

05/17/0054

PERSIMMON HOMES (SOUTH WEST)

Erection of 20 No. dwellings with associated public open space, landscaping and external works on land at Stonegallows (Phase 2 Abbeyvale), Bishops Hull

Location: LAND AT STONEGALLOWS, BISHOPS HULL, TAUNTON

Grid Reference: 320093.124121

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Subject to a Section 106 agreement to secure the following:

1. 25% affordable housing
2. Additional play equipment at Kinglake – Wicksteed Basket Spinner, including installation and relocation/extension of perimeter fencing
3. Maintenance of the surface water drainage features
4. An agreed travel plan

Recommended Conditions (if applicable)

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

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

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

(A3) DrNo BHL 130 Rev P1 Location Plan

(A2) DrNo D11 75 P6 Tree Protection Plan

(A3) DrNo 501-1 Rev P3 Hanbury Housetype Design Sheet 1 Elevations & Floor Plans

(A3) DrNo 501-1 Rev P3 Hanbury Housetype (AFF) Design Sheet 1 Elevations & Floor Plans

(A3) DrNo 502-1 Rev P3 Hatfield Housetype Design Sheet 1 Elevations & Floor Plans

(A3) DrNo 503-1 Rev P3 Rosebury Housetype Design Sheet 1 Elevations & Floor Plans

(A3) DrNo 504-1 Rev P3 Clayton Housetype Design Sheet 1 Elevations & Floor Plans

(A3) DrNo 506-1 Rev P2 Souter Housetype Design Sheet 1 Elevations & Floor Plans

(A3) DrNo 507-1 Rev P2 Alnwick Housetype Design Sheet 1 Elevations &

Floor Plans

- (A1) DrNo 120 Rev P4 Phase 2 Planning Layout
- (A1) DrNo 121 Rev P4 Phase 2 Materials Plan
- (A1) DrNo 122 Rev P1 Phase 2 Affordable Housing Distribution Plan
- (A1) DrNo 125 Rev P1 Street Scenes
- (A1) DrNo 126 Rev P1 Phase 2 Storey Height Plan
- (A1) DrNo 2100 Rev P04 Section 38 Layout
- (A1) DrNo 1003 Rev P01 Flood Flow Routing Plan
- (A1) DrNo 1002 Rev P01 Impermeable Area Plan
- (A1) DrNo 1001 Rev P01 Drainage Strategy Plan
- (A1) DrNo 2101 Rev P03 Highway Layout
- (A1) DrNo 2102 Rev P02 Vehicle Tracking Layout
- (A1) DrNo 2402 Rev P05 External Levels Layout

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

3. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development,

Reason for pre-commencement: Further details in the form of calculations are required for the surface water attenuation scheme which could result in an increase in area required for the attenuation pond and consequential change to the proposed layout.

4. Before any part of the permitted development is commenced, the hedges to be retained on the site shall be protected by a chestnut paling fence(or similar) 1.5 m high, placed at a minimum distance of 2.0 m from the edge of the hedge and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soils levels around the base of the hedges so retained shall not be altered.

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

Reason for pre-commencement: The protective fencing must be installed prior to any other works commencing on site in order to safeguard the hedge.

5. Prior to the commencement of the development hereby permitted, a full badger survey shall be carried out. The findings of the survey together with any proposed mitigation required shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation shall be strictly adhered to and maintained for the duration specified in the approved report.

Reason: To assess the status of the outlier sett and to protect badgers.

6. The applicant shall undertake all the recommendations made in Tor ecology's report dated June 2017, and provide mitigation for bats and birds as recommended.

The works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the new bird and bat boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained

Reason: to protect and accommodate breeding birds and bats

7. Prior to the occupation of the dwellings hereby permitted a 1.8m high post and mesh fence shall be erected along the hedge line to form a trim line for the hedge in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority beforehand. The fence shall thereafter be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect ecological interests on the site.

8. (i) The landscaping/planting scheme shown on drawing 300 Rev B shall be completely carried out within the first available planting season from the date of commencement of the development.

