

43/2007/026

TRUSTEES OF WELLINGTON MEDICAL CENTRE

**ERECTION OF MEDICAL CENTRE WITH ATTACHED SERVICES, INCLUDING CAR PARKS, EXTERNAL WORKS AND LANDSCAPING AND FORMATION OF ACCESS TO MANTLE STREET, LAND TO SOUTH AND WEST OF 112B MANTLE STREET (PART OF TRINITY FARM), WELLINGTON AS AMENDED BY FLOOD RISK ASSESSMENT RECEIVED ON 23RD APRIL, 2007 AND LETTER DATED 11TH MAY, 2007 WITH ASSESSMENT OF BULFORD SITE PREMISES, OUTLINE LANDSCAPE ASSESSMENT, DESIGN AND LANDSCAPE STRATEGY, REVISED TREE SURVEY AND ASSESSMENT AND DRAWING NOS. DSW340/DRG 02A, 03 AND S60-PL-03 REV A**

313437/120208

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## 1.0 **RECOMMENDATION**

Subject to:-

- (i) the views of the Secretary of State under the Departure Procedures;
- (ii) the receipt of no further representations raising new issues on the amended plans by ...;
- (iii) views of Wessex Water and the further views of the Environment Agency;

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

- 01 The development hereby permitted shall be begun within three years of the date of this permission.
- 01 Reason: In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004 (Commencement No. 5 and Savings) Order 2005.
- 02 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.
- 02 Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).
- 03 (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.

- 03 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.
- 04 Before any part of the permitted development is commenced, a scheme of hard landscaping showing the layout of areas with stones, paving, walls, cobbles or other materials, shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is occupied.
- 04 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.
- 05 Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with B.S.5837: 2005. Such fencing shall be erected prior to any other site operations and at least 2 working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority. Note: The protective fencing should be as specified at Chapter 9 and detailed in figures 2 and 3 of B.S.5837:2005.
- 05 Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Taunton Deane Local Plan Revised Deposit Policies S2 and EN8.
- 06 No service trenches shall be dug within the canopy of any existing tree within the curtilage of the site without the prior approval of the Local Planning Authority.
- 06 Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health which would be contrary to Taunton Deane Local Plan Policies EN6 and EN8.

- 07 No tree shall be felled, lopped, topped, lifted or disturbed in any way without the prior written consent of the Local Planning Authority.
- 07 Reason: The existing trees represent an important visual feature which the Local Planning Authority consider should be substantially maintained in accordance with Taunton Deane Local Plan Deposit Policies EN6 and EN8.
- 08 Before any part of the permitted development is commenced, details of all boundary walls, fences or hedges forming part of the development, shall be submitted to and approved in writing by the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before any such part of the development to which it relates takes place.
- 08 Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.
- 09 Within 1 month of completion of the landscape scheme the applicant is required to provide an as built/planted plan highlighting any variation between it and the approved landscape drawings . If there are no discrepancies a letter confirming no variations should be received by this Authority within 1 month of the completion of the landscape scheme.
- 09 Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.
- 10 Details of siting of temporary building(s) construction and materials storage compound will be agreed in writing before commencement of works on site. The above details should also include details of where soil is to be stored on site.
- 10 Reason: To safeguard the existing landscape features and ensure their contribution to the character of development in accordance with Taunton Deane Local Plan Policies S2 and EN6.
- 11 The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a wildlife mitigation and biodiversity enhancement plan. The plan shall detail measures for the avoidance of harm, mitigation and compensation in respect of legally protected species affected by the development, in particular great crested newts, badgers, breeding birds and bats, and measures for the enhancement of biodiversity through the provision of habitats and features and their future management. The proposed methods shall be informed by up to date surveys.
- 11 Reason: To protect legally protected species in accordance with Taunton Deane Local Plan Policies EN4 and EN5.
- 12 The access shown on the submitted plan shall be provided to the satisfaction of the Local Planning Authority before any other work on the site commences.
- 12 Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

- 13 Before any development hereby permitted is commenced, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.
- 13 Reason: In the interests of suitable development in accordance with Taunton Deane Local Plan Policy S1.
- 14 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.
- 14 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.
- 15 All services shall be placed underground.
- 15 Reason: In the interests of the visual amenity of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(F).
- 16 Prior to the commencement of development, details of the arrangements to be made for the disposal of surface water drainage from the proposed development, shall be submitted to and approved in writing by the Local Planning Authority.
- 16 Reason: To enable the Local Planning Authority to give proper consideration to the effect of alterations in the site levels.

#### 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 Your attention is drawn to the publication 'Secure by Design' as a means of designing out crime. You are advised to contact the Police Liaison Officer at Burnham Police Station (01278) 363414 for further advice.
- 05 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).

- 06 You are advised to contact the Divisional Fire Officer, Lisieux Way, Taunton regarding fire safety measures to be incorporated in the proposed development/works.
- 07 You are advised that in accordance with the highway works set out on the submitted plan, a Section 278 Agreement will need to be entered into with the County Highway Authority incorporating the provision of double yellow 'no waiting at any time' lines between the adjacent access to the east and Trinity Close to the west.
- 08 With regard to Condition 16, you are advised that soakaways should be constructed in accordance with Building Research Digest 365 and results should be forwarded for agreement before any works commence on site due to the probability that the ground is not suitable. If tests prove that soakaways are not suitable, then means of disposal will have to be investigated and any such means of disposal will have to be investigated and any such means will require on-site attenuation of flows before final discharge.

REASON(S) FOR RECOMMENDATION:- A site of suitable size is unlikely to become available for the proposed development within the settlement limits in the foreseeable future and therefore an exception to the normal 'strict control' of new development in the open countryside in accordance with Taunton Deane Local Plan Policy S7 is considered to be appropriate in the interests of community provision. Furthermore, it is not considered that the integrity of the green wedge, Taunton Deane Local Plan Policy EN13, within which the site lies, will be adversely affected by the proposed development.

## 2.0 **APPLICANT**

Trustees of Wellington Medical Centre

## 3.0 **THE SITE**

The site is located on the south side of Mantle Street approximately ½ mile west of Wellington town centre. It is currently agricultural grazing land with a number of parkland trees. It extends to just over 1 ha in size and slopes up away from Mantle Street.

