

SWT Planning Committee

Thursday, 12th March, 2020,
1.00 pm

The logo for Somerset West and Taunton, featuring the text "Somerset West and Taunton" in white on a teal background with a white swoosh.

The John Meikle Room - The Deane
House

Members: Simon Coles (Chair), Roger Habgood (Vice-Chair),
Ian Aldridge, Sue Buller, Marcia Hill, Martin Hill, Mark Lithgow,
Chris Morgan, Simon Nicholls, Craig Palmer, Andrew Sully,
Ray Tully, Brenda Weston, Loretta Whetlor and Gwil Wren

Agenda

1. Apologies

To receive any apologies for absence.

2. Minutes of the previous meeting of the Planning Committee

To approve the minutes of the previous meeting of the Committee.

(Pages 5 - 10)

3. Declarations of Interest or Lobbying

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests or lobbying in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

4. Public Participation

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have requested to speak, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

- | | |
|--|------------------------|
| <p>5. 42/19/0053</p> <p>Application for approval of reserved matters following outline application 42/14/0069 for construction of the strategic infrastructure associated with the Western Neighbourhood, including the spine road and infrastructure roads; green infrastructure and ecological mitigation; strategic drainage, earth re-modelling works and associated retaining walls on land at Comeytrowe/Trull</p> | <p>(Pages 11 - 24)</p> |
| <p>6. 3/26/19/016</p> <p>Erection of 9 No. dwellings with associated access, landscaping, public open space, drainage and footpath works. Former Nursery Site, A39, Washford, Watchet, TA23 0NT</p> | <p>(Pages 25 - 40)</p> |
| <p>7. 45/19/0024</p> <p>Demolition of stables and erection of 2 No. detached dwellings with garages, parking and associated works at Bashford Stables, West Bagborough Road, West Bagborough (resubmission of 45/18/0019)</p> | <p>(Pages 41 - 50)</p> |
| <p>8. Access to information - Exclusion of Press and Public</p> <p>During discussion of the following item(s) it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 13 13.02(e) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Council will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.</p> <p>Recommend that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item(s) of business on the ground that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).</p> | |
| <p>9. Tonedale Mills, Wellington</p> | <p>(Pages 51 - 58)</p> |

A handwritten signature in black ink, appearing to read "James Hasset", written in a cursive style.

JAMES HASSETT
CHIEF EXECUTIVE

Please note that this meeting will be recorded. At the start of the meeting the Chair will confirm if all or part of the meeting is being recorded and webcast. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore unless you are advised otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact the officer as detailed above.

Members of the public are welcome to attend the meeting and listen to the discussions. There is time set aside at the beginning of most meetings to allow the public to ask questions. Speaking under "Public Question Time" is limited to 3 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chair will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate. Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, if a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chair will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group. These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room. Full Council, Executive, and Committee agendas, reports and minutes are available on our website: www.somersetwestandtaunton.gov.uk

The meeting room, including the Council Chamber at The Deane House are on the first floor and are fully accessible. Lift access to The John Meikle Room, is available from the main ground floor entrance at The Deane House. The Council Chamber at West Somerset House is on the ground floor and is fully accessible via a public entrance door. Toilet facilities, with wheelchair access, are available across both locations. An induction loop operates at both The Deane House and West Somerset House to enhance sound for anyone wearing a hearing aid or using a transmitter. For further information about the meeting, please contact the Governance and Democracy Team via email: governance@somersetwestandtaunton.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please email: governance@somersetwestandtaunton.gov.uk

SWT Planning Committee - 20 February 2020

Present: Councillor Simon Coles (Chair)

Councillors Roger Habgood, Ian Aldridge, Sue Buller, John Hassall (In place of Simon Nicholls), Marcia Hill, Mark Lithgow, Chris Morgan, Craig Palmer, Andrew Sully, Brenda Weston and Loretta Whetlor

Officers: Martin Evans (Shape Legal Partnership), Tracey Meadows (Democracy and Governance), Denise Grandfield and Rebecca Miller (Principal Planning Specialist)

Also Present: Councillor Mike Rigby

(The meeting commenced at 1.00 pm)

129. Apologies

Apologies were received from Councillors Nicholls, Tully and Wren

130. Minutes of the previous meeting of the Planning Committee

(Minutes of the meeting of the Planning Committee held on the 9th and 30th January 2020 circulated with the agenda)

Resolved that the minutes of the Planning Committee held on the 9th and 30th January 2020 be confirmed as a correct record.

Proposed by Councillor Marcia Hill, seconded by Councillor Morgan

The **Motion** was carried.

131. Declarations of Interest or Lobbying

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Application No.	Description of Interest	Reason	Action Taken
Cllr S Buller	24/19/0046	Ward Member	Personal	Spoke and Voted
Cllr S Coles	42/19/0045	Known to objector	Personal	Spoke and Voted

132. Public Participation

Application No.	Name	Position	Stance
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24/19/0046	Steve Godfrey (on behalf of Sarah Carter)	Local Resident	Objecting
	Mark Jolliffe	Local resident	Objecting
	Celia Smith	on behalf of North Curry Parish Council	Objecting
	Colin Carter	Local resident	Objecting
	Andy Lehner	Developer	Infavour
42/19/0045	Rebecca Dunstan	Local Resident	Objecting
	Philippa Hollins	Local Resident	Objecting
	Mr – Edd Pearce	EJFP Planning	Infavour
	Michael Bellamy	Transport Ltd (on behalf of applicant)	Infavour
Tree Preservation Order protects one Hornbeam tree that is growing as a street tree outside 12 The Avenue.	Ben Whitworth	Local Resident	objecting

133. **24/19/0046**

Erection of 1 No. bungalow with detached garage on land to the rear of 16 Town Farm, North Curry

Comments from members of the public included;

- Concerns with access to the site;
- Concerns with the Visibility Splays;
- Loss of the historic orchard;
- The habitat that was removed cannot be replaced;
- Garden grabbing;
- Back land development;
- No changes to the original application;
- Overlooking;
- Concerns with loss of privacy;

- No pedestrian foot path;
- No street lighting;
- No benefit to the village;
- This area was of valuable green space;
- Concerns with the loss of slow worms;
- Previous reasons for refusal had been overcome;

Comments from members included;

- Concerns with the conflicting standing advice from Somerset County Council Highways;
- Highway safety;
- Concerns with the removal of the trees and Slow worms on the site;
- Not an appropriate site for development;
- Local residents knowledge needs to be taken into account;
- Concerns that the S106 is being disregarded;
- Cumulative impact of the site;
- Concerns with access onto the site;

Councillor Habgood proposed and Councillor Coles seconded a motion for the application to be APPROVED as per Officer Recommendation.

That **motion** was lost

Councillor Lithgow proposed and Councillor Marcia Hill seconded a motion for the application to be REFUSED.

Reasons

- Highway safety
- Loss of Habitat

The **motion** was carried

At this point in the meeting Councillor Morgan left the Council Chamber

134. **42/19/0045**

Outline application with all matters reserved, except access, for the erection of 1 No. dwelling on land to the North West of Applecombe Cottage, Wild Oak Lane, Trull (resubmission of 42/19/0022)

Comments by members of the public included;

- Concerns for pedestrian safety;
- Traffic issues;
- Concerns for the Badgers on site;
- The application complies with Policies;
- There were no material changes to the application;

- No recorded collisions were recorded on Wild Oak Lane;
- This was a sustainable location for a new home;
- Access issues
- No passing places in the lane;

Comments by members included;

- Access issues;
- Concerns with the increased vehicle movement;
- The application falls within the settlement limit of Trull;
- Highway safety issues;
- The professional opinion of officers needed to be taken into account for this development;

Councillor Lithgow proposed and Councillor Marcia Hill seconded a motion for the application to be REFUSED

The **motion** was lost

Councillor Sully proposed and Councillor Habgood seconded a motion for the application to be APPROVED

The **motion** was carried

At this point in the meeting the committee took a short break.

135. **Tree Preservation Order 12 The Avenue, Taunton**

The Tree Preservation Order protects one Hornbeam tree that is growing as a street tree outside 12 The Avenue.

Comments by members of the public included;

- Concerns that the tree roots were causing progressive damage to the drains in the Avenue;
- The other trees in the Avenue did not have a TPO on them;
- The trees were inappropriate for the area due to their size and shape and they were still growing;
- The wrong cultivar of hornbeam was chosen for this area;

Comments by members included;

- There was no evidence that the tree was causing damage to the nearest property;
- The trees were a valuable part of the community and in a Conservation area;
- Concerns with the impact of the tree roots on the public pavement;
- We need to work with Somerset County Council to manage the control of these trees;

Councillor Lithgow proposed and Councillor Marcia Hill seconded a motion for the Tree Preservation Order to be confirmed with a note for the Tree Officer to work with Somerset County Council and the residents to come up with a regime to mitigate damage to properties by the trees;

The **motion** was carried

136. **Latest appeals and decisions received Lodged**

One decision and one new appeal had been received, which were read at the meeting;

(The Meeting ended at 4.06 pm)

42/19/0053

TAYLOR WIMPEY UK LTD, BOVIS HOMES LTD, SUMMERFIELD DEVELOPMENTS (SW) LTD

Application for approval of reserved matters following outline application 42/14/0069 for construction of the strategic infrastructure associated with the Western Neighbourhood, including the spine road and infrastructure roads; green infrastructure and ecological mitigation; strategic drainage, earth re-modelling works and associated retaining walls on land at Comeytrowe/Trull

