

48/14/0051

TAUNTON DEANE BOROUGH COUNCIL

CONSTRUCTION OF NEW LINK ROAD BETWEEN A38 AND THE A3259 TO THE SOUTH WEST OF MONKTON HEATHFIELD (OPTION C)

Location: STREET RECORD, B3259, MONKTON HEATHFIELD

Grid Reference: 324997.126568

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (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:

(A1) DrNo MJ004007-PL-OPTC-001 Location Plan
(A1) DrNo MJ004007-PL-OPTC-002 Red Line Plan
(A1) DrNo MJ004007-PL-OPTC-003 General Arrangement
(A1) DrNo MJ004007-PL-OPTC-004 Longitudal Sections String MC200 & String MC51 A3259 to Milton Hill
(A1) DrNo MJ004007-PL-OPTC-005 Cross Sections - M200
(A1) DrNo MJ004007-PL-OPTC-006 Cross Sections - M200
(A1) DrNo MJ004007-PL-OPTC-007 Cross Sections - M200
(A1) DrNo MJ004007-PL-OPTC-008 Cross Sections - M200
(A1) DrNo MJ004007-PL-OPTC-009 Cross Sections - M200
(A1) DrNo MJ004007-PL-OPTC-010 Cross Sections - MC51
(A1) DrNo MJ004007-PL-OPTC-011 Typical Sections
(A1) DrNo MJ004007-PL-OPTC-012 Landcaping & Ecological Mitigation
(A1) DrNo MJ004007-PL-OPTC-013 Street Lighting Plan

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

3. (i) Before any part of the permitted development is commenced, other than the A38 bus gate, a landscaping scheme, which shall include details of

the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority and shall include replacement hedgerow and orchard habitat.

- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
- (iii) For a period of five years after the completion of each landscaping scheme, 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 the 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 in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. The applicant shall undertake all the recommendations made in Somerset County Council's Ecological Appraisal report dated March 2014 (Revised June 2014), including an up to date badger survey, pre construction checks for (non-horseshoe) bat roosts and fencing for otters and badgers at Allens Brook. A strategy shall be submitted which shall include
- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 - Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
 - Measures for the retention and replacement and enhancement of places of rest for the species.

Once approved 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 and thereafter the resting places and agreed accesses for wildlife shall be permanently maintained. The development shall not be brought into use until the scheme for the maintenance and provision of the new **resting places** and related accesses **have** been fully implemented

Reason: To protect and accommodate wildlife.

5. Details in respect of noise mitigation measures including surfacing and a noise barrier shall be submitted to and agreed in writing by the Local Planning Authority and carried out before the road is brought into use and shall thereafter be maintained as such.

Reason: In the interests of limiting noise levels to safeguard amenity in accordance with policy DM1 of the Core Strategy.

6. Prior to the development hereby permitted being brought into use details of the lighting columns and lights including baffles to the lights adjacent to Allens Brook shall be submitted to and approved in writing by the Local Planning Authority and the applicant shall demonstrate that light levels will not exceed 1 Lux on Allens Brook, its bankside vegetation and other habitat used by lesser horseshoe bats. Development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To minimise the impact of the development in accordance with Policy DM1(c) of the Taunton Deane Core Strategy.

7. No development approved by this permission, other than the bus gate on the A38, shall be commenced until a surface water run-off limitation scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The approved scheme shall be implemented in accordance with the approved programme and details prior to the road being brought into use.

Reason: To prevent the increased risk of flooding.

8. No new road construction shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the agreed scheme or some other scheme that may otherwise be agreed in writing by the Local Planning Authority.

Reason: To ensure the preservation of archaeological remains in accordance with Policy CP8 of the Taunton Deane Core Strategy, retained Policy EN23 of the Taunton Deane Local Plan and the relevant guidance in Section 12 of the National Planning Policy Framework.

9. Prior to the development hereby permitted being brought into use the bus gate feature on the A38 shown on drawing PL-OPTC-003 shall be fully implemented.

Reason: In the interests of highway safety.

10. No development approved by this permission in catchments 3 and/or 4 of the Option 1 drainage strategy report (Dec 2014) shall be commenced until details of the Allen's Brook bridge crossing have been submitted to, and approved in writing by the Local Planning Authority. The approved crossing shall be implemented in accordance with the approved construction details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that local flood risk is not affected by the development.

11. No work shall commence on the development hereby permitted, other than the A38 bus gate, until all details of the proposed Western Relief Road (WRR) including design drawings, layout and longitudinal sections, cross sections, construction details, street lighting and any crossing details have been submitted to and agreed in writing by the Local Planning Authority. The development shall then be fully constructed in accordance with the approved plans to the agreed specification prior to the Western Relief Road being opened for public use.

Reason: In the interest of highway safety.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. You are advised to submit a C3 Notice in accordance with the NRSWA arrangements to consider constraints and costs of mitigation works in relation to protection of Wessex Water infrastructure.
3. Your attention is brought to the following:

There must be no interruption to the surface water and/or land drainage system of the surrounding land as a result of operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.

