

46/2004/018

GREENSLADE TAYLOR HUNT

**ERECTION OF LIVESTOCK MARKET COMPRISING COVERED LIVESTOCK STALLS AND SALES ARENA, ADMINISTRATIVE BUILDING AND TOILET FACILITIES, TOGETHER WITH CAR AND ARTICULATED VEHICLE PARKING, LIVESTOCK UNLOADING AREA, VEHICLE WASHDOWN AREA, SITE DRAINAGE AND STRATEGIC LANDSCAPING AND FORMATION OF VEHICULAR ACCESS INTO THE A38, LAND O.S. PLOTS 6561/6770/7179/0061, CHELSTON HEATHFIELD, WELLINGTON, AS AMPLIFIED AND AMENDED BY LETTER DATED 16TH NOVEMBER, 2004 WITH ACCOMPANYING ENVIRONMENTAL STATEMENT DRAWING NO. 1224/1 AND LETTER DATED 17TH FEBRUARY, 2005 AND LETTER DATED 6TH MAY, 2005 WITH ACCOMPANYING TRANSPORT ASSESSMENT DATED MAY 2005**

15700/20734

OUTLINE

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## 1.0 **RECOMMENDATION**

Subject to:-

- (i) the removal of the Article 14 Direction imposed by the Highways Agency;
- (ii) the further views of the County Highway Authority, County Archaeologist, Environment Agency and Wessex Water and any further conditions they may require;
- (iii) confirmation of foul and surface water drainage and water supply arrangements;
- (iv) the receipt of satisfactory further archaeological evaluation and mitigation measures;
- (v) the views of the Secretary of State; and
- (vi) the applicant entering into a Section 106 Agreement to provide a contribution towards a tendered bus service; and

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), the means of access thereto, 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 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.
- 02 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.
- 03 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.
- 03 Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990.
- 04 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.
- 04 Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).
- 05 (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority. (iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.
- 05 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.

- 06 No work shall commence on the development site all off site transport works, including the access roundabout, have been submitted to the Local Planning Authority at a scale of not less than 1:500 and approved in writing.
- 06 Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.
- 07 The proposed development shall only be accessed by a new roundabout constructed in accordance with plans agreed in writing by the Local Planning Authority.
- 07 Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.
- 08 Any existing vehicular accesses to the site shall be stopped up (and the verge crossings reinstated) and their use permanently abandoned within one month of the new access first being brought in to use.
- 08 Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.
- 09 The area allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the use commences or the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.
- 09 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.
- 10 Before the building(s) hereby permitted is occupied provision shall be made for the loading/unloading and the turning of vehicles within the curtilage of the premises in accordance with a plan to be approved in writing by the Local Planning Authority and the areas so provided shall thereafter not be used for any other purpose other than loading/unloading and turning of vehicles.
- 10 Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.
- 11 The proposed road within the site shall be kept free from obstruction at all times.
- 11 Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.
- 12 Provision shall be made for the parking of cycles in accordance with details to be submitted to and approved by the Local Planning Authority. Such provision shall be made before the development hereby permitted is occupied/use hereby permitted is occupied.

- 12 Reason: To accord with the Council's aims to create a sustainable future by attempting to reduce the need for vehicular traffic movements in accordance with Taunton Deane Local Plan Policy M5.
- 13 The premises shall be used for a livestock market and ancillary activities only and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.
- 13 Reason: To ensure that the proposed development does not prejudice the amenities of the locality in accordance with Taunton Deane Local Plan Revised Deposit Policy S1(E).
- 14 No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the building(s) or within the storage area(s) as may at any time be approved in writing by the Local Planning Authority.
- 14 Reason: In the interests of the visual amenity of the area and in compliance with Taunton Deane Local Plan Revised Deposit Policy S1(D).
- 15 The layout of the site shall be so designed as to provide for the comprehensive development of the land with the adjoining land to the west (proposed employment site at Chelston House Farm).
- 15 Reason: To ensure that the development of the adjoining land is not prejudiced by the development permitted, in accordance with Taunton Deane Local Plan Policies S1 and S2.
- 16 All services shall be placed underground.
- 16 Reason: In the interests of the visual amenity of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(F) (Revised Deposit numbering).
- 17 Before the development hereby permitted is commenced, details of the appearance of any electricity sub-station shall be submitted to and approved in writing by the Local Planning Authority.
- 17 Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).
- 18 Prior to the occupation of the proposed development, details of the maintenance regime for the proposed surface water attenuation pond shall be submitted to and approved in writing by the Local Planning Authority. The agreed regime shall be strictly adhered to.
- 18 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.
- 19 The Mitigation Measures set out in the Ecological Report submitted with the Environmental Statement shall be carried out in accordance with further details to be submitted to and approved in writing by the Local Planning Authority.
- 19 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.

- 20 No development approved by this permission shall be commenced until a detailed Flood Risk Assessment for the surface water attenuation area adjacent to Haywards Water has been submitted to and approved in writing by the Local Planning Authority. The results of the Flood Risk Assessment shall be incorporated into the siting and design of the surface water attenuation area.
- 20 Reason: To ensure that the attenuation area is sited outside of the floodplain of the Haywards Water in accordance with Taunton Deane Local Plan Policies S1 and EN29.
- 21 No development approved by this permission shall be commenced until a scheme for the provision, implementation and future maintenance of surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved programme and details.
- 21 Reason: To prevent the increased risk of flooding, in accordance with Taunton Deane Local Plan Policies S1 and EN29.
- 22 Any works to attenuate surface water discharge to Haywards Water should be set back at least 10 m from top of the bank.
- 22 Reason: To conserve riparian habitat and to protect any attenuation works from minor alterations in the line of the watercourse due to natural processes in accordance with Taunton Deane Local Plan Policies S2 and EN25.
- 23 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas and hardstandings for vehicles, commercial lorry parks and petrol stations shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.
- 23 Reason: To prevent pollution of the water environment, in accordance with Taunton Deane Local Plan Policy S1(E).
- 24 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at anyone time, which ever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
- 24 Reason: To prevent pollution of the water environment, in accordance with Taunton Deane Local Plan Policy S1(E).

- 25 A schedule of timing of works to existing trees and hedgerows shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any work on site.
- 25 Reason: In the interests of the wildlife or the area, in accordance with Taunton Deane Local Plan Policies S2(C) and EN5.
- 26 Before any work, other than investigative work, is carried out in connection with the use hereby permitted a suitably qualified person shall carry out an investigation and risk assessment to identify and assess any hazards that may be present from contamination in, on or under the land to which this permission refers. Such investigation and risk assessment shall include the following measures:- (a) The collection and interpretation of relevant information to form a conceptual model of the site; and a preliminary risk assessment of all the likely pollutant linkages. The results of this assessment should form the basis of any subsequent site investigations. (b) A ground investigation shall be carried out, if required, before work commences to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants. (c) A site-specific risk assessment shall be carried out to evaluate the risks to existing or potential receptors, which could include human health, controlled waters, the structure of any buildings and the wider environment. All the data should be reviewed to establish whether there are any unacceptable risks that will require remedial action. (d) If any unacceptable risks are identified a remediation strategy shall be produced to deal with them effectively, taking into account the circumstances of the site and surrounding land and the proposed end use of the site. (e) Submission to the Planning Authority of 2 copies of the Consultants written Report which shall include, as appropriate, full details of the initial research and investigations, the risk assessment and the remediation strategy. The Report and remediation strategy shall be accepted in writing by the Local Planning Authority and thereafter implemented. (f) If any significant underground structures or contamination is discovered following the acceptance of the written Report, the Local Planning Authority shall be informed within two working days. No remediation works shall take place until a revised risk assessment and remediation strategy has been submitted to and accepted in writing by the Local Planning Authority. (g) On completion of any required remedial works two copies of a certificate confirming the works have been completed in accordance with the agreed remediation strategy, shall be submitted to the Local Planning Authority. (h) All investigations, risk assessments and remedial works shall be carried out in accordance with current and authoritative guidance. (i) All investigations and risk assessments shall be carried out using appropriate, authoritative and scientifically based guidance (Stat guidance B.47). Any remedial works should use the best practicable techniques for ensuring that there is no longer a significant pollutant linkage. (Stat guidance C.18).

- 26 Reason: To ensure that the potential land contamination can be adequately dealt with prior to the use hereby approved commencing on site in accordance with Taunton Deane Local Plan Policy S1(E) (Revised Deposit numbering).
- 27 The proposed archaeological mitigation measures shall be strictly adhered to.
- 27 Reason: To help protect the archaeological heritage of the district in accordance with Taunton Deane Local Plan Revised Deposit Policy EN24.
- 28 Before any development commences, details of lighting on the site shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the use of appropriate location, orientation, timing, shading and power to avoid any illumination of off-site areas.
- 28 Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).
- 29 Prior to the commencement of any works, an update survey of protected species shall be carried out and any further necessary mitigation measures incorporated in the development.
- 29 Reason: In the interests of the wildlife of the area, in accordance with Taunton Deane Local Plan Policies S2(C) and EN5.
- 30 Details of the arrangements to be made for water supply to the development shall be submitted to and approved in writing before any work commences.
- 30 Reason: To ensure that adequate water supply is provided without prejudicing existing networks, in accordance with Taunton Deane Local Plan Policy S1(H).

#### Notes to Applicant

- 01 Your attention is drawn to the requirements of The Building Regulations 2000 Part M Access and facilities for disabled people, the advise in BS 8300 and the Disability Discrimination Act. Generally speaking a level access will be required for your proposed building(s). An early assessment of site levels will avoid expensive alterations at a later date. If you would like to discuss your proposal with the Councils Access Surveyor, Mr E J Norton, please do so on 01823-356476.
- 02 To help conserve the world's energy you should aim to provide buildings which are well insulated, designed to reduce overheating in summer and to achieve as high an energy rating as possible.
- 03 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.
- 04 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).

- 05 Your attention is drawn to the need to provide reasonable access for Fire Appliances, and you are advised to contact The Chief Fire Officer, Divisional Fire Headquarters, Lisieux Way, Taunton, TA1 2LB. In addition, when plans are available, a copy of them should be sent to the Chief Fire Officer at the above address so that advice can be given on the desired fire safety measures which should be incorporated in the proposal.
- 06 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 at Burton Place, Taunton, before access works commence.
- 07 You are advised of the need to enter into an Agreement under Section 278 of the Highways Act before any work commences.
- 08 With regard to Condition 02, advantage shall be made of sustainable drainage techniques on site. For example, consideration should be given to the use of sub-base storage beneath a permeable surface in the public car parking areas rather than a gully pot and pipe system. This could provide attenuation storage and water quality mitigation for this area. Also, open channels, swales and ponds will increase the environmental benefits to be gained. The alternative systems not only cater for flood peak attenuation, but can also improve water quality and enhance the environment. Such systems, collectively known as 'source control' systems, include permeable pavements, grassed swales, infiltration trenches, ponds and wetlands. Further information is provided in the Environment Agency's publication 'Sustainable Drainage Systems (SUDS) a guide for developers'. The developer is advised to discuss with the Environment Agency how those techniques might be applied at this site. Please note this only applies to roof water, clean yard areas and car parking/lorry parking areas.
- 09 The disposal of slurry must be undertaken in accordance with the MAFF "Code of Good Agricultural Practice for the Protection of Water". No farm effluent or contaminated surface water, including wash down water, shall be discharged into any watercourses or water sources. Alternatively, with the water company's permission, contaminated surface water including washdown water, could be connected to the foul sewer. Then, any manure/dung heaps could be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off.
- 10 The Environment Agency would recommend that because of the need to protect and safeguard the environmental qualities of the site and the scale and likely programme of construction, the Local Planning Authority should seek undertakings from the applicant/developer to minimise detrimental effects to natural/water environmental features of the site and the risks of pollution. Such undertakings should cover the use of plant and machinery,



- oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes.
- 11 Any planting including the introduction of aquatic species in the proposed attenuation area should be carried out using native species ideally of local provenance.
  - 12 Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which has been forwarded to the Applicant/Agent.
  - 13 With regard to Condition 02, foul and contaminated drainage and trade effluent should be directed to the public foul sewer provided that adequate capacity is available for additional flows. Please note this includes washing facilities provided for the cleaning of vehicles, machinery and contaminated impermeable surfaces. Vehicle wash facilities must not be directed to any clean drainage system.
  - 14 All animal waste and contaminated surface water including washdown water must be taken to a total containment system prior to disposal to land in accordance with the MAFF Code of Good Agricultural Practice. This should not be stored closer than 250 metres from a licensed abstraction or private water supply source.
  - 15 Under the terms of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991, the prior authorisation of the Environment Agency is required for the construction of storage installations as defined in the regulations.
  - 16 The proposed development overlies a minor aquifer (the Mercia Mudstone Group) which at this location is of Intermediate vulnerability. If detrimental consequences to the water environment are likely, then agreed mitigation measures would be necessary. The applicant should bear in mind that it is their responsibility to ensure that the development does not adversely affect any existing legal water interests in the area. Local water interests in the area such as wells, springs, etc, and private abstractions must not be adversely affected either. Attention is drawn to the presence of two licensed groundwater abstraction wells in the vicinity: 1. Chelston House Farm, located approximately 350 metres to the north west of the site (Licence No. 16/52/005/G/571). 2. Foxmoor Nurseries, located approximately 470 metres to the south east of the site (Licence No. 16/52/005/572).
  - 17 If off-site waste disposal is utilised it must be in accordance with the Duty of Care and the Waste Management Licensing Regulations 1994.
  - 18 With regard to Condition 21, calculations will be required regarding the sizing of the pond and an agreed rate of discharge. The following guidance should be adhered to: (a) Any surface water discharges to watercourses should be limited to that which occurs naturally from the catchment and as calculated from a 1 in 1 year storm using 10% impermeability. Any excess flows should be dealt with by on site

attenuation. (b) The design storm for any attenuation system shall be for a 1 in 25 year return period storm. (c) Environment Agency should be approached for consent to discharge and for their requirements regarding oil interceptors etc and headwall design. (d) Details required of proposed point of discharge to watercourse together with details of headwall etc. (e) The poor quality of water discharging from surface water outfalls can seriously affect the receiving watercourse. Techniques to reduce the impact of these discharges have been developed and collectively form a range of Sustainable Urban Drainage Systems (SUDs) for dealing with urban run off. It is strongly recommended that some form of SUD be used at this proposed development. Guidance notes are attached. It is also a requirement that any storage facility incorporates some form of Sustainable Drainage System (SUDS). Guidance notes are attached for such a system. It is strongly recommended that the developer discusses the proposals with the Council's Drainage Officer at an early stage, especially with regard to the future maintenance and adoption of any system.

- 19 With regard to Condition 02, the current public foul sewer is in Chelston Business Park to the north, but there is no spare capacity in this sewerage system to accept extra flows. The nearest possible point of connection is north of Cades Farm, Wellington. Consideration should be given to a joint scheme here to also serve the proposed developments at Cades Farm and Chelston House Farm. It is unlikely that Wellington sewerage treatment works will have sufficient capacity to service this development, but this cannot be confirmed until anticipated flow rates are received. It may be necessary to carry out a more detailed appraisal of the existing system for which a deposit of £2,000 will be required.
- 20 In line with Government protocol, you are advised to contact Wessex Water to see if any of the on-site or off-site drainage systems can be adopted.
- 21 Network analysis is required to determine whether the existing water supply system can serve the proposed development. Off-site mains reinforcements may be needed and a deposit of £2,000 would be required to undertake the work.
- 22 With regard to Condition 05, the guidelines sent out in the submitted Ecological Report should be adhered to. It is also recommended that additional native trees and shrubs be planted as copses at field corners to strengthen wildlife habitat.
- 23 With regard to Condition 25, timing of works shall be such as to prevent damage to nesting birds.
- 24 The Applicant is reminded that a Remediation Strategy should include reference to the measures to be taken to safeguard the health and safety of the workforce undertaking the remediation works and any other persons who may be affected by contaminated materials or gases. The site investigation and report should be in line with the latest guidance. Sources of such guidance will include, although not exclusively,

publications by the Department for Environment, Food and Rural Affairs (formally DoE and then DETR) the Environment Agency and the British Standards Institute. The Council has produced a Guide to the Assessment and Remediation of Contaminated Land (attached) which gives more details on the relevant sources of information available.

- 25 With regard to Condition 05, it is recommended that consideration be given to the possibility of transplanting the existing hedges. In the event of failure, there would still be a requirement to replant. The Somerset Wildlife Trust would be pleased to place the applicants in contact with individuals/organisations with experience of transplanting hedgerows.

Reason(s) for recommendation:- The proposed development will enable the livestock market to be relocated from its current site, which will facilitate the implementation of the comprehensive proposals for the major development site of which it forms a part. These proposals will also be of benefit to the vitality of the rural economy and is in compliance with Taunton Deane Local Plan Policy S7.

## 2.0 **APPLICANT**

Greenslade Taylor Hunt.

## 3.0 **THE PROPOSAL**

The proposal provides for the relocation of the existing livestock market at Taunton to a new site at Chelston Healthfield, near Wellington. The existing market is required to relocate to facilitate the redevelopment of the Firepool area of Taunton, a central proposal within the Taunton Deane Local Plan and a key part of the Vision for Taunton. The lease on the existing site was due to expire during 2004, but has been extended by the Council.

The Local Plan also highlights two important factors in determining the approximate location of a new livestock market. These are:-

1. There are no available opportunities within the urban fabric of Taunton for a site of the size required; and
2. To be successful, the new site will need to provide convenient access to HGV traffic, much of which will be drawn from a very wide catchment.

The applicants have undertaken a detailed and wide-ranging search for a suitable relocation site for the market.

The application is in outline only but proposes a livestock market building comprising covered livestock stalls, sales arena, administration and toilet facilities, car and articulated vehicle parking, livestock unloading area, vehicle wash down area, site drainage, new vehicular access onto the A38 and strategic landscaping. The floorspace proposed is approximately 10,475 sq m on one

floor, of which approximately 2,250 sq m will be office floorspace and other service facilities. The remainder will be the auction rings and pennage. Although all matters are reserved for future approval, the application was accompanied by an illustrative layout and an illustrative plan of the proposed access arrangement, with a roundabout access onto the A38. The latter is proposed to be a four-legged roundabout, with the opposite leg serving the proposed employment site at Chelston House Farm, which is an allocation in the Taunton Deane Local Plan.

Also submitted with the application was:-

- (i) artists impression of the proposal;
- (ii) a Traffic Statement providing further details of the proposed access arrangement, including how this will relate to the proposed employment allocation at Chelston House Farm; and
- (iii) a schedule detailing provisional vehicle trip generation.

The applicants confirm that the existing staffing levels at the Taunton Market would be retained. These are:-

- (i) Saturdays - 10 auctioneers, 10 clerical/administrative and 30 stock handlers;
- (ii) Tuesdays - 4 auctioneers, 6 clerical/administrative and 10 stock handlers; and
- (iii) All other times - 5 clerical/administrative.

Typical working hours would be between 6 a.m. and 4 p.m., although some lesser degree of activity is likely outside these times and on other days of the week.

A total of 409 parking spaces are proposed on the illustrative plan for articulated lorries (32), rigid lorries (24), 4 x 4 with trailer (109), cars (240) and disabled cars (4). However the area covered by the application has been amended, which may affect these figures.

Subsequent to the submission of the planning application, an Environmental Statement was submitted which, in summary, covers the following matters:-

1. A description of the development;
2. An outline of alternative sites considered;
3. A description of the host environment likely to be affected by the development;

4. A description of the likely effects of the development on the environment;
5. A description of the measures envisaged to prevent, reduce and where possible affect any adverse effects on the environment;
6. A non-technical summary; and
7. An indication of any difficulties encountered in compiling the required information.

The Statement included the following:- a landscape and visual impact appraisal, a traffic statement, a noise report, a drainage report, a geo-technical and soak away investigation report, an ecological report and an archaeological assessment.

The size of the market facility has been planned to accommodate reasonable expansion in business and potential growth in stock numbers and therefore there are no current proposals for future expansion or secondary development associated with the proposed market.

#### 4.0 **THE SITE**

The application site lies close to Wellington, close to Chelston roundabout, with its spur off the A38 leading to junction 26 of the M5 motorway.

Immediately to the north of the site beyond the roundabout is Chelston, which largely consists of a number of dispersed groups of dwelling houses, together with a business park. There are also a number of isolated farms and nurseries in the immediate area of the application site, with the closest dwellings being south of the site at Chelston Cottage, Haywards Farm and at Little Jurston Farm at the south-western corner of the site.

The site comprises 8.67 ha of agricultural land. It is generally flat with existing hedges crossing it and bordering it.

#### 5.0 **RELEVANT PLANNING POLICIES**

##### **Regional Planning Guidance for the South West**

Policy VIS 1 Expressing the Vision

Policy VIS 2 Principles of Future Development

Policy SS 2 Regional Development Strategy

Policy SS 3 The Sub-Regional Strategy

### Policy SS 5 Principal Urban Areas

Structure planning authorities should plan for the long term growth of the PUAs, on a basis to be agreed with the RPB. This will be necessary in order that the regional monitoring, both for this RPG and the Annual Monitoring Statement required by PPG3, to ensure a consistent and comparable basis; and as the best way to inform the required work for urban housing capacity exercises. Planning should involve all the districts for the area of each PUA, with early outputs for a new round of co-ordinated structure plans following publication of this RPG, using:

- urban housing capacity studies for the whole PUA, using existing and additional research;
- constraints mapping for PUA extensions, using existing and additional research;

and for the Bristol, Bournemouth/Poole, Exeter, Plymouth, Swindon, Cheltenham and Gloucester and Taunton PUAs:

- urban extension studies which, where relevant, will need to take account of and be taken into account in reviews of any Green Belt, including transportation and infrastructure needs (including costs) studies.

Structure plans should define the general geographic extent of each PUA, in the same way that the general extent of Green Belt is set out. They should support forward planning and investment in infrastructure and a more sustainable distribution of development by:

- providing for a balance of housing and employment in towns with good facilities and services, thus reducing the need to travel to the PUAs;
- providing an indicative target in structure plans for the number of dwellings and the amount of other developments to be located at each PUA;
- producing compact urban developments likely to be well served by public transport;
- identifying major transport proposals for inclusion in LTPs and where appropriate in the Regional Transport Strategy.

### Policy SS 6 Other Designated Centres for Growth

### Policy SS 14 Taunton

Local authorities, developers, infrastructure and transport providers and other agencies should work together to achieve the following for Taunton:

- an enhanced role as a focal point for increasingly diversified economic activity and as a commercial, cultural and service centre for the central part of the region;
- balanced housing and economic development, facilities and services consistent with the town's enhanced role;
- investment in transport and other infrastructure and facilities to support this strategy, including measures to address capacity problems at M5 junction 25.

