

06/17/0033

DAVID WILSON HOMES SW

**Erection of 173 No. dwellings (to include 25% affordable dwellings) with associated car parking, access, public open space, landscaping, drainage and infrastructure and outline consent for the provision of a care home (Class C2) on land at Taunton Road, Bishops Lydeard**

Location: LAND AT TAUNTON ROAD, BISHOPS LYDEARD, TAUNTON

Grid Reference: 317097.128749

Full Planning Permission

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## **Recommendation**

**Recommended decision: Conditional Approval**

**Subject to a Section 106 agreement to secure affordable housing, a travel plan, off-site highway works and maintenance of the public open space**

### **Recommended Conditions (if applicable)**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

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

(A3) DrNo 0640-245 Plans & Elevations Plot 106

(A3) DrNo 0640-244 Plans & Elevations 6-11, 33-36, 93 & 94

(A3) DrNo 0640-243 Plans & Elevations Plot 4, 5, 12, 13, 43, 88-92, 95-99, 105, 107 & 108

(A3) DrNo 0640-242 Plans & Elevations 163 & 166

(A3) DrNo 0640-241 Plans & Elevations Plot 164 & 165

(A3) DrNo 0640-937 Plans & Elevations Plot 111

(A3) DrNo 0640-936 Plans & Elevations Plots 6-11, 34-37, 98 & 99

(A3) DrNo 0640-935 Plans & Elevations Plots

4,5,12,13,44,93-97,100-104,110, 112 & 113

(A3) DrNo 0640-934 Plans & Elevations 160 & 163

(A3) DrNo 0640-933 Plans & Elevations Plots 161 & 162

(A3) DrNo 0640-932 Plans 40-43

(A3) DrNo 0640-931 Elevations 40-43

(A3) DrNo 0640-930 Plans & Elevations 38,39,114 & 115

(A3) DrNo 0640-929 Plans Plot 46,58 & 76

(A3) DrNo 0640-928 Elevations Plots 50 & 58  
(A3) DrNo 0640-927 Elevations Plots 46 & 76  
(A3) DrNo 0640-926 Plans & Elevations Plots 47,74 & 153  
(A3) DrNo 0640-925 Plans & Elevations Plot 135  
(A3) DrNo 0640-924 Plans & Elevations Plots 22,66,73,121 &141  
(A3) DrNo 0640-923 Plans Plot 45,120,132 & 144  
(A3) DrNo 0640-922 Elevations Plot 132  
(A3) DrNo 0640-921 Elevations Plot 144  
(A3) DrNo 0640-920 Elevations 45 & 120  
(A3) DrNo 0640-919 Plans & Elevations 60,69,72 & 125  
(A3) DrNo 0640-918 Plans & Elevations 52 & 78  
(A3) DrNo 0640-917 Plans & Elevations 56,57,67,89,123,138,142 & 143  
(A3) DrNo 0640-916 Plans & Elevations Plots  
14,15,23-25,55,59,84,122,136,146 & 150  
(A3) DrNo 0640-915 Plans & Elevations Plot 1  
(A3) DrNo 0640-914 Plans & Elevations Plots 75,90,145, 147, 159 & 172  
(A3) DrNo 0640-913 Plans & Elevations 27 & 65  
(A3) DrNo 0640-912 Plans & Elevations Plots 109, 124 & 151  
(A3) DrNo 0640-911 Plans & Elevations 28,51,63,64,68 & 88  
(A3) DrNo 0640-910 Plans & Elevations 19,26,70,71,77,137 & 152  
(A3) DrNo 0640-909 Plans & Elevations 29,154,157 & 158  
(A3) DrNo 0640-908 Plans & Elevations Plots 168-171  
(A3) DrNo 0640-907 Plans & Elevations Plots  
2,3,17,18,20,21,30,31,61,62,81,82,91,92,107,108,116-119,128-131,139,140,1  
48 & 149  
(A3) DrNo 0640-906 Plans & Elevations Plots 53,54,86 & 87  
(A3) DrNo 0640-905 Plans & Elevations Plots 32, 33, 79, 80 105,106,  
126,127, 133,134,155,156, 166&167  
(A3) DrNo 0640-904 Plans & Elevations Plot 83  
(A3) DrNo 0640-903 Plans & Elevations 16 & 85  
(A3) DrNo 0640-902 Plans & Elevations 165 & 173  
(A3) DrNo 0640-901 Plans & Elevations plot 164  
(A3) DrNo 0640-900 Plans & Elevations plots 48 & 49  
(A3) DrNo 0640-HTB-Issue 3 Housetype Booklet

(A0) DrNo GL0616 07 Soft Landscape Proposals 5/5  
(A0) DrNo GL0616 06 Soft Landscape Proposals 4/5  
(A0) DrNo GL0616 05 Soft Landscape Proposals 3/5

(A0) DrNo GL0616 03 Soft Landscape Proposals 1/5  
(A1) ES017-ES-00 XX GA C 0531 Rev P1 Drainage Layout for Planning  
Sheet 2 of 2  
(A1) ES017-ES-00 XX GA C 0530 Rev P1 Drainage Layout for Planning  
Sheet 1 of 2  
ES017-ES-00-XX-GA-C-0601REV P1 Finished Floor Levels  
ES017-ES-00-XX-GA-C-0600REV P1 Finished Floor Levels  
(A3)0750-016 RevH Site Access Layouts  
(A3)0750-017 RevH Site Access Layouts  
(A3)0750-018 RevH Site Access Layouts

(A0) DrNo 0640-110 RevB Building Heights Layout  
(A1) DrNo 0640-109 RevB Garages

(A1) DrNo 0640-108 RevC Materials Layout  
(A0) DrNo 0640-107 RevB Adoption Plan  
(A3) DrNo 0640-106 External Detailing

(A1) DrNo 0640-103 RevB Street Scenes  
(A0) DrNo 0640-102 RevC Planning Layout  
(A1) DrNo 0640-101 Location Plan

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

3. Approval of the details of the (a) layout (b) scale (c) appearance (d) access and (e) landscaping of the care home site (hereinafter call 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development of the care home site 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 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: This is an outline permission and these matters have been reserved for the subsequent approval of the Local Planning Authority, and as required by Section 92 of the Town and Country Planning Act 1990 (as amended).

4. 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 the National Planning Policy Framework, including the Technical Guidance to the National Planning Policy Framework (March 2015).

5. Prior to the construction of the dwellings above dpc samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. A sample panel of any brick or stone walling shall be constructed on site and agreed in writing by the LPA. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To safeguard the character and appearance of the area.

6. 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 Ecology solution ltd.'s submitted report, dated September 2107 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. A LEMP

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.

Reason for pre-commencement: To ensure no wildlife are harmed during construction.

7. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: To ensure the preservation of archaeological remains.

Reason for pre-commencement: Any works on site have the potential to disturb archaeological interests.

8. No more than 20 dwellings shall be occupied until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under the works condition and the financial provision made for analysis, dissemination of results and archive deposition has been secured.

Reason: To secure preservation of the County's heritage.

9. A children's play area shall be provided in accordance with the Local Planning Authority's approved standards and the detail and siting of equipment shall be agreed in writing by the Local Planning Authority. This area shall be laid out to the satisfaction of the Local Planning Authority within 12 months of the date of commencement unless otherwise agreed in writing by the Local Planning Authority and shall thereafter be used solely for the purpose of children's recreation.

Reason: To provide adequate access to recreation facilities for occupiers and local residents in accordance with Taunton Deane SADM Plan Policy C2.

10. A phasing plan for the site shall be submitted to and approved in writing by the Local Planning Authority and any variation to the phasing shall be agreed in writing by the LPA prior to it being carried out.

Reason: In the interests of securing a suitable development of the site.

11. Construction work on any dwelling shall not commence until the improvement to the Taunton Road/A358 junction and the highway re-alignment works to the

Taunton Road shall be carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority and be fully implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development secures the necessary highway safety improvements.

12. No dwelling to the south of Taunton Road shall be occupied until a pedestrian crossing of the road has been fully installed.

