

S NOTARO NEW HOMES LTD

Reserved matters application to outline 53/14/0008 considering Layout, Scale, Appearance, Access and Landscaping for residential development of up to 30 no. dwellings with 3 live/work units, public open space, allotments, and associated infrastructure on land to the east of West Villas, Cotford St Luke

Location: Land East of West Villas Cotford St Luke

Grid Reference: 317274.127363

Reserved Matters

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

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

(A3) DrNo LOC01	Rev A Location Plan	
(A1) DrNo PL01	Rev D Planning Layout	
(A3) DrNo HTA/01	Rev C House Type A	(Plans and Elevations)
(A3) DrNo HTA/01	Rev C House Type A(c)	(Plans and Elevations)
(A3) DrNo HTA/01	Rev C House Type A(c)c	(Plans and Elevations)
(A3) DrNo HTAFF1/01	Rev B House Type AFF1&2	(Plans and Elevations)
(A3) DrNo HTAFF3/01	Rev B House Type AF3	(Plans and Elevations)
(A3) Dr No HT3B/01	Rev B House Type AF4	(Plans and Elevations)
(A3) DrNo HTB/01	Rev C House Type B	(Plans and Elevations)
(A3) DrNo HTC/01	Rev D House Type C	(Plans and Elevations)
(A3) DrNo HTD/01	Rev D House Type D	(Plans and Elevations)
(A3) DrNo HTE/01	Rev D House Type E	(Plans)
(A3) DrNo HTE/02	Rev C House Type E	(Elevations)
(A3) DrNo HTEc/01	Rev C House Type E	(Plans)
(A3) DrNo HTEc/02	Rev B House Type E	(Elevations)
(A3) DrNo LWG01	Live/Work Garages	(Plans and Elevations)
(A3) DrNo LWG02	Rev A Live/Work	(Plans and Elevations)
(A3) DrNo G01	Rev A Garages	(Plans and Elevations)
(A1) DrNo LAN01	Rev B Landscaping Layout Sheet 1 of 3	
(A1) DrNo LAN02	Rev B Landscaping Layout Sheet 2 of 3	
(A1) DrNo LAN03	Rev B Landscaping Layout Sheet 3 of 3	
(A3) DrNo SC03	Rail Fence Screening Detail	
(A3) DrNo SC02	Wall Screening Detail	
(A3) DrNo SC01	Fence Screening Detail	

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

2. Before any part of the development hereby permitted is commenced, the hedges to be retained on the site shall be protected by a Heras panel fence 1.8 m high, placed at a minimum distance of 2.0 m from the edge of the hedge and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soil levels around the base of the hedges so retained shall not be altered.

Reason: To avoid potential harm to the root system of any hedge leading to possible consequential damage to its health.

3. (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development.

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

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

4. 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.

Reason - In the interests of highway safety.

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. For the avoidance of doubt, this reserved matters consent does not approve the layout or equipment to be installed in the children's play area as required by condition 4 of the outline planning consent. At the time of this decision, this condition remains to be fully complied with, including the submission of layout and equipment to be installed.

Proposal

Application for approval of reserved matters for outline 53/14/0008 considering Layout, Scale, Appearance, Access and Landscaping for residential development of up to 30 no. dwellings with 3 live/work units, public open space, allotments, and associated infrastructure on land to the east of West Villas, Cotford St Luke. Vehicular access would be from the south-west corner of the site, with a cycle and pedestrian link to the north of this from West Villas. The scheme includes 8 affordable units in the north-west corner of the site and allotments, play area and open space in the eastern element of the site.

Amended plans have been submitted, including details such as the redesign of live/work accommodation to allow use of independent work units, relocation of allotments, screen walling to street frontage, redesign of affordable housing terrace, repositioning of plots/plot numbers, side elevation of Type B dwellings corrected and rear bay omitted on Type D dwellings.

Site Description

This site comprises part of an agricultural field on the east of Cotford St. Luke, to the north of Dene Barton Hospital. To the east is open countryside and to the north is a further development site, which has recently been granted reserved matters approval for 30 dwellings and 3 live work units.