Location: STREET RECORD, COMEYTROWE RISE, TAUNTON

Grid Reference: 320033.123276

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 edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 1 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 2 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 3 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 4 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 5 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 6 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 7 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 8 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 9 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 10 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 11 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 12 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 13 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 14 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 15 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 16 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 17 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 18 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 19 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 20 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 21 of 22)
 (A3) DrNo edp 782_d161a Plan EDP 1 Tree Protection Plan (Sheet 22 of 22)
 (A3) DrNo edp 782_d162a Plan EDP 1 Extended Phase 1 Habitat Survey
 (A3) DrNo edp 782_d163b Plan EDP 2 Bat Tree & Building Assessment

(A3) Plan EDP 3 Badger Mitigation Plan
 (A3) Plan EDP 4 Bird & Bat Mitigation Plan
 (A3) Plan EDP 5 Dormouse Survey Results 2018
 (A3) Plan EDP 6 Dormouse Mitigation Plan
 (A3) Plan EDP 7 Reptile Mitigation Plan
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 1
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 2
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 3
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 4
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 5
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 6
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 7
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 8
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 9
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 10
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 11
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 12
 Condition 23: Infrastructure Phase 1 Highway Design Details Part 13
 Condition 11: Infrastructure Phase 1 Foul Water Drainage Strategy Part 1
 Condition 11: Infrastructure Phase 1 Foul Water Drainage Strategy Part 2
 Condition 11: Infrastructure Phase 1 Foul Water Drainage Strategy Part 3
 Condition 11: Infrastructure Phase 1 Foul Water Drainage Strategy Part 4
 Condition 13: Infrastructure Phase 1 Surface Water Drainage Strategy Part 1
 Condition 13: Infrastructure Phase 1 Surface Water Drainage Strategy Part 2
 Condition 13: Infrastructure Phase 1 Surface Water Drainage Strategy Part 3
 Condition 13: Infrastructure Phase 1 Surface Water Drainage Strategy Part 4
 Condition 13: Infrastructure Phase 1 Surface Water Drainage Strategy Part 5
 (A1) DrNo 46006/2013/1100 Rev B Phase 1 Strategic Infrastructure Kerbing
 Layout Sheet 1 of 5
 (A1) DrNo 46006/2013/1101 Rev B Phase 1 Strategic Infrastructure Kerbing
 Layout Sheet 2 of 5
 (A1) DrNo 46006/2013/1102 Rev B Phase 1 Strategic Infrastructure Kerbing
 Layout Sheet 3 of 5
 (A1) DrNo 46006/2013/1103 Rev B Phase 1 Strategic Infrastructure Kerbing
 Layout Sheet 4 of 5
 (A1) DrNo 46006/2013/1104 Rev B Phase 1 Strategic Infrastructure Kerbing
 Layout Sheet 5 of 5
 (A1) DrNo 46006/2013/700 Rev B Phase 1 Strategic Infrastructure Pavement
 Construction Sheet 1 of 5
 (A1) DrNo 46006/2013/701 Rev C Phase 1 Strategic Infrastructure Pavement
 Construction Sheet 2 of 5
 (A1) DrNo 46006/2013/702 Rev C Phase 1 Strategic Infrastructure Pavement
 Construction Sheet 3 of 5
 (A1) DrNo 46006/2013/703 Rev C Phase 1 Strategic Infrastructure Pavement
 Construction Sheet 4 of 5
 (A1) DrNo 46006/2013/704 Rev C Phase 1 Strategic Infrastructure Pavement
 Construction Sheet 5 of 5
 (A1) DrNo 46006/2013/612 Rev A Phase 1 Strategic Infrastructure Reinforced
 Soil Slope Details
 (A1) DrNo 46006/2013/610 Rev A Phase 1 Strategic Infrastructure Retaining
 Wall Details
 (A1) DrNo 46006/2013/610 Rev C Phase 1 Strategic Infrastructure Retaining

Feature Plan

(A1) DrNo 46006/2013/600 Rev B Phase 1 Strategic Infrastructure Earthworks Isopachyte
(A3) DrNo 46006/2013/500 Rev C Phase 1 Strategic Infrastructure Drainage Plan Sheet 1 of 9
(A3) DrNo 46006/2013/501 Rev C Phase 1 Strategic Infrastructure Drainage Plan Sheet 2 of 9
(A3) DrNo 46006/2013/502 Rev C Phase 1 Strategic Infrastructure Drainage Plan Sheet 3 of 9
(A3) DrNo 46006/2013/503 Rev C Phase 1 Strategic Infrastructure Drainage Plan Sheet 4 of 9
(A3) DrNo 46006/2013/504 Rev C Phase 1 Strategic Infrastructure Drainage Plan Sheet 5 of 9
(A3) DrNo 46006/2013/505 Rev C Phase 1 Strategic Infrastructure Drainage Plan Sheet 6 of 9
(A3) DrNo 46006/2013/506 Rev C Phase 1 Strategic Infrastructure Drainage Plan Sheet 7 of 9
(A3) DrNo 46006/2013/507 Rev C Phase 1 Strategic Infrastructure Drainage Plan Sheet 8 of 9
(A3) DrNo 46006/2013/508 Rev B Phase 1 Strategic Infrastructure Drainage Plan Sheet 9 of 9
(A1) DrNo 46006/2013/200 Rev A Phase 1 Strategic Infrastructure Site Clearance Plan
(A1) DrNo 46006/2013/170 Rev B Phase 1 Strategic Infrastructure Vehicle Tracking Manoeuvres Sheet 1 of 3
(A1) DrNo 46006/2013/171 Rev B Phase 1 Strategic Infrastructure Vehicle Tracking Manoeuvres Sheet 2 of 3
(A1) DrNo 46006/2013/172 Rev B Phase 1 Strategic Infrastructure Vehicle Tracking Manoeuvres Sheet 3 of 3
(A1) DrNo 46006/2013/160 Phase 1 Strategic Infrastructure Substation Earthing Layout Sheet 1 of 2
(A1) DrNo 46006/2013/161 Phase 1 Strategic Infrastructure Substation General Arrangement Sheet 2 of 2
(A1) DrNo 46006/2013/150 Rev A Phase 1 Strategic Infrastructure Standard Details
(A1) DrNo 46006/2013/130 Rev B Phase 1 Strategic Infrastructure Highway Long Sections Sheet 1 of 3
(A1) DrNo 46006/2013/131 Rev B Phase 1 Strategic Infrastructure Highway Long Sections Sheet 2 of 3
(A1) DrNo 46006/2013/132 Rev B Phase 1 Strategic Infrastructure Highway Long Sections Sheet 3 of 3
(A1) DrNo 46006/2013/120 Rev B Phase 1 Strategic Infrastructure Highway Alignments 1 of 5
(A1) DrNo 46006/2013/121 Rev C Phase 1 Strategic Infrastructure Highway Alignments 2 of 5
(A1) DrNo 46006/2013/122 Rev C Phase 1 Strategic Infrastructure Highway Alignments 3 of 5
(A1) DrNo 46006/2013/123 Rev C Phase 1 Strategic Infrastructure Highway Alignments 4 of 5
(A1) DrNo 46006/2013/124 Rev C Phase 1 Strategic Infrastructure Highway Alignments 5 of 5
(A1) DrNo 46006/2013/100 Rev C Phase 1 Strategic Infrastructure General

Arrangement 1 of 5

(A1) DrNo 46006/2013/101 Rev C Phase 1 Strategic Infrastructure General Arrangement 2 of 5

(A1) DrNo 46006/2013/102 Rev C Phase 1 Strategic Infrastructure General Arrangement 3 of 5

(A1) DrNo 46006/2013/103 Rev C Phase 1 Strategic Infrastructure General Arrangement 4 of 5

(A1) DrNo 46006/2013/104 Rev C Phase 1 Strategic Infrastructure General Arrangement 5 of 5

(A0) DrNo 46006/2013/004 Rev B General Arrangement

(A1) DrNo 46006/2013/003 Rev B Phase 1 Strategic Infrastructure General Arrangement Drainage Strategy

(A1) DrNo 46006/2013/002 Rev B Phase 1 Strategic Infrastructure Sheet Layouts

(A1) BRL_PL203 Common Infrastructure Plant Schedule & Sheet Location Plan

(A0) BRL_PL203_01 Common Infrastructure Planting Proposals - Highfield Park

(A0) BRL_PL203_02 Common Infrastructure Landscape Proposals - Manor Park

(A0) BRL_PL203_03 Common Infrastructure Planting Proposals - Horts Bridge Park

(A0) BRL_PL203_04 Common Infrastructure Planting Proposals - Galmington Vally

(A0) BRL_PL203_05 Common Infrastructure Planting Proposals - The Maze

(A0) BRL_PL003_01 Common Infrastructure Landscape Proposals - Highfield Park

(A0) BRL_PL003_02 Common Infrastructure Landscape Proposals - Manor Park (1)

(A0) BRL_PL003_02 Common Infrastructure Landscape Proposals - Manor Park

(A0) BRL_PL003_03 Common Infrastructure Landscape Proposals - Horts Bridge Park

(A0) BRL_PL003_04 Common Infrastructure Landscape Proposals - Galmington Vally

(A1) DrNo 9019 Phase 1 Strategic Infrastructure Boundary Plan

(A1) DrNo 9019 Phase 1 Strategic Infrastructure Boundary Plan (1)

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

2. Notwithstanding the details shown on the approved plan, details of the location of parking spaces to be incorporated adjoining the approved road (including the principal road) shall be submitted to accompany each reserved matters which includes an adjoining development parcel. In addition, details submitted in respect of reserved matters for the local centre shall address measures to incorporate the spine road within the public realm and provide adequate priority to pedestrians.

Reason: To ensure that adequate parking is provided for residents and visitors, and to ensure that the spine road responds approximately to the requirements for the local centre.

3. Prior to the construction above base course level of the roads, footways and cycleways shown on plans 46006/2013/120 Rev B, 46006/2013/121 Rev C, 46006/2013/122 Rev C, 46006/2013/123 Rev C and 46006/2013/124 Rev C , a hard landscape scheme shall be submitted to and approved in writing by the Local Planning Authority showing details of the hard surface treatment of the roads, footways and cycleways, and a programme of implementation. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area.

4. Prior to construction of the gabions, details shall be provided of the materials to be used including baskets and filling material, and of adjacent landscaping to be planted adjacent to the gabions so as to soften their appearance. The gabions shall be constructed in accordance with the approved details.

Reason: In the interests of visual amenity.

5. Prior to construction of the bridge and culvert to be created in 'Horts Bridge Park' across the Galmington Stream, details shall be provided of the surface materials to be used in the construction of the head walls of the bridge, and of any required safety measures around the embankment area, as well as additional landscaping adjacent to the road as it travels through the park. The culvert and bridge shall be constructed in accordance with the approved details.

Reason: To ensure that the embankment area is sensitively treated in the interests of visual amenity.

Notes to Applicant

1. Your attention is drawn to the original conditions on permission 42/14/0069 which still need to be complied with.
2. Development, insofar as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary (diversion/stopping up) Order has come into effect. Failure to comply with this requirement may result in the developer being prosecuted if the path is built on or otherwise interfered with.
3. 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 entered into pre-application discussions to enable the grant of planning permission.

Proposal

Reserved matters approval is sought, in part, for the strategic infrastructure associated with the Western Neighbourhood only, in accordance with the approved Phasing Plan, and includes the spine road and infrastructure roads; green infrastructure and ecological mitigation; strategic drainage, earth re-modelling works and associated retaining walls.

Plans show the layout of the western part of the principle road, which travels from the approved site access, bridging Comeytrowe Lane and the Garrington Stream, to a point roughly half way between the consented access points into the site from the A38 and Honiton Road. Spurs off this primary route will provide access to later phases. Layout of some secondary roads to the north-west of the site are included in this submission, where the first residential phase is to be situated (covered by concurrent application 42/20/0006).

Green infrastructure is proposed, to include a network of strategic open spaces incorporating a number of features including ecological mitigation, allotments and space for children's play. Strategic drainage of the site is proposed in the form of a Sustainable Urban Drainage System (SUD's), many of which are incorporated into the proposed green infrastructure network.

Due to the topography of the site, earthworks are proposed in order to re-profile the site to deliver residential build-platforms with the ground at gradients of approximately 1:12, in accordance with the approved Phasing Plan. A number of retaining walls are proposed in relation to this.

Since submission additional sections have been sought and provided. These demonstrate the potential siting of development within the residential parcels following the proposed earthworks, and how proposed landscaping accompanies earthworks within the parks and open spaces.

Site Description

Outline consent with all matters reserved (except points of access) has been granted for a residential and mixed use urban extension at Comeytrowe/Trull to include up to 2,000 dwellings, up to 5.25ha of employment land, 2.2ha of land for a primary school, a mixed use local centre and a 300 space 'park and bus' facility (application ref. 42/14/0069). The site area for the outline application was approx. 118ha and was bounded by the A38 Wellington Road to the north-west, the suburb and parish of Comeytrowe to the north and north-east and the farmland of Higher Comeytrowe Farm to the south. The Blackdown Hills AONB is located approximately 2.5 miles to the south of the site.

The area submitted for approval with this application comprises the western portion (approximately 68ha) of the site and includes land within the parishes of Bishop's Hull, Comeytrowe and Trull, with the majority of the parcel falling within Trull.

The majority of the site is currently in agricultural use, with small groupings of housing and farms scattered along the existing lanes. Manor Industrial Estate is located in the northern part of the site next to Comeytrowe Manor. The site is

characterised by a rolling landscape, with a number of substantial hedgerows and trees that help to define the existing field boundaries of the site. The land gently undulates, with the highest points in the north and north-west and lowest points around Galmington Stream to the east of this parcel. Although there are no woodlands of note within the site, there are a small number of trees, mostly along the Galmington Stream and within the hedgerows.

The site is crossed by both Comeytrowe Lane which runs diagonally through the site and the Galmington Stream. Some routes also remain in the northern part of the site connecting Higher Comeytrowe Farm to the west and settlement areas of Comeytrowe to the northeast. A number of Public Rights of Way and historic lanes cross the site connecting the scattered farms in the west to residential settlements of Trull and Comeytrowe in the east.

Relevant Planning History

Ref. 42/14/0069 - Outline planning permission with all matters reserved (except access) for a residential and mixed use urban extension at Comeytrowe/Trull to include up to 2,000 dwellings, up to 5.25ha of employment land, 2.2ha of land for a primary school, a mixed use local centre and a 300 space 'park and bus' facility. Approved 8 August 2019.

Ref. 42/20/0006 - Application for approval of reserved matters following outline application 42/14/0069, for the erection of 70 dwellings, including the appearance, hard and soft landscaping, layout and scale, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works (Phase 1a Parcel H1b) on land at Comeytrowe/Trull. Concurrent application still under consideration.

Consultation Responses

BISHOP'S HULL PARISH COUNCIL – Objection:-

- Spine Road should be constructed in full as part of phase one.
- School should be built alongside the first residential phase.
- 2014 Flood Risk Assessment is inadequate, a new survey should be required.

COMEYTROWE PARISH COUNCIL – No response received.

TRULL PARISH COUNCIL – Objection:-

- Application was submitted prior to discharge of Conditions 3-6.
- Documentation is incomplete or absent.
- Infrastructure layout prejudices design of future housing layout.
- Environmental Impact Assessment should have been carried out.
- Flood survey is out of date.
- Details of construction traffic management have not been submitted.
- SuDS system is unacceptable.
- Inadequate consultation.
- Plans for footways and cycleways conform only to the minimum Somerset standards and not emerging national standards.
- Cannot determine appropriateness of footway and cycleway layout without housebuilding designs.

NATURAL ENGLAND – Comments:-

Advice provided on Outline proposal 42/14/0069 is applicable to this proposal. Amendments are unlikely to have significantly different impacts on the natural environment than the original proposal.

ENVIRONMENT AGENCY – No objection

HIGHWAYS ENGLAND – No objection

HISTORIC ENGLAND – No development specific comments

BLACKHILL DOWNS AONB – comments:-

- Principle of inclusion of green infrastructure within the site is welcomed
- Support the concept of visual linkages with both Taunton and the wider countryside, including the AONB
- The combination of topography, undeveloped areas and proposed tree cover will help to ensure that the new development does not appear overly prominent or discordant in long views that are an important quality of the AONB
- Would support conditions to secure strategic planting ahead of built development

SCC - TRANSPORT DEVELOPMENT GROUP – No objection to scheme:-

- Detailed points made that will need to be considered by the developer as part of their technical highways submission for the road.

SCC ESTATES TEAM – Comments:-

- Road network and route of spine road to the school site (outside boundary of this application) are acceptable
- Application is in accordance with S106 and spine road will be able to be used to ensure the site is served and levelled at the earliest convenience in preparation for a school build

SCC - ECOLOGY – Comments:-

- Detailed comments relating to discharge of conditions.

LEAD LOCAL FLOOD AUTHORITY - Comments:-

- Principle of subdividing the proposed development area into sub catchments and addressing the drainage form each parcel is appropriate.
- This phase comprises a suite of strategic attenuation basins designed purely to manage the required volumes and rates within each parcel.
- More details need to be provided at later stages in the development including integration of SuDS into green infrastructure, treatment trains to manage pollutants and exceedance routes
- A commitment to providing high-quality, multi-functional SuDS features needs to be appropriately secured through the planning process, as these features are often designed out at later stages of planning, to the detriment of the development and the wider area.

COUNTY PUBLIC RIGHTS OF WAY OFFICER (PROW) WAY - No objection subject to condition and informative.

A public right of way (PROW) will need to be diverted to accommodate the proposal (Public footpath T 29/11). The County Council do not object to the proposal subject to the applicant being informed that the grant of planning permission does not entitle them to obstruct a public right of way.

LANDSCAPE – Comments:-

- Green Infrastructure areas a well-considered approach to the landscape that will provide significant breaks and edges to the development.
- Scheme gives a holistic understanding of the relationship/connection between the rural landscape to the south and the existing residential areas to the north and there is a clear sense that if successfully delivered these areas will provide valuable landscapes for existing and new residents in the area.
- Conditions required to secure details of gabions and materials for bridge across Garington Stream.

SWAN PAUL - Comments:-

(Swan Paul advised the Council on the landscaping element of the outline application).

- Well-considered structure and network of open spaces through the development.
- Hilltop 'vista parks' make good use of the contours of the site and decrease the impact of the development around hilltop points, responding to the assessment of the Landscape and Visual Impact Assessment submitted at Outline.
- Lack of clarity regarding the roundabout entrance to the site and how this will form a 'green approach' to the site.
- Generally the species choice within the detailed landscape planting plans are good and will make a positive contribution to the landscape and habitat value of the development. Wildflower seed mixes are well thought through.
- The existing hedgerow pattern has been incorporated more successfully at the detailed level with more existing hedges retained.

TREE OFFICER – Comments:-

- Proposed tree protection and Arboricultural Method Statements are acceptable.

POLICE ARCHITECTURAL LIAISON OFFICER – Comments:-

- The spine road should be designed in accordance with the principles of Manual for Streets documents 1 & 2
- Consider security measures to protect against evolving criminal and terrorist threat.
- Landscaping should not impede natural surveillance of open spaces.

