

43/2005/004

HERON LAND DEVELOPMENTS AND WESTBURY HOMES (HOLDINGS) LTD

RESIDENTIAL DEVELOPMENT (295 DWELLINGS), AFFORDABLE HOUSING, RECREATIONAL OPEN SPACE, STRUCTURAL LANDSCAPING AND ASSOCIATED WORKS, LAND FORMING PART OF CADES FARM, TAUNTON ROAD, WELLINGTON AS AMENDED BY LETTER DATED 25TH FEBRUARY, 2005 WITH ENCLOSURES, AMPLIFIED BY LETTER DATED 1ST MARCH, 2005 WITH ACCOMPANYING ARCHAEOLOGICAL EVALUATION, LETTER DATED 1ST APRIL, 2005 WITH ACCOMPANYING GREAT CRESTED NEWT AND DORMOUSE MITIGATION STRATEGIES, LETTER DATED 8TH APRIL, 2005 WITH ACCOMPANYING DETAILS AND LETTER DATED 6TH MAY, 2005 WITH ACCOMPANYING TRANSPORT CUMULATIVE ANALYSIS REPORT

14491/21222

OUTLINE

1.0 **RECOMMENDATION**

Subject to:-

- (a) The views of the Secretary of State;
- (b) The receipt of further details regarding the proposed ecological corridor within the site;
- (c) The further views of the County Highway Authority; and
- (d) The applicants entering into a Section 106 Agreement to provide the following:-
 - (i) 35% of the proposed dwellings to be affordable;
 - (ii) a contribution of £1,017 per dwelling (index linked) towards improved secondary school provision at Court Fields Community School;
 - (iii) a contribution of £229,215 (on basis of 295 dwellings) towards improvement of the capacity of existing playing fields in Wellington;
 - (iv) a contribution of £177,022 (on basis of 295 dwellings) towards enhancement of the viability of existing sports facilities in Wellington;
 - (v) a contribution of £250,000 (on basis of 295 dwellings) towards improving local community facilities, 10% of which shall be provided prior to commencement of development;

- (vi) the provision of a comprehensive cycle and pedestrian network within the development area and linking into the network within the adjoining residential area to the west and the proposed employment allocation at Chelston House Farm to the east;
- (vii) improvements to the footway to the north of Taunton Road, linking the main site access to the town centre, these improvements to include conversion of the footway to shared use by pedestrians and cyclists to the appropriate standard;
- (viii) a package of public transport measures including:-
 - (a) bus pass offering one year's free travel for each dwelling, a pass at one-third of the retail price in year two for each dwelling and at two-thirds retail price in year three for each dwelling;
 - (b) a bus lay-by, information and shelters on the north and south sides of Taunton Road to serve the development;
 - (c) a safe pedestrian crossing facility across Taunton Road in the vicinity of the bus lay-bys referred to above;
- (ix) revision to the speed limit along Taunton Road;
- (x) cessation of agricultural use at Cades Farm buildings;
- (xi) the submission of an agreed Ecological Management Plan to cover the future maintenance responsibilities and management of the landscape framework, hedges, ponds and surface water attenuation areas, and mitigation strategies for great crested newts and dormice (including any necessary licences). The Plan shall provide for the payment of commuted sums where necessary.

the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to the following conditions:-

- 01 Before any part of the development hereby permitted is begun detailed drawings to an appropriate scale of the siting, design and external appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority.
- 01 Reason: The application was submitted as an outline application in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order, 1995.

- 02 Application for approval of the reserved matters under (1) above shall be made to the Local Planning Authority within 3 years of the date of this permission.
- 02 Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990.
- 03 Within a period of 3 years from the date of this permission, details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development, shall be submitted to and approved in writing by the Local Planning Authority before any work hereby permitted is commenced.
- 03 Reason: The Local Planning Authority wish to ensure that satisfactory drainage is provided to serve the proposed development(s) so as to avoid environmental amenity or public health problems in compliance with Taunton Deane Local Plan Policies S1 (E) and EN26.
- 04 Within a period of 3 years from the date of this permission, a programme of the phasing of the development shall be submitted to and approved in writing by the Local Planning Authority, and the development of the estate shall not proceed other than in accordance with the approved programme.
- 04 Reason: The Local Planning Authority wish to ensure that the development of the estate proceeds in an orderly manner.
- 05 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 05 Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990.
- 06 Before the commencement of any works hereby permitted, details or samples of the materials to be used for all the external surfaces of the building(s) shall be submitted to and be approved in writing by the Local Planning Authority, and no other materials shall be used without the written consent of the Local Planning Authority.
- 06 Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).
- 07 (i) Before any part of the permitted development is commenced, a scheme of planting of trees, shrubs and hedges, 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. (ii) The scheme shall be completely carried out within a period of time or a phased programme agreed with the Local Planning Authority before commencement of the development. (iii) For a period of five years after the completion of the planting scheme, the trees, shrubs and hedges shall be protected and maintained to the satisfaction of the Local Planning Authority and any trees, shrubs or hedges that cease to grow shall be replaced by trees, shrubs or hedges of similar size and species, or the appropriate trees, shrubs or hedges as may be approved in writing by the Local Planning Authority.
- 07 Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the

local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Revised Deposit Policy S2.

08 Before any part of the permitted development is commenced, a scheme of hard landscaping showing the layout of areas with stones, paving, walls, cobbles or other materials, shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is occupied.

08 Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

09 Before any part of the development is commenced detailed drawings shall be submitted to and approved in writing by the Local Planning Authority showing existing and proposed levels and contours of the development site and finished floor levels of the proposed dwellings.

09 Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area and does not result in flooding of the proposed dwellings in accordance with Taunton Deane Local Plan Policies S1 and S2.

10 Before any part of the development hereby permitted is commenced detailed drawings showing which trees are to be retained on the site shall be submitted to and approved in writing by the Local Planning Authority and none of the trees so shown shall be felled, lopped, topped, lifted or disturbed without the prior written consent of the Local Planning Authority.

10 Reason: In the interests of the visual amenity of the area in accordance with Taunton Deane Local Plan Revised Deposit Policy EN7.

11 Before any part of the permitted development is commenced, the trees to be retained on the site shall be protected by a chestnut paling fence 1.5 metres high, placed at a minimum radius equivalent to the full spread of the tree canopy from the trunk of the tree and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soil levels around the boles of the trees so retained shall not be altered.

11 Reason: In the interests of the visual amenity of the area as required by Taunton Deane Local Plan Revised Deposit Policy EN7.

12 No service trenches shall be dug within the canopy of any existing tree within the curtilage of the site without the prior approval of the Local Planning Authority.

12 Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health which would be contrary to Taunton Deane Local Plan Policies EN6 and EN8.

13 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 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.

13 Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health which would be contrary to Taunton Deane Local Plan Policies EN6 and EN8.

14 No tree shall be felled, lopped, topped, lifted or disturbed in any way without the prior written consent of the Local Planning Authority.

14 Reason: The existing trees represent an important visual feature which the Local Planning Authority consider should be substantially maintained in accordance with Taunton Deane Local Plan Deposit Policies EN6 and EN8.

15 Before any part of the permitted development is commenced, details of all boundary walls, fences or hedges forming part of the development, shall be submitted to and approved in writing by the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before any such part of the development to which it relates takes place.

15 Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

16 Public open space shall be provided in accordance with the Local Planning Authority's approved standards and detailed site layout shall provide for these accordingly. These areas shall be laid out to the satisfaction of the Local Planning Authority in accordance with a programme of development to be submitted to and approved in writing by the Local Planning Authority prior to commence of development and shall thereafter be used solely for the purpose of amenity open space.

16 Reason: To provide adequate access to sport and recreation facilities for occupiers in accordance with Taunton Deane Local Plan Policy C4.

17 A Local Equipped Area for Play and Neighbourhood Equipped Area for Play shall be provided in accordance with the Local Planning Authority's approved standards and the detailed site layout shall provide for this accordingly. This area shall be laid out to the satisfaction of the Local Planning Authority in accordance with a programme of development to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and shall thereafter be used solely for the purpose of children's recreation.

17 Reason: To provide adequate access to sport and recreation facilities for occupiers in accordance with Taunton Deane Local Plan Policy C4.

18 The layout and alignment, widths and levels of the proposed roads, road junctions, points of access, visibility splays, footpaths and turning spaces shall be provided in accordance with the standards set down in the County Council's booklet "Estate Roads in Somerset". Details shall be submitted to and approved in writing by the Local Planning Authority before their construction is commenced.

18 Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport in

- accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.
- 19 The access shown on the submitted plan shall be provided to the satisfaction of the Local Planning Authority before any other work on the site commences.
- 19 Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.
- 20 The proposed roads, footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced carriageway and footpath.
- 20 Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for traffic in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Revised Deposit Policy M3A.
- 21 The visibility splays shown on the submitted plan shall be constructed prior to the commencement of the use of the premises and visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority.
- 21 Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.
- 22 There shall be no vehicular access to the site other than from Taunton Road.
- 22 Reason: To ensure that the development does not prejudice the free flow of traffic or conditions of safety along the adjoining highway in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.
- 23 The car parking areas shown on the submitted plan shall be marked out in accordance with a scheme to be agreed by the Local Planning Authority prior to the car parking being brought into use.
- 23 Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway in accordance with Taunton Deane Local Plan Policy M4.
- 24 The garages hereby permitted shall be constructed only in accordance with the approved plans and shall remain available in perpetuity for the parking of motor vehicles (a motor vehicle) for domestic purposes only.
- 24 Reason: In order that satisfactory parking facilities are maintained in accordance with Taunton Deane Local Plan Policy M4.
- 25 Details of the size, position and materials of any meter boxes installed in connection with the development shall be submitted to and approved by the Local Planning Authority before development is commenced.
- 25 Reason: In the interests of satisfactory design and visual amenity in accordance with Taunton Deane Local Plan Policy S2(A).
- 26 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.

