noise and vibration; air quality; ecology; landscape and visual; ground conditions and land resources; hydrology and drainage; archaeology and cultural heritage and infrastructure and services. A non-technical summary and a design statement accompanied this Statement.

During discussions the Local Planning Authority has requested further information on various matters including a full transport assessment, drainage, landscape, an update on the quantity of the various uses etc.

Since the submission of this application was submitted changes to the Planning System have been enacted which include the requirement for greater detail to be submitted with outline applications. This includes details of proposed uses within the site, the amount of development (this needs to state the number of units and proposed floor space for each use), an indicative layout (the approximate location of buildings, routes, and open spaces proposed and an explanation how the principles, including the need for appropriate access will inform the detailed layout). A Design and Access Statement must also now accompany the application. This should provide additional information, such as the scale parameters indicating the upper and lower limits for height, width and length of each building and including indicative access points to the site from the surrounding area; landscaping principles to be applied at the reserved matters stage. The Design and Access Statement must also include an appraisal of the context of the site in terms of its physical, social and economic character; details of community involvement and how the findings of any consultation have been taken into account. An evaluation of the sites immediate and wider context, identifying opportunities and constraints and formulation design and access principles for the development, including a balancing of competing interests; how the design of the scheme has been evolved to reflect the above details including the disposition of land uses their relationship to the existing uses surrounding the site.

It was the Council's initial view that the application should be considered in terms of the regulations at the time of submission. However, a recent appeal decision at Northfield in South Gloucestershire established that the requirement for such information to be contained in outline applications and the need for a design and access statement is a material consideration even when considering applications that were submitted before the regulations were issued. This proposal is just such a case.

The application as currently submitted does not give adequate detail to enable a full understanding of the form of development or how it will link with the existing settlement. The Highway Authority are concerned that the illustrative route on the masterplan through the site does not reflect current best practice and there is real doubt whether the route indicated may require significant alteration from that currently illustrated on the master plan.

The Council therefore has major reservations in terms of the level of information that has been submitted in terms of ensuring a development of the quality that the Government, the Local Planning Authority and the local community all demands. Whilst additional information has been shown in relation to the recently submitted proposals, this does not form part of the application which members are currently being asked to consider.

The local CABI representative has expressed concerns in respect of several aspects of the design and considers that the layout and movement patterns do not sufficiently promote the vitality of the local centre

D. Environmental Assessment

The application comprises an urban development proposal in excess of 0.5 ha with potential impacts on the surrounding areas. A scoping and screening opinion were issued prior to the submission of the application for the development and an Environmental Statement was submitted with the planning application. The submitted Environment Statement included assessments of the policy context; socio-economic impacts; transport impacts, traffic and movement impacts; noise and vibration impacts; impacts on air quality; ecological impacts; Landscape and visual impact; impacts on ground conditions and land resources; hydrology and drainage impacts; impacts on archaeology and impacts on cultural heritage and infrastructure and services as required by the Council's scoping opinion. Consultations were undertaken with the relevant consultees on the submitted Statement and their responses are included within paragraph 9.0 of the above report. Generally the details and mitigation measures (where appropriate) were considered acceptable and have been used to enable the formation of conditions for additional information likely to be required at or before the submission of any reserved matters applications.

There were some exceptions to the general agreement with the Environmental Assessment and these exceptions include concerns over the Highway, drainage, landscape and Green Wedge impacts of the proposal.

Highway Impacts:- County Highway Authority expressed concerns regarding the adequacy of the traffic assessment information contained within the Environmental Statement. As a result an additional Traffic Assessment was requested and subsequently provided in December 2006. The County Highway Authority considers that this information is now acceptable and has agreed a package of highway works and measures (to be included within a section 106 agreement) to overcome the problems associated with the proposed development.

Drainage impacts:- The initial proposal sited surface water drainage attenuation pond on the playing fields located to the south of the site, which was considered unacceptable as it would result in an unacceptable playing field that would be liable to flood in the winter months where its use was likely to be at its greatest due to the football season. As a result the developer altered the masterplan to relocate the surface water pond to a more suitable location. Secondly the applicant proposed a surface water storm cell underneath the secondary school playing field. The Environment Agency considered that this may lead to problems with maintenance and that an above ground solution was more appropriate. The developer submitted additional acceptable information on the future maintenance of the storm cell and additional information that indicated that an alternative above ground solution was not preferable. Secondly the Environment Agency considered

that the hydrological information in the Environment Assessment did not fully consider the ability of the Old Tone Arm drainage ditch to adequately cater for the release of the surface water drainage for a prolonged period. Additional work was undertaken that identified the need to carry out maintenance work to the Old Tone Arm drainage ditch to ensure the proposal catered properly for the development.

Green Wedge and Landscape impacts:- The Landscape Officer considered that additional information was required to enable a full assessment of the impact of the proposed Eastern Relief Road (not a reserved matter) on the surrounding landscape. In addition, detailed information was requested on the likely impact of the southern road junction with the A38 (beyond the allocated site) on the Green Wedge and surrounding landscape in comparison to the impact if the road were in the location contained within the Local Plan.

The Landscape Officer has now been able to consider the additional information that was provided and, as discussed in more detail in the following report, considers that landscape impact of the new Eastern Relief Road (excluding the southern departure from the Local Plan) is acceptable but that the realignment of the road and junction south of the allocated site will result in significant harm to the Green Wedge and harm to the surrounding landscape.

E. Green Wedge

The Local Plan recognises the impact of the proposal on the Green Wedge as a key consideration of development of the allocated site. This recognises the importance of the Green Wedge to prevent the coalescence of settlements, shape the development pattern of towns and extend the countryside into the town as well as retaining the open space and character of those areas in order to provide a “green lung” that can act as an air conduit to clean the pollutants from the environment, provide a corridor for wildlife and a place for relaxation and recreational use.

The extent of the green wedge to the south of the Hatcheries was an issue specifically considered by the Local Plan Inspector following an objection from the Monkton Heathfield Consortium. He concluded (para 7.30.4.64) that “the proposed Green Wedge at this point is relatively narrow and, in my view, any further erosion would substantially reduce the function in preventing coalescence of the settlements”.

The realignment of the Eastern Relief Road to the south of the allocated site boundary results in a reduction in the width of the Green Wedge between Monkton Heathfield and Bathpool/Taunton in precisely the area considered by the Inspector. In addition the realignment loses the continuity of the Green Wedge across the A38 significantly reducing its ability to act as an effective separation between the settlements and provide a strong sense of connection between the countryside and urban areas and provide the “green lung” and its benefits as described above.