To the west, 1-6 North Villas face towards the site on the opposite side of Dene Road, which has been closed to vehicular traffic for a short section along the western site boundary to the south of this point. At the point opposite the application site, North Villas are raised up above the highway which descends into a cutting along the closed section – now a pedestrian/cycle link. At the southern end of the western site boundary, to the other side of the pedestrian/cycle link, the gable end of 1 West Villas and the rear elevations of 15-21 Milsom Place face towards the site.

Relevant Planning History

The Site Allocations and Development Management Plan (SADMP) was adopted in December 2016.

Policy MIN1: East of Deane Barton, Cotford St Luke

Land East of Dene Barton, Cotford St. Luke, as indicated on the Policies Map, is allocated for around 60 dwellings and small scale Class B employment units on approximately 0.25 hectares of the site. Proposals will need to demonstrate a comprehensive approach to the planning of the site, ensuring a degree of permeability between northern and southern parcels. Development proposals shall also comply with other policy requirements in the plan including any strategic landscaping and planting, other environmental matters, affordable housing, design and mix of dwellings and recreational space, where appropriate.

Application No: 53/14/0008 - Outline planning application with all matters reserved for a residential development of up to 30 No. dwellings, 3 No. live/work units, public open space, allotments and associated infrastructure on land east of West Villas, Dene Road, Cotford St Luke (Resubmission and amended scheme to 53/13/0012). This outline planning application was granted on 19 February 2016 subject to conditions.

Application No: 53/13/0012 - Outline planning application with all matters reserved for a residential development of up to 44 No. dwellings, public open space, allotments and associated infrastructure on land east of West Villas, Dene Road, Cotford St Luke. This outline planning application was withdrawn on 10 March 2014.

Consultation Responses

COTFORD ST LUKE PARISH COUNCIL - The Parish Council objects to this Planning Application for the following reasons:

Road and Footpaths

- If the proposed development is granted Planning Permission, there will be vehicles for 55 houses accessing/egressing Old Dene Road plus those working at and visiting patients in Dene Barton Hospital. Old Dene Road is not wide enough to take two cars passing one another safely unless one comes to a complete stop, as the road width is very variable (4.8 to 5.8 metres). There is no land available along Old Dene Road to improve it by widening or constructing a passing bay, to allow cars to pass one another due to the constraints of Orchard Lodge land which has already been allocated for house development and the rear gardens of Nr 1 South Villas and Aveline Court.
- The existing egress from South Villas has a very steep decline and is blind, there is no visibility splay for this private road. To egress safely, cars turning out of South Villas must use the entire width of Old Dene Road. There is no land available to build a visibility splay. With the significant increase in vehicle trips, there is the potential for manoeuvres to be unsafe and an accident to occur.
- Despite garages and parking spaces being allocated to each property in CSL, on-street parking has always been an issue in the village. How will off-street parking be enforced within the proposed development?
- To create vehicular access/egress to the proposed development, it is noted that approximately 20 metres of the public footpath/cycleway between Milsom Place and West Villas will be lost for pedestrian and cyclist use. The Design and Access Statement indicated that the public footpath/cycle path will be reconfigured within the public highway but there are no details as to how this will be achieved, and the safety of pedestrians and cyclists protected.
- Pedestrians including young children, dog walkers, runners and cyclists frequently use Old Dene Road. There is presently no pavement between South Villas and the post box for them to use. Their safety will be put at risk with the significant increase in vehicles using the road should the Notaro New Homes Ltd developments be built.
- It is also noted that Drawing PL01A indicates that there is no footpath in front of plots 8 to 11 and 20 to 24 of the proposed development. Whilst the road in front of these dwellings appears to be rather narrow. There is no safe route for pedestrians and 8-axle vehicles such as refuse and recycling trucks to access/egress these plots. It is suggested that the length of these front gardens be reduced for pavements to be built and the road to be widened.

- The uniformity, density and general layout of the proposed development is very poor. The site looks cramped.

Road and Footpath Adoption

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

Water Supply

- The Flood Risk Assessment included in the previous application stated that there is limited capacity within the local water supply network to serve the proposed development. There is no assurance from the Applicant that he will contribute to the supply network upgrade that will be required.

