

25/2006/012

ST MODWEN DEVELOPMENTS LTD

DEMOLITION OF BUILDINGS, EARTHWORKS, HIGHWAY CONSTRUCTION, SURFACE WATER AND FOUL DRAINAGE, NEW SERVICES TO SERVE RESIDENTIAL AND COMMERCIAL DEVELOPMENT AREAS SUBJECT TO FURTHER RESERVE MATTERS APPLICATIONS (PHASE 1) AT TAUNTON TRADING ESTATE, NORTON FITZWARREN

320350/126000

RESERVED MATTERS

PROPOSAL

Outline planning permission has been granted for employment and residential development on the Trading Estate. The current application is a reserve matters application for the first phase of the infrastructure works to serve the comprehensive redevelopment scheme for the whole site. Phase 1 of the scheme covers an approximate area of 12.3 ha and covers the following works:- (i) demolition and clearance of existing buildings and structures within the area of the first phase; (ii) earthworks and ground clearance/remodelling, to form new, general levels, together with creation of flood compensation and balancing facilities; (iii) construction of the first section of the relief road, comprising the link from Silk Mills Lane with the bridge over the Back Stream to the internal site roundabout, with two short arms to the north and south west, with internal estate roads off the south western arm; (iv) construction of the bridge over the Back Stream as part of the relief road; and (v) the provision of foul and surface water drainage facilities and other services. The submitted plans have developed in line with strategy reports (covering highways, drainage, flood risk, contamination, noise, etc) submitted pursuant to conditions on the outline permission, together with the Master Plan, Phasing Plan and Design Brief previously submitted.

CONSULTATIONS AND REPRESENTATIONS

NETWORK RAIL no objection in principal. Sets out comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land re fencing, roads, drainage, safety, ground levels, support to adjoining land, no buildings to be closer than 2 m from boundary, noise/vibration/dust from operation of the railway, external lighting and landscaping. RIGHTS OF WAY TEAM no observations to make. ENVIRONMENT AGENCY no objection subject to conditions re fuel storage, storage of any hazardous substances, works affecting the watercourse channel to be undertaken during the summer/autumn period and river corridor survey to be undertaken to establish the presence or otherwise of protected species. Comments with regard to flood defence related issues, location of play area, future maintenance of balancing ponds, question realignment of Back Stream in relation to proposed bridge, welcomes removal of short length of stream culvert near railway but is disappointed that a further length of culvert upstream of the railway crossing is to remain, concern at use of gabions as bank reinforcement and suggested pollution prevention measures. COUNTY ARCHAEOLOGIST limited or

no archaeological implications and therefore no objections. SOMERSET ENVIRONMENTAL RECORDS CENTRE one or more legally protected species found at the application site. One County Wildlife Site, one County Geological Site and one or more legally protected species found within 1 km of site. ENGLISH NATURE there are no statutory sites in the immediate vicinity. English Nature does not have any records of any protected species at this location. WESSEX WATER no comments to make.

LANDSCAPE OFFICER there is no landscape buffer proposed along the northern side of the railway track, as required in the Development Guide. This is essential to reduce the impact of the development from passing trains and vice versa and also from views into the site from the south of the railway track. The structure planting is thin and requiring further planting from the developments to either side of the main spine road. Happy to accept as it is, but only if future developers are made aware that they would have to provide additional buffer planting. PLANNING POLICY the details appear to conform to the relevant elements of the TDLP policies, which set down the planning framework for the redevelopment of the Trading estate. More detailed requirements to secure the delivery of those policies are contained in the conditions and Section 106 Agreement relating to the outline planning permission for the site. These require the submission and approval of a Transport Strategy, Master Plan, Phasing Scheme and Design Brief prior to the submission of the first reserve matters application. ECONOMIC DEVELOPMENT MANAGER no observations to make. LEISURE DEVELOPMENT MANAGER any area of open space which will include flood compensation or attenuation ponds will need a full management plan taking account of not only maintenance issues but also the management issues around the public use of the land including public safety issues. If it is to be adopted by the Council a 20 years commuted sum for all management and maintenance costs will be required. The area left for the NEAP looks to be only just sufficient and there must be at least 1000 square metres of usable space for equipment for play and active recreation. Again a commuted sum will be required for maintenance and management. The area of land shown for the NEAP, or young peoples activity area, is separated from the Back Stream Open Space by a steep slope which I assume is not pre existing. Again this will require careful thought as it may become a hazard. The relationship of the NEAP to the Back Stream Open Space and to the adjacent flood attenuation area must be carefully planned with all users in mind but especially young people.

PARISH COUNCIL it is essential that no surface water drainage pipes are directed to the B3227, but that the drainage water be taken in the opposite direction towards Halse Water. The drainage pipes along the B3227 are already over capacity and the Parish Council have for many years been trying to get something done about this problem. Question what flood alleviation schemes there will be for this site. Pleased to note that native species of trees will be planted and question whether these will be protected by Tree Preservation Orders (TPOs) or replaced if they die.

TWO LETTERS OF OBJECTION have been received raising the following issues:- object to houses; want employment provision; question how houses will remain low cost; all houses should be low cost; shortage of services; adjacent stream turns into a raging torrent at certain times, which is destructive and very frightening – additional

housing may increase this; open space provision could be a magnet for drink and drug abuse;

POLICY CONTEXT

Policy S1 of the Taunton Deane Local Plan sets out general requirements for new developments. Policy S3 of the same plan states that proposals incorporating a mix of uses will be permitted provided that certain criteria are met. Policies T4 – T7 set out the policy requirements for the major site allocation at Norton Fitzwarren.

ASSESSMENT

None of the surface water flows from the new development will drain to the B3227. The proposed trees provided as part of the landscaping will be protected initially by planning condition for the first five years. There is a strong possibility that the areas where trees are to be planted will be adopted and therefore no TPO would be imposed. If not, the Landscape Officer would look to imposing a TPO on them at the end of the 5 year planning condition. The points raised by the Environment Agency have been included as advisory notes. The Transport Strategy, Master Plan, Phasing Scheme and Design Brief have been submitted for consideration. The proposed development will enable the release of land to provide residential and employment development on this brownfield land.

RECOMMENDATION

Subject to the views of the County Highway Authority, the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and the details be APPROVED. Notes re reference to conditions and notes on outline planning permission 25/2002/018, CDM Regulations, road opening notice, Section 106 Agreement and items raised by the Environment Agency.

REASON(S) FOR RECOMMENDATION:- The proposal is considered to be compatible with National and Local Planning policies which encourage sustainable, mixed use development on previously developed land and in particular the proposal meets the requirements contained in Taunton Deane Local Plan Policies T4 - T7.

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

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NOTES: