

Application Details	
	42/22/0027
Application Type:	Approval of Reserved Matters
Description	Application for Approval of Reserved Matters in respect of the appearance, landscape, layout and scale, following Outline Approval 42/14/0069 for the erection of 70 No. dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works at Phase H1e, on land west of Comeytrowe Lane, Taunton
Site Address:	Orchard Grove, Land at Comeytrowe/Trull, Taunton
Parish:	Trull
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment area:	Yes
AONB:	No
Case Officer:	Simon Fox, Major Projects Officer (Planning) 07392 316159 s.fox@somersetwestandtaunton.gov.uk Should you wish to discuss the contents of this report item please use the contact details above by 12 noon on the day before the meeting, or if no direct contact can be made please email: planning@somersetwestandtaunton.gov.uk
Agent:	Boyer Planning
Applicant:	TAYLOR WIMPEY
Reason for reporting application to Members:	Each stage of the Comeytrowe Garden Community, known as Orchard Grove, has been subject to Planning Committee scrutiny given the significance of the scheme and the public interest.

1. Recommendation

That planning permission be **GRANTED** subject to conditions

2. Executive Summary of key reasons for recommendation

- 2.1 This revised application seeks the approval of reserved matters for a further parcel of residential development (referred to as H1e) at the Comeytrowe Garden Community known as Orchard Grove. The layout, design and approach to this application follows previously approved applications for residential parcels in Phase 1 and follows the masterplan set out in the approved Western Neighbourhood Design Guide.

2.2 After consideration of all representations and consultations, planning policy and material considerations including the planning history and the scope of the application as one for approval of reserved matters, the application is considered appropriate to be recommended for approval subject to the conditions listed at Appendix 1 to this report.

3. Planning Obligations, conditions and informatives

3.1 Obligations

No agreement is needed in connection with this application because the outline is accompanied by a site-wide section 106 agreement.

3.2 Conditions (see Appendix 1 for full wording)

- 1) Drawing Schedule
- 2) Landscaping scheme compliance and protection
- 3) Finishing materials compliance
- 4) Energy Statement and EV Charging Plan compliance
- 5) Water efficiency requirements
- 6) Phosphate Mitigation Plan compliance
- 7) Arboricultural and Ecological Technical Note compliance
- 8) Pedestrian and cycle crossing points detail
- 9) Pedestrian and cycle crossing points detail
- 10) Management of construction stage drainage
- 11) Management responsibilities of SW infrastructure

3.3 Informatives (see Appendix 1 for full wording)

- 1) Reminder of Outline Planning Conditions
- 2) Reminder of Public Rights of Way responsibilities
- 3) Encouragement to achieve Secured by Design accreditation.
- 4) Statement of positive working
- 5) Works in the vicinity of the Veteran tree to be overseen by an arborist.

4. Proposed development, Site and Surroundings

Details of proposal

4.1 Reserved matters approval is sought, for the appearance, landscape, layout and scale of 70 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, incidental public open space and drainage with associated infrastructure and engineering works (Phase 1 - Parcel H1e – Taylor Wimpey).

4.2 This is the sixth reserved matters approval sought in relation to housing at this strategic site. Councillors will recall more recently considering application

42/21/0035 totalling 55 dwellings for Parcel H1Cii (Vistry) with that resolution having been made in September 2022.

