

25/2006/003

TAUNTON DEANE BOROUGH COUNCIL

**FORMATION OF 2ND BORROW PIT TO OBTAIN EARTHWORKS CONSTRUCTION MATERIAL FOR PROPOSED DAM (PLANNING PERMISSIONS 25/2001/076 AND 25/2005/036), AREA TO BE BACKFILLED AND RESTORED TO AGRICULTURAL USE WHEN CONSTRUCTION OF DAM HAS BEEN COMPLETED, LAND WEST OF MONTYS LANE, NORTON FITWARREN.**

17780/26660

FULL

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## **PROPOSAL**

The proposal is a further supplementary planning application to obtain earthworks construction material for the proposed dam for the development in Norton Fitzwarren from a second borrow pit as well as the already identified and consented first borrow pit, which will become a permanent wetland feature. The borrow pit the subject of the current application will be backfilled and restored to agricultural use when construction of the dam has been completed. This further application follows a necessary reappraisal of material required for the dam which has arisen during the detailed design of the dam. It is proposed that the area will have an interception ditch to the north which would store water pumped out of the proposed excavation prior to being pumped through a mobile silt removal plant and into the local watercourse. The application also includes provision for topsoil storage, drainage and restoration to agricultural land. The borrow pit would provide different source materials from those present in the northern borrow pit, as they are less variable and more suited to the construction of the impermeable central core and near surface layers on the dam shoulders. Groundwater levels in the vicinity of the currently proposed borrow pit are lower than those at the location of the northern borrow pit, which would make excavation and the winning of acceptable earthworks materials easier and would avoid the need for comprehensive groundwater control measures. After all excavation from the borrow pit has been completed, the area would be restored by bulk infilling with materials won from the excavation of the dam and borrow pits that are not acceptable for incorporation into the embankment structure but are acceptable for restoration of the borrow pit. An appendix to the application comprises a method statement for the treatment and protection of agricultural land. Whilst it would not be possible to reinstate the existing topographical contours exactly, it is intended to replicate the general topography of the existing slope.

## **CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY views awaited. COUNTY ARCHAEOLOGIST an evaluation has taken place which has shown that there are medieaval remains present in some areas of the borrow pits. Following discussions with the agent's consultant it has been agreed that excavation in the form of strip plan sample should take place. This should be secured by the use of model condition 55. WESSEX WATER no objection in principle to the proposal provided there is no impact on Wessex Water infrastructure. ENGLISH NATURE Ecologists working for Hyder

Consulting found great crested newts in the vicinity, and because the creatures are fully protected and they are impacted upon by the works, a European protected species licence was applied for from Defra. Do not object to the planning application but the work should be assessed for the impact it may have on the great crested newts.

LANDSCAPE OFFICER subject to suitable silt controls and reinstatement to agriculture once construction of the dam is complete the proposed works should have a minimal longer term impact. There will be some landscape impact during the construction period but little extra can be done to minimise these works. NATURE CONSERVATION OFFICER the impact on great crested newts has been considered and have no objections. DRAINAGE OFFICER no observations to make.

PARISH COUNCIL no comments to make.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1, STR6, STR7, 5 and 59.

Policy M51 of the Somerset Minerals Local Plan states that proposals for borrow pits will only be permitted where:-

- the site is adjacent to the construction project on which the mineral will be used;
- the extraction and restoration activity will be of limited duration;
- the site can be restored to its original levels or an alternative acceptable landform only utilising materials from the construction project;
- the use of the minerals raised will be restricted to the specific construction project;
- the use of borrow pit material will avoid the depletion of mineral reserves
- which are capable of meeting higher specification end uses; and
- any impacts on the environment or local communities can be controlled to acceptable levels.

It is considered that these criteria are met with the current proposal.

Taunton Deane Local Plan Policies S1, S8, C16, EN26, EN28, EN29 and T4.

## **ASSESSMENT**

The current proposal is considered to be an integral part of the overall proposals for the proposed dam, and is required in order to provide for suitable construction materials. Taken together, the current and previous applications would help to facilitate the development of significant areas downstream of the dam, all of which are in accordance with PPG25 and the Taunton Deane Local Plan.

## **RECOMMENDATION**

Subject to the receipt of the views of the County Highway Authority, the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and if permission is GRANTED be subject to conditions of

time limit, operations to be completed within one year of commencement, material only to be used to supply proposed dam, archaeology, development to be carried out in accordance with the submitted details and no work until widening of Montys Lane. Notes re archaeology, no impact on Wessex Water infrastructure and adherence to Code of Practice on Borrow Pits.

**REASON(S) FOR RECOMMENDATION:-** The proposed development is part of a package of comprehensive flood alleviation works which are proposed for Norton Fitzwarren. It is considered that the works will remove the flood plain from the village and protect existing dwellings from flood events. It will also facilitate housing development which meets national policy demands. The proposal complies with Taunton Deane Local Plan Policies S1, S8, C16, EN26, EN28, and EN29.

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

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