In justification of the realignment of the road the developer considers that there is no additional harm to the landscape of the area resulting from the realignment; that the reduction in the green wedge is minimal and that any resultant harm to the green wedge has to be balanced against the delivery of the 650 houses (ultimately 900 houses) and associated community facilities; the provision of the eastern relief road at the commencement of development rather than following the development of 300 houses, (that County consider could be developed off the existing roads) and the substantial land acquisition costs that would be associated with the road provision across the Hatcheries land (due to ransom values). However, no evidence in support of this has been submitted. The developer has provided additional landscape assessment information on the siting of the roundabout in the local plan location compared with the proposed location. This information has been used to assess the comparative effect of the proposed departure on the Green Wedge to the south. The Landscape Office has confirmed that the relocation of the road, approx 60m further south of the local plan alignment, will have an unacceptable and significantly worse impact on the open character and functionality of the green wedge. This opinion accords with that of the Local Plan Inspector.

Development proposals must be determined in accordance with the Development Plan unless there are material considerations to the contrary. I consider that the realignment of the Eastern Relief Road is contrary to the Local Plan and would result in unacceptable harm to the Green Wedge.

F. Landscape

The application was accompanied by an Environmental Statement, which considered the landscape implications of the proposed development on the surrounding area. It assessed the existing features of importance, such as trees and hedges, and indicated a broad structure of open space through out the site, which enabled the retention of a significant amount to the most important features of the site. The proposal indicates the provision of the Eastern Relief Road within a well-landscaped corridor although the detail of this is yet to be agreed. In respect of the development within the allocated site boundaries the Local Planning Authority has no objection subject to the submission of a strategic masterplan (design code) prior to the submission of any reserved matters applications for development associated with this proposal.

However there is an objection from the Council's Landscape Officer to the realignment of the southern section of the road onto land beyond the allocated site boundary. Using the additional information submitted by the applicant on the impact of the road in the local plan location and the realigned location, the Landscape Officer raises objection to (1) the additional negative impact of the proposal when viewed from the canal footpath, which lies south and east of the former Hatcheries buildings, introducing increased urbanisation contrary and detrimental to the existing landscape character; and (2) the impact of the realigned road when looking to the proposed roundabout from the west, from Milton Hill. In these views the roundabout will obscure views of a greater part

of the fields to the east of the Bridgwater Road and will therefore have a detrimental impact on the character of what is currently protected "Green Wedge" countryside.

The Landscape Officer is also concerned that the re-alignment will result in additional impact in association with the Western Relief Road although to date no appropriate landscape assessment of the impact of this on the existing landscape has been submitted on behalf of the applicant. A drawing showing likely landtake to provide the link has been shown to the Council, this does not form part of the application, and in any case does not take into account the potential vertical alignment of the link.

G. Community

The development of 900 houses will generate an increased demand for library facilities. The developers have agreed to the provision of funds to enable the County Council to improve the service to enable it to cater for the additional population that would result from this development.

Taunton Deane Local Plan Policy T8 (B) requires improved community facilities to cater for the additional population that would result from this application. The developers agree to the principle of providing additional facilities joined with the new primary school (similar to that provided at Cotford). This would include enhancing the size of the school hall to enable joint use by the community outside of school hours and the provision of separate meeting rooms, toilets etc. However, this facility is not intended to replace the existing village hall or provide for existing deficiencies in provision. Details of the proposed community facility have been agreed in principle but the Leisure Development Officer is still concerned regarding the finish standard of the facility as the applicant wants to establish a maximum cost for the works that is based on their build costs (but is lower than the usual costs specified by the County for new schools). The timing and provision of the community facilities would need to be included in a Section 106 agreement or unilateral undertaking. At the current time there is no such legal agreement in place and the Local Planning Authority consider that the lack of the provision of such facilities would be contrary to the Taunton Deane Local Plan.

In their consultation response to the development Network Rail considered that the additional population might lead to an increase in numbers and requested funds to enable improvement works at Taunton station. However in considering the distance from the station and the general nature of their request I do not feel that a case has been established that justifies such a contribution.

In their consultation response British Waterways considered that the additional use of the canal footpaths by walkers and cyclists would lead to an increased cost in the maintenance of their footpaths and requested funds via a Section 106 Agreement. The canal is situated to the south of the development boundary. Footpath links to the existing foot and cycle paths are being provided for and whilst I accept that the development might result in an

increase in the use of the canal paths, I do not consider that this would be significant enough to justify contributions in this case.

H. Education

The Local Plan allocation T8 requires the development to provide the primary and secondary school accommodation needed to provide for the additional children generated by the proposal.

Secondary school provision: - Based on a predicted falling school role the County have accepted that there is capacity within the existing schools to provide for children likely to be created by approximately 300 of the proposed dwellings. As a result the County Education Department require contributions towards the provision of additional secondary school facilities for the additional 600 dwellings associated with the application. In addition there is a requirement for all secondary schools to comply with specific standards of team playing fields. The additional number of children generated by this proposal would result in the need for additional playing field provision. The Local Education Authority requires the access to this secondary school playing field to be via the school playing fields without needing to use the public highway. This would necessitate a new bridge to be built across Dyers Brook. The application proposes an additional playing field on land located to the east of the existing primary school and Heathfield Community School playing fields as required by the Local Plan but there is no agreement regarding the provision of an off road footpath link. The applicant contends that the distances involved are very small and the route safe as the existing link would be via a no through road and existing footpath thereby minimising any conflict between pupils and vehicles.

Local Plan Policy T9 requires the provision of a new primary school and allocates 2 ha of land for that purpose. The Local Education Authority consider that the development of the site generates the need for a school with 6 classrooms with all associated core facilities including the provision of a school hall. There is a preference by the Local Education Authority not to have two primary schools within Monkton Heathfield but to combine them on a new site. As a result they have negotiated the provision of 2.5 ha of land for a new 14-class room primary school and will fund any additional building works required for the additional classrooms.

The new primary school would need to be completed by the construction of the 400th dwelling, when the anticipated number of additional children generated by the development could not be accommodated (via additional temporary classrooms) at the existing primary school site. In the interim period the developer would need to fund the provision of temporary classrooms as necessary.

As mentioned above the application currently proposes community facilities to be provided at the school site. The applicant would fund any additional facilities required for this purpose.

I understand that the applicants have agreed to all of the above provisions except for the footpath link across Dyers Brook to the playing field, and a draft Section 106 Agreement has been drawn up. Due to the lack of a Section 106 Agreement the package of education provisions is not secured and the proposed development would not achieve the requirements of Policies T8 (A) or T9 (D).

I. Affordable Housing

Taunton Deane Local Plan Policy T8 (G) and T9 require the provision of affordable housing within this site. Policy H10 sets an indicative target for provision on this site of 35%. Discussions have taken place with the developer that agree the principle of 35% of the site for affordable housing with a 50% split between discounted open market housing and other provision including social rented. However, the applicant proposes a claw back provision on the social rented so that, if the Borough Council cannot find a social landlord for the development then the developer will seek to find their own housing association. In the event that neither of these approaches as established a housing association for the development then the houses would revert back to the developer to provide open market housing. This could result in the loss of a substantial proportion of the affordable housing provision as allocated through the Taunton Deane Local Plan. It was hoped that the Consortium would accept the same Cascade as has recently been agreed at Cades Farm, Wellington. However, the Consortium now indicate that they will not accept this (despite the fact that Persimmon Homes were party to the agreement at Cades Farm). As a result the proposed affordable housing offer is considered to be unacceptable.