- 4.3 These residential schemes follow the approval, by committee, of reserved matters relating to strategic infrastructure (spine road, strategic drainage and public open spaces areas) for the western neighbourhood, ref 42/19/0053 and supporting utility infrastructure approved via application 42/20/0042.
- 4.4 The outline application, ref 42/14/0069, for this 2000 dwelling development was accompanied by a viability assessment, which made assumptions around the costs and timescales for delivery of this strategic site, with the delivery of affordable housing being agreed at 17.5%. Affordable Housing is being increased on these parcels through funding from Homes England.
- 4.5 The 70 dwellings proposed here in Parcel H1e comprise 2, 3, 4 and 5-bed houses and also 1 bed flats (58 market, 12 affordable (17.5%) split 58% rented and 42% shared ownership).
- 4.6 Parcel H1e sits away from any external boundary shared with existing residential properties, mid-way down-up the slope between Highfield Crescent and the un-named tributary to the Galmington Stream that flows along the bottom of the valley.
- 4.7 The parcel is in two distinctive parts, the first to the west is a group of 56 units that in effect rounds off Parcel H1d, already approved via application 42/21/0004, providing frontages to the Garden Park, already approved to the north, the secondary avenue that will link the Local Centre to Comeytrove Lane (the bus gate road) to the south east, an attenuation bason forming part of Manor Park to the south and a frontage to Highfield Park to the north east.
- 4.8 The smaller area of 14 units sits within Highfield Park approved by application 42/19/053, served by a road through Parcel H1c(ii). Bound by two existing hedgerows the parcel is also notably in proximity to the retained Veteran tree.
- 4.9 A right of way from Jeffreys Way to Comeytrove Lane runs east/west to the north and will be consumed with the public open space.
- 4.10 The proposed dwellings are all two-storey houses save for two 2-storey buildings which are each split into two flats. Key buildings receive a render finish rather than brick in line with the Design Guide.
- 4.11 The proposed dwellings consist of a mixture of detached, semi-detached and terraced properties. The majority of dwellings are of a simple rectangular floorplan with pitched roofs. All dwellings have allocated parking as well as cycle storage in sheds or garages.

- 4.12 Landscaping is proposed within the parcel including trees on all streets, hedges and shrubs to provide boundaries, landscaping within parking areas but not within rear gardens.
- 4.13 All properties, bar the two flats, is afforded an EV charging facility and an energy statement sets out better than Buildings Regulations carbon savings.
- 4.14 Since submission a number of amendments to the plans have been sought and submitted. In summary this includes additional detailing to the proposed dwellings, amendments to better respond to urban design principles and improvements to proposed landscaping.
- 4.15 The application does include the discharge of various planning conditions imposed on the 'mother' outline consent 42/14/0069, these are to be considered separately.

Site and surroundings

- 4.16 Outline consent with all matters reserved (except points of access) has been granted for a residential and mixed use garden community at Comeytrove/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 Comeytrove to the east and the farmland of Higher Comeytrove 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 parcel H1c(ii) of the site and sits within the parish of Trull.
- 4.17 The site is generally characteristic by an undulating landscape. The area of the site south of Jeffreys Way slopes from the north to the south east to the un-named tributary of the Galmington Stream. That slope has now been cut into terraces in line with application 42/19/0053 to achieve road lines, development platforms and drainage basins.
- 4.18 The site is not near any Conservation Area and the nearest listed building is located approx. 200m to the south east, Comeytrove Manor.
- 4.19 The site is under construction, occupations commenced in April 2022 with currently circa 50 properties occupied at present. Approval of this application would take the number of dwellings consented with implementable Reserved Matters Approval to 501.

5. Relevant Planning History

Reference	Description	Decision	Date
42/14/0069	Outline planning permission with all matters reserved (except access) for a residential and mixed use urban extension at Comeytrove/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
42/15/0042	Demolition of a section of wall on the western side of Honiton Road for creation of the access to the south west Taunton Urban Extension (Under Planning Application No. 42/14/0069) on Honiton Road, Trull	Approved	9 August 2019
42/19/0053	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 Comeytrove/Trull	Approved	18 March 2020
42/20/0005/DM	Prior notification of proposed demolition of chicken coops on land south west of Taunton	No objection subject to conditions	21 February 2020
42/20/0006	Application for approval of reserved matters following Outline Application 42/14/0069 for the appearance, landscape, layout and scale for the erection of 70 No. dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works (Phase H1b) on land at Comeytrove/Trull	Approved	22 July 2020
42/20/0024	Application for approval of reserved matters following outline application 42/14/0069 for the	Withdrawn on procedural	10 August 2021

