

06/12/0068

Taylor Wimpey UK Ltd

**ERECTION OF 6 NO DWELLINGS WITH ASSOCIATED GARAGES AND PARKING, LANDSCAPING AND PROVISION OF OPEN SPACE AT LAND AT STATION FARM, BISHOPS LYDEARD (AMENDED SCHEME TO 06/12/0036)**

Grid Reference: 316278.128988

Full Planning Permission

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**RECOMMENDATION AND REASON(S)**

The recommendation is subject to Members voting to approve both applications 06/12/0067 and 06/12/0068. Without which the public benefit, in the form of upgrading the West Somerset Railway car park (or provision of additional visitor parking), could not be delivered and would therefore change the balance of the planning considerations.

Recommended Decision: Conditional Approval subject to the applicant entering into an appropriate legal agreement to secure the following:

Enabling Works

- “Prior to the occupation of the 4<sup>th</sup> property the applicants will pay a sum up to a maximum £106,311.74 plus VAT to the Council to fund improvements to existing parking provision or facilitate new car parking provision at the WSR facility and as shown for indicative purposes only on plan [ ]]. These provisions are considered necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the Development. WSR shall agree with the Council a suitable scheme or schemes to deal with the expending of the monies for improvements to existing parking provision or new car parking provision, as relevant. This sum will be held by the Council for a maximum period of [10] years from the date of payment, or such other period of time as agreed between the Council and the applicants, and the Council shall have the ability to draw down the monies in their entirety or in parts at any time during that period, to be expended for the agreed purposes. Upon the expiry of the 10 year period, if all or any part of the monies have not been expended for the agreed purposes then the Council shall return any such unexpended sum to the applicants.”

Affordable Housing

- 20% provision of affordable housing to provided on site in accordance with details that shall be agreed by the Housing Enabling Lead. The provision shall be provided as part of the site area for application 06/12/0068.

Community Facilities

- Provision of the LEAP on site and its long term maintenance;
- Contributions of £1454 per dwelling for active outdoor recreation;

- Contribution of £194 per dwelling for allotment provision;

### Public Art

A contribution towards the provision of public art and public realm enhancements in accordance with the Council's Public Art Policy.

### **RECOMMENDED CONDITION(S) (if applicable)**

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

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

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

(A3) DrNo PL100 Location Plan  
 (A3) DrNo PL101 Rev B Site Plan  
 (A3) DrNo PL102 Street Scene 1 & 2  
 (A3) DrNo PL110 House Type 1400 Floor Plans  
 (A3) DrNo PL111 House Type 1400 Elevations  
 (A3) DrNo PL112 House Type 1735 Floor Plans  
 (A3) DrNo PL114 House Type PA33 Floor Plans  
 (A3) DrNo PL115 House Type PA33 Elevations  
 (A3) DrNo PL116 House Type PA22 Floor Plans  
 (A3) DrNo PL117 House Type PA22 Elevations  
 (A3) DrNo PL118 Typical Garage Plan and Elevations  
 (A3) DrNo PL119 Boundary Details Sheet 1 of 2  
 (A3) DrNo PL120 Boundary Details Sheet 2 of 2  
 (A1) DrNo 1127-110 Rev L Roads and Sewers Layout  
 (A1) DrNo 1127-120-1 Engineering Layout 1 of 2  
 (A1) DrNo 1127-120-1-S38 Rev N Section 38 Plan 1 of 2  
 (A1) DrNo 1127-120-1-S104 Rev L Section 104 Plan 1 of 2  
 (A1) DrNo 1127-120-2 Rev K Engineering Layout 2 of 2  
 (A1) DrNo 1127-120-2-S38 Rev K Section 38 Plan 2 of 2  
 (A1) DrNo 1127-120-2-S104 Rev K Section 104 Plan 2 of 2  
 (A1) DrNo 1127-130 Rev J House Setting-Out

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

3. a. 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.

b. 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.

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

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

4. Prior to the commencement of the development hereby permitted, the proposed finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be adhered to during construction and shall thereafter be maintained as such.

Reason: In the interests of the visual amenities of the area and to ensure that the development does not have an unacceptable impact on other nearby residential properties.