Reason: In the interests of highway safety.

13. There shall be no occupation of the dwellings until the traffic calming, new footway provision and new accesses on Taunton Road are completed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

14. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before first occupation and thereafter maintained at all times.

Reason: In the interests of highway safety.

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

Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport.

16. Details of the cycleway and footpath connections for each phase of development shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the phase concerned and thereafter so provided.

Reason: In the interests of sustainable development.

17. Details of the street lighting to the relevant phase of development shall be submitted to and approved in writing by the Local Planning Authority and

installed prior to occupation of housing in that phase.

Reason: In the interests of highway safety.

18. Each dwelling prior to its occupation shall be provided with access to a 16 amp electric vehicle charging point.

Reason: In the interests of sustainable development.

19. Secure cycle storage facilities of one space per bedroom shall be fully provided prior to the occupation of each dwelling, and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities are included for the storage of cycles, in the interests of sustainable transport.

20. Detail of the public art element to be designed into the public realm of the site shall be submitted to and agreed in writing by the Local Planning Authority and thereafter be provided on site prior to occupation of the 90th dwelling.

Reason: To ensure public art is designed into the scheme in accordance with policy DM4.

21. Details of the design and finishes to the new electricity sub-station shall be submitted to and approved in writing by the Local Planning Authority prior to its construction.

Reason: In the interests of the visual amenity of the area.

22. Details of the surface treatment to the traffic calming features along Taunton Road shall be submitted to and approved in writing by the Local Planning Authority prior to their being installed.

Reason: In the interests of the character of the area.

23. (i) A landscaping scheme shall be submitted to and approved in writing by the local Planning Authority prior such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted.

(ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development subject to any approved phasing plan.

(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.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

#### Notes to Applicant

1. In accordance with paragraph 38 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 to enable the grant of planning permission.
2. The applicant will be required to secure an appropriate legal agreement/ licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.
3. The condition relating to wildlife requires the submission of information to protect wildlife. The Local Planning Authority will expect to see a detailed method statement clearly stating how bats, reptiles, dormice, badgers and birds will be protected through the development process and be provided with a mitigation proposal that will maintain favourable status for the wildlife that are affected by the development.

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

## Proposal

The proposal is for the erection of 173 dwellings with car parking, access, drainage and open space and the outline provision of a care home on land off Taunton Road, Bishops Lydeard. The development includes 43 affordable units and 130 open market units including 3, 4 and 5 bedroom properties. Overall there are 4 x 5bed units, 68 x 4bed units, 70 x 3bed units, 23 x 2beds and 8 x 1 bed flats.

The application is accompanied by a Planning Statement, Affordable Housing Statement, Transport Assessment, Travel Plan, Noise Assessment Report, Arboricultural Report, Drainage Strategy Statement, Archaeological Evaluation, Flood Risk Assessment, Geophysical Survey Report, Employment Land Statement, Ecological Assessment, Desk Study and Ground Investigation Report, Statement of Community Involvement, Design and Access Statement, and Topographical Survey.



## Site Description

The application site lies to the south-east of Bishops Lydeard. Part of the site lies to the south of Taunton Road, opposite Kings Yard and Webbers, partly abutting the A358 to the south and separated from Brendons by an area of land, for which planning permission has already been granted for residential development. The remainder of the site lies to the north of Taunton Road, abutting Hither Mead to the west and farmland to the east.

## Relevant Planning History

None

## Consultation Responses

### *BISHOPS LYDEARD & COTHELSTONE PARISH COUNCIL -*

The application fails to meet the aspirations of the Bishops Lydeard and Cothelstone Parish Council Neighbourhood Plan in that the Parish Council would wish to see:

- A reduction in the number of dwellings to a number much nearer to 150.
- An increase in the number of bungalows – currently only 4 out of 173.
- Greater use of local sandstone on exteriors rather than red brick to reflect the local vernacular.
- A re-design of the location of the plots nearest to Spinneyfield – in particular, to remove plot 47 from its close proximity.
- An alteration to the road layout within the development to create more of a village atmosphere, for example by the use of curves and generally in line with the TPA recommendations.
- The use of terraced houses along Taunton Road opposite Kings Yard.
- Improvement to the junction of Taunton Road and the A358 including the provision of lighting.
- Speed restrictions on the A358 on the approaches to the above junction.
- Reduction in the number of accesses on to Taunton Road and, in particular, the abandonment of the first turning from the A358 junction on the right-hand side.
- A 20mph speed limit along the whole of Taunton Road.
- The Council believes that incorporating the above proposals would ensure that the proposed development is integrated with the rest of the village to match the aspirations of the Neighbourhood Plan.

The Parish Council is unable to support this application in its present format.

### COMMENT ON AMENDED PLANS

The submission which follows is sent under protest for the following reasons:

1. On 23 August last, the Parish Council submitted a request that this application be considered at the November planning committee date as opposed to the October date as the latter clashed with the Parish Council's meeting on the same date. Clearly, members will wish to attend the planning committee date and speak. The Case Officer at TDBC refused the application by email dated 25 September.

2. There has been little or no consultation with the Parish Council by either the applicant or TDBC. For example, the applicant's representatives met with the Parish Council's Working Party Group (a committee of four parish councillors charged with advising and making recommendations to the Parish Council as a whole) on the 28th June to explain the extent of their amended application and submitted it to TDBC a few days later as a fait accompli.

3. Undue pressure has been exerted upon the Parish Council to submit this response to the applicant's amended application. The applicant was allowed some six months within which to make the amended application. However, the Parish Council, without the benefit of professional experts such as employed by the applicant and TDBC, is put under pressure to submit a response within half the time given to the applicant.

4. SCC Highways eventually filed their comments just over three weeks ago. It would seem, at first sight, that none of the Parish Council's comments have been taken on board apart from those relating to the junction of Taunton Road and the A358. SCC Highways have clearly indicated that they are open to further discussion on the issues of concern prior to any planning permission being granted. TDBC's insistence that this application must be considered by its planning committee on the 10th October obviously precludes any such discussion.

This submission is supplemental to that made by the Parish Council at the end of last year. The amended application continues to fail to meet the aspirations of the Parish Council in that:

- There should be a substantial reduction in the number of dwellings now that 0.9 of an acre is being set aside for other uses, to reflect the mix of housing in the original application.
- There should be an increase in the number of bungalows – previously 4 but now only increased to 6 out of 173 dwellings. Whilst there has been a redesign of the plots nearest to Spinneyfield, this has merely resulted in the two additional bungalows being substituted for two 2-storey houses.
- The design of the dwellings fails to adhere to the Parish Council's Neighbourhood Plan.
- The Parish Council continues to have very considerable reservations as to road layout, the lack of speed restrictions, the number of accesses onto Taunton Road with particular reference to the first turning from the A358 junction on the right hand side. The introduction of islands at the junction of Taunton Road and the A358 is welcome.
- The idea of coloured road surfaces along Taunton Road is appalling and quite out of keeping for a village environment. The much better alternative is block paving similar to that at Cotford St. Luke but not necessarily raised.
- The land set aside for a proposed care home is only acceptable if the care home use is secured by a binding legal agreement that it would not be changed without the consent of the Parish Council.

- The application fails to take account of policy H3 in so far as it relates to consideration being given to the possible provision of skate park and other facilities for young people.

## **JUSTIFICATION**

The Parish Council had hoped that the amended planning application would have taken due note of at least some of the concerns expressed in its original submission.

Sadly, it seems that there has been token recognition at best. The Parish Council's greatest concerns relating to the amended application relate to density, design and road layout and each of these is now considered in detail.

## **DESIGN and DENSITY**

The Core Strategy in its Vision for Rural Areas states that "Development will protect and enhance the local character and distinctiveness of high quality built and natural environment" – p.71.

Policy SP4 states that "In realising the vision for Rural Areas, growth will respect and reflect the rural character".