SOUTH WEST HERITAGE TRUST / SOMERSET HERITAGE OFFICER -
No objections on archaeological grounds

TAUNTON DEANE RAMBLERS – Comments:-

- Scale of approved roundabouts and associated highways measured should be reconsidered

TAUNTON AREA CYCLING CAMPAIGN (TACC) – Objection:-

- Welcome proposal for cycletrack but would be more effective as a segregated cycle track at carriageway level.
- Scale of approved roundabouts and associated highways measured should be reconsidered

Representations Received

Five site notices have been posted and neighbours notified of the application. The council is in receipt of 36 representations.

The comments made can be summarised as follows:-

Principle of development

- Development of this site is not in accordance with the Core Strategy
- Brownfield sites should be developed instead
- No demand for additional homes in Taunton
- Impact of additional houses on local services
- Development will result in loss of prime agricultural land

Transport – development principles

- Surrounding road network is congested and cannot accommodate additional traffic
- Why is a park and ride proposed and how will its long term future be secured?
- Comeytrowe Lane should be closed off when the works commence to prevent rat-running
- Park and ride should be replaced by area of woodland
- Spine Road needs to be completed in its entirety

Transport – detailed layout

- Concerns regarding design of foot and cycle ways
- Concern that plans show vehicular access to Comeytrowe Lane

Drainage and Flooding

- Insufficient details provided regarding design of drainage solutions
- Drainage proposals do not incorporate current policy on Climate Change
- Concern over ongoing responsibility for maintaining open spaces and drainage infrastructure

Open space and Green Infrastructure

- Green corridors should be provided adjoining rears of neighbouring dwellings
- Tree planting must be sufficient to minimise visual impact of new housing
- 25m buffer should be provided between existing development / Comeytrowe Lane and new development
- Parks should include community orchards

Impact on Neighbours

- Impact on outlook and residential amenity of properties on Jeffery's Way

Construction process

- Where will any net soil created by earthworks be disposed of?
- Construction may cause power outages due to overhead power lines on site

Planning process

- Query as to whether reserved matters application should be screened under Environmental Impact Assessment regulations
- Application should not have been submitted a week before Christmas

Other site specific issues

- Community liaison arrangements have not been put in place
- Developer has not yet obtained licenses for protected species

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). Both the Taunton Deane Core Strategy and the West Somerset Local Plan to 2032 are currently being rolled forward with the aim of producing one new Local Plan covering the entire administrative area.

Relevant policies of the development plan are listed below.

SD1 - Presumption in favour of sustainable development,
CP5 - Inclusive communities,
CP6 - Transport and accessibility,
CP7 - Infrastructure,
CP8 - Environment,
SP2 - Realising the vision for Taunton,
SS7 - Comeytrowe / Trull - Broad Location for Growth,
DM1 - General requirements,
DM4 - Design,
DM5 - Use of resources and sustainable design,
A2 - Travel Planning,
A3 - Cycle network,
A5 - Accessibility of development,
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,
TAU1 - Comeytrowe / Trull,

Local finance considerations

Community Infrastructure Levy

This application provides details of supporting infrastructure only, which is not CIL liable and will not generate any New Homes Bonus. Future reserved matters for residential units will introduce CIL and New Homes Bonus liable development to the site.

Determining issues and considerations

Principle of development of the site

The principle of redeveloping this site to provide an urban extension has been established by the outline approval.

EIA Screening

A full and detailed Environmental Statement was submitted with the Outline application, and officer opinion is that there is no need for this to be updated as there has been no significant change to the status of the land nor any other relevant factors since the outline consent was granted. A third party request has been made to the Secretary of State, requesting that he issue a screening direction on this Reserved Matters application, but this request was been formally declined by the Secretary of State.

Layout, design and appearance

Core Strategy Policy DM4 Design, Site Allocations & Development Management Plan (SADMP) Policy D7 Design Quality and Section 12 (Achieving well designed places), together with paragraphs 124-132 of the NPPF are relevant. The Garden Town vision document and checklist is also a material consideration.

The amount and arrangement of green infrastructure (GI) is a strength of the scheme and the Hilltop 'vista parks' make good use of the contours of the site and decrease the impact of the development around hilltop points. This in turn enables the site to respond appropriately in its relationship with the nearby Blackdown Hills AONB. Allotments, play space and a community orchard are incorporated into the GI network. The proposed strategic GI network will provide 21.5ha of green infrastructure on this phase of the development, covering just under a third of the Western Phase. The network appropriately incorporates and enhances existing GI features such as watercourses, existing trees and hedgerows and is in accordance with both the approved Green Infrastructure Parameter Plan and Design Guide.

The design of the principal road (also referred to as spine road) and secondary roads included within this application are in accordance with the street hierarchy within the Comeytrove Design Guide. The proposals include joint cycle and pedestrian pathways along both the principal road and a "cycle street". Again, this is in accordance with the approach agreed through negotiations at Outline stage and in the Comeytrove Design Guide.

Where the primary road crosses the area proposed as 'Holt Bridge Park' and the Galmington Stream, the road is elevated above the surrounding landscape, and the culvert itself will be a fairly prominent feature within the local landscape. However, the impact of this elevation will be local in nature and considered acceptable by officers due to the mitigation delivered by the adjacent landscaping scheme, subject to a condition to secure details of the materials to be used in the bridge/culvert.

The proposed road layout includes a new street located 28-30m from the rear boundaries of properties located on Jeffreys Way, this is adequate space to enable the delivery of dwellings within the site while providing adequate levels of amenity to neighbouring properties.

While the plans show a vehicular access to Comeytrowe Lane the use of this is restricted by Condition 28 of the Outline to buses, emergency vehicles, pedestrians and cyclists only.

Landscaping

Earthworks are proposed across the site to create relatively level areas on which to build the dwellings, local centre and employment areas, and also to create the site-wide drainage solution. This is in accordance with the agreed Phasing Strategy for the Western Neighbourhood, with the proposed cut and fill mostly being redistributed across the site. Condition 14 of the Outline consent requires the submission of a Construction Environmental Management Plan (CEMP) to include details of control and removal of spoil and wastes.

At the request of the Local Planning Authority, the applicant has provided additional information in the form of sections, to demonstrate that development can be appropriately accommodated within the residential parcels following the proposed earthworks, and that proposed earthworks will be effectively landscaped within the parks and open spaces.

The Council's Landscaping Officer has worked iteratively with the applicant's landscape architects in drawing up the proposals, and it is considered the resulting detailed landscaping proposals are of a high quality.

Surface Water Drainage Strategy (Condition 12)

Details of the proposed drainage infrastructure have been submitted, accompanied by an updated Surface Water Drainage Strategy based on the Flood Risk Assessment (FRA) submitted at outline (Ref. 24721/020, dated May 2015) as required by Condition 12. The Local Lead Flood Authority have confirmed that the updated strategy is in accordance with the Outline FRA, and the developer has provided additional details to the LLFA as requested, an update on which will be provided to the committee.

Ecology (Conditions 18, 19, 20 & 21)

A Construction Environmental Management Plan (CEMP), Landscape and Ecological Management Plan (LEMP), updated species surveys and Lighting Strategy to satisfy Conditions 18, 19, 20 & 21 have been submitted alongside the reserved matters application, but are not required to be determined concurrently. Somerset Ecology Services have provided detailed comments on the submitted documents in response to which the applicant has revised the documentation. An update will be provided to the committee.

Conclusion

The principle of development of an urban extension on this site, together with access connection to the existing road network and principle drainage issues, was agreed with the outline planning permission. The reserved matters application accurately reflects and builds upon the outline approval.

The proposal provides supporting infrastructure including a significant amount of green infrastructure to support the development of this urban extension. It would provide a suitable framework within which to develop the following phases of residential, commercial and employment development and will deliver the spine

road, providing early access to the primary school site, enabling the delivery of the school alongside the housing. The delivery of the urban extension will make a significant contribution towards meeting housing needs in Taunton and the wider council area.

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

Contact Officer: Ursula Fay

Application No:	3/26/19/016
Parish	Old Cleeve
Application Type	Full Planning Permission
Case Officer:	Alex Lawrey
Grid Ref	
Applicant	Acorn Developments (SW) Ltd.
Proposal	Erection of 9 No. dwellings with associated access, landscaping, public open space, drainage and footpath works
Location	Former Nursery Site, A39, Washford, Watchet, TA23 0NT
Reason for referral to Committee	

Recommendation

Recommended decision: Grant

Recommended Conditions

- 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 18.82.01 Site Location Plan
 (A1) DrNo 18.82.02-G Site Layout- House Types
 (A1) DrNo 18.82.03-E Site Layout-Roof Plans
 (A2) DrNo 18.82.04A House Type Floor Plans Type A
 (A2) DrNo 18.82.05c House Type Floor Plans Type B
 (A2) DrNo 18.82.06-A House Type Floor Plans Type C
 (A2) DrNo 18.82.07-B House Type Floor Plans Type D
 (A2) DrNo 18.82.08-C House Type Floor Plans Type E
 (A2) DrNo 18.82.09B House Type Floor Plans Type F
 (A2) DrNo 18.82.10 Plots 1 & 2 Elevations
 (A2) DrNo 18.82.11 Plot 3 Elevations
 (A2) DrNo 18.82.12 Plot 4 Elevations
 (A2) DrNo 18.82.13A Plot 5 Elevations
 (A2) DrNo 18.82.14A Plot 6 Elevations
 (A2) DrNo 18.82.15 Plot 7 Elevations

(A2) DrNo 18.82.16A Plot 8 Elevations
 (A2) DrNo 18.82.17A Plot 9 Elevations
 (A2) DrNo 18.82.18A Plot 10 Elevations
 (A2) DrNo 18.82.19 Site Elevations
 (A1) DrNo 18.82.20B Garages - Sheet 1 of 1 Floor Plans & Elevations
 (A1) DrNo 18.82.21 A Footpath Route & Detail
 (A1) DrNo 3097.001 Landscape General Arrangement
 (A1) DrNo 3097.002 Kerbs & Edges
 (A2) DrNo 3097.003 Paving Details
 (A2) DrNo 3097.004 Fences, Walls & Street Furniture
 (A1) DrNo 3097.005.1 Planting Plan - Sheet 1 of 2
 (A1) DrNo 3097.005.2 Planting Plan - Sheet 2 of 2

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

- 3 Prior to the construction of the dwellings hereby approved above damp-proof-course level, 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. 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.