- 26 Reason: To help protect the archaeological heritage of the district in accordance with Taunton Deane Local Plan Policy EN23.
- 27 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any subsequent order amending or revoking and re-enacting that Order), no garage shall be erected on the site unless an application for planning permission in that behalf is first submitted to and approved by the Local Planning Authority.
- 27 Reason: The Local Planning Authority wishes to exercise control over the matter in the interests of amenity and road safety in accordance with Taunton Deane Local Plan Revised Deposit Policy S1 (A) and (E).
- 28 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any subsequent order amending or revoking and re-enacting that Order), no gate, fence, wall or other means of enclosure shall be erected on the site beyond the forwardmost part of the front of the dwellinghouse(s) or of the exposed flank wall of any corner dwelling unless an application for planning permission in that behalf is first submitted to and approved by the Local Planning Authority.
- 28 Reason: The Local Planning Authority wish to exercise control over the matters referred to in the interests of visual amenity in accordance with Taunton Deane Local Plan Revised Deposit Policy S2(A).
- 29 No development approved by this permission shall commence until details for the provision and implementation of a surface water run-off limitation scheme have been submitted and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.
- 29 Reason: To prevent the risk of flooding in accordance with Taunton Deane Local Plan Policy S1(E).
- 30 The submission of the details shall generally adhere to the principles laid down in the Design and Development Guide submitted with the current application.
- 30 Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).
- 31 Detailed drawings to an appropriate scale of any proposed sub-station or other utility building or structure shall be submitted to and approved in writing by the Local Planning Authority before it is erected.
- 31 Reason: The Local Planning Authority wishes to exercise control over the matters referred to in order to ensure that a well planned development takes place.
- 32 Prior to the commencement of each phase of development, details of proposed lighting to roads, footways, cycleways and amenity open space shall be submitted to and approved in writing by the Local Planning Authority.
- 32 Reason: In the interests of the visual amenity of the area in accordance with Taunton Deane Local Plan Revised Deposit Policy EN7.
- 33 The memorial seat at the junction of Taunton Road and Nynehead Road shall be relocated in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

- 33 Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

Notes to Applicant

- 01 With regard to Condition 26 the County Archaeologist (Telephone: 01823 355619) would be willing to provide a specification for this work and a list of suitable contractors to undertake it.
- 02 Your attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations.
- 03 To help conserve the world's energy you should aim to build houses which are well insulated, designed to reduce overheating in summer and to achieve as high an energy rating as possible.
- 04 When consideration is given to the issue of street naming you are urged to bear in mind the use of field names and historic or other associations with the land in seeking a satisfactory name.
- 05 Meter boxes can often have a jarring effect on the appearance of buildings. You are asked to consider carefully the position, materials and colour of any meter boxes in the overall design of the dwellings.
- 06 You are asked to consider the adoption of water conservation measures to reduce wastage of water in any systems or appliances installed and to consider the use of water butts if at all possible.
- 07 Your attention is drawn to the publication 'Secure by Design' as a means of designing out crime. You are advised to contact the Police Liaison Officer at Burnham Police Station (01278) 363414 for further advice.
- 08 Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that Road Opening Notice must be obtained from the Highway Service Manager, Somerset County Council, Taunton Deane Area , Burton Place, Taunton, TA1 4HE , telephone 01823 321501 at least three weeks before works are intended to commence.
- 09 The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern the health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline (08701 545500).
- 10 Your attention is drawn to the agreement made under Section 106 of the Town and Country Planning Act 1990, relating to this site/property.
- 11 The Council seeks to achieve a high quality of individual design in new housing development. Your attention is therefore drawn to the enclosed Design Guide, the principles of which must be taken into account when submitting an application for reserved matters.

- 12 With regard to Condition 17 there should be a minimum buffer zone of 30 m from the areas to any residential curtilage.
- 13 With regard to Condition 32, lighting should be designed to avoid spillage into retained wildlife habitats.
- 14 With regard to Condition 07, strategic planting to a depth of approximately 20 m should be provided along the northern, eastern and southern boundaries of the site.
- 15 You are advised that any surface water disposal scheme will require the prior approval of Taunton Deane Borough Council as the Land Drainage Authority.
- 16 Your attention is drawn to the attached guidance notes for developers on surface water drainage issues.
- 17 The following advice is given by the Environment Agency:- (a) For information, surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDS approach. (b) Further information on SUDS can be found in PPG25 paragraphs 40-42, PPG25 appendix E, in the CIRIA C522 document Sustainable Urban Drainage Systems-design manual for England and Wales and the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on both the Environment Agency's web site at: www.environment-agency.gov.uk and CIRIA's web site at www.ciria.org.uk. (c) According to Agency records there is a landfill site within 250 metres of the proposed development. The landfill site Environment Agency ref WML 28 was issued to Wyvern Waste Services Ltd (originally operated by Somerset County Council) for the tipping of controlled waste at Poole Waste Disposal site Poole, Wellington (ST 152217). The licence permits the disposal of household waste; commercial and industrial; clinical waste and some difficult wastes. The licence has recently been modified to remove special waste and bonded asbestos from the list of waste types that may be deposited. The licence is still valid. It is thought that the site is at a high risk from the production of landfill gas. Waste Management Paper No 27 states:- "Where development is proposed within 250 metres of a landfill site the developer will need to take account of the proximity of the proposed development to the landfill". (d) If recycled inert material (e.g. rubble, hardcore, topsoil, subsoil) is to be imported into the site for landscaping or other purposes, a formal exemption from Waste Management Licensing may be required. Under such circumstances, a written application, including details of the nature and quantity of material to be used and a location

plan, should be submitted to the Agency's West Somerset Area Environment Management Team, at this office, prior to works commencing. (e) During construction the following pollution prevention measures must be adopted, where applicable: (i) Pumps used for pumping out water from excavations should be sited well away from watercourses and surrounded by absorbent material to contain oil spillages and leaks. (ii) Discharge of silty or discoloured water from excavations should be irrigated over grassland or a settlement lagoon be provided to remove gross solids. This Agency must be advised if a discharge to a watercourse is proposed. (iii) Storage of fuels for machines and pumps should be well away from any watercourses. The tanks should be bunded or surrounded by oil absorbent material (regularly replaced when contaminated) to control spillage and leakage. (iv) The Environment Agency must be notified immediately of any incident likely to cause pollution.

2.0 **APPLICANTS**

Heron Land Developments and Westbury Homes (Holdings) Ltd.

3.0 **PROPOSAL**

The proposal provides for residential development (including affordable housing), recreational open space, structural landscaping and associated works on land forming part of Cades Farm, Taunton Road, Wellington. Although the application is in outline, approximately 295 dwellings are envisaged, including the affordable housing provision. Access to the proposed development will be via a new 4 leg roundabout at the current junction of Taunton Road with the road to Nynhehead.

All matters are reserved for subsequent approval, apart from the means of access.

The application was accompanied by the following documents:-

- (i) Planning Statement;
- (ii) Design and Development Statement – including assessments in respect of landscape, ecology and archaeology;
- (iii) Transport Statement;
- (iv) Arboricultural Statement
- (v) Archaeological Statement;
- (vi) Ecological Appraisal; and
- (vii) A Flood Risk and Drainage Statement.

These documents provide, illustratively, a detailed indication of the proposed development. Approximately 8.5 ha of the land is proposed for residential development.

A public exhibition has been held in Wellington for local people.

4.0 **THE SITE**

The site extends to 12.5 ha and is currently used for agricultural purposes. It lies to the south of Taunton Road and to the east of the existing built up area at Wellington. The site is bordered by the Priory housing estate to the west, Taunton Road to the north and further agricultural fields to the south and east.

The site consists of small, enclosed fields, divided by tall dense hedgerows, many of which are established on banks and contain mature hedgerow trees. There is a small watercourse and associated drainage ditches, the majority of which are seasonal and are associated with three ponds.

Cades Farm is a collection of farm dwellings and agricultural buildings, which are of various age, design and condition. The majority of these buildings are excluded from the development site. It is intended that the agricultural use is ceased and this land retained solely in residential use.

5.0 **RELEVANT PLANNING HISTORY**

43/1974/002 Development for residential purposes of land at Cades Farm, Wellington and formation of estate roads. Outline application refused August 1974.

43/1995/074 Residential development with ancillary facilities and roads, land at Cades Farm, Taunton Road, Wellington. The applicants appealed against non-determination of the application by the Local Planning Authority within 8 weeks of its receipt. This appeal was subsequently withdrawn.

43/1996/115 Development of retail food store (Class A1) of 3384 sq m gross floorspace, parking for 348 cars, petrol filling station comprising kiosk and six islands for pumps, recycling collection point and necessary earthworks on land at Cades Farm, Taunton Road, Wellington. Application withdrawn.

6.0 **RELEVANT PLANNING POLICY**

Regional Planning Guidance for the South West (RPG 10)

Policy VIS1 Expressing the Vision

Policy VIS 2 Principles for Future Development

Policy SS2 Regional Development Strategy

Policy SS6 Other Designated Centres for Growth

Future development in the region outside the PUAs should:-

- generally avoid significant growth in the larger towns within easy commuting distance of PUAs and especially housing development proceeding out of step with employment.

Development plans should:-

- provide for balanced development and growth at identified centres designated to meet sub-regional growth needs outside the PUAs while maintaining and enhancing the range of employment, housing and other facilities in the area;
- recognise the Camborne and Redruth area as one where there are major regeneration issues and where policies, plans, proposals and programmes will need to promote opportunities for employment growth in particular.

Paragraph 3.41 The area has some potential for further growth due to its good communication links and relatively few physical constraints. It has a pivotal role to help spread economic development westwards through the region. Exeter and Taunton are key locations, with other towns playing a supporting role. There is a need to develop the local economic and service functions of other towns such as Bridgwater, Wellington and Tiverton, to foster self-containment and to provide important local linkages to the rural areas they serve.

