

43/14/0105

PERSIMMON HOMES (SW) LTD

**ERECTION OF 102 No DWELLINGS WITH ASSOCIATED LANDSCAPING, ENGINEERING, HIGHWAYS, PARKING AND OPEN SPACE ON LAND AT CADES FARM, OFF TAUNTON ROAD, WELLINGTON**

Location: CADES FARM COTTAGE, TAUNTON ROAD, WELLINGTON, TA21  
9HG

Grid Reference: 314573.120752

Full Planning Permission

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## **Recommendation**

**Recommended decision: Conditional Approval**

### **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:

(A0) DrNo 100 Rev Y Planning Layout

(A3) DrNo 101 Rev H Location Plan

(A2) DrNo 104 Rev P Materials Key Plan

(A1) DrNo 105 Rev J Refuse Key Plan

(A2) DrNo 106 Rev M Affordable Housing Key Plan

(A1) DrNo 107 Rev B Fences & Enclosure Details

(A1) DrNo 150 Rev F Street Scenes

(A0) DrNo 202-3 Rev E Engineering Layout Sheet 3 of 5

(A0) DrNo 202-4 Rev D Engineering Layout Sheet 4 of 5

(A0) DrNo 202-5 Rev E Engineering Layout Sheet 5 of 5

(A1) DrNo 203-1 Rev B Road Construction Details Sheet 1 of 2

(A1) DrNo 203-2 Rev B Road Construction Details Sheet 2 of 2

(A1) DrNo 208-4 Rev A Road & Sewer Sections Roads 12,13 and 13 Turning Head

(A1) DrNo 208-5 Rev A Road & Sewer Sections Roads 14,15 and 14 Turning Head

(A0) DrNo 211 Rev F Section 38 Plan

(A0) DrNo 302 Rev H Landscaping Layout Sheet 3 of 5  
(A0) DrNo 303 Rev F Landscaping Layout Sheet 4 of 5  
(A0) DrNo 304 Rev G Landscaping Layout Sheet 5 of 5  
(A2) DrNo 305 On-Plot Plant Schedule and Landscape Specification  
(A0) DrNo 307 Rev H POS Landscaping Layout Sheet 1 of 5  
(A0) DrNo 309 Rev F POS Landscaping Layout Sheet 3 of 5  
(A0) DrNo 310 Rev F POS Landscaping Layout Sheet 4 of 5  
(A0) DrNo 311 Rev F POS Landscaping Layout Sheet 5 of 5  
(A2) DrNo 312 Rev B POS Plant Schedule and Specification

(A3) DrNo 800-3-1 Rev B House Type AI  
(A3) DrNo 800-4-1 Rev B House Type AI  
(A3) DrNo 800-6-1 Rev A House Type AI  
(A3) DrNo 801-3-1 Rev B House Type Ha  
(A3) DrNo 801-4-1 Rev D House Type Ha  
(A3) DrNo 801-6-1 Rev A House Type Ha  
(A3) DrNo 802-2-1 Rev C House Type Ro  
(A3) DrNo 802-6-1 Rev C House Type Ro  
(A3) DrNo 802-6-2 Rev B House Type Ro  
(A3) DrNo 806-2-1 Rev B House Type Ru  
(A3) DrNo 806-6-1 Rev B House Type Ru  
(A3) DrNo 807-1-1 Rev B House Type Ht  
(A3) DrNo 807-2-1 Rev A House Type Ht  
(A3) DrNo 807-6-1 Rev / House Type Ht  
(A3) DrNo 808-4-1 Rev B House Type 2B  
(A3) DrNo 808-5-1 Rev B House Type 2B  
(A3) DrNo 809-4-1 Rev B House Type 3B  
(A3) DrNo 809-5-1 Rev B House Type 3B  
(A3) DrNo 810-4-1 Rev B House Type 1B  
(A3) DrNo 811-3-1 Rev A House Type Mo  
(A3) DrNo 812-2-1 Rev / House Type Ha Corner  
(A3) DrNo 812-6-1 Rev A House Type Ha Corner  
(A3) DrNo 820 Rev A Garages

Where there is any discrepancy between the details contained within the layout/house type drawings, the planning layout shall take precedence.