Foul Water Drainage

- There was no indication in the Flood Risk Assessment included with the previous application, where the foul water sewer from the proposed development will connect into the existing Wessex Water infrastructure – ‘the point of connection is to be agreed with the local sewerage network having a capacity to accept foul flows from only 50 dwellings. Yet 66 dwellings are proposed for options 2 and 3 as noted in the Site Allocations and Development Management Plan. Has this issue been resolved?

Electricity Supply

- Additional housing will only exacerbate the poor infrastructure in CSL, such as unreliable electricity supply. It is noted that a proposed sub-station is to be included within this development, as noted on drawing PL01A. Please ensure that this proposed sub-station is built.

Mix of Housing

- During the previous application pre-consultation by Notaro New Homes Ltd, the Parish Council requested accessible housing such as bungalows two storey apartment arrangements with lift is provided, due to the shortage of and demand for this type of housing in CSL. The Parish Council notes that this type of housing is not being provided by the Applicant.

Badgers

- The Parish Council notes that there is evidence of an active badger sett which will be in very close proximity to Plots 25 and 26. Please refer to the Protected Species Survey. The Protection of Badgers Act 1992 makes it illegal to interfere or disturb badgers and their setts. How will the badgers and their sett be protected from

interference or disturbance especially by children and dogs?

Visual Impact

- When Dene Barton Hospital was designed, it had to be lowered to reduce the building's impact on the landscape. The Notaro New Homes field has a 10 metre drop and the proposed houses will stand out above the height of Dene Barton Hospital.

Public Transport

- It is a strategic objective (Core Strategy P14) that at least 50% of all trips should be undertaken by modes of transport other than the private car. Bus services to/from CSL have reduced significantly over the last 2 years. There is no bus service after 7.30PM and on Sundays and Bank Holidays. The present bus service makes it not feasible for most people to rely on public transport to get to/from their place of employment. Any increase in the number of people living in CSL will only exacerbate this problem.

Health

- Presently the village has a population of approximately 2700 people (all ages). A doctor's branch surgery is now required and could be in Dene Barton Hospital.

Employment

- The employment opportunities within CSL have been severely hampered by the original decisions made by TDBC Planners. So far as the businesses that do exist in CSL, they are hampered by poor infrastructure such as unreliable electricity supply
- The absence of mobile telephone coverage adds further to the difficulties and does not offer an alternative to Broadband.
- The trading hours and classification of employment need to be specified for the 'live-work' unit, to avoid any nuisance to other properties in the proposed development.

Open Space

- Notaro New Homes is proposing to provide one play area; a natural play area, a swales and wetland area, a community orchard and a significant public grassed area.
- We retain the right for the allotments to be available to all CSL villagers.
- The Parish Council notes that Notaro New Homes Ltd will retain ownership of the open space and allotments, and will employ a management company. What arrangements are in place should the management company cease trading?

SCC - TRANSPORT DEVELOPMENT GROUP -

The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code.

Traffic Impact

It is noted by the Highway Authority that the site was subject to a previous application (53/14/008) for the same number of dwellings. In terms of traffic impact, the Highway Authority did not consider the previous application as severe in terms of chapter 4 of the National Planning Policy Framework (NPPF) and therefore there is not considered to be a reason for a recommendation of refusal on traffic impact grounds.

Travel Plan

The applicant submitted an updated Travel Plan (TP) in previous application 53/14/0008. There appears to be no additional TP information submitted in this application, the applicant should be mindful of our previous comments dated 6th July 2014 where a suitable TP will need to be secured via a S106 agreement.

Drainage

Following on from our previous comments dated 6th July 2014, there appears to be no additional information regarding drainage within this application and therefore our previous comments apply.

Estate Road

The following highway related comments have been made as a result of looking at the details contained within submitted drawing number PL01/B. The applicant should note that any works within the existing publicly maintained highway will be covered by a Section 278 Agreement. Where the proposal will tie into the existing highway allowances shall be made to resurface the full width of the carriageway where disturbed by the extended construction and to overlap each construction layer of the carriageway by a minimum of 300mm. Cores may have to be taken within the existing carriageway to determine the depths of the bituminous macadam layers. It has been presumed that proposed 'Road A' will take the form of a type 4 bituminous macadam carriageway with longitudinal gradients no slacker than 1:90 nor steeper than 1:14.

