

MR H FARBAHI

Outline planning application with all matters reserved, except for access, for a residential development of up to 30 No. dwellings, 3 No. live/work units, public open space, landscaping and associated highways, engineering and infrastructure works on land east of North and West Villas, Dene Road, Cotford St Luke as amended.

Location: LAND EAST OF NORTH & WEST VILLAS, DENE ROAD COTFORD
ST LUKE, TAUNTON

Grid Reference: 317220.127502

Outline Planning Permission

Recommendation

Recommended decision: Conditional Approval subject to the applicant entering into a Section 106 agreement to secure:

- 25% (8no.) of the dwellings as affordable housing (of which 60% social rented, 40% intermediate).
- The ongoing maintenance of the public open space.
- The approval and construction of the access, in general accordance with drawing number SK02a
- Changes to the highway at North Villas to change priority, accommodate the site access and deliver pedestrian provision generally in accordance with drawing number SK02a
- Traffic calming on North Villas generally in accordance with SK02a
- The implementation of an agreed travel plan.

Recommended Conditions (if applicable)

1. Approval of the details of the layout, scale, appearance, access 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.

Note to planning officer - (Appropriate in its entirety only where the outline application contained details of none of the items described as "reserved matters" in Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995).

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. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo LOC01 Rev A Location Plan

(A1) DrNo CL01 Rev C Concept Layout

(A4) DrNo SK02 rev D Proposed Highway General Arrangement

(A4) DrNo SK02a rev D Proposed Access Layout General Arrangement

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

3. The details submitted in accordance with condition 1 of this planning permission shall include full details of the proposed children's play area, including the layout of the area and the equipment to be installed. The approved details shall be implemented and made available for use by the public prior to the occupation of the 20th dwelling hereby permitted and shall thereafter be maintained as such.

Reason: To ensure that adequate children's play facilities are provided as part of the development.

4. Details of a strategy to protect wildlife shall be submitted and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Greena Ecological consultancy's submitted report, dated May 2015 and up to date survey and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for the species
4. Up to date eDNA testing for Great Crested Newts

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 bat and bird boxes and related accesses have been fully implemented.

Reason: To protect wildlife and their habitats from damage bearing in mind these species are protected by law.

5. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the

development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details. These details shall include: -

- Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

7. A pedestrian/cycle link to the adjoining land shall be provided up to the southern site boundary in accordance with details that shall be submitted to and approved by the Local Planning Authority pursuant to condition 1. The route shall be made available for use by the public such that the public can pass and re-pass right up to the site boundary and onto adjoining land prior to the occupation of the 20th dwelling and shall thereafter be maintained as such.

Reason: To ensure the comprehensive development of the allocated site and promote good connectivity within future development at Cotford St. Luke.

8. In respect of each live-work unit hereby permitted:

The details submitted and approved pursuant to condition 1 (submission of reserved matters) shall clearly identify the 'business floor space' and 'residential floor space' for each unit.

The residential floor space shall not be occupied until the associated business floor space is fully fitted and capable of use.

The occupation of the residential floor space shall be limited to a person solely or mainly working within the business floor space, their spouse (or partner) and to any resident dependants or relatives living together as a single family unit.

The occupation of the business floor space shall be limited to a person who resides in the residential floor space connected with that unit.

The business floor space shall be used only for purposes falling within Classes B1 or D1 and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To ensure that the live-work units are provided in a manner that ensures that the building operates as a live-work unit without detriment to other nearby property.

9. No more than 30 dwellings and 3 live-work units shall be erected on the site.

Reason: This quantum of development is considered to be sustainable with regard to the Site Allocations and Development Management Plan and the infrastructure provision within the existing settlement.

10. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, 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 that shall have been submitted to and approved by the Local Planning Authority in writing before their construction begins. 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 road surface and footways shall be completely finished and dressed within 6 months of the occupation of 85% of the dwellings (excluding live-work units) hereby permitted.

Reason: in the interests of highway safety, to ensure that adequate facilities exist for the traffic likely to be attracted to the site.

11. The applicant shall ensure that all construction 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 the commence of development, and thereafter maintained the completion of construction.

Reason: To in the interests of highway safety in accordance with Policy DM1 of the Taunton Deane Core Strategy.

12. (i) The planting details submitted pursuant to condition 1 of this permission shall include a phasing programme for the implementation of the landscaping.
- (ii) The scheme shall be completely carried out in accordance with the approved phasing programme.
- (iii) For a period of five years after the completion of each 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 the 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 to Applicant

Proposal

This application seeks outline planning permission for the erection of 30 dwellings plus 3 live-work units. Approval is sought for access at this stage and is proposed from North Villas in the northwest corner of the site: The existing highway would be re-aligned so that the priority continued into the new development and the existing road would form a new junction from this route.

An indicative 'concept layout' plan has been submitted which indicates that dwellings would be provided fronting Dene Road. A new spine road would be built into the site

with further dwellings on either side of this. New landscape planting would be provided along the northern and eastern edge of the development providing a buffer to the remaining agricultural field.

A play area is proposed to the south of the development, adjoining that on the previously permitted development to the south. Surface water attenuation would be provided beyond this.

Site Description

This site comprises part of an agricultural field on the northwest of Cotford St. Luke. The application site is the south western part of this, broadly rectangular, field; the eastern and northern parts of the field are excluded from the application site. The land falls gently from north to south. The field is bordered by hedges. To the east is open countryside, to the north is Dene Road, the main access route into Cotford St. Luke from the Bishops Lydeard direction.

To the west is North Villas, a row of mainly semi-detached dwellings that pre-date the development of Cotford St. Luke. They currently face towards the application site and many have paved over front gardens to provide parking. To the south is land that has been granted outline planning permission for residential development – this site slopes away steeply from the current application site.

Relevant Planning History

The site has been allocated for development in the Site Allocations and Development Management Plan along with the site to the south under Policy MIN1 for around 60 dwellings and small scale Class B employment units.

The site to the south already has outline planning permission for 30 dwellings plus 3 live-work units.

There have been no previous planning applications on this site.

Consultation Responses

COTFORD ST LUKE – Comments as follows:

The Parish Council has no objection to this Planning Application. However it would be grateful if you would resolve the following issues with the Applicant and his Planning Consultant before the Reserved Matters Application is submitted:

Roads and Pavements

- The pavement indicated on the Proposed Concept Layout Plan stops well short of the children's play area within the development. Barton Willmore was initially of the view that it was perfectly acceptable for young children to walk in the road to access/egress this play area. The Parish Council has made it

very clear to Barton Willmore that the children's safety is top priority and that it was completely unacceptable for children to be walking in a road. The pavement within the proposed development is to be along the entire length of both sides of the road and up to the Play Area.

- It would appear from discussions that took place with Barton Willmore that no traffic assessment has been undertaken, to ascertain the impact of the additional traffic using North Villas, the Distributor Road, along Old Dene Road and either accessing/egressing the village via Tithill Bridge or Halse Water Bridge.
- The Concept Layout Plan indicates the combined cycle path and footpath adjacent to the proposed development. This path is heavily used by pedestrians and in particular primary school aged children who use the path on their way to/from the local Primary School, very often using their scooters and bicycles and by senior school aged children whose school bus picks them up from the bus stop on Dene Road which is at the end of this footpath. In order to protect the safety of all pedestrians and motorists accessing/egressing the proposed development, the Parish Council requires a double staggered pedestrian barrier installed by the proposed development's junction.
- There is a house with a double garage opposite the new junction into the site. There is concern regarding the road/junction layout in this area of the highway and the potential for an accident to happen.
- A dropped pavement will be required in the vicinity of this junction for those with prams/pushchairs and those with disability transport to safely cross North Villas highway.

Road and Footpath Adoption

- Under the Highway Act 1980; the Advanced Payment Code requires anyone proposing to build houses served by a private street must deposit enough money with the Highway Authority to cover the eventual making up of that street to adoption standard. A Planning Condition is required to ensure that SCC Highways/the developer signs a Section 38 Agreement and for the appropriate bond to be in place within the required timeframe; as stipulated by Highways Act 1980.

Play Area

- Barton Willmore has explained that the Play Area indicated on the Concept Layout Plan would link to the Notaro Homes Play Area. However, the Notaro Homes Play Area is in a completely different location within that development. Consideration needs to be given to the location of these two Play Area and to the age groups that will be using these Play Areas.

Sewerage and Sewage Treatment

- The present Pumping Station was designed to accommodate the effluent produced by 1750 houses, the School and the Chapel; there are regular sewage overflow incidents at the rear of the Community Centre during periods of heavy rainfall. Will the capacity of Pumping Station be upgraded before any more houses are built in CSL?
- Where will the sewers for the proposed 33 new dwellings connect into the

existing sewerage system?

Electricity

- 118 new dwellings will be built in the village over the next few years. All of these will connect into the sub-station that is located near the old Tone Vale Hospital, on Graham Way. Presently there is a high rate of power cuts and brown-outs, and this substation has never been upgraded given the number of dwellings already connected into it. Have arrangements been made with Western Power to upgrade the capacity of this substation, in order to prevent issues arising in the future?

House Types

- The Parish Council has explained to Mr Farbahi and Barton Willmore that within the village, there are several instances of three generations of the same family living here. However, the feedback the Parish Council has received is that many older villagers wish to remain living in the village to be close to their younger family members but are prevented from doing so as there are insufficient apartments and bungalows in CSL, to accommodate their needs. The Parish Council has asked Mr Farbahi and Barton Willmore, to ensure that two storey apartments and bungalows are built within the proposed development.

Live/Work Units

- Barton Willmore could provide no information as to the type of businesses that would be run from the 3 live/work units. The Parish Council requires assurances that these businesses will complement the village, will not be disruptive to the surrounding area and that any legal agreement imposed on them will be binding?

Open Space Maintenance and Adoption

- With the present financial cutbacks in SCC and TDBC; how will proposed development's open space be maintained? Barton Willmore has been advised that the Notaro Homes Section 106 Agreement does provide for the Parish Council to adopt the public open space. The Parish Council would consider this option for other proposed developments within the village.

BIODIVERSITY – Comments as follows:

Greena Ecological Consultancy carried out an Ecological survey Report of the site dated May 2015.

This was an update of survey work carried out by Tyler Grange LLP in 2010.

The survey confirmed previous findings, confirming that the field itself was of limited ecological value.

Findings of the survey were as follows.

Birds

Birds are likely to utilise hedgerows. Therefore any removal of vegetation should take place outside of the bird nesting season

Bats

There are no structures and no mature trees on site that could serve as roosting places.

The surveyor undertook bat activity surveys. Bats forage in small numbers in the vicinity of the pond located close to the SE corner of the site. This pond is to be retained.

Great crested Newts

There are five small ponds located within 500 m of the site. These were assessed for potential for great crested newts. Tests on three of the ponds confirmed negative for GCN. Results are only valid for one breeding season so as development has not yet taken place, a new set of e-DNA is required in order to confirm newt absence.

Badgers

There were signs of badger foraging in the field.

I would like to see some biodiversity gain from this development so suggest a condition.

LANDSCAPE – As the proposal appears to be in accordance with Policy MIN1 in the draft Site Allocations and Development Management Plan, I have no landscape objection to the proposed housing.

However, although this field is flat it is exposed to views from the east.

Therefore, extensive buffer planting, (more than the amount proposed in this application), is necessary.

In addition full landscape details are required.

WESSEX WATER – Comments as follows:

Sewerage infrastructure

The applicant proposes to connect foul flows from the development into the existing sewer network. Waste water connections will be required from Wessex Water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages on our website

<http://www.wessexwater.co.uk/Developers/>

We can confirm that the proposed point of foul connection appears acceptable subject to technical approval and confirmation of flow rates.

Surface Water Drainage

The Drainage Strategy for the development outlines that the use of an attenuation pond with outfall to a drainage ditch. The LLFA will comment on these arrangements. No surface water connection is proposed to our network and we have no further comments.

Water Infrastructure

Developments over two storeys should be provided with internally boosted supply and storage. I trust that you find the above of use, however please do not hesitate to contact me if you require further information or clarification.

SCC - TRANSPORT DEVELOPMENT GROUP – Comments as follows:

Initially raised objection to the application on concerns over the suitability of the proposed access. Subsequently additional information has been submitted and traffic calming introduced. The Highway Authority now comments as follows:

“I refer to the amended plans received direct from LvW Highways on 21st March. Assuming that these are a formal part of the planning submission, I can provide the following updated response to the above application:

The developer has now addressed the majority of concerns raised in my previous response to this application and as such I am content that the objection from the Highway Authority can now be withdrawn.

There will still be some technical issues to resolve through the technical approval process for the delivery of works, should consent be granted, however this will form part of the legal agreement process.

Therefore the Highways Authority raises no objection to the proposed development, subject to the following elements being secured by s106 agreement:

- Access to the development generally in accordance with drawing number SK02a
- Changes to the highway at North Villas to change priority, accommodate the site access and deliver pedestrian provision, generally in accordance with drawing number SK02a
- Traffic calming on North Villas generally in accordance with SK02a
- Travel Plan”.

Conditions are recommended regarding the approval and delivery of the estate road layout.

HOUSING ENABLING - 25% of the new housing should be in the form of affordable homes. The tenure split should be 60% social rented and 40% intermediate housing in the form of shared ownership.

The required mix would be:

10% 1b2p flat in a maisonette style property with own garden and private front door.
40% 2b4p houses
40% 3b5p houses
10% 4b6p houses

The intermediate housing should be in the form of 2b4p and 3b5p houses.

The affordable units should be an integral part of the development and should not be visually distinguishable from the market housing on site.

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 Affordable Housing from Taunton Deane's preferred affordable housing development partners list.

Additional guidance is available within the adopted Affordable Housing Supplementary Planning Guidance.

COMMUNITY LEISURE – Comments as follows:

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 30 dwellings, assuming they will all be family size 2 bed + dwellings on-site children's play facilities of 20 sqm per dwelling should be provided. This should consist of at least 1 x equipped LEAP together with additional free play space. The LEAP should be centrally located, overlooked by the front of properties to provide natural surveillance and away from the main access road. Open Spaces should be asked to comment on the design and equipment proposed.

ENVIRONMENT AGENCY – No comments received.

SCC – LEAD LOCAL FLOOD AUTHORITY – comments as follows

The development indicates an increase in impermeable areas that will generate an increase in surface water runoff. This has the potential to increase flood risk to the adjacent properties or the highway if not adequately controlled.

The applicant has provided, within the submitted flood risk assessment, outline proposals for surface water drainage post development that include the use of swales to transfer water and improve water quality, pipes and gutters to traditional gravity systems and attenuation within a pond within the site boundary. The current greenfield runoff rates for the site are 3.67 l/s, the applicant is proposing to control

the runoff rates to 2 l/s, thus offering betterment over existing.

The LLFA supports the proposals in principle but would require a more detailed drainage design and supporting calculations to be submitted and therefore requests the following condition be applied to the application should it be granted approval.

ECONOMIC DEVELOPMENT OFFICER – Supports application in respect of the inclusion of live/work units within the development.

POLICE ARCHITECTURAL LIAISON OFFICER – Comments as follows:

Crime Statistics

Reported crime for the area of this proposed development during the period 01/11/2015-31/10/2016 (within 500 metre radius of the grid reference) is as follows:-

Burglary - 2 Offences (comprising 1 dwelling burglary and 1 non-dwelling burglary)

Criminal Damage - 7 Offences (incl. 2 criminal damage to dwellings & 4 criminal damage to motor vehicles)

Drug Offences - 2

Other Offences - 2

Robbery - 1

Sexual Offences - 4

Theft & Handling Stolen Goods - 2 Offences

Violence Against the Person - 37 Offences (incl. 1 wounding, 8 assault ABH, 6 common assault & battery & 13 causing harassment/alarm/distress)

ASB - 1

Total - 58 Offences

This averages less than 6 offences per month, which are classed as low crime and ASB levels in the surrounding area.

Design & Access Statement - the DAS accompanying the application contains Section 6, entitled 'Community Safety', which is self-explanatory, and indicates to me that the applicant has considered the potential crime and disorder implications of

this application. I support the various comments made in this section, which refers to

the police approved 'Secured by Design' criteria, and explains how the application addresses these criteria. I will comment further on this section below :-

Layout of Roads & Footpaths - vehicular and pedestrian routes appear to be visually open and direct and are likely to be well used enabling good resident surveillance of the street. The use of physical or psychological features such as road surface changes by colour or texture, rumble strips or similar within the development would help reinforce defensible space giving the impression that the area is private and deterring unauthorised access. The short cul-de-sac nature of the development, with one vehicular entrance in and out, also has advantages from a crime prevention viewpoint in that it can help frustrate the search and escape

patterns of the potential offender.

Orientation of Dwellings – although specific detail is lacking in the Concept Plan, the indication is that all house frontages overlook the street which allows neighbours to easily view their surroundings and also makes the potential criminal feel more vulnerable to detection. If the dwellings in the centre of the development are also oriented 'back to back', this will improve their rear security by restricting unlawful access to the rear, which is where the majority of burglaries occur.

Play Area - communal areas have the potential to generate crime, the fear of crime and ASB and should be designed to allow supervision from nearby dwellings with safe routes for users to come and go. The proposed Play Area is linked with a similar Play Area in the approved development to the south and appears to comply with this recommendation, being overlooked by dwelling frontages.

Dwelling Boundaries – it is important that all boundaries between public and private space are clearly defined and it is desirable that dwelling frontages are kept open to view to assist resident surveillance of the street and public areas, so walls, fences, hedges at the front of dwellings should be kept low, maximum height 1 metre, to assist this. Vulnerable areas such as exposed side and rear gardens need more robust defensive measures such as walls, fences or hedges to a minimum height of 1.8 metres. The dwellings to the north and east of the development back onto boundary planting, an informal footpath and swale, and are potentially vulnerable at the rear, so the rear boundary treatment may need to be upgraded by increasing the height of the fencing to 2 metres, possibly by the addition of trellis topping. Gates providing access to rear gardens should be the same height as the adjacent fencing and lockable. From the Concept Plan, it is difficult to assess this, however, Section 6 of the DAS states that such fencing will be provided.

Car Parking – the DAS states that car parking will be in close proximity to dwellings but, apart from 4 new parking spaces near the entrance to the development shown on the Concept Plan, further details of proposed car parking arrangements are not provided. Police advice is that cars should either be parked in locked garages or on a hard standing within the dwelling curtilage. Where communal parking areas are essential they should be in small groups, close and adjacent to homes and within view of active rooms within these homes. Rear car parking courtyards are discouraged, as they enable access to the vulnerable rear elevations of dwellings where the majority of burglaries occur.

Landscaping/Planting – should not impede opportunities for natural surveillance and must avoid the creation of potential hiding places. As a general rule, where good visibility is needed, shrubs should be selected which have a mature growth height of no more than 1 metre and trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision. From a personal safety and safeguarding children perspective, this is particularly important in respect of the proposed planting between the Play Area and overlooking dwelling frontages and the informal footpath to the east of the development. Low level shrubs or open columnar trees should be planted in these areas to avoid restricting surveillance of the Play Area and footpath.

Street Lighting – all street lighting for both adopted highways and footpaths, private

estate roads and footpaths and car parking areas should comply with BS 5489:2013.

Physical Security of Dwellings – in order to comply with *Approved Document Q: Security - Dwellings*, all external doorsets and easily accessible windows and rooflights must comply with PAS 24:2012 security standard or equivalent.

Secured by Design - if planning permission is granted, the applicant is encouraged to refer to the '**SBD Homes 2016**' design guide available on the police approved Secured by Design website – www.securedbydesign.com – which provides further comprehensive guidance regarding designing out crime and the physical security of dwellings.

Representations Received

12 letters of **objection** raising the following points:

- Cotford St. Luke is already overpopulated.
- There is insufficient capacity in the school.
- There is already too much traffic trying to access Taunton from this direction.
- North Villas were part of the old development and should not be masked by new housing.
- North Villas is not capable of accommodating the additional traffic.
- Parking around North Villas is horrendous.
- Emergency services already struggle to access Cotford St. Luke due to overparking.
- The local shop is not big enough.
- There is no doctors' surgery, and only one small shop and a pub.
- The transport statement is inaccurate in terms of parking in the area.
- There is a lot of antisocial behaviour because there is nothing for teenagers to do.
- People don't want to look out at new housing.
- The environment around North Villas has not been considered.
- Surface water running off North Villas down to West Villas is bad already.
- There is insufficient detail about the proposed new housing.
- Wildlife may be damaged by the development and more surveys should be carried out.
- More Council Housing should not be provided.
- Live-work units are not appropriate for a rural village. Employment should be provided in Taunton and is not wanted within the rural area.
- More development in Cotford St. Luke can only detract from the existing community and the environment.
- The development will impact upon those living in North Villas who currently look out over the site.
- The development must provide at least two off-street parking spaces per dwelling.

1 letter of **support** stating that this is the perfect place for new housing and that flood water will be directed down the hill and away from the village.

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 - Climate change,
SD1 - Presumption in favour of sustainable development,
CP4 - Housing,
CP5 - Inclusive communities,
CP6 - Transport and accessibility,
CP7 - Infrastructure,
CP8 - Environment,
DM1 - General requirements,
SP1 - Sustainable development locations,
SP4 - Realising the vision for rural areas,
C2 - Provision of recreational open space,
MIN1 - East of Dene Barton, Cotford St Luke,

Local finance considerations

Community Infrastructure Levy

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £412,500.00. With index linking this increases to approximately £486,750.00

New Homes Bonus

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

1 Year Payment

Taunton Deane Borough	£34,612
Somerset County Council	£8,653

6 Year Payment

Determining issues and considerations

The main issues in the consideration of this application are the principle of the development, impact on the highway network, the visual impact and impact on the character of the area, the impact on infrastructure, nearby residential properties ecology and flood risk.

Principle of development

The site is part of the MIN1 allocation for 60 dwellings and small-scale B1 employment units on approximately 0.25ha of the site. 30 have already been permitted on the southern part of the allocation so this proposal completes the allocation. In addition to housing, Policy SP4 of the Taunton Deane Core Strategy sets out that development should provide small-scale opportunities for employment development and seek to encourage the provision of additional services. Policy SP1 sets out that new development in the Minor Rural Centres (which include Cotford St. Luke) will include an appropriate balance of market and affordable housing together with some live-work units. The development, therefore, fully complies with the high level principles set out in the development.

Impact on the highway network

The application is accompanied by a transport assessment and the high level conclusions in terms of traffic generation have been accepted by the local highway authority. Following initial objection from the Highway Authority around the detailed configuration and alignment of the access, amended plans have now been received. These retain the principle of changing the priority of the existing highway such that it continues into the new site, with the existing dwellings of North Villas being served off a T junction from this road and now meet the requirements of the Highway Authority. Some speed cushions have been introduced into North Villas as it is not possible to achieve sufficient visibility for a 30mph speed limit.