Policy H03 Affordable Housing

Policy H06 Mix of Housing Types and Densities

Somerset and Exmoor National Park Joint Structure Plan Review

Policy STR1 Sustainable Development

Policy STR2 Towns

Policy STR4 Development in Towns

Policy 1 Nature Conservation

Policy 35 Affordable Housing

Policy 49 Transport Requirements of New Development

Taunton Deane Local Plan

- Policy S1 General Requirements
- Policy S2 Design
- Policy H9 Affordable Housing within General Market Housing

Policy 10

H10 Indicative targets for affordable housing, as a percentage of the dwellings on each site, will be sought on allocated sites as set out in the following table:

Site Name	Policy Reference	Indicative Target
Cades Farm	W3	35%

- Policy M4 Residential Parking Requirements
- Policy C1 Education Provisions for New Housing
- Policy C4 Standards of Open Space Provision
- Policy C6 Public Rights of Way
- Policy EN2 Sites of Special Scientific Interest
- Policy EN3 Local Wildlife and Geological Interests
- Policy EN5 Protected Species
- Policy EN6 Protection of Tees, Woodlands, Orchards and Hedgerows
- Policy EN9 Tree Planting
- Policy EN23 Areas of High Archaeological Potential
- Policy EN25 The Water Environment
- Policy EN28 Development and Flood Risk
- Policy EN34 Control of External Lighting

Policy W3

A site of 12.6 hectares at Cades Farm, Wellington, as shown on the Proposals Map, is allocated as an urban extension for approximately 250 dwellings, to accommodate the following uses:

- (A) housing (8.5 hectares maximum);
- (B) recreational open space (1.8 hectares);

(C) structural landscaping (2.3 hectares).

The development shall make the following key provisions:

- (D) the relocation of activities within the Cades Farm buildings to a location that minimises residential disturbance and can be accessed and landscaped with minimal impact;
- (E) affordable housing provision in accordance with policies H9 and H10;
- (F) primary and secondary school provision in accordance with policy C1;
- (G) provision of recreational open space in accordance with policy C4;
- (H) a financial contribution towards enhanced community facilities within Wellington;
- (I) a comprehensive cycle and pedestrian network within the development area and linking into the network within the adjoining residential area to the west and the proposed employment allocation at Chelston House Farm to the east;
- (J) improvements to the footway to the north of Taunton Road, linking the main site access to the existing town centre. These improvements will include conversion of the footway to shared use by pedestrians and cyclists to the appropriate standard;
- (K) a package of public transport measures including a bus pass offering one year's free travel for each dwelling, a pass at one-third of the retail price in year two for each dwelling and at two-thirds retail price in year three for each dwelling. The package shall also include a bus lay-by, information and shelters on the north and south sides of Taunton Road to serve the development;
- (L) a safe pedestrian crossing facility across Taunton Road in the vicinity of the bus lay-bys;
- (M) archaeological investigations; and
- (N) flood mitigation works.

7.0 **CENTRAL GOVERNMENT POLICY GUIDANCE**

Planning Policy Statement 1 – Delivering Sustainable Development (PPS1)

Paragraph 4 The Government's aims for sustainable development

Paragraph 5 Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- making suitable land available for development in line with economic, social and environmental objectives to improve people’s quality of life;
- contributing to sustainable economic development;
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.

Paragraph 13 Key principles

Paragraphs 17 – 19 Protection and Enhancement of the Environment

Planning Policy Guidance Note 3 – Housing (PPG3)

Paragraph 3 Providing sufficient housing

Paragraph 11 Creating Mixed Communities – Influencing the type and size of housing

Paragraphs 14 – 17 Delivering affordable housing

Paragraph 21 The Government is committed to promoting more sustainable patterns of development, by:

- concentrating most additional housing development within urban areas;
- making more efficient use of land by maximising the re-use of previously-developed land and the conversion and re-use of existing buildings;
- assessing the capacity of urban areas to accommodate more housing;
- adopting a sequential approach to the allocation of land for housing development;
- managing the release of housing land; and

- reviewing existing allocations of housing land in plans, and planning permissions when they come up for renewal.

Paragraph 30 In identifying sites to be allocated for housing in local plans and UDPs, local planning authorities should follow a search sequence, starting with the re-use of previously-developed land and buildings within urban areas identified by the urban housing capacity study, then urban extensions, and finally new development around nodes in good public transport corridors. They should seek only to identify sufficient land to meet the housing requirement set as a result of the RPG and strategic planning processes. In doing so they do not need to consider all the land in their area: they should not extend the search further than required to provide sufficient capacity to meet the agreed housing requirement.

Paragraph 39 Proposals to develop any greenfield land for housing which, in themselves or as part of a wider but contiguous allocation for housing, relate to a site of 5 hectares or more, or comprise 150 dwellings or more regardless of size of site, and which the local planning authority resolves to approve, should be notified to the Secretary of State before permission is granted. The Secretary of State will be issuing a direction to this effect. Applications for permission which are departures from the development plan and which fall within the scope of the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999 should be referred to the Secretary of State in the usual way.

Paragraphs 47/48 Linking Development with Public Transport

Paragraph 52 The Government attaches particular importance to the 'greening' of residential environments. Greening initiatives can enhance quality, assist the permeability of land for storm drainage and contribute to bio-diversity. Well designed layouts can also contribute to the energy efficiency of new housing. Landscaping should be an integral part of new development and opportunities should be taken for the retention of existing trees and shrubs, and for new plantings.

Paragraph 53 Local planning authorities should have clear policies for the protection and creation of open space and playing fields, and new housing developments should incorporate sufficient provision where such spaces are not already adequately provided within easy access of the new

housing. Developing more housing within urban areas should not mean building on urban green spaces. PPG17: *Sport and Recreation* gives further guidance on the provision of open space and playing fields.

Paragraph 57

Local planning authorities should avoid the inefficient use of land. New housing development in England is currently built at an average of 25 dwellings per hectare but more than half of all new housing is built at less than 20 dwellings per hectare. That represents a level of land take which is historically very high and which can no longer be sustained. Such development is also less likely to sustain local services or public transport, ultimately adding to social exclusion. Local planning authorities should therefore examine critically the standards they apply to new development, particularly with regard to roads, layouts and car parking, to avoid the profligate use of land. Policies which place unduly restrictive ceilings on the amount of housing that can be accommodated on a site, irrespective of its location and the type of housing envisaged or the types of households likely to occupy the housing, should be avoided.

Paragraph 58

Local planning authorities should therefore:

- avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare net - see definitions at Annex C);
- encourage housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare net); and
- seek greater intensity of development at places with good public transport accessibility such as city, town, district and local centres or around major nodes along good quality public transport corridors.

Paragraph 67

Planned extensions to existing urban areas are likely to prove the next most sustainable option after building on appropriate sites within urban areas, especially where it is possible to utilise existing physical and social infrastructure, there is good access to public transport (or where new public transport provision can be planned into the development), and there is good access to jobs, schools, shopping and leisure facilities.

Planning Policy Guidance Note 13 – Transport (PPG13)

Paragraph 4 This advises that the objectives of this Guidance are to integrate planning and transport at the national, regional, strategic and local levels.

Paragraph 19 Accessibility

Paragraph 23 Assessment

Paragraphs 83 – 85 Planning Obligations

8.0 **CONSULTATIONS**

Highways Agency

“Our development control consultants, Colin Buchanan, have now examined the Transport Assessment submitted in support of the application and have advised us that there are several points of concern regarding the methodology, which has been employed. As a result of these concerns we are not able to come to a conclusion regarding the acceptability of these proposals and, consequently, must issue the enclosed Article 14 Direction restraining your Authority from granting permission until we are satisfied that the development will either have no significant impact on the M5 in the area or that suitable mitigating measures are available and secured to make any impact acceptable.

You will recall, no doubt, that at the time of the Local Plan Inquiry the Agency conditionally withdrew its objections to the Revised Deposit Draft Local Plan following undertakings from both your Authority and Somerset County Council that further work would be carried out using the Taunton Strategic Road Traffic model to investigate how the impact of large scale residential development in Wellington, which had been demonstrated by the model, could be ameliorated.

To date, we are not aware that any such work has been done. Whilst we are conscious that the allocated level of development in Wellington has been reduced following the Inspector's comments and recommendations, it does not necessarily follow that this reduction is sufficient to remove our concerns. We, therefore, require that the potential impacts of the currently allocated development in the Wellington area be investigated using the Taunton Strategic Road Traffic model, as was agreed by yourselves and Somerset County Council, before any consents for further residential development in the area are issued.”

The reason for the Direction was ‘To allow sufficient time for the impact of the development to be assessed for possible adverse effects on the M5 motorway.’

County Highway Authority

The following comments have been received from the Authority's Estate Roads Team in response to the submitted Design and Development Statement:-

Section 3 pg 18 - General Development Principles - comments that the streets will be relatively narrow and meandering - there is no indication in the brief as to what they mean by narrow.

Pg 20- Tree lined boulevard - ok in principle, should not compromise visibility.

'Footpath links from the adjacent existing residential.....' - should also include cycle links.

Section 4 pg 22- Plan of Environmental Framework - identifies surfaced footpaths but does not include a reference to cycleways.

- includes a reference to grass paths but does not seem to show these.

I notice there are newt tunnels to be provided - on other sites where newts were present the detailed drainage is designed to accommodate this i.e. provision of 'newt friendly' gullies etc.

Pg 25 Residential street trees –

Acer campestre 'streetwise' - acceptable

Pyrus calleryana 'Chanticleer' - acceptable

Prunus avium 'Plena' - may be ok depending on available space

Sorbus intermedia - suggested Sorbus aria 'Lutescens'

Tilia cordata 'Greenspire' - may be ok depending on available space

Principle of street trees planted in the highway is acceptable - however they will need to be maintained either under licence or via a commuted sum.

Section 5 - there does not seem to be any reference to phasing or timing of the development - especially in relation to how the infrastructure will be delivered - junction works, cycle/footpath infrastructure on and off site etc.

Order required to change existing public right of way to cycle way.

Pg 33 Loop road - no direct access onto tree lined boulevard to 'island' or focal building on the far side of open space.

Pg 34 - Ped/cycle routes - how are they able to achieve link to the south east of the site - land ownership?

The accompanying planning statement again contains no reference to phasing and timing.”

The following comments have also been received with regard to junction capacity:-

“The distribution of traffic is in accordance with observed turning movements at junctions (TA paragraph 5.6), except at the North St/South St junction where the split is equally divided between arms. This is acceptable.

The year of assessment is 2011. It should be 2015. The rationale for using 2011 is the assumed year of completion. Normal SCC policy for assessment year is 10 years hence 2015. Whilst accepting the inherent difficulties of predicting to 2015, particularly with respect to local planned development, there is a need for a consistent approach. It is recommended that the final document be changed to 2015, or more conveniently to 2016, if this is the year of assessment of the Cattle Market site.

Junction Tests

The analysis of the Chelston roundabout suggests that it works satisfactorily in 2011 with 85% flows. Maximum RFC ratio on any arm is below 0.82, however it is likely that some arms will be over capacity in 2015, or when traffic from the adjacent development is included.

ARCADY models with multi-lane approaches often fail to account for uneven lane use caused by differing turning proportions. In the case of the predicted flows as shown in appendix 4 of the TA, it would seem reasonable to assume that all lanes will have roughly equal demand, and so the model is valid. This may change with inclusion of nearby developments. If so, the model must be shown to take some account of uneven lane use

The High St/South St signal junction. I assume that the signals section is looking at the LINSIG analysis”

Further observations from the County Highway Authority are awaited.

County Education Officer

“The modified Local Plan includes a residential allocation for this site, envisaging about 250 dwellings. The Plan states that the development shall make provision for primary and secondary school provision as it would be of a sufficient scale to exceed capacity at existing primary and secondary schools and refers to the provisions of Policy C1. Policy C1 itself includes pupil population forecasts, although these unfortunately date from 1998. The planning statement submitted with the application states that education requirements will be considered in negotiation with the Council.

The current application suggests that the development could actually provide a total of 295 residential properties of a range of type and size, although no schedule has been provided.

As the Local Plan explains, the Local Education Authority would expect, on average and across all types of accommodation, that for each additional 150

units, places for 30 primary-aged children (or one classroom) could be expected to be required.

Residential schemes in Wellington (including at Tonedale Mill and the recently completed Weaver's Reach scheme, together with the current Cades Farm proposals) will total almost 500 additional new properties. Taking all these developments in entirety therefore, places for about 100 primary-aged pupils will be needed. The most recently produced pupil forecasts indicate that the three existing primary schools serving the town currently have a Net Capacity of 924 places with a number of surplus spaces. However by the year 2008, this surplus will reach over 160 spaces, which would enable additional primary-aged children moving into the town to be accommodated, provided existing temporary buildings are not removed and not replaced. In this particular case, therefore, contributions will not after all be sought towards primary education.

The situation in respect of secondary education is very different. The LEA anticipates the need to provide secondary education places for 30 additional secondary-aged students for every 210 new residential dwellings. However, the way this translates into accommodation requirements is not as straightforward as in the case of primary education. Policy C1 of the Local Plan does not accurately reflect this, nor the current circumstances or pupil forecasts.

In June 2002 the Government introduced a new statutory way of calculating the capacity of schools. This is called 'Net Capacity' and was described in the document "Assessing the Net Capacity of Schools". The principle applied in the document for the assessment of the capacity of secondary schools is that it is based on "the number, size and type of teaching spaces and the age-range of the school". The Department for Education and Skills (DfES) has provided formulae which calculate a certain number of basic work places for each particular space. The DfES accepted (in a re-draft of the above publication) that some 'teaching spaces' (e.g. assembly halls, libraries, etc.) are not readily available for timetabled teaching and the total number of basic work places is reduced by 60 thus producing, in effect, the gross capacity of the school.

The DfES also recognises that, in secondary schools, allowance must be given for the teaching strategies employed by the school, the different types of spaces and, importantly, the operating practicalities which means that all spaces are only partially used. The amount of usage depends on the type of space as specialist spaces will have a lower frequency of use because there is a need to have vacant rooms so that these rooms can be prepared for lessons. The DfES refers to this allowance as 'the Utilisation Factor', which is a decimal fraction equivalent to the average proportion of time that any workplace is in use. For 11-16 secondary schools the utilisation factor is 0.75, but this varies according to the age range of the school.

When the utilisation factor is applied to the gross capacity of the school the net capacity is produced. As an example, a classroom (with an area above

the minimum described by the DfES) will have a gross capacity of 30 but a net capacity of $30 \times 0.75 = 22.5$. This number is then rounded down (to take account of the 60 place reduction) to give 22.

For the reasons explained above, contributions from developers should therefore be based on 22 additional pupils and the resultant costs of the equivalent of a classroom for every 154 dwellings.

Having regard to the developments referred to earlier, the additional total demand for secondary places in Wellington will be about 70 places. The existing Court Fields Community School has a current Net Capacity of 780, within a DfES range of 770-856. Most recent forecasts, not taking into account new developments, indicate that by the year 2008, there will be a requirement to accommodate 893 secondary pupils in the town, although this figure would have risen to over 900 in the interim. The estimated additional 42 pupils arising from the Cades Farm development would therefore seriously exacerbate this shortage and developer contributions towards necessary secondary accommodation are therefore essential, in accordance with the provisions of the Local Plan. Contributions will be sought on a per-dwelling basis and it is important that contributions are paid at a sufficiently early stage of development.

The amount of affordable housing that may be included within the development is not clear at present. In any event, the impacts of affordable housing are at least as great as they are for open market housing; children living in affordable housing also need educating and it would therefore be erroneous to omit this element from calculations for contributions.

County Archaeologist

“The site lies within an area where earlier investigations have revealed evidence of Roman pottery manufacture. I have attached a letter which I have sent to CPM as I am slightly unhappy about their conclusions within the archaeological assessment document and the attached copy makes clear. I am also aware that an archaeological evaluation is being carried out at present and until the results of this have been reported I advise that this application not be determined as without the results of the evaluation it will be impossible to make a reasoned judgement concerning the impact of this proposal on any remains.

For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a field evaluation.”

The applicant has commissioned further field evaluation. The following further response was received following the receipt of the Evaluation Report:-

“It seems from the evaluation that there are archaeological remains relating to Roman occupation including cremations present on one area of the site. Therefore, I advise that this area should be excavated in advance of

development to ensure full recording of the remains particularly in light of the cremation.

For this reason I recommend that the developer be required to excavate archaeologically those areas that are to be disturbed by the development. This should be secured by the use of model condition 55 attached to any permission granted.

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

I am happy to provide a specification for this work and a list of suitable archaeologists to undertake it.”

Environment Agency

(initial response)

“The Environment Agency OBJECTS to the proposed development, as submitted, on the grounds that it may present a significant flood risk from the generation of surface water run-off and will, in part, be at risk from flooding.

Notwithstanding the above, the application has not been accompanied by a flood risk assessment (FRA) as required by PPG 25.

The majority of the application site is located in Flood Zone 1 which is land outside the floodplain as shown on the Environment Agency's Flood Zone Maps. However, a small portion of the site is situated within Flood Zone 3 (map attached). Flood Zone 3 refers to land where the indicative annual probability of flooding is 1 in 100 years or less from river sources (i.e. it has a 1% or greater chance of flooding in any given year).

Whilst the majority of the site is outside the floodplain, development in this category (i.e. over 1 ha) can generate significant volumes of surface water. The impact and risks posed by this will vary according to the characteristics of both the development and the catchment.

The Applicant must submit a FRA which fully addresses the risk of flooding to the proposed development and that associated with any increase in surface water run off from the site.

Guidance on FRA requirements for general development in Flood Zones 1 and 3 can be found in the Agency's FRA notes 2 and 4, copies of which have been forwarded to the applicant.

It should not be assumed that the production of a FRA will in itself make a proposed development acceptable in flood risk terms.

The FRA must demonstrate to the Agency's satisfaction that the development can proceed without creating an unacceptable flood risk either to future occupants or elsewhere. If it cannot do this, the Agency will maintain its objection.

Where the FRA is acceptable the Agency will advise on flood risk conditions or make recommendations as appropriate.

Should your council be minded to approve the application contrary to the Agency's objection, paragraph 65 of PPG25 advises that the Planning Authority should re-consult the Agency, in order to explain why and to give the Agency the opportunity to make further representations. Should your council refuse planning permission and the applicant subsequently lodges an appeal, the Agency would be prepared to support your council and provide evidence at any public inquiry or informal hearing.

For information, surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDS approach.

Further information on SUDS can be found in PPG25 paragraphs 40-42, PPG25 appendix E, in the CIRIA C522 document Sustainable Urban Drainage Systems-design manual for England and Wales and the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on both the Environment Agency's web site at: www.environment-agency.gov.uk and CIRIA's web site at www.ciria.org.uk

In the event of the Agency's objection to this proposal being subsequently overcome, the following comments must be noted:

According to Agency records there is a landfill site within 250 metres of the proposed development.

The landfill site. Agency ref WML 28 was issued to Wyvern Waste Services Ltd (originally operated by Somerset County Council) for the tipping of controlled waste at Poole Waste Disposal site Poole, Wellington (ST 152217). The licence permits the disposal of household waste; commercial and industrial; clinical waste and some difficult wastes. The licence has recently been modified to remove special waste and bonded asbestos from the list of

waste types that may be deposited. The licence is still valid. It is thought that the site is at a high risk from the production of landfill gas.

Waste Management Paper No 27 states:-

"Where development is proposed within 250 metres of a landfill site the developer will need to take account of the proximity of the proposed development to the landfill".

In view of the above, the applicant has been forwarded a copy of the Agency's landfill gas information sheet, for information.

If recycled inert material (e.g. rubble, hardcore, topsoil, subsoil) is to be imported into the site for landscaping or other purposes, a formal exemption from Waste Management Licensing may be required. Under such circumstances, a written application, including details of the nature and quantity of material to be used and a location plan, should be submitted to the Agency's West Somerset Area Environment Management Team, at this office, prior to works commencing.

During construction the following pollution prevention measures must be adopted, where applicable:

Pumps used for pumping out water from excavations should be sited well away from watercourses and surrounded by absorbent material to contain oil spillages and leaks.

Discharge of silty or discoloured water from excavations should be irrigated over grassland or a settlement lagoon be provided to remove gross solids. This Agency must be advised if a discharge to a watercourse is proposed.

Storage of fuels for machines and pumps should be well away from any watercourses. The tanks should be bunded or surrounded by oil absorbent material (regularly replaced when contaminated) to control spillage and leakage.

This Agency must be notified immediately of any incident likely to cause pollution.

The Agency would be pleased to receive a copy of the Ecological Assessment undertaken by CPM in respect of the above site."