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

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

Notes to Applicant

Proposal

This application seeks full planning permission for the erection of 20 dwellings. The

dwellings would be accessed from the new estate road serving the 'Abbeyvale' development west of Bishops Hull Road and would be situated in a broadly linear pattern extending from north to south. The dwellings would be mainly 2 storey with some 2.5 storey dwellings included.

The dwellings would be constructed from brick under grey tiled roofs. A surface water attenuation pond would be provided to the north of the site. 25% of the dwellings would be affordable.

Site Description

The site is a broadly rectangular parcel of land. It is situated to the west of the existing 'Abbeyvale' development, which is currently under construction, and the north of 'Kingleake' completed a few years ago. Access to the site is via Bishops Hull Road and Gwyther Mead on the Kingleake development. The site is bordered by hedgerows and trees and is currently in use as a paddock. To the south is an access track through a relatively dense wooded area to the rear car park of the Stonegallows Inn, but this is not a public right of way. Beyond the hedgerow to the west, the site is bordered by open countryside and the ground rises steeply up to the Stonegallows ridge.

Relevant Planning History

There have been no previous planning applications on this parcel of land.

The site was allocated for development under Policy TAU5 of the Site Allocations and Development Management Plan. Part of the allocation (Abbeyvale) was granted planning permission under application 05/16/0003 and is currently under construction.

Consultation Responses

BISHOPS HULL PARISH COUNCIL - Bishops Hull Parish Council OBJECTS to this application for the following reasons:

Density - Abbeyvale 1 has a density of 27 dwellings per hectare, whereas the proposed new development will have 44 dwellings per hectare.

Insufficient parking and access - The current development is already struggling with parking and access issues, this will only increase if another 20 dwellings are permitted.

Strain on Local Infrastructure - The surrounding roads (Silk Mills and Wellington Road) are already over capacity, and suffer traffic congestion in these areas at peak times - again more dwellings will add to this problem.

Transport Assessment - The Transport assessment for the Kingleake development was carried out on the basis of 250 dwellings being built, with this new proposal that

will increase the dwellings to 268. Therefore, it is essential that a new Transport Assessment is carried out, to give an accurate picture of the situation.

SCC - TRANSPORT DEVELOPMENT GROUP – Comment as follows:

I refer to the above planning application received on 28th November 2017 and after a site visit on 14th December 2017 have the following observations on the highway and transportation aspects of this proposal:-

The proposal is for the erection of 20 dwellings with associated public open space and external works. The proposal site sits off Desmond Rochford Way, part of the existing Abbeyvale development site.

For clarity, the Highway Authority raises no objection in principle to the current application but does have concerns regarding some of the details of the application as submitted.

Transport assessment

The submitted application included a Transport Assessment (TA) which has been analysed.

For this TA, TRICS database was used to determine vehicle trip generation levels that formed part of the TA for 'Stonegallows' site (05/16/0003). Although calculations were not through the latest TRICS version the vehicle rates and levels applied were considered acceptable in this instance.

Trip distribution has been calculated based on 2011 National Census Travel to Work data although how the distribution has been calculated has not been demonstrated. However a sense check of the distribution levels applied indicates it is appropriate in this instance.

Weekday peaks of 08:00-09:00 and 17:00-18:00 were provided although no justification of the selected time periods was given. The applicant should justify how the peaks were chosen in reference to the data that was observed. Whilst TEMPro growth factors shown within the TA appear to of been slightly overstated, this is not a significant concern. For future reference the Highway Authority would recommend TEMPro growth factors using the most up to date version.

PICARDY 9 was used to produce the junction modelling for five of the model junctions that were submitted for review. There are minor inconsistencies in relation to the capacity modelling of the Wellington roundabout, where the queue data collected should be collaborated with this. The geometry data of the roundabout was not able to be replicated.

Notwithstanding the above concerns it is unlikely the traffic of this proposal on the highway is likely to be severe. However the applicant should provide further detail showing workings for the geometry of the roundabout in any future TA and ensure the observed queue data is appropriately calibrated with the roundabout.

Whilst there are some errors within the TA it is not considered to be a reason for a

recommendation of refusal on traffic impact grounds.

Travel Plan

The submitted application included a Full Travel Plan (TP) which has been analysed.

For clarity, a Measures-only Travel Statement would be required for this proposed development and agreed once the relevant information is received. It is noted that no Travel Plan fee has been stated, a development of this size would require a fee of £700 plus VAT.

The applicant should provide information to include the earliest and latest bus times on a daily basis for nearby bus stops and to refer to current existing car sharing schemes. Clear figures should be produced to highlight locations of any proposed measures/features whilst demonstrating their consideration within the proposed development.

It is stated within the TP that the development site falls within Zone B of the Somerset County Council (SCC) Parking Strategy. When consulting our SCC parking strategy map it would appear the site would fall into Zone A. The applicant will need to revisit and clarify this. On the information currently provided, the proposed development appears to state 38 parking spaces however the TP states a figure of 23 spaces. Once clarity on which zone the site falls into is achieved, optimum parking provision should be re-calculated based on the SCC Parking Strategy.

The applicant should note that all proposed cycle parking needs to be safe, secure, sheltered and accessible. Electric car charging point should be provided for all proposed dwellings.

Drainage

There is no objection to the principle to the drainage design as proposed, although the Highway Authority would recommend exceedance flows beyond capacity of the road gullies be routed into the detention basin via a suitable design. An access point to the detention pond will need to be incorporated for future maintenance operations.

Estate roads

The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code.

It is the Highway Authority's understanding that the adjacent phase (phase 1) onto which this current phase (phase 2) will connect with is to remain private. Therefore it will not be possible for the Highway Authority to adopt the current proposal site (phase 2). The applicant will need to confirm if phase 1 is to remain private.

The application should note, when tying into existing carriageway allowances shall be made to resurface the full width of the carriageway where disturbed by the

extended construction and to overlap each construction layer of the carriageway by a minimum of 300mm. Cores may need to be taken of the existing bituminous macadam layers.

The applicant will need to confirm who would be responsible for the maintenance of the proposed Balancing Pond and the public open space. Any footpath access located within the prospective public highway boundary, should be constructed as per typical Somerset County Council footway specifications. Paving slabs will not be permitted.

Drawing No 2017/BHL/P2 appears to show a proposed carriageway width of 4.8m. This should be a minimum of 5m. If a shared surface carriageway arrangement is to be proposed it should be constructed from block paving and laid to a longitudinal gradient no steeper than 1:14 or flatter than 1:80.

An adoptable 17.0m forward visibility splay will be required across the carriageway bend fronting plot 78. There shall be no obstruction to visibility within the splay that exceeds a height greater than 600mm above the adjoining carriageway level and the full extent of the splay will be adopted by SCC (subject to the above) and should be clearly indicated within all future revisions of the site layout drawing.

Single drives serving garages should be constructed to a minimum length of 6.0m as measured from the back edge of the prospective public highway boundary. Single parking bays should be a minimum of 5.0m in length, unless they but up against any form of structure (planting, walls or footpaths), in which case a minimum length of 5.5m should be provided, as measured from the back edge of the prospective public highway boundary. Tandem parking bays should be a minimum of 10.5m in length.

There is no highway requirement for the 2 number rumble strips to be provided within the carriageway prior to plots 76 and outside plot 88.

Any bellmouth junction proposed at the junction of phases 1 and 2 should consist of a 6.0m radii and the first 5.0m of the carriageway within Phase 2 should be of a type 4 bituminous macadam carriageway specification with footways provided. A block paved carriageway can then commence from the end of the type 4 bituminous carriageway with footways terminating 2.0m into the shared surface carriageway. However, if a vehicular crossover is proposed at the site entrance, then the block paved carriageway can commence immediately off the back of the crossover.

The gradient of the proposed access road should not at any point, be steeper than 1:20 for a distance of 10m from its junction with the adjoining road within Phase 1. The applicant would need to provide a drawing showing the swept path of an 11.4m 4 axle refuse vehicle throughout the length of the proposed estate road within Phase 2.

Surface water from all private areas, including parking bays and drives, will not be permitted to discharge onto the prospective public highway. Private interceptor drains must be provided to prevent this from happening.