5. Prior to the commencement of the development hereby permitted, full details of the means of disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the first dwelling and shall thereafter be maintained as such.

Reason: To prevent any increase in the risk of off-site flooding.

6. No part of the development hereby permitted shall be brought into use until that part of the service road that gives access to it has been constructed in accordance with the plans hereby permitted and shall thereafter be maintained as such.

Reason: To ensure that adequate facilities exist for the traffic likely to be attracted to the site in the interests of highway safety

7. Prior to their installation, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in

accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

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

8. Prior to the occupation of the 3<sup>rd</sup> dwelling, the public open space and children's play area hereby permitted shall be fully laid out and capable of use in accordance with details that shall previously have been submitted to and approved by the Local Planning Authority. The public open space and children's play area shall thereafter be maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the children's play space is provided to an acceptable standard

Notes to Applicant

## **PROPOSAL**

This is a resubmission of a previous application which was refused by the Planning Committee in October 2012. That application is the subject of a Planning Appeal with the Inquiry due to re-open in September 2013.

Planning permission is sought for the erection of six dwellings and the provision of an on-site LEAP. The proposed design of the dwellings are very much reflective of the consented development as it is the same developer bringing forward the proposal. The materials are a mixture of slate or tiled roofs and brick or render external finish. The properties will benefit from a double garage.

The application site currently has outline planning permission for a public house with associated car parking. The proposed development would be accessed from Greenway Road by way of the consented estate road that serves the approved residential development, which comprises 39 dwellings.

This application proposes enabling works, secured by way of a legal agreement, to deliver an enhancement of either the existing car parking or for new car parking at the West Somerset Railway. The agent has made the following offer:

*"Prior to the occupation of the 4<sup>th</sup> property the applicants will pay a sum up to a maximum £106,311.74 plus VAT to the Council to fund improvements to existing parking provision or facilitate new car parking provision at the WSR facility and as shown for indicative purposes only on plan [ ]]. These provisions are considered necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the Development. WSR shall agree with the Council a suitable scheme or schemes to deal with the expending of the monies for improvements to existing parking provision or new car parking provision, as relevant. This sum will be held by the Council for a*

*maximum period of [10] years from the date of payment, or such other period of time as agreed between the Council and the applicants, and the Council shall have the ability to draw down the monies in their entirety or in parts at any time during that period, to be expended for the agreed purposes. Upon the expiry of the 10 year period, if all or any part of the monies have not been expended for the agreed purposes then the Council shall return any such unexpended sum to the applicants."*

## **SITE DESCRIPTION AND HISTORY**

The application site is located to the west of the tourist attraction of the West Somerset Railway. The Bishops Lydeard terminus of the railway and the railway line form the eastern boundary of the overall development. The rural centre of Bishops Lydeard is located to the north east, with a pedestrian underpass providing access across the A358. The site is accessed off Greenway Road, to the east of the entrance to the residential development at Greenway, which continues into Station Road and joins the A358.

The relevant site history dates back to 2007, when the developer GADD Homes secured a resolution to grant planning permission for the following applications:

06/07/0027 – Erection of mixed use development comprising tourist facilities, 29 open market houses, 8 affordable units and associated infrastructure works. The tourist element of the proposals provided for a café, micro-brewery, creative industry centre, cycle hire centre and an ice cream kiosk.

06/07/0028 – Erection of Public House with restaurant.

06/07/0042 – Erection of 2 detached dwellings plots 38 & 39.

06/07/0043 – Erection of single storey building to form museum and carriage shed.

06/07/0044 – Erection of two storey office building.

Those applications were then held in abeyance as the developer went into administration. The applications were formally consented in August 2011 once the technical information on ecological and flooding matters were finalised.

In September 2011, reference application 06/11/0032, Taylor Wimpey sought permission to change the consented house types for their own design and some minor alterations to the layout of the scheme, including the provision of SUDS.

The application carried forward the main enabling works to secure:

- Transfer of land to WSR for the provision of tourism facilities related to the functions of a Heritage Railway;
- Provision of a Tourist Information Facility

and through a Grampian Condition:

- No more than 50% of the open market housing to be occupied until the following highway works had been delivered:

- Improvements to the junction of Greenway Road/Station Road to include yellow lining of the bridge approaches;
- Provision of shuttle traffic signals at the approach to the bridge and footway works over the bridge;
- Provision of a new roundabout at the junction of Station Road and the A358.