An area extending to 0.9 of an acre has been removed and set aside for "Care Home (Use Class C2)". Notwithstanding this parcel of land being set aside, the developer still seeks to propose 173 units within the remaining parcels which is wholly disproportionate. This appears to have been essentially achieved by removing 12 5- bed houses and substituting them with 23 pairs of identical semi-detached units – 46 in all. The proposed development clearly overlooks the provisions of paragraph 5.1.3 of the Neighbourhood Plan which states:

"This offers an opportunity to rebalance the housing provision in the local area to reflect changing demographics where there are already insufficient larger family house and too few small dwellings for older people to downsize or retire to. A village the size of Bishops Lydeard, defined as a Major Rural Centre by the Core Strategy, ought to be able to accommodate residents throughout their lifetime should they so wish by providing the different types of housing necessary to do this."

The current mix of housing proposed by the proposed development simply does not reflect this opportunity.

The design of the units in the amended application is a major concern. It would seem that this is just another David Wilson Homes estate and there has been very little effort to consider the policies within Policy H5 of the Neighbourhood Plan and, in particular, paragraphs 5.1.38 and 5.1.39. As an example, at least four of the house designs proposed on this development are replicated on the DWH development currently underway at Priorswood.

The following are relevant extracts from paragraphs 5.1.38, 5.1.39 and 5.1.43:

"New housing development should be a coherent attempt to mirror the local vernacular architecture and character which makes the centre of the village distinctive. Housing which has no discernible local character should be avoided.

New housing should be designed well and should be built to last from quality materials. The materials used should be predominantly local sandstone, with render and appropriate brickwork. Roofs should have reasonably steep pitches and be of red clay or slate. Windows should ideally be made from timber, not plastic and should not be too large. Guttering and other external features should further seek to reflect traditional styles.

New residential development in Bishops Lydeard should include a variety of low and higher density housing to reflect the historic mix of housing types and densities in the village". Furthermore, the proposed development fails to meet the Vision and Objectives 2 and 6 of the Neighbourhood Plan:

## **VISION**

We aspire to build on the evident fondness that local people have for the village and surrounding countryside by ensuring development does not damage those essential characteristics. Development will be accompanied by the necessary economic growth and infrastructure. We aim to create a sustainable community of which future generations will be proud..

## **OBJECTIVE 2**

New residential development should provide sustainable quality housing and places with appropriate green open space and other supporting infrastructure, and should be in keeping with the local character of the area.

## **OBJECTIVE 6**

Seek to deliver sustainable transport infrastructure to alleviate traffic congestion and road safety issues which have the potential, unless suitably mitigated, to be exacerbated by future residential development in Bishops Lydeard. It is considered that little heed has been paid to these provisions.

## **SUMMARY**

Bishops Lydeard is designated as a major RURAL centre and not an urban centre for which this development would be more suited.

The Parish Council considers that the proposed development in its present format fails to meet the Core Strategy's vision/policy stated above. The proposed development fails to meet the requirements of the Parish Council's Neighbourhood Plan for the reasons mentioned above.

Three new units are currently being built at Station Green and there is a planning application (currently supported by the Parish Council) for a further ten units at Station Green. Furthermore, the Parish Council is aware that a planning application is shortly to be submitted by Livery on the adjoining site at Taunton Road for around 20 units.

Taking these into account would mean that the Core Strategy requirement to host 200 new homes between now and 2028 would already be exceeded. In the circumstances, the Parish Council considers that the maximum number of units that should now be permitted should not exceed 120 .

In all the circumstances, the Parish Council objects to this amended application and expresses the hope that it will be refused or, at the very least, adjourned to

enable further discussion to take place on numbers, designs and road issues in the hope that a consensus may be reached.

### **SCC - TRANSPORT DEVELOPMENT GROUP –**

This application is for the development of 173 dwellings off Taunton Road, Bishops Lydeard. The proposed works will include the provision of a new formal pedestrian crossing on Taunton Road, plus improvement of the existing A358/ Taunton Road junction to help ensure its safe operation. Land is also now reserved in this application for the provision of a Care Home, which would need to be the subject of a separate future detailed planning application. The Highway Authority does not object to these revised proposals, as explained below.

#### **Traffic Impact**

A Transport Assessment (TA) was produced by Key Transport Consultants in support of this application by David Wilson Homes. The Highway Authority has subsequently commissioned an independent professional peer review of this TA, undertaken by WSP, which has confirmed that the conclusions of the TA can be taken as robust.

The TA has demonstrated that surrounding highway is likely to adequately accommodate the trips generated from the proposed development. In particular, it is noted that the A358/ Taunton Road junction has sufficient spare capacity to accommodate the expected additional vehicle trips.

The TA also considered the effect of the proposed development on the Cross Keys roundabout and Silk Mills junction. Both these junctions are already very busy, and any development within western Taunton Deane or West Somerset is likely to have some impact on their operation. However, the TA has identified that the impact from this development will be relatively small, and this has been confirmed by the peer review. Central Government's national policy is that developments should only be refused on transport grounds where the residual cumulative impacts of development are 'severe', and this clearly would not be the case in this instance. An addendum to the TA has considered the likely traffic impact of a Care Home as now proposed, and the Highway Authority accepts that the impacts of this are expected to be outside of the am or pm peak and are unlikely to be material. With the above in mind, it would be unreasonable for the Highway Authority to object to this application on the basis of the expected traffic impacts of the development.

#### **Travel Plan**

A Travel Plan (TP) produced by Key Transport Consultants was submitted in support of this application, and audited by Travel Planning officers in the Highway Authority. A number of issues were identified during the audit, and a revised TP has been produced which successfully addresses the points raised. The revised TP is generally acceptable, although some minor further amendments will be required prior to it being finalised and secured by an agreement under Section 106 of the Town and Country Planning Act 1990.

#### **Parking**

The optimal parking provision for this site as set out in the adopted Somerset County Council Parking Strategy (SPS) for a site within Zone B is:

: ZONE B	1 Bed	2 Bed	3 Bed	4+ Bed	Visitor	TOTAL
<b>Policy</b>	1.5	2	2.5	3	0.2	
<b># Dwellings*</b>	8	23	70	72	-	173
<b>Optimum</b>	12	46	175	216	34.6	<b>449-484</b>
<b>Actual**</b>	8	46	149	239	20	<b>462</b>

\*Dwelling numbers taken from Accommodation Schedule

\*\*Actual taken from revised Parking Matrix

The proposed parking arrangements are nominally slightly below the optimum that would be expected for this location, in particular in relation to 3-bed properties and visitor parking spaces, but not to an extent that would warrant an objection from the Highway Authority.

The applicant has briefly indicated in their submission documents the intention to supply suitable electric vehicle charging facilities, and this should be conditioned on any planning consent.

### **Highway Works**

#### **Off-Site Works**

A Technical and Safety Audit was undertaken on the elements of the original proposal that would directly affect the existing public highway, including the new accesses, the realignment of Taunton Road, the proposed Zebra Crossing and the alterations to the existing speed limits.

A number of issues were identified, which have subsequently been addressed by the applicant. In particular, there were concerns regarding the relatively close distance between the eastern-most access to the development and the existing Taunton Road/ A358 junction. However, the applicant has undertaken further investigation and assessment and confirmed to the Highway Authority's satisfaction that the proposed arrangements are safe and appropriate.

In addition, the proposals now include measures to improve the safe operation of the Taunton Road / A358 junction, which are welcomed and considered broadly acceptable (subject to full technical audit as would be required for works on the existing public highway).

The Highway Authority therefore does not object to the application in terms of the off-site highway works now proposed. However, the applicant should bear in mind that further audit and assessment subsequent to any grant of planning consent, which could lead to changes in the details of the proposals, will be required as design work is progressed under a suitable legal agreement with the Highway Authority.

#### **Estate Roads**

The applicant has made a number of changes to the estate road layout in response to the Highway Authority's concerns. However, in order to achieve a layout fully suitable for adoption as public highway, should this be sought by the applicant, a number of issues still require further clarification and an annex to this formal response details the issues to be reviewed, as this may help inform the subsequent detailed design process should planning consent be granted.