Land Drainage Consent from the Lead Local Flood Authority (LLFA - SCC Contact Mr Steve Webster) may be required for any temporary or permanent works affecting the flow in the Allen's and Dyer's Brooks which lie in close proximity to the new road scheme.
4. The developer in delivering the necessary highway works associated with the development hereby permitted is required to consult with all frontagers affected by said highway works as part of the delivery process. This should be undertaken as soon as reasonably practicable after the grant of planning consent and prior to the commencement of said highway works, especially if the design has evolved through the technical approval process. This is not the responsibility of the Highway Authority.
5. The proposed development will obstruct the right of way and a diversion will be necessary. The right of way will need to remain open and available until the (stopping up/diversion) Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with. The County Council would request to be consulted on the surface of any diverted public right of way.

PROPOSAL

The proposal is to erect an access road between the A3259 and the A38 to form the Monkton Heathfield Western Bypass. The scheme will divert traffic away from the village of Monkton Heathfield and provide access to the new residential developments. The scheme involves construction of 600m of new carriageway; widening/realigning 300m of the existing road; provision of pedestrian and cycle facilities, including two pedestrian crossings; provision of two junctions incorporating right hand turn lanes, where appropriate to maintain/enhance existing access arrangements and construction of a 20m span bridge over Allens Brook. The road generally comprises a new 7.3m wide carriageway with a 3m wide off-road segregated footway/cycleway and a verge of 0.5m between the carriageway and off road facility west of the Milton Hill roundabout.

The proposed layout of the scheme is based on the following criteria:

Providing a new route for traffic to bypass the village of Monkton Heathfield,
Providing access to areas of land to the south already allocated for housing,
Improving access to Heathfield Community school,
Retaining access to Milton Hill, Farriers Green and other existing residential and business properties, and
Providing facilities for pedestrians and cyclists.

SITE DESCRIPTION AND HISTORY

The site consists partly of existing roads and agricultural land and the route of the road was identified in the Taunton Deane Core Strategy and is specifically referred to in policy SS1. The creation of the new east-west link from the A38 to the A3259 will divert traffic from the village and allow easier access to the A38 and M5 for existing residents and those of the new housing development.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

WEST MONKTON PARISH COUNCIL - The Planning Supporting Statement by Richard Needs SCC/MJ004007/002 rev2.0 states in 14.1.3 the 'The proposed scheme has been through extensive public consultation through the Local Plan as well as a series of public exhibitions and meetings with groups of residents'. Many of the residents remember that the scheme was 'sold' to them on the basis that there would be a bus gate at Yallands Hill. This application, like the application for Option 1 does not show a bus gate at Yallands Hill; although it is to be noted and emphasised that the Parsons Brinkerhoff Transport Assessment has based the assessments for 2028 on the existence of a bus gate at Yallands Hill as well as at the other end of the village. Parsons Brinkerhoff Transport Plan page 36 para 6.3.2 '...as the 2028 scenarios include a two way bus gate on the A3259 west of Milton Hill'. WMPC believes that the stated aim 'The provision of the Western bypass...significantly reducing severance caused by the existing A3259 and A38 which both run through the settlement' in the Design and Access Statement Richard Needs SCC/MJ004007/001-2.0 will be negatively impacted by not including the bus

gate at Yallands Hill.

As with the W MPC response to Option 1, this response is in a number of sections.

Farriers Green

Farriers Green is an estate of circa 130 houses with no other way out, plus school traffic uses the top end of Farriers Green as a drop off, as it joins the footpath through to School Road.

Option C goes some way to assist entrance and exit at Farriers Green onto Milton Hill (WRR), by the installation of a right turning lane. To ensure that traffic can flow freely on WRR in both directions, the Parish Council suggests that space is created for filter lanes either side of the junction, so Farriers Green vehicles can speedily leave and enter the WRR without reducing the traffic flow. It is not altogether clear why in the Parsons Brinkerhoff Transport Assessment for 2028 the numbers of trips to and from Farriers Green was reduced from 135 arrivals and 146 departures to 22 arrivals and 61 departures – which then meant that the assessment showed there was no queuing at the junction either for morning or evening peak times.

In further support to keep traffic flowing on the WRR, the Parish Council suggests using the wide verge and visibility splay to create bus laybys for the two bus stops on the stretch of road from the new Aginghills roundabout to the junction A38/WRR. The one lying on the Tanpitts Farm side of the road may not be easy to achieve without land purchase, but on the Farriers Green side of the road it could be easier due to the wide verge and attenuation pond. Given that the aims of the new development included more use of cycling, walking and public transport, the buses will continue to follow the route of the WRR, perhaps with increased frequency. So every time a bus stops on the WRR, the traffic flow will come to a stop without bus laybys, because the road width doesn't allow cars to pass a stationary bus.

The Parish Council would be grateful if assurance could be given by SCC that the bus services used in the Parsons Brinkerhoff Transport Assessment (or their equivalent) will be protected in view of the current SCC consultation on provision of bus services. Table 3.1 page 15 Parsons Brinkerhoff Transport Assessment dated Dec 2014.