In addition there were planning obligations related to the development i.e. affordable housing provision.

The application was approved by the Planning Committee. The transfer of the land known as the 'tourism land' to the WSR has now been executed.

In October 2012, an application to erect 5 dwellings on the site of the approved office building was recommended for approval by officers and refused by the Planning Committee for the following reason:

*The proposed residential development is contrary to Core Strategy Policies CP2 'Economy' and SP4 'Realising the vision for rural areas' together with Taunton Deane Local Plan Policy EC22 'Land west of Bishops Lydeard Station' in that it would lead to the loss of a potential tourist/employment use that has an extant consent and no evidence in the form of marketing has been submitted to demonstrate that such a use is not viable and material considerations do not outweigh the loss of the tourist/employment use.*

That application is the subject of a Planning Appeal with the Inquiry due to re-open in September 2013.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

#### *BISHOPS LYDEARD & COTHELSTONE PARISH COUNCIL -*

The Council objects to the application on the following grounds:

- The Council does not see anything in the amendments to change its original view of the application, therefore, the Council's comments on 06/12/0036 still stand
- The original application was not in the local plan and was granted on the basis of the tourism and employment opportunities that it offered to the Bishops Lydeard area, these are being removed if houses are built instead of commercial properties.
- If the applicant feels that a pub/restaurant may not be viable on the site, the applicant should consider other commercial opportunities for the site.
- The applicant stated in their submission for application 06/12/0007 that they felt that a prominent site was necessary for commercial operations; this site is in a prominent position and therefore fits the applicant's own view of a viable site for commercial opportunities.
- The Council feels that the current economic climate is not a sensible time to make judgements on the viability of commercial businesses.
- Additionally, the Council notes that in the Planning Statement, the applicant states that policy CP2 of the Core Strategy does not apply to the application. Policy CP2 states, 'Proposals which lead to the loss of existing or identified business, industrial or warehousing land to other uses, including retail, will not be permitted unless the

overall benefit of the proposal outweighs the disadvantages of the loss of employment or potential employment on the site'. Stating that CP2 does not apply does not demonstrate that the benefit of this proposal outweighs the disadvantages of the loss of potential employment on the site. The applicant must justify why CP2 does not apply, rather than merely stating that it does not.

- Policy SP1 of the Core Strategy states, 'Major Rural Centres are identified as Wiveliscombe and Bishops Lydeard. These settlements will provide the focus for essential facilities within rural communities, this will include an appropriate balance of housing provision, small-scale employment and other local services'. The Council does not believe that this application represents an appropriate balance of housing and small-scale employment provision.
- The Council notes that no effort has been made by the applicant to market the site for commercial use.

*SCC - TRANSPORT DEVELOPMENT GROUP* – comments on previous application:

No objection in principle. Identifies detailed matters re: location of lighting units; surface water drainage on to the highway; and, visibility splays.

The planning officer will be aware of conditions attached to the original consent which require off-site works to be completed prior to the occupation of fifty percent of the open market dwellings on the site. This development will be in addition to those consented and therefore it is requested that a Grampian condition be attached to ensure that none of the dwellings sought under this application are occupied prior to the off-site highway works being fully delivered and open to traffic.

Conditions sought: all vehicles leaving the site shall not emit dust or deposit mud, slurry or other debris on the highway etc; provision within the site for the disposal of surface water so as to prevent its discharge on to the highway; development shall not be brought into use until that part of the service road which provides access to it has been constructed; gradients not steeper than 1:10; where garage doors are of an up-and-over type there shall be an area of hard standing at least 6m in length.

*SCC - DEVELOPMENT CONTROL ARCHAEOLOGIST* – commented on previous application:

As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

*ASC - CRIME PREVENTION DESIGN ADVISOR* -

Comments submitted to the original scheme remain applicable. In respect of the proposed Public Open Space, communal areas have the potential to generate crime, the fear of crime and anti-social behaviour and should be designed to allow good supervision from nearby dwellings. The POS in this scheme is overlooked by dwelling No. 46 and to a lesser extent by No. 45, perhaps this could be improved by slightly re-orientating No. 45. Features to prevent unauthorised vehicular access to the POS should also be implemented.