#### Policy SS 19 Rural Areas

Market towns should be the focal points for development and service provision in the rural areas and this role should be supported and enhanced. Outside market towns, development should be small scale and take place primarily within or adjacent to existing settlements, avoiding scattered forms of development. Local authorities in their development plans should:

- locate development to support the rural areas primarily in market towns, identified and designated in development plans through a balanced mix of homes, jobs, services and facilities suitable to the scale and location of such settlements;
- adopt policies which support the restructuring of the rural economy and the provision of jobs to satisfy local needs;
- set out policies for supporting sustainable farm diversification schemes which help to maintain the viability of the agriculture sector and rural economic vitality;
- seek ways of providing for essential shops and services to serve the rural areas;
- promote improved and integrated public transport, communications and service delivery and support innovative community based solutions to public transport and communications, in order to increase access to jobs, housing and facilities;
- limit housing growth in market towns near larger urban areas where it would fuel commuting rather than meet local needs.

### **Somerset and Exmoor National Park Joint Structure Plan Review**

STR1 Sustainable Development

STR6

**DEVELOPMENT OUTSIDE TOWNS, RURAL CENTRES AND VILLAGES**

Development outside Towns, Rural Centres and Villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

#### STR7 Implementation of the Strategy

Policy 1 Nature Conservation

Policy 5 Landscape Character

Policy 7 Agricultural Land

Policy 13 Locally Important Archaeological Remains

Policy 19

#### **EMPLOYMENT AND COMMUNITY PROVISION IN RURAL AREAS**

In rural areas provision should be made for development which creates or enhances local employment, shopping or community facilities, including development necessary for the purposes of agriculture and development associated with the diversification of agricultural units.

Policy 39 Transport and Development

Policy 42 Walking

Policy 44 Cycling

Policy 48 Access and Parking

Policy 49 Transport Requirements of New Development

#### **Taunton Deane Local Plan**

S1 General Requirements

S2 Design

S7 Outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and:

- (A) is for the purposes of agriculture or forestry;
- (B) accords with a specific development plan policy or proposal;
- (C) is necessary to meet a requirement of environmental or other legislation; or
- (D) supports the vitality and viability of the rural economy in a way



which cannot be sited within the defined limits of a settlement.

New structures or buildings permitted in accordance with this policy should be designed and sited to minimise landscape impact, be compatible with a rural location and meet the following criteria where practicable:

- (E) avoid breaking the skyline;
- (F) make maximum use of existing screening;
- (G) relate well to existing buildings; and
- (H) use colours and materials which harmonise with the landscape.

S8 Best and Most Versative Agricultural Land

M1 - M3 Transport, Access and Circulation Requirements of New Development

M5 Cycling

EN3 Local Wildlife and Geological Interests

EN5 Protected Species

EN6 Protection of Trees, Woodlands, Orchards and Hedgerows

EN9 Tree Planting

EN12 Landscape Character Areas

EN26 Water Resources

EN34 Control of External Lighting

T3 Major Site Allocation - Firepool

## 6.0 **RELEVANT CENTRAL GOVERNMENT POLICY GUIDANCE**

### **Planning Policy Statement 1 - Delivering Sustainable Development**

The following paragraphs are particularly relevant:-

Paragraphs 3 and 4

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 8

**Planning Policy Statement 7 – Sustainable Development in Rural Areas**

The Government’s objectives are set out in the Statement as follows:-

(i) To raise the quality of life and the environment in rural areas through the promotion of:

- thriving, inclusive and sustainable rural communities, ensuring people have decent places to live by improving the quality and sustainability of local environments and neighbourhoods;
- sustainable economic growth and diversification;
- good quality, sustainable development that respects and, where possible, enhances local distinctiveness and the intrinsic qualities of the countryside; and
- continued protection of the open countryside for the benefit of all, with the highest level of protection for our most valued landscapes and environmental resources.

(ii) To promote more sustainable patterns of development:

- focusing most development in, or next to, existing towns and villages;
- preventing urban sprawl;

- discouraging the development of ‘greenfield’ land, and, where such land must be used, ensuring it is not used wastefully;
- promoting a range of uses to maximise the potential benefits of the countryside fringing urban areas; and
- providing appropriate leisure opportunities to enable urban and rural dwellers to enjoy the wider countryside.

(iii) Promoting the development of the English regions by improving their economic performance so that all are able to reach their full potential – by developing competitive, diverse and thriving rural enterprise that provides a range of jobs and underpins strong economies. underpins strong economies.

(iv) To promote sustainable, diverse and adaptable agriculture sectors where farming achieves high environmental standards, minimising impact on natural resources, and manages valued landscapes and biodiversity; contributes both directly and indirectly to rural economic diversity; is itself competitive and profitable; and provides high quality products that the public wants.

Planning authorities have an important role to play in delivering the Government’s objectives for rural areas, through their operation of the planning system and the application of the policies set out in this and other PPS and Planning Policy Guidance Notes.

The following paragraphs from the National Planning Policies section are particularly relevant:-

Paragraph 1(iv) New building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled; the Government’s overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.

Paragraph 5 Planning authorities should support a wide range of economic activity in rural areas. Taking account of regional priorities expressed in RSS, and in line with the policies in paragraphs 2-4 above, local planning authorities should:

(i) identify in LDDs suitable sites for future economic development, particularly in those rural areas where there is a need for employment creation and economic regeneration;

(ii) set out in LDDs their criteria for permitting economic development in different locations, including the future expansion of business premises, to facilitate healthy and diverse economic activity in rural areas.

Paragraph 6 People who live or work in rural areas should have reasonable access to a range of services and facilities. Local planning authorities should:

(i) through their LDDs, facilitate and plan for accessible new services and facilities, particularly where;

– planning permission is granted for new developments in country towns or other local service centres; or

– settlements, or the population of their rural catchments, are expanding; or

– there is an identified need for new or expanded services to strengthen the role of a particular local service centre.

(ii) where possible, ensure that new development in identified service centres is supported through improvements to public transport, and to walking and cycling facilities, provided in partnership with the developer where appropriate;

(iii) identify suitable buildings and development sites for community services and facilities to meet the needs of the whole community, including disabled users;

(iv) support mixed and multi-purpose uses that maintain community vitality; and

(v) support the provision of small-scale, local facilities (e.g. childcare facilities) to meet community needs outside identified local service centres, particularly where they would benefit those rural residents who would find it difficult to use more distant service centres. These local facilities should be located within or adjacent to existing villages and settlements where access can be gained by walking, cycling and (where available) public transport.

Paragraph 7 Planning authorities should adopt a positive approach to planning proposals designed to improve the viability, accessibility or

community value of existing services and facilities, e.g. village shops and post offices, rural petrol stations, village and church halls and rural public houses, that play an important role in sustaining village communities. Planning authorities should support the retention of these local facilities and should set out in LDDs the criteria they will apply in considering planning applications that will result in the loss of important village services (e.g. as a result of conversion to residential use).

Paragraph14      The policies in this section apply to the largely undeveloped countryside that separates cities, towns and villages. Whilst much of the land use activity in the countryside is outside the scope of the planning system, planning has an important role in supporting and facilitating development and land uses which enable those who earn a living from, and help to maintain and manage the countryside, to continue to do so. RSS should recognise the environmental, economic and social value of the countryside that is of national, regional or, where appropriate, sub-regional significance. Policies in RSS and LDDs should seek to maintain and enhance these values, so enabling the countryside to remain an important natural resource, contribute to national and regional prosperity and be enjoyed by all.

Paragraph 27      The Government recognises the important and varied roles of agriculture, including in the maintenance and management of the countryside and most of our valued landscapes. Planning policies in RSS and LDDs should recognise these roles and support development proposals that will enable farming and farmers to:

(i) become more competitive, sustainable and environmentally friendly;

(ii) adapt to new and changing markets;

(iii) comply with changing legislation and associated guidance;

(iv) diversify into new agricultural opportunities (e.g. renewable energy crops); or

(v) broaden their operations to 'add value' to their primary produce.

## 7.0 **CONSULTATIONS**

## **Highways Agency**

Article 14 Direction issued, which directs that the Authority should not grant permission for a period of 6 months (subsequently extended for a further 6 months - expiring on 27th October, 2005). The reason for the Direction is to allow sufficient time for the impact of the development to be assessed for possible adverse effects on Junction 26 of the M5 Motorway.

## **County Highway Authority**

"I refer to the above application received on 7th March 2005. I enclose two sets of detailed comments on the technical analysis of the proposed road improvements that form part of the application for your information. You will see from these comments that there are a number of issues relating to the details of the proposed roundabout etc that remain of concern and will require resolution. These are all matters that I am confident can be resolved through the progression of a Section 106 or Section 278 Agreement as they will also relate to the adjoining Chelston House Farm allocated employment site which will use the same roundabout as a means of access. You will also be aware that the applicants have been requested to submit a cumulative analysis of the traffic impacts of this proposal, the employment site, the Cades Farm residential site and the redevelopment of the Kwik Save site in Wellington town centre. I am still awaiting receipt of this cumulative analysis.

I have no objection in principle to the relocation of the market as proposed. It is however possible that other off site transport improvements in addition to the roundabout may be required but I clearly cannot quantify these (if any) until the points raised with the applicants transport consultants have been clarified and the cumulative analysis received. Therefore if the application is to proceed to 18th May committee I would recommend that if your Members are minded to approve it should be subject to a S106 or S278 and appropriate Grampian style conditions to cover the highway and transport issues. This should include a requirement for no works to commence until the cumulative analysis has been received, assessed and any consequent works have been included in a S. 106 or S278 Agreement. Please note that it is likely that I may need to amend or augment these conditions once I have received and assessed the cumulative analysis and amendments to the current drawings.

I would recommend that the following condition are attached to any consent:-

1. No work shall commence on the development site all off site transport works, including the access roundabout, have been submitted to the Local Planning authority at a scale of not less than 1 :500 and approved in writing.

2. The proposed development shall only be accessed by a new roundabout constructed in accordance with plans agreed in writing by the Local Planning Authority.
3. Any existing vehicular accesses to the site shall be stopped up (and the verge crossings reinstated) and their use permanently abandoned within one month of the new access first being brought in to use.

Note: 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 at Burton Place, Taunton before access works commence.

The following is the text of the two enclosures:-

The TS is clearly not designed to be a full traffic assessment and does not contain all the supporting evidence such as a TRICS output and calculations normally contained in a TA. For this reason I am unable to verify many of the assumptions made in the document. I have however made a number of comments. Interpolating from the data supplied I do not believe that there is likely to be significant capacity or other traffic related problems with this site, however I suggest that Peter Evans be requested to supply additional information to include committed development and revised assessment years as discussed below.

### **Trip Generation**

The site comprises two elements. A relocated cattle market and new industrial units comprising a mixture of B1, B2 and B8

Trip generation is based on surveys of the existing Taunton cattle market increased by 15% to ensure a robust assessment (TS para. 3.3.1). Assuming the surveys are reliable and that the market facilities are essentially unaltered, this would seem to be the most appropriate method of predicting the amount of traffic. Cattle markets are by their nature individualistic sites, and reference to the TRICS database offers little guidance.

