

**OUTLINE APPLICATION FOR THE DEMOLITION OF ORCHARD LODGE AND REDEVELOPMENT OF SITE TO PROVIDE RESIDENTIAL DWELLINGS AND ASSOCIATED OPEN SPACE AT ORCHARD LODGE, COTFORD ST LUKE**

Grid Reference: 317108.127204

Outline Planning Permission

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**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval

**Subject to** the applicant entering into a Section 106 agreement to secure the following:

- a. 25% of the dwellings to be Affordable.
- b. A contribution of £2,688 per dwelling towards improving existing children's play facilities in the area.
- c. A contribution of £1,454 per dwelling towards improving active recreation facilities in the area.
- d. A contribution of £194 per dwelling towards the provision of Allotments in the area.
- e. A contribution of £1,118 per dwelling towards improvements to community halls in the area.
- f. Public Art should be provided within the development through the engagement of an artist in the design process.
- g. A contribution of £2309 per dwelling towards increasing capacity at Kingsmead (secondary) School.

If the agreement has not been entered into and completed by 4th February 2013, planning permission should be refused unless an extension is otherwise agreed in writing by the Local Planning Authority.

The proposed development is considered to be acceptable in principle and would not impact unreasonably upon the local highway network or wildlife interests. The impact on infrastructure and community facilities can be mitigated through appropriate planning obligations. It has been shown that a detailed design and layout can be provided that would respect the character of the area, integrate well into the surrounding townscape and not impact unreasonably upon existing nearby dwellings. It is, therefore, in accordance with Policies SD1 (Presumption in favour of Sustainable Development), CP4 (Housing), CP5 (Inclusive Communities), CP6 (Transport), CP7 (Infrastructure), CP8 (the Environment), CP1 (Sustainable Development Locations) and DM1 (General Requirements) of the Taunton Deane Core Strategy, Policy 49 (Transport Requirements of New Development) of the Somerset and Exmoor National Park Joint Structure Plan Review and the National Planning Policy Framework.

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

1. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced.

Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

2. No demolition shall be undertaken until the implementation of a programme of building recording and analysis has been submitted to and agreed in writing with the Local Planning Authority and such work shall be carried out in accordance with the written brief prior to the demolition of the existing buildings.

Reason: To help record the archaeological heritage of the district in accordance with Taunton Deane Core Strategy Policy CP8.

3. Stone from the existing building to be demolished shall be salvaged from the demolition and retained on site for use within the development. Details of how the stone shall be reused shall be provided as part of any reserved matters application seeking approval of appearance and the development shall thereafter be carried out in accordance with such details.

Reason: In the interests of preserving and enhancing the character and appearance of the area, in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. Prior to the commencement of the development hereby permitted, full details of the means of disposal of surface water shall be submitted to an approved by the Local Planning Authority. Such details shall be implemented prior to the occupation of any of the development hereby permitted unless otherwise agreed in writing by the Local Planning Authority and shall thereafter be retained as such. [Please see informative note 2].

Reason: To ensure that the development adequately deals with surface water run-off and does not lead to any increased flood risk on or off site, in accordance with Policy CP8 of the Taunton Deane Core Strategy and the National Planning Policy Framework.

5. Prior to the commencement of the development hereby permitted, full details of the means of access to the site, including visibility splays, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out prior to the occupation of the development hereby permitted, or in accordance with some other phasing programme that may otherwise have been agreed in writing by the Local Planning Authority and shall thereafter be retained and visibility splays maintained in accordance with the approved details as such. [Please see informative note 3].

Reason: To ensure that an appropriate means of access is provided to the site in the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

6. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to start of construction, and thereafter maintained until the use of the site discontinues.

Reason: In the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

7. The proposed roads, including footpaths and turning spaces and parking spaces for the dwellings 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 and parking facilities (including cycle parking provision that shall be agreed as part of any reserved matters application) to at least base course level between the dwelling and existing highway.