It has been presumed that 'Road B' will take the form of a block paved shared surface carriageway. Longitudinal gradients should be no slacker than 1:80 nor steeper than 1:14. It would be acceptable for 1.0m wide adoptable service margins to be provided at the ends of turning arms and adjacent to the carriageway edge, within shared surface roads, in lieu of the proposed 2.0m wide margins being currently proposed.

It would appear to date, that no drainage information has been provided by the applicant. The applicant will need to confirm the surface water drainage proposals for this scheme.

All surface water from private areas including drives and parking bays will not be permitted to discharge onto the public highway. Private interceptor drainage systems must be constructed to prevent this from happening. Where an outfall, drain or pipe will discharge into an existing drain, pipe or watercourse not maintainable by the Highway Authority, written evidence of the consent of the

authority or owner responsible for the existing drain will be required with a copy forwarded to SCC.

The gradient of the proposed access road should not, at any point, be steeper than 1:20 for a distance of 10m from its junction with the adjoining road.

The applicant should note that no doors, gates or low-level windows, utility boxes, down pipes or porches are to obstruct footways/shared surface roads. The Highway limits shall be limited to that area of the footway/carriageway clear of all private service boxes, inspection chambers, rainwater pipes, vent pipes, meter boxes (including wall mounted) and steps.

If ramps are proposed within the carriageway they must not be located outside of the entrances to private drives.

At the point where private access paths crossover the prospective public highway, they should be constructed as per typical bitumen footway spec. Paving slabs will not be permitted within the highway.

In regards to parking private drives serving garage doors should be constructed to a minimum length of 6.0m, as measured from the back edge of the proposed highway boundary. Tandem parking bays should be 10.5m in length and parking bays that but up against a footpath, wall or planted areas, shall be constructed to a minimum length of 5.5m, as measured from the back edge of the proposed highway boundary.

Any planting immediately adjacent to parking bays, should be of a low-level/ground level variety so as not to obstruct visibility for users of the parking bays.

The proposed footpath/cyclepath links should be constructed to a minimum width of 3.0m and surfaced in red pigment bitumen macadam. Adoptable visibility splays based on dimensions of 2.0m x 20m in both directions, as measured from the back edge of the proposed highway boundary, will be required at each end of these links and there shall be no obstruction to visibility within the splays that exceeds a height greater than 600mm above the adjoining ground level. This comment applies equally to where the existing footpath/cyclepath that runs along the western site boundary will tie into the proposed carriageway/footway at the southern end of the cyclepath/footpath.

Somerset County Council, as the Highway Authority, will need to be assured of the safety and durability of any retaining/sustaining wall that is to be either adopted or maintained privately and is within 3.67m of the highway boundary and or which has a retained height of 1.37m above or below the highway boundary. It will be necessary for detailed design drawings together with design calculations to be submitted to Somerset County Council for checking/approval purposes prior to any wall related works commencing.

A Section 50 licence will be required for sewer connections within or adjacent to the public highway. Licences are obtainable from BSupport-NRSWA@somerset.gov.uk. At least four weeks' notice will be required.

Any existing services located within the carriageway/footway fronting this development that may need to be diverted, lowered or protected will have to meet

the requirements of both the relevant Statutory Undertaker and the Highway Authority. It should be noted that all services shall be lowered to a depth to allow full road construction, inclusive of capping, to be constructed over. The design must comply with the requirements of 'Code of Practice' measures necessary where apparatus is affected by major works (diversionary works) under Section 84 NRASWA 1991.

The applicant/developer will be held responsible for any damage caused to the public highway by construction traffic proceeding to/from the site. Construction traffic will be classed as 'extra-ordinary traffic' on public highways. Photographs shall be taken by the applicant/developer representative in the presence of the SCC Highway Supervisor showing the condition of the existing public highway adjacent to the site and a schedule of defects agreed prior to works commencing on site.