There is a great uncertainty relating to the industrial units, as discussed in my earlier memorandum to you dated 5th August, 2004. The TS discusses trip generation in section 3.4 but contains insufficient data to allow any assessment of how appropriate the TS adopted trip generation is. There are a number of possible sources of variation in the trip generation. These include:

- The mix of B 1, B2 and B8 within the site
- What assumptions have been made relating to TRICS? (for example is the B1 element assessed on gross floor area or employee numbers or

otherwise)

- The adopted trip generation rates of individual land uses
- The appropriate use of trip rates to ensure an overall approximation of 85%ile trip rates to ensure a robust prediction.

### **Future base flow traffic**

There is no indication of how future base traffic is predicted. There are three elements

- Choice of assessment year
- The appropriate growth factor, normally derived from NRTF modified by Tempo factors
- The inclusion of nearby committed development traffic.

All calculations and assumptions need to be explained. I assume you will be able to advise on those developments that need inclusion. Committed development traffic such as the Cades Farm site may have significant impact on the Chelston Roundabout, which in turn will alter the base conditions for assessment of this site

### **Assessment Year**

The TA adopts an assessment Year is 2010. Normal SCC policy is year of opening and 10 years after opening. Assuming construction will not before 2006, to comply with SCC policy, the TS should take assessment years of 2006 and 2016.

### **Traffic Distribution**

Cattle market traffic distribution is based on a survey of livestock movements in March 2003, and therefore may be assumed to be a good indicator.

The distribution of B 1 traffic is based on a survey of the assignment of traffic from Chelston Business Park (TS para. 3.4.4), and is acceptable.

### **Junction Modelling**

TS uses ARCADY5 to analyse Chelston Roundabout and the Access Roundabout. The models themselves seem suitable, and although for reasons unlined above they will need to be re-run for 2016 and possible variations in generated traffic.



## **Conclusion**

The information supplied is a traffic statement and not a full transport assessment. Generally the methodology and assumptions are acceptable, however a fuller explanation is needed. In addition there is a need to consider other committed developments and for consistency, a 10 year hence assessment year is needed.”

### **“Infrastructure Design Layout (Comments by Chris Stone):**

(a) It is noted that the Environmental statement contains two separate Peter Evans drawings (as listed above) showing two differing sized roundabouts, namely a 42m ICD roundabout on their drawing 1817.01/- and a 50m ICD roundabout on their drawing 1817/03/-. It would appear from the text of the Environmental Statement that it is probably envisaged that the 50m ICD is appropriate to the application, but it is felt that the apparent discrepancies between the roundabout and approach road layouts shown on the separate drawings should be clarified with the applicants at the outset. Adequacy of the necessary size of roundabout to cater for the traffic levels will be a determining factor in the assessment of relative size, although meeting deflection and layout requirements often has a significant bearing on the appropriate design diameter (although normally only with roundabouts less than about 45m in diameter).

(b) Because of the length of existing A38 carriageway between the ICD of the Chelston Roundabout and the curve in the road at the West Buckland turn (by the Foxmoor Nurseries site), the approach visibilities, as required by the Technical Design Standard, to the new roundabout will not be able to be met if the speed limit on the existing A38 remains at the national limit. With 60mph running on the A38, approach visibility in advance of the ICD line of the roundabout shall be 215m anywhere over a distance of 11S times that length in advance of the Give way line. In other words a forward stopping distance of 215m shall be available at all points within 322m in advance of the Give way line. The latter is not available. If the speed limit were to be reduced (by appropriate order) to 50mph, then a 160m fsd shall be available at all points within 240m of the roundabout. Even this may not be achievable. Further, if a local 40mph limit was implemented from before the West Buckland turn, through the location of the proposed roundabout and to include the existing Chelston Roundabout, then an fsd of 120m would need to be available at all points within 180m of the ICD. It is for the above reason that a reduction in the existing speed limit would be necessitated.

(c) Whilst the two drawings of Peter Evans show an access road coming off the new roundabout and continuing on a relatively straight alignment for some 65m - 85m into the site, the drawing of Greenslade Taylor Hunt indicates a proposal to omit all of this length of this site access road and site the new market building

directly across the line of the Peter Evans site access road immediately inside the site boundary and, moreover, put entry gates on the site access splitter island. Lorries are required to immediately turn to the right across the path of existing cars, which is unsatisfactory, and all this is happening immediately outside the main entrance to the building. This design of Greenslade Taylor Hunt would not be at all acceptable from a highway point of view, in that major congestion would occur on the Principal Road A38 that passes the site frontage due to vehicles being unable to enter, circulate or otherwise clear the new roundabout thereby causing delay to all other traffic using the main road (and also potentially the main roads and motorway access route meeting at the Chelston Roundabout). Accordingly, the following criteria will need to be met in any design layout for the new market access off the roundabout.

1. No gates at the entry to the site immediately on the splitter island of the roundabout. Gateway to be sited no less than 40m from the Inscribed circle Diameter (ICD) - outer carriageway perimeter - of the roundabout. Should the gates be closed when a vehicle has already turned off the roundabout, then a means for that vehicle to turn in advance of the gates in order to regain the roundabout should be built in to the access arrangement. That vehicle should be able to do that manoeuvre fully in forward gear so that it has no need to reverse back onto the circulatory carriageway of the roundabout.

2. The main market building should be sited to one side or other of the main site access inbound route, and not immediately inside the boundary 'blocking' vehicles from entering. From the roundabout, access for HGVs shall not pass in front of the building or through any pedestrian-predominant area. A dedicated access route shall be available for HGVs and shall be no less than 180m in length (measured from a point 30m inbound from the ICD of the roundabout) before any manoeuvring or parking or checking-in areas are met. In other words, this 180m lead-in length - or double lane inbound of 90m length - (for up to 10 articulated animal transporters to stack before being accepted to a designated bay etc in the site) needs to be fully available for this purpose at all times, and shall not be utilised for other purposes. Clockwise circulation within the site is preferable so that no unnecessary crossing movements inbound/outbound need to occur. Entering vehicles should therefore deviate off to the left on entering the site.

3. A similar lead-in length on a separate route for light vehicles/cars shall be provided of not less than 120m in length (measured from the same point 30m inbound of the ICD of the roundabout) (20 x light vehicle lengths) - or two lane inbound of 60m to act as a lead-in lane prior to the light vehicle parking/manoeuvring areas being reached. Clockwise circulation within the site is preferable so that no unnecessary crossing movements inbound/outbound need to occur. Entering vehicles should

therefore deviate off to the left on entering the site.

4. The point at which HGV traffic diverges from light vehicle traffic shall be approx some 30m from the ICD of the roundabout so that the separate routes to the parking/receiving areas can operate independently. It is vital that no arriving traffic needs to assemble in a queue that backs onto the A38 whilst waiting to get into the site - causing congestion, safety hazards and delays to other highway users. It should be remembered that, should the M5 be closed between junctions 26 and 27 by an emergency etc, then all diverted traffic would need to use the A38 past the site frontage and the A38 must therefore be free flowing without any assembly of market traffic stacked on it at any time.

5. 'Lead-out' requirements for traffic exiting the site are less important in terms of stacking length as they will not have a particular effect on the Principal Road traffic. However, it would be recommended that a two-lane exit be provided over the 40m prior to the ICD being reached on exit, and that the exit route, for safety reasons, should not pass immediately in front of the main market building or through a pedestrian-predominant area.

6. An off-road footway /cycleway shall be provided in the south-eastern margin of A38 to link the market access road with the north east side of the Chelston Roundabout (where the access road to the Chelston Business Park is situated). Such an access route for pedestrians and cyclists will also need to cross through appropriate splitter islands of the arms of the Chelston Roundabout. The width of the shared route can be 2.5m of paved surfacing providing it is separated from the carriageway of the Chelston Roundabout and of the A38 by a grassed verge of no less than 1.0m width. The off-road route shall also cross through the splitter island of the new roundabout to serve the Summerfields site. Footway provision in the southeast margin of the A38 should continue south-westwards as far as the West Buckland junction. Also footway provision shall be included around all other sides of the periphery of the new roundabout and on both margins into the Summerfields site.

(d) Consideration should be given to the forward-gear turning facility requirement for HGVs [mentioned in (c)1 above] being laid out to incorporate a bus stand/stop with High Access Kerbed platform so that, should a bus be routed via the site on market days (or a coach party arrive for any reason) at any subsequent date, then normal current requirements for platform/footway provision, required under Disability Regulations, are available.

(e) Consideration should be given to all Technical requirements in respect of roundabout design/layout being met. This relates, in addition to approach visibility discussed earlier, to deflection requirements being met on all arms of the new roundabout, suitable forward stopping visibility envelopes being achieved on all

exits from the circulatory carriageway, and appropriate roundabout visibility requirements being met with a minimum 3.5m wide margin being provided on all sides of the roundabout. At present with the 50m diameter roundabout, the proposed carriageway channel appears to allow no margin at all between the kerbed channel and the boundary of 'The Bungalow' at both outstanding corners, which is unacceptable. Whilst much of the central island of the roundabout will need to be laid as a grassed area, some landscaping feature will be considered appropriate in the central area of the central island. This feature should consist of shrubs and thin-stemmed trees only. The Highway Authority will wish to see such planting (which - with appropriate signing [to a particular specification] - may be sponsored) being also supported by a commuted sum, provided by the developer, for maintenance costs while the landscaped area establishes itself.

(f) Full street lighting of the roundabout will be required together with all appropriate signing, not only in the immediate vicinity but much farther afield to ensure appropriate routes are followed in reaching the new market site.

(g) It should be noted that a full technical audit of the adequacy of either roundabout layout in meeting the requirements of Technical Layout Standards has not been carried out. Such aspects will require, without exception, to be satisfied at an appropriate date, in a plan to accompany any S.106 Agreement in respect of determination of this application.

#### **Highway Safety Implications - (*Comments by Martin Shattock*):**

The following observations are based on a desk top study of the Peter Evans Partnership preliminary roundabout design drawing ref 1817.01 dated 07.05.04 detailing the proposed 42m (*r 'abt*) site and Summerfield land access proposals. No site inspection has been carried out.

Detailed designs should incorporate/consider the following:-

1. Chelston Roundabout is illuminated by a system of highway lighting. It is recommended that the system of Highway lighting be extended to incorporate the new roundabout. The A38 is a Principal route that is subject to the National Speed limit. The new system of Highway Lighting will invoke "Restricted Road Status" thereby restricting the speed of traffic to 30mph. The close proximity of the proposed roundabout to Chelston roundabout is likely to calm existing traffic speeds. For the existing highway lighting to be signed with the National speed limit plates Traffic Regulation Order must be in force. Careful consideration should be given to the appropriate speed limit for this length of road and associated Traffic Regulation Orders provided. The designer should also be mindful of the DMRB requirements for passively safe signposts and requirements for Road Restraint Systems on roads subject to speed limits of 50mph or greater.

2. The proposed location of the market site is likely to increase both pedestrian

and cyclist journeys from & to Wellington Town Centre. It is strongly recommended that the detailed design should incorporate safe off carriageway cycle and pedestrian links to & from the town centre for cyclists and pedestrians. All necessary Orders, Notices etc in connection with pedestrian / cycle infrastructure must be provided.

3. All new Traffic Signs and Road Markings must comply with the requirements of the Traffic Signs Regulations and the Traffic Signs Manual. Existing signs may need to be upgraded to comply with these standards.

4. As the A38 is the diversion route for the motorway, and in view of the quantity of commercial vehicles requiring access to the site, it is recommended that the design incorporates the provision of specialized high-skidding resistance surfacing on the approach to the roundabout (Ref. DMRB HD36/99 - Table 3.1).