However, as the suitability for adoption of the estate road layout is a separate issue to the grant of this planning consent, for clarity I can confirm that the Highway Authority does not object to the planning permission currently sought.

The Highway Authority is aware that there may be an ongoing aspiration to produce a less formal layout to 'soften' the development. While this would be fully supported, a holistic approach is needed that considers the layout of the estate as a whole, rather than minor amendments to the roads and footways in isolation. In particular, any amendments to the layout should be careful to ensure that facilities for vulnerable road users, particularly those with mobility issues, are provided where required. The consideration of such amendments would be possible after the approval of the current proposals, if the Local Planning Authority are so minded, and the Highway Authority has therefore recommended the inclusion of a condition to provide a Non-Motorised Road User Context Plan to identify the desire lines for such road users, to ensure any potential future amendments to the proposals still provide appropriate access for all residents, irrespective of their mobility needs.

The applicant should also be aware that, following the publication of The Department for Transport's (DfT) Inclusive Mobility Strategy, Local Highway Authorities have been told to 'pause the development of shared space schemes which incorporate a level surface while we review and update guidance'. No further guidance has at yet been released by the DfT, and in the meantime the Highway Authority is currently unlikely to consider new roads that incorporate a shared surface as suitable for adoption as highway maintainable at the public expense. The Highway Authority does not object to the principle of shared surfaces, but it will remain the developer's responsibility to ensure they are appropriate and the applicant should bear in mind that such roads are likely to remain private.

### **Drainage**

A Flood Risk Assessment (FRA) was submitted in support of the application, together with drainage strategy plans, and these have been reviewed by the Highway Authority's Drainage Engineer.

A number of detailed issues have been identified that will need consideration during the detailed design of the scheme. The results of this audit can be made available to the applicant in order to inform the detailed design process. However, no issues have been identified that would prevent the grant of planning consent, should the Local Planning Authority so determine.

### **Conclusions**

The Highway Authority does not object to the principle of this development, as the traffic impact resulting from the likely trip generation would not be expected to have a severe impact on the existing highway network.

The network within the immediate area has sufficient capacity to cater for the additional trips generated by the new dwellings and, while any development in western Taunton Dean or West Somerset will have some effect on the already busy Cross Keys roundabout and Silk Mills junction, the additional effect of this development will be relatively small and cannot be considered severe.

A generally acceptable Travel Plan has been submitted which, after minor

amendment, should be secured under a suitable legal agreement.

The number of parking spaces appears to generally conform to the required optimum standard. A condition should be applied to any planning consent to ensure the provision of facilities for electric vehicle charging.

The proposed access arrangements, including the revisions to the existing highway network and the introduction of new facilities such as a formal pedestrian crossing, are generally acceptable and the Highway Authority would have no objection to the grant of planning permission on this basis.

A number of issues have been identified with regard to the detail of the estate road layout, but these may be addressed during the detailed design and they would not prevent the grant of planning consent. Similarly, issues regarding the design of measures to manage surface water have been identified for consideration during any subsequent detailed design.

With the above in mind, the Highway Authority does not object to the granting of planning permission as sought in this application, but recommends that the following conditions be imposed if planning permission is granted:

- Construction shall not commence on any dwelling hereby approved until the improvement of the Taunton Road / A358 junction has been completed in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority. The provision of these works will require a legal agreement and contact should be made with the Highway Authority well in advance of commencing the works so that the agreement is complete prior to starting the highway works;
- No part of the development hereby permitted shall be occupied or brought into use until the required highway works, including the realignment of Taunton Road, the provision of traffic calming features on Taunton Road, the provision of a new footway on Taunton Road and the provision of new accesses on Taunton Road, are completed in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority. The provision of these works will require a legal agreement and contact should be made with the Highway Authority well in advance of commencing the works so that the agreement is complete prior to starting the highway works;
- The development hereby permitted shall not be occupied until the developer has applied for a Traffic Regulation Order (TRO) to amend speed limits in the vicinity of the development in support of the required highway works. The TRO shall then be advertised and, if successful implemented at the developer's expense to the satisfaction of the Local Planning Authority prior to first occupation of the dwellings hereby permitted;
- Before any work is commenced a programme showing the phasing of the development shall be submitted to and approved in writing by the Local



Planning Authority and the development of the estate shall not proceed other than in accordance with the approved programme;

- Before any work is commenced a Non-Motorised Road User Context Plan identifying the anticipated desire lines within and linking to the development shall be submitted to and approved in writing by the Local Planning Authority;
- 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 the commencement of works, and thereafter maintained until the completion of construction works;
- No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority;
- Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before first occupation and thereafter maintained at all times;
- 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 to be 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;
- A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once

all works have been completed on site;

- The development hereby permitted shall not be brought into use until that part of the service road that provides access to it has been constructed in accordance with the approved plans;
- In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority;
- The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times;
- There shall be an area of hard standing at least 5.5 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of a roller shutter/sliding/inward opening type;
- There shall be an area of hard standing at least 6 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of an up-and-over type;
- None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed within the development in accordance with a design and specification to be approved in writing by the Local Planning Authority;
- Each dwelling shall, prior to its occupation, be provided with access to a 16 amp electric vehicle charging point;
- Each dwelling shall, prior to its occupation, be provided with secure cycle parking facilities at the rate of one space per bedroom;
- Plans showing parking areas shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The space(s) for each dwelling shall be properly consolidated before that dwelling is occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted; and
- No development shall commence unless a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
  - o Construction vehicle movements;
  - o Construction operation hours;
  - o Construction vehicular routes to and from site;
  - o Construction delivery hours;
  - o Expected number of construction vehicles per day;

- o Car parking for contractors;
- o Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- o A scheme to encourage the use of Public Transport amongst contractors; and
- o Measures to avoid traffic congestion impacting upon the Strategic Road Network.

As some work relating to this development will need to be undertaken within or adjacent to the existing public highway, the following note should be added to any planning certificate:

The applicant will be required to secure an appropriate legal agreement/ licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.

*Further comments received following the receipt of amended plans:*

No new comments to add.

*BIODIVERSITY* - Ecology solutions carried out an ecological assessment of the site in September 2017.

Findings were as follows

### **Habitat**

The majority of the habitats within the application site generally hold limited value, comprising regularly grazed species-poor semi-improved grassland and ruderal vegetation. The features that hold higher value are the trees, scrub and hedgerows along field boundaries.

The development proposals would result in losses to semi-improved grassland, the removal of two roadside hedgerows and minor losses to trees, scrub and ruderal vegetation. The scheme design which includes the provision of new areas of species-rich habitats such as ponds and new tree, scrub and grassland planting as part of the landscape planting scheme will, I consider, mitigate losses.

### **Amphibians**

At the time of the first survey in April 2016, all water bodies (including the off-site pond toward the north-west) were recorded to be dry or holding very little water. Whilst a torch survey was completed during the survey (with no evidence of amphibian species recorded), subsequent survey visits completed in April, May and June 2016 found all water bodies to be completely dry on each occasion. It is therefore considered that Great Crested Newts would not be present within the application site during either their aquatic or terrestrial phase.

### **Reptiles**

Due to intensive grazing by livestock, grassland habitats present within the application site support a very short sward and so hold limited potential for reptiles.

## **Badger**

An inactive Badger sett was recorded on site.

## **Bats**

Initial bat surveys were undertaken in January 2016 to assess the potential for roosting bats within trees within the application site.

A total of three evening surveys were undertaken in monthly intervals between May and July 2016.

The application site offers opportunities for foraging and commuting bats in the local area, particularly along the hedgerows. Not all the hedgerows will be retained, but those which are retained will be enhanced. New wildflower grassland and SuDS features proposed as part of the landscape scheme will provide foraging opportunities for bats.

A single mature Oak tree present in the south-west corner of the application site is considered to have low potential for roosting bats on account of it supporting a number of cracks and splits. However this tree is to be retained within an area of open space, so no further survey work is required.

## **Dormice**

In order to ascertain the presence or absence of Hazel Dormice within the application site, specific survey work was undertaken between June and October 2016 in the form of a nest tube survey.