The applicant/developer must keep highways, including drains and ditches, in the vicinity of the works free from mud, debris and dust arising from the works at all times and ensure that vehicles leaving the site do not carry out and deposit mud or debris onto the highway and shall provide such materials, labour and equipment as necessary to ensure compliance with this requirement. Existing road gullies/drains shall be completely cleared of all detritus and foreign matter both at the beginning and end of the site works. If any extraneous matter from the development site enters an existing road drain or public sewer, the applicant/developer will be responsible for its removal.

The existing public highway must not be used as site roads for stockpiling and storing plant, materials or equipment. The applicant/developer shall be liable for the cost of reinstatement if any damage has been caused to the 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 caused 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.

If any existing highway lighting columns need to be relocated as a result of the proposed site access works, then the developer must contact the SCC Highway Lighting Team to seek approval for relocating any columns, prior to moving them.

Conclusions

Based on the information set out above the Highway Authority raises no objection to this proposal although the applicant will need to be mindful of our comments raised above. Please also note a suitable Travel Plan will need to be secured under a S106 agreement. If planning permission were to be granted the following conditions would need to be attached.

1. 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.
2. No development shall commence unless a Construction Environmental

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:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;

3. 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 commencement and thereafter maintained until the use of the site discontinues.

4. 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 commencement and thereafter maintained at all times.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. There shall be an area of hard standing at least 6m 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.

Note

The applicant will be required to secure an appropriate legal agreement 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.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - No comments received

HOUSING STANDARDS - No comments received

HOUSING ENABLING - As per the Section 106 agreement, the affordable homes should be of tenure split - 60% social rented and 40% intermediate housing, preferable in the form of shared ownership.

The suggested mix of 2 x 1b2p, 5 x 2b4p and 1 x 3b5p is considered to meet the current demand.

The location of the affordable units is deemed broadly acceptable, although no tenure has been shown and this would need to be agreed with the Housing Enabling Lead prior to the implementation of any Reserved Matters approval. In order to avoid any management difficulties where there is a mix of Intermediate and Social Rented properties within the same block, an appropriate tenure split would be plots 12-16 as social rent and 17-19 as intermediate properties.

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

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

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 not provided any further details relating to how surface water will be managed on the site. The LLFA would require a more detailed drainage design and supporting calculations to be submitted and therefore requests the following condition be applied to the application should it be granted approval.

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).

LEISURE DEVELOPMENT - In accordance with TDBC Adopted Site Allocations and Development Management Plan Policy C2 and Appendix D, provision for children's play should be made for the residents of these dwellings. The submitted play area proposal should be amended as follows:

Swings: The suggested 1.8 metre cradle swings should be replaced by 2.4 metre flat swings in order to be suitable for a LEAP age 4 - 8 years.

Crazy Twister Pole to be replaced by the Buddy Board item no 6060-089 in order to give balancing and not duplicating spinning with the proposed spinning bowl.

Bench: A bench with a back should be provided.

Fencing: 2 x self-closing gates at opposite ends of the play area should be provided. Both gates to be outward opening.

In addition to the above, a bin and a sign giving owners contact details must be provided.

All equipment to have a minimum manufacturer's guarantee of 15 years. The play area to be overlooked by the front of properties to promote surveillance.

Open Spaces should be asked to comment on the landscaping layout and proposed allotments.

SCC - CHIEF EDUCATION OFFICER - No comments received

SOUTH WEST HERITAGE TRUST - No comments received

WESSEX WATER - There do not appear to be any drainage details available for us to consider at this time and we request that we are re-consulted if further information regarding the applicants drainage strategy becomes available. We note that surface water drainage is subject to a condition under the outline approval.

The following comments are offered as guidance:

- The site shall be served by separate systems of drainage constructed to current adoptable standards. For more information refer to Wessex Water's guidance notes 'DEV011G – Section 104 Sewer Adoption' and 'DEV016G - Sewer Connections' .
- A foul connection to the public foul network can be agreed at detailed design stage in consultation with Wessex Water. Applicant should contact our local development engineer, development.west@wessexwater.co.uk to agree proposals and submit details for technical review prior to construction.
- The applicant has indicated surface water disposal via Suds arrangements which will require the approval of your Authority. Any surface water disposal to local ditch/watercourse will be subject to agreement with riparian owner and discharge rates approved by the Lead Local Flood Authority with supporting any flood risk measures.
- Elements of the surface water system can be offered for adoption by Wessex Water, details to be agreed.
- Surface Water connections to the public foul sewer network will not be permitted. Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

BIODIVERSITY - No wildlife survey has been submitted with this application. The survey previously submitted is dated April 2012 and so is now over six years old.