5. An existing system of double white lines is in place on the A38, such markings & studs will need to be reviewed in relation to proposed road markings for the new roundabout.

6. Detailed designs should define required visibility splays for all road users (inc. Motorists, Pedestrians and Cyclists). Such visibility splays must be within adoptable highway limits, kept clear of vegetation/landscaping and should not be obscured by street furniture etc.

7. Forward visibility to queuing traffic at the roundabout for northeast bound traffic on the A38 may be obscured by the left hand bend. The design must ensure adequate forward visibility to queuing traffic (through the inside of the bend) is provided and additional warning devices may be necessary to prevent rear end shunt type collisions.

8. Consideration should be given disabled access, ensuring the provision of Dropped Kerb crossing points in accordance with the DfT "guidelines for the use of tactile paving surfaces" and the "inclusive mobility" guidelines."

The further cumulative analysis has now been submitted, but to date of compiling this Report, the further observations of the County Highway Authority had not been received.

### **County Planning Authority**

"No doubt you are aware that the use of the land proposed has the potential to conflict with that set out in the Development Plan. For example, adopted Local and Structure Plan policies and principles of PPG 7.

Bearing in mind that planning applications should be determined on their merits, in the light of all the material considerations, the enactment of the New Planning

Act (Sept 04) means that Regional Planning Guidance for the South West (RPG 10) is now part of the development plan. RPG 10 is part of the development plan until replaced by the Regional Spatial Strategy (RSS) and appropriate weight should be attached to such advice.

In particular, I draw your attention to the fact that Taunton is identified as a Principal Urban Area under Policy SS 5 and Policy SS 12. Furthermore the emerging RSS presently identifies Taunton as a "Regionally Significant Settlement" along with Bath, Bournemouth/Poole, Gloucester/Cheltenham, Exeter, Plymouth, Swindon, Torbay and Weston-super-Mare.

However, such material considerations have to be considered within the context of delivering the Taunton Vision and comprehensive land-use regeneration of an expanded Taunton town centre. In my opinion, this accords with the governments approach towards town centre regeneration as contained with PPS 6 Planning for Town Centres.

Accordingly, on behalf of SCC as the Strategic Planning Authority, providing a case for an exception to policy is made; I have no objection in principle to the relocation of the livestock market as proposed."

**County Archaeologist** (initial response)

"I have been contacted by the applicants and have sent them the following comments:-

The proposal is on a greenfield site and although there are no records relating to finds within the exact location significant prehistoric finds have occurred along similar alluvial valleys in the area (for example the recent Bronze Age wooden idol from Hillfarance). Also archaeological monitoring of the construction of the M5 revealed many sites in this area not previously recognised, which indicates that this area has very high potential for unrecorded sites. For example three different periods of activity were recorded on the adjacent stretch of the M5, a prehistoric and a Roman site at Vokers Cross roundabout and just south of the roundabout a medieval settlement was revealed.

Based on this information this site does have the potential to have significant remains present. Therefore a phased assessment should take place include a Desk Top Assessment (DTA) and based on the DTA possibly a geophysical survey and subsequent trial trenching.

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.

I am happy to provide a specification for this work and a list of suitable

archaeologists to undertake it.

The following further response was received following the receipt of the Environmental Statement:-

"In general the information concerning the Cultural Heritage within the ES is acceptable. However, part of the Abstract within the desk-based assessment (appendix 9, page 5) is obscured although I believe the similar information is repeated elsewhere in the DT A.

The ES comes to the conclusion that there is a medium to high potential the site and then goes on to describe that further evaluation is required to confirm this. It is recommended within . DTA that geophysical survey followed by trial trenching should take place. I agree with this recommendation and advise that this needs to take place prior to determination of this application. In fact the results from this evaluation should form part of the EIA and should be used to propose a suitable mitigation strategy for the development. It is very important that these results are obtained at this stage because if this information is not put forward within the EIA it is likely that the ES will have failed to accord with the EIA Regulations 1999 which require that "full knowledge" of the likely significant effects of the project be determined within the ES

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.

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

**Environment Agency** (initial response)

"The Agency OBJECTS to the proposed development, as submitted, on the following grounds:-

We recommend that your Council should defer consideration of this application until sufficient' details are provided by the applicant in accordance with PPG25 Development and Flood Risk.

The site lies within the catchment area of the Haywards Water where flooding occurs at present. Surface water run-off will increase as a direct result of the development, thereby further increasing the flood risk to which properties downstream are subject, unless adequately attenuated.

PPG25 identifies that a Flood Risk Assessment must be submitted as part of any application. In this case, no drainage statement or assessment has been

submitted in relation to the requirements for adequate attenuation of surface water. Also, there have been no details submitted of the area to the south east of the main site, now identified as being for a balancing lagoon, or an analysis of the existing flood risk to this area from the watercourse. This is required in order to identify how much of the area is outside the existing floodable area and thus available for construction of any lagoon. The applicant must supply sufficient detail to establish the feasibility of using this area for a lagoon of sufficient capacity.

In the event of the Agency's objection being overcome, we request that any grant of permission includes the following formal conditions:-

**CONDITION:** Any works to attenuate surface water discharge to Haywards Water should be set back at least 10 m from top of the bank.

**REASON:** To conserve riparian habitat and to protect any attenuation works from minor alterations in line with the watercourse due to natural processes.

**CONDITION:** Any planting including the introduction of aquatic species in the proposed attenuation area should be carried out using native species ideally of local provenance.

**REASON:** To prevent the introduction of alien and invasive species that may prove difficult to control.

**CONDITION:** Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas and hardstandings for vehicles, commercial lorry parks and petrol stations shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

**REASON:** To prevent pollution of the water environment.

**CONDITION:** Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground, where possible,



and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

REASON: To prevent pollution of the water environment.

NOTE: Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which has been forwarded to the Applicant/Agent.

The following informatives and recommendations should be included in the Decision Notice.

Consideration should be given to developing attenuation features that can contribute to local biodiversity as well as providing functionality.

There are native poplar trees in the vicinity, and we recommend that any ecological survey should identify whether the species is present in the sites proposed for development in order that the trees can be conserved

The Agency would further comment as follows:-

Prior to the submission of the Environmental Statement, the Agency would make the following general comments which we would expect to be contained within the statement:

The Agency will require the applicant to install additional pollution control measures when disposing of surface water run-off from the development. These measures, normally incorporated as part of Development Control requirements, provide alternatives to the conventional storage systems for the control of surface water run-off, and is favoured by the Agency where groundwater is not at risk.

The alternative systems not only cater for flood peak attenuation, but can also improve water quality and enhance the environment. Such systems, collectively known as 'source control' systems, include permeable pavements, grassed swales, infiltration trenches, ponds and wetlands. Further information is provided in the Environment Agency's publication 'Sustainable Drainage Systems (SUDS) a guide for developers', a copy of which has been forwarded to the applicant's agent.

The developer is advised to discuss with the Agency how these techniques might be applied at this site. Please note this only applies to roof water, clean yard areas and car parking/lorry parking areas.

Foul and contaminated drainage and trade effluent should be directed to the

public foul sewer provided that adequate capacity is available for additional flows. Please note this includes washing facilities provided for the cleaning of vehicles, machinery and contaminated impermeable surfaces. Vehicle wash facilities must not be directed to any clean drainage system.

Wessex Water should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development without causing pollution.

All animal waste and contaminated surface water including washdown water must be taken to a total containment system prior to disposal to land in accordance with the MAFF Code of Good Agricultural Practice. This should not be stored closer than 250 m from a licensed abstraction or private water supply source.

Under the terms of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991, the prior authorisation of the Environment Agency is required for the construction of storage installations as defined in the regulations.

The subsequent disposal of collected wastes must be undertaken in accordance with the MAFF Code of Good Agricultural Practice for the Protection of Water.

Alternatively, with the water company's permission, contaminated surface water including washdown water, could be connected to the foul sewer. Then, any manure/dung heaps could be sited in an area where it/they will not cause pollution of any watercourse or water source the release of contaminated run-off.

The proposed development overlies a minor aquifer (the Mercia Mudstone Group) which at this location is of Intermediate vulnerability.

If detrimental consequences to the water environment are likely, then agreed mitigation measures would be necessary.

The applicant should bear in mind that it is their responsibility to ensure that the development does not adversely affect any existing legal water interests in the area.

Local water interests in the area such as wells, springs, etc, and private abstractions must not be adversely affected either. Attention is drawn to the presence of two licensed groundwater abstraction wells in the vicinity:

1. Chelston House Farm, located approximately 350 m to the north west of the site (Licence No. 16/52/005/G/571).

2. Foxmoor Nurseries, located approximately 470 m to the south east off the site (Licence No. 16/52/005/572).

If off-site waste disposal is utilised it must be in accordance with the Duty of Care and the Waste Management Licensing Regulations 1994.”

The following further response was received following further submissions:-

“The particular area of concern to the Agency is the area proposed for a surface water attenuation lagoon adjacent to Haywards Water, which is not covered by the topographic survey. As identified in our letter of 14th June, 2004, a Flood Risk Assessment (FRA) must be carried out for this area to establish the area outside the floodplain available for construction of a lagoon of sufficient size. From a cursory inspection of the site, we estimate half of it could be within the floodable area.

As this information is fundamental to establishing the technical feasibility of constructing a sufficient lagoon, we continue to require deferral of consideration of the application until the FRA is completed for this part of the site.

We note the contents of the Ecological Report, however, it does not affect our earlier requested conditions. We are pleased to note that the consultants support the concept of planning the balancing pond to deliver some environmental gain.

We also note the submission of the soakaway investigation, which suggests that the discharge of water via soakaways does not appear to be a viable option at this site.

The applicant is reminded that the discharge of any contaminated surface water from the site should be discussed with the Agency at an early stage.

I can therefore confirm that the Agency's letter dated 14th June, 2004 remains relevant.”

The following subsequent response was received following discussions between the Agency and the applicants consultants:-

“Our Development Control Officer, John Philip has been addressing the Agency's concerns with Bryant Development Services, and enclosed is a copy of a letter dated 13 September 2004 for your information.

The Agency would now wish to withdraw the objection contained within our letter dated 14th June, 2004, subject to the inclusion of the following conditions:

**CONDITION:** No development approved by this permission shall be commenced until a detailed Flood Risk Assessment for the surface water

attenuation area adjacent to Haywards Water has been submitted to and approved in writing by the Local Planning Authority. The results of the Flood Risk Assessment shall be incorporated into the siting and design of the surface water attenuation area.

REASON: To ensure that the attenuation area is sited outside of the floodplain of the Haywards Water.

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

REASON: To prevent the increased risk of flooding.

I can confirm that the conditions, informatives and comments contained within pages 2, 3 and 4 of our letter dated 14th June, 2004 remains applicable."

The following was the text from the letter dated 13<sup>th</sup> September, 2004.

"Thank you for your letter of 8th September, 2004 regarding the above and the feasibility of construction of an attenuation area in the field adjacent to Haywards Water.

I note the extension to the area available for construction of the facility, although you provide no level information relating to this extension. However, I am prepared to accept that the combination of the information supplied, together the previous undertaking from your clients that there will be no surface water attenuation within the floodable area, indicates sufficient feasibility for such a scheme.

I will draft conditions to be attached to any permission and forward them to the planning authority. First there will be a need for a detailed FRA for the site which, given the uncertainty expressed about hydraulic conditions at the culvert in the Howick letter dated 9th August, 2004, will necessitate modelling of Haywards Water up and downstream. The detailed design of the balancing area will be carried out in light of the results of the FRA and have to be approved before construction commences.