## *HOUSING ENABLING –*

The housing enabling lead supports this application based on need and the comments do not reflect the suitability of the site in terms of planning.

20% provision of affordable housing to be provided on site in accordance with details that shall be agreed by the Housing Enabling Lead. The provision shall be provided as part of the site area for applications 06/12/0068 and 06/12/0067 or across the wider consented development under application 06/11/0032.

The affordable housing should meet the Homes and Communities Agency Design and Quality Standards 2007, including at least Code for Sustainable Homes Level 3 or meet any subsequent standard at the commencement of development.

The affordable housing scheme must be submitted to and approved in writing by the Housing Enabling Lead at Taunton Deane Borough Council

## *LEISURE DEVELOPMENT – comments on previous application*

The proposal for an additional 6 family size dwellings will create need for children's play. A contribution of £2,688.00 per each of the additional dwellings should therefore be made.

A contribution of £1454.00 for each dwelling should be made towards the provision of facilities for active outdoor recreation.

A contribution of £194.00 per dwelling should be sought for allotment provision along with a contribution of £1,033.00 per dwelling towards local community hall facilities.

All the above should be index linked.

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

## *HERITAGE – No objections*

*LANDSCAPE* - Subject to suitable landscaping the proposals are acceptable, however, the road frontage landscaping needs 'beefing up' and the proposed park needs further consideration and planting. Maintenance plan required for the open space.

*BIODIVERSITY* - Change from public house to residential development is insignificant from an ecological perspective. Development should seek biodiversity gain and therefore condition recommended to secure bat/bird boxes within the development.



*WESSEX WATER* - No objection. New water supply and waster water connections will be required from Wessex Water to serve this proposed development. It is important the development undertake a full site survey of the site and surrounding land to determine the local drainage arrangements and to contact Wessex Water if a sewer may be affected.

*ENVIRONMENT AGENCY* – commented on previous scheme:

No objection subject to imposition of conditions re: finished floor levels no lower than 51.8m AOD; contamination.

*DRAINAGE ENGINEER* – It appears that the total impermeable area for the proposal is less than that in the original planning application and its FRA and will not have an adverse effect on the attenuation system proposed.

*NATURAL ENGLAND* – have provided standing advice

## **Representations**

2 letter of SUPPORT (from a single household) which raise the following issues:

- There would be no issues with parking
- Do not want to see a pub/restaurant and offices as these would generate disturbance
- Support the provision of a LEAP on the housing site

7 individuals OBJECT which raise the following issues:

- Application was previously refused – What has changed?
- Noise and disturbance from construction works.
- When are the off-site highways works going to take place?
- All previous comments\* should apply.

\*Previous comments included:

## Principle

- Local resident's strong objections ignored and now yet more housing – where will it end?
- This is the last remaining non-residential element of the mixed use development permitted; Those uses were previously considered justified and viable as they were consented;
- The intention all along has been to deliver housing only;
- The consented scheme was put forward on the basis that it would benefit tourism associated with WSR;
- Taunton Deane's record on so called 'enabling developments' in this village is lamentable – Sandhill Park is used as an example of 'how not to do enabling development';
- Local residents trust lessons have been learnt;