In this application as in Option 1, no heed appears to have been taken of the location of Farriers Green Park adjacent to the WRR. The Parish Council believes that in the interests of safety, a fence should be installed with a field gate into the park area to prevent children running out from the park onto the WRR. Defining the boundary may assist in creating the bus layby and the filter lane into Farriers Green. The Parish Council would expect to see a planting scheme in addition to the fence to maintain the 'Green' aspect of Farriers Green Park, which is currently undergoing extensive improvements and when completed, will be the flagship play provision site in the Parish, containing play equipment for all ages through to the adult outdoor gym provision. The soft landscaping described in Richard Needs SCC/MJ004007/001-2.0 section 5 page 5 could be extended to include the suggested fencing on the perimeter of Farriers Green Park.

The Parish Council would like to see bat and owl boxes provided in those areas

being landscaped 'to enhance the ecological benefits of the area.' Richard Needs SCC/MJ004007/001-2.0 section 5 page 5.

WRR/A3259

No reference has been made in this application (Option C) to the other end of the WRR at its junction with A3259. The Parish Council has strongly requested another bus gate is installed at Yallands Hill to protect the Safe Routes to School, since children will be crossing at the junction of WRR with A3259. Additionally, it is hard to see what the 'improved link to Heathfield Community School to the north' will be: Richard Needs SCC/MJ004007/001 – 2.0 page 4.

Following comments made by J Fellingham at a meeting in Dec 2014, the WMPC has been led to believe that the S106 for the bus gate at Prockters on A3259 is non-negotiable. The Parsons Brinkerhoff Transport Assessment dated December 2014 is based on the inclusion of a bus gate at Yallands Hill by 2028, and states that 'Although the exact location of the proposed A3259 bus-gate is currently unknown, it is anticipated that it would be located somewhere between Milton Hill and Blundells Lane and would prevent through traffic on the A3259 through Monkton Heathfield' PB TA page 30 para 5.6.4. WMPC requests clarification on the position and timing of the two bus gates considered in the Parsons Brinkerhoff Transport Assessment. In respect of the bus gate at the eastern end of the village, the Parish Council suggests that moving the bus gate closer to the village to a position between Richards Crescent and the Butchers shop would increase the efficiency of the traffic calming function of the bus gate. It could even become the fourth arm of the midi roundabout giving access onto Hartnells.

Please could SCC and TDBC comment on the following?

- *Was the S106 regarding Prockters imposed by SCC?*
- *Would developers have had to agree the conditions, including a more rigorous determination of location than apparently understood by PB?*
- *If the site was already defined, why did not Parsons Brinkerhoff know this?*
- *Would moving the location of the bus gate closer to Richards Crescent be contested by the developers in view of the Transport Assessment?*
- *Could a change of site be done by Deed of Variation if needed?*

The traffic movement surveys that were conducted to inform the traffic plan were taken at peak times on week days: Parsons Brinkerhoff Transport assessment Dec 2014, page 26 para 5.3.2. What is the view of SCC and TDBC about the circa 2000 cars that attend and leave the car boot sale at Prockters farm on Sundays? Were the bus gate to be installed at Prockters the current three options for the traffic leaving Prockters – left or right on A3259 or straight over Camels Hump to A38 - will be removed. Camels Hump will be no more anyway, the turn to the right will hit the bus gate, so it will have to all turn left ...or go to the rat runs through the 'back lanes'. If the bus gate were to be moved slightly towards the village, as described above, the right turn option could still be accommodated through the new road being built between A38 and A3259. The Parish Council has already registered its comments about this linking road being used by everyone to get between A 3259 and A38...the chances of it simply being an estate road are remote without traffic calming and other measures.

WRR/ERR

For the road infrastructure to work, it is crucial to keep the ERR working, so that traffic can feed from it into the WRR. The junction at Milton Hill is convoluted, so to assist and improve, WMPC strongly suggests that lines are painted on the ERR for some considerable distance approaching the new Bathpool roundabout to create two lanes. This will keep traffic travelling towards the Creech Castle separate from traffic heading for the WRR. So if Creech Castle is slowed to a standstill at peak times, as is currently the case, traffic to WRR will still flow. Otherwise the ERR will become slowed to a standstill at peak times. The Transport Assessment Junction Impact Assessment results (pp54 and 55 of the report) indicate there will be queuing at Creech Castle A38/A358, even after the junction is improved, so small efforts with painted road lines on the ERR could assist traffic flow. This comment emphasises the need for bus laybys and proper entrance/exit arrangements for the junction of Farriers Green with the WRR, as described earlier.

The installation of the A38 bus gate should not take place until after all possible improvements to traffic flow on the ERR/A38 junction have been completed. It is not understood why a speed limit of 20mph was used in the modelling to validate the A38 bus gate: page 31 PB TA in which 'it has been assumed that traffic speeds on the A38 through Monkton Heathfield would be restricted to 20mph'. Is it to be understood that traffic calming the A38 will include a speed restriction of 20mph... has consultation with the Police Authority endorsed this proposal?