Grass margins are to be continuously delineated with 50mm x 150mm pc edging kerbs.

Any planting within the adoptable highway will require a commuted sum payable by the developer.

Under Section 141 of the Highways Act 1980, no tree or shrub shall be planted within 4.5m of the centreline of a made up carriageway. Trees are to be a minimum distance of 5.0m from buildings, 3,0m from drainage/services and 1.0m from the carriageway edge.

Root barriers of a type to be approved by SCC will be required for any trees planted either within or immediately adjacent to the prospective highway. A comprehensive planting schedule will need to be submitted to SCC for checking/approval purposes for any planting within or immediately adjacent to the prospective public highway.

No doors, gates or low-level windows, utility boxes, down pipes or porches are to obstruct footways/shared surface roads. The Highway limits shall be limited to that area of the footway/carriageway clear of all private service boxes, inspection chambers, rainwater pipes, vent pipes, meter boxes (including wall mounted), steps etc.

The developer must keep highways, including drains and ditches, in the vicinity of the works free from mud, debris and dust arising from the works at all times. The developer shall ensure that vehicles leaving the site do not carry out and deposit mud or debris onto the highway and shall provide such materials, labour and equipment as necessary to ensure compliance with this requirement.

Existing road gullies/drains shall be cleared of all detritus and foreign matter both at the beginning and end of the site works. If any extraneous matter from the development site enters an existing road drain or public sewer, the developer shall be responsible for its removal.

The developer shall be held responsible for any damage caused to the public highways by construction traffic proceeding to or from the site. Construction traffic will be classed as 'extra-ordinary traffic' on public highways. Photographs shall be taken by the developer's representative in the presence of the SCC Highway Supervisor, showing the condition of the existing public highways adjacent to the site and a schedule of defects agreed prior to works commencing on site.

The existing public highway must not be used as site roads or sites for stockpiling and storing plant, materials or equipment. The developer shall be liable for the cost of reinstatement if any damage has been caused to the highway.

Conclusion

The Highway Authority considers that the TA submitted in support of this application, while needing some amendment is broadly acceptable and the traffic impacts anticipated from the proposed development cannot be regarded as 'severe'. Therefore the Highway Authority does not object to the principle of this proposed development.

However the Highway Authority would require clarity on whether the current and adjacent phase is to remain private or offered for adoption. Subject to this, the applicant will need to demonstrate that safe and suitable access can be provided at

the proposed access.

Further clarity is also required regarding the specific design of the internal layout.

The Travel Plan submitted where minor issues have been identified that will require addressing by the applicant as mentioned in the body of the text.

The TA refers to the Somerset County Council Parking Strategy in terms of car parking, bicycles and motorcycles but does not appear to reference the need for electric vehicle charging facilities and this should be addressed.

With the above in mind the Highway Authority is not currently in a position to make a decision on this proposal until further detail from the applicant is submitted.

LANDSCAPE - The proposed development would adjoin existing residential development and the site is partly enclosed by existing hedgerows and trees. Due to these factors I consider that the development will have a low landscape impact.

However this phase of housing has a much more cramped appearance than the adjoining development. The proposed balancing pond could be made more attractive than proposed by having a less engineered appearance. Trees in the vicinity could be taller growing species such as oak.

TREE OFFICER – This scheme on paper appears to have been designed to avoid the main rooting areas of the hedgerow trees, which is good. However, it should be noted that those trees will cast considerable shade at certain times of day and at certain times of the year, as shown clearly on the Arboricultural Constraints Plan. This could result in pressures to fell or prune, once houses are occupied. Previously isolated countryside trees become more vulnerable when built around, as they then overhang ‘targets’ – properties, roads and people.

BIODIVERSITY - EAD carried out an Ecological impact assessment of the whole site (Phase 1 and 2) in October 2014 to support application 05/16/0003- see previous comments.

A report addendum (date June 2017) produced by Tor ecology was carried out to assess any changes in the ecological baseline of the site since 2014.

The site was found to be heavily grazed by horses with a short uniform sward, the area of ruderal and scrub habitat being no longer present.