- The original development was subject to consultation and justified on the basis that its non-residential elements – the inn, the restaurant, the brewery, the cycle hire, the take-away, the employment land, the museum, the train sheds – would all boost tourism associated with the railway. What has happened to these elements?
- The residential elements were proposed to enable public benefit, without which it would have been refused;
- The Council must therefore resist the loss of the non-residential elements;
- If it is accepted that a public house is not viable then an alternative employment or tourism use should be examined first;
- The site has road frontage;
- It should be noted that Broadgauge Business Park is at capacity;
- What has happened to the uses i.e. the cycle hire, take-away, brewery? I am aware of one brewery who would move tomorrow if available;
- Rather than support the existing service provision in the village the development would place further strain on local services, including the doctors surgery and school. None of the developments have contributed to education;
- No evidence that the village needs further residents to remain viable;
- What exactly is proposed to support WSR?
- The loss of employment consents runs into millions of pounds per year. This is the benchmark that the switch to residential use should be measured;
- The Government identify the need to boost the economy. The temporary benefit associated with the construction of houses is insignificant when compared with long-term employment and/or tourism uses.
- The offer of a financial contribution does not enable their development;
- The primary justification for this development was to promote tourism at the terminus of the WSR. This incorporated a hotel/pub/restaurant, brewery, take-away, cycle hire, museum, train sheds and offices. In order to 'enable' some of these facilities, the developer proposed to construct 39 dwellings;
- It is the dwellings that are the enabling development not the financial contribution;
- With the eradication of all of the non-residential uses from this supposed mix use development, the question is 'what is it that these dwellings are supposed to be enabling?'
- £50,000 towards surfacing a car park is way off the mark to compensate the local economy for the loss of these commercial premises; as previously stated the value of salaries in the permitted office accommodation would exceed £1 million;
- Whilst the applicant has promoted additional public open space as a benefit this is effectively compensatory, not additional given the plan to convert the existing car park at the railway into a car park;
- In any case such development would need planning permission and any perceived benefit from its use as a car park cannot be taken into consideration;
- Determination must be made on the basis of the benefit of resurfacing the car park and not any possible increase in capacity that could be permitted in the future;
- The railway will not attract one single additional visitor on the basis that its car park has become smoother.

### Loss of Public house

- There is no justification for the loss of the public house, other than it would compete with WSR – was this not obvious when consent was granted?
- Why would the 200,000 people who use the WSR annually not support a public house in this location?
- Has the public house been marketed or its viability assessed? This has not been tested;
- The Bell Inn did not go into receivership in 2011; it was sold by the owners who paid too much based on high borrowing costs;
- Enterprise Inns have struggled to attract permanent tenants at the Lethbridge Arms due to unreasonable rent expectations; The tenants will not make a penny from the sale of the car park;
- The land sold off will be worth more than Enterprise paid for the whole site including the pub;
- If the Lethbridge Arms is struggling it is nothing to do with this site;
- Disappointing the Council have asked for a viability report to justify why the public house should not be built but did not insist on the impact of the disposal of the majority of the car park and garden on the continued viability of the Lethbridge Arms;
- Loss of the public house at Cotford due to 'idiosyncrasies' of the landlord and is due to re-open;
- Given that permission was given with the full support of the WSR, what has altered to give rise to now having a 'detrimental effect on the retail facilities at the WSR', why is this only now apparent?
- Having regard to the above, it is accepted that the licensed trade is experiencing difficult trading conditions; however, what has changed in 12 months?

### Residential Amenity

- Ongoing problems during construction work, including: noise, digging up the road, and traffic delays for residents of Greenway;
- Still no bridge work or roundabout carried out;
- Loss of rural outlook;
- Loss of privacy;
- Increase in flooding;

### **PLANNING POLICIES**

CP8 - TD CORE STRATEGY - ENVIRONMENT,  
 CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,  
 CP4 - TD CORE STRATEGY - HOUSING,  
 SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,  
 SP4 - TD CORE STRATEGY REALISING THE VISION FOR THE RURAL AREAS,  
 DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,  
 DM2 - TD CORE STRATEGY - DEV,  
 DM4 - TD CORE STRATEGY - DESIGN,  
 EC22 - TDBCLP - Land West of Bishops Lydeard Station,  
 M4 - TDBCLP - Residential Parking Provision,  
 CP2 - TD CORE STRATEGY - ECONOMY,

## LOCAL FINANCE CONSIDERATIONS

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

### 1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£7,034
Somerset County Council (Upper Tier Authority)	£1,759

### 6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£42,206
Somerset County Council (Upper Tier Authority)	£10,552

## DETERMINING ISSUES AND CONSIDERATIONS

The main issues for consideration are the loss of the public house, provision of residential development outside the defined settlement boundary and whether the financial contribution to improve parking facilities at the West Somerset Railway sufficiently mitigates any harm from failure to provide a public house.