J. Highways

The planning application is an outline application with all matters reserved except for the details of the Eastern Relief Road, which have not been reserved.

The Local Plan recognises that the current A38 is heavily used and forms a barrier through the middle of the current settlement of Monkton Heathfield. In order to relieve this pressure, by allowing for traffic calming of the A38 and A3259 and to enable surrounding roads to be able to cater for additional traffic generated by this development, the Local plan requires the provision of relief roads to the south and east of the main site, bypassing the existing settlement (Eastern Relief Road) and to the west (Western Relief Road) that would link the Eastern Relief Road to the A3259 to enable traffic to use an alternative route to Creech Castle to drive into Taunton.

The Local Plan proposals map includes the provision of the relief roads within the allocated site. It indicates that the Eastern Relief Road would go from the north of the site, opposite the existing cricket ground to the east along Langaller Lane, with a new roundabout allowing the relief road to continue southwards to a further roundabout (that would provide access to the western employment land) and then to go in a generally westerly direction to the A38

opposite to Milton Hill. From the A38 a Western Relief Road is shown utilising the southern portion of Milton Hill before going off to the west to cut across and link to the A3259. The details and timing of the provision of these roads was to be determined through a Traffic assessment, to accompany any planning application for the sites.

The current planning application includes proposals for the development of the mixed use allocated site T9. It does not contain detailed proposals for the Western Relief Road but offers an alternative mechanism to enable its provision and this will be described in more detail below. The detailed highway proposals within this application include the provision of an Eastern Relief Road that incorporates an additional width of land required to allow for the road to have a dual carriageway in the future. The roundabouts at the north and south, connecting the relief road to the A38, have been provided for single carriageway use but the other 3 roundabouts have been designed for single carriageway use but land is set aside for dualing and associated alterations to the roundabout to accommodate further dualing. The County Highway Authority has confirmed that the proposed road details are acceptable from a technical point of view.

As referred to above the route of the Eastern Relief Road is not as shown in the local plan. The proposed road is realigned to the south where it links to the A38 and in so doing avoids the "Hatcheries" land, (which is not included as part of this application). Instead the application proposes the formation of a roundabout approximately 60 m south of that identified in the Local Plan. In so doing the relief road requires use of the A38 to link to Milton Hill. The Highway Authority, supported by information within the Traffic Assessment, have accepted this situation for up to 650 houses and 23,250 sq m employment. In capacity and highway safety terms the roundabout and alignment is acceptable, but the WRR is necessary after 650 dwellings in order to satisfactorily distribute traffic. As the application is for development in excess of this and in order to cater for the development as a whole, a suitable connection from the roundabout to the Western Relief Road as shown in the Local Plan would need to be constructed, in addition to provision of the Western Relief Road in its entirety.

Rather than including the Western Relief Road within the application site the applicants have produced a memorandum of agreement with the Borough Council, to be incorporated into a Section 106 Agreement, that requires them to negotiate with other land owners to attempt to gain control over the land required for the Western Relief Road and, should these negotiations prove to be fruitless, to fund the highway and associated costs in order to provide the Western Relief Road. This would require the Borough Council to use its Compulsory Purchase powers to buy third party land needed for the new road. The County Highway Authority accept the principle of this approach but require the Section 106 Agreement to overcome both funding and delivery of the Western Relief Road.

Whilst this approach may be acceptable in principle I have the following concerns: - the delivery of the Western Relief Road is not necessarily assured

by this approach as the Local Planning Authority cannot be certain of the success of the compulsory purchase actions which would inevitably be opposed; the realignment of the link to the WWR may well necessitate the compulsory purchase of third party land that lies outside of the allocated site and would not necessarily have been required had the Local Plan alignment been followed. This must weaken the Council's ability to succeed with a Compulsory Purchase Order.

In the event of a failure to provide the Western Relief Road, the development of the allocated sites T8 - T10 will be compromised. If this application is allowed in its current form it may therefore result in a piecemeal development that cannot provide the comprehensive development of the allocated site. This would be contrary to the requirements of the Taunton Deane Local Plan policies referred to previously.

K. Drainage

Taunton Deane Local Plan Policy T8 (F) requires the provision of water attenuation for the development of the site. The application site contains two drainage basins, Dyers Brook catchment and Old Tone Arm catchment and the impact of the development on both of these has been considered. The developer has proposed a series of mitigation proposals to ensure that the existing drainage situation is not worsened by the development. To cater for the additional surface water run off generated by the development of the land, the developer proposes a series of attenuation measures to capture the additional flows, store them and release them over a longer period of time at a rate that reflects the existing baseline flows. The Dyers Brook catchment lies to the west of the A38 the land available to form surface water attenuation ponds is limited. As a result the applicant proposes the provision of a storm cell underneath the new Secondary school playing field. The storm cell would act in a similar way as a traditional attenuation pond, storing the excess water and releasing it at a baseline rate over a longer period of time. Wessex Water would adopt the storm cell and ensure it is maintained properly. There was some initial concern regarding this proposal, as any problems would be likely to require the digging up of the playing field. However practise elsewhere indicates that regular maintenance of the storm cell should avoid such a situation.

The Old Tone Arm is located to the east of the A38. The applicant proposes a series of surface water attenuation ponds around the eastern portion of the site to intercept the additional rainfall. The exact location, shape and size of these have yet to be agreed but the approach is considered to be acceptable in principle. However, the Environment Agency are concerned that whilst the principle of such drainage is acceptable it relies on the receiving watercourses being in a good condition and able to function adequately to transport the water flows to the River Tone. Surveys of these receiving watercourses establish that they are in a poor state of repair and unsatisfactory to receive the proposed quantity of water over the extended period of time. The applicant has, therefore agreed to provide funds to upgrade the receiving watercourses to enable them to function properly. These funds would need to

be secured through a Section 106 Agreement. In the absence of such an agreement the receiving courses of the Old Tone catchment are considered to be inadequate to cater for the additional period of flows from the development site potentially resulting in additional surface water run off that may result in downstream flooding contrary to the requirements of the Taunton Deane Local Plan policy T8 (F).

L. Leisure and Recreation Provision

Local Plan Policies T8, T9 require the provision of 4.5 ha of playing fields in association with the development of the eastern portion of the major allocated site (Land east of Monkton Heathfield). The application proposed the playing field land outside of the Local Plan allocation. The applicant has argued that the allocated site is not large enough to enable the provision of all of the required elements of the development within the site boundary and that the allocation of the playing fields outside of the allocated site does not harm the Green Wedge function of the land. Initially the site could only be accessed off Hyde Lane, to the south of the relief road. Although footpath and cycle way links were proposed it was considered that the distance to the site (via Hyde Lane) from the new residential development would be too far to travel by foot and cycle and this would result in playing fields that would be too remote from the public it was intended to benefit. As a result the developers agreed to provide an additional access off the adjacent roundabout junction. This would be a no through road designed specifically for access to the proposed sports facilities. Taking this into account it is considered that the need for 900 dwellings and associated facilities within the allocated site, along with the access to the playing facilities would be acceptable in principle.