Bats

The trees initially identified as having bat roost potential on the western boundary did not appear to have undergone any change and still offered potential for bats. The hedgerows and trees should be retained on site.

Badgers

The outlier badger sett identified previously was not found in June 2017 and was considered to be no longer active. This situation may change so I agree that a pre commencement badger survey is taken no more than one month prior to the start of site clearance.

Reptiles

No further work is required with regards to reptiles. I support suggested biodiversity enhancements in the report.

WESSEX WATER – Advise as follows:

Water Supply and Waste Connections

New water supply and waste water connections will be required from Wessex water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk.

Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

Separate Sewer Systems

Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul sewer system.

Please find attached an extract from our records showing the approximate location of our apparatus within the vicinity of the site.

I trust that you will find the above comments of use, however, please do not hesitate to contact me if you require further information or clarification.

HOUSING ENABLING - 25% of all new housing should be in the form of affordable units and the provision of the five proposed affordable homes would meet this requirement.

The proposed mix includes:

- Social rented – 2 x 2b and 1 x 3b
- Shared Ownership – 1 x 2b and 1 x 3b

The proposed mix is considered to meet the requirement of 60% Social Rented and 40% Shared Ownership housing. Whilst the lack of 1 bed units is not ideal, the proposed affordable housing mix of this scale broadly meets local demand and the location of the units is considered acceptable.

Additional guidance is available within the Adopted Affordable Housing Supplementary Planning Guidance.

The developer should seek to provide the Housing Association tied units from

Taunton Deane's preferred affordable housing development partners list.

LEISURE DEVELOPMENT – In accordance with TDBC Adopted Site Allocations and Development Management Plan Policy C2 and Appendix D, provision for children's play should be made for the residents of these dwellings.

A development of 20 x family sized 2 bed+ dwellings should provide an on-site LEAP of 400 sq metres. The LEAP should consist of 5 items of play equipment covering all the disciplines of swinging, sliding, rocking, climbing and balancing together with seat, sign and bin.

It may however be possible to combine the LEAP requirement with the existing LEAP on the original development. The advice of TDBC Open Spaces should be sought to ascertain if this would be possible. Open Spaces should also be asked to approve the eventual layout and equipment types for either option.

[Subsequent to these comments, the Leisure Development officer has confirmed that an additional piece of equipment should be provided at the Kinglake Play area in the form of a single large 'Wicksteed Basket Spinner'].

POLICE ARCHITECTURAL LIAISON OFFICER – No comments received.

LEAD LOCAL FLOOD AUTHORITY - The development indicates an increase in impermeable areas that will generate an increase in surface water runoff. This has the potential to increase flood risk to the adjacent properties or the highway if not adequately controlled.

The applicant has indicated an intention to utilise on site attenuation in the form of an attenuation basin with controlled discharge to the existing Wessex Water system constructed for the adjacent development which they state was designed to include the surface water flows from this phase (phase 3), however, these calculations have not been included within the application.

The LLFA would want to see these calculations and written confirmation that Wessex Water will take the additional flows.

With the above notes in mind, the LLFA has no objection to the proposed development, as submitted, subject to an appropriate condition being applied to ensure the detailed calculations and support of Wessex Water are received.

Representations Received

Ward Councillor: Cllr J Hunt:

"Highway Safety and Traffic Congestion

Taken from the Planning application 05/16/0003 for Abbeyvale 1, Committee Report dated 27th Apr 2016.

Under the heading 'Matters previously accepted' and sub-heading 'Highways' it states:

"Substantial alterations were carried out to the junction of Bishops Hull Road with the A38 to the south to facilitate the phase 1 development. Those works were required on the basis of the impact of an outline application for 220 dwellings and a transport assessment modelled on the basis of up to 250 dwellings. In the event, only 171 dwellings were constructed on phase 1, leaving 'spare capacity' of 79 dwellings."

So if the 'spare capacity' was 79 and 75 dwellings make up the Abbeyvale 1 development, that leaves a current 'spare capacity' of 4 dwellings.