- 4 No development (other than that required by this condition) shall be undertaken on site unless a programme of archaeological work, including excavations, has been implemented in accordance with a written scheme of investigation which has been first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the agreed scheme.

Reason: To ensure the preservation of archaeological remains. There is evidence of a deserted settlement noted in the Somerset HER and any works on site could have the potential to disturb archaeological interests.

- 5 Prior to occupation of the buildings, works for the disposal of sewage and surface water drainage via soakaways shall be provided on the site to serve the development, hereby permitted, in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. Prior to any works to the south-east corner of the site adjacent to the highway, and for any works to the highways' access point located close to the water main (indicative route of the water main shown on Wessex Water map submitted as part of their consultation response to this application) the developer shall undertake a survey to establish the precise route of the fresh water mains and shall obtain necessary diversions and/or easements from the water utility company and the LPA, if required. The works shall thereafter be retained and maintained in that form. Details and specifications shall also be supplied and agreed in writing by the local planning authority prior to their implementation for the proposed culvert.

Reason: To prevent surface water discharge into public foul water sewers,

maintain existing fresh water supplies, and to ensure the adequate provision of drainage infrastructure.

- 6 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;
 - A scheme to encourage the use of Public Transport amongst contractors; and
 - Measures to avoid traffic congestion impacting upon the Strategic Road Network.
 - On-site vehicle wheel washing facilities

Reason: In the interests of highway safety and amenity.

Pre-commencement reason: This information is necessary prior to the development being implemented to ensure that construction works are controlled.

- 7 The proposed access shall have a minimum width of 5 metres and incorporate radii not less than 6 metres.

Reason: In the interests of highway safety.

- 8 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 occupation and thereafter maintained at all times.

Reason: To prevent flooding of the highway and in the interests of highway safety.

- 9 The proposed estate roads, footways, footpaths, tactile paving, cycleways, 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.

Reason: To ensure that the development is well designed and internal estate roads are functional and fit for purpose.

- 10 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.

Reason: To ensure pedestrian and vehicular access to the dwellings is possible and safe prior to their occupation.

- 11 In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until the cycleway/footpath connection westward to the north of Huish Barns and Huish Mews has been constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable transport and pedestrian and cycle safety.

- 12 The Development hereby permitted shall not be occupied until the parking spaces for each dwellings and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To prevent on-street parking and in the interests of highway safety.

- 13 There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres to the west and 110 metres to the east either side of the access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety.

- 14 (i) A landscaping scheme shall be submitted to and approved in writing by the local Planning Authority prior to 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.
- (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.

Informative notes to applicant

STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has complied with the requirements of paragraph 38 of the National Planning Policy Framework. Although the applicant did not seek to enter into pre-application discussions/correspondence with the Local Planning Authority, during the consideration of the application issues/concerns were raised by a statutory consultee which were addressed. The Local Planning Authority contacted the applicant and sought amendments to the scheme to address this issue/concern and amended plans were submitted. For the reasons given above and expanded upon in the planning officer's report, the application, in its revised form, was considered acceptable and planning permission was granted.

Recommendation

Recommended decision: Grant

- (1) That delegated authority be given to the Chief Planning Specialist to grant planning permission, subject to the conditions set out in this report, after the signing of a Section 106 legal agreement, or equivalent unilateral undertaking is received, to secure the provisions set out in this report.**
- (2) That delegated authority be given to the Chief Planning Specialist to refuse the application, if within six months of the date of this resolution, the Section 106 legal agreement remains unsigned.**

Site Description

The site is a grassed field which formerly housed a plant nursery located on the edge of the settlement of Washford. It is adjacent to the main A road to the south, and has an existing access to the highway. The site is partially bounded by mature hedgerows and has some mature trees. There is a small stream running through it. There are residential dwellings to the west, and to the north and east land in agricultural use. The site is relatively flat and is entirely outside of Flood Zones 2 and 3.

Relevant Planning History

3/26/14/025 - outline: erection of up to 6no. dwellings, footpath – C/A – 20/06/2017 (Huish Mews site)

3/26/14/026 - outline: erection of up to 10no. affordable dwellings, relocation of allotments – C/A – 20/06/2017

3/26/19/015 – Reserved Matters: erection of 5no dwellings, relocation of allotments – C/A – 17/10/2019

NMA/26/19/001 - minor revisions to plan numbers approved under 3/26/19/015 - approved

Consultation Responses

Old Cleeve Parish Council - The above application was reviewed by Old Cleeve Parish Council at the August 2019 meeting and the following comments were noted:

- Old Cleeve Parish Council previously objected to the development by the Wyndham Estate, both on this site and the linked site in Huish Lane. The main reason being the A39 traffic issues; entering through Washford and close proximity to the dangerous Walnut Tree Corner junction with Huish lane, combined with the lack of suitable footways/crossings
- There are concerns over; the proposed public footpath linking the development to Huish Lane, safe access to essential services and the capacity of the school
- The foul sewer serving Washford to Watchet, regularly surcharges in adverse conditions, creating flooding in Lower Washford - in particular the school. Any further loading may exacerbate this issue with increased frequency
- The proposed full application submitted changes from the previous approved outline application scheme from six dwellings to ten number, an increase of 40%, that in our opinion requires re- evaluation
- Old Cleeve Parish Council is also aware of an impending application by the

Wyndham Estate for a further scheme of fifteen units situated between this site and the Huish Lane scheme - approved in outline. Any such proposal linking these developments via its roadway and Huish Lane would have an enormous impact for the reasons previously given and would be strongly opposed by Old Cleeve Parish Council

- Planning Statement
- Section 3 3.1 Details of the Section 106 Agreement - as the scheme triggers a financial contribution to offset the negativity of this development, Old Cleeve Parish Council should be part of the S.106 process
- Only Washford village, within the Parish of Old Cleeve, allows permitted development under the Local Plan 2015-2032. Roadwater village is covered by the Exmoor National Park Authority Local Plan. All other locations in the parish are considered open countryside
- Clause 3.2.2 This lists amenities, which is true, however some are only operated on a limited and part time basis - in particular the Post Office/shop and the railway station. The school has limited capacity and is currently at its maximum. Access to the services required is by lanes or the A39 with either no or limited safe footways
- Clause 3.2.4 'Regular trains' are not available as the part time railway is primarily holiday season use and is closed during the winter. This must be discounted as a regular or economic commuter service. The use of the private car is the prime means of transport, whilst the use of the bus service is possible (to Minehead and Taunton), the route and access to the bus stops are particularly hazardous at all times on the A39. Sections 2 and 4 refer to 'regular bus services' and 'extensive bus services' - there are buses, but not to this extent. Employment prospects locally are limited and commuting by car to Taunton, Bridgwater or Minehead is the only practical option. Under the outline planning permission, it is stated that;
 ? under Condition 9, a Measures Only Travel Plan is required - this has not been addressed
 ? under Condition 14, the extension of the speed limit on the A39 to the west is required - this has not been addressed
- Clause 3.3.4 The ditch/watercourse runs east/west across the site. This arises from a natural spring east of the site in the grounds of Langtry House and ponds accordingly. The spring and associated ponds are clearly evidenced on the 1888 OS maps and regularly flood in severe adverse weather. Adequate provision will be necessary to prevent restriction and potentially creating a greater flood risk to Langtry House, access and new housing. This issue is not indicated on the submitted plans, and therefore nor is its resolution
- Clause 3.4.5/3.4.6 The site is not well related to the village services - recognised at the outline stage requiring the essential linked footpath to Huish Lane. Clause 3.4.6 states that there is no intention to light the path or create a hard surface and it will be managed by a company for future

maintenance - the transport document indicates tarmac. It is essential that the path is lit and surfaced as this was a particular issue raised by Old Cleeve Parish Council at the planning committee determination and agreed conditions imposed. Without this level of protection, during winter months/dark mornings and nights and the footpath being used by children or persons with disabilities - safety will be compromised. Condition 12 requires the linking footpath to be lit and 2.0m wide - this has not been considered

- Clause 5.3 Transport, Access and Parking

Within paragraph 5.3.4, it is suggested that as the development is on the east side of Washford, that all traffic will travel to Williton or Watchet - this cannot be assumed.