In terms of the quantity, the applicant, in their supporting open space areas plan identifies 4.79 ha for the provision of 2 public playing fields, access parking and a pavilion. The details of this provision are reserved matters and will need to comply with relevant required standards for the provision of each element. These matters would be capable of control via planning condition. Once built the facilities would be handed over to the Local Authority to maintain and manage and a commuted sum is required from the developer to cover these costs for a period of 20 years after the handover date. These sums are normally achieved by means of a Section 106 Agreement and have not been finally agreed between the developer and Leisure Development Officer.

The Local Plan requires the provision of Children's play areas in association with the residential development of the site. On a site of this size the Monkton Heathfield Development Guide identified a need for 6 LEAPS, to be well equipped with a wide range of equipment in each. In addition the Development Guide identifies the need for 4 larger NEAPS aimed at the 6-12 age.

The application proposes 4 LEAPS scattered through the development to ensure they are within 400 m walking distance of all properties and timed so that they provide facilities within each phase of the development site. Instead

of 4 Neaps the applicants propose 1 NEAP and one of the leaps designed and equipped to a higher standard than a normal NEAP/LEAP.

Whilst this has been agreed in principle the detailed financial contributions have not been finalised and in the absence of such agreement the provision of a lesser quantity of LEAPS and NEAPS is not acceptable.

The Local Plan Policy T8 identifies a need for additional community facilities to cater for the additional population. It is accepted that the existing village hall is currently used to capacity and an additional 900 dwellings is going to result in a significant demand for new accommodation. It is preferred that the provision of the additional accommodation is linked to the new local primary school (a similar approach to Cotford St Luke). The applicant has agreed in principle to the provision of the additional facilities within a combined building, however the details of the finished quality of the facilities has yet to be agreed. The provision of the community facilities needs to be secured through a S106 Agreement (or similar). However this has not been agreed at the current time and without this the provision of the facilities cannot be guaranteed.

M. Employment

The Taunton Deane Local Plan policy T9 allocates 4 ha for B1 Business development uses within the mixed use development site and Policy T11 allocates a total of 10 ha of land for light industrial and B8 warehousing use on land to the east of the Eastern Relief Road and south of Langaller.

The Monkton Heathfield Development Guide suggests that the employment allocation within the mixed-use site should be located in one position within the site rather than spread throughout the site. The proposed use would be for B1 business use with a limit of 600sqm for offices across the whole site because major travel generators (offices over 600 sqm) have to be considered by a sequential site selection process as identified in Taunton Deane Local Plan policy EC10. The development proposal includes the provision of 4 ha of land for B1 office use. This proposal therefore conflicts with policy EC10 of the Taunton Deane Local Plan. In discussions with the developer it has been suggested that the amount of B1 office development could be controlled by condition and this has been agreed in principle. However subsequent to that agreement a further table of land use has been submitted which again refers to B1 Office use rather than B1 Business use as in the Local Plan and I would wish to clarify the position with the consortium.

The application proposes the provision of 11.81 ha of employment land to the south of Langaller. This is in excess of the 10 ha in the Local Plan allocation but, taking into account the acknowledged need for employment land in Taunton, I do consider the increase to be of minor significance and does not raise objection. The provision of the employment land should aim to keep pace with the development of the site for residential purposes and a requirement for the employment land to be developed in a phased manner, to reflect the residential phasing. Whilst it was originally suggested that this be included within the Section 106 agreement, I see no reason why it could not be

controlled by the imposition of a planning condition in the event that an appeal is allowed. However, the application fails to delivery the 4ha of employment land within the area to the east of the A38 (policy T9).

N. Retail

Policy T9 requires 3 ha to be developed to provide a local centre for the development, providing local shopping facilities such as newsagents, hairdressers, general store sub post office, pharmacy, public house, health centre, library. It is important that any retail provision is aimed at the local need and does not become a destination for non-local shopping trips. As a result the Development Guide proposes the development of 6 units (up to 100 sqm threshold) to be provided on site on completion of the 400th dwelling and there has been agreement that if there is a demand, there may be the provision of a local shop of up to 1.393sqm gross. The Development Guide suggests a central location for the local centre to form a focus for the new settlement. The application masterplan reflects this requirement and indicates the local centre to the west of the A38, north of the new secondary school playing field and west of the proposed primary school. The proposal allocates 2.72 Ha for this use, and whilst this is less than shown in the local plan this is considered to be an acceptable area. Full details of the local centre would be provided via a reserved matters application but the applicant has been advised that the units should aim to provide a good urban environment with residential or other sympathetic uses on upper floors.

The applicant has agreed to the principle of the provision of the retail units but does not wish to provide the retail shells themselves, as this may result in vacant frontages detrimental to the area, until such time as they have a potential occupier. As a result they are proposing to market the units (at a value agreed with this Authority) for a period of three years for A1 (shops), A2 (Financial and Professional Services), and A5 (Hot Food Takeaway) uses. In the event that the consortium have not received any offers for the units within two years of the commencement of marketing, they would be able to widen the proposed list of uses (with the agreement of the Authority) and in the event that there are still no offers for the units that they could submit a planning application for a change of use to other uses including residential.

This proposal does not accord with the Development Guide requirements outlined above and the current offer is considered unacceptable because the full demand for the units will not materialise until all of the 1000 houses (whole allocated site) have been built and occupied. Therefore the loss of the potential retail units after just three years from the commencement of marketing is considered to be an unrealistic timescale in which to assess the final demand for the units. As a result negotiations are continuing to ensure that any “claw back” is related to a period of time after the completion of the houses rather than the commencement of marketing.

In conclusion, the timing and provision of the retail units as required by the Local Plan allocation T8 (B) and T9 (E) and Monkton Heathfield Development Guide has not yet been agreed and in the absence of such agreement the

proposal fails to provide for a co-ordinated or comprehensive development of the allocated sites .

O. Wildlife

The application site covers an area of approximately 67 ha of largely agricultural land. The development of this land would have an impact on the current habitats and ecology of the area. It is important therefore to understand what the existing situations is, what impact the development may have upon the habitats and ecology of the area, especially protected species and habitats, and ensure that mitigation measures are included that minimise any negative impact. An ecological report was submitted with the application. This included various survey results, an assessment of the potential impact of the development on habitats and ecology (identifying potential protected species) of the site. As there are habitats with potential for a range of species this information will need to be updated before construction work commences. As this is a large site it is likely to take some time to develop and the ecology could change during that time. As a result, it is recommended that update surveys are undertaken prior to the commencement of work on each phase of the development and if any species are found that a scheme for the mitigation is provided and applied. There are habitats on the site with potential to be improved to benefit the ecology of the area. This may be through hedge reinforcement or new planting. A plan of such works will be required before the commencement of work on site.