This application for Phase 2 Abbeyvale is for 20 dwellings, so I assume it is safe to say, you will take your own advise [sic] and refuse this application due to concerns over highway safety and an the unacceptable density of build.

Your guidelines, your advice, I'm sure the tax paying residents of Bishops Hull will expect you to adhere to both and refuse this application.

According to your committee report quotation above, if planning permission is granted, the excess capacity of vehicles will be using the already congested access point for the Kinglake, Abbeyvale 1 and Abbeyvale 2 developments at Quartly Drive/Bishops Hull Road.

This will cause further traffic congestion on this suburban housing development, along with the inevitable issue of safety for the many children playing outside their homes in Quartly Drive. Not forgetting the invisible smell and health damaging exhaust pollution created by the queued vehicles.

A38/Bishops Hull Road Junction

Many of these vehicles will be accessing Bishops Hull Road directly onto the A38, heading into Taunton or very dangerously, turning right towards Wellington and Exeter.

In the event that this application is accepted, could I ask that Persimmon make funds available for the construction of a roundabout at the A38/Bishops Hull Road/Comeytrowe Lane junction.

It is the additional traffic created by Persimmon's initial 246 dwellings that has magnified this issue, adding another 20 dwellings will take it well over your own capacity figure of 250.

I have been asking SCC Highways to look at the possibility of a roundabout during the past months (prior to this application), as the only solution to the obvious dangers at this junction.

Adding a 'No Right Turn' will not work according to SCC roads/highways officers, due to drivers turning left then U-turning, which of course would be even more

dangerous.

Councillors and Planning officers. Could I suggest that you take the time to visit this junction during any rush hour period and watch vehicles taking massive risks to turn right exiting Bishops Hull Road, I'm confident you'd agree with me that if action is not taken, then sadly a fatality is just a matter of time. Please do not add more fuel to this fire.

The other access points from Bishops Hull are also 'clogged' with vehicles and clearly this will add to the problem.

No Consultation

In the 'Statement of Community involvement' at 2.4 it states: "Persimmon Homes are keen to engage with the Parish Council and the wider community and are therefore seeking to set up a meeting to discuss our proposals with the community and their representatives as soon as possible."

Persimmon have made no contact whatsoever with the Parish Council, myself as County Councillor or others in the community.

The first I heard of this was via a call from a resident on 22nd Sept 2017, who had heard an unsubstantiated "rumour".

Our first official confirmation of the development came on 2nd Nov 2017 when the planning application was submitted.

Density of building is far too high

Unit density on:

Kinglake is 22.6 per hectare.

Phase 1 Abbeyvale is 27 per hectare

Phase 2 Abbeyvale proposed is 44 per hectare.

The Site Allocations and Development Management Plan (SADMP) clearly states a density of 20 units per hectare.

The 05/16/0003 Abbeyvale 1 application was not in line with the SADMP proposal of 70 new homes on a somewhat larger site. The increase to 75 houses on a smaller site was said to be "unacceptable". Although in reality this made no difference.

Including this new application, a total of 95 units would be built against the original SADMP proposal of 70, are we to assume that these figures will be overlooked as they were last time.

This being the case, why on earth bother wasting tax payers money coming up with these 'proposals' if they are simply to be ignored.

Assuming this application will be granted, at 20 units per hectare there should be only 9/10 units, however, based on the SADMP recommendation of suggested density this application should automatically be refused.

Screening

According to the landscaping layout, it does not allow for any additional screening on the West boundary. It is my opinion that this is an oversight and additional planting should be added to create a fully screened boundary.

Insufficient school places

With very limited local School places, further development in Bishops Hull will result in pupils having to attend schools elsewhere, thus exacerbating the traffic problems still further.

Local Bus service

Currently the Bishops Hull No. 3 bus service is subsidised by Persimmon's S106 funding which is due to expire in Sept/Oct 2018.

This funding enables the bus to run every half an hour instead of hourly. Could I suggest it is part of the terms of any planning approval that Persimmon should continue their support of this bus service, thus lessening the road congestion their additional house building has already caused and increased by these additional dwellings.