Reason: To ensure that adequate facilities exist for the traffic likely to be attracted to the site, in the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

8. 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 Sunflower International Ecological Consultancy's submitted report, dated March 2012 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 enhance provision for wildlife on the site in accordance with Policy CP8 of the Taunton Deane Core Strategy and the National Planning Policy Framework.

9. (i) The landscaping/planting scheme that shall be approved pursuant to condition (1) shall be completely carried out within the first available planting season from the date of commencement of the development.

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

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

#### Notes for compliance

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application and contributions to infrastructure and has imposed conditions to enable the grant of planning permission.
2. The details submitted pursuant to condition 4 regarding surface water should use the principles of Sustainable Drainage Systems in the scheme design.
3. The details of the means of access to Dene Road to the east of the site, require as part of condition 5 should include facilities to enable the safe crossing of Dene Road by pedestrians to the footway on the opposite side of the road.

At Dene Road there shall be no obstruction to visibility greater than 600millimetres above adjoining road level forward of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to the extremities of the site frontage.

At Milsom Place there shall be no obstruction to visibility greater than 600millimetres above adjoining road level forward of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and

extending to the extremities of the site frontage to Milsom Place.

At Aveline Court there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 17m either side of the access.

## **PROPOSAL**

This application seeks outline planning permission for the residential development of the site known as Orchard Lodge. The existing building would be demolished to allow the total redevelopment of the site. Some existing trees, including some protected by TPOs would be felled to facilitate the development.

The application seeks approval for the means of access to the site at this stage, and the submitted plans indicate that three points of vehicular access would be provided – one via the existing access to the site from Aveline Court, one from Milsom Place to the north and one from Dene Road to the west.

All other matters are reserved, but an indicative layout plan has been provided suggesting that the site could be developed for 24 dwellings, which could include short terraces, semi-detached dwellings and coach houses. It is suggested that 1.5 parking spaces would be provided per dwelling, although 41 spaces (1.7 per dwelling) are shown on the indicative layout plan. These would be a mixture of parking court, garage and on-street parking.

## **SITE DESCRIPTION AND HISTORY**

The site comprises Orchard Lodge and its grounds. Orchard Lodge was part of the former hospital buildings prior to the development of Cotford St. Luke and is a 2.5 storey building in the Victorian Gothic style, constructed from stone. Following the development of Cotford St. Luke, Orchard Lodge was retained by the NHS and was used until 2009/10 as a residential institution, having been extended in 1996. Since then the property has changed hands and has remained vacant. In 2010, permission was granted for the change of use from C2 (Residential Institutions) to D1 (Non Residential Institutions), in the hope that a new user could be found for the building, but none has been forthcoming.

The site slopes gently up from south to north, with dwellings on Aveline Court to the south being at a lower level, and those at Milsom Place to the north, being higher. There are a number of trees on the site, including two large Western Red Cedar trees that would be felled in order to facilitate the redevelopment. The other notable trees are along the north and east site boundaries (within the site).

A pedestrian/cycle link immediately adjoins the western site boundary linking Dene Road in the south with Baileys Gate to the north. There is an existing vehicular access in the southwestern corner, from Aveline Court.

## **CONSULTATION AND REPRESENTATION RESPONSES**

## Consultees

*SCC - TRANSPORT DEVELOPMENT GROUP* – No objection, comment as follows:

“The proposal seeks to replace the former residential institution Orchard Lodge with residential dwellings, both market and social. The site is bounded on two sides by roads one of which is public highway ([old] Dene Road) and also meets the adopted highway at its south eastern corner (Aveline Court).

It is proposed to provide three vehicular accesses to the site and in addition the site links well to the pedestrian path running north/south along its western boundary. Layout of the accesses including visibility splays will be acceptable in accordance with the guidance ‘Manual for Streets’ and the surfaces should be properly consolidated. Taking the proposed accesses in turn:

### Milsom Close [sic]:

The site slopes away from Milsom Close so it is unlikely that water will drain towards the existing street. Milsom Place, is currently a private road and **not** a road that is publicly maintained. Any connection onto this road will have to be made with the landowner's consent. The access of Milsom Place with Dene Road could be improved by the extension of the footway from the corner along Dene Road.

### [Old] Dene Road:

The proposed access onto Dene Road should incorporate pedestrian crossing details so that pedestrians and users of wheeled aids may be able to reach the pavement opposite with ease. Dene Road itself was closed to through traffic some years ago and already serves some dwellings and the Dene Barton hospital unit opposite the Orchard Lodge plot. Dene Road is not particularly wide, but has adequate width for two light vehicles to pass. Opposing traffic to larger vehicles such as waste disposal lorries and those making deliveries to the community hospital may have to wait in turn on rare occasions as generally traffic flows along this route are low. Ideally the footway which runs a short distance from Milsom Close should be extended across the site frontage to the site access, though it will be possible to walk within the site between Milsom Close and this junction with Dene Road too avoiding Dene Road itself. The levels here are such that the design must include provision to catch surface water so that it does not drain onto the existing highway. A flood risk assessment should be carried out.

### Aveline Court:

At Aveline Court visibility to the junction of Aveline Court with Dene Road is good and visibility to the left along Aveline Court itself is adequate for the traffic flows and speeds at this location. Again the new development must not result in any surface water running onto the existing highway from the new development”.

The Local Highway Authority's response then details a number of matters regarding

the internal estate layout, although these are primarily issues for any reserved matters application. This is with the exception of their requirement that the new junction with Dene Road has 6m radii, as approval for the means of access is being sought at this stage.

Conditions are recommended regarding the disposal of surface water, submission of estate road details, provision of wheel washing facilities, that each dwelling should be accessed by a properly consolidated surface and parking space prior to occupation, that there should be 6m hardstandings in front of garage doors, and the provision of visibility splays at the 3 access points.

*COTFORD ST LUKE* – Objects to the application. The Parish Council have given a detailed and lengthy objection to the scheme, running to some 9 pages of text. This objection letter is available to view through the Council's website. The main points of their objection are as follows:

- Cotford St. Luke (CSL) is currently at the right size given the existing facilities. A further burden on these facilities cannot be accommodated.
- The old Dene road is not suitable to accommodate the increase in traffic.
- Residents of West Villas (Old Dene Road) were assured when CSL was developed that the realigned Dene Road would be used to access the development areas.
- Visibility at the existing and proposed junctions is inadequate.
- A bus layby and zebra crossing on Dene Road to the south are required.
- Insufficient parking would be provided; query where bikes would be parked.
- The roads must be adopted by SCC.
- The regimented layout is not in keeping with the surrounding development.
- The submitted planning statement overstates the local facilities – at the present time there is just one small shop and the skate park contains only one half pipe of equipment.
- There is no medical centre, one could be financed through S106 contributions.
- CSL primary school and Kingsmead Secondary School are oversubscribed. Another primary school is required.
- The loss of trees within the site has caused anger locally and will impact upon wildlife.
- The PC would like to be consulted on how additional monies towards children's play are spent.
- The existing sewage pumping station is inadequate to cope with additional dwellings.
- There is no indication of where recycling and refuse bins would be stored.
- Queries whether gas and electricity supplies will be upgraded.
- Queries how this part of the village would be maintained following future Council spending cuts.

In conclusion, the PC is of the view that the density of housing in this development is too high. The development may be more acceptable if there was less density and homogeneity of housing.

*HERITAGE* - I have studied the Heritage Appraisal and agree with the conclusions.

Its former historical association with Tonevale Hospital, is clearly of local interest. If the application is approved, I consider that a recording condition should be attached - such record to include measured drawings of all elevations and photographs of remaining internal historic features, cross referenced to scaled floor plans.

*DRAINAGE ENGINEER* – No drainage details are included within the present application. These should be forwarded for approval and should include some form of SUDS arrangement. A condition can be attached to secure details of a scheme.