P. Archaeology

The archaeological desktop assessment shows that whilst there is some evidence of prehistoric activity around Taunton there is no direct evidence of prehistoric activity from this site and the potential for such archaeology is judged to be low. At various locations around the site crop marks have been found, thought to be of Iron Age or Roman periods. The potential for such Iron Age archaeology to be present around the site is therefore judged to be of a medium level. As a result the County Archaeologist has requested a condition for a written scheme of investigation, an archaeological programme of work, including excavation and the developer has confirmed acceptance of this. As a result the impact of the development on the archaeology of the area is considered to be acceptable.

Q. Noise and Pollution

The applicant submitted initial contaminated land, noise, air quality and odour assessments. The land has, historically been in agricultural use and (other than adjacent to the industrial premises on the A38) no significant levels of contamination were identified for the site. Further information would be required at the reserved matter stage of the application including some additional on site investigations. The noise assessments considered the effect of the development on the noise levels at the site. The most significant increase would be in association with the proposed Eastern Relief Road

where noise mitigation would be required. In their report the noise consultants have advised the erection of an acoustic barrier between the residential development and the new road. They advise that the barrier would be a 2 m high bund with a 1.8 m high acoustic fence on top. This raises concerns for the visual impact that such a structure may have on the area and the environment of the proposed development itself. The new road will require landscaping on both sides. One solution would be to provide a landscaped bund parallel to the new road where any fencing could be hidden from view in the medium to long term. Another solution, and one favoured by the Environmental Health Officer, would be to design the noise attenuation into the buildings; room layout, as well as acoustic glazing can achieve this. At the present time the developer has not specified the noise attenuation measures they propose but I consider that the two alternatives could be combined to provide a solution to the noise levels that would be acceptable to wider planning objectives. The impact of the construction noise can be limited by restricting the times for noisy working on the site by condition. The proposal is for mixed development but it is difficult to assess the noise levels in advance. The employment areas to the east of the relief road are likely to be acceptable due their physical separation from residential development but any sites closer to the residential areas will need to be assessed in detail and appropriate conditions attached to ensure they do not cause a nuisance. The air quality assessments indicate that predicted concentrations of pollutants associated with the developed site would be below AQS objectives and therefore not pose a problem in developing the site. During the construction phase there may be increases in dust etc and a construction management plan is required to control the working practises to ensure minimal impact. I consider that these issues must be catered for before any development commences, when the detailed reserved matters are submitted.

R. Sustainability

Government policy advises that 'urban extensions' are the next most sustainable development solution after building on appropriate sites within urban areas. Where possible, existing social and physical infrastructure should be utilised, making good use of public transport, jobs, schools, shopping and leisure facilities. Monkton Heathfield lies close to the urban edge, is well placed on the public transport network, contains schools and is well placed for access to jobs and services. The scale of the proposal enables this sustainable location to be further enhanced through mixed use elements including homes, employment, a new school, leisure and community, retail and public transport enhancements.

An additional form of 'sustainability' is that of addressing climate change. All Housing Corporation schemes are now required to meet level 3 of the Code for Sustainable Homes (a 25% carbon reduction compared to part L of Building Regulations 2006). The Consortium has given a commitment to meeting this level on all of the residential units. This is welcomed in line with policy S2 (I) of the adopted Local Plan (measure to promote energy efficiency), and would need to be secured through any S106. However, by the time reserved matters are submitted Government requirements may have

increased. Conditions will therefore be required to ensure that the relevant level of the code is applied at the time of any reserved matters approval for the relevant phase of the development. Policy C12 of the Local Plan supports the implementation of renewable energy. Government advice in PPS1 (consultation supplement) also requires that if a policy does not currently exist in a development plan, 'substantial new development' proposals should gain 10% of its energy supply on-site and renewably and/or connected to a decentralised, renewable or low carbon energy supply. This requirement would also need to be secured through a S106 agreement or condition.

12.0 CONCLUSIONS

This proposal, like any other should be determined in accordance with the development plan unless material considerations indicate otherwise.

The proposal is contrary to the provisions of the adopted Local Plan in that the site includes land to the south and east of the local plan alignment for the Eastern Relief Road. Whilst it is concluded that this is not significant in relation to the realignment of Langaller Lane or the provision of the playing fields, it is a significant departure in relation to the realignment southern end of the route. The road line proposed to avoid the Hatcheries land has resulted in both increased adverse landscape impact and reduction in the Green Wedge, protection of which is specifically identified in the Local Plan as one of the primary considerations for this site. There would therefore need to be compelling reasons to allow the development in the face of these policy objections.

The applicant suggests that as they do not control the Hatcheries land, the development could not be delivered if the Council insists upon the Eastern Relief Road being constructed on the alignment shown in the Local Plan. However, the Council has indicated that it would be willing to use Compulsory Purchase Powers should this prove necessary to secure development in accordance with the development plan.

In coming to their conclusion in this case Members must give considerable weight to the need to provide a supply of new housing, including the provision for affordable housing as is set out in national planning guidance.

However, the Local Plan requires comprehensive development of the allocated land. As previously stated this application does not comprise all of the land allocated at Monkton Heathfield, and most significantly does not include the line of the Western Relief Road, delivery of which will be necessary before a significant proportion of the development allocated can be delivered. Somerset County Council as Highway Authority have indicated that the realignment of the Eastern Relief Road to the south has also affected the ultimate line of the link between the roundabout and the Western Relief Road. The arrangement illustrated on the submitted master plan which shows use of existing carriageway between the southern roundabout and Milton Hill would not ultimately be acceptable as a link to the Western Relief Road. In the absence of drawings and analysis of an acceptable alignment of the Western

Relief Road, (which will be necessary before all the development included in this application can be delivered) I cannot fully assess its impact, not only in transport terms but also in terms of both its landscape and green wedge impact or indeed in terms of its deliverability. There therefore remains significant uncertainty as to whether this proposal will lead to comprehensive delivery of the allocated land as is required in the Local Plan. This uncertainty fundamentally undermines the applicant's justification that a departure from policy should be allowed on the grounds that the proposal will deliver much needed housing (including affordable housing). The application also fails to deliver the 4ha of employment land (of which there is an identified shortage in the locality) within the allocated land to the east of the A38.

This report has also identified a number of other key areas such as affordable housing and delivery of key community and educational benefits where the proposal is currently failing to deliver. In addition to this the master plan does not contain the level of information that is now expected to be submitted with an outline application which would have given the authority comfort in terms of the ultimate quality of the development to be delivered.

My ultimate conclusion is that the proposal currently fails to provide the key components necessary to ensure either high quality or comprehensive development in line with this Council's key priorities or those contained within Government policy guidance. In this instance these fundamental concerns are such as to outweigh any benefit that may derive from early delivery of part of the site. The balance of material considerations in this case is therefore not such as to justify a departure from the adopted development plan.