	erection of a foul pumping station, water booster station and gas pressure reducing station to serve the permitted 2000 dwellings on land at Comeytrove/Trull	grounds – not a Reserved Matters	
42/20/0031	Approval of reserved matters in respect of the appearance, landscape, layout and scale, pursuant to planning permission reference (42/14/0069) for the erection of 76 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works at Phase H1a on land at Comeytrove/Trull	Approved	8 April 2021
42/20/0042	Erection of a foul pumping station, water booster station and gas pressure reducing station to serve the permitted 2000 dwellings under outline application 42/14/0069 on land at Comeytrove/Trull	Approved	08 April 2021
42/20/0043	Non-material amendment to application 42/19/0053 for the relocation of the approved sub-station on land at Comeytrove/Trull	Approved	19 October 2020
42/20/0056	Approval of reserved matters in respect of the appearance, landscape, layout and scale, pursuant to planning permission reference (42/14/0069) for the erection of 64 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works at Phase H1c(i) on land at Comeytrove/Trull	Approved	8 April 2021
42/21/0004	Application for approval of reserved matters following outline application 42/14/0069 in respect of the appearance, landscape, layout and scale for the erection of 166 No. dwellings, hard and soft	Approved	3 February 2022

	landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works at Parcel H1d on land at Comeytrove/Trull		
42/21/0020	Non-material amendment to application 42/20/0006 to allow for adjustments to highway alignments (Phase 1a and Parcel H1b) on land at Comeytrove/Trull	Approved	10 January 2022
42/21/0032	Erection and installation of an electricity sub-station on land falling within Phase H1C/H1F at Comeytrove/Trull	Approved	31 August 2021
42/21/0035	Approval of reserved matters in respect of the appearance, landscape, layout and scale, pursuant to planning permission reference (42/14/0069) for the erection of 55 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works at Parcel H1c(ii) on land at Comeytrove/Trull (resubmission of 42/20/0056)	Approved	20 September 2022
42/21/0046	Application for approval of reserved matters following outline application 42/14/0069 for a local equipped play area (LEAP), landscaping, drainage and associated engineering operations, referred to as Garden Park, on land at Comeytrove/Trull	Approved	4 April 2022
42/21/0058	Re pointing of former kitchen garden wall (Building A) with removal of loose stones, removal of attached modern industrial shed along stable blocks northern wall and making good of gable end (Building B), and removal of stub wall (Building G) at the stable block associated with Comeytrove Manor, Manor Industrial Estate, Taunton	Pending	

42/21/0077	Application for a non-material amendment to application 42/14/0069 for realignment of the approved A38 roundabout on land south of the A38, Comeytrowe	Approved	17 December 2021
42/21/0068	Conversion and change of use from commercial (Class E) to 1 No. residential dwelling at The Stable Block, Comeytrowe Manor West, Lipe Hill Lane, Comeytrowe	Pending	
42/21/0069	Conversion and change of use from commercial (Class E) to 1 No. residential dwelling at The Stable Block, Comeytrowe Manor West, Lipe Hill Lane, Comeytrowe	Pending	
42/22/0026	Application for a Non-Material Amendment to application 42/20/0042 to introduce a turning head at the entrance to the approved pumping station compound and associated delivery of designated cycle lane through the site on land at Comeytrowe Rise, Trull	Refused on procedural grounds – not an NMA	21 April 2022
42/22/0040	SCC Consultation – Erection of primary school and nursery, to include construction of sports pitches, parking area and access onto spine road incorporating landscaping and infrastructure on land at Comeytrowe, Taunton <i>For the full application file visit SCC's Planning register online, ref SCC/3938/2022</i>	Pending	Comments sent to SCC 26 May 2022
42/22/0043	Variation of Condition No. 02 (approved plans), for the inclusion of a turning head at the entrance of the approved pumping station compound, of application 42/20/0042 at Orchard Grove New Community, Comeytrowe Rise, Taunton	Pending	Deferred from October 2022 Planning Committee.
42/22/0056	Application for Approval of Reserved Matters following Outline Application 42/14/0069 for the appearance, landscaping, layout and scale for the strategic infrastructure works, including associated green infrastructure	Pending	