The site is generally bounded on three sides by residential development, but is open on the fourth to the remainder of the agricultural land.

The location of the site is approximately 550 m from the existing Bulford site.

## 4.0 **PROPOSALS**

The proposal provides for the development of a new medical centre and attached services, including car parks, external works, landscaping and new access onto the public highway. The proposed development will replace the practice's existing facility at Bulford.

The building will be two storey (with a partial semi-basement area) with a net internal floor area of 1.945 sq m with 66 car parking spaces for visitors/patients and staff, including 4 spaces for disabled users.

The medical centre will occupy 1.550 sq m (about twice the size of the existing to meet current guidance), attached services 395 sq m including the pharmacy, dentist and registrar (all co-locating) and a new office base for Somerset County Council adult primary care team.

The proposed materials are to be red brick with timber panels for the walls with a dark grey metal roof. The plinths for the walls and gate piers will be stone or brick.

The existing medical centre is being used to full capacity with no slack to absorb new initiatives. The applicants state that the present building is approximately half the size recommended by current guidelines and parking is not sufficient. They consider that it is impractical to extend the existing building or add another floor. The site is too small to provide the temporary accommodation in portacabins and re-build.

Since 1999 the applicants have considered 13 alternative sites. The applicants consider that most were unsuitable for various reasons and the application site was identified as being most appropriate. They consider that it offers the possibility of developing a new state-of-the-art medical centre, with a range of associated services that will satisfy the present needs of the people of Wellington, and provide opportunities for adaption or expansion into the foreseeable future.

## 5.0 **RELEVANT PLANNING POLICIES**

### **Regional Planning Guidance for the South West (RPG10)**

VIZ2 Principles for Future Development

SS3 The Sub-Regional Strategy

#### **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.

EN1 Landscape and Biodiversity

EN4 Quality in the Built Environment

### **Policy EN5: Health, Education, Safety and other Social Infrastructure**

Health, education and other social infrastructure requirements need to be taken into account fully in development planning throughout the region. Development plans and programmes should:

- facilitate the reconfiguration and modernisation of local health services, in accordance with sustainable development principles, informed by partnership working with Health Authorities and others on Health Improvement and Modernisation Plans (HIMPs);
- encourage new facilities to be developed or redeveloped wherever possible on sites that are well served by public transport and accessible on foot or by cycle, to ensure access for patients, staff and visitors;
- enable the varied provision of facilities for education and training;
- facilitate provision of other facilities required by local communities, wherever possible maximising the potential of existing community buildings;
- include policies and proposals for the provision of appropriate services within rural areas. For example, encouraging mixed use developments, which incorporate health care provision with other uses;
- local authorities should take steps to ensure that crime prevention considerations are incorporated in the design of new development.
- should have regard to the impacts of proposed developments on the health of local communities, taking advice from Health Authorities.

TRAN 1 Reducing the Need to Travel

TRAN 10 Walking, Cycling and Public Transport

RE2 Flook Risk

**Draft Regional Spatial Strategy for the South West**

SO4 Sustainable Communities

Development Policy B Development at Market Towns

Development Policy E High Quality Design

Development Policy G Sustainable Construction

CS1 Provision of Community Services

Local authorities should work with their Local Strategic Partnerships and other relevant organisations to provide up-to-date assessments of need for a full range of community facilities and infrastructure suitable for all sections of the community. LDDs should ensure that timely and sufficient provision is planned in parallel with housing and other development. Service providers need to ensure that all provision meets uniformly high standards to minimise the number of users who would wish to choose any other than the closest provider.

HE1 Planning for Healthcare

Plans for the provision or re-organisation of healthcare within local authority areas and that of adjacent authorities shall be fully complementary with plans for development and change in the long term. At an early stage in preparing Local Development Frameworks, and in determining planning applications, local authorities should work closely with healthcare providers (Strategic Health Authorities, Primary Care Trusts and NHS Trusts) to ensure that timely provision is made.

HE2 Provision of Additional Healthcare Facilities

Healthcare will be provided in locations which are accessible to all people by public transport, on foot and by cycle. Working with healthcare providers, local authorities through their LDDs should ensure that all healthcare requirements arising from large-scale development and redevelopment are assessed, and adequate provision of facilities of the highest design quality are included in Local Development Documents and design briefs. Local Development Frameworks should support proposals for the provision of additional healthcare facilities, recognising that the structure of provision is changing.

ENV4 Nature Conservation

F1 Flood Risk

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

STR1 Sustainable Development

STR2	Towns
STR4	Development in Towns
STR6	Development Outside Towns, Rural Centres and Villages
Policy 1	Nature Conservation
Policy 5	Landscape Character
Policy 42	Walking
Policy 43	Access for People with Disabilities
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.

EN3

Development which would significantly adversely affect local nature conservation or geological interests will not be permitted unless:

- (A) the importance of the development outweighs the value of the substantive interests present; and
- (B) every possible effort is made to minimise harm to those interests.

Where it is decided to allow development affecting local nature conservation or geological interests, planning obligations will be sought requiring developers to provide adequate compensatory measures for the site's long term management, to preserve and enhance its wildlife or geological interest.

#### EN5

Development which would harm protected species will not be permitted unless:

- (A) conditions and/or planning obligations would prevent such harm;
- (B) other material factors are sufficient to override the importance of the species; and
- (C) every possible effort is made to minimise ill effects on wildlife.

#### EN6

Development which would harm trees, woodlands, orchards, historic parklands and hedgerows of value to the area's landscape, character or wildlife will not be permitted unless adequate provision is made for tree cover to compensate for this loss.

The good management of such tree cover for nature conservation purposes will be sought.

#### EN9 Tree Planting

#### EN11

Development which would harm the appearance, character and contribution to landscape quality of Special Landscape Features (as shown on the Proposals Map) will not be permitted unless planning conditions would prevent such harm.

#### EN12 Landscape Character Areas

#### EN13

Development which would harm the open character of green wedges will not be permitted.

#### EN14 Conservation Areas

#### EN28 Development and Flood Risk

## 6.0 **RELEVANT CENTRAL GOVERNMENT GUIDANCE**

## **Planning Policy Statement 1 – Delivering Sustainable Development (PPS1)**

- Paragraph 5            Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:
- making suitable land available for development in line with economic, social and environmental objectives to improve people’s quality of life;
  - contributing to sustainable economic development;
  - protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
  - ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
  - ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.