13.0 **RECOMMENDATION**

Members are recommended to instruct the Development Manager to represent the Council at any subsequent appeal and to object to the proposal on the following grounds:-

1. Landscape Impact
2. Reduction in extent and effectiveness of Green Wedge
3. Failure to deliver comprehensive and coordinated development in accordance with the adopted development plan for reasons set out in sections B, J and M of this report.
4. Failure to secure community educational and leisure and recreation provision and facilities in accordance with the adopted development plan as set out in sections G, H and L of this report.
5. Failure to deliver affordable housing in accordance with the adopted development plan as set out in section I of this report.
6. Failure to deliver provision of a local centre in accordance with the adopted development plan as set out in section N of this report.

7. Failure to deliver provision of adequate surface water drainage arrangements for the developed site in accordance with the adopted development plan as set out in Section K of this report.
8. Failure to deliver the necessary highway network and other transport improvements and provision in accordance with the adopted development plan as set out in sections A, B and J of the above report.

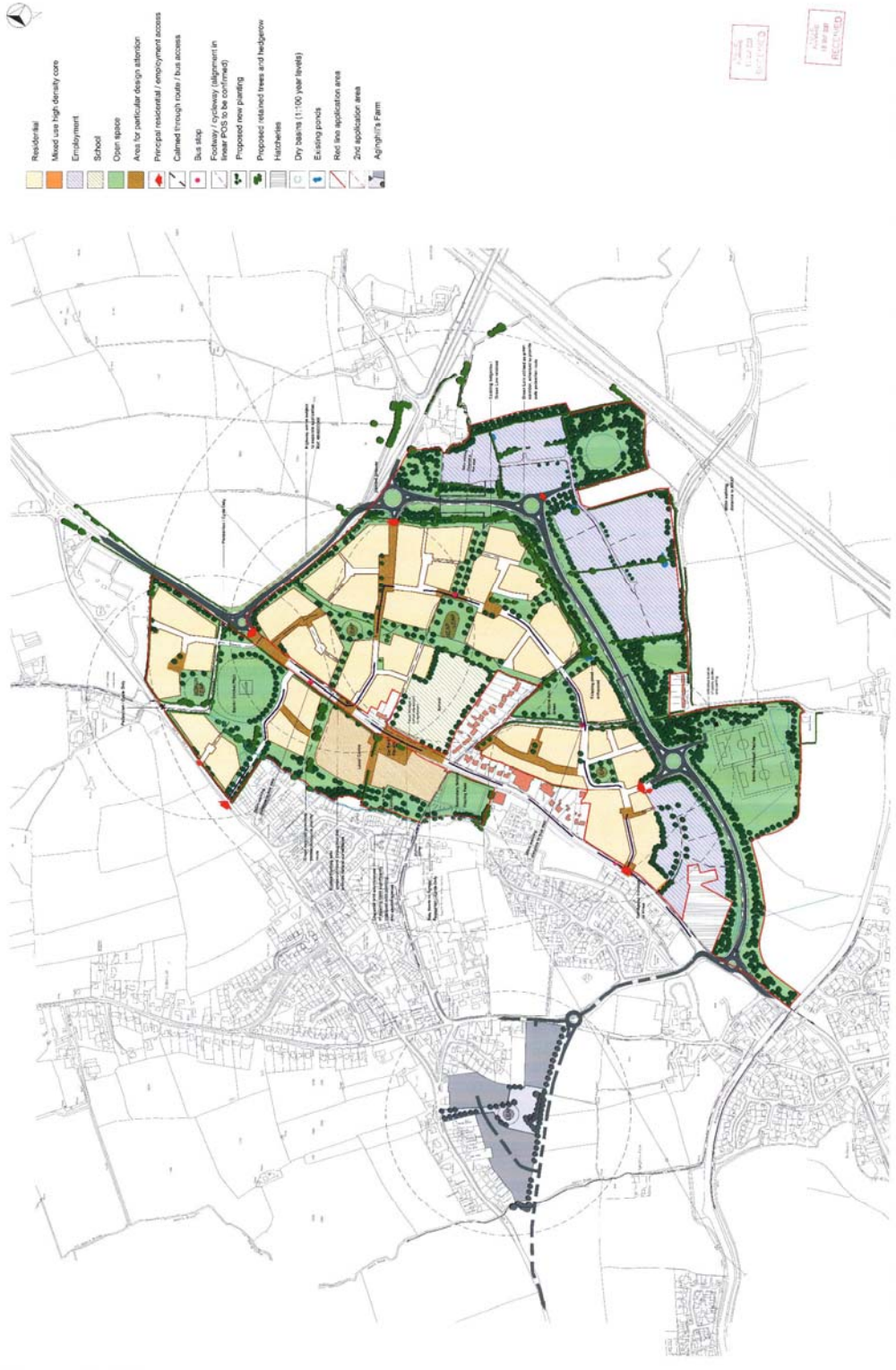
*The Council's Senior Solicitor is instructed to continue S106 discussions and ultimately to agree common ground with the appellants wherever possible in the period leading up to the Public Inquiry.

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

CONTACT OFFICER: 356467 MRS J MOORE

NOTES:

MONKTON HEATHFIELD : MASTERPLAN



- Residential**
- Mixed use high density core
- Employment
- School
- Open space
- Areas for particular design attention
- Principal residential / employment access
- Calmed through route / bus access
- Bus stop
- Footways (sideways) alignment in linear POS to be confirmed
- Proposed new parking
- Proposed retained trees and hedgerow
- Hedges
- Dry drains (1:100 year levels)
- Existing ponds
- Red line application area
- 2nd application area
- Aghin's Farm