Other comments

Parish Council would like to see 'Residents Only' signs on the A38 and A3259 in both directions as the roads enter the village to demonstrate SCC's stated intent to reduce the effects of severance through the village caused by these two roads.

The Parish Council would endorse the use of directional LED lighting in the application and would add that installation of bat boxes and owl boxes would enhance wildlife.

Further to the letter from the EA dated September 2014, has the EA modelling now been completed using more robust and acceptable models of Allens and Dyers Brook? Given drainage problems in the Bathpool area, the attenuation ponds or underground storage facility will have to be carefully controlled. The Dyers Brook/Allens Brook/Kingston Stream are pretty much at capacity, particularly where culverted.

Ref SCC/MJ004007/001-2.0 Design and Access statement page 6 para 6.1.1, please could SCC define what street furniture they intend to provide along the length of the scheme?

The Parish Council would strongly endorse that an agreement about working hours on the site is defined and enforced; including start and finish times, access by construction traffic etc.

CHEDDON FITZPAINE PARISH COUNCIL - The Parish Council of Cheddon Fitzpaine is aware of the potential busgate-ing of West Monkton and of the impact of extra traffic on the road from South Lodge (Hestercombe) past Cheddon Lawns/Goosenford/Greenway toward West Monkton. In order to protect village life,

traffic calming measures are requested to be considered alongside this application. SCC Cllr David Fothergill is aware of the discussion at both Parish Council meetings. Both Parish Clerks to work together on this joint response.

Cheddon Fitzpaines' Parish Council meeting minutes on 8 January 2015 state:

Traffic calming for Rowford needs support from County Council. The preference is for table humps/tops as opposed to traffic gates as they are kinder to vehicles/passengers/ambulances/lorries etc. It was noted that with the proposed extra housing at West Monkton and associated roads that the back lanes from Greenway/Goosenford to Rowford will particularly suffer and as such a joint supported approach with West Monkton Parish Council for table humps to SCC Cllr Fothergill is recommended.

LANDSCAPE - See comments made in connection with option 1. The application is for the construction of the last link in a new road link between the A38 and the A3259 to the south west of Monkton Heathfield (Option 1). The proposal will involve the felling of several mature trees, orchard trees and several sections of hedgerow. The removal of existing vegetation will have a major impact on the character of the locality. Compensation planting is required and so I suggest the following landscape condition NE02

This option (option C) involves less tree felling and so from a landscape point of view would be my preferred option.

BIODIVERSITY - See comments made in connection with option 1. Somerset County Council carried out an Ecological Appraisal of the route options, dated March 2014, revised in June 2014. The report includes a species-led habitat Evaluation Procedure (HEP) being developed by SCC to quantify the amount of habitat creation needed to offset the impact of the proposed road. The report is supported by a Report of Bat Surveys and tree Assessments for the proposed road carried out by Kestrel Wildlife Consultants dated May 2014

It is estimated that 160 m of hedgerow will be lost due to the proposed development. To compensate additional tree planting is proposed.

The original Ecological Appraisal has been revised (December 2014) and been submitted in support of this application. As option C results in less hedgerow removal and no impact on the Tanpitts Farm Orchard, it is my preferred option from a biodiversity point of view.

SCC - RIGHTS OF WAY - I can confirm that there is a public right of way (PROW) recorded on the Definitive Map that runs through the site at the present time (footpath T 5/17) I have attached a plan for your information.

Any proposed works must not encroach on to the width of the footpath.

The proposed development will obstruct the right of way and a diversion will be necessary. The right of way will need to remain open and available until the (stopping up/diversion) Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with. We would request to be consulted on the surface of any

diverted public right of way.

If the route is to be diverted, this will be dealt with by Taunton Deane Borough Council.

The health and safety of walkers must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of the footpath, but only to a standard suitable for pedestrians. SCC will not be responsible for putting right any damage occurring to the surface of the footpath resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public bridleway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group.

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would

- make a PROW less convenient for continued public use (or)
- create a hazard to users of a PROW

then a temporary closure order will be necessary and a suitable alternative route must be provided. A temporary closure can be obtained from Sarah Hooper on (01823) 483069.

SCC - TRANSPORT DEVELOPMENT GROUP - Summary:

The Highway Authority has reviewed the overall benefits and dis-benefits of both of the options and on balance recommend that permission can be granted for both of the proposed routes. The reasons for this recommendation are set out below.

For ease the Highway Authority will cover both applications in this response and will differentiate between the two where necessary.

Option C

Option C is similar to Option 1 in providing a new link between the A3259 and the A38 however instead of creating a new northern arm from the roundabout the junction of Milton Hill with the A38 will be re-profiled and its priority changed to link into the existing A38. In addition to these works a bus gate will be installed to stop through traffic utilising the existing A38.

