

DEMOLITION OF BUILDINGS AND ERECTION OF 84 NO. DWELLINGS WITH ASSOCIATED HIGHWAY INFRASTRUCTURE, PUBLIC OPEN SPACE AND LANDSCAPING ON LAND AT CREECHBARROW ROAD, TAUNTON

Grid Reference: 324116.125251

Full Planning Permission

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RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to the receipt of comments and conditions from the Highway Authority, Nature Conservation & Reserves Officer and the Environmental Health Officer, relevant amended plans and the applicant entering into an appropriate legal agreement to secure the following: -

Community Facilities

- Contributions of £1571 per additional dwelling for active outdoor recreation;
- Contributions of £209 per additional dwelling for allotment provision.
- Contributions of £1,208 per additional dwelling for local community hall facilities.
- Provision of the LEAP on site and its long term maintenance

RECOMMENDED CONDITION(S) (if applicable)

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

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

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

(A1) DrNo SPP1793 P 02 Rev A Landscape Layout
(A3) DrNo SPP1793 P 02 Boundary Types
(A1) DrNo 3272/101 Rev L Proposed Site Plan
(A3) DrNo 3272/200 Location Plan
(A3) DrNo 3272/010 2B4P Floor Plans
(A3) DrNo 3272/011 3B5P V1 Floor Plans
(A3) DrNo 3272/012 3B5P Floor Plans
(A3) DrNo 3272/013 3B5P V3 Floor Plans
(A3) DrNo 3272/014 3B5P V4 Floor Plans

(A3) DrNo 3272/015 4B7P V1 Floor Plans
(A3) DrNo 3272/016 4B7P V2 Floor Plans
(A3) DrNo 3272/017 5B8P Floor Plans
(A3) DrNo 3272/018 6B9P Floor Plans
(A3) DrNo 3272/019 Rev A 1B2P FOS Floor Plans
(A3) DrNo 3272/020 Rev A 2B3P FOG V1 Floor Plans
(A3) DrNo 3272/021 Rev A 2B3P FOG V2 Floor Plans
(A3) DrNo 3272/022 Rev A2B4P FOG V3 Floor Plans
(A3) DrNo 3272/023 Rev A 1B2P & 2B4P FOG V4 Ground Floor Plan
(A3) DrNo 3272/025 2B3P Flats Floor Plans
(A1) DrNo 3272/026 Elderly Flats plots 16-30 Floor Plans
(A1) DrNo 3272/027 Elderly Flats Plots 54-68 Floor Plans
(A3) DrNo 3272/029 2B4P Elevations Option A
(A3) DrNo 3272/030 2B4P Elevations Option B
(A3) DrNo 3272/031 3B5P V1 Elevations Option A
(A3) DrNo 3272/032 3B5P V1 Elevations Option B
(A3) DrNo 3272/033 3B5P V2 Elevations
(A3) DrNo 3272/034 3B5P V3 Elevations
(A3) DrNo 3272/035 3B5P V4 Elevations
(A3) DrNo 3272/036 4B7P V1 Elevations
(A3) DrNo 3272/037 4B7P V2 Elevations
(A3) DrNo 3272/038 5B8P Elevations
(A3) DrNo 3272/039 6B9P Elevations
(A3) DrNo 3272/040 1B2P FOS Elevations
(A3) DrNo 3272/041 2B3P FOG V1 Elevations
(A3) DrNo 3272/042 2B3P FOG V2 Elevations
(A3) DrNo 3272/043 2B4P FOG V3 Elevations
(A3) DrNo 3272/044 1B2P & 2B4P FOG V 4 Elevations 1 of 2
(A3) DrNo 3272/045 1B2P & 2B4P FOG V 4 Elevations 2 of 2
(A3) DrNo 3272/046 2B3P Flat Elevations 1 of 2
(A3) DrNo 3272/047 2B3P Flat Elevations 2 of 2
(A1) DrNo 3272/048 Elderly Flats Plots 16-30 Elevations
(A1) DrNo 3272/049 Elderly Flats Plots 54-68 Elevations
(A1) DrNo 3272/050 Existing & Proposed Site Sections 1 of 2
(A1) DrNo 3272/051 Existing & Proposed Site Sections 2 of 2
(A1) DrNo 3272/053 Street Scene 1 of 3
(A1) DrNo 3272/054 Rev A Street Scene 2 of 3
(A1) DrNo 3272/055 Rev A Street Scene 3 of 3
(A3) DrNo 3272/056 Cycle Store
(A1) DrNo 5998 Site Survey 1 of 2
(A1) DrNo 5998 Site Survey 2 of 2