A further response was received following the receipt of the Environmental Statement as follows:-

"The statement refers to the need to restrict surface water run-off rates. We have previously identified the conditions required on any planning permission that may be considered for the site.

We consider however that more advantage might be made of sustainable drainage techniques on site. For example, the designers might consider the use of sub-base storage beneath a permeable surface in the public car parking areas rather than a gully pot and pipe system. This could provide attenuation storage and water quality mitigation for this area. Also, open channels, swales and ponds will increase the environmental benefits to be gained.

We note that there may be ground contamination associated with prior uses (para. 4.3.1), and that remediation work may be required to bring the proposed relocation site into use. It is beneficial to consider contaminated land using the following protocol:

- A desk study, which should include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information.

If the potential for significant ground contamination is confirmed, this information should be used to produce:

- a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors.
- a site investigation, designed for the site, using this information and any diagrammatical representations (Conceptual Model) undertaken. The investigation must be comprehensive enough to enable:
  - a suitable risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected, and
  - refinement of the Conceptual Model, and
  - development of a Method Statement detailing the remediation requirements.

This practice is considered important so that the site operator/owner, the regulatory authorities and other parties, such as the general public, potential purchasers or investors, can have confidence in the outcome, and any subsequent decisions made about the need for action to deal with any contamination at the site.

The disposal of slurry must be undertaken in accordance with the MAFF "Code of Good Agricultural Practice for the Protection of Water". No farm effluent or contaminated surface water, including wash down water, shall be discharged into any watercourses or water sources.

The Agency would recommend that because of the need to protect and safeguard the environmental qualities of the site and the scale and likely programme of construction the Local Planning Authority should seek undertakings from the applicant/developer to minimise detrimental effects to natural/water environmental features of the site and the risks of pollution. Such undertakings should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes.”

### **Wessex Water**

“The above proposal is not located within a Wessex Water sewered area.

The developer has proposed to dispose of surface water to 'the watercourse'.

It is advised that your Council should be satisfied with any arrangement for the disposal of foul surface water flows generated by the development.

Turning to water supply, there is a water main in the vicinity of the proposal. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory supply of water for the proposal. This can be agreed at the detail design stage.

It is recommended that the developer should agree with Wessex Water prior to the commencement any works on site.”

The following response was received following submission of the Environmental Statement:-

### **“Foul Sewerage**

The nearest public foul sewer is in Chelston Business Park to the North but there is no spare capacity in this sewerage system to accept extra flows. The nearest possible point of connection is North of Cades Farm Wellington. Wessex Water are currently in discussion with the Developers looking to build on Cades Farm and Developers intending to build a Business Park in the area. There is a possibility of a joint scheme here to service all interested parties.

### **Surface Water**

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

## **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 can be adopted under a Section 104 Agreement.

## **Sewage Treatment**

Its unlikely that Wellington STW will have sufficient capacity to service this development but this cannot be confirmed until anticipated flow rates are received. It may be necessary to carry out a more detailed appraisal of the existing system for which a deposit of £2,000 will be required. The applicant is to contact the Trade Effluents Officer (Simon Gibbard) to see if a Consent is required.

## **Supply**

Network analysis is required to determine whether the existing system can serve the proposed development. Off-site mains reinforcements may be needed and a deposit of £2000 would be required to undertake the work.”

## **Western Power Distribution**

“As this proposal is in its infancy I would presume that details regarding the electrical loading are currently unavailable. Therefore before any detail regarding electricity supply can be made available, Western Power Distribution would need written conformation of expected demand.

I would draw your attention that there may be a need to establish a new Substation at the proposed site in order to provide a supply within statutory limits. If this is the case, the nearest point for extending the three phase 11 kV network is at "Chelston" (21/0368) shown on the enclosed plan.

For reference, all 11 kV lines are shown as solid red and all low voltage lines are shown in dotted blue. Services to properties are shown as solid black in colour.”

## **Chief Fire Officer**

### **“Means of Escape**

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

## **Access for Appliances**

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

## **Water Supplies**

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

## **The Countryside Agency**

“The Countryside Agency's planning policy statement 'Planning Tomorrow's Countryside', recognises the importance of the planning system in helping to secure its social, economic and environmental objectives for the countryside. The policy statement goes on to emphasise that the Agency's main role in the planning system is at a strategic level and involvement in development control and site based planning will be restricted to those proposals that:-

- set a national precedent where Government advice is lacking; or have a major impact on an important Countryside Agency initiative; or
- have a fundamental effect on the intrinsic character of a National Park, Area of Outstanding Natural Beauty, or Heritage Coast (refer to [www.magic.gov.uk](http://www.magic.gov.uk)).

The Countryside Agency welcomes the opportunity to comment, however in view of our strategic policy involvement and the priorities outlined above in this instance we have no observations to make.

However, the Countryside Agency recommends the use of the Countryside Character approach to inform all developments in the countryside. More details can be found on our website [www.countryside.gov.uk](http://www.countryside.gov.uk).

We Stress that the absence of comment or direct involvement by the Countryside Agency on individual plans or proposals is simply an expression of our priorities. It does not imply a lack of interest and, nor in itself, does it indicate either support for, or objection to, any plan or proposal.”

## **South West of England Regional Development Agency (SWRDA)**

“SWRDA has a new duty as a statutory consultee for major development proposals of economic significance to the region, to assist in delivery of the Region's Economic Strategy (RES).

In this regard we have reviewed the documentation submitted and consider that, although the development proposed fulfils our size criteria for consultation, no evidence has been submitted to demonstrate that the development would be of regional economic significance, and as such help to deliver the RES.



Therefore the SWRDA have no comment to make in relation to the development proposed.”

### **Somerset Environmental Records Centre**

No statutory and non-statutory sites and species at the application site. One or more legally protected species found within 1 km of the site. One County Wildlife Site and one or more 1990's badger data found within 1 km of the site.

### **Somerset Wildlife Trust**

“The Somerset Wildlife Trust agrees with the mitigation recommendations made within the Ecological Report (Appendix 8 of the main Environmental Statement), including those regarding the prevention of pollution to watercourses and the design of the balancing pond. We strongly recommend that these all be secured through the use of appropriate conditions or obligations.

In addition we recommend that the planting scheme consist entirely of appropriate native species, ideally of local provenance. Again we would hope to see this secured through the use of appropriate conditions.

We understand that a number of hedgerows are to be removed as part of this application and welcome the proposal to plant new hedgerows and to enhance the existing hedges as compensation for this loss.

However, given that both the hedges to be removed are considered to be 'important' under the Hedgerow Regulations 1997 and equate to approximately 50% of the ecologically interesting hedgerows within the application site, we recommend that consideration be given to the possibility of transplanting these hedges.

There have been a few successful examples whereby entire mature hedgerows have been transplanted although success would not be guaranteed and in the event of failure we would recommend that there should still be a requirement to replant.

We would be pleased to try to place the applicants in contact with individuals/organisations with experience of transplanting hedgerows.

Finally, given that the Ecological Report was prepared in March 2004, we would suggest that it may be necessary to conduct an update survey, particularly for protected species, prior to the commencement of any works.”

### **Wellington Economic Partnership**

The application should be determined as early as possible. The importance of this application cannot be over-stated. The Partnership sees the relocation of the livestock market as vital to the future prospects of Wellington. If it happens, it is likely to be the catalyst for future development of land for employment purposes at Chelston House Farm.

**Rights of Way Officer**

No observations to make.

**Landscape Officer** (initial response)

“It is difficult to comment in detail without the full EIA (Landscape assessment and mitigation proposals) other than to say it is a substantial building that will need very careful landscape assessment with substantial landscape buffering to soften its impact.”

The following further response was received following the receipt of the Landscape and Visual Impact Appraisal:-

“The Landscape and Visual Impact Appraisal in my opinion gives a fair analysis of the likely impact on the surrounding countryside. However I would like to see greater analysis and assessment of lighting impacts and greater detail of proposed landscape mitigation such as mounding and planting.”

The following subsequent response was received following the receipt of the Environmental Statement:-

“Although the proposals are only outline I would like to see a landscape master plan that reflects the comments more clearly as laid out in the Swan Paul Report.

My own view is that the landscape mitigation needs to be more substantial from that indicated on plan 1224/2. The yard and building will need further pockets of landscape within the southern and eastern areas to help break up the form the building. Landscape proposals around the roundabout should be more substantial both on the market and other sites as these will afford maximum views into the site. The hedgerow along the south western boundary would not be sufficient in itself in that even if left undisturbed for a number of years it will still need to be managed by coppicing or thinning and therefore a more substantial barrier will be required.

Generally however, I agree with the landscape assessment.”

**Wildlife Species Co-ordinator** (initial response)

“Considering the area of the proposed development I advise that a wild life

survey and assessment of the site is carried out before any decision is made on the application. Consideration should also be made for improving habitat potential for certain species through planting and management.”

The following further response was received following the receipt of the Ecological Report:-

“Some of the best ecological features of the site will be lost if development goes ahead and I would strongly support the consultants’ recommendation for enhancing remaining hedgerows through new planting and appropriate management. I would also recommend that additional native shrubs and trees are planted as copses, say at field corners to strengthen habitat.

Other mitigation methods outlined by the consultants should be conditioned and timing of works to prevent damage to nesting birds.”

The following subsequent response was received following the receipt of the Environmental Statement:-

“I would like to see more consideration being given to enhancement of wildlife on site which I believe could go hand in hand with more robust landscape proposals.”

#### **Forward Plan** (Initial response)

”From the details on the submitted outline planning application, no associated retail activities or sales appear to be proposed other than livestock trading. The breeding and rearing of livestock is an agricultural activity which is sui generis. From my understanding, the livestock market would also constitute sui generis use/development and not retail A1 or Business B1.

Since existing and proposed uses are sui generis and of the same nature, the proposal would not be contrary to any policy in the Local Plan. The draft PPS 7 (Countryside) reaffirms existing PPG7 guidance that local planning authorities should support development that delivers diverse and sustainable farming enterprises and which contributes to rural economies.

Whilst retaining the historical market function within Taunton Deane, the proposal will contribute towards the stability and growth of the local rural economy. Moreover, through its relocation, the proposal will assist in the implementation of the development plan strategy and Taunton Vision through vacating the existing market at Firepool, enabling comprehensive redevelopment of this brownfield edge of centre site. The regeneration of large brownfield sites is a key objective of Government policy towards sustainability. The principle of development is therefore supported in policy terms.

In order to control activity on site to ensure compliance with government policy, a condition should be attached to any approval limiting the form and scale of any retailing.”

The following further response was received following the submission of the Environmental Statement:-

“I have two further points arising from the submitted Environmental Impact Assessment (Environmental Statement).

- Firstly, Swan Paul's Landscape Appraisal suggests mitigation can in part be achieved through allowing hedges to develop and strengthening through replanting (para 7.2). The Appraisal itself refers to this being required off site also. This should be followed through in the event of a planning approval, via part of the S106 agreement.
- Secondly, the assessment of alternative sites (Appendix 7) is very brief and assessment/dismissal of some sites weak, (for example Site 4 Walford Cross). These may need further work to satisfy an Inspector if the application were 'called in'. Moreover, the assessment excludes the Sedgemoor site on which an application has already been submitted (37/04/054 and 099). This should be amended.

Finally, I note that under the agents Notice under Article 8 (dated 19 Jan 2005) the application is referred to as 'not according with the provisions of the development plan in force in the area'. If the application is recommended for approval it should be referred to the Government Office.”