	and drainage, associated with the delivery of infrastructure roads WR02 and WR03 at Orchard Grove Community, Comeytrove		
42/22/0054	Erection of a care home (Use Class C2) comprising of 68 No. bedrooms with associated staff facilities, access, landscaping, parking and associated works on land at Comeytrove, Taunton	Pending	
42/22/0055	Application for approval of reserved matters following outline approval 42/14/0069 for the appearance, landscaping, layout and scale of the strategic infrastructure associated with the delivery of the employment zone including employment estate roads, green infrastructure, ecology mitigation, drainage, earth re-modelling works and hard landscaping associated with the local square at Orchard Grove Community Employment Zone, land adjacent A38, Taunton	Pending	
42/22/0056	Application for Approval of Reserved Matters following Outline Application 42/14/0069 for the appearance, landscaping, layout and scale for the strategic infrastructure works, including associated green infrastructure and drainage, associated with the delivery of infrastructure roads WR02 and WR03 at Orchard Grove Community, Comeytrove	Pending	
42/22/0062	Application for the approval of reserved matters following outline application 42/14/0069 for the appearance, landscaping, layout and scale for the erection of 20 No. dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works comprising Parcel H1f(i) on land west of Comeytrove Lane, Taunton	Pending	

42/22/0063	Application for the approval of reserved matters following outline application 42/14/0069 for the appearance, landscaping, layout and scale for the erection of 51 No. dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works comprising Parcel H1f(ii) together with additional details as required by Condition No's. 7, 9, 12, 13, 14, 15, 16, 18, 19, 20, 21 and 23 on land west of Comeytrove Lane, Taunton	Pending	
42/22/0064	Variation of Condition No's. 02, approved plans, (for alterations to common infrastructure, including drainage attenuation basins, retaining structures and earthworks, site remodelling, engineering works and landscape planting) and 04, landscaping details, of application 42/19/0053 on land at Comeytrove, Taunton	Pending	

6. Environmental Impact Assessment

- 6.1 Upon receipt of an application the Council has to consider if the development falls into Schedule 1 or 2 of the Environment Impact Assessment Regulations. The Council concludes it falls into neither.
- 6.2 Then the Council must consider if the application is:
- (i) a subsequent application in relation to Schedule 1 or Schedule 2 development
 - (ii) has not been subject to a screening opinion and
 - (iii) is not accompanied by an ES (under Reg 9 of the EIA regulations).
- 6.3 In this case the Garden Community development fell within Category 10b (Urban Development Projects) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and the outline application was accompanied by a full Environment Statement.
- 6.4 The Council therefore must assess whether the information it has within the outline ES is sufficient to determine the application now before it.

6.5 The conclusions hereon are such that the Council considers the application as an application for reserved matters will not have any further significant environmental effects over and above those assessed at the outline stage and a further environmental statement is not required.