Traffic Impact

In regards to both options the assumed trip generation within the SATURN model is reasonable, and was agreed at the scoping stage. Committed development at Monkton Heathfield and other parts of Taunton Deane and Sedgemoor have been included within the TA. However as the scheme its self does not generate traffic

and provided comparisons are reasonably robust and consistent the precise trip generation is not an issue.

In the sensitivity tests carried out, which include the A38 bus gate, reduced trip rates are assumed on the basis that substantial modal shift away from car traffic is achievable and this was agreed during the scoping stage. But it should be noted that this is an assumption and is only realistic if forthcoming development at Monkton Heathfield includes very substantial measures to encourage this shift. As for the trip redistribution has been undertaken within SATURN model, as agreed at the scoping stage, and is considered to be reasonable.

Turning to traffic impact the SATURN model has been reviewed and no major issues have been identified for either option.

Wider Network Impacts

Analysis of the SATURN output stats for 2028 demonstrates that, like-for-like, any scenario results in average journeys which are longer (in distance) and take more time. This is due to the implementation of the bus gates, which would force traffic to use the WRR rather than the most direct route. The Highway Authority's initial observations required the submission of a COBA-LT report. This has not been provided at the time of compiling this response although it is understood that one will be submitted. It is assumed that it would show an increase the potential for accidents due to traffic diverting along routes which include more junctions. Basically it is assumed that a longer route with more junctions and more conflict points would result in additional accidents.

It should be noted that by not providing the bus gates would mean that the road would have limited success in achieving its main objective. In regards to Option 1 it is likely that there would still be an element of 'rat running' on the A38 as it provides a bus gate and "Access Only" especially due to the anticipated congestion at the A38/Eastern Relief Road (ERR)/WRR roundabout. However Option C's approach would see the bus gate provided as part of the proposed works at the Milton Hill/A38 junction as a consequence there would be no rat running of the A38.

Junction Impacts

The junction modelling has been reviewed and is considered to be acceptable in most cases. The one exception is the A38/WRR/ERR roundabout, where it is unclear whether two lanes will be available for certain movements. The applicant would need to clarify this as the results will be affected. The details indicate that the minor junctions along the route of the WRR are shown to operate within capacity. The scheme is shown to have an adverse impact on the Creech Castle junction. This is likely due to the bus gating of the A3259, with more traffic using the ERR-A38-Toneway route into Taunton. The LinSig modelling shows that in 2028 the Practical Reserve Capacity (PRC) would reduce from 0 to -21 in the AM Peak and -19 to -65 in the PM Peak. This would represent a severe congestion at the junction. However it should be noted that issues with the capacity of this junction will be looked at under separate scheme and the developer is required under the original S106 agreement to provide a contribution to this.

The modelling also shows that there will be some impact at Junction 25 of the M5,

although there will be a separate scheme of mitigation measures planned for this location. The impact at Junction 24 is minimal.

In terms of the principle junctions affected by this development these have been modelled for 2028 in both options.

Option C

Under this proposal the A38/WRR/ERR will remain a three armed roundabout with the WRR splitting from the A38 to the north of the junction. The data shows that some congestion is expected, particularly on the ERR in the AM Peak.

The A38/Milton Hill junction would not exist in this option whilst the modelling shows that the WRR/Milton Hill junction will remain just within capacity in 2028.

Finally at the WRR/A3259 junction the model shows that once the A3259 bus gate is implemented there would be no congestion. Prior to the implementation of the gate there will be similar delays to that which has been seen in the other proposed option.

TA Summary

In conclusion the TA is considered to be technically sound with only some minor exceptions. These being that the applicant should look to clarify the design of the A38/WRR/ERR roundabout, to determine whether uneven lane usage is likely to be an issue. In addition once the final option has been determined, revisions to junction designs where congestion is modelled should be considered, where possible. The TA does demonstrate that the objective of the WRR will be achieved however this would be dependent on the bus gates being implemented on the A3259 & A38. However it is noted that one of the options does allow for the implementation of the bus gate on the A38. It should also be noted that the "Access Only" element provided in Option 1 would result in 'rat-running' on the A38, especially when other junctions are congested. The re-routing of traffic has been shown to have a severe impact on the Creech Castle junction by 2028, although it should be noted that improvements would need to be delivered under a separate scheme.

Conclusion and Recommendation

To conclude in terms of traffic impact the proposal is considered to be acceptable with some minor details to be amended, which the applicant should note. In terms of design submission both layouts are broadly considered to be acceptable with a few minor points that need to be addressed but it should be noted that these would not be until the full technical submission stage. The WRR would result in a detrimental impact on journey times with them becoming longer however this must be balanced against the need to provide the appropriate infrastructure to enable development in Monkton Heathfield.

Therefore taking into account the above information the Highway Authority raises no objections to application 48/14/0031 (Option 1) and 48/14/0051 (Option C) and if the Local Planning Authority were minded to grant permission of both schemes then the following conditions would need to be attached.