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

3. Prior to the commencement of the development hereby permitted, full details of the proposed means of surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall ensure that surface water run-off from the site is limited to no more than 2 litres per second per hectare of impermeable area unless otherwise agreed in writing by the Local Planning Authority. The approved surface water drainage details shall subsequently be implemented so as to ensure that each part of the site is not occupied/brought into use prior to being drained in accordance with the details so approved and such drainage facilities shall thereafter be maintained as such.

Reason: To prevent the increased risk of flooding as a result of the development through the use of SuDs.

4. The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of EDP's submitted report, dated October 2010 and include:
  - Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
  - Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
  - Measures for the retention and replacement and enhancement of places of rest for the species.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for wildlife shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new resting places and related accesses have been fully implemented

Reason: To protect wildlife and their habitats from damage and to ensure the favourable conservation status of the dormouse.

5. The proposed estate road, footways, footpaths, tactile paving, cycleways, verges, junctions, street lighting, sewers, drains, service routes, surface water outfall, vehicle overhang margins, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

The roads and footways shall be completed in complete accordance with the approved plans prior to the occupation of the 90<sup>th</sup> Dwelling hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate highway infrastructure exists for the traffic likely to be attracted to the site.

6. Prior to the occupation of plots 185-202 a post and wire mesh fence shall be installed along the boundary of these properties with the adjoining hedge in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a definitive boundary line to avoid encroachment into the adjoining hedgerow in the interests of protecting wildlife and ecological interests on the site.

7. Prior to the occupation of any dwellings hereby permitted, full details of the proposed layout of the public open space identified on drawing 309 Rev F hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The details shall indicate the location of any equipment, benches, bins, footpaths and other facilities that may be provided together with details of these items. The approved details shall be implemented prior to the occupation of the 50<sup>th</sup> dwelling hereby permitted and shall thereafter be maintained as such.

Reason: To ensure that adequate public open space facilities are provided for the residents of the dwellings hereby permitted.

Notes to Applicant

## Proposal

This application seeks full planning permission for the erection of 102 dwellings on land at Cades Farm. The application is on land that was previously subject to the outline planning permission granted in 2012 for up to 300 dwellings (43/10/0127). In the event, the 300 dwellings have been accommodated within part of the site by developing at a higher density than previously envisaged and the area of the current application was not required to deliver the 300 dwellings permitted.

The current application seeks to deliver further dwellings within the area previously permitted for residential development. The general format of the residential development would be continued into this area utilising the same house types, materials and layout principles. One area around a protected tree would be surrounded by dwellings in a fairly high density formal square with grassed open space area; whereas development around the open areas to the north would be larger, detached dwellings as in the remainder of the site. Open space would be provided by enlarging the area originally proposed for public open space.

A Section 106 agreement is already in place which secures:

- 25% affordable housing
- The provision of additional play equipment on the recently approved children's play area
- The ongoing maintenance of public open space

- The submission and implementation of a travel plan

## Site Description

The site comprises a relatively flat area of agricultural land on the eastern side of Wellington. It is situated to the east of the residential areas of Priory, Gay Close, Lillebonne Close and Jurston Lane, Sylvan Road, Parker Close. It is surrounded by existing residential development in the above named streets and that under construction following the previous grant of planning permission on the Cades Farm sites.

A public footpath runs across the site from Lillebonne Close/Gay Close towards Westpark 26, although the definitive route it is currently blocked at Chelston House Farm, with an informal route existing out to Taunton Road.

In the western corner of the site, dwellings in Parker Close back onto the site at fairly close proximity. Numbers 13-37 (odd) Gay Close face the site at close proximity as they are accessed via a footpath which runs along the site boundary.

## Relevant Planning History

This part of Cades Farm site gained outline planning permission under reference 43/10/0127 in 2012. The first phase of reserved matters for Persimmon on the area to the north was approved under application 43/12/0103 and the second, for Wainhomes, under reference 43/13/0084. A third phase (Persimmon) was approved earlier this year under application 43/14/0026 and the balance of the 300 dwellings under application 43/14/0051. All of the S106 obligations in terms of land use have been/can be met within the area that now benefits from reserved matters approval. Therefore, the current application can be considered as a stand-alone application, in the context of what has been permitted around it.