Paragraph 13        Key Principles

Paragraph 27        Delivering Sustainable Development – General Approach

Paragraph 29        In some circumstances, a planning authority may decide in reaching a decision to give different weight to social, environmental, resource or economic considerations. Where this is the case, the reasons for doing so should be explicit and the consequences considered. Adverse environmental, social and economic impacts should be avoided, mitigated, or compensated for.

Paragraphs 33 – 39 Design

## **Planning Policy Statement 7 – Sustainable Development in Rural Areas (PPS7)**

Paragraph 24        The Government recognises and accepts that there are areas of landscape outside nationally designated areas that are particularly highly valued locally. The Government believes that carefully drafted, criteria-based policies in LDDs, utilising tools such as landscape character assessment, should provide sufficient

protection for these areas, without the need for rigid local designations that may unduly restrict acceptable, sustainable development and the economic activity that underpins the vitality of rural areas.

Paragraph 25 Local landscape designations should only be maintained or, exceptionally, extended where it can be clearly shown that criteria-based planning policies cannot provide the necessary protection. LDDs should state what it is that requires extra protection, and why. When reviewing their local area-wide development plans and LDDs, planning authorities should rigorously consider the justification for retaining existing local landscape designations. They should ensure that such designations are based on a formal and robust assessment of the qualities of the landscape concerned.

### **Planning Policy Statement 9 Biodiversity and Geological Conservation (PPS9)**

Paragraphs 15 – 16 Species Protection

## 7.0 **CONSULTATIONS**

### **County Highway Authority**

“It must be a planning matter as to whether or not this is a suitable location for such a development within the town centre of Wellington and if it is, then from a highway policy viewpoint I have no objection in principle to the development. In detail however, I have some comments to make.

The Transport Assessment submitted with the Planning Application is generally acceptable. It deals adequately with the main issues and I am generally content with the outcomes. In terms of access on to Mantle Street, there are two options shown as Appendix 4 and 5 of the Transport Assessment and of these I favour Appendix 4 (Drawing No. B/G2/Wellington.1/05) with some amendments.

I am content with the general proposal to site the access as shown and bring the junction forward to improve visibility and widen the footway on the western side of the access along the south side of Mantle Street. However, this creates a narrowing of the through carriageway of Mantle Street of which I am not particularly happy. The car parking bay marked outside Nos. 1-10 Hyacinth Terrace is 2.3 m wide and the Traffic Signs Regulations and General Directions suggest that this can be narrowed to 1.8 m. I have taken advice from my Safety Audit colleagues and consider that a narrowing of this bay with the consequential narrowing of the build-out and tactile crossings outside No 10 to 1.8 m should be carried out.

I would in addition prefer to see a separate pedestrian access as shown on

the attached sketch coming in outside the boundary wall. This would separate pedestrians from the vehicular traffic entering the access way.

The widening of the footway along the southern side of Mantle Street will mean that that length of road between the adjacent access to the east and Trinity Farm to the west which at present has no waiting restrictions on it and allows parking, will need to be covered by double yellow 'No Waiting at Any Time' lines.

In consequence, therefore, I do not propose to raise highway objection subject to the following conditions:

1. The details of a suitable scheme along the lines described being submitted to and approved by the Local Planning Authority prior to the commencement of the development.
2. The construction of the access and off site works required in the above condition being completed prior to the development coming into use.

An informative should be attached to any consent requiring the works in conditions 1 and 2 above being carried out under a Section 278 Agreement with the Highway Authority.

Suitable conditions should also be attached to any consent to secure the details of onsite parking and turning facilities shown on the drawings accompanying the application.”

### **Environment Agency**

“The Environment Agency objects to this application in its current form because it has been submitted without a flood risk assessment (FRA), contrary to the requirements of PPS25 paragraphs 10 and 13 and Annex E. The flood risks resulting from the proposed development are therefore unknown.

The application site lies in an area of low-medium flood risk as defined in PPS 25 Table D1. Paragraph 13 of PPS 25 requires applicants for planning permission to submit a FRA in accordance with Annex E of the PPS when development is proposed in such locations.

The absence of a FRA is sufficient reason in itself for a refusal of planning permission in this instance. This reflects the precautionary approach to development flood risk areas set out in paragraph 10 of PPS 25.

We will provide you with bespoke comments within 21 days of receiving formal reconsultation. Our objection will be maintained until an adequate FRA has been submitted.

We have sent a copy of this letter and FRA guidance (guidance note 1) to the applicant’s agent for information.

Further to this please note the proposed development is located on a major aquifer. As a result of this appropriate sustainable drainage and pollution prevention measures need to be incorporated within the development application.”

As a result of this response, a Flood Risk Assessment has been prepared by the applicant’s consultants. The further views of the Environment Agency are awaited.

### **Wessex Water**

Views awaited.

### **Fire Safety Officer**

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

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

### **Avon & Somerset Constabulary**

#### “Overall Security

Whilst I accept that it would be inappropriate to fence the entire site against intrusion, I do feel that security issues should be given due consideration. Therefore I would be interested to see what security measures, physical and intrusion detection, are to be incorporated into the building.

#### Building design

I have some concerns regarding the open 'U' shape of the building as it creates a secluded area which could be vulnerable to attack. I would recommend that if this building layout is to be followed, that a fence should be erected across the two arms of the building to deter intrusion. This fencing should be to a height of at least 1.8 m, and of an open mesh type construction. This would improve security, whilst allowing natural surveillance into and from the area.

#### Decking area

I have serious concerns regarding the proposed decking area to the rear of the staffroom and meeting room on the first floor.

It appears that this area may be open, and insecure (not glazed)? If this is the case, the area may become a gathering area' for young people during out of hours periods.

It also appears that it may allow for easy climbing access to the roof of the

main building, which would lead to serious safety concerns.”

### **Natural England**

“Thank you for consulting Natural England about the proposed development on a field to the South of Mantle Street. Your letter received in this office on 2<sup>nd</sup> April refers. We have also received a copy of a protected species survey undertaken by John Clare of the site for some local residents. John found evidence of slow worms, a bat roost in a tree, and breeding bird habitat. It is a foraging ground for badgers.