- No work shall commence on the development hereby permitted until details of the proposed Western Relief Road (WRR) shown on the submitted drawings have been submitted to and approved in writing by the Local Planning Authority.
This shall then be fully constructed in accordance with the approved plans to an agreed specification prior to the Western Relief Road (WRR) being opened for public use.
- No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
 - Construction vehicle movements ;
 - Construction operation hours;
 - Construction vehicular routes to and from site;
 - Construction delivery hours;
 - Expected number of construction vehicles per day;
 - Car parking for contractors;
 - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
 - A scheme to encourage the use of Public Transport amongst contractors; and
 - Measures to avoid traffic congestion impacting upon the Strategic Road Network.
- Prior to Eastern Relief Road (ERR) being open to traffic details of the proposed bus gating of the A38 shall be submitted to and approved in writing by the Local Planning Authority and it shall be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority or another statutory body.

Note:

The developer in delivering the necessary highway works associated with the development hereby permitted is required to consult with all frontagers affected by said highway works as part of the delivery process. This should be undertaken as soon as reasonably practicable after the grant of planning consent and prior to the commencement of said highway works, especially if the design has evolved through the technical approval process. This is not the responsibility of the Highway Authority.

WESSEX WATER - There are a number of public water and sewerage apparatus in the location of the proposed road which will require protection. The applicant is advised to submit a C3 Notice in accordance with the NRSWA arrangements to consider constraints and costs of mitigation works.

We note 3.4.2 of Parsons Brinkerhoff Drainage Strategy indicating that it may be possible to drain highway flows into surface water apparatus. With the availability of watercourses within the vicinity of the proposals we do not believe this option will be necessary.

NATURAL ENGLAND - Natural England does not consider that this application poses any likely or significant risk to those features of the natural environment¹ for which we would otherwise provide a more detailed consultation response and so does not wish to make specific comment on the details of this consultation. We have agreed no significant effects on the 8/12/14 but mitigation measures for bats from Hestercombe House SAC should be agreed with your ecologist and as stated in the test of likely significance, when determining changes to the junction with the A38.

The lack of case specific comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may make comments that will help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process.

In particular, we would expect the LPA to assess and consider the possible impacts resulting from this proposal on the following when determining this application:

Protected species

Where there is a reasonable likelihood of a protected species being present and affected by the proposed development, the LPA should request survey information from the applicant before determining the application (Paragraph 99 Circular 06/05). Natural England has produced standing advice, which is available on our website *Natural England Standing Advice* to help local planning authorities to better understand the impact of particular developments on protected or BAP species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, local planning authorities should undertake further consultation with Natural England.

Local wildlife sites

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

Biodiversity enhancements

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

Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

SCC - *ECOLOGY* - No comments received.

ENVIRONMENT AGENCY - As a result of additional information, and further clarifications, the Environment Agency wishes to remove its holding objection in favour of the advised conditions and notes below to cover our interests.

Condition

No development approved by this permission shall be commenced until a surface water run-off limitation scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The approved scheme shall be implemented in accordance with the approved programme and details.

REASON: To prevent the increased risk of flooding.

Note

It is recommended that the developer investigates and specifies appropriate Sustainable Urban Drainage Systems (SuDs) for surface water disposal from the site, in order to reduce the rate of run-off and to reduce pollution risks. These techniques involve controlling the sources of increased surface water, and include:

- Interception and reuse,
- Porous paving/surfaces,
- Infiltration techniques
- Detention/attenuation
- Wetlands

As the proposed site does not directly affect any main river watercourse under our direct jurisdiction, we advise that the Council's Land Drainage Engineer, Mr John Herrington, and/or Somerset County Council (contact Steve Webster) should be consulted on any conditional details in due course, to ensure that their flood risk responsibilities are not adversely affected by the development.

Condition

No development approved by this permission in catchments 3 and/or 4 of the Option 1 drainage strategy report (Dec 2014) shall be commenced until details of the Allen's Brook bridge crossing have been submitted to, and approved in writing by the Local Planning Authority. The approved crossing shall be implemented in accordance with the approved construction details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that local flood risk is not affected by the development.

In the event of planning permission being given we request that the Decision Notice contain the following information:

There must be no interruption to the surface water and/or land drainage system of the surrounding land as a result of operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.

Land Drainage Consent from the Lead Local Flood Authority (LLFA - SCC Contact Mr Steve Webster) may be required for any temporary or permanent works affecting the flow in the Allen's and Dyer's Brooks which lie in close proximity to the new road scheme.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - Awaited

SCC - DEVELOPMENT CONTROL ARCHAEOLOGIST - The route of the road was archaeologically evaluated in 2011; as a result of this evaluation, the site of Roman occupation (HER no. 30328) and an undated enclosure (30329) are now known to be located on the route.

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

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

Representations

6 letters received raising the following issues:

- Concern over roundabout being bottleneck,
- Impact on Tanpitts Farm and amenities of holiday caravans and tents,
- Affect on visitor activity,
- Impact of noise
- Non provision of bus gate or traffic calming on A3259 and road should be closed to through traffic,
- Loss of and lack of off-line cycle/walking path,
- Old section of road will cause backing up and impact on a school route.
- Concern over proper level of attenuation of run-off from impermeable surfaces to

- ensure no worsening of downstream flooding.
- Bus gate on A38 will mean diversion to get into town.