7. Habitats Regulations Assessment

- 7.1 Since the granting of outline planning permission in August 2019 there has been a material change in circumstances which has required the Council, as the competent authority, to reassess a matter in relation to the Conservation of Habitats and Species Regulations 2017 (as amended) ('the Habitats Regulations') and the lawful approach to the determination of planning applications in light of recent advice from Natural England ('NE').
- 7.2 In a letter, dated 17 August 2020, NE advised the Council that whilst the Somerset Levels and Moors Special Protection Area ('SPA') could accommodate increased nutrient loading arising from new development within its hydrological catchment that the Somerset Levels and Moors Ramsar Site ('the Ramsar Site') could not. The difference, NE state, is that whilst such increased nutrient deposition is "...*unlikely, either alone or in combination, to have a likely significant effect on the internationally important bird communities for which the site is designated*" as regards the SPA such a conclusion cannot be drawn in relation to the Ramsar Site.
- 7.3 The typical consequence of such excessive phosphate levels in lowland ditch systems is "*the excessive growth of filamentous algae forming large mats on the water surface and massive proliferation of certain species of Lemna*" NB: (Lemna refers to aquatic plants such as duckweed).
- 7.4 This excessive growth "*adversely affects the ditch invertebrate and plant communities through... shading, smothering and anoxia (absence of oxygen)*" which in turn allows those species better able to cope with such conditions to dominate. The result is a decline in habitat quality and structure. NE state that "*The vast majority of the ditches within the Ramsar Site and the underpinning SSSIs are classified as being in an unfavourable condition due to excessive phosphate (P) and the resultant ecological response, or at risk from this process*".
- 7.5 NE identify the sources of the excessive phosphates as diffuse water pollution (agricultural leaching) and point discharges (including from Waste Water Treatment Works ('WWTWs')) within the catchment noting that P levels are often 2-3 times higher than the total P target set out in the conservation objectives underpinning the Ramsar Site. In addition NE note that many of the water bodies within the Ramsar Site have a phosphate level classed as significantly less than 'Good' by reference to the Environment Agency's Water Framework Directive and that the river catchments within the wider Somerset Levels are classed as having a "*Poor Ecological Status*".
- 7.6 At the time of the letter the issue in terms of the Ramsar Site was that the conservation status of the designated site was 'unfavourable' but in a recent

SSSI Condition Change Briefing Note for the Somerset Levels and Moors dated May 2021 (uploaded to this applications' online case file) the overall condition across all Somerset level and Moors SSSI's is 'Unfavourable Declining' due to evidence of failing water quality, most notably high Phosphate levels.

- 7.7 NE have advised the Council that in determining planning applications which may give rise to additional phosphates within the catchment they must, as competent authorities, undertake a Habitats Regulations assessment and undertake an appropriate assessment where a likely significant effect cannot be ruled out. NE identify certain forms of development affected including residential development, commercial development, infrastructure supporting the intensification of agricultural use and anaerobic digesters.
- 7.8 The project being assessed here will result in a positive phosphate output and therefore the wastewater from the development will add to the phosphate levels within the Somerset Levels and Moors Ramsar Site ('the Ramsar Site'). The pathway is via the wastewater treatment works. Therefore, the surplus in the phosphate output would need to be mitigated in order to demonstrate phosphate neutrality and ensure no significant adverse impact on the affected designated area.
- 7.9 In response to this situation the Development Consortium acted quickly to ascertain the phosphate load to mitigate and the necessary solution, with help and assistance from the Council and Natural England. Natural England's advice is that achieving nutrient neutrality is one way to address the existing uncertainty surrounding the impact of new development on designated sites.
- 7.10 This has resulted in the submission of additional key supporting documents; a Phosphate Mitigation Strategy, a Fallow Land Management Plan, a Shadow HRA Assessment Report and Phosphate Strategy Composite Plan. These detailed documents are available on the planning case file (42/22/0027) on the Council's website.
- 7.11 When calculating the phosphate load from development and subtracting this from the phosphates produced from current land usage neutrality can be achieved whilst also applying all suitable buffers. The Shadow Habitats Regulations Assessment (sHRA) report concludes that in order to achieve phosphate neutrality for Parcel H1e part of the site in the Eastern Neighbourhood will be fallowed. Given Parcel H1e itself was to be fallowed to provide mitigation for previously approved parcels more land has been allocated for fallowing in the Eastern Neighbourhood to compensate.
- 7.12 The key design principle for fallowing is the cessation of arable farming and the application of fertilizer, beyond that the creation and maintenance of permanent vegetative cover (as opposed to bare ground) will provide soil stability and minimise the runoff of silt and/or phosphate from the land.
- 7.13 Management of the Fallow Land will be undertaken in accordance with the submitted Fallow Land Management Plan.