We have down loaded from your website the phase one wildlife survey undertaken by Tony Timbrell for the applicant. Tony's recommendations include protecting the breeding birds on the site, undertaking a bat and a slow worm survey.

John Clare mentions the possibility of great crested newts based on the presence of the Swains Lane population, it is likely to assume that they will forage on land to the north away from the housing estate and it is possible that they could be impacted upon by this development.

In view of the evidence found by two wildlife consultants Natural England recommends that thorough protected species surveys are undertaken before this application is determined.”

### **Landscape Officer**

“There is little or no assessment of the impact of the proposals on the Green Wedge. This is an important policy consideration and needs to be fully assessed and justified.

My other concerns are:-

1. Impact on the street scene and need to provide sufficient visibility splay.
2. Impact on trees. T11 is under threat from car parking within its tree root zone. G4 is under threat from level changes within its tree root zone.
3. The building is large, requires significant levelling of the site; and
4. Landscape mitigation is poor.”

### **Conservation Officer**

“The proposal will not affect the setting of any listed buildings. While the site currently lies adjacent to the Conservation Area that section affected is proposed for removal. The proposed development appears to be well set back from the road frontage and could be further screened by trees. Access arrangements don't appear overly detrimental to the street scene. On these grounds I don't wish to raise any objections.”

## **Nature Conservation and Reserves Officer**

“I have read Environmental Conservation for Development Ltd's survey as well as Greenwood Environmental's report submitted on behalf of the Residents' Group of Mantle Street. Natural England are aware of the application and I have requested that they be formally consulted.

The site is part of the green wedge and the wider parkland of the Special Landscape Feature. In applying PPS9, further survey work for protected species is essential to inform mitigation and the decision on the development of this site.

I advise that further survey work for protected species should be undertaken as soon as possible to Natural England guidelines, to inform the determination of this application:

### **Bats**

ECD Ltd's and Greenwood's survey, identify the two oaks on site as being potential bat roosting sites. The trees are part of a network of mature parkland trees, including old pollards that have been identified in Greenwood's report as having bat roosts. Local knowledge of bats hunting over the site reinforces the importance of these trees.

T11 (New Leaf survey), T1 on Greenwood's survey, is a significant veteran oak . My concern is that the tree may be a bat roost and further information is needed. Survey work as proposed in ECO's and Greenwoods' reports will establish how bats are using the site is necessary.

### **Slow Worms**

Greenwood's report has found evidence of slow worms using the site and further surveys need to be undertaken and mitigation proposed.

### **Great Crested Newts**

The application site is within 500 metres of the Swains Lane County Wildlife Site, an important site for Great Crested Newts. The site is within the foraging range of these newts and further information is needed to inform enhancement/mitigation for this species.

### **Badgers**

Proposed mitigation for badgers using the site, must be submitted to inform the decision process.

### **Breeding Birds**

Consideration will need to be given to nesting birds.”

## **Forward Plan**

“This proposal raises a number of significant policy issues.

As the application site is outside the defined settlement limit of Wellington it

falls within the countryside in policy terms, where new development is strictly controlled. Structure Plan (SP) Policy STR6 and Taunton Deane Local Plan (TDLP) policy S7 apply. The proposal does not fall within one of the identified exceptions, such as affordable housing, development for agricultural or forestry purposes, or development which will support the rural economy. Other exceptions to the policy may be permitted where the need to do so can be justified, and subject to the proposal maintaining environmental quality and not fostering growth in the need to travel.

The site also falls within a Green Wedge as defined in the TDLP, to which policy EN13 applies. This seeks to prevent development which would harm the open character of Green Wedges, thus undermining their role in preventing the coalescence of settlements.

A limited part of the site also falls within the Foxdown Hill/The Cleve Special Landscape Feature (SLF). This is defined in the TDLP and is subject to the provisions of policy EN11, which seeks to prevent development which would harm the appearance, character and contribution to landscape setting of SLFs.

The accessibility of a large new health centre is another important consideration in accordance with SP Policy STR1 and TDLP policy S1, criteria (A) & (8).

Although the site is not designated as a site of importance for its wildlife, I understand that there may be issues with protected species. If that is the case then the requirements of SP Policies STR1 and Policy 1 and TDLP policies S1 (C) and EN5 will need to be complied with.

The main policy issue here is the degree to which the proposal would be in conflict with policies relating to the control of development outside the defined limits of settlements and the protection of designated Green Wedges and SLFs, and whether there is an adequate justification for allowing it as an exception. The degree to which the proposal would conflict with policies STR6 and S7, EN13 and EN11 is, in my view limited. The application site is in a location where there is development on three sides, and is immediately adjacent to it on two of them, so it is well-related to the existing built form. The higher ground of the SLF means that the site is not visible in the wider landscape, nor does it play a critical part in the Green Wedge's primary function of preventing the coalescence of Wellington and Rockwell Green. The application site does encroach slightly into the SLF. Although most of the area within the SLF is proposed for landscaping, the building does appear to just cross the boundary. It would be preferable if the building were positioned further from the boundary of the SLF, so consideration should be given to the possibility of locating it closer to the site's northern boundary and relocating the proposed staff parking area to the south of it in the area adjoining the SLF. This should also lower the level of the building, which would also reduce its visual impact in the foreground of the SLF.

Little evidence justifying the use of this particular site appears to have been

submitted. It is important that this is provided, to enable a proper judgement to be made on whether the need for the use of the site is strong enough to warrant the exception to several policies. The evidence should address matters such as: the need for the facility; why the existing site is unsuitable; and a sequential approach to the consideration of alternatives. The views of the Primary Care Trust are relevant to the first of these.

In terms of accessibility the application site is clearly inferior to the existing site of the health centre or to other town centre alternatives if they exist. However, it is located on a main road that is served by public transport and, because of the geography of the town, is closer to the town centre than almost any alternative edge-of-town site. As above, there is a need for evidence demonstrating why this site is needed rather than more accessible alternatives, including the health centre's existing site.

In conclusion, I consider that this site is suitable in policy terms, provided that satisfactory evidence is provided to demonstrate the need for the facility, the consideration of alternatives, and the absence of sequentially preferable sites. The ability to deal appropriately with any issues related to the presence of protected species is an important prerequisite to the site's development."