PLANNING POLICIES

NPPF - National Planning Policy Framework,
CP1 - TD CORE STRAT. CLIMATE CHANGE,
CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,
CP7 - TD CORE STRATEGY - INFRASTRUCTURE,
CP8 - CP 8 ENVIRONMENT,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
SS1 - TD CORE STRATEGY MONKTON HEATHFIELD,
T38 - TDBCLP - Maidenbrook Playing Field Allocation,
EN24 - TDBCLP - Urban Open Space,

LOCAL FINANCE CONSIDERATIONS

The scheme does not create a CIL liability.

The development of this site would not result in payment to the Council of the New Homes Bonus.

DETERMINING ISSUES AND CONSIDERATIONS

There are a number of considerations with the proposed road scheme in terms of its policy compliance and impact on landscape, wildlife and the character and amenity of the area.

Policy

The provision of a western relief road for Monkton Heathfield has been proposed in policy terms since the 2004 Taunton Deane Local Plan. The up to date policy for the area is policy SS1 of the Core Strategy adopted in 2012. The current application is one option for the road and links the A3259 to Milton Hill with a new section of road and stream crossing and then has a modified road link along the line to the existing road to the A38 and incorporates a new bus gate on the A38 to ensure traffic will link to the Eastern Relief Road. The route of the new section of road runs roughly west to east and links to the road provided by the housing developer to the east. The road will cross part of the green wedge, however it is not considered that this would significantly detract from the openness of the area and the benefit of the road link and associated planting is considered to outweigh the limited visual harm of the road corridor through the area.

Access

A full Transport Assessment has been submitted with the application for the Western Relief Road (WRR). The purpose of the WRR is to relieve traffic through Monkton Heathfield on the A3259. The Core Strategy identifies the road to be

fundamental to the delivery of future development coming forward as part of the Urban Extension and the scheme forms part of policy SS1. The assessment has considered the traffic implications associated with the provision of the WRR for the plan period to 2028.

The Transport Assessment demonstrates that the provision of the WRR is anticipated to reduce two-way traffic flows along the A3259 through Monkton Heathfield and on Milton Hill. Option C provides a new link between the A3259 and the A38 and from the roundabout junction on Milton Hill the route to the A38 will be re-profiled and its priority changed to link into the existing A38. In addition a bus gate will be installed on the A38 to stop through traffic utilising the A38. The development itself does not generate traffic and the traffic impact is considered by the Highway Authority to be acceptable. The proposed option would see the bus gate provision on the A38 and as such the Highway Authority consider there would be no rat running of the A38. The Highway Authority consider the junctions along the WRR will operate within capacity. There will be an adverse impact identified on the Creech Castle junction, however it is recognised that there is already an issue with this junction and the capacity of the junction will be looked at under a separate scheme part funded by contributions through an existing Section 106. There is a recommendation that the bus gate be installed before the Eastern Relief Road is open, however the Eastern Relief road is already approved and largely built and it is not considered possible to condition the busgate in relation to that scheme. A condition is proposed to ensure the bus gate is installed before the WRR is opened.

All the junctions along the WRR are demonstrated as operating within capacity over the Plan period, although the ERR/WRR/A38 roundabout is considered to be operating close to capacity and may experience some queuing and delay during the morning peak on the ERR. The modelling shows the WRR/Milton Hill junction will remain just within capacity in 2028. The model shows the junction of the A3259/WRR would have no congestion with the implementation of the A3259 bus gate. However the provision of this bus gate is off site and under the control of the Highway Authority. The conclusion of the assessment however is that the WRR is suitable to serve future development within Monkton Heathfield, is not anticipated to result in significant detriment to the surrounding highway network and is vital to provide the appropriate infrastructure to enable future development in Monkton Heathfield.

Landscape

The site lies partly within the built up area and partly in the countryside and the western section of road will involve the removal of hedges and trees which will impact on the character of the locality. The road to the south of the existing and proposed development boundary and relates well to the built up area. While it projects into the green wedge along its northern section the impact on the openness of the area is considered a necessary and acceptable one to provide a vital piece of infrastructure. The scheme includes significant areas of compensatory landscape planting to offset that removed and to create replacement habitat. The Landscape Officer recommends a condition to secure the new planting and considers this option preferable to that previously submitted as there will be less impact and loss of orchard trees through the current scheme.

Wildlife

In accordance with the Habitats and Species Regulations (2010) the proposal will result in 'deliberate disturbance' of protected habitats, which is an offence under these regulations, unless a license is first obtained from Natural England. However, under Regulation 9(5), the Local Planning Authority as a 'competent authority' must have regard to the requirements of the Regulations in the consideration of any of its functions – including whether to grant planning permission for development impacting upon protected species. In order to discharge its Regulation 9(5) duty, the Local Planning Authority must consider in relation to a planning application:

- (i) Whether the development is for one of the reasons listed in Regulation 53(2). This includes whether there are "...imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment" (none of the other reasons would apply in this case);
- (ii) That there is no satisfactory alternative;
- (iii) That the Favourable Conservation Status (FCS) of the European protected species in their natural range must be maintained.