### **Economic Development Officer**

No observations to make.

### **Environmental Health Officer**

#### **“NOISE**

Prior to the commencement of any development works, the applicant shall, at his own expense, appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, may be necessary to ensure that noise nuisance to neighbouring premises will not be caused.

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

Planning Authority prior to the commencement of development works.

## **CONTAMINATED LAND**

Before any work, other than investigative work, is carried out in connection with the use hereby permitted:

a) A suitably qualified Consultant shall be appointed to investigate the nature, degree and extent of contamination, if any, in, on or under all parts of the land to which this permission refers. Previous land uses shall be researched and site inspections shall be made as necessary, having regard to the likely nature of any contamination arising from such land uses.

b) If a hazard or hazards are identified from such investigation, a site specific risk assessment shall be undertaken to consider risks to the following, as appropriate: 1. Water resources, including any private water supplies; 2. Surrounding land; 3. Wildlife, livestock and eco-systems; 4. Trees and plants; 5. Building materials; 6. Future users of the site; 7. Any other persons.

c) If any unacceptable risks to any of the above are identified, a detailed remediation strategy is produced to deal effectively with them, having due regard to the proposed end use of the development.

d) All investigations, risk assessments and remediation strategies shall be carried out in compliance with recognised protocols.

e) Submit to the Planning Authority 2 copies of the Consultants written Report which shall include, as appropriate, full details of the initial research and investigations, the risk assessment and the remediation strategy. Such remediation strategy shall be accepted in writing by the Local Planning Authority and thereafter implemented.

f) Any significant underground structures or contamination discovered following approval of the remediation strategy shall be notified to the Local Planning Authority within two working days. No further remediation works shall take place until a report thereon has been submitted to and accepted in writing by the Local Planning Authority.

g) On completion of all remediation works two copies of a certificate confirming the works have been completed in accordance with the remediation strategy, shall be submitted to the Local Planning Authority.

Reason: To ensure that the land contamination can be adequately dealt with prior to a new use commencing on site.

### Note to Applicant

The Applicant is reminded that a Remediation Strategy should include reference to the measures to be taken to safeguard the health and safety of the workforce undertaking the remediation works and any other persons who may be affected by contaminated materials or gases. The site investigation and report should be in line with the latest guidance. Sources of such guidance will include, although not exclusively, publications by the Department for Environment, Food and Rural Affairs, the Environment Agency and the British Standards Institute. The Council

has produced a Guide to the Assessment and Remediation of Contaminated Land (attached) which gives more details on the relevant sources of information available.”

### **Drainage Officer**

“I note that surface water flows from the proposed outline application states that surface water will be discharged to an on site surface water attenuation system.

I enclose a copy of our standard guidance notes for developers for such a system.

This document should be made a condition of any outline approval given.”

The following further response was received following submission of the Environmental Statement:-

“I note that the majority of surface water run-off will be disposed of via an attenuation pond.

Calculations will be required regarding the sizing of the pond and an agreed rate of discharge and I enclose a copy of our standard design guidance notes that should be made a condition of any approval.

It is also a requirement that any storage facility (attenuation pond) incorporates some form of Sustainable Drainage System (SUDs) and again I enclose a copy of our guidance notes for such a system.

It is strongly recommended that the developer discusses the proposals with this department at an early stage, especially with regard to the future maintenance and adoption of any system.”

### **West Somerset District Council**

“The council has no objection to the proposed relocation of the livestock market. The effect of relocating the market on the farming community in West Somerset & Exmoor is predicted to be negligible, but improved access to the M5 may have beneficial implications on animal welfare when they are transported from market.

The shortest route from Exmoor to Wellington is via Wiveliscombe. Consequently it is considered that the effect on the rural road network needs to be fully addressed.

From a West Somerset perspective, a livestock market at Wellington is preferable to one located further north on the M5 corridor, because of the additional travel distance and implications on animal welfare.”

## **Exmoor National Park Authority**

It is not considered that the proposed development will adversely impact on National Park purposes and the general view is that investment in livestock markets should be supported.

## **Sedgemoor District Council**

### **Planning Policy**

It is noted that the application site is outside of the development limits of Wellington within open countryside. Policies seek to carefully control development in such locations and generally restrict this to uses that specifically require such a location.

The livestock market and associated uses do not require such a countryside location and therefore need to be considered as a departure from adopted local planning policy. In order to justify such a departure it would be expected that alternative sites should be assessed. Unfortunately the available material in support of the application does not include such an assessment although reference is made to this.

It is therefore unclear why for example the allocated employment land to the west of the proposal has not been considered, particularly given that such an allocation is no longer justified on the basis of providing employment opportunities for future significant housing development at Wellington.

### **Alternative Sites**

As mentioned above, the appendix setting out an assessment of alternative sites is not available with the supporting Environmental Statement. It is therefore unclear as to why this site is proposed and what alternative sites were considered. It is noted that locational criteria suggest a site on the urban fringe of Taunton with good access to the County Route network.

There are alternative sites that meet these criteria and that are financially viable, notably at Junction 24. It is entirely appropriate that in deciding on a planning application for a use and activity that has a sub regional/regional impact and role careful regard is had to alternate proposals beyond the boundary of Taunton Deane. This is especially the case as it is extremely unlikely that two new livestock markets could be sustained along the M5 corridor in Somerset. Without doubt achieving a long term viable livestock market in Somerset is important for the rural economy of the County.

### **Location**

The site is located in open countryside approximately 1.5km from the edge of Wellington. It is well related to the strategic highway network. As such it seems likely that travel to work will be predominantly by use of the private car.

Reference is made in the revised Environmental Statement of the need to provide either new pedestrian links to the north of Chelston roundabout, or to provide in partnership with the bus operating company, a new bus service. This latter suggestion appears unlikely without considerable subsidy.

It should be noted that this contrasts with alternative site at Junction 24 for a livestock market (as part of a wider Regional Rural Business Centre) currently subject to a planning application. This site adjoins the A38 strategic public transport corridor that benefits from a regular "quality" bus service (Service 21). This site is also located in close proximity to a proposed sustainable urban extension that is subject to current planning applications. It therefore offers excellent opportunities to encourage walking, cycling and use of public transport for journey to work trips.

### Viability

The viability of a stand-alone livestock market, in the knowledge of the rationalisation of such facilities and the emergence of "agricultural business centres" that include markets across the region, should be carefully and robustly considered if a departure from the local plan is to be justified. The Local Planning Authority should be in a position to know that the scheme can be achieved without other associated development which would itself be a departure from the local plan but is not part of the current planning application. The evidence provided with the application is considered to fall significantly short of providing this assurance.

I therefore request that the above comments are fully taken into account when your Development Control Committee discusses this matter. Should

Taunton Deane Borough Council be minded to recommend approval of this application it should be referred to the Secretary of State as a departure and the District Council afforded the opportunity to make further representations."

### **Nynehead Parish Council** (neighbouring parish)

"We are greatly concerned about the potential increase in traffic through Nynehead that would be generated by the market. All roads in the parish could be affected, but in particular the road past the village school. While it is noted that the market would operate only on Tuesdays and Saturdays we are sure that to maximise the investment in the site there would be pressure to use it on other days for non-livestock market activities. We are aware that traffic through the village is already increasing, partly in response to recent industrial developments



at Poole and Chelston, and believe that a northern relief road for Wellington is essential. A full and independent traffic impact study should be carried out which takes Nynehead's concerns into account.

The following further response was received following the submission of the Transport Statement:-

“It was agreed that the information contained in the applicants' report did not address the council's concerns about the impact of traffic on the parish. It is not clear if the document received is the independent traffic assessment requested by the planning authority. There was no assessment of the number and type of vehicles likely to be using Nynehead's roads, in particular the one past the school. The peak hour for traffic going to the market on a Tuesday would coincide with journeys to school. The Council request that baseline traffic counts be made on the Langford Budville - Nynehead and Nynehead - Wellington roads as part of the traffic assessment.”

**Wellington Town Council** (neighbouring parish)

In favour, but would like to comment further when the environmental impact and traffic impact assessments are available.

**Wellington Without Parish Council** (neighbouring parish)

“I am writing to offer the observations made by the Parish Council at their 14 June meeting on the proposed livestock market at Chelston Heathfield.

The Council are generally supportive of the move of the Livestock Market from Taunton but have grave concerns that the proposed road layout in the application will only transfer the traffic problems from Taunton to the Wellington area.

It was noted that the applicant estimates some 100 vehicles an hour for the Saturday market and the Council firmly believe that most of this traffic will use the M5 as it will be the quickest and most direct route. The main entrance to the market should therefore be sited on the M5 approach road and a roundabout should be constructed to allow market access and egress.

A poorer second option would be to form an additional access to the market from the M5 approach road for traffic coming from the M5 motorway but this would still be better than the proposed arrangements that will force all the traffic through two roundabouts to interfere with Wellington to Taunton local traffic.

The location of the proposed market is very visible from the escarpment of the Blackdown Hills and strong feelings have been expressed in Wellington Without Parish that if the market goes ahead it should fit as comfortably as possible in the area and not be an eyesore. Therefore great attention needs to be paid during

the detail stages to ensure roof coverings and elevations blend well with the present rural character of the area from both close and far distances.”

The following further response was received following the submission of the Transport Statement:-

“Councillors consider the survey and projections in the traffic statement support their concerns that traffic arrivals to the market will cause the most impact to local traffic and that the proposed road layout is unsatisfactory.

The Parish Council remain supportive of the market move to Chelston but stand by the observations made in their letter of the 15<sup>th</sup> June, 2004.”

**Bradford on Tone Parish Council** (neighbouring parish)

“At their last meeting on 21st July, 2004, Councillors voiced their concerns over the extra traffic movements that would occur through Bradford on Tone should the livestock market be relocated from Taunton to a site at Chelston.

Given that a weight and width restriction order exists over Bradford bridge, villagers have seen a considerable increase in traffic since the opening of Oake Golf Course and the building of Cotford St Luke. These increases were confirmed in a traffic survey carried out by villagers a couple of years ago.

Could you please let the Parish Council have your comments on how the increase in traffic through Bradford on Tone as a result of relocating the livestock market would be dealt with”

**West Buckland Parish Council**

Refer back to previous letter to the (then) Chief Planning Officer, stating that the Parish Council did not support a proposed rural agricultural business centre/livestock market. The Parish Council still has reservations about drainage, potential flooding, highways matters and water supply to the market affecting the supply to other residents.

Following the receipt of the Environmental Statement the Council discussed the proposal further and considered that all objections had been satisfied.

8.0 **REPRESENTATIONS**

One letter of representation has been received making the following points:-

1. Unequivocal support for Taunton Livestock Market, whether it remains on its current site or is relocated. Believe that the vast majority of farmers and landowners within the south-west will also continue their support.

2. Taunton can achieve little in growth without a second motorway junction. This could be at Walford Cross, where there would be an opportunity of moving the market to.
3. Understand that the only reason the market has to move is to create a vacant site for the 'Seat of the Regional Assembly' and to create the opportunity for a Government Ministry say 2,000 jobs, and to build 'landmark buildings' with architectural merit for the status of Taunton. But it will be many years before these decisions are taken.
4. Believe Taunton Livestock Market has the largest sale in Britain for store cattle and adds great significance to Taunton as a location. Those working, participating and observing on market days give it similar employment significance to a Ministry relocation.
5. Query why all the haste to create Tangier Mark 2, which has remained idle for decades.