Concern has been raised by local residents around existing parking provision at North Villas. The precise layout of the site is a matter for the reserved matters application. It is possible that new dwellings facing the existing North Villas may have individual access points from this road, reducing the availability of on-street parking, but given that most properties in North Villas already have off-street parking, this is not considered to have such a significant impact as to warrant refusal of the application. In any case, this matter cannot be properly assessed until reserved matters have been submitted and, therefore, this matter could not lead to refusal of this outline application – the actual access arrangements will only affect a very small part of the existing road at North Villas. Furthermore, the majority of traffic into the development would not have to use the narrowest stretch of Old Dene Road along the western site boundary so the access arrangements are considered to be acceptable.

The Parish Council has raised concern about the impact on pedestrian safety for pedestrians using the footpath link to the north of the proposed access up to Dene Road. The County Council will consider this matter as part of their detailed assessment of the new access.

With regard to the above, the impact on the highway network is considered to be acceptable.

Visual impact and character of the area

The site is fairly elevated in the landscape and the development will be visible from various locations. That said, from the south it will be seen in the context of the existing settlement and previous approval for the remainder of the allocation on the rising land to the south. From the east, it will mean that the eastern edge of the settlement is extended, however, with the additional buffer planting proposed, this edge of the settlement can be softer than it is presently.

The landscape officer initially made comments about the eastern boundary and the need for a greater amount of landscaping than proposed. Landscaping is a reserved matter and this will be considered further at that stage, however the indicative layout plan has been amended and the removal of a footpath from within the buffer zone means that there would be wider and more dense planting opportunities along this buffer strip. It is, therefore, considered that the landscape impact of the development is acceptable.

Nearby residential properties

Residents of North Villas will clearly be significantly affected as they currently enjoy an open outlook over agricultural fields and this will be lost. Whether the existing hedge is retained with dwellings behind, or the hedge is removed and a new 'two-sided' street formed, the impact will be similar. However, if the site is to be developed in accordance with the allocation then this impact will arise. No individual property is entitled to a view over surrounding countryside and the dwellings can be positioned at sufficient distance to avoid them being overbearing upon the existing properties or overlooking them to an unacceptable degree. The impact on nearby dwellings is, therefore, considered to be acceptable.

Infrastructure

The development will provide children's play facilities to an appropriate standard in accordance with policy C2 of the SADMP. The delivery of this should be secured via planning condition, with the ongoing maintenance regime agreed as part of a S106 agreement.

There are known to have been problems with sewerage and electricity capacity in Cotford St. Luke in the past. The provision of such is the responsibility of the statutory undertakers. Wessex water have not indicated that there is a particular problem that needs to be addressed before development can be allowed to proceed. If there is a need for an expansion of facilities at the school, then this could be

funded via CIL.

Ecology

The ecological surveys undertaken indicate that the development should not have a significant impact on biodiversity. There are limited species using the site itself, with the exception of the area around the pond in the south eastern corner of the site that is used for foraging by bats. As this pond will be retained, it is considered that the impact upon protected species is likely to be limited. Given the time-lag between surveys and the likely commencement of development the Biodiversity Officer has indicated that a re-survey of the pond and surrounding areas for Great Crested Newts will be required prior to the commencement of development. A condition is, therefore, recommended to ensure that this is undertaken and that other wildlife interests on the site are protected.

Flood risk and drainage

The site is within flood zone 1, at low risk of flooding. However, surface water drainage must be controlled to prevent any increase in flood risk downstream. The submitted strategy indicates that an attenuation pond would be constructed on the site to restrict surface water flows to 2l/s/ha into the watercourse. This would be a betterment over the existing situation and is supported by the Lead Local Flood Authority. A condition is recommended to seek the prior approval of a detailed drainage scheme.

Conclusions

The development is considered to be acceptable in principle, in accordance with Policy MIN2 of the SADMP. Furthermore, having considered the above material considerations, it is not considered that the proposal would give rise to significant harm to the local area. The proposal accords with the development plan and, in accordance with paragraph 14 of the NPPF, permission should, therefore, be granted without delay.

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

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