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

3. No development, other than demolition and groundworks, shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development.

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

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

5. The trees to be retained on site shall be protected in accordance with details outlined within the submitted tree report by Hellis Tree Consultants dated June 2013. Any fencing to protect the retained trees shall be erected prior to commencement of any other site operations and at least two working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figures 2 and 3 of BS 5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with DM1 of the Taunton Deane Core Strategy and Retained Taunton Deane Local Plan Policy EN8.

6. The bin storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of the dwelling(s) hereby permitted, and shall thereafter be retained for those purposes, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate facilities exist for the future residents of the site and that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

7. The cycle storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of the dwelling(s) hereby permitted, and thereafter retained for those purposes unless otherwise agreed in writing by the

Local Planning Authority.

Reason: To ensure that adequate facilities are included for the storage of cycles, in accordance with retained policy M4 of the Taunton Deane Local Plan.

8. 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 to at least base course level between the dwelling and existing highway.

Reason: To ensure that the proposed estate is laid out in a safe and proper manner with adequate provision for various modes of transport in accordance with policy DM1 of the Core Strategy.

9. The applicant shall ensure that all vehicles leaving the site are in such condition as not to deposit mud, slurry or other debris on the highway. In particular means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been submitted to and agreed in writing by the Local Planning Authority and fully implemented prior to start of construction, and thereafter maintained until the construction at the site discontinues.

Reason: In the interests of highway safety in accordance with policy DM1 of the Core Strategy.

10. No development, other than demolition, shall commence until a detailed drainage strategy scheme has been submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall be in strict accordance with the principles shown in the submitted Drainage Strategy Report (prepared by Hydrock and dated 17 July 2013, Drawing Ref: C13256-C001C and email from Richard Hughes (Hydrock) dated 5th August 2013). The scheme shall include details of a maintenance regime together with confirmed drainage layout with pipe sizes, hydrobrakes etc. The development shall subsequently be implemented and maintained in accordance with the details of the approved scheme.

Reason: To ensure that flood risk is not increased and pollution risks are minimised through the use of SuDs in accordance with NPPF paragraph 103 and Taunton Deane Adopted Core Strategy CP8.

11. No development, other than demolition, shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details within a timetable to be agreed by the Local Planning Authority. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To ensure that flood risk is not increased in accordance with the NPPF and Taunton Deane Adopted Core Strategy Policy CP8.

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to an unacceptable risk of pollution and Taunton Deane Adopted Core Strategy Policy CP1.

13. Work shall not commence, including demolition, until a further bat survey has been undertaken and the results along with details of a strategy for the protection of the bats and their habitat, within the development, together with the maintenance of access for the bats, has been submitted to and approved in writing by the Local Planning Authority. Once approved the works shall take place in accordance with the agreed scheme and thereafter the roosting places and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the bats' roosts and related accesses has been fully implemented.

Reason: To maintain the status of bats and their roosts. Bats and their roosts are included on Schedule 5 and fully protected under Section 9 of the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats &c) Regulations 1994 (as amended), in accordance with Taunton Deane Local Plan Policies CP8 and the NPPF.

14. Development shall not commence until a further reptile survey has been undertaken and results, along with details of a scheme designed to avoid killing or injuring slow worms has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over development in order to safeguard species which are specially protected by law. Adders, grass snakes and slow worms are all protected under Section 9(1), (9)(5)(a) and 9(5)(b) of the Wildlife and Countryside Act 1981 (as amended) in accordance with relevant guidance in the NPPF.

15. Prior to the occupation of any dwelling hereby approved, a Public Art Strategy shall be submitted to and approved in writing. The Strategy shall include details of time scales of implementation and management of the public art proposed. Details of the proposed public art shall also be agreed with the Local Planning Authority. The agreed public art shall subsequently be implemented and

maintained in accordance with the details of the approved Public Art Strategy and its findings.

Reason: In accordance with the Council's Public Art Policy.

16. No work shall commence on the construction of Plots 89-92 until the other approved plots have been constructed. The existing play area (site for plots 89-92) shall remain open and available to the public until this time.

Reason: To safeguard the existing play area, until the new LEAP is constructed, minimising the time that no play area will be provide in accordance with retained policies C3 and C4 of the Taunton Deane Local Plan.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission.
2. Environment Agency is pleased to see that the discharge rates from the developed site will be limited to the pre-development Qbar rate. They are not overly supportive of the use of underground attenuation below the pond and would not normally support such an approach. However, in this case they are willing to accept this given the site constraints.

Please note the surface water network designed for the proposed development shows that surface water would come out of the pipe network at several location for a 1 in 100 year plus climate change event. The applicant will have to make sure that overland flood routes are identified and make sure that no properties are flooded as a result. In addition, the design should ensure that surface water returns to the pipe network and is attenuated prior to discharging from the site at the agreed rate.

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

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

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

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

If the work involved in carrying out this proposed development would

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

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

4. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

PROPOSAL

The proposal comprises the redevelopment of a part of Creechbarrow Road, with the demolition of 44 dwellings being replaced with the erection of 84 dwellings. The scheme includes two blocks of flats for the elderly flats (15 flats in each building), flats over garages, maisonettes and two storey dwellings. The scheme is 100% affordable housing with part of the site being developed by Knightstone Housing and the other by Taunton Deane Borough Council.

The buildings are predominately two storey with the exception of the flats for the elderly which have three storeys. Materials proposed are a mixture of brick and render with either a profiled tile or a flat concrete interlocking tile. Submission of materials will be required as a condition and the applicants have been informed that a flat concrete tile may not be acceptable.

SITE DESCRIPTION AND HISTORY

The site is located in a residential area of Taunton made up of dwellings and garage blocks that were constructed in the 1970s. The properties are visible from Creechbarrow Road with access to the dwellings from the rear, via Moorland Road. The area of the application is a sloping site, raised in the centre and falling off in either direction. There is a public right of way that runs through the main site. The proposal also includes building on an existing play area that is separated from the main site by an access road. Within the application site there are a number of trees.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP -

Initial comments: -

Requirement to undertake Travel Plan and details of cycle storage for dwellings and elderly flats, confirmation of garage dimensions.

Details of cycle storage and garage dimensions provide and further comments received are below: -

General Information – Creechbarrow Road, Taunton

Upon comparing the extent of the 'red line' site ownership boundary within drawing number 3272/101/J against the computerised road record plan, it appears that the applicant has included parts of the adopted highway (junction onto Roman Road and from Moorland Road onto Creechbarrow Road) within their ownership. Can the limits of the red line on the drawing be amended accordingly?

As a standard informative, where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to the, Traffic & Transport Development Group, Environment Department, County Hall, Taunton TA1 4DY, or by telephoning her on 01823 355645. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services. A proposed start date, programme for works and traffic management layout will be required prior to approval being given for commencement of works on the highway.

Furthermore, a condition survey of the existing highway network shall be carried out and agreed jointly between the developer and the Highway Authority, prior to any works commencing on site. Any damage to the existing public highway as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority prior to occupation of the development. It is recommended that contact be made with the Highway Service Manager (Taunton Area) 08453459155 to arrange for such a survey to be undertaken.

Site Layout – Creechbarrow Road, Taunton

The following comments are based on Drawing No. 3272/101/J and apply to the site layout. The lengths of proposed carriageway extending between plots 4-7, 37-42 and 44-53 should be constructed with bituminous macadam materials and not in Brick pavers, due to the fact that the carriageways will be provided with footways.