*ECONOMIC DEVELOPMENT* – If continued employment use in this location is not viable, I am happy to support the scheme so long as it accords with the Council's core strategy.

*ENVIRONMENTAL PROTECTION CONTAMINATED LAND* – No comments received.

*HOUSING ENABLING* – The Housing Enabling Lead supports this application based on need and the comments do not reflect the suitability of the site in planning terms.

25% of the new housing should be in the form of affordable homes. The tenure split is 60% social rented 40% intermediate housing. The requirement is for house rather than flats. The houses should be predominately 2 and 3 bedrooms.

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

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

The developer should seek to provide the Housing Association tied units from Taunton Deane's preferred affordable housing development partners list.

*LANDSCAPE* – My main concern is the loss of the Monterey Pine to the south of the site but otherwise, subject to tree protection during construction and detailed landscape proposals the scheme is acceptable in landscape terms.

*COMMUNITY LEISURE* – In accordance with Local Plan Policy C4, provision for play and active recreation should be made for the residents of these dwellings.

On an outline application proposal of 24 dwellings, assuming they will all be family size 2 bed+ dwellings on-site children's play facilities would normally be requested. However as there are two children's play areas both within 300m of the development proposal an off-site contribution for children's play currently £2,688 per 2 bed+ dwelling is requested to provide additional play equipment at one or both of the existing two play areas, to cope with the extra need this development will create.



A contribution of £1,454 for each additional dwelling should be made towards the provision of facilities for active outdoor recreation.

A contribution of £194 per each additional dwelling should be sought for allotment provision along with a contribution of £1,118 per dwelling towards local community hall facilities.

All contributions should be index linked.

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

*BIODIVERSITY* – The submitted Ecological Impact assessment found as follows:

Bats – no evidence in the main house or single storey extension. It is likely that bats use the trees in the grounds for foraging.

Birds – No sign of birds nesting on the buildings, but the grounds of the house contain trees and numerous shrubberies that are likely to provide potential nesting sites for birds. A rookery in a group of Monterey pines was noted. Any works should take place outside the nesting season.

Reptiles – The surveyor considered it possible that reptiles use the rockery on the site as a winter refuge. These should be dismantled/cleared in the summer months.

Recommend a condition relating to wildlife.

*SOMERSET WILDLIFE TRUST* – We have noted that there is little evidence of wildlife currently using the site. However we would agree that, in line with current legislation, the opportunity should be taken to enhance the area for the benefit of wildlife. We would therefore request that as part of the Planning Conditions, both bird and bat boxes should be incorporated into the development, all external lighting should be selected and positioned so as to minimise light spillage, all planting schemes should be limited to native species and the estate layout should incorporate “green/wildlife corridors” as much as possible.

*ENVIRONMENT AGENCY* – The EA is not a statutory consultee on a development of this scale and does not wish to comment.

*SCC - DEVELOPMENT CONTROL ARCHAEOLOGIST* – No comments received.

*SCC - FLOOD RISK MANAGER* – No comments received.

*WESSEX WATER* – New water supply and waste water connections will be required. Separate systems of drainage will be required to serve the proposed development.

Provides advice on building near to public sewers and notes that a foul sewer passes through the site.

## **Representations**

2 letters of SUPPORT raising the following comments:

- The proposal is a good idea and the best thing to do with the site.
- Hope that any trees will be spared.
- All houses over two levels should include lifts.
- Homes should be provided that meet the needs of the community.
- The number of dwellings seems appropriate.

1 letter confirming NO COMMENTS to make.

2 letters raising NO OBJECTION but raising the following comments:

- Concerns about access onto Aveline Court have been allayed.
- Bats are frequently seen in the area.
- There are very few bungalows in the village and this should be rectified.
- There will be an inevitable increase in surface water run-off and contribute to localised flooding issues.
- A Wessex Water drain from the site has previously blocked.
- There will be an increase in traffic along Dene Barton Road, increasing traffic noise and vehicle movements on a previously de-designated access road.

17 letters of OBJECTION raising the following issues:

- Access is proposed via Dene Road/Milsom Place and Aveline Court. All are currently unsuitable for increased traffic. Dene Road is narrow and it is difficult to see how it can be widened – original plans for the village required it to be closed as it was not suitable for extra traffic. There are no footways and this is the walking route to the primary school for Children living at South Villas. The Aveline Court junction is a poor layout.
- There is insufficient parking provision shown.
- There will be around 150 additional traffic movements per day.
- The bus stop is too close to Aveline Court and waiting busses cause extra hazards at this junction.
- The egress from South Villas is already 'blind' and safety would be further undermined by additional traffic.
- There is a lack of local amenities
- The primary school is nearly full.
- The small village shop is unable to cater for the village in times of emergency. Severe weather in the future may mean the village is cut off for long periods of time.
- There are already several power cuts annually. More houses would increase these.
- Local busses are already full.

- There will be an increase in congestion in Taunton, especially at Cross Keys.
- There are no medical emergency facilities as suggested in the application documentation.
- The community hall is a shared facility with the local school and this limits the use.
- Existing development comprises a variety of shapes, sizes and designs and irregular spacing. The proposed development is very regimented and has a limited number of designs. It is out of character with the existing dwellings in the village.
- The houses have no front gardens and several have no rear access. There appears to be no provision for waste bins which would have to be left on the roadside.
- There are enough houses being built elsewhere in the locality for these to be superfluous. If the village has been designated a 'Minor Rural Centre' in the Core Strategy, then development should be turned down to ensure that it does remain minor and rural.
- There is no evidence to support the claim that the proposal will enhance the village.
- The Monterey Pine tree has a TPO on it. The plan suggests that it would be replaced, but the tree has a good 20 years life left in it. The ecological survey does not review the impact of removing the TPO tree or the oak tree. The survey needs re-doing. 6 other trees within the TPO areas have already been removed.
- There are very few old buildings in the village. It is sad to lose an example of Victorian architecture with some local historic value and interest. In the context of the current economic climate, the building has only been empty for a short period of time. It should be renovated and used as an extension to Dene Barton community hospital, a doctor's surgery or chemist.
- It is wrong to demolish buildings erected at the public expense in recent years [presumably referring to the extension to the building]. The building should be put to use for the benefit of the public in an area of social deprivation.
- The plans indicate too many dwellings for the size of the site. There is no regard to the existing surroundings and a token effort to work with the trees where possible.
- Trees must be properly protected during building works.
- Policies in the Tone Vale Development Guide (1995) regarding access would be conflicted.
- The original plans for Cotford St. Luke promised existing residents of South Villas that Dene Road would be closed and there would be a reduction of traffic. Allowing this development would be a betrayal of the promises made when the village was originally planned.
- Additional dwellings should not be built in an area unable to sustain a viable emergency plan in the event of a major incident. There is extreme difficulty getting a mobile phone signal and local radio reception.
- There has been no risk assessment on the potential for toxins to be released from the site during demolition.

## **PLANNING POLICIES**

EN8 - TDBCLP - Trees in and around Settlements,  
 EN24 - TDBCLP - Urban Open Space,

C3 - TDBCLP - Protection of Recreational Open Space,  
EN12 - TDBCLP - Landscape Character Areas,

## **LOCAL FINANCE CONSIDERATIONS**

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

### 1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £27,578

Somerset County Council (Upper Tier Authority) £6,894

### 6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £165,466

Somerset County Council (Upper Tier Authority) £41,366

(Stated figures based upon the indicative layout showing 24 dwellings, with 25% affordable).

## **DETERMINING ISSUES AND CONSIDERATIONS**

The main issues in the consideration of this application are the principle of the development, the impact on heritage assets and impact on the character of the area, the impact on the highway network, the impact on existing neighbouring property, the impact on infrastructure and ecology.