#### **Drainage Officer**

"I note that surface water is to be discharged to soakaways. These should be constructed in accordance with Building Research Digest 365 (September 1991) and results should be forwarded for agreement before any works commence on site due to the probability that the existing ground is not suitable.

If tests prove that soakaways are not suitable then other means of disposal will have to be investigated and any such means will require on site attenuation of flows before final discharge.

It is therefore strongly recommended that the method of surface water disposal has been agreed and approved before any works commence on site."

#### **Town Council**

"The above application was considered at a town council meeting on 14<sup>th</sup> May 2007 which was attended by over 40 residents from the Mantle Street area who were strongly opposed to the proposal.

Following a meeting lasting two hours the town council decided it was opposed to the application because:

- the development is outside the settlement limits
- is an incursion into the green wedge between Wellington and Rockwell Green
- will have an adverse effect on the special landscape feature

- the development will result in the loss of on-street parking spaces
- there are unresolved highway issues
- the town council recommends that Taunton DBC should reject the application and set up a task and finish group to look for a suitable site for a new medical centre within the town centre.”

## 8.0 **REPRESENTATIONS**

58 letters of objection have been received raising the following issues:-

1. Invasion of privacy and security.
2. Highway safety problems emerging from access road due to presence of parked cars on Mantle Street.
3. Increase in traffic when Mantle Street is already too busy with traffic.
4. Site is part of the Green Wedge designated in the Adopted Local Plan. Policy EN13 restricts proposals that do not conform and retain the open character of the area.
5. The proposed development would obliterate the outstanding open countryside, the Green Wedge/Special Landscape Feature and have severe consequences and an impact upon the adjacent Conservation Area.
6. Restricted parking in Mantle Street – often two vehicles cannot pass without one giving way.
7. Blocking of entrance to objector’s property by vehicles resulting in dangerous vehicular manoeuvres and difficulty of access by emergency vehicles.
8. Difficulty of exiting onto Mantle Street.
9. Excessive speed of traffic along Mantle Street.
10. Traffic survey submitted with application is lightweight and does not consider the implications of its own patients using the surgery.
11. Visitors to medical centre will use objector’s drive by mistake.
12. Young children could enter objector’s private driveway, which could cause an accident.
13. Will be unable to stop vehicles parking on Mantle Street close to the entrance.
14. Large horseshoe, small horseshoe and long eared bats all reside in the area.
15. Wildlife report produced by the agents was very limited in its findings.

16. Danger to established trees and hedgerows for wildlife on the proposed development of the agricultural land and the impact on the surrounding Special Landscape Feature of Foxdown, being within the designated green wedge.
17. Wildlife includes foxes, badgers, buzzard, butterflies, woodpeckers, magpies, blackbirds, robins, coal tit, small tit, greenfinch, jays, sparrows, jackdaws, squirrels, dormice, field mice, shrews, moles, voles, slow worms, pheasants, frogs, toads, rabbits and deer. Wild flowers also encouraged in the area.
18. Six foot fence should be provided all around the property to provide for security.
19. Medical centre will be a prime target for thieves and vandals.
20. Question why the existing medical centre needs to be relocated. There should have been a ballot of existing patients. If has to move – should be at eastern end of town, still within town centre, or as part of new housing development.
21. Increased distance for patients will result in increase pollution.
22. Main motive for the proposed move is a financial one, because of discussions underway with representatives from a supermarket.
23. Proposal would contravene the basic human rights of people to be able to live in an environment without the pollutants and noise caused by vehicles.
24. Site has been selected because it gives the potential for further expansion in the future.
25. Inappropriate for the application to say that the planning authority would have no objection in principle if the proposal was for a community facility such as a medical centre.
26. Application incorrectly states that the bottom field is not part of the Green Wedge.
27. Question the suggestion by the Conservation Officer that the area fronting Mantle Street is to be taken out of the Conservation Area.
28. Proposal to have County Council Social Services staff permanently located at the site shows some form of collusion by the medical centre in trying to prepare for a more advantageous decision by planning officers/councillors.
29. Second floor staff room with balcony will overlook objector's private garden, spinney and drive. Staff possibly working, eating and drink so close to property would be a violation of privacy and basic human

rights. Otherwise area should be screened by a mature hedge or shrubs which benefit the wildlife and the building be single storey.

30. Building should not be two storeys and should not be built on agricultural land. Should be located on a brownfield site in accordance with Government policy.
31. Medical centre could go above any supermarket being built on the current site.
32. If permission is granted, the building should be constructed using the latest building materials to save energy and should be fitted with solar panels to the whole roof and other energy saving ideas.
33. Will be a huge blot on the landscape.
34. Previously assured no building would ever take place on the land.
35. Officers and councillors are in office to protect the general public from instances such as this which flout existing laid down policy.
36. History of road traffic accidents along this length of Mantle Street
37. Police have previously written to residents of Mantle Street and Trinity Row asking them to find alternative parking arrangements other than in Trinity Close.
38. Proposed site should be cherished as it stands and a footpath across the site should be designated, enabling walkers to admire its beauty.
39. Loss of existing car parking space on Mantle Street, with no indication of alternative arrangements being made to replace them. This will impact on those with small children, heavy bags, the infirm and the elderly.
40. Question why footpath on south side of Mantle Street needs to be widened – as few people will walk to an out of town health centre.
41. Will move the medical centre away from fellow healthcare providers, such as the town's other dentists and pharmacies.
42. Proposal must be resisted at all costs, even to the point of civil disobedience.
43. Does not offer any more parking spaces than there is at present at Bulford, where there is also a public car park next door. Likely to be unable to cope with number of cars, which will increase the demand for parking on Mantle Street.
44. Building will not retain the open character of the area, but rather create an imposing three storey structure that is not at all sensitive to its surroundings.