## Consultation Responses

*WELLINGTON TOWN COUNCIL* - **Recommended** that the application be **refused** for the following reasons:

- The proposed dwellings would be in excess of the requirement in the Core Strategy;
- The additional number of dwellings would have an adverse effect on the town's infrastructure
- The proposal would be an overdevelopment of the site.

NOTE: The Town Council were disappointed with the limited consultation process that had taken place. In addition no consideration would appear to have been given to the overall planning strategy for the whole site. If permission were granted then this would also affect the level of contribution that would need to be made in accordance with Section 106 Agreement.

*SCC - TRANSPORT DEVELOPMENT GROUP* – Comment as follows:

The submitted Transport Statement (TS) provided a methodology to determine the trip generation. The 85<sup>th</sup> percentile trip rates used for site trip generation are considered to be reasonable. However, the TRICS output has not included the calculation reference to allow the Highway Authority to be able to check the trip rates. The assumed trip distribution for this proposal has been replicated from the Transport Assessment submitted for the proposed phase 2 Cades Farm development, which has been previously accepted by the Highway Authority.

Section 2.9 of the TS sets out the permitted development which has been included in their assessment. In this case it is the development at Longforth Farm and Westpark Industrial Development. The applicant notes that the traffic distribution for both permitted developments has been taken from the corresponding Transport Assessments. However, this not provided within the submitted TS and it is not possible to verify the permitted development trip distribution although this is unlikely to have a material impact upon the outcome of the TS.

Turning to the traffic impact as part of the TS, it is understood that Automatic Traffic Counters (ATCs) were put in place at various points on the surrounding highway network for data collection. This was undertaken to determine the base year flows and assessed peak periods for assessment within the traffic models. Although the results have been provided the raw data has not been provided for verification. For the Chelston Roundabout junction, a comparison of 2010 and 2014 traffic flows have been undertaken. The overall flow difference between the years is less than 1% and it is considered reasonable that the 2010 data has been used within the TS.

The base year, baseline year and the forecast year scenarios which has been assessed within the TS have not been stated. Whilst this is unlikely to materially affect the outcome of the assessment, clarification of the assessment years and scenarios is required. Paragraph 6.2.1 of the TS states that 'local traffic growth in locations such as Wellington which are away from main through traffic routes is determined principally by development'. Given the proximity of the A38 and the lack of evidence to support the statement the Highway Authority cannot accept this statement. However, given the limited traffic generation of the proposed intensification of the site, the lack of significant background traffic growth within the assessment is not considered to materially alter the conclusions.

A reduction in the traffic generated by the Westpark Industrial Park has been set out in Paragraph 2.9.6. Whilst the principle of the reduced traffic is accepted, further evidence to support the reduction in traffic is required.

In terms of the modelling of the junctions a base year scenario has not been assessed. This is generally required to provide a calibrated base model from which the impact of additional traffic can be assessed. The TS provided a summary of base year + permitted and base year + permitted + development scenarios, although there are no detailed modelling outputs apart from the summarised modelling results presented in Appendix 9 of the TS. As a consequence it is not possible for the Highway Authority to check the junction measurements and other modelling elements. The process of modelling calibration has not been discussed in the TS. Consequently further detail of the modelling is required.

From the modelling results provided in the TS it indicates that both the site access junction and the Chelston Roundabout operate within capacity both with and without the proposed development in place. The High Street/Longforth Road/Red Lion Court junction is shown to operate with a maximum of 99.9% degree of Saturation in the base year+ permitted scenario PM peak hour. The additional traffic generated by the proposed development results in the junction operating with a maximum Degree of Saturation of 100.7%. The junction is shown to operate over capacity as a result of the development. However it is acknowledged that the overall volume of development traffic passing through the junction is low and that the cumulative impacts of the development at this location will not be severe.

In accessibility terms the proposal will have access to the existing pedestrian and cycle links which have been provided as part of the first phase of the Cades Farm development and these provide links to the centre of Wellington. In terms of public transport Taunton Road carries a frequent bus service. As a consequence the Highway Authority has no issue with the accessibility of the site. In regards to the parking provision the application form indicates that 194 spaces have been proposed. Having reviewed the submitted plans the proposal allocation is in accordance with Somerset County Council's Parking Strategy. As a consequence the level of parking is considered to be acceptable.

Taking into account the above information, although there are some issues with the work that has been provided as part of the submission. However, taking into account the current consent for the site and limited generation of the proposed development it is unlikely the Highway Authority would be able to raise an objection on traffic impact grounds.

### *Travel Plan*

The applicant proposes to include this development under the Travel Plan that covers the existing phases of Cades Farm. The Highway Authority has no objection to this but would advise that the Travel Plan is updated to reflect this.

### *Estate Roads [comments relate to original layout]*

In terms of the site layout the proposal has been subject to an Estate Road audit and our observations are set out below.

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

At the point of access to the adopted highway allowances shall be made to resurface the full width of the carriageway where disturbed by the extended construction and to overlap each construction layer of the carriageway by a minimum of 300mm. Cores may need to be taken within the existing carriageway to ascertain to depths of the bituminous macadam.

Having reviewed the compliance statement indicates that the length of the Secondary Street will be provided with 2.0m wide footways along both sides.

However, this is not the case when looking at drawing number 211/F as no footway has been provided fronting plots 171-186. In addition the statement indicates that Mews Street will take the form of a 5.0m wide shared surface without any footways. However, the detail shown within drawing number 211/F does not reflect this. If the Mews Street together 'the square' is to take the form of a block paved shared surface carriageway then the minimum longitudinal gradients should be no slack than 1:80.

The 'Green Lane' that extends between plots 295/300 is not a continuous adoptable link, due to the fact that there is a 'break' between plots 298 to 299. Therefore, if it is the intention for the 'Green Lane' to be adopted by the authority, a suitably sized turning head(s) will need to be provided unless a continuous link between plots 295/300 can be provided. According to the 'key' within drawing number 211/F, the 'Green Lane(s)' has been indicated as being private parking courts, built to an adoptable standard. Can the applicant please confirm that this is correct? It is noted the low level bollard lighting may be provided within the 'Green Lane(s)'. Such lighting would not be deemed acceptable to Somerset County Council in terms of adoption. Standard lighting columns would be required.

The secondary street appears to have an effective straight in excess of the recommended distance of 70m as outlined within 'Manual for Streets'. It may be necessary to introduce a form of traffic calming within this road to keep vehicle speeds down to 20mph. The length of the 'main street' that is shown as terminating within this application between plots 220 and 228 should be extended to the south-east so that it can accommodate a temporary turning head of adoptable standards, in case the construction of the remainder of the 'Main Street' is delayed for any reason.

In terms of general layout points the applicant should note that adoptable 25m forward visibility splays, based on vehicle speeds of 20mph, will be required throughout the inside of all carriageway bends with the proposed site. There shall be no obstruction to visibility within these areas that exceeds a height greater than 600mm above adjacent carriageway level. Adoptable visibility splays based on dimensions of 2.0m x 20m as measured from the back edge of footways, shall be provided at the eastern and western ends of the footpath/cyclepath that runs parallel to plots 295/300. There shall be no obstruction to visibility within these areas that exceeds a height greater than 300mm above adjacent carriageway level and the full extent of the splays will be adopted by Somerset County Council.

No doors, gates or low-level windows, utility boxes, down pipes or porches are to obstruct footways/shared surface roads. The highway limits shall be limited to that area of the footway/carriageway clear of all private service boxes, inspection chambers, rainwater pipes, vent pipes, meter boxes and steps. Under Section 141 of the Highways Act 1980, no tree or shrub shall be planted within 4.5m of the centreline of a made up carriageway. Trees are to be a minimum distance of 5.0m from buildings, 3.0m from drainage/services and 1.0m from the carriageway edge. Root barriers of a type to be approved by Somerset County Council will be required for all trees that are to be planted adjacent to the highway boundary to prevent future structural damage to the highway. A planting schedule shall be submitted to Somerset County Council for checking and approval purposes for any planting within or immediately adjacent to the highway.