- 7.14 The proposed Phosphate Mitigation Strategy is an interim measure for the Parcel H1e Reserved Matters application, a separate but similar approach has been taken with Parcels H1a, H1b, H1c(i), H1c(ii) and H1d. As explained land is to be taken out of agricultural production prior to the first occupation.
- 7.15 In summary a Likely Significant Effect on Somerset Levels and Moors Ramsar has been identified as a result of water quality (phosphate) impacts, in isolation and in combination with other plans and projects. Mitigation in the form of land-use change and fallowing of agricultural land, secured through delivery of a Management Plan, would ensure that phosphates generated by this Reserved Matters Site would be mitigated. It is considered that the Council can conclude that there would be no adverse effect on the integrity of the Conservation Objectives of the Somerset Levels and Moors Ramsar Site, either in in-isolation or in combination.
- 7.16 Extensive discussion between the Consortium and Natural England has occurred over the course of the development so far resulting in the approach taken and the submitted documents.
- 7.17 Natural England has confirmed that the submitted sHRA provides a firm basis for the LPA to assess the implications of the reserved matters application in view of the conservation objectives for the Somerset Levels & Moors Ramsar Site, and they would anticipate the LPA being able to reach a conclusion of no adverse effect on the integrity of the site. Somerset Ecology Services as the Council's/LPA's retained Ecologists have agreed that the sHRA can be adopted by the Council. The sHRA highlights the site is very close to exhausting its onsite fallowing credits.
- 7.18 The method of securing the specific mitigation measures in this situation has been discussed and in this instance a suitably worded condition is proposed as has been the case for all previous parcels.
- 7.19 The judgment whether a proposal will adversely affect the integrity of the designated site for the purposes of Regulation 63(5) of the Habitats Regulations is one for the LPA to make. In conclusion the LPA view 70 additional dwellings are deliverable whilst maintaining phosphate neutrality and therefore ensuring no adverse effect on the integrity of the Somerset Levels and Moors Ramsar site.
- 7.20 In the wider context recent Government announcements in the form of the recent Written Ministerial Statement and the Letter to Chief Planning Officers, are to be treated with cautious optimism. This is important in considering the continued development of this site.
- 7.21 The Written Ministerial Statement (WMS) issued on 20 July 2022, set out details of a national nutrient mitigation scheme to be funded by Defra/DHULC and implemented by Natural England. The DLUHC letter to Chief Planning Officers dated 21 July 2022 gives further details and states that the national nutrient mitigation scheme will enable LPA's to grant permission subject to

conditions or obligations securing mitigation and phasing development if needed.

- 7.22 The WMS also states that there will be a new legal duty imposed upon water companies in England to upgrade wastewater treatment works in 'nutrient neutrality' areas to the highest technically achievable limits by 2030 - the Government will be tabling an amendment to the Levelling Up and Regeneration Bill. The DLUHC letter states that, as a result of the new legal duty on water companies, the pollution levels after 2030 via water treatment works will be much reduced and so a lower level of mitigation will be required, thus reducing the overall mitigation burden on housing developments.
- 7.23 DLUHC state they will make clear in future planning guidance that judgements on deliverability of sites should take account of strategic mitigation schemes and the accelerated timescale for the Natural England's mitigation schemes and immediate benefits on mitigation burdens once legislation requiring water treatment upgrades comes into force.
- 7.24 The Government will also be bringing forward proposals to 'reform' the Habitats Regulations.
- 7.25 However, none of the above has yet been translated into legislation or even planning guidance as yet. As such this scheme seeks to consume its own smoke, but as referenced above there may be the need, in the absence of the legislation and/or planning guidance coming into force swiftly, that this scheme will need to explore other longer-term solutions.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website.

Date of Consultation: 04 April 2022

Date of revised consultation: September 2022 (neighbours and selected consults only) and October 2022 (selected consults only).

8.1 Statutory Consultees

- 8.1.1 It should be noted not all statutory consultees are consulted on all planning applications. The circumstances for statutory consultation are set out in the Development Management Procedure Order.