The swept path of an 11.7m long 4 axle refuse collection vehicle will need to be submitted within the shared surface turning area between plots 7 and 9.

The proposed pedestrian links between plots 39 and 43 and 91-92 that will provide access to/from Creechbarrow Road, should be constructed to a minimum width of 2.0m to accommodate both pedestrians and cyclists and the appropriate visibility splays (2.0m x 20m) will be required where these links meet the back edge of the footway within Creechbarrow Road. Can it be clarified whether the proposed footway adjacent to Creechbarrow Road is to be just a footway or will it be a cycleway?

Plots 77-79 appear to be served via a private drive. Somerset County Council has a current policy whereby only two dwellings can be served via a private drive, the current

layout will therefore be subject to the Advance Payments Code legislation.

Drawing number 3272/101/J indicates the presence of a retaining wall along the eastern boundary of plot 53. Who will be responsible for the future maintenance liabilities of this structure? Somerset County Council will need to be assured of the safety and durability of any retaining structure that will remain within private ownership, within 3.67m of the highway boundary and/or which has a retained height of 1.37m above or below the highway boundary. Therefore the submission of detailed design drawings/calculations will be required for checking/approval purposes. If the structure is to be adopted by SCC then it will be necessary for an Approval in Principle (AIP) to be submitted to SCC for approval. The submitted AIP shall be signed by a Chartered Engineer (Civil or Structural) and submitted before commencement of the detailed design.

An adoptable 25m forward visibility splay will be required across the north western corner of the LEAP. There shall be no obstruction to visibility within this area that exceeds a height greater than 600mm above adjoining carriageway level.

An adoptable 25m forward visibility splay will be required throughout the carriageway bend within Moorland Road, fronting the proposed site of the Hub building. There shall be no obstruction to visibility within this area that exceeds a height greater than 600mm above the adjoining carriageway level.

Due to the fact that the proposed estate road leading directly off Moorland Road will take the form of a type 4 bituminous macadam carriageway, the proposed junction should take the form of a 6.0m radii junction and not a vehicular crossover as currently indicated.

Under Section 141 of the Highways Act 1980, no tree or shrub shall be planted within 4.5m of the centreline of a made up carriageway. Trees are to be a minimum distance of 5.0m from buildings, 3.0m from drainage/services and 1.0m from the carriageway edge. Root barriers of a type to be approved by SCC will be required for all trees that are to be planted adjacent to the highway to prevent future structural damage to the highway.

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

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

The proposed location of the road narrowing feature opposite plot 3, will effect the movements of vehicles in/out of parking areas serving plots 14, 15 and 32. Therefore, this feature should be either removed from the scheme or relocated to where it won't conflict with vehicle accesses.

Access – Creechbarrow Road, Taunton

Adoptable visibility splays measuring 2.4m x 43m in both directions will be required at

the junction with Moorland Road, adjacent to plot 53. There shall be no obstruction to visibility within these areas that exceeds a height greater than 300mm above adjoining carriageway level.

The gradients of the proposed access road(s) should not, at any point, be steeper than 1:20 for a distance of 10m from their junctions with the adjoining road(s).

Tie into existing carriageways - Allowance shall be made to resurface the full width of existing carriageways where they have been disturbed by the extended construction and to overlap each construction layer of the carriageway by a minimum of 300mm. Cores may need to be taken within the existing carriageways to ascertain the depths of the bituminous macadam layers.

Drainage – Creechbarrow Road, Taunton

It is noted from the application package that surface water from the application site will discharge into a main sewer and a Sustainable drainage system. Where an outfall, drain or pipe will discharge into an existing drain, pipe or watercourse not maintainable by the Local Highway Authority, written evidence of the consent of the authority or owner responsible for the existing drain will be required with a copy submitted to Somerset County Council.

Surface water from all private areas, including drives and parking bays, must be intercepted by private drainage measures, to prevent any discharge onto the prospective public highway.