45. No consideration has been given to the scale of the building within the landscape.
46. Inappropriate materials on a building which does not recognise the importance of the edge of a Conservation Area.
47. The proposal bears no resemblance to a country house, despite inference in documents.
48. Having an ugly building behind will devalue property.
49. Presume the development has already been given 'the nod' of approval.
50. What Mantle Street needs is traffic calming measures, a ban on large/heavy vehicles and a car park, not more traffic and a new junction.
51. Loss of outlook.
52. A long way from the centre of Wellington for vulnerable patients.
53. Current health centre is directly opposite the newly refurbished Wellington Hospital.
54. Concern about the proposal to narrow the road, which will make it even more difficult to pass recycling/refuse lorries.
55. Additional traffic and congestion can only increase the road safety risks for children walking to and from Courtfields School.
56. Buses and trucks will be unable to use Mantle Street during construction.
57. If more cars are forced to park in Walkers Gate area, it will be impossible for emergency or service vehicles to gain access.
58. Presume more buses will be run, which will worsen the congestion. Alighting from buses will necessitate crossing the road at dangerous points. The option of moving the bus stops nearer the proposed entrance would cause even more congestion.
59. According to the 'Green Spaces Issues' survey, Wellington and the immediate surrounding area is already sadly lacking in open green spaces.
60. All the mature trees on Foxdown Hill have Tree Preservation Orders served on them, as they form an important part of the heritage of Wellington.
61. The inconvenience to patients, staff, etc is not being taken into consideration where large profits could be derived by selling off the

present Bulford site in favour of a relatively inexpensive site on the protected Foxdown Hill. Money should not always be the chief reason for re-siting.

62. Mantle Street/Fore Street already has one medical centre, so the majority of patients will have to travel past that.
63. The siting will be inconvenient for the residents of the new housing proposed on the east side of the town.
64. If 13 other locations were considered, question what made them less suitable than the Mantle Street site.
65. Proposed use of the Youth Centre on Mantle Street as a base for social workers will put further pressure on parking in the area.
66. Mantle Street has had a history of flooding. The existing site acts as a natural soakaway for rainwater and if this were to be converted into large areas of tarmac, the ability of the land to soak up excess rainfall will be dramatically reduced, bring the excess into Mantle Street itself.
67. Trees will be put at risk due to alteration of drainage in the field.
68. Inconsistency in decision making if the proposal is allowed, because adjacent property was required to plant a native hedgerow for a change of use of land to domestic use to reduce the visual impact of the proposal on the green wedge.
69. Loss of historic and aesthetic appeal to Wellington as a whole.
70. This is an opportunistic financial endeavour being inappropriately dressed up as for the community good and is totally ill-conceived.
71. Proposed access is directly opposite existing driveways.
72. Building site traffic will threaten trees.
73. Disruption and damage to cars and houses during construction work.

ONE LETTER OF REPRESENTATION RAISING NO OBJECTION:-

1. More traffic might slow down traffic in Mantle Street.
2. Suggest that local residents may use the medical centre's parking out of hours.
3. Traffic calming measures should be put in place if needed.

9.0 **PRINCIPAL ISSUES FOR CONSIDERATION**

- A. Does the proposed development comply with the Development Plan Policies? POLICY

- B. Is there a need for a new site for the medical centre? NEED
- C. Is the site the most suitable one for the proposed development?  
SUITABILITY OF SITE
- D. Is the proposed access acceptable? ACCESS
- E. Is adequate parking proposed? PARKING
- F. Is appropriate regard had to the landscape setting of the site?  
LANDSCAPE
- G. Will wildlife be adversely affected by the proposed development?  
WILDLIFE
- H. Is the site liable to flooding? FLOODING
- I. Is security on the site adequately provided for? SECURITY
- J. Is the proposed development sustainable? SUSTAINABILITY
- K. OTHER ISSUES

### **A. Policy**

The site is located outside the settlement limits of Wellington. Policy STR6 of the County Structure Plan states that development outside towns 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. Policy S7 of the Taunton Deane Local Plan states that 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 meets certain criteria. Two of these criteria are:- (i) that the proposed development is necessary to meet a requirement of environmental or other legislation; and (ii) that the proposed development supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement.

The current medical centre is now too small to meet the current and anticipated accommodation requirements and consequently a new site is required for future requirements. The doctors have spent a number of years looking at possible sites, with a preference for a site within the settlement limits closer to the centre of the town. However for various reasons set out in Section C, the current site has been chosen by the doctors. I am satisfied that all reasonable attempts have been made to find a suitable site within the settlement limits and consequently I consider that the principle of a site just outside the settlement limits is acceptable.

The site is within an area designated as Green Wedge in Policy EN13 of the Taunton Deane Local Plan. This policy states that development which would harm the open character of the green wedge will not be permitted. The site is part of a very much larger area of countryside. It is also affectively

surrounded on three sides by development (the 'open' cemetery to the north is not included within the Green Wedge designation). The purpose of the designation is to prevent the coalescence of Wellington and Rockwell Green. I consider that the integrity of the Green Wedge, in particular the overriding reason for the designation, will not be adversely affected by the proposal.

The Forward Plan Officer considers that the site is suitable in policy terms.

### **B. Need**

The existing medical centre at Bulford is approximately 826 sq m (including 210 sq m of ancillary services) and having been extended twice occupies just about all of the developable area of the site. However the building only provides about half of the floor space that is recommended under current guidance.

The applicants contend that the current building is being used to capacity at all times. They consider that there is no slack to be able to absorb additional or new initiatives in the future, and no space in which to work quietly if needed or respond to emergencies without considerable disruption to patients. They feel that a significant increase in capacity is needed in order that patients can be managed effectively, so that they feel comfortable and safe, confident that their privacy is being maintained and that they are being dealt with in an efficient and professional manner. The room sizes are generally too small and the layout cannot easily be adapted for a suitable second floor to be added. There is also some concern that the foundations of the original 1971 surgery will not be adequate to take the increased loads. The applicants consider that the only realistic option is to demolish and replace the building with a new two storey structure. The nature of the building and intense occupancy means that this could not easily be done in phases and continue to operate from only part of the premises. Temporary accommodation would need to be provided whilst the construction work takes place. The site is not large enough to facilitate this whilst continuing to provide a reasonable level of parking, and there are no alternative sites in the vicinity capable of providing a suitable temporary home. Although on occasions, where no other options exist, temporary facilities have been provided in portacabins, this is a very costly option. In this instance it is likely to be in the region of £35,000 - £40,000 for a 12 month construction period, which could otherwise be spent on providing improved healthcare elsewhere.

There is also an issue of car parking at the existing medical centre, arising from the fact that some drivers choose to park their vehicles in the medical centre car park (providing 46 spaces) rather than the adjacent pay and display car park. The parking of such vehicles obviously has a detrimental effect on the operation of the medical centre car park.

The development of a new medical centre will provide modern and appropriate facilities for a full range of existing services. It is not anticipated that there will be an increase in staffing levels as a result of the proposed development.

A detailed Business Plan for the project was submitted to and approved by the Primary Care Trust last summer.

### **C. Suitability of Site**

Since 1999, the applicants have considered 13 alternative sites to develop a new medical centre, capable of meeting their present needs and hopefully providing an opportunity for further expansion in the future.

The doctor's priority has throughout been to secure a site as convenient as possible for their patients whilst offering the potential for development of a facility capable of encompassing all their current and anticipated primary care responsibilities. A sequential approach was adopted at the outset in order to secure as central a site as possible and to ideally obtain a site within the built up area boundary, which was perceived as more likely to obtain permission and the most acceptable to patients and doctors.

The majority of these sites were not considered to be suitable options for a variety of reasons, including being too small, too remote from the centre of Wellington or not being achievable in a realistic timescale. After further investigations, the application site was identified as the most promising location, and in 2005 the applicants secured an option to purchase.

### **D. Access**

A new vehicular and pedestrian access onto Mantle Street is proposed between the cemetery garden and the bungalow at 112b. It is intended that the layout of the junction should minimise the interruption of the existing stone retaining wall, such that neither the cemetery garden nor the mature tree in front of 112b should be affected. The junction has been designed with consideration to highway capacity and safety. It will incorporate footway widening/carriageway narrowing. The widening of the footway will be beneficial to pedestrians and act to overcome the footway width narrowing to the west of the proposed access towards Trinity Close. In addition to being in accord with national planning advice, this measure will also encourage pedestrian movement to the proposed development from the west and from Trinity Close to the town centre.

The new access road will initially be cut into the raised ground behind the retaining wall, and then climb generally at the natural slope of the ground to an entrance courtyard in front of the new medical centre. This provides a vehicle drop-off point at the front entrance and also access to two visitor/patient car parks that are at the same level and on an existing grade.

The new roadway will provide access for emergency vehicles at the main entrance and turning space in the arrivals area between the two visitor/patient car parks.

An alternative access, proposed was also put forward by the applicant's highways consultant. This incorporated the additional provision of a build-out so that vehicles travelling in a west bound direction must give way to opposing

traffic. The County Highway Authority favour the first option without the build-outs.

Accident data for the 5 year period between July 2001 and June 2006 shows a total of 4 recorded accidents. The applicant's highways consultants consider that the location and type of accident recorded are not indicative of there being any specific highway safety problem or anything to lead to the view that the scale is in any way inherently unsafe. It is not considered by the consultants that the proposed development would lead to any material detriment to road safety after reviewing the road safety data. The development would, however, bring benefits in road safety terms.

The traffic impact assessment submitted with the application indicates that there are no issues of capacity, queuing or delay apparent at the proposed access. Traffic impact at junctions further from the proposal site is likely to be immaterial to their operation given the low traffic flows likely.

From a highway policy point of view, the County Highway Authority have no objection in principle to the development. Amended plans are anticipated which address the detailed points raised by the Highway Authority.

It is therefore considered that the proposed development is acceptable from a transport and highway perspective, given that the proposal encourages sustainable modes of travel and the calculated traffic movements associated with the development would not prejudice the current performance of the highway network. A Travel Plan is also to be prepared.

#### **E. Parking Provision**

A total of 66 car parking spaces is proposed. The applicant's transport consultants undertook a survey of car parking demand at the existing medical centre in Bulford in the autumn of 2006, and this forms the basis for the projected demand for the new centre at Mantle Street. A Transport Statement, covering parking issues was submitted with the planning application. The level of car parking proposed is that which is considered necessary for the facility to operate effectively. This includes the number of essential car users such as doctors and other medical centre staff, who may be called out at any time. The centre also serves a wide rural catchment area.

There is also a staff cycle storage area provided within the semi-basement area, with internal access to the medical centre. Patient cycle parking is provided at the main entrance. All these spaces will be covered.

If desirable in the future, the design of the site layout provides opportunities to extend on grade the car parks on the western side of the site, providing both additional visitor/patient and staff parking spaces. The proposals include shower facilities and 16 lockers within the medical centre, for use by staff and visitors.

In conclusion, I consider that the level of car parking proposed is acceptable in view of the nature of the use of the building and alternative means of transport that are available.

## **F. Landscape**

The location of the proposed building on the site, close to the eastern boundary maintains the open views across the site from Mantle Street to the countryside beyond. The proposal for a two storey building aligned on a north-south axis seeks to minimise the impact of development on the open countryside. The southern end of the building is built into the slope by a storey height so that a single storey elevation faces onto the open countryside. The buildings alignment and length is similar to the terraces at Walkers Gate and Trinity Close to the east and west of the site.

Regarding concerns that any building on the slope will block views from certain directions, a shallow inverted 'butterfly' roof has been designed to minimise the overall height of the building. The effect of this is to reduce the general building height by about 2.5 m when compared to a building with a 30 degree pitched roof.

The proposed development will open up views by the public into the remaining parkland to the south and west of the site, when viewed from the car parking areas.

By placing a two storey building as designed on a north-south axis in the north-east corner of the site, the proposed development ensures a minimal footprint commensurate with the proposed use, and minimal impact upon the immediate surroundings. The skyline and the views across the site will continue to be dominated by the mature trees on the site and the row of semi-mature sycamore trees on the eastern boundary.

A Tree and Landscape Survey and Assessment was submitted with the planning application. Following on from this, strategic landscape proposals were prepared and also submitted as part of the application. This identifies the key issues to be addressed across and around the site and its immediate environment. The design strategy identifies key elements of the existing landscape and makes recommendations on how to maintain and enhance the parkland character of the site.

The amended plans move the proposed building further down the slope such that none of the proposed development lies within the designated Special Landscape Feature (Foxdown Hill). Policy EN11 of the Taunton Deane Local Plan states that development which would harm the appearance, character and contribution to landscape quality of Special Landscape Features will not be permitted unless planning conditions would prevent such harm. The proposed building is located adjacent to existing development on two sides and I do not consider that its position and form will compromise the appearance and character of the adjacent Special Landscape Feature. The access into the site will retain and enable views through to the Special Landscape Feature, if anything to a greater extent than is currently enjoyed.