An updated survey and wildlife strategy should be submitted. This is particularly important as badgers, a highly mobile mammal use the site and the proposal involves the removal of a section of hedging. I would like to see an element of biodiversity enhancement for this application in the form of additional native planting and the provision of bird and bat boxes.

LANDSCAPE - The application site is on the eastern side of Cotford St. Luke on rising land. The site itself commands views over the surrounding countryside particularly to the south and east. The layout plan shows some woodland planting to screen the development on the north-eastern and eastern parts of the site but I consider that it is insufficiently robust. It is difficult to assess its depth from the landscape plan as total numbers are not stated, but I consider it should be no less than 8 m wide particularly as the proposed planting is on a 2m matrix.

The formation of a new access to the south would have a landscape impact by the removal of part of the existing hedgerow. This will greatly impact on the quiet rural character of this country lane. Removal of hedging should take place outside of the bird nesting season.

This current layout appears less fluid than previously submitted.

At the moment the layout shows the location of the allotments in the badger buffer zone. This should be reconsidered as badgers may potentially damage the individual allotments. In addition this area is shaded by the boundary hedge. The relationship between allotments and parking area could be designed better. The chain link fencing proposed around the allotments may be barrier to badgers. If used it should be softened with native planting. Any fencing around the play area should also be softened with planting.

The rear garden of plot 30 is quite small and will be heavily shaded. There is scope for further tree planting in the rear gardens of plots 2, 3, 21, 22 and 23.

With the exception of ash which should be substituted because of ash dieback, and of elder in the woodland mix, I am generally satisfied with the choice of species. Size of plants is provided but not total numbers. I consider that a full planting plan showing numbers of plants, should be produced at a larger scale than the plan submitted.

Grass in the copse area should not be cut, so strimmer guards should not be required. To aid establishment I suggest that an area of 1m² is sprayed with herbicide at the base of the whips twice a year. This maintenance technique should also be applied to the standard trees located in the grass areas. Incidentally I consider there is scope for further standard tree planting within the open space. The circular path (surfacing unknown) should not be directed between the new planting and hedge line. The whole of the open space area could be sown with the proposed meadow mix seed choice.

A landscape maintenance schedule for the whole site is required.

TREE OFFICER - The trees on this site are all in boundary hedges. The best ones are at the eastern end, and there are numerous trees along the southern boundary, within the overgrown hedge. As the proposed houses are on the western half of the field, the development's effect on trees and their roots should be minimal.

Plot 30 does appear to be close, as do the swales areas. However, without an

accurate tree survey, that plots the location of the trees and their Root Protection Areas, as given by BS5837, it is difficult to make an accurate assessment of this. It may be that plot 30 needs to be moved slightly to the west to avoid the larger tree that is shown on the planning layout.

As a general comment, the southern boundary trees will cast shade into the gardens of plots 27 to 30, which may be an issue. Also, boundary hedges that are currently protected by the Hedgerow Regulations would not be protected by this legislation once adjoining domestic property. I would prefer to see hedgerows retained within public open space, where they can be properly and consistently maintained.

Representations Received

13 letters received raising the following concerns:

- Development not required on greenfield land.
- Extra traffic, congestion and parking problems causing risk to highway users and pedestrians.
- Extra noise.
- Loss of pedestrian footpath.
- Inadequate highway infrastructure to cope with extra traffic and construction traffic.
- Query whether access complies with highway standards.
- Damage to environment, loss of trees and hedgerow, causing loss of wildlife habitat and loss of screening between properties.
- Drainage and sewage issues.
- Added pressure on electricity.
- Potential loss of communications due to lack of consideration of telephone poles.
- Water run-off could cause flooding.
- Insufficient amenities in village and school over-subscribed.
- Hilltops and ridgelines should be kept clear of development.
- Adding more homes will ruin character of village and urbanise and rural community.
- Site visible from main road and surrounding hills, spoiling edge of Area of Outstanding Natural Beauty.
- Loss of privacy and loss of light to adjacent properties.
- Request Swift Schwegler bricks and other bird bricks to be incorporated into external walls to make provision for nesting swifts.
- Type of houses proposed out of keeping with North Villas.