Regarding parking provision any private parking bay that but up against footways/footpaths or any other form of structure, including planting, should be constructed to a minimum length of 5.5m, as measured from the back edge of the prospective public highway boundary. Tandem parking bays should be constructed to a minimum length of 10.5m as measured from the back edge of the prospective public highway boundary.

It is noted that a sustainable drainage system will be provided to help drain surface water. Can the applicant please provide details of this from comment. Should soakaways be proposed, the applicant must ensure that they must be located at least 5m away from any structure and not within 3m of any existing or prospective public footway/footpath and 5m from any existing or prospective carriageway. Soakaways as a means of disposal of highway surface water, will normally not be accepted unless there are very special circumstances, and will only be considered as a final resort after all engineering means to provide a positive drainage system have been explored and found to be realistic.

Where an outfall, drain or pipe will discharge into an existing drain, pipe or watercourse not maintainable by the Local Highway Authority, written evidence of the consent of the authority or owner responsible for the existing drain will be required with a copy forwarded to Somerset County Council. Surface water from all private areas, including parking bays and drives, will not be permitted to discharge onto the prospective public highway. Private interceptor drains should be provided to prevent this from happening.

The Environment Agency, Inland Drainage Board and riparian land owners, should be consulted as to whether or not ditches or watercourses within the development site are to be piped or require culverts. Any such works will require the approval of the Local Highway Authority under Section 263 of the Public Health Act 1936. Finally the existing carriageway gullies/drains shall be completely cleared of all detritus and foreign matter both at the beginning and end of the development. If any extraneous matter from the development site enters an existing carrier drain or public sewer, the developer shall be responsible for its removal.

*In respect of the amended plans:*

The amendments shown on submitted Drawing No. 211 Rev E have shown amendments to the public open space and the layout and housing types.

Having reviewed the information provided there have been some minor amendments to the highway layout to compensate for the increase in the public open space. These amendments are considered to be acceptable and will not have a material impact on the overall layout.

Consequently the Highway Authority raises no objection to this proposal.

*Drainage*

The Chelston Brook is defined as an ordinary watercourse consent would be required from Somerset County Council to construct the outfall. Consent forms can

be obtained from our website

[www.somerset.gov.uk/environment-and-planning/flooding/work-on-an-ordinary-watercourse](http://www.somerset.gov.uk/environment-and-planning/flooding/work-on-an-ordinary-watercourse). The Highway Authority will need assurances that the design of the retention ponds, particularly the one located on the western boundary of the site will not compromise the stability of the adjacent assumed prospective public highway or present a safety hazard to road users. Furthermore the designer will need to develop a suitable maintenance regime for the pond to include consideration for access from the estate road.

The Flood Risk Assessment makes reference to the use of porous paving as part of the overall drainage strategy. The applicant should note that permeable paving is not currently adoptable on prospective public highway areas and that consideration needs to be given to any interface between private permeable paved areas and prospective public highways. The applicant would need to allow the Highway Authority to undertake maintenance operations without the risk of compromising the effectiveness of these permeable paved areas, it being standard practice to provide a buffer of standard pavement construction between the prospective public highway and permeable paving.

It is assumed that like Cades phase 2 that Wessex Water will be adopting the main carrier system under a Section 104 agreement with Somerset County Council adopting gullies and connections only.

Finally it is noted that the access road is to be located within flood zones 2 & 3. The requirement for the design of this infrastructure is that in times of flooding safe access can be maintained. Details of this would need to be submitted at the detailed design stage.

### *Conclusion and Recommendation*

In conclusion the proposal would lead to an increase in vehicle movements on the adopted highway, however it is not considered to be severe enough to warrant an objection on these grounds. In terms of sustainable travel the existing Travel Plan will be updated to include this proposal. Regarding the internal site layout the main route will be a continuation of the existing highway, which is considered acceptable whilst the layout is broadly considered to be acceptable. Finally the principle of the proposed drainage details are considered to be acceptable although the detailed design will need to be included as part of the S38 submission.

Therefore taking into account the above information the Highway Authority raise no objection to the above application and if planning permission were to be granted the following conditions would need to be attached to the planning permission:

- Condition survey of public highway
- Submission of Construction Environmental Management Plan
- Submission of estate road details
- No access to be steeper than 1 in 10.
- A footway to be constructed over the entire site frontage
- Estate roads to be constructed prior to the occupation of each dwelling
- A network of cycle/footpath links to be submitted
- A right of discharge of surface water to be obtained

- A hardstanding of 6m to be provided between the highway and garage doors.