Further discussions took place between the applicant's consultants and the Agency and the following further response was received from the Agency:-

"Following the recent submission of the Design and Development Statement, the Agency hereby formally withdraws its flood risk related objection to this proposal.

The Agency is satisfied with the submitted statement, in principle, but will expect a full Flood Risk Assessment with the detailed application.

Notwithstanding the above, the Agency must request that any approval is subject to the following condition:

CONDITION: No development approved by this permission shall be commenced until details for the provision and implementation of a surface water run-off limitation scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

REASON: To prevent the increased risk of flooding.

All other comments contained in the Agency's letter dated 1st February, 2005, still apply.”

The applicants subsequently commissioned a Flood Risk Assessment (FRA) and the following further letter to the applicant's consultants was received:-

“The Agency would confirm that your FRA is considered to meet the requirements of Planning Policy Guidance Note 25 and that the proposed development is in accordance with the guidelines contained therein. Please accept this as a 'Letter of Compliance' from the Agency, which should accompany your FRA in support of the planning application. Providing there are no material amendments to the proposals the Agency will not object to the development, or request any planning conditions, on flood risk grounds.

The Agency does not accept any liability for the detailed calculations contained in the assessment and this letter does not constitute approval of those calculations nor does it constitute the Agency's consent or approval that may be required under any other statutory provision, byelaw, order or regulation.

Flood risk cannot be eliminated and is expected to increase over time as a result of climate change. This letter does not absolve the developer of their responsibility to ensure a safe development. “

Wessex Water

(initial response)

Foul Drainage The most suitable point of connection appears to be Mitchell's Pool SPS (Site ID 14394). An appraisal of this SPS will be required to ascertain whether any upgrade works are required. This appraisal will be funded by the developer, and needs to be carried out at this the planning stage. Once the broad principles have been established, then the details can be agreed.

Surface Water Drainage Surface water is to discharge to local land drainage with the consent of Taunton Deane Borough Council. No doubt the applicant will be required to consider using SUDS techniques in order to minimise the rate and volume of run-off.

Adoption In line with Government protocol, the applicant is advised to contact Developer Services to see if any of the on-site or off-site drainage systems may be adopted under a Section 104 Agreement.

Wessex Water Developer Services Riverside Chilton Trinity TA6 3JS

Sewage Treatment The STW and terminal pumping station has sufficient capacity to accept the extra flows this development will generate.

Supply A network analysis is required to establish what mains reinforcement works will be required to service this site. This should also be funded by the developer and carried out at the planning stage.

The following further response has been received with regard to foul drainage:-

“We confirm that the nearest point of adequacy for this development is the 300 mm public foul sewer to the north the A38. Sewage will have to be pumped to this point by means of a new pumping station. Wessex Water may require the applicant to design this pumped system to allow for future connections from other proposed developments in the area.

Avon & Somerset Constabulary

No adverse comments to make.

Somerset Wildlife Trust

“We have studied the response of the Somerset Environmental Records Centre, which indicates that there are records of great crested newts from within the application site, part of which forms Cades Farm Ponds County Wildlife Site.

This site has been designated due to the presence of a population of great crested newts. As such, and in order to avoid potential problems at any later stage, we strongly recommend that a survey and evaluation be conducted for this species at this stage.

Following such a survey and evaluation we recommend that a detailed mitigation strategy be submitted for consideration by the Authority prior to the determination of any planning permission.

We understand that a number of the hedgerows are to be removed from within the application site as part of the proposals. However, as more than

half of these hedgerows are considered 'important' under the Hedgerow Regulations 1997, they should, in our view, be retained.

Ancient and or species rich hedgerows are habitats of "principal importance for the conservation of biodiversity in England" under Section 74 of the CROW Act. While PPG9 (paragraphs 16-17) reminds Local Planning Authorities that the European Habitats Directive obliges member states to encourage the management of features of the landscape of major importance to wild flora and fauna such as hedgerows and ponds.

Overall we would wish to see no net loss of hedgerows, preferably a net gain, and therefore welcome the proposal to compensate for any losses through replacement planting with native species. We would recommend that a long term maintenance plan be secured in addition to this compensatory planting to ensure that any losses are replaced and that the hedgerows remain in sympathetic management over the long run.

The retention of the hedges is particularly important given the fact that these hedgerows are considered to provide optimal habitat for dormice and a number of dormice were recorded within the hedgerows during the field survey.

Given the presence of dormice within the application site we would recommend that a detailed mitigation strategy be submitted for consideration by the Authority prior to the determination of any planning permission.

We believe all of the above issues should be resolved prior to the determination of any planning permission. Should the Authority, none the less, be minded to grant permission at this stage, we would recommend that all the mitigation determination of any planning permission. Should the Authority, none the less, be minded to grant permission at this stage, we would recommend that all the mitigation and compensation measures outlined in the Ecological Appraisal are secured through the use of appropriate conditions or obligations to ensure they are actually implemented on the ground."

Open Spaces Society

"I have seen the display at the URC and made the point that the footpath exit from the north east corner of the site leads directly on to the fast main road. Please will you support an alteration so that the definitive route may be retained here (WG 17/18). It crosses the road from a new stile to a newly installed Bristol gate opposite. The visibility of fast traffic coming from the east is better and therefore safer.

Another exit from the south of the site to link with path WG 17/19 to Chelston would be appreciated

I expect that the developers are aware that before any diversion can be considered the definitive route must be open and easy to use. At the moment there are two tied and unhinged gates with much mud and pools which make

access very difficult. If these are improved soon the public will be afforded a much better view .

It is to be hoped that the council will be on it's guard against the current tendency to dual cycle tracks with footpaths with consequent mutual aggravation.

The new roundabout will be an asset as long as the memorial seat can be sympathetically resited and I wonder if the council could support the provision of a footway leading north as far as the rail bridge. I note that the red line on the plan looks to include the removal of some of the hedge. The rest of the way is grass verge.

Nynehead Parish Council has long suggested the provision of a better walkers route to Wellington. Now the opportunity exists with the creation of a simple field edge path to Wharfe Cottage to connect with the Grand Western canal path and the Nynehead footpath network. No more hedge would be lost. This will not only benefit Nynehead but the caravaners in the huge site nearby and the residents of the new estate.

This all seems to me a too good an opportunity to miss and I hope that your council will give it's support.”

Ramblers Association

“I note that the footpath WG17/18 is shown on the plans but little is said about it in the accompanying text. The Master Layout however seems to show it repositioned mainly along the estate roads. This surely is not acceptable. The estate will bring more people into the area. They and the present inhabitants of Wellington will want to use the footpaths and they will want them to be away from estate roads. I trust that I will be consulted further on this.

The Ramblers Association are looking forward to the diversion of WG 17/19 and WG14/16 and will want to make increasing use of this and WG17/18 for access into and out of Wellington. It would be good to think that this development could assist the development costs of the diversion of these paths and others in the near vicinity. It is also to be hoped that the final plans could be sensitively drawn up to include more hedges than fences and some good stands of trees in the development and sufficient funds to ensure that everything is well maintained until the trees and fences achieve maturity.”

English Nature

“English Nature has concerns about this proposed development in relation to two European Protected Species - the dormouse and great crested newt that are on the site.

The great crested newt is Britain's most strictly protected amphibian. It is protected under The Wildlife & Countryside Act 1981 (as amended) and is included in The Conservation (Natural Habitats, &Co.) Regulations 1994. Its

protection is afforded it because of the considerable decline that it underwent in the last century. Although the great crested newt depends on water to breed it spends most of its life on land - it often ventures up to 500 m from a pond. One of the ponds and some of the terrestrial habitat surrounding the ponds at Cades Farm will be affected by this development.

Evidence of the dormouse was found. The dormouse is fully protected under The Wildlife and Countryside Act 1981(as amended) and the Conservation (Natural Habitats, & c.) Regulations 1994. This application is likely to have an impact on the local dormouse population. Dormice lives and feeds among the branches of trees, hedgerows and shrubs and rarely descends to the ground except for hibernation

English Nature will want to see a mitigation strategy that will maintain favourable conservation status for the dormouse and the great-crested newt on the site before we are able to comment further.

I had a word with David Westbrook, of the Somerset Wildlife Trust, last week, and he agreed that one way forward is for us to meet with the applicants and their wildlife consultants to discuss the detailed proposals. We look forward to hearing from you in due course.”

Further discussions have taken place with the Council's Wildlife Co-ordinator, English Nature, Somerset Wildlife Trust and the applicant's consultants. Mitigation Strategies have been produced for both great crested newts and dormouse. In general, English Nature is happy with the layout of the proposed development, with the wildlife area being retained in the centre of the development around two of the existing great crested newts ponds. There are concerns in respect of the proposed layout in the creation of a bottle neck which means the animals may not find it easy to access the adjacent countryside. More details have been requested on how the ecological corridor can be created to ensure that protected species are not marooned in the wildlife area.

Somerset Environmental Records Centre

County Wildlife Site (Cades Farm Ponds) at the site. Ponds with legally protected species together with linking hedgerows and rough ground.

One of more legally protected species found at the site. Four other County Wildlife Sites and one or more legally protected species found within 1 km of the site.

Landscape Officer

“Overall the scheme as illustrated, offers opportunities for integrating the residential development into the urban fringe areas of Wellington. My main concerns however are:-

- i. It is vital, when relying on hedgerows and landscape buffers that they are part of the public open space provision and not privately owned. Public ownership of the open spaces will provide the opportunity to manage the spaces longer term.
- ii. The main views into the site are from the Wellington and Nynehead Roads as well as local public footpaths to the south. My landscape assessment of the site points to the need to:-
 - Increase the landscape buffer in the north eastern corner of the site to soften the impact from the east driving west.
 - Provide tree and shrub planting to the south eastern boundary of the site which is illustrated as meadow.
 - and continue the landscape buffer around the roundabout rather than have 'focal point' buildings.
 - The suggested planting list is good subject to some minor amendments.
 - The hedgerows are predominately elm which will need careful longer term management if they are to provide softening to the development.
- iii. In this urban fringe area street lighting can be visually intrusive and needs to be carefully considered.

The main landscape policies that need to be addressed are EN5, EN13, EN26 and S2."