Section 50 NRSWA 1991 (Sewer connections) - Where works have to be undertaken within or adjoining the public highway a Section 50 licence will be required. These are obtainable from Mr Mark Fitzgerald, Streetworks Co-ordinator 01823 483135.

Parking Provision – Creechbarrow Road, Taunton

All parking bays that immediately but up against and form of structure, including planting, shall be constructed to a minimum length of 5.5m as measured from the back edge of the prospective public highway.

The private drive to plot number 1 should be relocated into the development site, immediately adjacent to the driveway serving plot number 2.

Section 278 Agreement – Moorland/Roman/Creechbarrow Road, Taunton

It is necessary for the developer to provide a detailed drawing/plan showing the interaction between the adopted highway and the submitted layout plan. It would appear that the current proposal builds on the adopted highway which is not acceptable at this time. This exercise should include the adopted carriageway (Moorland Road), urban footways and public rights of way (T33/26) across the entire site.

For example, any proposed works within the existing highway limits fronting the parking bays to the north of plot 77. Likely works will include the possible stopping up of the existing highway, the removal of existing planters from within the carriageway, the tie in between the bituminous macadam carriageway and the block paved carriageway, the construction of a footway up to and including the access to the 'private road' serving

plots 77-79 and a full width resurface of Moorland Road will be required where it has been disturbed by these works.

Transport Assessment Information – Creechbarrow Road, Taunton

The Highway Consultants email dated Monday 19th August 2013, states that amended plans are being produced and will be submitted to address the queries raised within the Transport Assessment Feedback. Have these plans been received? If so can I be emailed a copy?

Travel Planning Information – Creechbarrow Road, Taunton

I have received comments from the Travel Planning Officer in connection with the comments made by the Highway Consultant relating to the Travel Plan Feedback information that was submitted to the Local Planning Authority on the 2nd August 2013, which have been reproduced below:

“I understand that this is an affordable housing scheme, and as such it should be as important, if not more so, to offer the same opportunities to occupants as would be required of any other new developments. I would argue that to not provide these measures in the same way as any other development would be to introduce inequality to the residents, something that I'm sure Taunton Deane would not wish to be promoting.

With regard to the size of the development and our request for a Full Travel Plan, I refer to Somerset County Council's Travel Plan Guidance which clearly states that 'Development sites that are being extended by 20% or more in GFA (or other relevant measure) [in this case dwellings], bringing the total GFA/relevant measure above the travel plan thresholds...will be required to prepare and have approved a travel plan. This travel plan should cover the entire site'. You will understand that I have therefore applied our policy to this development, which is being extended by 50% (to 92 dwellings) and exceeding the Full Travel Plan threshold by 42 dwellings (the Full TP threshold being 50 dwellings).

I understand the argument that occupiers may be unlikely to own electric cars. However, again, this requirement has been applied from our policy (Somerset County Council's Parking Strategy) that access to Electric Vehicle Charging points will need to be made available to all dwellings and that provision should not only take account of current, but also future needs, when the proportional ownership of electric vehicles is higher and the uptake would include those on lower incomes.

My final comment is on the Firepool scheme mentioned below. I can see that this development received planning permission in 2009, 2 years before the Travel Planning Guidance was adopted by Somerset County Council, hence the reason this site was not subject to the same standards that the Creechbarrow Road site will be.”

Once clarification on the above mentioned topics/amendments have been made, I will be in a position to comment fully on the proposed scheme

SCC - RIGHTS OF WAY -

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

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

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

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

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

If the work involved in carrying out this proposed development would

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

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

DIVERSIONS ORDER OFFICER - Mr Edwards - following observations: -

The proposed demolition, building of dwellings and associated works will affect the Public Footpath T35/26 (part) Parish of Taunton.

Subject to planning consents for these works it will be necessary to secure a diversion of the public footpath by means of Section 257 of the Town and Country Planning Act, 1990.

HOUSING ENABLING -

The Housing Enabling Lead supports this application. The development will provide a wide range of high quality affordable homes reaching Code for Sustainable Homes Level 4, Secure by Design and Lifetime Homes principles to meet an identified housing need.