Statutory consultee	Comments	Officer comments
Trull Parish Council	On original plans - <i>"Trull Parish Council objects to application 42/22/0027 on the following grounds: 1. The affordable housing is not spread throughout this application in a way to</i>	1. The location spread of Affordable Housing is supported by the Housing Enabler.

	<p><i>make it indistinguishable from open market housing which is a requirement.</i></p> <p><i>2. Unoriginal, bland housing that does not satisfy the high level of design required by Somerset West and Taunton's Garden Town status.</i></p> <p><i>3. The phosphate issue is not resolved and the smaller part of area H1E appears on the map provided by Brookbanks as being fallow land. There is no updated phosphate mitigation plan available".</i></p>	<p>2. The Dwelling Design follows that of previously approved applications.</p> <p>3. A phosphate mitigation plan has been submitted.</p>
<p>Comeytrove Parish Council (Neighbouring Parish)</p>	<p>On original plans - <i>"Resolved: To OBJECT to this application with the following comments: To support the findings in the Green Infrastructure report on this application, and to raise concerns that the application does not fit with the "Garden Town principle"</i></p>	<p>The scope of the application and the reserved matters are discussed from Para 12.6 onwards. It has not been expressly stated why the PC feel the application does not 'fit' with the GT principles.</p>
<p>Bishops Hull Parish Council (Neighbouring Parish)</p>	<p>On original plans - <i>"Resolved: To support the objections raised by Trull Parish Council and to object on the basis of a) the grouping of the affordable housing, which should be distributed b) insufficient levels of green infrastructure, including street trees and c) insufficient design quality required by Taunton's Garden Town status".</i></p>	<p>1. The location spread of Affordable Housing is supported by the Housing Enabler.</p> <p>2. The scope of the application and the reserved matters are discussed from Para 12.6 onwards.</p> <p>3. It has not been expressly stated why the PC feel the application is not of sufficient quality.</p>
<p>Highway Authority - SCC</p>	<p><i>"Summary: Highways Development Management is in receipt of the above planning application submission, for which we have reviewed the highways and transportation aspects of the proposal and have the following observations to make. A summary of the latest highway comments is as follows:</i></p> <ul style="list-style-type: none"> <i>• There are no significant concerns relating to the proposed highway arrangements (significant sections have been approved as part of earlier applications), and the proposed</i> 	<p>The comments about the cycling infrastructure relate to the roll out of routes agreed via Condition 26 which the applicant is aware of.</p> <p>The specific cycle crossing point will be conditioned.</p>

	<p><i>residential parking levels are considered to be acceptable.</i></p> <ul style="list-style-type: none"> • <i>Comments relating to the standard of the proposed cycle route require attention.</i> • <i>There is a query relating to EV charging provision that needs to be addressed.</i> • <i>The Construction & Environmental Management Plan needs to be updated before that document can be approved.</i> <p><i>It is recommended that further information is requested from the applicant at this time”.</i></p> <p>Upon receipt of further information:</p> <ul style="list-style-type: none"> • <i>“Firstly, with regards to EV Charging this related to the lack of charging points for properties T273, T274, T276 and T277. In response the applicant has provided a table of responses in regards this matter. From the details provided the applicant has provided further details in relation to these properties. The applicant has stated that they are not able to provide EV charging for these properties. The Highway Authority notes the reasons provided by the applicant and although it is unfortunate that suitable charging points cannot be provided the applicant’s position is understood. The Highway Authority would recommend that the occupiers should be sign posted to communal charging points if possible.</i> • <i>Turning to the next point and the provision of cycle infrastructure provision, as the Highway Authority set out previously this submission didn’t appear to respond to comments relating to highways infrastructure to reflect the requirements of LTN 1/20. In response the applicant has stated that a compliant LTN 1/20 crossing at the junction has now been designed as part of this proposal. Although this is welcomed it is not clear from the submitted drawings which plan these works have been located on. Consequently, the applicant will need to provide further clarification on this</i> 	<p>A revised EV charging plan has been received.</p> <p>The revised CEMP agreed by the HA will be considered as part of Condition 14 of the Outline consent.</p>
--	--	--