*BIODIVERSITY* – Comments as follows:

The submitted wildlife reports by EDP dated October 2010 are out of date. However as Encompass Ecology Ltd has resurveyed the site and confirmed that the earlier reports are still valid I can accept the reports to inform this application

At outline stage, due to grave concerns, about the impact of this development on wildlife, particularly dormice, (see comments made in connection with 43/10/0127) it was agreed that all existing hedges would be buffered.

As stated previously I am not happy that some of the houses back onto the hedge on site. My concerns are that residential ownership of hedges could lead to haphazard maintenance of the hedge and also to disturbance to dormice.

It would appear that a hedge will be breached to accommodate the access road. This breach should be as small as possible. Could the road be narrowed at this point? At the very minimum standard trees should be planted on either side of the road to minimise the gap in the hedge. I agree with Encompass Ecology that an EPS licence will be required to breach any hedges

*WESSEX WATER* - Thank you for your consultation in respect of the above / attached. No issues for Wessex Water in this instance – please continue to consult with Wessex Water where our interests may be affected.

*HOUSING ENABLING* – This scheme layout has been discussed in detail through previous reserved matter applications. The location and layout of the affordable housing is acceptable and meets the affordable housing obligation. The developer should seek to provide the housing association tied units from the Taunton Deane preferred affordable housing development partners list.

*LANDSCAPE* – I would like to see buffer planting adjacent to existing hedges.

*POLICE ARCHITECTURAL LIAISON OFFICER* – No further comments to make on this application from previous submissions [which were considered to be acceptable from a crime prevention perspective].

*LEISURE DEVELOPMENT* – Various discussions/correspondence have taken place relating to the overall quantum of open space. Amended plans have now been received that provide the appropriate amount of open space required by Leisure Development.

*SCC - CHIEF EDUCATION OFFICER* – No comments received.

*PLANNING POLICY* – No comments received.

*SCC - FLOOD RISK MANAGER* – The EA should be asked to comment as this is an amendment to a previous application.

Having been advised that the EA were not consulted as standing advice applied to the proposal the Flood Risk Manager has confirmed that he is content that a condition requiring detailed drainage design should be imposed.

## **Representations Received**

2 letters of **objection** raising the following issues:

- The site is not sustainable.
- None of the development to date has required any house to have solar panels.
- There are many applications for solar farms on green field sites, this should be prevented by ensuring panels on residential and business development.
- The continued development of housing in Wellington has not been properly considered regarding current levels of infrastructure. There are insufficient schools and medical facilities.
- There is very little green space left which is affecting wildlife.
- There is serious traffic congestion. Pedestrian safety is being compromised in the town centre by impatient motorists.

1 letter of **comment** (do not object) from the developers of Jurston Farm:

- The site should be considered as a windfall and should not be used to justify a reduction in required numbers at Jurston Farm.

## **Somerset Wildlife Trust**

Object for the following reasons:

- Support comments of Biodiversity Officer.
- Support recommendations for enhancement made by EDP
- This was a golden opportunity to create a development which was sympathetic to wildlife by the creation of wildlife corridors through the site and by ensuring a high degree of connectivity. This is obviously not the case, with the inclusion of a spur road in the southeast corner indicating a plan for further development on adjacent land.
- On site landscaping is minimal.
- Other than at the boundaries, no attempt has been made to create an attractive wildlife friendly development.

## **RSPB**

- Concerned that the mitigation proposals in the Ecological Appraisal doesn't take into consideration that this type of Development will create a different eco-system to the one it replaces.
- We support the retention of mature hedges and trees and the planting recommended by your Biodiversity Officer but suggest that your Council is not meeting its obligations to Protect and Enhance the biodiversity of the site if you don't provide for the species that would normally occupy our private and public green spaces and nest/roost in buildings.
- Installing nesting/roosting boxes for building dependant species during construction in residential developments with a ratio of one box per unit of accommodation is good practice.
- Advice provided regarding bird boxes and recommend a long term Landscape and Environmental Management Plan.