No Dormice or evidence to indicate their presence (such as a nest or gnawed nuts) was recorded during any of the monthly checks undertaken between June and October 2016.

## **Water Voles and Otters.**

Given the presence of a fast-flowing stream immediately to the north-east of the application site boundary, specific survey work for Water Voles and Otters was undertaken in June and August 2016 but no evidence was found.

## **Birds**

The application site offers some opportunities for nesting birds in terms of the hedgerows, treelines and scrub.

The proposals will retain the majority of existing hedgerows, tree and scrub, with areas of new planting being proposed within areas of public open space. This will maintain and enhance opportunities for foraging and nesting birds post-development.

I support the proposal to erect bird nest boxes

## **Suggested Condition for protected species:**

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 Ecology solution Ltd.'s submitted report, dated September 2107 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. A LEMP

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.

#### **Informative Note**

The condition relating to wildlife requires the submission of information to protect wildlife. The Local planning Authority will expect to see a detailed method statement clearly stating how bats, reptiles, dormice, badgers and birds will be protected through the development process and be provided with a mitigation proposal that will maintain favourable status for the wildlife that are affected by the development.

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

No further biodiversity observations on amended plans.

*LANDSCAPE* - The proposed landscaping appears satisfactory but full details are required. Is there potential to retain further roadside hedge in the public open space.

*WESSEX WATER* - We refer to the reference to sewage treatment capacity outlined below and subsequent updates where we advised that we would complete further appraisal work to confirm the impact on the public sewer system.

We can advise that additional treatment capacity will be required to service catchment growth at Bishops Lydeard. In the longer term we will be preparing a scheme of works to provide treatment capacity. In the short term if the rate of development exceeds the available capacity we have been able to determine that temporary facilities can be installed to meet catchment demand. In the circumstances we are able to withdraw our holding objection. Therefore there will be no requirement to agree any phasing arrangements relating to sewage treatment.

Foul Drainage - Foul Water and Surface Water discharges must be drained separately from the site.

The Drainage Strategy Statement (Sept 2017) proposes a pumped connection to public sewer to the north of the site. The local area is served by a public foul water system draining to Bishop Lydeard STW for treatment before discharge to the local watercourse. The existing sewage works is approaching capacity and the additional flow from the proposed development is predicted to exceed the current

discharge consent.

Sewage Treatment - All sewage works need to operate within prescribed limits of a discharge consent and where these will be exceeded it will be necessary to plan design and construct treatment capacity. Wessex Water acting as the sewerage undertaker will be at risk of prosecution if these proposals proceed ahead of any planned improvements at the treatment works.

We can advise that it will be necessary to carry out a capacity appraisal and confirm the scope of improvement necessary to accommodate the additional loading at the works. A detailed engineering appraisal will require 3 – 6 months to undertake and confirm available capacity or recommendations for improvements.

We are currently completing a strategic review of treatment assets for a capital investment programme between 2020 – 2025. Areas of growth that need a scheme of work to provide enhanced capacity will be prioritised as sites are promoted through the planning system. Once this appraisal has been completed we will be able to advise upon the scope of works. Where any necessary works require additional land and planning consents this will require time to plan design and construct.

There may be scope for a phased approach to the delivery of housing on the site with agreement upon a threshold number of properties that can connect before any scheme of works is constructed. We will be pleased to advise the Local Planning Authority upon these matters in more detail when appraisal work has been completed.

Surface Water Drainage - Surface Water connections to the public foul sewer network will not be permitted.

There are no public Surface Water sewers in proximity of this site

The drainage strategy statement (September 2017) indicates Surface water drainage to SuDS and land drainage systems in accordance with Building Regulations Hierarchy and NPPF Guidelines, which will be subject to approval from the Lead Local Flood Authority.

Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

Water Infrastructure - The proposed development is crossed by existing water mains, with the approximate positions being marked on the attached record.

Wessex Water acting as Statutory Undertaker require 24 hour unrestricted access to these mains for the purposes of maintenance and repair. The planning layout 0640-102 appears to respect the need for satisfactory easement widths for the 400mm and 700mm mains. However the easement for the 15” main appears to conflict with the proposed layout. The developer needs to accurately locate and plot the line of the water mains and ensure that the easement strips are clear from structures and obstruction and that surface levels over the mains are not reduced or increased.

A water connection off the existing 6" CI main in Taunton Road can be provided to supply the proposed development with new water mains installed under a requisition arrangement. Buildings above 2 storeys will require on site boosted storage. Applicant should consult the Wessex Water website for further information and contacts.

[www.wessexwater.co.uk/Developers/Supply/Supply-connections-and-disconnections](http://www.wessexwater.co.uk/Developers/Supply/Supply-connections-and-disconnections)

*HALSE PARISH COUNCIL* - It cannot be sensible to allow this development without having plans to alleviate the increase in traffic which will affect:

- i. The increase in congestion within Bishops Lydeard ('BL') village. Without any car parking facility, the road around the school/Co-op which is currently invariably difficult to negotiate at peak times will deter people from using the amenities.
- ii. The safety of the road junction between Taunton Road and the A358. It is unlit and traffic from Taunton often has to sit at the junction or race across between cars. The positioning of a new junction at the top of the rise (which reduces visibility) and the likelihood of cars speeding across would increase the risk of accidents. This junction needs speed calming measures and lighting.
- iii. The volume of traffic queuing at the Cross Keys roundabout. There will be an adverse impact on congestion at this junction, with the addition hazard of traffic entering/exiting the revamped and bigger petrol station.

Given the large increase in housing, it would be appropriate to require the developer to make a significant contribution to the provision of extending the off-road cycle route from BL to Taunton via Cotford St Luke.

The Doctors surgery is a vital provision not only to BL, but also to residents of surrounding villages. The increase in residents in BL may well affect the ability of the surgery to offer services to new patients currently within their 'catchment' area. Any assistance that the developer could provide should be thoroughly investigated. Due to the closure of the Milverton surgery, the alternative options for nearby villages' residents are significantly less convenient.

Similarly, the effect on local schools' catchment areas if, for example, the Kingsmead one was forced to change due to increased numbers from BL is a concern to other villages, whose children may be squeezed out and required to go elsewhere, again less convenient.

The decision cannot be made purely on the need for more housing, without reacting the effect on infrastructure in advance rather than being thought about as a reaction when issues arise.

*WALES & WEST UTILITIES* - We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of General Conditions for your guidance. This plan shows only those pipes owned by Wales & West Utilities in its role as a Licensed Gas Transporter (GT). Gas pipes owned by

other GT's and also privately owned pipes may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty and the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Wales & West Utilities, its agents or servants for any error or omission.

Wales & West Utilities has pipes in the area. Our apparatus may be affected and at risk during construction works. Should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable.

You must not build over any of our plant or enclose our apparatus.

*HOUSING STANDARDS* - No comments received

*HOUSING ENABLING* - 25% of all new housing should be in the form of affordable units, which would equate to 43.25 units. It is noted that 43 units are proposed and this should either be rounded up to 44 units or a commuted sum should be paid for the remaining 0.25 unit, in the sum of £11,067.

The proposed mix is considered to meet local demand and meet the requirement of 60% Social Rented and 40% Shared Ownership housing. It is noted that 5 wheelchair units are proposed, which includes 4 bungalows, all of which are stated to be Shared Ownership. It is however considered that two of these bungalows should be changed to Social Rented (suggest swapping with 2 x 2 bedroom houses) to provide an appropriate mix and these Social Rented bungalows should be fully adapted disabled units in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010.

It is essential to ensure that the shared ownership bungalows are affordable and on this basis, the percentage share for ownership should not exceed 3.5 x (times) the average household income for the area, with the rent capped at 2%.

The location of the affordable units is considered broadly acceptable, although management difficulties would be envisaged where there is a mix of Shared Ownership and Social Rented properties within the same block. To overcome this, the swap of plot 97 to Shared Ownership and plot 88 to Social Rented is suggested.