WESSEX WATER -

Drainage

The site will be served by separate systems of drainage constructed to current adoptable standards please see Wessex Water's Advice Note 16 for further guidance.

Please refer to the attached extract from our records showing the approximate location of our apparatus in the vicinity of the site.

The applicant's consultants' has been in contact with our development engineer to discuss drainage strategy. There are existing foul sewers which cross the site serving existing properties; existing sewers will be diverted/ apparatus re-used where possible to accommodate the proposals.

It should be noted, however, that there is a 375mm combined sewer crossing south to north through the northern extent of the site. The combined sewer has been located on site and marked on the drainage plan submitted to our engineer (Hydrock C13256-C101B). It is not proposed to divert this sewer – which conveys drainage from elsewhere in the catchment. An easement of 4 metres either side of the sewer must be observed and marked on drawings deposited with Building Control. There must be no tree planting in close proximity to public sewers in accordance with the current version of Sewers for Adoption.

A number of connection points to the public sewerage system for foul and surface water flows are proposed.

Total flows should not exceed existing; with betterment if possible.

Water Supply

There is a 100mm DI main which runs along the western boundary of the site. There is a fire Hydrant and system valves located at the northern extent of the site. There is a private water main which crosses the northern section of the site

Apparatus must be accurately located to determine if protection measures are necessary.

There is limited available capacity to serve the proposed development. Network computer modelling will be required to determine points of connection and whether off site reinforcement to the water supply network will be required to serve the proposed development. Further details available upon request. Buildings above two storeys will require on site boosted storage.

DRAINAGE ENGINEER - No objection.

Amended Drainage Strategy agreed and conditions to be applied.

DEVON AND SOMERSET FIRE & RESCUE SERVICE - Following observations: -

Means of escape

Means of escape in case of fire should comply with the Building Regulations 2000 and as such should satisfy the provisions contained in either Approved Document B (ADB)

or some other suitable and accepted standard. Detailed recommendations pertaining to these matters will be made later at Building Regulations consultation stage.

Access and facilities for the Fire and Rescue Service

Access to facilities, which should include where necessary the provision of private fire hydrants for Fire & Rescue Service appliances, should comply with provisions contained within ADB, Part 5 of the Building Regulations 2000.

POLICE ARCHITECTURAL LIAISON OFFICER - Support application in view of the following: -

Police Sergeant Andrew Murphy and I attended a pre-application meeting with Stephen Major, Housing Development Project Lead, TDBC and representatives of Knightstone Housing Association on 9th May 2013 when the proposed Creechbarrow Redevelopment was discussed. The main principles decided at the meeting in order to 'design out' crime and disorder as far as possible were as follows:

To establish a safe, secure and mixed community including community facilities to significantly reduce the level of deprivation in the area.

Provide designated car parking within plot or immediately adjacent wherever possible.

Provide parking, house, secure garden or community amenity and cycle/scooter storage within the plot.

Properties alternating to face estate road/play area, and Creechbarrow Road to provide natural surveillance of parking, roads, footpaths and play area.

Separate cul-de-sac access roads, with footpath link to prevent a rat-run situation, all overlooked and a series of plateau and surface material changes to reduce speeds.

Dwellings facing each other and blank gables avoided wherever possible.

Flats designed as non-communal stair maisonettes wherever possible.

KHA Restricted Age flats have a secure courtyard.

Restricted Age and General Use Flats to have secure entry doors, external mail and Bin Storage.

In addition, we discussed:

Reported crime and anti-social behaviour in the area of the proposed development over the past year.

The police approved 'Secured by Design(SBD)' award scheme, full details of which are available on the SBD website – www.securedbydesign.com.

If planning permission is granted, the meeting resolved to make the scheme 'Secured by Design' compliant and I look forward to working with the applicant and developer in due course to achieve this aim.

LANDSCAPE -

Subject to detailed landscape proposals and implementation of the tree protection measures, the proposals are acceptable.

LEISURE DEVELOPMENT -

In accordance with Local Plan Policy C4, provision of play and active recreation should be made for the residents of these dwellings.