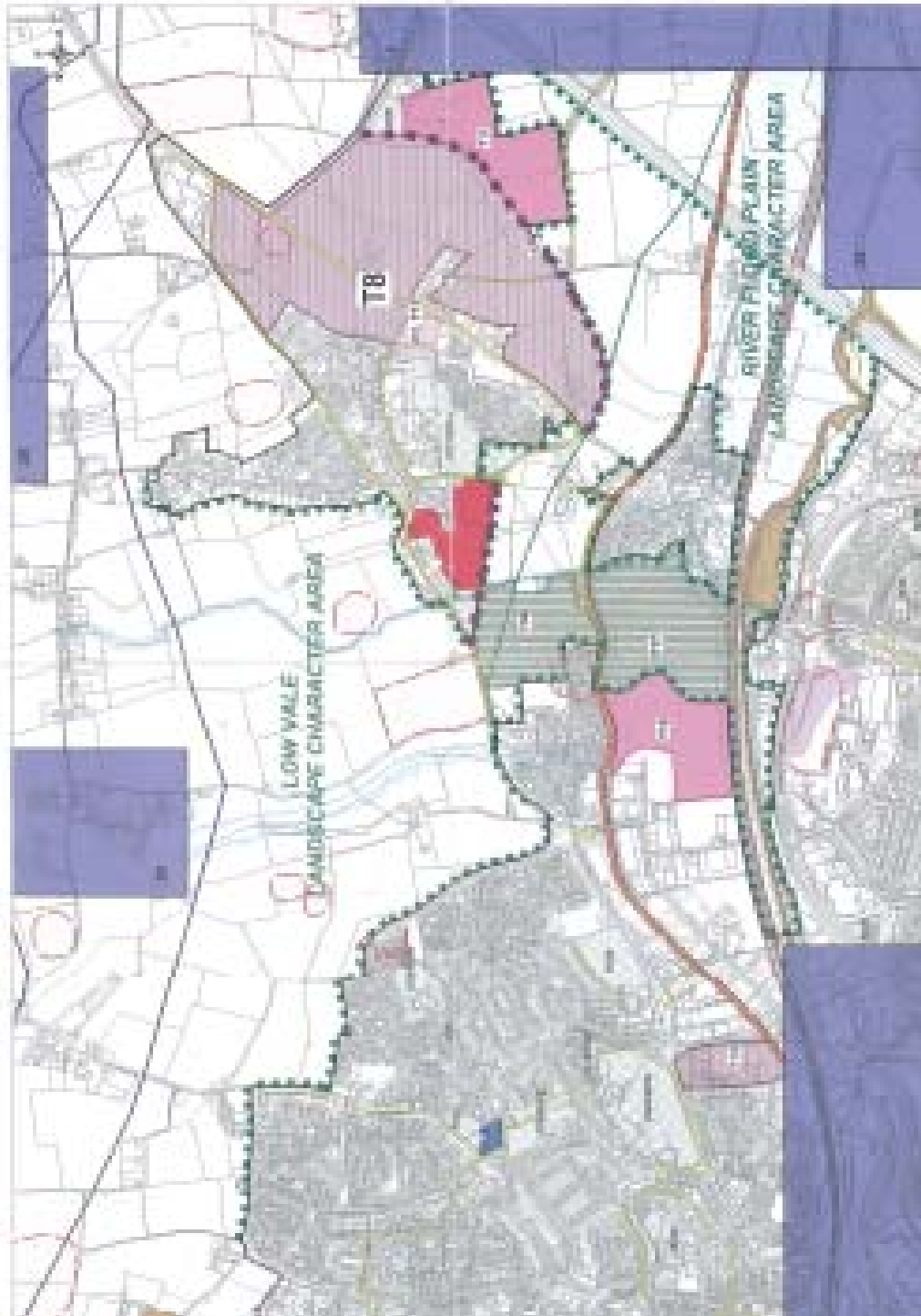
PLANNING PERMISSION
17/01/2018

PLANNING PERMISSION
17/01/2018

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NO.	DATE	DESCRIPTION
1	17/01/2018	PLANNING PERMISSION
2	17/01/2018	PLANNING PERMISSION
3	17/01/2018	PLANNING PERMISSION
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9	17/01/2018	PLANNING PERMISSION
10	17/01/2018	PLANNING PERMISSION

Extract from Local Plan



48/2007/006

MONKTON HEATHFIELD CONSORTIUM

FORMATION OF ROAD AT LAND NORTH OF LANGALLER LANE, MONKTON HEATHFIELD

326430/126970

FULL

PROPOSAL

Planning application 48/2007/072 is for the mixed-use development at Monkton Heathfield. During the course of the application the roundabout between the Langaller Road and the A38 was enlarged necessitating additional land at the junction for visibility splays. In addition the route of the Langaller Road needed to be slightly realigned to the north to allow a better approach and access onto the proposed roundabout from Langaller Road to the new Eastern Relief Road. This realignment resulted in a need for an additional, small strip of land that is the subject of this application. The land is 340 m long and generally 5 m in width, with slightly wider areas adjacent to the A38 roundabout and adjacent to the proposed roundabout. The south eastern portion of the road would involve the removal of existing hedgerow and trees.

CONSULTATIONS AND REPRESENTATIONS

LANDSCAPE OFFICER the road layout will require the felling of several trees and removal of some hedgerow. However, subject to replacement of the above it should be possible to integrate the proposals into the landscape.

RIGHTS OF WAY The public footpaths T10/21 (Creech St Michael) and T32/10 will in due course be affected by the proposal.

PARISH COUNCIL views on proposal awaited.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review - Policies Saved in accordance with Direction under paragraph(3)of schedule 8 to the Planning and Compulsory Purchase Act 2004. STR1 Sustainable Development, STR6 Development outside settlement limits, Policy 49 – Transport Requirements for new Development .

Taunton Deane Local Plan Policies - Major Site Allocation T8 - Monkton Heathfield/Bathpool Development Site, T9 - East of Monkton Heathfield, T11 – South of Langaller. General policies - S1 – General Requirements, EN6 – Protected trees and Hedgerows.

ASSESSMENT

Development of this major allocated site will have a significant impact on the visual amenity of the area. In this context the proposed application for the inclusion of this strip of land is insignificant and ensures that an acceptable and safe highway arrangement is provided. The applicants have agreed to replacement hedgerow landscaping which will assimilate the additional land back into the character of the area when completed. The application is fundamentally linked to the above application for the mixed development of the area to the east of the A38(48/2005/072) and the applicants have also registered an appeal against non-determination of these proposals.