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.

A1 - Parking Requirements,
A3 - Cycle network,
C2 - Provision of recreational open space,
ENV1 - Protection of trees, woodland, orchards and hedgerows,
ENV2 - Tree planting within new developments,
D7 - Design quality,
D8 - Safety,
D9 - A Co-Ordinated Approach to Dev and Highway Plan,
D10 - Dwelling Sizes,
D12 - Amenity space,
MIN1 - East of Dene Barton, Cotford St Luke,
SD1 - Presumption in favour of sustainable development,
CP1 - Climate change,
DM1 - General requirements,
DM4 - Design,
DM5 - Use of resources and sustainable design,

Local finance considerations

Community Infrastructure Levy

Creation of dwellings is CIL liable.
Development creates approx. 4423sqm of residential floorspace.

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 £553,000.00. With index linking this increases to approximately £735,500.00.

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	£35,609
Somerset County Council	£8,902

6 Year Payment

Taunton Deane Borough	£213,665
Somerset County Council	£53,414

Determining issues and considerations

Proposal

This application seeks approval of all matters not determined at the outline

application stage which are layout, appearance, scale, access and landscaping. The Local Planning Authority (LPA) in determining this application is only able to consider aspects of the development which relate to these matters. The principle of the development cannot be reconsidered.

A number of the representations submitted in connection with this application raise objections based on the principle. The LPA should not attach any weight to these specific matters as they are not for consideration in connection with this application.

Layout

The application site is part of an allocation for 'around' 60 dwellings and small scale Class B employment units' and the delivery of 30 dwellings with 3 live-work units was accepted by the LPA at outline stage, as meeting the requirements of this allocation in respect of the southern half of the overall allocation.

The proposed layout is in general accordance with the Design Brief relating to Policy MIN1 with an outward face to the east towards the proposed open space. The Design Brief highlighted the strong frontage formed by North Villas and suggested that this should be replicated on the other side of the road. This has been incorporated through the two blocks of terrace properties on the north west of the site. The Design Brief also indicated that there should not be a continuous through route and that dwellings on the southern element of the site should front both sides of the new internal estate road, as has been proposed.

The overall layout is considered to be appropriate in view of the Design Brief and the topography, form and nature of the site.

Appearance

The proposed dwellings would be of gabled roof design, which would reflect existing designs in the surrounding area. It is proposed that elevations would be of Ibstock Brunswick Red brickwork with roofs of grey or brown Marley Eternit double roman tiles. The windows and doors would be UPVC.

It is not proposed to provide accommodation within the roof of any dwellings and therefore no rooflights or dormers are included in the scheme. The proposed design would reflect elements of the scheme recently approved on the adjacent site to the north and evident on nearby properties. It is therefore considered acceptable.

Scale

All dwellings are proposed to be two storeys, which represents the large proportion of housing within Cotford St Luke and that recently approved on the adjoining site to the north. The scheme incorporates a mix of detached, and semi-detached properties with one property being divided into two flats, along with two blocks of terrace properties. There is therefore a variety of properties of varying scale and this is reflective of the recently approved development to the north, as well as existing properties in the locality. The proposed scale is therefore in keeping with the character of the surrounding area.

Landscaping

The adopted Site Allocations and Development Management Plan includes a design brief for the development of the overall allocation which incorporates this site. This sets out the design and layout anticipated by the LPA in respect of any proposal for the site. MIN1 specifically relates to this issue and in view of the strong views towards the site, highlights the importance of constraining development to the western part of the site, with substantial landscaping provided in the eastern part.