Walking distances have been checked and are based upon the shortest, safe route; however, pavement footways are not continuous whilst crossing the A39 and this is hazardous at any point. Somerset County Council have confirmed that there are no safe places for crossings or for the provision of. In 2018 Old Cleeve Parish Council conducted an in-depth road safety survey (evidence can be provided). Access to bus stops from the site in the westerly direction is the worst hazard. Easterly the bus stop near the Post Office/shop is considered inadequate (735m). The distance to Washford Inn/railway station is 896m. There is no adequate parking at the Post Office/shop and is situated on 'Cat Lane' a single-track one-way lane with no separate footways

- Paragraph 7.1 refers to the Travel Plan in the outline planning permission, then states this is not warranted, but the outline planning permission requires it
- Appendix B shows the swept path analysis - this shows large vehicles turning left in from or left out to the A39, as needing to use the wrong side of the road to make the turn, this is potentially dangerous

- Clause 5.37/5.38 It is considered that part of the data is flawed as the former nursery and 5.39 site only operated between April and September and remained closed during the winter months. The operator was occasionally assisted by one other person (only ever a maximum of two persons). It was operated on a small-scale specialist basis and not a Garden Centre as suggested. This also meant that the traffic flow in and out of the site was minimal - vehicle movements were very low and cannot be used as a measurement against the increase in potential vehicle movements. West Somerset planning authority did not take this into account when considering the outline consent for six no. dwellings and with the increase to ten no. units, the comparison is distorted

- Design and Layout

- Clause 5.4.6 Measures to reduce carbon emissions - it is noted that the designs incorporate chimney structures/fireplaces. As Washford has no gas supply and oil is no longer compliant, solid fuel will emit considerable carbon. The designs do not incorporate solar thermal or solar voltaic provision. This is recommended along with battery storage and grid feedback facilities. To suggest the use of buses (diesel) or the railway (coal or diesel) is of no value as a design feature to reduce carbon

emissions. Air sourced heat pumps of ground source are the preferred means of heating. Insufficient space is available for ground service provision. If air sourced heating is used, the position of the units will need to be designed so as not to cause a nuisance. Power loading (electric supply) may give rise to issues within the locality. Provision should be made for electric car charging - the parking court and tandem parking may present problems - how will this be addressed?

- Ecology
- Clause 5.8.3 Old Cleeve Parish Council noted that the site was stripped of all vegetation and burnt on the day of purchase by the current developer, thus negating any habitat that may have been present. This was just before the ecological survey undertaken in June. Another survey is due to be conducted in September 2019
- Flood Risk and Drainage
Details do not appear to be included in the Planning Statement although are referred to under Clause 5.9.3
- Clause 5.9.3 Both the existing foul sewer (W.W.A.) and surface water spring/pond are noted as being in existence. No details are provided as to how these are going to be mitigated due to conflict with the proposed buildings. It should be noted that the foul sewer at the western boundary according to W.W.A. records is incorrectly plotted and is included in the adjacent property and also serves properties to the south of the A39
- Layout Design
- Old Cleeve Parish Council considers that the layout is flawed in part. Whilst it is accepted that consent in principle has been granted for six dwellings, subject to conditions, the increase to ten is excessive due to dwelling size and positioning
- The street scene facing the A39 is of concern as the mass of plots 1 - 3 overpowers the entry to Washford due to the forward positioning
- Plot 2 - a four-bedroom unit is constrained with minimal maintenance space between it and plot 3
- The triple (one behind the other) parking provision is particularly poor and rarely works in practice, giving rise to parking issues and neighbour disputes, particularly when visitors require parking
- Likewise, parking courts of this type serving plots 1 - 4 in time, may create issues over maintenance, cleaning and dumping of rubbish (social issues)
- There is an inconsistency between the transport document (Bellamy)

stating minimum garage sizes and that provided for in the Reed Holland statement and house/garage/carport sizes. The larger sizes will be required

- Plot 3 is considered to be too large for the plot, the gable mass dominating the entry to the development site. Consideration should be given to a lesser property i.e. perhaps 1 ½ storey or single storey. The large screen wall abutting the footpath urbanises the approach
- Plot 5 pinches the pavement edge and it is suggested that it be set back to avoid possible damage to the structure
- Plots 6, 7 and 8 are poorly spaced, served by a shared driveway space and may well lead to conflict (as above) with regards to a lack of parking for visitors. Poor capacity can lead to parking issues within the road turning head or the potential of parking on the single pavement - creating damage and restricted movement for pedestrians and pram, wheelchair and mobility scooter users
- Provision for waste storage and recycling is not indicated - there is a strong objection to bins on streets or in front gardens
- This is not a level site, the proposed dwelling floor levels are not stated

In summary, Old Cleeve Parish Council objects to the current proposals. Consideration should be given to reducing the plot numbers/mass and provide a revised scheme addressing the issues raised. Old Cleeve Parish Council also request that this planning application is called in for review by the Planning Committee.

This was agreed by all members present.

Somerset County Council - West Somerset Highways - Impacts are less than severe so no objection subject to conditions for CEMP, width of access, disposal of surface water, details of road/infrastructures approved by condition, each dwelling has footpath and turning space prior to occupation, footpath connection to Huish Mews, consolidation of parking spaces, and visibility splays. Further notes that internal road will not be likely to be adopted and will be subject to APC under 219-225 of Highways Act

Housing Enabling Officer - The application was submitted in tandem with reserved matters application at the Huish Mews site (3/26/19/015, from outline application 3/26/14/026) which will meet the identified need in the parish and is 35% of total number of dwellings proposed by the original two linked outline applications, therefore no requirement for affordable at the nursery site if the current application has the link enshrined through a section 106 with a trigger mechanism to ensure delivery of the affordable at the Huish Mews site, with rented units at the Huish Mews site allocated via Homefinder Somerset and this included in the 106

agreement

Rights of Way Protection Officer - no comments received

Tree Officer - There is a TPO on the walnut tree which should be protected during build-out, and buildings at north end a very close to hedgebank should be bigger gap (this has since been amended), initial proposal for new plantings is an odd mixture seeking amendments to it and to plantings for gardens, as there is limited space can two or three larger trees be planted along footpath route?

Landscape Officer - no comments received

Wessex Water Authority - no objections but noted that there is a mains water pipe to the south-east corner of the site and WW will not grant rights to build over this and a survey will be required at applicants expense to discover exact route of mains water pipe. Applicants have said will use soakaways to dispose of surface water, this is subject to approval by the LPA, all water infrastructure must be watertight as significant problems in the area with sewerage flooding due to high groundwater levels during periods of heavy rain. Connection foul sewerage network is acceptable

Somerset County Council - flooding & drainage - Applicant should be aware of flooding issues around Washford, the LLFA discourages culverting of open watercourse which runs through the site. Requested informative.

Police - Designing out crime officer - Does not object and noted that the development should comply with Part Q of building regulations, advised compliance with provisions of SBD2019, and advised that landscaping should not create dark hiding places

SWT Public Open Spaces - policy CF1 requires provision of appropriate public amenity space, this would be via a contribution towards an offsite childrens play area of £3328 per dwelling total of £33,280 (based upon 10no. dwellings, amended accordingly to reduction in units)

Conservation Officer - no comments received

SCC - Ecologist - Required amendments to initial plans to allow for an ecological buffer. These have been provided and the ecologist has accepted the revisions and has not objected but has requested conditions, cited above

The South West Heritage Trust - The site overlies a deserted historic settlement noted in HER and is likely to impact on a heritage asset, previous permission had a condition for archaeological investigation. Therefore in accordance with paragraph 199 of the NPPF a condition for a programme of archaeological works to be completed in accord with an approved Written Scheme of Investigation should be attached to any permission granted.

Representations Received

The Somerset Wildlife Trust have written objecting to the development citing the submitted ecological report.

Two letters of representation have been received objecting to the development, issues cited are:

- Increase from 6 to 10 and high density which is out of keeping with the area
- Road safety and bad junction
- Drainage in the area limited and already there are reflux flooding events after heavy rainfall
- Not enough parking for visitors, turning space and room for bin lorries
- overdevelopment

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 the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

LB/1	Listed Buildings Alterations and Extensions
9	The Built Historic Environment
LB/1	Listed Buildings Alterations and Extensions
NH13	Securing high standards of design
SC1	Hierarchy of settlements
R/6	Public Open Space and Small Developments
SD1	Presumption in favour of sustainable development

Retained saved policies of the West Somerset Local Plan (2006)

LB/1	Listed Buildings Alterations and Extensions
9	The Built Historic Environment
LB/1	Listed Buildings Alterations and Extensions
NH13	Securing high standards of design
SC1	Hierarchy of settlements
R/6	Public Open Space and Small Developments
SD1	Presumption in favour of sustainable development

Determining issues and considerations

The main issues are - principle of development, affordable housing and links to previous outline permission and Huish Mews development, legal agreement, design, roads and parking, ecology, landscaping, archaeology, footpath, public open space, drainage and flooding

Principle of development

This application was submitted in tandem with a reserved matters (RM) application at the nearby Huish Mews site (reference 3/26/19/015 for the RM and 3/26/14/025 for the outline) and follows on from two outline consents granted in 2017 which linked both sites with this 'nursery' site (reference 3/26/14/026 outline) providing open market housing and the related Huish Mews site providing affordable housing. The approval for both outlines was conditional upon a mix of affordable housing and open market being provided across the two sites which are separate and not directly linked or contiguous to one another but were in the same ownership. This policy-compliant affordable housing mix was achieved via a legal undertaking related to both outline permissions. However this application is a full planning application, not an RM directly linked to the original outline, but which seeks to continue the principle of linking the sites to provide affordable housing on the other Huish Mews site, whilst providing open-market housing at this 'nursery' site. As before the formal link would be established via a legal agreement.

The site is on the edge of the settlement of Washford where some limited residential development is allowed under the adopted Local Plan. The initially submitted proposal was for 10no. dwellings. However after discussions with the County ecologist and consideration of constraints at the site, this was amended to 9no. dwellings. Additionally the proposal includes development of a footpath/cycleway to link both sites and provide safe pedestrian and bicycle access to the centre of Washford.

The previous outline consent is a significant material consideration and it is considered that the principle of development is acceptable if any permission granted at the site is bound to the delivery of affordable housing at the Huish Mews site via a section 106 legal agreement. It is acknowledged that the affordable/open market mix has slightly changed but this is considered to be in accordance with local plan policies.