### Principle of development

The site is within the settlement limit for Cotford St. Luke. Cotford St. Luke is identified as a minor rural centre in the Core Strategy due to the limited range of facilities that it offers and is expected to accommodate further some further development through the plan period. In any case, this site is a windfall site within the existing settlement limit and development is acceptable in principle.

Historically, the site was used as a residential institution until such time as it became surplus to the NHS's requirements. At that time, it was considered to be desirable to retain the building in some form of employment use, if not continuing as a residential institution and to that end, permission was granted to allow a change of use to D1, following an expression of interest from the operator of a school for people with special educational needs. The permission was never implemented and since purchasing the site in 2010, the current owner has sought to market the building for a variety of employment and institutional uses. No users have been forthcoming and the building has been vacant since the NHS left more than two years ago.

Whilst the loss of employment land is regrettable, it is considered that there has been a concerted marketing effort over recent years and it seems unlikely that any such use will be forthcoming for the foreseeable future. It is, therefore, considered that the loss of the site to residential is acceptable in principle.

#### Impact on heritage assets and impact on the character of the area

The demolition of an attractive historic building is always regrettable. As noted in some of the representations, there are very few historic buildings in Cotford St. Luke, so the loss appears to have greater impact. Concern has been raised over the rigour applied in preparing the Historic Building Appraisal that has been submitted with the application, however, your Conservation Officer is satisfied with the document and agrees that the building is not worthy of listing. The site is also not in a conservation area, so it is difficult to argue that the impact of its loss on the character and appearance of the immediate area, and settlement in general, would be so harmful as to warrant refusal of the application. Importantly, in the absence of such designations, the building could be demolished without planning permission and this further reduces the weight that should be attributed to this factor.

In being part of the application, there is an opportunity to seek to retain the stone from the demolition on site for use in the new development – such can often successfully be accommodated in boundary walls, for example. It is considered that a condition should be imposed to ensure that such occurs.

The site is within an area of recent housing development and in many ways the proposed development would be no different. In principle, the likely style of development – as suggested in the submitted Design and Access Statement – is considered to be sympathetic and in keeping with the surrounding development. True, the approach to development is in a slightly different style to some of the surrounding development, but it is considered that the suggested indicative layout would provide a well designed development that responds well to the adjoining green space, surrounding dwellings and allows retention of most of the trees along the north and eastern site boundaries. As suggested, parking would be well designed into the development and would not dominate the new streets, providing a high quality residential environment.

The loss of two of the TPO protected trees is also unfortunate. However, the design and access statement shows the many iterations of possible site layout that have been prepared and those that sought to work around retaining all existing trees always appeared contrived and led to awkward corners of development or poor public realm. It is, therefore, considered that the loss of the trees is acceptable, subject to a replacement planting scheme that would be provided at reserved matters stage. The suggested design, with a central green area also offers the opportunity to extend the existing green corridor provided by the adjoining cycleway/footpath into the site and offers increased surveillance of this route from surrounding dwellings.

The creation of a new access in the eastern site boundary from the old Dene Road, would require the removal of a length of stone wall. However, it seems that visibility splays would not require the removal of much of this wall and, therefore, the loss of the small section (and retention of trees around it) would not have a significant impact on the character of this lane.

### Impact on the highway network

The proposed development would be accessed from the three roads bordering the site. This would provide the maximum integration into the surrounding area, facilitating permeability through the area and is considered to be a very positive step in that regard. In terms of detail, the Local Highway Authority are content with the proposals in terms of highway safety, commenting that the access points are, or can be made, acceptable.