## **Planning Policy Context**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), saved policies of the Taunton Deane Local Plan (2004), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

CP1 - TD CORE STRAT. CLIMATE CHANGE,  
CP4 - TD CORE STRATEGY - HOUSING,  
CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,  
CP8 - CP 8 ENVIRONMENT,  
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,  
SS4 - TD CORE STRATEGY - WELLINGTON CADES/JURSTON,

## **Local finance considerations**

### **Community Infrastructure Levy**

The application is for residential development within the settlement limit of Wellington where the Community Infrastructure Levy (CIL) is £0 per square metre. Based on current rates, there would not be a CIL receipt for this development.

### **New Homes Bonus**

*1 Year Payment*

Taunton Deane Borough Council (Lower Tier Authority)	£117,345
Somerset County Council (Upper Tier Authority)	£29,336

### *6 Year Payment*

Taunton Deane Borough Council (Lower Tier Authority)	£704,070
Somerset County Council (Upper Tier Authority)	£176,017

## **Determining issues and considerations**

The main issues in the consideration of this application are the principle of the development, the impact on the highway network, ecology and biodiversity, flood risk and drainage, layout and design, and impact on surrounding property and development.

### **Principle**

The site is within the settlement limit for Wellington. It is part of the site that was previously granted outline planning permission for up to 300 dwellings and which forms part of the Cades/Jurston allocation in the Core Strategy under Policy SS4. Reserved matters for those 300 dwellings have now been approved on other land within the outline permission.

The 300 dwellings already permitted at Cades together with the 650 permitted at Jurston total 950. The allocation under policy SS4 is for around 900. Both developments provide policy compliant amounts of open space and between them will provide the local centre, community hall and primary school sites required by the policy. In this context, the application site is not required for additional facilities to make development of the SS4 site acceptable in planning terms.

It is not considered that the provision of 1052 dwellings against the policy requirement of 'around 900' will prejudice the overall strategy for Wellington. Indeed, it would provide further housing on a deliverable site that is recognised in the Core Strategy to be a sustainable location, contributing to the 5 year supply of housing which is supported by the NPPF.

The development would provide 25% of the dwellings as affordable in a form, tenure and layout that has the support of the Housing Enabling Lead. This, too, is compliant with policy CP4 of the Core Strategy.

With regard to these points, subject to the detailed consideration of the other issues below, the development is considered to be sustainable within the meaning of the NPPF and Core Strategy and is acceptable in principle.

### **Highways**

The site has been designed as part of the wider Cades/Jurston urban extension. Indeed it has been planned as an integral part of the Cades development. It will be

linked to the main highway network through the existing Cades site to the B3187, Taunton Road and existing roundabout.

The Highway Authority have examined the submitted Transport Statement and are content that the development would not result in a severe impact on the wider highway network including the Town Centre junctions. It is acknowledged that the development would likely result in the Town Centre junctions operating beyond their design capacity, with a consequential increase in queuing in these locations. However, this has been accepted in terms of the wider impact of development in Wellington, including the recent resolution to grant permission for the 650 home development at Jurston. It is not considered that this development alone would result in a significant additional impact above and beyond those existing planning permissions/commitments.

The Highway Authority are content that the existing travel plan for the original outline is carried forward to this development. This can be secured through the S106 agreement.

The plans indicate a link to Gay Close for emergency services, cycles and pedestrians. This will be delivered as a requirement of the original outline planning permission and falls outside the current application site. There is, therefore, no need to condition its delivery now.

The Highway Authority have recommended a number of conditions, however, being a full application some of these are not considered to be necessary. The condition relating to the footway across the entire site frontage does not appear relevant as the site does not have a frontage and all footways/cycleways are shown in these full application drawings in any case.

The adjoining (original) outline permission does not require a construction management plan, nor does it require surveys of the wider highway network. These conditions are not, therefore, considered to be reasonable or necessary.

With regard to the above factors, the proposed development is considered to be acceptable in highway terms.