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

*Further comments received following the receipt of amended plans: –*

The revised layout plan retains the same level of affordable housing as the original plan with an appropriate tenure mix, which meets the requirement of 60% Social Rented and 40% Shared Ownership housing

The overall number of affordable homes remains at 43. As 25% of the 173



dwellings proposed would equate to 43.25 units, a commuted sum should be paid for the remaining 0.25 unit, in the sum of £11,067.

Following previous Housing Enabling comments, it is noted that 2 of the bungalows, formerly stated to be shared ownership are now shown to be social rent to provide an appropriate mix. These social rented bungalows should be fully adapted disabled units in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010.

It is noted that the scheme now also includes a care home. On the basis that this care home would not provide individual units of self-contained accommodation, there would be no requirement for affordable housing on this element of the scheme.

*ENVIRONMENT AGENCY* - Providing the Local Planning Authority is satisfied the requirements of the sequential Test under the National Planning Policy are met, the Environment Agency would have no objection, in principle, to the proposed development, subject to the inclusion of the following conditions which meet the following requirements:

**CONDITION:**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA): Report No. 70024551- FRA-P2-001.

No development should be undertaken within Flood Zones 2 and 3, and there should be no change of ground levels within Flood Zone 3. This should include no surface water attenuation facilities within Flood Zones 2 or 3.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

**REASON:** To prevent the increased risk of flooding.

The following informatives and recommendations should be included in the Decision Notice.

Part of the above proposal falls within Flood Zones 2 and 3, which are areas with a medium and high probability of flooding, where the indicative annual probability of flooding is 1 in 100 years or less from river sources for Flood Zone 3 (i.e. it has a 1% or greater chance of flooding in any given year). For Flood Zone 2 the probability is between 1 in 100 and 1 in 1000 years from river sources (i.e. between 1% and 0.1% chance in any given year).

The Environment Agency has no comments to make, in addition to those contained in its letter dated 3 November 2018 regarding the proposal.

*CHIEF FIRE OFFICER - DEVON & SOMERSET FIRE RESCUE* - No comments received

## **POLICE ARCHITECTURAL LIAISON OFFICER - Places.**

### **Comments:-**

**Crime Statistics** – reported crime for the area of this application (within 500 metre radius of the grid reference) during the period 01/10/2016-30/09/2017 is as follows:-

Arson - 2 Offences (incl. 1 endangering life)

Criminal Damage – 4 Offences (incl. 1 criminal damage to dwelling & 2 criminal damage to vehicles)

Sexual Offences - 1

Theft & Handling Stolen Goods - 6 Offences (incl. 1 theft of motor vehicle and 2 theft from motor vehicles)

Violence Against the Person – 20 offences (incl. 1 wounding, 5 assault ABH, 9 common assault & battery & 2 causing harassment, alarm, distress)

Total - 33 Offences

This averages less than 3 offences per month, which is a very low level of reported crime.

ASB reports for the same period and area total 16 which is also a low level.

**Planning Statement** – paragraph 5.36 states that *'the scheme has incorporated Secure by Design principles across the masterplan in order to reduce the likelihood of crime etc. Dwellings have been orientated so that they overlook and front onto the multi-functional recreational route, Locally Equipped Play Area and other informal areas of public open space'*. I concur with this statement and comment on this and other SBD principles 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 proposed use of physical or psychological features i.e. rumble strips and road surface changes by colour or texture at the road intersections helps reinforce defensible space giving the impression that the area is private and deterring unauthorised access.

**Communal Areas** – communal areas have the potential to generate crime, the fear of crime and anti-social behaviour and should be designed to enable surveillance from nearby dwellings with safe routes for users to come and go. This proposed development appears to incorporate a number of areas of public open space plus a Recreational Route through the centre of a major part of it. The Recreational Route appears to be well overlooked from nearby dwellings, generally speaking from both sides, and appears to comply with the above advice. What appear to be further Play Areas at the south/west and north/east corners of the development are less well overlooked but do appear to benefit from surveillance from 2 or 3 dwellings opposite. Ideally, from a safeguarding perspective, they should be located in areas with good all round surveillance.

**Orientation of Dwellings** – as mentioned in the Planning Statement, all the dwellings appear to overlook the street and public areas which allows neighbours to easily view their surroundings and also makes the potential criminal feel more vulnerable to detection. A large proportion of dwellings are also back to back, which is also recommended, as this restricts unauthorised access to the vulnerable

sides and rear of dwellings.

**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. Gates providing access to rear gardens should be the same height as the adjacent fencing and lockable. The Legend to the Planning Layout drawing indicates that this advice will be complied with.

**Car Parking** – a large proportion of the dwellings appear to incorporate in curtilage garages and parking spaces, which complies with police advice. The majority of the communal on-street parking spaces appear to be in small groups, close to and overlooked by owner's homes, which is also recommended.

**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. The Landscape Plans appear to indicate that this will be the case.

**Street Lighting** – all street lighting for 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* of building regulations, all external doorsets and ground floor or easily accessible windows and rooflights must comply with PAS 24:2016 security standard or equivalent.

**Secured by Design** - 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](http://www.securedbydesign.com) – which provides further comprehensive guidance regarding designing out crime and the physical security of dwellings.

*Further comments received following the receipt of amended plans -*

As the Care Home element of this application is in outline only, with no proposed site layout plan at this stage, I have no further comments to add.

SCC - CHIEF EDUCATION OFFICER - No comments received

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - No comments received

SCC - NOW HISTORIC ENV SERVICE - An archaeological evaluation on the site

has revealed a Bronze Age circular enclosure in the south-central area of the site, with internal postholes and three urned cremation burials. These type of enclosures are enigmatic as no definitive purpose has been proved although in this case the association with funerary practices may show the enclosure to be concerned with burial. The site is of local significance and is likely to be heavily impacted by this development.

For this reason I recommend that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of the following conditions attached to any permission granted.

"Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme."

and:

"No building shall be occupied until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under the POW condition and the financial provision made for analysis, dissemination of results and archive deposition has been secured."

*ECONOMIC DEVELOPMENT* - No comments received

*LEISURE DEVELOPMENT* - In accordance with TDBC Adopted Site Allocations and Development Plan Policy C2 and Appendix D, provision of children's play should be made for the residents of these dwellings.

20 sqm of both equipped and non-equipped children's play space should provide per each 2 bed + dwelling. The application has 165 x 2 bed+ dwellings resulting in a requirement of 3300 sqm of equipped and non-equipped play space. As equipped play space at least 1 x LEAP at 400sqm should be provided.

Children aged under 8 years should not have to walk more than 400m to their nearest equipped play area. The LEAP should therefore be centrally located within the site and overlooked from the front of the dwellings. The location of LEAP in Evolution 1 would appear to cover this criteria. However provision of safe crossing should be made for the children who will be accessing the play area from the opposite side of the site.

The LEAP should contain at least 5 items of play equipment covering all the play disciplines, along with a seat, bin and sign. If fenced 1 x access gate and 2 x

pedestrian outward opening gates should be provided.

All play equipment must have a manufacturer's guarantee of at least 15 years. Wooden equipment should be set in metal feet. A detailed plan for the LEAP should be submitted to TDBC Open Spaces for approval prior to implementation.

**LEAD LOCAL FLOOD AUTHORITY** - 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 indicated an intention to utilise 4 x attenuation ponds within the site curtilage with discharges to 2 x existing watercourses, controlled to greenfield rates, however, they have not provided detailed designs or supporting calculations for the proposed surface water drainage strategy. Due to the location of the site and the proposed increase in impermeable areas it will be necessary to provide these details.

The LLFA has no objection to the proposed development, as submitted, subject to the following drainage condition being applied.

**Condition:** 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).

*Further comments received following the receipt of amended plans -*

We have previously commented on this application, providing comments and requesting a drainage condition to secure our interests. We now have the following additional comments with respect to the amended plans and submitted documents.

The runoff calculations submitted in the drainage statement (The Engineering Studio – dated June 2018) are the same as those submitted in the FRA (WSP August 2017) for the previous layout of the development. It is assumed that these calculations included the area of the site now allocated for the proposed care home? There is no detail about how the proposed care home site will connect to the more detailed drainage scheme for the wider development.