These tests are considered below:

(i) Overriding reasons of public interest for disturbance

The need for the road is clearly in the public interest and it would be a potential economic and social benefit if it were granted. It is considered to be in the public interest to secure the future of a western bypass route to the existing village to secure longer term access and health benefits and this is considered to outweigh the harm to habitat along the route location and so it would follow that this test would be passed.

(ii) That there is no satisfactory alternative

The need for the road and the reason why this site can be considered for development has been considered in the policy section of this report, above. As previously discussed, given the current local planning policy framework, it is considered that there is no satisfactory viable alternative in terms of the overall location of the development and for these reasons, the test would be passed. This option is preferred to the other put forward as it does not entail crossing an existing orchard at the southern end of the site. In the event of the development being refused the wildlife would not be affected and the test would not be required.

(iii) That the FCS can be maintained

The submitted ecological impact assessment outlines proposals for protecting wildlife during construction and for providing mitigation with habitat improvements. These include, for example additional native species planting and habitat creation to mitigate against the impact of loss of trees and hedge. The Council's Biodiversity Officer has not objected to the proposals, believing that, subject to the additional planting, favourable conservation status can be maintained with habitat improvements. The proposed development has not been specifically objected to by

Natural England and the County Ecologist has produced an Assessment of Likely Significant Effect in respect of the Hestercombe SAC and it is concluded that the scheme would not have a significant effect on lesser horseshoe bats at Hestercombe provided there are conditions to ensure habitat enhancements of 0.78ha and a detailed street lighting plan to ensure baffles on certain street lamps are achieved. Natural England has responded to the Assessment of Likely Significant Effect and recommend the proposed mitigation including lighting levels in relation to Allens Brook. The County Ecologist is satisfied that the lighting levels can be achieved and a condition is required to address this point.

I conclude that while the proposal will clearly have an impact, given the proposed mitigation, the proposal would not cause harm and therefore, it is considered acceptable and not to conflict with policy CP8 of the Core Strategy which includes the aim to conserve and enhance the natural environment. It is also considered to comply with the NPPF (paragraph 109). The provision of mitigation and enhancements for the site is considered a necessary condition.

Drainage

The proposal involves the construction of a new road between the A3259 and the A38 part of which will utilise the existing route adjacent to the Milton Hill roundabout. In terms of drainage it is important that the surface water run-off created by the impermeable surface of the sections of new road are adequately dealt with and attenuated so as to limit run-off levels and prevent any increase in risk to flooding downstream towards Bathpool. The Environment Agency initially raised concern over the scheme and has since advised that the development of Option C is suitable subject to conditions to secure a drainage strategy for surface water attenuation and details of the brook crossing. These conditions are reproduced as part of the recommendation.

Amenity and noise

A Noise Assessment has been submitted with the application and has assessed existing and proposed noise levels within the study area of within 1km of the proposed route. The impact of noise from the highway has been assessed in terms of both its construction and the level of traffic using the highway once completed. In summary the long term noise impact for Option C would be that the majority of dwellings would experience a negligible change in noise levels and 17 properties would experience a moderate increase in noise. No properties would experience a major increase in noise and over 300 properties would experience a decrease in levels. This noise impact would affect the amenity of properties but it is not considered that this impact is so severe to warrant an objection on amenity grounds under policy DM1. The main area of noise relates to the new section of road and mitigation is proposed in terms of surfacing and a noise barrier. A condition is imposed to address this point, and with the mitigation the design is likely to offer sufficient noise reductions so that no significant impacts occur. The noise increase at Yallands Hill end of the development would be addressed by bunding and planting to the west of the brook while the road surfacing proposed would be a high stone content Hot Rolled asphalt as this is a low noise surfacing material and the road will be subject to a 30mph speed limit. Such mitigation in terms of surfacing should

reduce road traffic noise levels by 1dB(A). In terms of the Tanpitts Farm area the existing noise level on Milton Hill is 70dB(A). The area is identified as undergoing a minor increase between 1 and 2.9dB(A) and is identified as experiencing a noise increase of around 2dB(A) before mitigation. A potential increase in noise level as described is considered to be an increase that would not significantly harm amenity in the area to warrant an objection to the scheme.

In addition to the above points the County Archaeologist recognises that there may be remains of interest on the route and therefore is recommending a condition to secure their excavation as part of the works. This is considered necessary and appropriate and a condition is recommended.

Summary

In conclusion the development of the Western Relief Road secures part of the important infrastructure required in the Local Plan under policy SS1 and would enable the future development of residential schemes within the area. The development would have impacts in terms of landscape, wildlife, flooding and noise however these can be mitigated to an acceptable degree and be subject to suitable conditions. The Highway Authority are satisfied that the road will not result in major traffic congestion and support the proposal and as a result the application is recommended for approval.

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

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