In conclusion

This application should be heard by the full committee and not passed under delegated powers. It is my opinion that this development should be refused due to an unacceptably high density of building, obvious highway Safety issues and traffic congestion, together with the smell of exhausted fumes and poor air quality caused by this congestion”.

Somerset Wildlife Trust: We have noted the above mentioned planning application as well as the ecological survey. We would fully support the comments of the Authority's Biodiversity Officer in her responses of 28th November and 11th December and would request that those proposals are incorporated into the planning conditions if it is decided to grant planning permission. We would also agree with her comments about the disappointingly cramped appearance of the development which does nothing to enhance the visual impact of the development.

3 letters of **objection** raising the following points:

- The number of units are excessive.
- The SADMP suggested 11 units for this part of the site and 70 across the 2 phases.
- The density is higher than for phase 1.

- It does not comply with Policy TAU5.
- Play provision is inadequate. Placing more equipment on Kinglake phase 1 means that there is even less space available for 'free play'. Children play in the roads due to a lack of space.
- Insufficient parking is proposed.
- The access to Abbeyfield is inadequate. There is a blind corner where it meets Kinglake and vehicle speeds are high. On Street Parking, limited visibility, the sharp bend and adverse camber worsen the situation.
- The development will interrupt the green corridor which stretches from Stone Gallows to Shutewater.
- The proposal is detrimental to visual amenity.
- The hedge between phases 1 and 2 will be put into private ownership and will eventually see a loss of habitat and wildlife corridor.
- Restrictions on working hours during construction are required.
- There have never been any wheel washing facilities at the site; road sweeping is ineffective.
- The original traffic modelling was on the basis of 250 dwellings. Existing development would take the total to 268. A fresh TA should be carried out using current data and allowing for the Comeytrove and Staplegrove urban extensions.
- Money should be provided to subsidise the number 3 bus service.
- There are still various breaches of planning conditions at the adjoining site.

Planning Policy Context

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

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

Relevant policies of the development plan are listed below.

DM1 - General requirements,
 CP1 - Climate change,
 CP4 - Housing,
 CP8 - Environment,
 SD1 - Presumption in favour of sustainable development,
 TAU5 - Bishops Hull / Stonegallows,
 D10 - Dwelling sizes,

Local finance considerations

Community Infrastructure Levy

The application is for residential development in Taunton where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £108,150.00. With index linking this increases to approximately £131,150.00.

New Homes Bonus

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough	£22,981
Somerset County Council	£5,745

6 Year Payment

Taunton Deane Borough	£137,888
Somerset County Council	£34,472

Determining issues and considerations

The main issues in the consideration of this application are the principle of the development, the design and layout and impact upon visual amenity, highways and access, drainage and ecological impacts.

Principle of development

The site is part of the land allocated for residential development in Policy TAU5 of the SADMP for around 70 dwellings. Development is currently being carried out on the adjoining land, under planning permission 05/16/0003 for 75 dwellings. This application would, therefore, bring the total number of dwellings to 95, significantly in excess of the target in the allocation.

The National Planning Policy Framework gives a clear indication that Local Planning Authorities should seek to significantly boost the supply of housing. The site in question is clearly considered to be acceptable for development in broad policy terms, having been allocated for development. The Core Strategy sets a minimum target for residential development and, whilst Policy TA5 sets a target of 'around 70' it is not considered that this should be a ceiling. It is questionable, therefore, whether there is a conflict with policy TAU5, but even if there is, it is considered that these factors outweigh the minor policy conflict. The principle of the development is, therefore, considered to be acceptable.

Design and layout and visual impact

The site is at the lowest part of the allocation and in the context of the surrounding development will not increase the impact upon the visual amenity of the area, including views from the higher ground and public footpaths to the west. Revised

plans have been received that show the dwellings to be built from a small palette of materials to provide better harmony across the development and avoid ad-hoc changes in material. The roofs will be grey, being the most recessive colour in the landscape.