We do not concur with the assertion within the drainage statement that the site must discharge at the 1 in 100 year (+40% climate change) rate (10l/s) because of the risk of blockage. In accordance with local flood risk standing advice and best practice “*surface flows ... should be attenuated to the corresponding greenfield runoff rate for each storm event OR 10 litres per second per hectare whichever is the lowest*”. There are flow control devices which can easily achieve this safely.

The submitted plans do not show the volume of attenuation provided in each of the proposed ponds. The applicant will need to confirm that sufficient storage is being provided on site.

*SCC - RIGHTS OF WAY* - No comments received

*SCC - ECOLOGY* - No comments received

*PLANNING POLICY* - Bishops Lydeard is identified as a Major Rural Centre in the adopted Taunton Deane Core Strategy. The application site area corresponds to allocation MAJ4 in the adopted TDBC Site Allocations and Development Management Plan (SADMP).

Policy SP1 of the Core Strategy identifies Bishops Lydeard as a Major Rural

Centre, suitable for allocations of up to 200 new additional dwellings.

The SADMP allocated land at Taunton Road and Hithermead for a residential led, mixed use development of around 150 dwellings together with associated recreational space. It was envisaged that greater detail, including strategic landscaping and planting, number, size and mix of dwellings and the form of recreational space would be determined through the Bishops Lydeard & Cothelstone Neighbourhood Development Plan (BLC NDP).

The application proposes a higher number of dwellings (173) than set out in policy MAJ4, though the proportion of affordable housing (25%) and tenure split (60/40 Social Rent/Shared Equity) meets the Core Strategy CP4 requirements. It is proposed to include 4 bungalows (a BLC NDP aspiration) and a house which meets wheelchair adaptable standards at the northern end of the development, closer to the village's services and facilities. It has been stated that all dwellings will meet the minimum internal floor space requirements of SADMP Policy D10, and all dwellings provide a private garden for the exclusive use of the occupants, in line with Policy D12.

The proposals do not include employment, and whilst the applicant has provided comment on why B1, B2, B8 employment uses are not included, they appear not to have considered others (i.e. C2 (residential and nursing care), A1 (retail), A2 (professional services), D1 (healthcare, medical, crèche/nursery, etc., Sui Generis (live/work), etc.) which may be appropriate for this site.

The BLC NDP contains a Schematic Diagram to illustrate the desired layout of the allocated site. This was produced before it was known about the water main running through the middle of the site. In general the development has been designed to take account of constraints such as flooding and high pressure water main. Creating a central continuous linear open space with children's play area which provides recreational open space as required by policy C2 SADMP.

The development provides 1 and 2 bed properties which could meet BLC NDP Policy H1 requirements for properties for downsizing to and also 3 bed family homes in accordance with Policy H2. Most requirements of the BLC NDP policy H3 appear to have been met with the exception of the community woodland on the southern boundary and a portion of self-build plots.

SADMP Policy A5 requires residential development to be within walking distance of, or should have access by public transport to, employment, convenience and comparison shopping, primary and secondary education, primary and secondary health care, leisure and other essential facilities. Bishops Lydeard has a range of essential services and facilities within the village (primary school, pharmacy, children's centre, village hall, library, nursery school,/crèche, convince store, etc.) the Secondary Schools are in Taunton (c.30min by bus) and Wiveliscombe. The bus stops are on Taunton Road and Hither Mead and No.28 Taunton to Minehead Bus is a reasonable service running about every 30 minutes to 1hr in frequency (depending on the time of day).

SADMP Policy A1 sets out maximum parking requirements for developments in. Across the development of 173 dwellings the car parking for 1-bed and 2-bed properties is in line with the standard, provision for 3-bed properties a maximum is

3 spaces about 1/3<sup>rd</sup> of the 3 beds have 3 spaces the remainder have 2 spaces per dwelling, and 4-bed+ is below the standard at an average of 3.3 parking spaces per property rather than the 3.5. This should be balanced against the accessibility of local services and facilities, including the availability of public transport, cycling and walking routes. However, it does not appear that the motorcycle parking and cycle parking has been achieved (a minimum of 1 motorcycle parking space per 5 dwellings or 1 motorcycle space per 20 car spaces, whichever is the greater, and 1 cycle parking space per bedroom).

TDBC seeks new developments to create high standards of design quality, SADMP Policy D7. In this regard it is encouraging to see the development attempt to reflect local materials and character where it comes up against existing development – for example the properties which face Taunton Road, which also create an active frontage. It has also sought to define areas within the development through materials and create a gateway feature on Taunton Road. The development has also retained a significant amount existing trees and hedgerows, using the existing topography and new planting to create interlinked open spaces with small variation in characteristics. This also appears to accord with BLC NDP policy H5. However the density of the site does not appear to be graduated from higher on the northern and eastern ends to lower at the western end of the development.

The development appears to have a co-ordinated approach to the design of development and its associated highways, Policy D9. Safe walking routes are provided, reflecting pedestrian desire lines. Open spaces have seating in, the play space is overlooked. The street layout provides some choice of routes, reflects street character types (place and movement functions of each street) within the constrained nature of the site. In line with BLC NDP Policy TR2 the development connects into the existing footpath which runs parallel to the stream on the north eastern edge of the development.

*HERITAGE* - No comments received

Letter received from Somerset Wildlife Trust objecting due to the lack of ecological assessment and

## **Representations Received**

37 letters of objection on grounds of:

- Amount of housing would strain existing services in the village
- Infrastructure issues - Will swamp health centre
- School is at capacity
- Development too large and should be phased
- Design and size of properties out of keeping
- Inadequate security and loss of privacy
- Impact on countryside
- Loss of view
- Does not link to Paddock development
- Affordable housing needs to be for villagers first
- Query whether there is a need for the level of larger properties proposed



- Housing estate with no provision of local work
- Proposal not in accordance with Neighbourhood Plan
- Impact on rural character of village
- Want countryside not concrete jungle
- Street lighting should preserve the dark skies
- Noise issues
- Access road not suitable
- Query accuracy of traffic survey
- Significant increase in cars will cause traffic problems
- Crossing will be dangerous with speed of traffic
- Lack of traffic calming at dangerous A358 junction
- Increase in traffic/congestion, will lead to more accidents particularly at dangerous A358 junction
- Query need to reduce speed limit on this stretch of the A358
- Concern over new access points on Taunton Road
- More buses required
- Access should be via Hither Mead
- Impact on Cross Keys roundabout
- Exacerbate parking congestion with lack of village centre parking
- No provision for a cycle route to Taunton
- Impact on wildlife
- Query whether level of landscaping/planting is sufficient
- Added pressure on Quantock Hills
- Believe there to be an archaeological site within proposed area
- Flooding regularly occurs on part of site
- Impact upon amenities of occupiers of existing neighbouring properties

Following receipt of amended plans, a further 13 letters were received, raising the following new issues:

- Introduction of care home would increase range of residential options
- Care home would increase traffic further still
- 173 properties is disproportionate on the reduced size of land now proposed for housing
- New positioning of exit is more dangerous
- Care home unlikely to be built
- Loss of privacy, despite amendments reducing impact to some extent
- Development would take up all of allocation to 2032, limiting opportunities for other smaller sites to come forward
- Inadequate provision of a sustainable drainage system

## **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), the Taunton Site Allocations and Development Management Plan (2016), 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.

CP1 - Climate change,  
CP2 - Economy,  
CP4 - Housing,  
CP6 - Transport and accessibility,  
CP8 - Environment,  
DM1 - General requirements,  
SD1 - Presumption in favour of sustainable development,  
SP1 - Sustainable development locations,  
A1 - Parking requirements,  
A2 - Travel Planning,  
A5 - Accessibility of development,  
D7 - Design quality,  
D10 - Dwelling Sizes,  
D12 - Amenity space,  
D13 - Public Art,  
ENV1 - Protection of trees, woodland, orchards, and hedgerow,  
ENV2 - Tree planting within residential areas,  
ENV4 - Archaeology,  
I3 - Water management,  
MAJ4 - Land at Taunton Road, Bishops Lydeard,  
(BL) H1 - Housing for Older People,  
(BL) H2 - Housing for Families,  
(BL) H3 - Housing Setting and Open Space,  
(BL) H5 - Housing Design and Density,  
C2 - Provision of recreational open space,  
SP1 - Sustainable development locations,

This takes into account the recent adoption of the SADMP.