The provision of on-site play area (LEAP), to provide for the additional residents is to be welcomed. Childrens play provision of 20sq metres per each additional 2 bed + dwelling should be sought. The equipped play space should be overlooked to promote natural surveillance. The Parks Department should be asked to comment on the actual design and content of the play ground.

A contribution of £1,571.00 for each additional dwelling should be made towards the provision of facilities for active outdoor recreation.

A contribution of £209.00 per each additional dwelling should be sought for allotment provision along with a contribution of £1,208.00 per each additional dwelling towards local community hall facilities.

Contributions should be indexed linked.

A public art contribution should be requested, either by commissioning and integrating public art into the design of the buildings and the public realm or by a commuted sum to value of 1% of the development costs.

SCC - CHIEF EDUCATION OFFICER - No comment.

ENVIRONMENT AGENCY - No objection (recommend SUDs drainage conditions)

ENVIRONMENTAL PROTECTION CONTAMINATED LAND - Views waited.

OPEN SPACES MANAGER -

Details of POS and LEAP will be required for approval by the Open Spaces Manager at the appropriate stage.

All equipment, including gates, play items, litter bins, benches, signs etc. from the existing play area opposite the supermarket, is the property of Taunton Deane Borough Council, Open Spaces Section and should be removed without damage and delivered to our storage site in Taunton before construction of the new development starts.

Representations

One letter of SUPPORT received from Cllr Slattery.

Two letters of REPRESENTATION received: -

- One letter raising no observations.
- Further letter raising no comment regarding the proposed development.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
CP5 - TD CORE STRATEGY INCUSIVE COMMUNITIES,
C4 - TDBCLP - Standards of Provision of Recreational Open Space,
M4 - TDBCLP - Residential Parking Provision,
M5 - TDBCLP - Cycling,
CP8 - CP 8 ENVIRONMENT,
SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
NPPF - National Planning Policy Framework,

LOCAL FINANCE CONSIDERATIONS

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

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £54,363

Somerset County Council (Upper Tier Authority) £13,591

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £326,176

Somerset County Council (Upper Tier Authority) £81,544

DETERMINING ISSUES AND CONSIDERATIONS

The proposal is sited within the settlement of Taunton, within a built up urban area. As such, the site is considered to be acceptable for residential development. The location of the proposal is considered acceptable in terms of distance to facilities and services, including bus stops and supermarkets.

Layout/Design

The long, narrow, sloping site will be developed in two parts; one section closest to

Roman Road will be developed by Knightstone Housing and the other part of the site will be developed by Taunton Deane Borough Council, though the development has been designed as one site. The public footpath running through the site will be diverted so pedestrian access can still be made through the site. Vehicular access will be provided into the site but it would not comprise a through route.

It is proposed that the development would achieve Codes for Sustainable Homes Level 4, Building for life Standard and be suitable as a Secure by Design scheme.

The site is predominately semi-detached dwellings, some of which face into the site and some facing onto Creechbarrow Road. This allows for natural surveillance within the site while providing some frontage along Creechbarrow Road. These dwellings are two storey, with either brick or brick and render as the finish to the dwelling. Each dwelling has designated parking and a garden to which sheds will be provided for cycle storage etc.

At each end of the site there are two key buildings, both three storeys in height and providing flats for the elderly. Each block of flats is provided with car parking including disabled parking spaces and cycle and bin storage. The height of the building near Roman Road will reflect the size and mass of flats at Lavender Court which is located opposite the site. Given the location of the other three storey building, at the access leading to Beadon Road/Moorland, the height of the building is considered to reflect the design/layout of the new estate and can be accommodated without harm to the visual amenity of the area.

Elsewhere within the site there are a few detached dwellings, some flats over garages and maisonettes, and some providing wheelchair access.

There is a small play area that fronts onto Creechbarrow Road that will also be developed. This play area will provide a pair of semi-detached dwellings and some flats over garages. This smaller site will provide some frontage to the street and is also not considered to harm the visual amenity of the area.