If permission is granted this should be conditional upon drafting and signing of a legal agreement to ensure development beyond five units cannot take place unless all the affordable units at Huish Mews have been delivered or an appropriate off-site affordable housing contribution has been agreed and paid by the developers. The legal agreement should also address works for the footpath, public play areas contributions, and management and maintenance issues related to the estate road and culverting of the watercourse. The previous outline application at the site was subject to a similar legal agreement allowing for two developments to be linked with one delivering the market element and one delivering affordable housing (see

committee updates for the WSC planning committee December 2017. The essential principle of one site for affordable and one for market housing is considered to have been replicated in this application, with appropriate safeguards should there be a failure to deliver affordable housing at the Huish Lane site (3/26/19/015).

Design

The proposal would create a small cul-de-sac style of residential development on the southerly approach to Washford. The proposed dwellings would be largely traditional in design and many would feature garages although there would also be a parking court for use by some of the dwellings towards the south-west end of the site. The initial design for ten houses was amended to reduce this number to nine dwellings and increase the buffer to the edge (hedgerows), which has also increased the land available for soft landscaping which is of net visual benefit to the proposed scheme. Subject to a condition for final approval of materials the design is considered to be acceptable and would not create any significant issues with amenity to existing dwellings or to each other within the proposed scheme. Minor revisions to the design were agreed in the light of comments from the ecology officer at SCC, these are not considered to have changed the reasons for recommending approval and have not had a detrimental impact on the design and layout.

Roads and parking

The site has an existing access which would require some improvements, but is considered acceptable for the scale of proposed development. There is adequate off-street parking and reasonable turning spaces. The scheme would include permeable paving and the internal estate road is not expected to be adopted. The County highways officer has not objected to the proposal but has requested various conditions which would be appended to any permission granted.

Ecology

The site has some significant biodiversity potential including for protected species such as bats and these have been surveyed in the initial Preliminary Ecological Assessment. The County ecologist recommended creation of a wildlife buffer to the edges of the proposed development, and this has been agreed by the agents and plans amended accordingly. A final survey and report was submitted on 25/11/2019 and this was reviewed by the County ecologist, who has not raised any objections but has recommended various conditions pertinent to the development.

Landscaping and trees

The proposal includes retention of many of the existing trees and hedgerows with some additional plantings. The tree officer has not objected to the scheme but has requested some revisions to the proposed soft landscaping, protection for retained trees and some new tree planting along the footpath route. These would be set by condition where and if appropriate. The TPOed walnut tree would be retained and protected.

Archaeology

The site is recorded as having some archaeological potential in the Somerset Historic Record and it is therefore required that a 'prior to commencement' condition for a scheme of archaeological investigation and reporting is agreed by the LPA and implemented. The previous outline application at the site included a site specific archaeological report.

Public Open Space and footpath

Local Plan policy CF1 requires a contribution for public play areas in the locality, this would be part of the section 106 legal agreement. There is a small area of open space amenity land shown on the site plan but this is adjacent to the highway and likely to be unsuitable as a site for play provision.

The proposal includes the provision of a footpath/cycleway connecting this site to Huish Mews, which is considered necessary to allow for pedestrian access to the Huish Mews site and central Washford. Subject to conditions and inclusion within the legal agreement the footpath is considered acceptable.

Drainage and flooding

The majority of site is not within a high risk category flood zone although due to the presence of an open watercourse there is a small portion of the site which has increased flood risks. The application documentation includes an initial drainage strategy drawn up by Shear Design, consultant civil engineers, based upon establishing connections to existing foul water pipes for sewerage disposal and soakaways (with appropriate ground testing undertaken) for disposal of surface water, and culverting the stream which bisects the site. Whilst in principle the drainage strategy is acceptable it is based on the originally submitted layout to provide 10no. dwellings and has not been amended since revisions have been made to reduce this number and amend the layout. Additionally the consultation response from Wessex Water (WW) has identified a fresh water mains pipe cutting across the south-east corner of the site which the utility company have stated cannot be built over and that at least a 3m easement is needed around it. Most of the area indicated in WW's plan submitted as part of the consultation response would be soft landscaped including the root protection zone of an extant tree, but it is very likely that the road access point will be close to, or within the minimum 3m area in which build-over works could not take place. The proposed culverting works have been assessed by the LLFA and whilst it is not their preferred option they have not objected to the proposal. However final details of the culverting and its management have not been supplied and will be required prior to implementation of any culverting works.

It is therefore considered that the proposed water management strategy at the site is acceptable in broad outline but requires a condition for additional details and necessary re-consultation with the LLFA and Wessex Water to ensure that any groundworks do not impact on existing mains water supplies and that the culverting works are acceptable and that sufficient management and maintenance systems are in place for its continuing operation.

Other matters

The Parish Council have objected to the scheme for various reasons cited above related to highways, lack of pedestrian access and other matters. They have also requested that the application is called into committee and asked for a reduction in the scale of development. These comments were made before the proposal was revised to reduce the number of dwellings. Other matters raised are discussed above. Two letters of objection were received, the matters raised are also discussed above.

Conclusion

This application departs from the original outline consent and has taken a new approach to delivering open market housing at the site from that envisaged under permission 3/26/14/026. However with a legal link to the Huish Mews site it would be possible to ensure policy-compliant provision of affordable housing at the two sites. The issues initially highlighted by the County ecologist have been addressed in revised drawings through the creation of a wildlife buffer zone to the peripheries of the site, and no further objections raised by him, subject to requested conditions. Provided that any decision is subject to a suitable legal agreement under section 106 of the 1990 Town and Country Planning Act, and the conditions as cited above are included with any permission granted, the application is recommended for approval.

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

45/19/0024

MR & MRS D NURCOMBE

Demolition of stables and erection of 2 No. detached dwellings with garages, parking and associated works at Bashford Stables, West Bagborough Road, West Bagborough (resubmission of 45/18/0019)

Location: BASHFORD STABLES, WEST BAGBOROUGH ROAD, WEST
BAGBOROUGH, TAUNTON, TA4 3EF

Grid Reference: 317122.133425 Full Planning Permission

The above application was recommended for refusal and a decision was issued on 3 March 2020.

However under the Somerset West and Taunton Council Scheme of Delegation the application should have been reported to Planning Committee for consideration and determination as letters of support were received from West Bagborough Parish Council and 14 local residents.

Recommendation

Recommended decision: Refusal

- 1 In consideration of the above assessment, it can be concluded that planning permission should be refused. The proposed dwellings by reason of their size, design and height would be out of scale with the traditional housing in the area, appearing incongruous in this edge of the settlement location and would therefore detract from the character of the conservation area contrary to policies CP8 and DM1d of the Core Strategy and policies D7 a & b of the Site Allocations and Development Management Plan, The National Design Guide 2019, and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

Recommended Conditions (if applicable)

Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council works in a positive and pro-active way with applicants and looks

for solutions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application has been refused.

Proposal

The proposal seeks planning permission for the demolition of stables and erection of 2 detached dwellings with garages, parking and associated works. Each property would be of the same design. The dwellings would be 10.5 metres wide, 12 metres deep at ground floor level and a depth of 7.5 metres at first floor level. The building would be 5 metres high at the eaves and 7.4 metres high at the ridge.

Each property would be served by a single bay garage and two off road parking spaces.

Both Plot 1 and Plot 2 would have an external private amenity area of circa 150 square metres.

The sites surface is currently mostly impermeable. The development proposed would reduce the impermeable footprint.

It is suggested the stables and associated Trekking business are to be decanted from the stables and all ponies rehoused in the existing agricultural barns to the north of the site (not the barn as identified and approved in planning application 45/18/0003).

The development would be finished with natural stone, of local provenance, concrete profile tiles for the roof, and would have wooden doors and windows.

Site Description

The site is within the settlement boundary of the West Bagborough village, situated approximately 8.0 km north of Taunton. The site, and the wider village lies on the south-west slopes of the Quantock Hills and combines. The village has a wide variety of properties, with a wide range of building techniques and ages. Due to its availability, local red sandstone features heavily in buildings, both ancient and modern. The village has a 16th-century inn (the Rising Sun), a village hall, and a number of establishments offering accommodation.

The site is positioned at the location of the existing stable yard, between a large agricultural building and large residential property to the north, and residential properties to the south and west. To the east is open countryside. The site is not clearly visible when viewed from public vantage points. The north, as it is screened by the large residential property and the agricultural building. The south as it is set 45 metres back from the highway, on a private drive, and from the west, it is screened by residential properties and their associated gardens.

The site is within the settlement boundary, the Quantocks AONB and the West Bagborough Conservation Area. The site has no statutory designation constraints.

Relevant Planning History

45/07/0020 - Replacement of Woolaway bungalow with dwelling. Conditional approval 10.03.2008

45/08/0012 - Erection of a dwelling to replace demolished Woolaway bungalow and erection of a garage. Conditional approval 04.11.2008

45/12/0009 - Formation of outdoor riding menage (retrospective). Conditional approval 07.08.2012

45/14/0021 - Erection of a 4 bay garage with self contained accommodation above (ancillary to main house and associated riding stables). Conditional approval 20.11.2014

45/14/0022 - Replacement of storage barn with single storey dual pitched agricultural barn. Conditional approval 20.11.2014

45/18/0003 - Erection of steel framed agricultural barn. Conditional approval 08.05.2018

45/18/0019 Demolition of stables and erection of 2 detached dwellings with garages, parking and associated works. Refused 05.07.19:

The proposed development by reason of the size, design and height of the dwellings would out of scale with the traditional housing in the area and would be prominent in this edge of settlement location and detract from the character of the conservation area contrary to policies CP8 and DM1d of the Core Strategy and policy D7A&B of the Site Allocations and Development Management Plan and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

Consultation Responses

WEST BAGBOROUGH PARISH COUNCIL – voted in favour of the application subject to strict conditions controlling any planned changes to design and layout.