The Parish Council and local residents are concerned that the old Dene Road is not capable of supporting additional traffic. However, their assessment of this is based on out-dated guidance rather than the current Manual for Streets guidance. Old Dene Road already handles a reasonable amount of traffic, serving a number of dwellings and the Dene Barton Community Hospital. It is not, therefore, considered that a significant amount of traffic would be added to this road and that any increase could be accommodated by the existing road network. Further details of the new access onto Dene Road should be sought by condition of any planning permission, and this may include facilities to assist pedestrians crossing Dene Road. Such would ensure that residents of the development could cross safely to the existing footway and would also ensure that existing residents of South Villas were provided with a footway connection (via the new development) to the rest of the village rather than having to walk along a length of Dene Road with no footway provision.

The Parish Council have suggested that new pedestrian crossing facilities are also required to the south of the development at the end of the foot/cycleway, but this has not been requested by the Highway Authority. On this basis, it is considered that the increase in footfall from the development would not be sufficient to necessitate any additional off-site provision.

### Impact on existing neighbouring property

The site is bounded by neighbouring property on all four sides. The closest are those in Aveline Court to the south. The indicative plan shows that the proposed dwellings could be located such that the rear elevations were at least 21m from these neighbouring properties. This would generate an acceptable window to window distance to prevent any unacceptable loss of privacy. The suggested site layout would also include an intervening access road that would provide further separation and reduce potential for overlooking these existing garden areas. The layout suggests that dwellings could also be placed side on to these existing dwellings, although this could be at a location where there is an existing break in the neighbouring properties not to be unacceptably overbearing, despite the higher level of the application site. On the basis of the information provided, it is considered that an acceptable relationship with the dwellings on Aveline Court could be provided at reserved matters stage, such that the amenities of these residents would be preserved. In terms of the neighbouring properties off the other boundaries, the distances are greater and the impacts are considered to be acceptable.

### Impact on infrastructure

The impact on infrastructure in the village appears to be one of the primary concerns of the Parish Council and local residents. There have been several comments made that Cotford St. Luke has already reached its optimum size and that facilities such as the school and local shop could not cope with any additional population. Whilst the development is not of a size that should require a new shop or doctors surgery to be built, the impact on other community infrastructure, such as education and recreation facilities should be assessed.

As Local Education Authority, SCC have confirmed the local opinion that Cotford St. Luke Primary School and Kingsmead Secondary School are currently over capacity. However, the roll at the primary school is forecast to fall over the coming 3 years to 293 (capacity 300). The development is likely to generate the need for an additional 5 primary school places so the school should be able to accommodate the likely increase in pupil roll generated by the development.

Kingsmead (secondary) school in Wiveliscombe, however, is over capacity and numbers are forecast to continue to rise. Contributions towards increasing capacity at the school should therefore be sought, in accordance with the recommendation.

The development would also place an extra burden on community leisure facilities, including children's play, active recreation and community halls. Contributions should, therefore, be sought towards improving these facilities in the locality.

Concern has been raised over the capacity of the sewerage network and broadband, electricity and gas supplies. Wessex Water have raised no objection to the development on the grounds of the capacity of existing sewerage infrastructure, so this is deemed to be adequate. The supply of electricity and gas are the responsibility of the relevant statutory undertakers.

It is considered that subject to the contributions detailed in the recommendation, the impact of the development on community infrastructure is acceptable.

### Ecology

The submitted wildlife survey indicates that there is limited evidence of wildlife at the site, with no protected species being apparent on site. However, the development will result in the loss of some trees and lawn areas, which currently provide habitat opportunities for some wildlife and it should be ensured that appropriate safeguards are put in place to mitigate against any harm that may arise during the construction period. A condition is, therefore, recommended to secure further consideration of this matter and to provide a betterment to wildlife once the development is completed.

### Conclusions

The proposed development is considered to be acceptable in principle and would not impact unreasonably upon the local highway network or wildlife interests. The impact on infrastructure and community facilities can be mitigated through appropriate planning obligations. It is considered that a detailed design and layout can be provided that would respect the character of the area, integrate well into the surrounding townscape and not impact unreasonably upon existing nearby dwellings.

It is, therefore, considered that the development is acceptable and it is 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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