Nature Conservation Officer

"CPM's ecological appraisal identifies further survey work is required to establish the use of the site by great crested newts and bats. Dormice are known to inhabit the site and it is encouraging that a mitigation strategy is underway.

My main concern is that habitats will be fragmented and species isolated with development. Unless careful enhancement of habitats, through planning and sustainable management is agreed and protected through planning agreements, I believe there will be pressure from future residents (to remove hedgerows, for example) which will impact unfavourably on protected species."

Further submissions have been made and further discussions taken place. The following is an extract from a recent letter from the Wildlife Species Co-ordinator to the applicant's Ecology consultant, which sets out her current views:-

“TDBC welcomes the proposal to maintain the two existing viable ponds as the focus of open space giving some continuity of habitat for amphibians with the tunnels allowing access beyond the pond areas. The specification for the trees, which are proposed to give arboreal road crossings for the dormice, as well as proposals to minimise light pollution, will be key factors in helping to prevent the isolation of this open space for dormice.

TDBC supports the retention of existing hedgerows on site and along with the proposal, discussed, to increase scrub and provide coppice areas to further habitat opportunities for dormice. However, I suggest that existing hedgerows must not form part of garden boundaries as the pressures from residents to change management regimes, once the houses are occupied, will undo the initial good intentions.

I would recommend that the long term management and monitoring of the site will best be secured through a Section 106 agreement. In addition, Linda's suggestion that the management plan could include monitoring through the National Dormouse Monitoring Programme should be investigated. I would expect that the mitigation strategies will be implemented through conditions of any planning consent and would cover the necessary licensing issues.

Thank you again for the opportunity to comment on the draft mitigation strategies. I look forward to hearing the results of the survey work for great crested newts. Meanwhile please contact me if you would like to discuss my comments.”

Forward Plan

“The application is consistent with policy W3 (Cades Farm) of the adopted Taunton Deane Local Plan (November 2004) and is therefore supported in principle.

The application is in outline, requiring many matters, including the built form as matters for a later detailed application. The Forward Plan unit have met the developers and agents to discuss such matters and therefore wish to be again consulted/involved when any detailed application is submitted. For example, the 'Development Structure' plan on page 30 of the supporting statement indicates rear gardens backing onto the large open space areas. These should FRONT onto it for both a better visual interface and for security. In short, much work needs to be progressed on any layout.

A certain number of issues can however be addressed from the outline application and I comment on these below:

The application states a site area of 12.5 hectares, consistent with policy W3. However, their supporting statement (Map, Section 5 page 28) indicates 13.23 hectares and this excludes Cades Farm itself, which is included within the Councils 12.5 ha allocation. This needs to be clarified since this could effect land available for the environmental infrastructure etc.

At approximately 8.5 ha of proposed residential land, the development area is consistent with policy W3 (A) of the Local Plan. The remaining 4 hectares are for landscaping/open space/habitats etc.

Although largely schematic, the extent of landscaping to the northern (Taunton Road) and eastern boundaries in particular would appear to be less than the c20 metres set out in the supporting text for policy W3. This should be adhered to under the detailed submission. This can presumably be conditioned at the outline stage to ensure any later details are worked up within defined parameters.

Policy W3 covers a number of other requirements such as affordable housing (for which we would seek 35%), educational commuted sum, public transport enhancement etc. we would also wish to know details of other implications, for example who will be responsible for future maintenance of attenuation ponds?"

Drainage Officer

"I note the comments made in the Design and Development Statement and await the requested Flood Risk Assessment.

Any surface water disposal scheme will require this sections approval as TDBC are the Land Drainage Authority.

The following conditions should be placed on any approval given and will need to received approval before any works commence on site.

1. A flood risk assessment to be carried out.
2. Any scheme for attenuating surface water on site.
3. Any attenuation scheme must include the use of a Sustainable Drainage System (SUDs).
4. A maintenance agreement needs to be reached for any attenuation system and it is recommended that maintenance should be the responsibility of a publicly accountable body, which will require the payment of a commuted sum.

I attach a copy of the Authority's Guidance Notes for Developers on Surface Water Drainage issues. "

Rights of Way Officer

There are a number of points that need to be taken into account before permission is granted for this site. This is in accordance with Advice Note 2/93 annex 4'.

The hedgerow survey forms used as part of the environmental survey are inaccurate on two counts. Their basic measuring information vitally confuses a "footway" with a "public footpath". This has led to the hedgerows beside the footpath WG17/18 not been given the correct identification.

Although there is an indication in the text that WG17/18 exists, it is not actually shown on the plans.

The alternative proposed for the diversion of the footpath has not been agreed with Taunton Deane, still the relevant authority in this case. No approach has been made over a diversion order and therefore this contravenes 2/93 annex 4.

The proposal to route the footpath around estate roads is also in contravention of 2/93 annex 4, especially on the eastern section.

We have for some time been working on a diversion order associated with WG14/16, and it is about to be published. This improves the route by taking it away from the industrial area of Chelston Farm and , and making it more suitable for a circular route for those walkers to the east of Wellington. I enclose a sketch showing the new location A-B-C-D.

We have also been asked in the past by the owners of Billy Brook House if a diversion of WG17/5 is possible to a new route - G-H, for obvious reasons.

The new development at Cades Farm will certainly increase the pressure on the footpaths in the area and therefore some additional gain should be transferred to the external infrastructure. This should include the diversion of WG17/18 to a new route E-G, to align all the routes in the area to a safer position. The costs of the diversion of WG14/5 and WG17/18 and improved infrastructure should be included in this gain.”

Further details have been received correcting the points regarding the environmental survey.

Housing Officer

The Housing Service will be expecting 35% of the total number of dwellings built for social housing on this valuable site where there is a proven need.

Leisure Development Manager

“Summary of requirements for recreation;

- the total amount of public open space on the site is acceptable.
- the developer must provide a NEAP and LEAP on the site for play and active recreational use by young people
- provision to engage a professional designer for the play areas should be made
- this development should contribute £250,000 towards community centre facilities in the town.
- the off-site contribution for playing fields is £229,215 to be used to improve existing provision to allow additional use
- the developer should be required to make a contribution of £177,022 towards indoor sports facilities to accommodate additional use.

PUBLIC OPEN SPACE

Policy C4. Requires 2.6 Ha public open space per thousand population divides into 0.08 Ha/000 population for play (both equipped play areas and general play space) and 1.8 ha/000 population for playing fields laid out and equipped for formal sports but available to the general public at other times for informal recreation.

Assuming occupancy of 2.3 per house, 295 houses on the development = 690 residents.

690 population requires 1.8 Ha of public open space therefore the total amount of public open space on the site is acceptable.

PLAY PROVISION

Within the 1.8 Ha of open space is shown a single LEAP (Local Equipped Area for Play). The definition is attached, but overall it is a play area for young children only. The site chosen seems to be well located and within the required 5 minutes walk of every home (300 metres)

The Local Plan states that on large developments a NEAP is required (Neighbourhood Equipped Area for Play) in addition to a LEAP. The definition is attached. This caters for older children and includes wheeled activities and ball games. This should be provided on this development and designed with local young people to ensure it is according to their needs. The buffer zone is a minimum of 30 metres from residential curtilages.

The developer must provide a NEAP and LEAP on the site

COMMUNITY FACILITIES

Past experience has shown that new communities need community facilities and, for example, at Cotford St Luke 650 new dwellings required the building of a new community centre. At current prices the approximate cost of such a centre is £550,000 or £846 per dwelling. If such a sum were applied here the total would be £250,000. However, Wellington already has a community centre in White Hart Lane which is not likely to be a viable proposition for investment on this scale to cater for an increased use by the new residents. I believe this building could be sold for development if the people of Wellington were in agreement and the resulting funds (added to the developer contribution) used to construct a new community facility possibly as an annexe to an existing public building in the town. However this would require legal confirmation of my understanding of the covenants on the building. This development should contribute £250,000 towards improving local community facilities.

PLAYING FIELDS

Whilst the development is providing space for playing fields within the 1.8Ha of public open space, it is not proposing to prepare the site and provide the

facilities for formal sports use. The costs for doing so have been calculated for other developments and the cost per dwelling is £777.

For this development it will be acceptable for an off-site contribution based on the costs of equipping and laying out the playing fields to be made and for this to be used to improve the capacity of existing playing fields in the town. Our Playing Pitches Strategy identifies Wellington as a priority area for investment in the drainage of pitches and improvements to changing facilities. The plan identifies improvements estimated to cost £320,000 which include improved changing facilities for football players and officials, 2 new changing rooms for junior football players, drainage works to the Recreation Field, improvements to the car park, and drainage and preparation of the Beechgrove site for rugby. The off-site contribution for playing fields would be a total of £229,215, which should be a requirement of this planning application.

SPORT

The Local Plan in policy C6 recognises the importance of sports centres to the population. Sport England's Facilities Calculator is a tool, which enables one to calculate the additional demand for indoor sports facilities generated by a development and the value of that additional demand. It is equipped to 'weight' the cost of new facilities by County. This development would generate demand equivalent to £61,676 for swimming pool improvements and £115,346 for sports hall improvements - a total of £177,022.

Identified improvements to enhance the usability of Wellington Sports Centre are air conditioning in the aerobics hall, new flooring in the main sports hall and aerobics hall and, additional separate changing rooms for non swimmers, lighting in the car park and CCTV.”

Wellington Town Council

“You will recall that at last night's planning meeting, the town council approved the above application in principle.

You mentioned a number of possible Section 106 suggestions and the town council would like to be involved/consulted on these to achieve the best possible deal from this development for the community.

I am aware that in other districts some town/parish councils have been involved in these discussions and the town council feels it would be advantageous if it could be so involved. It was suggested that a small working party/group could be established to do this and I would be grateful for your ideas/suggestions on how this might be set up.”

Nynehead Parish Council (neighbouring Parish)

“1. The Council continues to be concerned about the general increase in traffic in the area, the impact on the Chelston roundabout and roads in

Nynehead which would be exacerbated by this and other proposed developments.

2. The access roundabout on the A38 shown on the illustrative material would benefit traffic from Nynehead. This part of the scheme should include a footway north from the roundabout at least to the entrance to Lodge Copse, which could form part of a continuous footway/footpath to Nynehead from Wellington.
3. The Council would support the provision of footways and a cycleway through the development into Wellington which would provide a safe alternative to the A38 for Nynehead residents wishing to walk or cycle into the town.”

9.0 **REPRESENTATIONS**

7 individual letters of objection and 8 standard letters of objection have been received making the following points:-

1. Plans show a block of flats to rear of property, which would overlook house and garden and be an invasion of privacy.
2. People will look into properties from open space.
3. These houses will not benefit the people who live on the Priory Estate now, other than by having a short cut through the new estate to reach the main road.
4. Increased traffic, noise and pollution from car fumes.
5. Children will climb through hedges and get onto people's property.
6. The area is notorious for road accidents.
7. Taking out fields and hedges will reduce the wildlife.
8. The present sewer will not cope with the extra water and sewage. The streams and ponds will not be able to take it.
9. The ponds will encourage children to go to them and there will be rubbish thrown in which will cause the water to stagnate.
10. Question whether the developer will do everything that they say will be done.
11. The only ones gaining will be the farmer, the developer and the two Councils.
12. There should be no development on fields to the south of Wellington. All future development, if it is impossible to stop further development,

should be restricted to Longforth Farm and should wait until the area is approved for development.

13. No buildings should be visible at the entrance to the site and dense planning/landscaping should be used to hide the development as far as possible in order to retain the current rural atmosphere. A 'gateway' is just what is not required.
14. The sketches show pastiche design which, on past experience of most new developments, will be badly proportioned and detailed.
15. Consideration should be given to the appearance of the development when approaching from Nynehead.
16. All screen planning should do that and not be a taken gesture.
17. If there are any dormice, would be very surprised if they decide to stay should the housing go ahead.
18. Green wedge should be retained for the fields between the Cades Farm and Chelston House Farm developments. This will give the opportunity to retain a view of the Wellington Monument from the main road.
19. Object to any further unsympathetic lighting if it can be seen for miles around and adds further to the light pollution of the Vale of Taunton.
20. Proposed development will be of no benefit to Wellington.
21. Will spoil views from property.
22. Use of the footpath from the proposed estate into Priory would increase the amount of people walking and cycling through the estate, causing extra litter, noise and increase in security risk and damage to property.
23. Will cause delays and congestion at the proposed access to the new development.
24. Will be even more cars transporting and collecting children from the local primary school in Priory, which is already an immensely congested area with very limited parking.
25. Despite recent new developments, there is still only one secondary school and one youth centre. What are our young and youths to do but hang around streets.
26. Bats are present in the area and more survey work should be carried out.

27. Question measures to be taken by the developer to protect the retained hedgerows during the construction period. They need to be adequately and properly fenced off to prevent destruction. No construction debris should be allowed to contaminate the retained hedgerows, water courses, etc.
28. Run-off from the roads should not be allowed to enter the ponds as these will be contaminants that will destroy the wildlife.
29. Density of the proposed housing is too high.
30. Question whether the stream is capable of taking the increase in instantaneous run-off (due to the existing ground being identified as being impermeable).
31. Will the water supply to other parts of the town suffer as a consequence of water supply for this development.
32. Question whether the existing infrastructure for waste water and sewerage is adequate to cater for the increase in effluent.
33. Increased pressure on the infrastructure of the town, e.g. schools.
34. Question regarding the form of the proposed development.
35. Question provision for the safety of residents, visitors and car drivers on the Priory estate due to cycleway links.
36. Restriction of daylight.
37. Increase in dog mess.
38. Increased light pollution from additional street lighting to rear of property.
40. No provision for extra facilities such as shops, schools or doctors surgery.
41. Proposed cycle link through Priory will result in nuisance to residents, increased noise and additional hazards for drivers and pedestrians.
42. The development will be counterproductive.
43. There has already been too much housing development in Wellington with no increase in facilities.
44. Farmland should not be developed.
45. Mystified that the Longforth Farm development has not been given the go-ahead in – local views have been ignored. Longforth Farm offers

the opportunity to truly develop the town – with much better road links to its northern side, the possibility for a new school and even the re-opening of the railway station. Cades Farm, on the other hand, offers nothing other than meeting the anticipated housing need – with little or no infrastructure in place to support it.

10.0 **PRINCIPAL ISSUES FOR CONSIDERATION**

- A. Does the proposed development accord with the development plan policies for the area? POLICY
- B. Is the access to the site adequate? ACCESS
- C. Is adequate affordable housing provided? AFFORDABLE HOUSING
- D. Is the design concept for the proposed development appropriate? DESIGN CONCEPT
- E. Will the ecology of the site be adversely affected? ECOLOGY
- F. Is the site important for archaeological remains? ARCHAEOLOGY
- G. Is the surface water drainage adequate? SURFACE WATER DRAINAGE
- H. Is there capacity for the adequate disposal of foul drainage? FOUL WATER DRAINAGE
- I. Is appropriate landscaping proposed for the development? LANDSCAPING
- J. Has adequate provision been made for improved community facilities to serve the proposed development? COMMUNITY FACILITIES
- K. Is the proposal sustainable? SUSTAINABILITY
- L. OTHER ISSUES

A. Policy

The proposals have emerged through the Local Plan process, following the recommendations of the Inspectors that considered objections to the Taunton Deane Local Plan. Following their Inquiry, they reported and recommended specifically the need for housing growth in the Wellington area at about 400-450 dwellings during the Plan period. This included the proposed allocation of up to 150 dwellings at Tonedale Mill. The Inspectors' recommendation of 400-450 dwellings was lower than that proposed by the Planning Authority in the Revised Deposit Plan. The Inspectors' Report concluded that the housing allocation for this part of the Borough should be reduced to a figure which could more closely reflect the role and function of the town and would foster

greater self-containment. Cades Farm was recommended as a potential housing site, for approximately 250-300 dwellings.

The Planning Authority proposed modifications to the Local Plan following the Inspectors' Report and following consideration of representations on those Proposed Modifications, the Council has now formally adopted the Plan, including the residential allocation at Cades Farm.

Policy W3 of the Taunton Deane Local Plan, which specifically covers the Cades Farm site requires certain key provisions from the development, which have either been met with the documents submitted with the planning application or are secured through the recommended Section 106 Agreement.

B. Access

Due to the location of the site on the edge of Wellington, it is considered essential that the development is provided with good footpath, cycle and public transport links to Wellington and Taunton.

The development will therefore make provision for pedestrian and cycle facilities to the town centre and to the proposed Chelston Home Farm development. The internal pedestrian and cycle routes will link with existing connections to the adjoining housing area to the west to provide alternative routes to the town centre and local facilities.

The developers will make a contribution towards bus season tickets as required by the Local Plan. Bus lay-bys will be provided on each side of Taunton Road on the site frontage, with bus shelters and pedestrian crossing facilities on Taunton Road.

Vehicle access to the development will be via a new four-leg roundabout at the existing junction between Taunton Road and the road to Nynhehead. The existing road to Nynhehead will be incorporated into the junction.

The internal roads will be designed to reduce speeds to 20 mph or less by means other than road humps. A design code setting out the basis of detailed internal road design will be prepared as part of the detailed layout planning.

A Transport Assessment was submitted with the application. This concludes that the proposed development will accord with sustainable transport objectives and the traffic generated by the development would make no material difference to conditions on the approach road network.

At the request of the County Highway Authority, a cumulative traffic analysis has been carried out, taking account of other proposed developments within and around Wellington. These comprise the redevelopment of the existing Kwiksave store, the development at Chelston House Farm and the proposed relocation of Taunton Livestock Market to Chelston. This concludes that the addition of traffic from the Cades Farm development would make no material difference to traffic conditions at the following junctions:

- (i) the North Street/South Street/Fore Street/High Street junction;
- (ii) the proposed Cades Farm site access;
- (iii) the Chelston roundabout; and
- (iv) the livestock market relocation/Chelston Home Farm proposed access roundabout.

The County Highway Authority's views on this further document are awaited and my recommendation reflects this.

C. Affordable Housing

Policy H9 of the Taunton Deane Local Plan requires that the provision of affordable housing will be sought on sites over 1 ha or at least 25 dwellings. The supporting text notes that in assessing the level of provision on individual sites, regard will be paid to the need to balance other important planning requirements and any abnormal costs associated with the development of the site which would threaten its financial visibility. Policy H10 sets indicative targets for individual allocated sites and as no excessive costs are anticipated in bringing forward this greenfield site for development, the target is 35%. This is to be secured through the recommended Section 106 Agreement.

D. Design Concept

The site is generally well contained by hedgerows with trees to the north, south and east. Together with the nature of the topography and the presence of existing properties on the western boundary, these hedgerows prevent direct views into the site from surrounding public vantage points.

The Design and Development Statement submitted with the application states that the development will feature streets and pavements of variable widths and meandering in character to give a local distinctiveness to the central area and passive control of vehicle speeds. A range of densities and built forms will be included in the scheme. The average overall density will be 35 dwellings per ha. This is in accordance with Central Government advice in PPG3 that densities should normally be in the range 30-50 dwellings per ha. There will be an affordable housing element incorporated within the scheme to promote a balanced community. The highest density area will be concentrated towards the south of the site, one section of this adjacent to the Priory housing area.

The Design and Development Statement gives the following objectives for the development:-

- Provide for 8.46 ha of residential development with design for approximately 295 dwellings;

- Respect the existing topography and site constraints;
- Retain important trees and hedgerows and reinforce the planting to boundaries;
- Visually screen and filter views of the development from the Taunton Road;
- Reflect the local character;
- Allow for permeability and to encourage walking and cycling;
- Provide a mix of housing that meets a range of needs and promotes a balanced Community;
- Create a vibrant built environment and a sense of place by providing areas of different densities and character;
- Provide a built environment that is 'legible' with variety of building types and interlocking spaces;
- Link the adjacent development to the proposed by a network of pedestrian and cycle routes;
- Feature a number of focal buildings;
- Respect the sensitive boundaries and adjacent buildings;
- Provide a central core of open space which links into the existing open space network; and
- Create safer vehicle speeds through the development.