It is noted that there will be some loss of hedgerows and trees, however there is substantial landscaping proposed throughout the site, including tree planting along parts of the new estate road and on the northern element of the western boundary, reinforcement of existing boundaries through woodland/copse planting, along with the planting of meadow grassland.

Overall, the proposed planting will provide an appropriate level of mitigation so as to soften the impact of the development on the overall landscape, including views from the Quantock Hills AONB. As such, the submitted landscaping scheme is considered to be acceptable.

Impact on Amenities

The application site is predominately discrete with its location on the edge of the built up area of Cotford St Luke, with Dene Barton Hospital to the south. The exception to this is the northern element of the western boundary which abuts a section of Dene Road which runs north/south and has the existing housing at West Villas on the opposite side facing the site.

This section of the development incorporates terrace housing fronting onto Dene Road opposite these properties. The proposed dwellings are however set back from the road, with an area of parking and small garden areas to the front. The separation distances between the existing and proposed dwellings is therefore considered sufficient to avoid any loss of privacy, loss of light or overbearing impact that would warrant refusal of this reserved matters application.

On the southern part of the site, the combination of the change in levels between the site and adjacent footpath to the west, along with the closest units (the live work units) being set some distance away is not deemed to result in harm to the amenities of the occupiers of the existing dwellings on the opposite side of the footpath.

There are no residential properties located in close proximity to any other boundaries of the site. The proposal is not therefore deemed to result in harm to the living conditions of the occupiers of any nearby dwellings that would warrant refusal of the application.

Flood Risk

The principle of development at the grant of outline planning permission established that it is possible to develop the site without risk of flooding to the new properties and without increasing the risk of flooding off site. This is subject to a separate condition attached to the grant of outline planning permission, which will need to be discharged, although there is no obligation for this to be done at the same time as

the reserved matters application.

Despite the comments from the Lead Local Flood Authority, this is already covered by the condition on the outline consent. On the basis that the applicant has chosen not to discharge this condition at this stage, no consideration can be given as part of the reserved matters application.

Highway Safety

The Transport Development Group states 'In terms of traffic impact, the Highway Authority did not consider the previous application as severe in terms of chapter 4 of the National Planning Policy Framework (NPPF) and therefore there is not considered to be a reason for a recommendation of refusal on traffic impact grounds.'

The point of vehicular access proposed is in line with that envisaged through the Design Brief. In addition, the pedestrian/cycle link shown in the northern boundary is as required by Condition 5 of the outline consent.

The Transport Development Group raises no concerns to the proposal, subject to specifications, the undertaking of a survey of the existing public highway and a Construction Environmental Management Plan. These matters are dealt with by conditions.

The Transport Development Group query details of surface water drainage details and as explained above, this would be dealt with through the discharge of condition attached to the outline application.

The Transport Development Group raise no objection to parking and sets out the requirements for this. The construction of the roads to adoptable standard will be secured by the existing condition 8 on the outline consent that requires detailed designs to be submitted and approved.

The travel plan requirement is secured under condition 10 of the outline planning application.

Minimum Space Standards

The individual dwelling types proposed are in general accordance with the Minimum Space Standards set out in Policy D10 of the Site Allocation and Development Management Plan and amended plans have been submitted to address the properties that did not confirm to the minimum standard.

Biodiversity

This is a matter of principle that was considered at the outline planning application stage. A condition (Condition 3) was attached to the grant of outline planning permission which requires submission of a Wildlife Strategy but this was not submitted with this reserved matters application, nor is there any obligation for it to be dealt with at reserved matters stage. It would therefore need to be discharged by

way of a separate application at a later date.

On the basis that the applicant has chosen not to discharge this condition at this stage, no consideration can be given as part of the reserved matters application.

Conclusion

The principle of the development for housing was established through the sites allocation within the adopted Plan, and the subsequent grant of outline planning permission.

The details of the reserved matters addressing appearance, scale, layout, access and landscaping are considered to be in general accordance with the form of development envisaged in Policy MIN1 and the associated Design Brief. There is not considered to be any consequences of the proposed elements that would justify the refusal of this application for reserved matters approval. The recommendation is therefore one of approval subject to conditions.

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

Contact Officer: Mr B Kitching