SCC - TRANSPORT DEVELOPMENT GROUP – no objection subject to conditions.

SCC - ECOLOGY – Initially had a holding objection until May bat survey data has been received. In response to these comments the applicant had discussions with the Ecology Officer and proposed preparing an addendum letter/mitigation plan including ‘worst case scenario’ mitigation/compensation to which the Ecology officer was agreeable.

WESSEX WATER – Wessex Water initially objected to this application and

requested that a private survey was undertaken to determine the precise location of the existing 150mm and 100mm public foul sewers which cross the site.

A revised drawing was required showing how the existing sewers will be protected.

The agent submitted a drawing which shows a proposed sewer diversion and the new connections within the application site to which Wessex Water responded

“The proposed diversion route of the 100mm public foul sewer as indicated on drawing J-1717-21 is acceptable”.

CONSERVATION OFFICER - Bashfords farmhouse is constructed of random rubble red sandstone with orange pantile roof and grey limestone curtilage wall. There is no conservation area appraisal for the conservation area however, the farmhouse is not listed but makes a positive contribution to the conservation area and is shown on the 1840 tithe map; the 1888 OS map shows courtyard outbuildings. The farm group includes the farmhouse which fronts onto the principal road at the heart of the conservation area but also has a characterful side elevation and the farm buildings grouped around a courtyard to the north east are viewable from the principal road. The buildings to be demolished are stables stepping up the road and a modern timber barn. The farm group is typical of Somerset farm groups with outbuildings on both sides of the track. The modern timber barn is of no heritage interest. There is no heritage statement to accompany the application and to consider the effect on the conservation area which is a designated heritage asset (NPPF 189).

The proposal is to demolish the stables and courtyard and modern barn and erect two executive houses with garages and car port.

Without information it cannot be determined whether the stables make a positive contribution to the conservation area for their own historic interest but the grouping as typical agricultural buildings to the rear of a farmhouse are visible from the principal road and make a contribution to the conservation area as they are more typical and relate well to the farmhouse.

The proposed houses are badly located within the group. One wall of the northern house, plot 2 is very close to a boundary wall and their front elevations shape around a camber as opposed to a courtyard or front directly onto the road as historic farm groups normally do. Detached garages and car ports also do not blend in happily with the farm group and conservation area as they are more urban in design. The southern car port directly against and protruding from the eastern elevation of the farmhouse will be particularly jarring.

The proposed dwellings are large detached houses with large block floor plans and are larger than other houses; the longer side elevations will be viewable from the principal street and will not blend in happily with other buildings.

it is not considered this application preserves the conservation area and will be less than substantial harm to the asset with no perceived public benefit.

THE QUANTOCK HILLS AONB SERVICE – Objects to this proposal to which the agent provided a detailed response.

Representations Received

5 letters of objection were received, many of which drew attention to their objection to the previous scheme. The concerns raised related to:

- Need
- Location – AONB, Conservation Area
- Access
- Flooding
- Planting
- Design
- Scale
- Traffic
- Unsustainable

14 letters of support were received in regards to:

- Design and scale;
- Use of Brownfield Land;
- In the Settlement Boundary;
- Need for Family Housing;
- Visual Improvement (so betterment);
- Potential Economic Benefits

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.

- D7 – Design Quality;
- D9 – A co-ordinated approach to development and highway planning;
- D10 – Dwelling Sizes;
- DM1 – General requirements;
- DM4 – Design;
- CP8 – Environment;
- CP1 – Climate Change;
- SP1 – Sustainable Development Locations

Local finance considerations

Community Infrastructure Levy

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £50,000.00. With index linking this increases to approximately £71,000.00.

Determining issues and considerations

The main issues in the determination of this application are: the impact on visual and nearby users' amenity; Heritage Assets; Highways; Impact on the AONB; Ecology; 5 Year Housing Land Supply and the principle of development.

The development relates to an existing yard area and 'split' quadrangle of single storey stable blocks. The site is nestled between houses and farm buildings to the north (which are raised higher) and residential properties to the south. The site is also within the West Bagborough Settlement Boundary, so is within a defined 'built up' area.

The policies against which it will be considered are Policies D7 (Design Quality); D9 (A co-ordinated approach to development and highway planning); D10 (Dwelling Sizes) of the Taunton Deane Adopted Site Allocations and Development Management Plan 2016 and Policies DM1 (General requirements); DM4 (Design); CP8 (Environment); CP1 (Climate Change); SP1 (Sustainable Development Locations) of the TDBC Adopted Core Strategy 2011-2028.

Principle:

As the site is within the settlement boundary, and is on previously developed land, the delivery of housing in such circumstances is supported in principle. Full support is subject to accordance with other policies of the Development Plan.

Amenity:

The position of fenestration on each of the dwellings is such that there would be no lines of direct sight to other properties nearby.

The size of the dwellings, being 3 bedrooms, intended for up to 6 people and their associated private outdoor amenity space is such that it would accord with the size requirements detailed in Policies D10 and D12.

In light of the above it is considered impacts on neighbouring amenity would be unaffected, and the amenity of future residents is suitable and one that would accord with policy of the Development Plan.

Heritage Impact:

The site is identified as being in the West Bagborough Conservation Area (this being a statutory heritage asset designation). Applications for development in a conservation area must be considered with regard to the general duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

The site is not near any identified listed buildings.

In terms of local vernacular and urban grain, it should be noted that within the 100 radius of the site there are large, relatively modern detached properties, Argent House, dormer style bungalows, Easter Cottage, modern style, traditional finished two and half storey detached property Adelaide Cottage) and more historic terraced properties (Post Box Cottage, The Old Post Office and Tapp Cottage). In addition there is the Rising Sun Public House, a two storey white washed thatched building. In essence, the area around the site, in this part of West Bagborough has an eclectic mix of styles and sizes, however a number of these are considered to detract from the character of the area.

The previous report concluded that:

“Erecting two large, detached two storey properties facing east in this edge of settlement location on the northern side of the road would add to a modern built form that due to their size and design are not locally distinctive and so detract from the character of the area and this would not be offset by their material construction. Policy CP8 seeks to conserve and enhance the historic environment and it is considered that the scheme would harm these interests”

During the course of the previous application comments from the Conservation Officer stated that the dwellings are not of traditional form and their height would have a strong visual impact on the area, located towards the edge of the settlement.

The West Bagborough Conservation Area design characteristics include narrow gables and low lying roofs with steep pitches. Any new development, therefore should respond positively to these features as per the advice in the National Design Guide 2019 and the Local Design Guide, which is currently at consultation stage. This proposal has reduced the overall scale of the properties by reducing the first floor depth by approximately 2.5 metres and the overall height by approximately 1 metre. These amendments, unfortunately are not considered to overcome the previous issues raised. The reduced roof height has compromised the pitch of the roof which now appears too flat and subsequently more modern. The depth of the properties is still considered too deep and the gable, which is visible from the main street, would appear incongruous. Whilst modern houses do appear within the Conservation Area, as previously mentioned they are considered to detract from the character of the area, and to use these as a precedent would go against the definition of the Conservation Area which is to 'preserve and enhance the special character and appearance'.

Efforts have also been made to reduce the impact by creating a more street scene like appearance but the reorientation of the dwellings and garages is still not considered to respect the existing private access and neighbouring properties to the south of the site. It is considered that the intended 'cottage style' appearance has not been achieved and the design of the dwellings fails to reflect the local vernacular, contrary to Policy D7 of the Site Allocations and Development Management Plan, the National Design Guide 2019 and, the emerging Local Design Guide 2020.

The development will be finished in natural stone which is acceptable as it is a typical finish to many buildings in and near the village of West Bagborough. The use of red concrete tiles for the roof, however, is considered to be a 'watered down' version of the local vernacular and is therefore inappropriate.

Paragraph 196 of the NPPF states:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

In this case, while the development would create homes within the settlement boundary, with the potential for job creation (building and subsequent services provision), the size and scale of this housing is not in keeping with the character and appearance of the area and is considered to cause less than substantial harm to the Conservation Area.

Highways:

The Highways Authority (Somerset County Council) have considered the proposal, drawing attention to their previous comments in which they raised no objection providing a number of conditions were attached if an approval was issued.

Impact on the AONB:

Objections received, including those from the Quantock Hills AONB Unit, have suggested the scheme would be to the detriment of the character of the AONB.

However, of principle consideration in this instance is the advice contained in paragraph 172 of the NPPF. It reads:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.'

The village is identified as one detailed in Policy SP1 - Sustainable Development Locations. This implies that the village is sustainable for certain forms of development.

In addition, and to clarify, Policy SP1 states that where Villages have a

settlement boundary, such as West Bagborough, there is:

‘... some scope for small scale proposals within settlement limits’

The position of the development, being in the settlement boundary and set below the ridge height of the large agricultural barn to the north and set against the back drop of, and in context with the village, when viewed from the Quantock Hills, is such that the landscape would have a minimal impact when viewed from further afield. In addition, as the site is within the settlement boundary, this small scale development is considered acceptable.

Ecology

As stated in the consultations section, there were concerns raised by the Council's Ecology officer which have now been satisfied through the submission of an addendum to the submitted Bat report and Bat mitigation plans.

Conclusion

In consideration of the above assessment, it can be concluded that planning permission should be refused. The proposed dwellings by reason of their size, design and height would be out of scale with the traditional housing in the area, appearing incongruous in this edge of the settlement location and would therefore detract from the character of the conservation area contrary to policies CP8 and DM1d of the Core Strategy and policies D7 a & b of the Site Allocations and Development Management Plan, The National Design Guide 2019, and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

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

Contact Officer: Abigail James

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