#### 9.0 **PRINCIPAL ISSUES FOR CONSIDERATION**

- A. Is the proposal compliant with the Development Plan Policies? POLICY
- B. Is access to the site adequate? ACCESS
- C. Is the site capable of being satisfactorily screened? LANDSCAPING
- D. Will the proposal be acceptable from a noise point of view? NOISE
- E. Are the proposed drainage arrangements acceptable? DRAINAGE
- F. Are the arrangements for water supply to the site adequate? WATER SUPPLY
- G. Would the ecology of the site be adversely affected? ECOLOGY
- H. Are there any archaeological implications with the proposed development? ARCHAEOLOGY
- I. Are there alternative sites that may be more suitable? ALTERNATIVE SITES
- J. Does the proposal provide for sustainable development? SUSTAINABILITY
- K. OTHER ISSUES

## **A. Policy**

One of Central Government's objectives for rural areas is to promote thriving, inclusive and sustainable rural communities which allows for sustainable economic growth and diversification. Promoting sustainable, diverse and adaptable agriculture sectors is a central part of this and facilitating healthy and diverse economic activity in rural areas is a key policy of Central Government. PPS7 states that people who live or work in rural areas should have reasonable access to a range of services and facilities and that planning authorities should adopt a positive approach to planning proposals designed to improve services and facilities. The existing livestock market in Taunton serves a wide agricultural catchment and the current proposal would enable this to continue.

The Development Plan policy context for the site is set out in the Country Structure Plan and the Taunton Deane Local Plan. The existing livestock market in Taunton is on a site which is part of major redevelopment proposals set out in the Local Plan. Furthermore, the Plan goes on to say that there is a need for the livestock market to relocate in order to provide enhanced facilities that will enable it to compete with other prominent markets in the south-west. The Plan indicates that a site of approximately 8 ha would be required which is easily accessible to the highway network which serves its wider catchment. The Plan notes that there are no available opportunities within the urban fabric of Taunton for a site of the size required. It is therefore considered inevitable that, in order for the major development proposals set out in the Taunton Deane Local Plan (and also include within the Taunton Vision document) to proceed a site beyond settlements will need to be found.

The application site lies within an open countryside area where there is a general presumption against development unless they are of economic benefit to the area, such as development associated with agriculture and forestry. Apart from enabling the regeneration of a larger area of underused land in urban Taunton, the proposal will also be of economic benefit to the rural areas of Taunton Deane and beyond. It is envisaged that the new operation will be on similar lines to the current livestock market and it is therefore not considered to be likely to have any significant detrimental effect on the local economy of neighbouring rural areas.

## **B. Access**

The Borough Council commissioned a study of the existing market operation in Taunton in 2003. The results of this study form the basis of traffic forecasts for the relocated market. In order to ensure that vehicle movements are not underestimated, an increase of 15% was applied to the study report. This has resulted in projected traffic generation of 316 vehicles on Tuesday and 642

vehicles on Saturdays arriving at the relocated market. A traffic survey was also carried out at Chelston roundabout and safety records examined.

The proposed development will be served by a single point of access via a new roundabout off the A38.

On the basis of the detailed traffic analysis carried out in the Traffic Assessment, the applicant's consultants conclude that a site access roundabout could be provided that would serve both the relocated market and the proposed Chelston Home Farm employment development to the west. They also conclude that relocated market traffic would have no material impact on traffic conditions at Chelston roundabout or on the slip roads of junction 26 of the M5 motorway.

The County Highway Authority has no objection in principle to the proposal, but is seeking off-site transport improvements. The Highways Agency has issued a Direction under Article 14 of the Town and Country Planning (General Development Procedure) Order 1995 which directs that the planning authority shall not grant permission for the application until they have assessed the impact of the development for possible adverse effects on the M5 motorway.

The further cumulative analysis Report submitted has the following conclusions:-

1. The proposed market relocation site at Chelston provides convenient access from a wide catchment area including for heavy good vehicles.
2. The proposed relocation site is better related to the catchment area than the existing market site in Taunton.
3. A site access roundabout can be provided which would serve both the relocated market and the proposed employment allocation to the west.
4. Relocated market traffic would have no practical effect on traffic conditions at the Chelston Roundabout.
5. Market traffic would have no practical effect on traffic conditions on the slip roads of M5 Junction 26.
6. The site would have satisfactory accessibility by non-car means because of links with the proposed pedestrian/cycle facilities in the area, the future enhanced bus services to the Chelston House Farm employment area and existing bus services in the area.

### **C. Landscaping**

The Environmental Statement indicates that landscaping and planting works are to form an integral part of the design. The landform is relatively level and no grading works are required across the site, apart from some limited cut and fill to

form development platforms and earth mounding to be constructed around the periphery. The mounding will be planted with a mix of trees and shrubs, with further planting through the site. It is considered that with appropriate conditions to ensure that adequate planting is provided to soften the impact of the new building, the proposal is acceptable from a landscaping point of view.

#### **D. Noise**

The Noise Assessment Report submitted as part of the Environmental Statement noted that there is only one residential property not owned by the applicants close to the site. The consultants concluded that there would be no special noise investigation required as a result of the proposed development. The proposal is therefore considered acceptable from a noise point of view.

#### **E. Drainage**

With regard to surface water drainage, soakaway tests carried out on the site effectively failed, indicating that the discharge of water via soakaways is not a viable option at this site. Consequently surface water run-off from the front of the site and by members of the public will be segregated from the livestock and will be collected in an interim storage facility, feeding into a retention lagoon and then into controlled discharge to Haywards Water. Roof water will be collected in suitable storage tanks for reuse as part of the washdown facility.

The Environment Agency has advised that their preference is for foul drainage to be discharged to public sewers. The applicants have indicated their preference to connect to the existing services at Chelston Business Park. However, Wessex Water had indicated that there is no spare capacity in this sewerage system to accept extra flows. The nearest point of connection is north of Cades Farm and Wessex Water has offered to enter into discussions involving a possible joint scheme also involving the developers of Cades Farm and Chelston House Farm.

#### **F. Water Supply**

Provision of domestic water supply to the concourse part of the building will be by connection to the existing Wessex Water main running along the western side of the A38. However, Wessex Water has indicated that network analysis is required to determine whether the existing system can serve the proposed development. Off-site mains reinforcement may be required.

The applicants are also in discussion with the Environment Agency with regard to the construction of a bore-hole, subject to the necessary grant of an abstraction licence.

A condition is proposed to ensure that appropriate water supplies are provided which do not have an adverse effect on existing networks.

## **G. Ecology**

The Ecological Report prepared as part of the Environmental Statement has assessed the fields, hedges, protected species and surrounding areas in association with the proposed development.

With regard to the fields, the low quality of weed species present and other factors such as the small sizes of the fields, indicate low potential value for farmland birds. Because the land has previously been intensively farmed it has been concluded that the grassland is of minimal conservation value.

In respect of the hedges, the Ecological Report concludes that there is some conservation value, but the extent of this value varies substantially in respect of protected species, there is nothing to indicate that the site is of value. The surrounding areas consist of intensively managed farmland roads and buildings and are of minimal nature conservation value.

The proposed new landscaping at the Business Park will provide opportunities for the enhancement of wildlife habitats on the site.

## **H. Archaeology**

An Archaeological Assessment has been prepared as part of the Environmental Statement.

Whilst there were no archaeological finds or sites recorded the site is considered to have a significant archaeological potential because locations in the surrounding parishes have yielded significant archaeological sites of prehistoric dates.

The potential for the survival of archaeological deposits dating from the prehistoric and Roman periods in the study area is considered in the Assessment to be moderate to high, but has not been tested archaeologically. The potential for the survival of archaeological deposits from the medieval and later period is considered to be lower, but is still untested. The Assessment concludes that, on the basis of the evidence gathered during this study it is advised that a further stage of archaeological evaluation, by means of a geophysical survey would be appropriate in order to ascertain the presence or absence of significant burial archaeological remains within the Study Area. This work is being carried out and my recommendations make allowance for this.

## **I. Alternative Sites**

Following the publication of the Taunton Deane Local Plan Deposit Draft, which contained the proposal for the redevelopment of the current Taunton Market site, a search for alternative units was initiated. Prime requirements in the overall

strategy were accessibility with ease of access for all by the M5 motorway being a pre-requisite, together with availability of land, the ability to satisfy planning and other statutory requirements and preferably to find a site within the Taunton Deane area.

A total of 9 alternative sites (including the current site) were assessed, with the application site being selected as the most appropriate location for the market.

### **J. Sustainability**

The proposal enables the redevelopment and regeneration of a major area of land with urban Taunton, which will result in a mixed-use development in a highly sustainable location close to facilities.

The application site is close to the motorway and the main road network which is required for this type of operation which is reliant on good communication links for HGVs travelling from the catchment area around.

The site is of limited ecological value and the proposal enables enhancement and diversity of wildlife interest in the area.

The applicants are being urged to adopt sustainable drainage methods.

### **K. Other Issues**

The site has been in agricultural use throughout known history and there has been no contamination uses on the land itself.

BT telecommunications apparatus runs along the eastern side of the A38 and should be suitable to serve the proposed market. Gas services can also be provided from the Transco main running along the eastern verge of the A38.

There are existing 11kv electricity supplies at the Chelston Business Park to the north and Chelston Nursery to the south. Western Power Distribution has indicated that it would need written confirmation of expected demand before any detail regarding electricity supply can be made available. They also indicate that a new sub-station may need to be established at the site.

The proposal does involve the use of Grade 2 agricultural land. However, in view of the consideration of alternative sites concluding that the current site best meets the locational requirements for the proposed development and in view of the regeneration proposals on the operators current site, the development is considered appropriate in this respect.

## **11.0 CONCLUSIONS**



The current livestock market site in Taunton is of key importance to the Firepool proposals in the Taunton Vision and Taunton Deane Local Plan. These cannot progress if the market remains on its current site.

The proposed development will provide the enhanced facilities that are required to ensure that the market is in a position to compete with other prominent market's within the southwest. The proposed location will be convenient to the markets large catchment area and allow for HGVs and other vehicles to access the site, without having an unacceptable impact upon the wider highway network.

The issue of a new motorway junction is not crucial to the relocation of the market. That decision lies with the Highways Agency at Central Government level and it is likely to be some considerable time before any decision is made. The relocation of the livestock market cannot be delayed that long neither in the interest of the operators nor the delivery of the Vision. Priority is to be given to the delivery of the Firepool proposals and it is the Council's aim to secure its development in accordance with the Vision principles as a first phase of delivery. For the market to remain on its present site would jeopardise this and threaten the delivery of the Vision, which itself is focused on promoting sustainable development in the centre of Taunton. Relocation of the market to Chelston offers the best prospects for success both for the market operators and the delivery of the Vision, enabling the acquisition of an extensive area of underused land. It also enables the auctioneers to have updated premises that will meet the requirements of stringent regulations for the operation of livestock markets.

The current proposal is purely for an agricultural livestock market and is therefore solely agricultural related. In this respect it differs from the proposal adjacent to junction 24 of the M5 which is in the form of an agricultural business centre incorporating a large area of employment land.

The Environmental Statement identifies no habitat of value either on the site or in the surrounding area, other than the local hedgerow network. No species that are either legally protected, are rare or threatened with identified on or close to the site.

In conclusion, against the background of the planning proposals for the operators' current site, the proposal is considered to be acceptable and 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.**

**CONTACT OFFICER: Mr J Hamer Tel: 356461**