Parking for the proposed medical centre has been kept towards the bottom of the site (towards Mantle Street) which helps to minimise the visual extent of the development footprint on the field and thereby minimising the impact on the green wedge. Parked cars will be hidden in most views from houses and users of Mantle Street by the existing boundary vegetation within the cemetery and proposed planting along the new boundary of 112b. Cars will be largely screened from view from properties in both Walkers Gate and Trinity Close by appropriate screen planting along boundaries together with some tree planting within the parking area itself. The width of the access drive is to be kept to a minimum, reducing any impact on the adjacent mature oak tree and reducing the visible extent of the development within the existing parkland setting. Between the drive/dropping off point area and the front of the building, planting will be used to soften the lines of the west elevation and integrate the new building into the surrounding landscape. The remaining area of the site is to be maintained as an open parkland landscape of grass pasture and specimen trees, in line with the objectives of the green wedge policy. The southern boundary will be defined using continuous bare 'estate' fencing, a transparent detail that will not interrupt the visual continuity of the parkland area running up the hillside. It is proposed for tree surgery to be carried out as necessary on retained trees in order to prolong their life and maintain their contribution to the local amenity. Some new specimens are to be planted within the site as long-term replacements.

### **G. Wildlife**

A Wildlife Survey was submitted with the application. Although no badger sett or evidence of a badger sett within the proposed development site was identified, evidence of badger activity was. Precautions have therefore been set out by the consultants to ensure that badgers are not killed or injured during construction works. Mitigation for birds is recommended. If it is necessary to remove or cut back any vegetation during the bird nesting season, a full bird and nesting survey must be undertaken. Should a nest be identified during any works on the site, all works must stop and an exclusion zone set up to protect the nest.

Evidence of bank vole, fox and mole were identified within the survey areas. No species of bat were observed or any evidence of bats identified within the survey area, however the two mature oak trees within the proposed development site could provide tree dwelling and other bats with hibernation/roosts sites. Also the trees when in leaf could provide a hunting environment for bats. The consultants recommend that a night time/emergence survey should be undertaken. Although no amphibian or reptilian species was identified within the survey area, there is the potential habitat that could support both species. Mitigation measures, including the undertaking of a reptile/amphibian survey before any areas of potential habitat area disturbed, are recommended by the consultants.

As a result of the consultation responses from the Nature Conservation Officer and Natural England, the applicants have been requested to carryout further survey work. Appropriate conditions are recommended.

An Ecological Survey (Greenwood Environmental) was also commissioned on behalf of the residents group of Mantle Street. This notes that the field the subject of the planning application is an example of remnant parkland, which was formerly associated with one of the large houses in the vicinity. It concludes that parkland is a very significant habitat in wildlife terms, especially because it provides one of the most important hunting and roosting habitats for bats. A range of rare invertebrates, fungi and other species and also know to be associated with mature trees within parkland settings. The author of the Survey considers that reduction of the green wedge and the subsequent effects of increased usage, etc. of the site is likely to have a detrimental impact on a number of the more sensitive wildlife species that occur. The Survey recommends that because of the value of the site in nature conservation and landscape terms, and because of the existing designations relating to the site, consideration should be given to refusing the application unless extenuating circumstances exist, such as a lack of other suitable site for the development. It also recommends that in order to meet legal requirements, it is necessary for the applicant to provide comprehensive surveys of all the legally protected species present (or likely to be present). In this instance, these species include bats, badgers, nesting birds, great crested newts and slow worms.

#### **H. Flood Risk**

Following the consultation response from the Environment Agency a Flood Risk Assessment has been submitted. This is required by Planning Policy Statement 25 as the plan area is 1.078 ha which is greater than the threshold of 1.0 ha for flood zone 1. This incorporates information prepared to provide an appropriate level of flood risk assessment for this type of development. The further views of the Environment Agency are awaited.

#### **I. Security**

The applicants consider that it is not possible to create a 'secure' perimeter fence to the whole of the site given its size, and also not desirable in the context of the open parkland character of the site. It is proposed to retain or replace the existing five bar metal estate fencing adjacent to the private lane to the east, and use a similar fence to create the new site boundary to the south. The security measures are therefore intended to take effect at the building, by limited and controlled access points, good surveillance from the building and localised planting to deter intruders. The new road access onto Mantle Street is to be gated out-of-hours to prevent nuisance of the parking areas and/or new private access road. I consider that these measures are appropriate.

#### **J. Sustainability**

The adjacent main road of Mantle Street is a principal bus route and the new site will provide improved public transport access to the medical centre, compared to the existing site at Bulford.

As part of the development, a travel plan will be prepared and implemented. There will be two primary aims of the travel plan strategy. The first is to increase the awareness of staff to the advantages and potential for travel by more environmentally friendly modes. The second it to introduce a package of physical and management measures that will facilitate staff travel by other modes and provide patients with a choice of travel methods.

Conditions are recommended to ensure that wildlife habitat is not adversely affected.

#### **K. Other Issues**

It is intended that the external lighting will be designed to be discrete and integrated with the building, illuminating the key features and points of entry, and providing safe access to the car parking areas without 'floodlighting' the site.

### **10.0 CONCLUSION**

The site lies beyond the settlement limits of the town of Wellington where there is strict control over new development, and exceptions are only allowed where a proposal can be seen to be justified. In this instance, the applicants have demonstrated that the current site at Bulford is too small for their expansion requirements and that an extensive search for an alternative site has shown that the current application site is the most appropriate in terms of suitability and likelihood of coming forward within a reasonable time frame. There are proposals for redevelopment of the Bulford site together with the adjacent public car park for a food store.

Most of the application site falls within an area designated as Green Wedge in the Taunton Deane Local Plan. The aim of this designation is primarily to prevent the physical coalescence between Wellington and Rockwell Green. I consider that the proposal has been sensitively positioned and designed to minimise the loss of land within the green wedge. The proposal will maintain and increase opportunities for views into the green wedge and to the Special Landscape Feature of Foxdown Hill beyond. It also minimises any impact on existing mature trees and increases the potential for attracting wildlife.

The County Highway Authority does not raise any objection to the principle of the development and the detailed concerns have been addressed in amended plans and recommended conditions.

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**