Six distinct residential areas are proposed, with densities ranging from 26 to 40 dwellings per ha.

The proposed development will offer strong frontages to the primary loop road. A statement group of buildings at the entrance to the site and at key points on the primary roads will create a strong built form.

Focal buildings are proposed at selected locations within the development, for example, at node points or at the end of vistas. Focal buildings will be given prominence by scale or building mass, for example, by providing a 2½ storey building in a predominantly 2 storey part of the development and architectural treatment such as detailing and contrasting materials.

The scheme will be predominantly 2 storey with some 2½ and 3 storey towards the southwest part of the site where the topography of the site is lower.

G. Ecology

Part of the site, comprising existing ponds together with linking hedgerows and rough ground, is designated as a County Wildlife Site.

The most recent ecological appraisal of the site was undertaken during 2004, which updated similar appraisals undertaken during 1998 and 2001. There is no evidence of badger activity or reptile species within the site. Others are not expected to use the site due to the absence of suitably large watercourses. Detailed surveys were undertaken with respect to bats and dormice, both of which were found to be present within the site. Bat foraging opportunities will be maintained within the site through the retention of hedgerows. As additional enhancement measures, it is proposed to erect roosting and hibernation boxes on mature trees within the areas of public open space. The Master Plan allows for the retention of hedgerows and hedgerow connections and the provision of landscape buffer zones to retain and where possible, enhance the habitat for dormice. As further habitat enhancement measures, the landscape planting will incorporate fruit and berry-bearing trees and shrubs with bird nest boxes erected on mature trees within areas of open space. The development will be subject to an Ecological Management Plan (EMP). As part of this, the dormouse population will be monitored and hedgerow management undertaken sympathetically for dormice.

A detailed survey for great crested newts is currently under way. An initial mitigation strategy notes that the proposed development will result in the loss of terrestrial habitat adjacent to the ponds, but this will be mitigated through the enhancement of retained terrestrial habitat. Two of the three ponds will be retained and enhanced, while the third pond, which is considered sub-optimal for great crested newts, will be removed. The loss of the pond will be mitigated through the creation of four new ponds, which will be designed to provide optimal opportunities for great crested newts. The proposed layout enables linkages to suitable habitat to the south of the site to be retained. This will avoid the isolation of the population within the site and enable the population to interact with any great crested newts beyond the site boundary. Tunnels will be provided where roads cross this area. Both English Nature and the Council's Nature Conservation Officer have requested further details of the measures to achieve this wildlife corridor. Areas of great crested newt habitat that will be removed or disturbed during the implementation of the proposed development will be subject to a capture/translocation exercise. The existing retained ponds are considered to currently provide sub-optimal habitat for great crested newts, primarily due to dense shading from adjacent trees and shrubs. This will be resolved by the partial removal of scrub and the pollarding or coppicing of adjacent trees, enabling aquatic flora to re-establish. Long-term management of the ponds will prevent them becoming overly shaded in the future. Another element of the long-term management of the ponds will be the undertaking of a rotational programme of de-silting. The terrestrial habitat retained in the immediate vicinity of the ponds will be enhanced.

The grassland is considered to be of negligible ecological value. The hedgerow network is considered to be of local ecological value. A detailed hedgerow survey has identified some hedgerows as fulfilling the ecology criteria for 'important' hedgerows in accordance with the Hedgerow Regulations 1997.

The watercourses and ponds are locally important habitat. There is scope to enhance these habitats for wildlife such as water voles, primarily by reducing the amount of shading from adjacent shrubs.

The Master Plan has been designed on the assumption that great crested newts were present, although their presence is not as yet confirmed. Areas of terrestrial and aquatic habitat are retained with connectivity to the wider landscape beyond the site boundary. Measures to conserve the population in the long-term will include the retention and enhancement of sufficient terrestrial habitat, the retention and restoration of two of the existing ponds and the creation of new aquatic habitats.

F. Archaeology

The only currently known archaeology relates to an area of Iron Age and Roman activity in the fields to the west of Cades Farm. Further field evaluation has been carried out in relation to this. This evaluation identified two possible Roman-British boundary/enclosure ditches with a human cremation. The evaluation recorded no other significant archaeological features.

G. Surface Water Drainage

A watercourse forms the south-eastern boundary of the site. The site slopes gently down towards the east to a low point where the watercourse exits the site flowing eastwards. The watercourse is prone to overflowing its banks during heavy rainfall. However, due to the site topography, this only affects a relatively small part of the site.

There are no public surface water drains in the vicinity of the site. The existing public drainage systems in the area are all combined systems. The newest foul drainage gravity system north of Taunton Road is also a combined sewer, to which Wessex Water will not permit any further surface water connections to be made.

The site drains naturally into the adjacent watercourse, so it is proposed to similarly discharge the site drainage into the watercourse at equivalent greenfield run-off rates such that the flows are not increased by the development. A new surface water drainage system incorporating Suitable Urban Drainage Systems (SUDS) elements will collect the surface water run-off from the roofs, highways, and hard-standings and discharge into the watercourse that forms the southern boundary of the site. It is proposed to collect the surface water run-off with piped systems gravitating to balancing

ponds/wetlands adjacent to the watercourse, where the flows will receive first flush treatment and be attenuated to discharge at equivalent greenfield rates. At the detailed design stage, consideration will be given to the incorporation of other SUDS elements such as permeable paving and swales that could serve to slow down the rate of flow to the balancing ponds/wetlands.

No development is proposed within the flood plain, which is to be taken as a minimum of 8 m from the top of the bank of the watercourse. This will allow for possible out of bank flows during high return storm events. This means that the development will not be the cause of any loss of existing flood storage, so no flood compensation measures are proposed. However, the Environment Agency required the preparation of a Flood Risk Assessment to include the following:

- (i) a topographical survey of the site;
- (ii) details of finished floor levels and any other flood mitigation measures;
- (iii) details of any loss of flood storage and compensation measures; and
- (iv) detailed surface water strategy, showing calculations for the Greenfield run-off rate and appropriate on-site attenuation facilities.

H. Foul Water Drainage

Wessex Water initially recommend an appraisal of the capacity of the Mitchells Pool Pumping Station, to the south of the site. However, the lowest point of the site is in the eastern corner and the applicant's consultants consider that a rising main could equally discharge to the public (gravity) foul sewer adjacent to Taunton Road without affecting/upgrading the existing pumping station. Wessex Water have confirmed that this would be acceptable.

I. Landscaping

The main principle of the Illustrative Master Plan for the built development is to set it within the existing landscape framework of small scale fields enclosed by hedgerows. This will allow the development to integrate with the surrounding landscape. To achieve this, the existing hedgerows and hedgerow trees will be retained where possible and practical, dividing the proposed development in small parcels of land which relate to the character of the surrounding landscape. This approach allows for views of the development to be screened from the surrounding area and provides opportunities to enhance the value of the hedgerows. Hedgerow breaks will be required for access roads and footpaths.

To provide a buffer between the public open space and the new development and to strengthen the containment of the site, new hedgerows with trees are proposed. In addition, a buffer of trees and shrubs, widening the existing hedgerows along the northern and eastern boundaries of the site to 10 m is

designed to soften the edge of the development when viewed from Taunton Road.

The Environmental Framework, prepared as part of the Design and Development Statement, identifies a large area of public open space, centrally on the site. This area will link with the site ponds and watercourse and the wider countryside beyond, providing a recreational and wildlife corridor. In addition, the public open space is extended along the northern bank of the watercourse where it will provide a valuable landscape buffer within the 1 in 100 year flood plain as well as further benefits and opportunities in the form of a streamside footway/cycleway. Distant views from the site, and in particular from the open space and public footpaths, to the Blackdown Hills and Quantock Hills will be retained where possible and emphasised as part of the development layout.

J. Community Facilities

Policy C4 of the Taunton Deane Local Plan requires that developers of new housing will provided landscaped and appropriately equipped recreational open space in accordance with a range of standards. The Design and Development Statement submitted with the application sets out how these will be provided.

The scale of the proposal does not justify the provision of on-site community provision, but is of sufficient scale to make a financial contribution to enhancing existing community facilities within Wellington itself.

Policy W3 of the Local Plan requires a financial contribution towards enhanced community facilities within Wellington. Preliminary discussions have taken place with Wellington Town Council with regard to this issue.

The off-site contributions required under Policy W3 of the Local Plan are to be secured through the recommended Section 106 Agreement.

K. Sustainability

By foot or cycle, the town centre to the south-west is approximately 600 m from the north-western boundary of the site and approximately 700 m from the western boundary of the site. The site is approximately 700 m from the proposed Chelston House Farm employment allocation, by foot and proposed cycleway and within 1,000 m of the Chelston Business Park. It is therefore considered to be a sustainable location for development from a transport point of view.

Key existing features will be retained, including hedgerows and ponds, and these will be supplemented by new attenuation ponds, and sustainable urban drainage system elements. Measures are secured which enable wildlife interest on the site to be retained and enhanced.

L. Other Issues

The Environment Agency has stated that the site may be at high risk from the production of landfill gas from the nearby Poole Waste Disposal Site migrating to the site. However, the monitoring of boreholes in recent months has shown that the possibility of landfill gas migration is not a high risk.

Policy C1 of the Taunton Deane Local Plan requires contributions from developers to school places. The County Education Authority has requested contributions towards secondary school provision and this will be secured through the recommended Section 106 Agreement.

11.0 CONCLUSIONS

The proposed development is in accordance with the allocation of the land for residential development contained in the Taunton Deane Local Plan. The proposals will provide for approximately 295 dwellings, at an overall density at the lower end of the range of that recommended in PPG3, at 35 dwellings per ha. The proposal will enable a range of house types to seek to meet local needs, including a significant proportion of affordable housing, which accords both with Central Government advice and the relevant policies in the Taunton Deane Local Plan. The proposal will provide for contributions towards secondary school provision and community facilities in Wellington. The proposal provides for significant areas of recreational open space, as well as informal areas of open space associated with land to be kept free from development, which is potentially liable to flood. The proposal includes a package of public transport measures and measures for cyclists and pedestrians. The above provisions are to be secured by means of the recommended Section 106 Agreement.

My recommendation is, therefore, a favourable one.

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

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