### Loss of public house

The public house development formed one of five applications granted on land west of Bishops Lydeard railway station. The scheme formed part of a mix of proposed uses. The public house scheme itself was not however part of the S106 agreement. The supporting text to Policy EC22 which allocates land for recreation and tourist development lists, in the supporting text, a public house as a use that would be acceptable. However, the original developer went into administration and the issue is whether there is any prospect of a public house being delivered.

Policy CP3 of the Core Strategy (iv) states that, with regards to facilities such as a public house:

*'Proposals which would result in the loss of such services will not be permitted where this would damage the vitality and viability of a settlement or increase car travel by local residents unless it can be independently proven to be unviable for re-use for local service provision'*

The applicant has submitted a commercial report which outlines the difficulties in delivering such a use in the current market. Furthermore, it is noted during discussions with WSR they do not support the provision of a public house as this would be in direct competition with their business. As the objective of Policy EC22 is to support the tourist potential of the railway the non-delivery of the public house is not considered to be harmful to the viability of the railway. In terms of the loss of a potential community facility there are existing public houses in the village of Bishops Lydeard and therefore its loss is not considered to be significant in this context.

The Council have been in dialogue with the WSR to understand their priorities. Now that the WSR have secured the transfer of land they are able to seek heritage

funding and begin fundraising to deliver the tourism facilities i.e. museum, carriage shed. However, one of their most immediate pressing issues is that of parking provision. Two options have been considered. Firstly, it is possible to secure an appropriate contribution for the existing car park to be re-surfaced, drained, landscaped, and, importantly marked out. This would provide a more efficient use of the car park facility for the WSR to manage and be an improvement for patrons of the railway, in general accordance with the objectives of Policy EC22. It is currently managed by staff who direct the parking of vehicles as best they can. Alternatively, the same value of contribution could be used to provide a new staff car park and free up the existing staff car park to be made available for visitors. This could amount to an additional 50 car parking spaces which could increase visitor numbers and spend at the WSR. This is also considered to accord with the objectives of Policy EC22.

### Outside Settlement

In terms of the principle of residential development outside of the settlement this is considered acceptable in the context of the consented enabling development and the wider benefits that will be derived.

It is therefore considered that the loss of the public house is acceptable having regard to the primary purpose of the allocation which is to support the tourist potential of the WSR. In addition, the proposal will provide public open space in the form of a LEAP within closer proximity to the enabling residential development and the residents of Greenway. This will also ensure there is no requirement to deliver the LEAP on the WSR land.

### Design

In terms of the planning layout and design of the proposed dwellings the scheme would integrate with the consented scheme. It is considered that there would be no unreasonable adverse impact on the amenity of nearby residents.

The on-site provision of a LEAP is a planning benefit which will provide a facility that is in closer proximity than the existing play area to both residents of the scheme and those in Greenway. The existing play area will be maintained for older children.

### Ecology

The Council's Nature Conservation Officer is satisfied that the proposals would have no adverse impact on ecology.

### Highways

Revised plans have been submitted to address the comments of the Highway Authority. Members will be updated of any further response received.

### Other matters

There has been a question as to where this development leaves the other tourism related uses such as the micro-brewery; creative industry centre, cycle hire centre and an ice cream kiosk. These were specifically identified under application 06/07/0027. The later Taylor Wimpey scheme, 06/11/0032, amended that consent only in so far housing elements of the scheme. There would be a marginal reduction

in land available but this application would not prevent such uses coming forward in some form. However, its delivery is not part of the previous S106, as amended.

This does not affect the land transferred to the WSR and its intentions to deliver the museum and carriage shed. Indeed what it will do is provide some certainty to the railway that the LEAP will not be provided on their land.

### Conclusion

The concerns of the Parish Council and local residents are understood and noted. However, it is considered the loss of the public house would not adversely affect vitality and viability of the village. Furthermore, consideration is given to the objective of the allocation which is to support the enhancement of facilities at WSR. The provision of parking is an important resource for the WSR and the improvements to the parking provision will provide a tangible benefit. The scheme will also deliver on-site open space and play equipment to serve the needs of the development and in closer proximity to the existing community.

As such it is recommended that permission be granted.

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

**CONTACT OFFICER: Mr B Kitching Tel: 01823 358695**