The proposed layout has been designed as not to cause any overlooking or loss of privacy that would harm the residential amenity of existing properties within the area.

Highways

The Highway Authority have raised some initial concerns regarding the lack of a Travel Plan and have also questioned details on the submitted plans, requesting clarification of some points within the application. Points requiring clarification including visibility, radii, footpath width, surfacing materials. Whilst there is currently no objection from the Highway Authority, any detailed comment on the application will not be made until these details, including the Travel Plan have been resolved.

The proposal provides parking spaces for each dwelling and amended plans have been submitted to show sheds within the gardens of properties that can be used for cycle storage.

The road layout provides access at one end of the site from Roman Road and the other from Moorland Road with a pinch point in the middle of the site where there is no access for vehicles, effectively creating two smaller estates.

There is currently a public right of way that runs through the site that will need to be formally diverted, but pedestrians and cycles will be able to move between the two parts of the development and through the site.

Given the outstanding issues and lack of comments, permission is recommended subject to the receipt of the Highway Authority comments and suggested conditions.

Leisure and recreation

Contributions have been sought for Outdoor Recreation, Allotments and Local Community Hall Facilities and will be made part of a legal agreement. The applicants have recently questioned the contributions and negotiations are taking place.

Within the site a new LEAP area is to be provided, replacing the existing LEAP that would be lost as a result of this development. A condition will secure details of LEAP, including equipment to be provided. A further condition will insure the existing play area is developed last, minimising the time in which the area would not be provided by a play area.

Whilst no public art or contribution has been included within this application the applicants have agreed to undertake a public art strategy that would be made a condition of this application. The strategy would include details of a time frame to secure public art within the site and a management programme for the public art provision. Allowing the strategy will allow the applicants to undertake consultation/public participation with new residents to the site.

Drainage

Comments from Wessex Water have been acknowledged and an amended plan has been submitted to alter the layout, providing the necessary easement that is required. Other comments from Wessex Water will be added as advisory notes to the planning certificate. Whilst no additional comments have been received from Wessex Water, the amended layout has been submitted directly to Wessex Water from the applicant.

The Environment Agency has not raised any objection subject to a condition requesting a sustainable drainage scheme. The Environment Agency has been contacted to request whether the proposed drainage condition is in addition to the drainage strategy that has already been submitted.

The Local Authority Drainage Officer has commented on the application and in discussion with the applicants Drainage Consultant has agreed an amended drainage scheme for the site and subject to conditions does not object to the proposal.

Landscape

The application has been submitted with a detailed tree report that outlines which trees and to be felled, works to retained trees and protection of the retained trees during construction. The report proposes the felling of 17 trees and all retained trees are recommended to be crown lifted to 4.5m above ground level.

A landscaping plan has also been submitted to show new tree, shrub and hedgerow

planting within the site.

The Landscape Officer has not raised any objection to the proposal, subject to the protection of the trees being carried out in accordance with the report and the new landscaping scheme being implemented.

Wildlife

The application has been submitted with a joint ecology report for the redevelopment of Creechbarrow Road and the proposed flats/community hub building. The report concludes that further reports are required for bats and reptiles due to slow worms being found within the area and the potential for bat roosts. Whilst comments are awaited from the Nature Conservation Officer, conditions have been included to request additional surveys prior to the demolition of the building. Any additional conditions/variation of conditions will be added when these comments are received.

Contaminated land

The site is within close proximity to an old disused and filled landfill site. As such, detailed reports have been submitted to investigate any contamination on the land.

Environmental Health comments are awaited on this report, though the Officer has been consulted throughout the process of developing the report that has been submitted and is aware of the findings. The application will be subject to any comments or recommendations from the Environmental Health Officer.

Conclusion

The proposed development would deliver 100% affordable homes within a sustainable; location and provide community benefits in terms of contributions to leisure and community facilities. The scheme provides a appropriate mix of accommodation and is of an acceptable design that can be construction without detrimental harm to visual and residential amenity. The proposal is therefore considered acceptable and is recommended for approval.

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

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