## **Local finance considerations**

### **Community Infrastructure Levy**

Creation of dwellings is CIL liable. Proposed dwellings floorspace totals approx. 20,806sqm.

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 £2,500,000.00. With index linking this increases to approximately £3,250,000.00.

### **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  
Somerset County Council

£186,679  
£46,670

*6 Year Payment*

Taunton Deane Borough  
Somerset County Council

£1,120,073  
£280,018

## **Determining issues and considerations**

The proposal has been revised to provide a mixed use scheme to comply with policy as the site is allocated in the Site Allocations and Development Management Plan (SADMP). The main considerations are therefore whether the scheme complies with policy and whether there are any adverse impacts which would act against the principle of sustainable development set out in the NPPF and the Local Plan. The impact on access and parking, drainage, leisure provision, affordable housing, amenity and wildlife therefore need to be considered.

### **POLICY**

The site is allocated in the SADMP under policy MAJ4: Land at Taunton Road, Bishops Lydeard and is for a residential led mixed use development of around 150 dwellings with associated recreational open space. The policy does not preclude the provision of more than 150 subject to the nature of the layout. The details in respect of the landscaping, number, size and mix of dwellings and form of the recreational open space is to be determined through the Neighbourhood Plan. The initial submission was purely for a scheme that was housing and was considered not to meet the requirements of policy MAJ:4. The revisions are considered to address the need for a mixed use scheme, with provision of a care home, as the policy does not specify the nature of the mixed use. The applicant has submitted a marketing report to justify the lack of B1 uses and has evidence to support the need for a care facility. However as the applicant does not provide such facilities it is considered unreasonable to control the timing of such provision. Such a use would also address policy H1: Housing for Older People in the Neighbourhood Plan. The revisions also address a number of points in the Neighbourhood Plan policy and those raised by the Parish Council. The policy in the Neighbourhood Plan H3 sets out the criteria that must be addressed in terms of any development and includes:

- Include adequate play areas for younger children
- Include adequate off street car parking to minimize on street parking on existing routes
- Provide minimal levels of street and path lighting
- Maintain views towards the village centre
- Establish a community woodland along the new V-shaped southern village boundary
- Conserve existing mature trees and old hedgerows and respect Tree Preservation Orders

- Link new foot and cycle paths to the existing network
- All road links to allocated sites will be from Taunton Road
- Complete a flood risk assessment (FRA) and retain areas liable to flooding as green open space or woodland
- Provide adequate green open spaces, including informal open space areas for dog walkers with dog bin provision. Consideration should also be given to the possible provision of a skate park and other facilities for young people
- Include a number of serviced self-build plots.

The site layout is partly determined by a water main which crosses the site and this prevents development within a 12m easement corridor. This limits the position of built form on the sites and has been utilised as allowing a green area of open space to serve the development. Play areas for children of different ages are designed into the scheme and parking is largely designed to be off street. Views towards the middle of the village are considered to be maintained and street lighting is one of the conditions being proposed. Trees and hedges are retained wherever possible and links to existing footpath cycleway networks are proposed. The site is allocated and is considered to have sustainable links to local facilities within walking distance or by bus or car. The development provides links off Taunton Road and a Flood Risk Assessment has been provided with the submission. The submission lacks provision of self-build plots and so the impact of this shortfall in terms of the policy has to be considered in light of the other benefits provided.

The Bishops Lydeard Parish Council response to the initial scheme has resulted in the applicant increasing the number of bungalows provided and addressing the impact on the adjoining site at Spinneyfield at the same time. A terrace along Taunton Road is introduced to reflect the character on the other side of the road and improvements to Taunton Road through traffic calming and speed reductions as well as an improved junction with the A358 through the legal agreement are also proposed. Finally the applicant has agreed to use natural stone on key plots rather than a reconstituted stone and the design of the dwellings is considered suitable given the character of the area and materials are to be conditioned. Despite the Parish Council's continuing concern the details are considered to address the policy and can be conditioned including the road surfacing. Over 100 of the new dwellings are 3 bedrooms or less allowing for downsizing in line with the Neighbourhood Plan policy.

## ACCESS AND PARKING

The proposed accesses into the site are off Taunton Road as required by the Neighbourhood Plan and as part of the development the road will be realigned and traffic calming measures will be incorporated as well as a pedestrian crossing. An improvement to the A358 junction is also proposed and would be part of the off site highway works. The means of surfacing the traffic calming features within the highway is a detail that can be agreed with the Highway Authority and conditioned. The Highway Authority are satisfied with the capacity of the junctions and the safety of the accesses into the site. Adequate parking is proposed which would comply with

policy A1 and would ensure suitable off road parking provision for the dwellings. A travel plan is proposed as part of the development and a legal agreement will be required to secure this as well as the off site highway works. A significant number of conditions are suggested by the Highway Authority, however a number of these are repeated and others are beyond the remit of planning. Consequently the list of suitable and relevant conditions are included in the recommendation.

## DRAINAGE

A Food Risk Assessment has been submitted with the proposal as the site is over a hectare and part of the northern area lies within Flood Zone 2. None of the residential development lies within the flood risk zone and the Environment Agency and Lead Local Flood Authority have no objection in principle subject to conditioning of surface water drainage details. Four surface water attenuation ponds are provided, two either side of Taunton Road to address the surface water run-off issue and a condition to address the rate of discharge is considered necessary. In terms of drainage Wessex Water advise that foul and surface water treatment needs to be provided separately. Initial concern was raised over the capacity of the treatment works, however it has been confirmed that the capacity issue is not one that would impact on the building out of the submitted scheme and no objection has been raised.

## LEISURE PROVISION

The proposal provides for adequate play and open space provision through the site and a condition is considered necessary to secure the provision of the play equipment on site. Maintenance of the public open space needs to be secured and a legal agreement will be required to ensure this is the case, whether by a Local Authority or a management company.

## AFFORDABLE HOUSING

Policy CP4 of the Core Strategy requires 25% affordable housing as part of any residential development scheme. On this site this equates to 43.25 units and the developer has agreed to this level of provision and the required tenure split as requested by the Housing Enabling Officer. This will result in the provision of 8 x 1bed flats, 4 x 2bed bungalows that are wheelchair accessible, 19 x 2bed houses and 12 x 3bed houses. The proposal will require a Section 106 agreement to secure these units and this forms part of the recommendation.

## OTHER MATTERS

An ecological assessment of the site was carried out and submitted with the application and the Biodiversity Officer is satisfied with the impacts and proposes a standard condition to ensure suitable enhancements. The County Archaeologist has assessed the evaluation carried out and recommends a condition to secure a programme of works on site prior to construction to adequately assess the historic value of the site and this is reflected in the proposed conditions attached.

## CONCLUSION

In conclusion the development proposal is considered a mixed use scheme that is compliant with policy MAJ:4 of the SADMP. While the proposal is for 173 which is greater than specified in the policy it is not considered an over development of the site given the nature of the design and layout of the proposed development. The scheme is considered to address the relevant neighbourhood plan policy other than the provision of self-build plots. It is for Members to consider whether this shortfall is grounds to refuse the development in light of the other benefits. The development provides suitable access and parking, adequate play, open space provision and affordable housing and wildlife and heritage matters are suitably addressed. The design and materials of the dwellings are considered to be in keeping with the area and subject to appropriate conditions the benefits of the scheme in terms of employment, affordable housing and local housing is considered to outweigh this one element and the application is therefore recommended for approval, subject to a legal agreement.

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

**Contact Officer: Mr G Clifford**