The dwellings themselves repeat those that have previously been allowed (and are being built) at the adjoining site. Their external appearance is, therefore, considered to be appropriate. However, policy D10 of the SADMP sets out minimum space standards, and a number of dwellings conflict with this policy. The space standards are dependent upon the number of bedrooms in the individual properties and the developers attempt to comply with the policy is a statement that they would be marketed such that the smallest rooms were not described as bedrooms, leaving it for future purchasers to determine how to utilise the rooms. The developer argues that each of the dwellings are capable of complying with the space standards if used in a certain way. On the contrary, your officers consider that they are bedrooms as a matter of fact and, whilst it is agreed that individual purchasers may use the dwellings in different ways, to take such an approach would make a mockery of the national space standards and Policy D10. It is, therefore, considered that the development is in conflict with Policy D10.

However, the development is, in effect, a continuation of that granted under application 43/16/0003 and is part of the same allocated site. Whilst that development was given permission prior to the adoption of the SADMP it is, in effect, part and parcel of the same scheme. The fact that the house type now proposed have been used on the same allocated site and are still being built at that site, is considered to weigh strongly in favour of allowing a continuation of that development. This is considered to outweigh the conflict with Policy D10.

Comments made by the Parish Council and in the representations suggest that the development is at an excessively high density and a greater density than the earlier part of the allocation. Your officers do not consider that the density is inappropriate and the development does not physically appear cramped. This is because the development is not proposing its own piece of public open space, relying instead upon the POS associated with the earlier phase. This is considered to be appropriate as POS has more value in a single consolidated piece than in small fragments spread throughout the development and adequate POS for 95 dwellings is being provided within the first phase. Additional children's play equipment is being provided on the adjoining Kinglake development in addition to that added under phase 1 and there is sufficient quantum of POS on phase 1 to meet the needs of this development.

Highways and access

The site will be accessed from the first phase of development to the east and then via Gwyther Mead to Bishops Hull Road. The traffic impact for the first phase of development was considered to be acceptable on the basis that the total number of dwellings built on that phase and the adjoining Kinglake development to the north combined was below the number originally modelled and considered acceptable when Kinglake was permitted.

The Highway Authority have identified shortcomings in the Transport Assessment

(TA) submitted with the current application. However, they do not consider that rectifying these shortcomings would greatly alter the findings of the TA, that is, that the impact of the development on the local highway network would not be severe. This is considered a reasonable conclusion, as it is unlikely that an additional 20 dwellings on the highway network at this point would have a significant impact on traffic.

There are also shortcomings in the proposed travel plan, but it is considered that this can be rectified through the section 106 process. An alternative would be that the travel plan previously agreed and in operation for the first phase of development could be rolled forward into this development.

Drainage

The proposal includes a small attenuation pond for this part of the development, which will then connect to the existing drainage system for phase 1 and Kinglake. The Lead Local Flood Authority have reviewed the proposal and consider that it is acceptable. Some additional calculations are required to determine the final detail of the proposal, but this can be secured by condition.

Wildlife

The application site is not of high ecological value, the most value being found in the boundary hedges and trees, which will be retained as part of the development. The western boundary will be retained in the public domain. The eastern boundary will be in private gardens, which is not ideal and, therefore, it is recommended that a condition is imposed to secure the erection and retention of a wire fence to form a definitive 'trimming line' to the rear gardens of the dwellings, whilst still allowing light to penetrate the hedgerow. Subject to conditions, therefore, the impact on wildlife is considered to be acceptable.

Conclusions

The site is within the settlement limit for Bishops Hull and is part of the site allocated by Policy TAU5. Whilst the number of dwellings at the site will exceed the number stated in the allocation, this is not considered to represent a conflict with the development plan. In any case, in light of policies in the NPPF to significantly boost the supply of housing in suitable locations, the proposal is considered to be acceptable. The proposal does conflict with Policy D10 of the SADMP, in that a number of dwellings fall below the space standards. However, given that the site is otherwise acceptable in planning terms and, in many ways the development will continue that already established on the earlier part of the allocation, utilising the same house types (that part being permitted before adoption of the SADMP), it is considered that this matter alone would not be sufficient to warrant refusal of the application. Any other adverse impacts can be satisfactorily mitigated by planning conditions and a section 106 agreement.

It is, therefore, considered that the proposal is acceptable and it is recommended that planning permission is granted.

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

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