## **Ecology**

Ecology, in particular the impact on dormouse populations, has always been a difficult issue for development at Cades/Jurston. The site and surroundings are known dormouse habitat and ensuring the favourable conservation status of the dormouse has been dealt with in two opposing ways on the Cades and Jurston sites.

At Jurston, the strategy has focussed on the creation of new high quality dormouse habitat to facilitate substantial amounts of hedgerow removal within the site. At Cades, the strategy has focused on hedgerow retention with wide areas of buffering around those hedgerows. This strategy has been carried forward into the current proposals, although there are no significant hedgerows running through this part of the site.

The biodiversity officer has referred to the hedgerow breach required for the access road, but this is outside the current site and has already been approved under the original outline permission. In fact, the boundaries around the current application site are considerably weaker than some of the other hedgerows further to the west within the development. The one exception is the boundary behind proposed plots 185-197. Here the dwellings will back onto the hedgerow. Elsewhere on the site a post and wire mesh fence has been provided to give a definitive boundary line for residents to 'trim' to without eroding the hedgerow. This should be required by condition of this application.

Given that all of the hedgerow removal has been permitted under the previous permission, it is not considered that the development in this application in itself would result in the deliberate disturbance of protected species; therefore, the derogation tests in the habitats regulations do not need to be considered as a Natural England license would not be required. However, given that the development will abut existing hedgerows, it is still considered necessary to impose a condition to ensure that the development does not harm wildlife interests.

### **Flood risk and drainage**

The application is accompanied by a flood risk assessment (FRA). It is the same FRA that covered the previous outline permission, updated to reflect the greater intensity of development and the more stringent discharge rate of 2//s/ha detailed in the Environment Agency's standing advice.

The applicant has been intending to develop the site at the scale now proposed for some time and, therefore, the flood attenuation measures already in place should be sufficient to cope with the proposed development. However, for the avoidance of doubt, a further condition should be imposed on any new planning permission requiring the submission of a detailed drainage scheme for this portion of the site. With such a condition in place, the SCC Flood Risk Manager is content that the development would not lead to any increase in off-site flood risk.

### **Layout, design and impact on neighbours**

The proposed layout has been designed as an extension of the existing development. It is in two clusters of development. The smaller cluster of 36 dwellings will be in a typical cul-de-sac layout, with dwellings arranged either side of a central access road and around a turning head. In general, the pattern of development already permitted along the first part of this cul-de-sac to the north would be continued. Parking is proposed to the front of the dwellings which would be somewhat dominating in the street scene, but it is an enclosed area with no onward connections that will, in general terms only be accessed by those people living in that location. In this regard, it is considered to be acceptable.

The remainder of the site sits to the western extent of the site, adjoining Gay Close and Parker Close. The area would be of higher density than much of the previous phases of the site, but this is characteristic of the adjoining areas. Furthermore, the dwellings, by and large, still propose good sized private gardens and it adjoins the main area of public open space on the site. In addition, a formal square has been

proposed around a large mature tree and this area will provide a green focus away from the built form. It is considered to be a well-conceived area and, whilst the parking will be present within the square, this will be integrated into the space through careful positioning of planting and continuous surface materials.

Along the northern boundary of this area, a strip of open space will separate new dwellings from those existing dwellings on Gay Close. The new dwellings will be higher than their existing neighbours but given the separation, this is considered to be acceptable. Larger, detached dwellings are also proposed here and this will further soften the impact. The dwellings backing onto Parker Close on the extreme west boundary of the site will also have an acceptable relationship with those existing dwellings.

After substantial negotiation, sufficient public open space to meet the needs of the proposed development is now proposed. Further equipment will be required in the children's play areas and this can be secured through the S106 agreement.

House types and materials will follow those previously approved.

Overall, the design and layout of the development is considered to be an acceptable one.

## **Conclusions**

The site is within the settlement limit for Wellington and in an area that is both allocated and previously permitted for housing. The provision of this additional housing in a sustainable location is considered to be acceptable and in accordance with local and national planning policies. The proposal would have an acceptable impact upon the highway network, ecology, flood risk and neighbouring residential property.

The design is acceptable and the development will provide appropriate amounts of public open space and children's play facilities. With regard to these matters, it is considered that the proposed development is acceptable. It is, therefore, recommended that planning permission is granted.

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

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