RECOMMENDATION

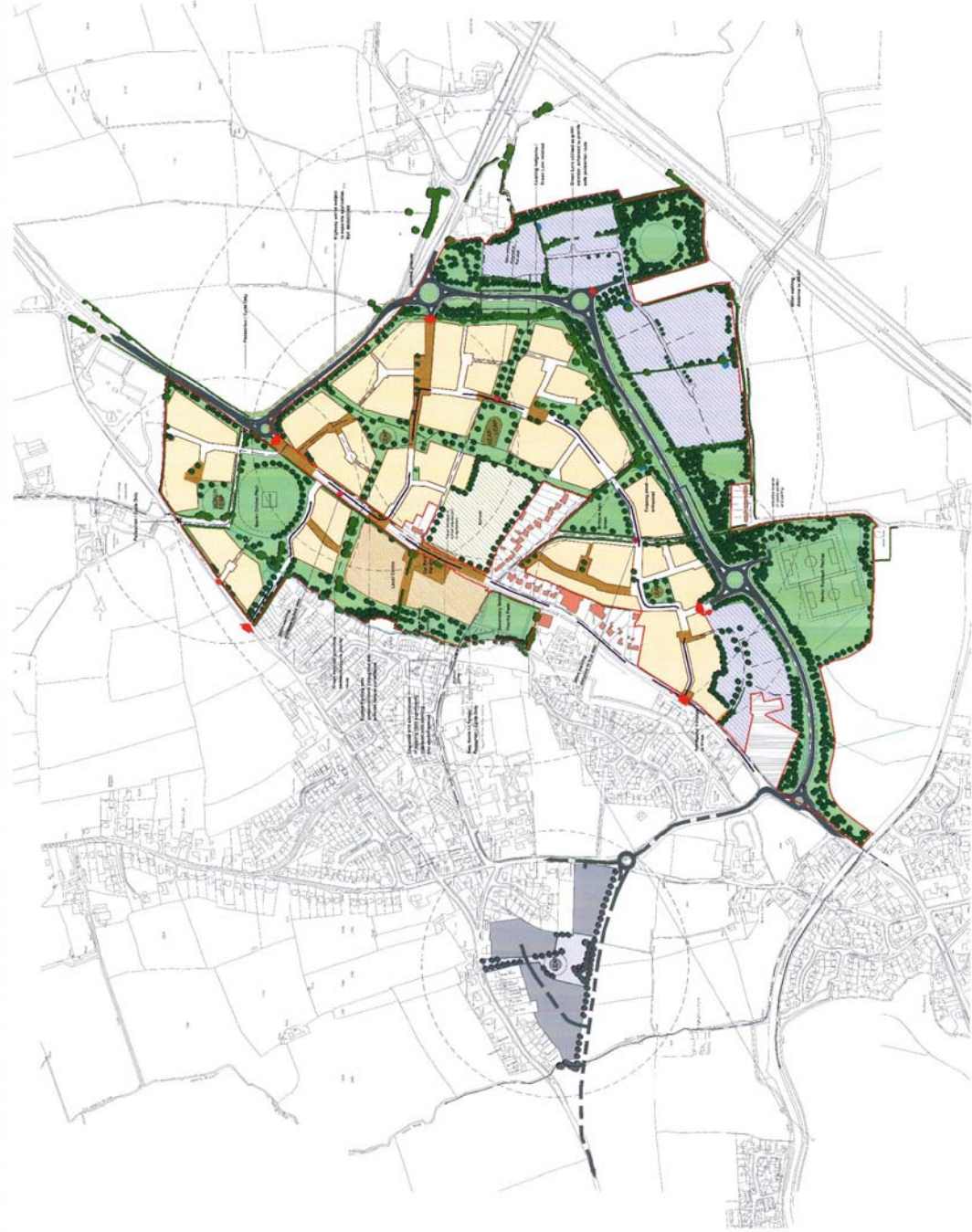
Members are recommended to instruct the Development Manager to represent the Council the appeal into non- determination of the above application in line with the Council's position relating to application No. 48/2005/072.

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

CONTACT OFFICER: 356467 MRS J MOORE

NOTES:

MONKTON HEATHFIELD : MASTERPLAN

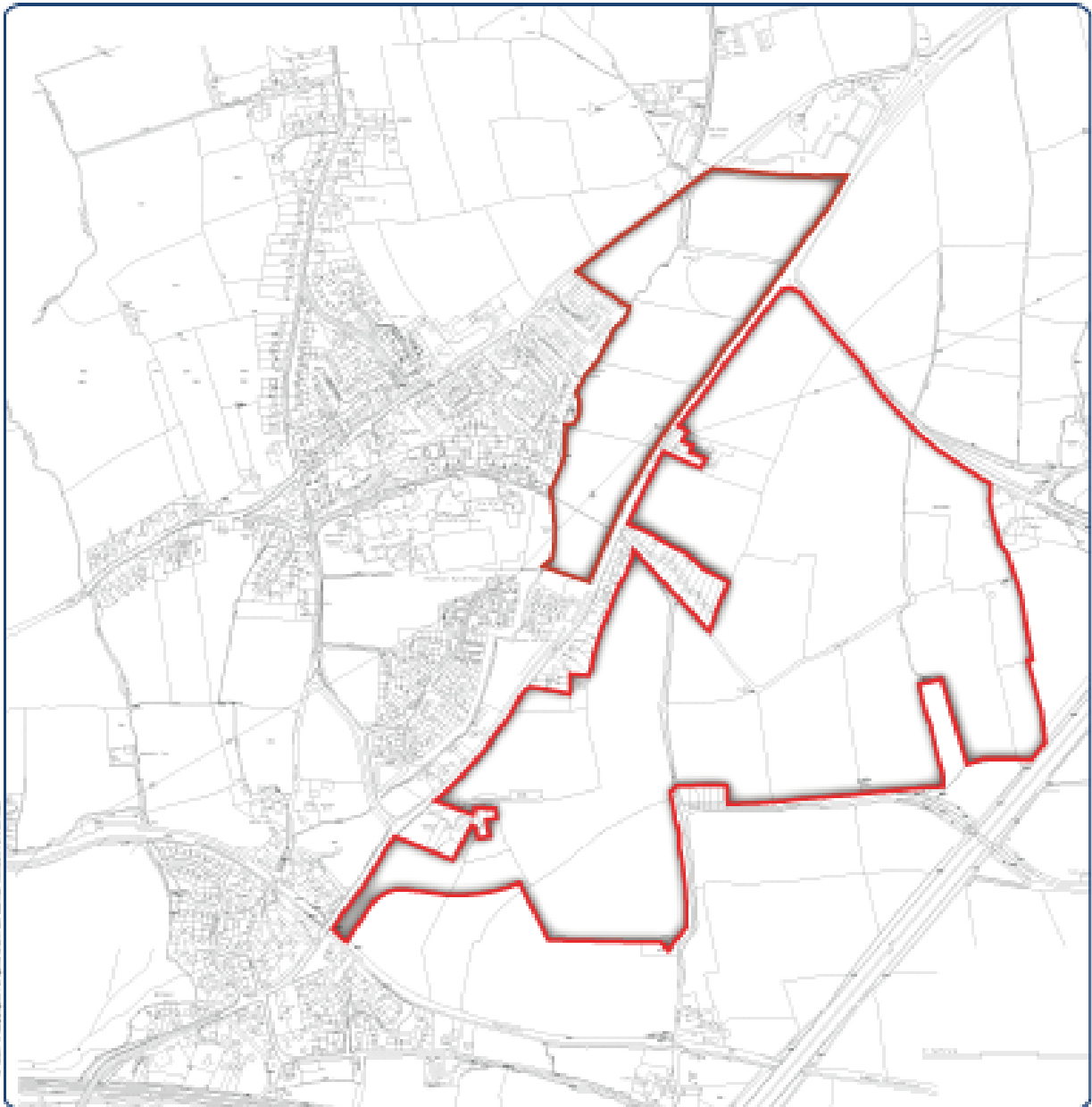


- Residential
- Mixed use high density core
- Employment
- School
- Open space
- Area for particular design attention
- Principal residential / employment access
- Calmed through route / bus access
- Bus stop
- Existing / proposed (alignment in line with PPS to be retained)
- Proposed tree planting
- Proposed retained trees and hedgerow
- Hedges
- Dry basins (1:100 year levels)
- Existing ponds
- Red line application area
- 2nd application area
- Aghrigh's Farm

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MONKTON HEATHFIELD MASTERPLAN
 15/10/2024
 RPS



Scale 1:10,000

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	CLIENT: Fairfax HealthCare Consortium	DATE CHECKED: 12/11/05		REVISION: 00
	DATE: 12/11/05	PREPARED BY: AP		
	STATUS: Final			

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