	<p>matter so that the Highway Authority can suitably assess what has been proposed.</p> <ul style="list-style-type: none"> Finally in terms of the CEMP our previous comments required this document to be updated to take account of the fact that part of the wider site is now occupied. Having reviewed the submitted document the applicant has now taken account of the onsite occupations. It is noted that the applicant has now amended the document so that it includes public consultation with the residents in relation to any changes that might be required throughout the construction phase. These amendments are acceptable as such the Highway Authority would have no objection to this condition being discharged”. 	
Natural England	<p>After a meeting with the applicants Natural England confirmed they are happy with the approach and the current crop of applications, including this one, can be delivered through following of land within the overall red line of Comeytrove. This agreement was reliant, as per previous phases, that the backstop measure that the fallowed land will be left to natural regeneration should alternative permanent measures not be found, was included.</p>	<p>The backstop referred to is contained within the Fallow Land Management Plan subject to proposed Condition 06.</p>
Public Rights of Way - SCC	<p>On original plans - No objection. <i>“The applicant will need to demonstrate to ourselves and Highways colleagues that the crossing point of public footpath T 29/11 over the proposed access road is safe for the public to use and constructed appropriately through the technical approval process as part of a relevant legal agreement”.</i> An Informative Note is suggested.</p>	<p>Informative note imposed, this will be dealt with during the section 38 estate road adoption process overseen by SCC.</p>
Environment Agency	<p>On original plans - No objection in principle. <i>“Phase H1E is located within Flood Zone 1 at the lowest risk of flooding, the ideal flood zone to develop”.</i></p>	<p>No further action.</p>
ICOSA - NAV	<p>No comments received.</p>	
Lead Local Flood Authority (LLFA) - SCC	<p>On submission of clarifying information - <i>“The LLFA has reviewed this in the context of recent discussions regarding parcel H1c ii. In brief, we have the same comments on</i></p>	<p>Conditions imposed.</p>

	<i>this application and are satisfied that the proposals are in line with the approved site wide strategy. Therefore the LLFA would be satisfied if additional conditions were also set for this application to cover the construction stage drainage and a pre occupation condition relating to the maintenance plan”.</i>	
Historic England	On original plans - No comments to make, refer to Conservation Officer and Archaeologist.	No further action.
National Highways	On original plans - Offer no objection.	No further action.

8.2 Non-Statutory Consultees

Non-Statutory consultee	Comments	Officer comments
Affordable Housing	Several detailed points were referred back to the applicant, generally relating to internal matters, and the size of parking spaces, which were all resolved bar one regarding an internal door.	This matter will be resolved via separate conversations between the SWT Affordable Housing Team, the OT, LiveWest and the developer.
Crime Prevention Officer	On original plans - No objections, commentary given on layout, orientation, boundaries, POS and car parking. The applicant is referred to Secured by Design 2019 guidance. A specific comment is given regarding Plots 293-306 which would benefit from a higher boundary treatment due to backing onto POS.	The boundary treatment to plots 293-306 is discussed at Para 12.17. Informative note imposed referring to SBD.
SWT Conservation Officer	On original plans - <i>“The site is located in predominantly undeveloped agricultural land, which historically functioned with the original farmstead that included a working mill. Although the identified land is no longer a functioning stead, it does provide a setting that makes a valuable contribution to the historic and architectural interest of Comeytrowe Manor a Grade II heritage asset with associated farmstead.</i>	No further action.

	<p><i>The removal of the modern utilitarian structures within the immediate setting of the listed building to accommodate the wider development is welcomed. The following comments are therefore primarily focused on the proposed design and interpretation of the local vernacular and traditional building forms to the immediate north of the farmstead in context of the agricultural setting of Comeytrove farmstead.</i></p> <p><i>The intervisibility between the proposed development and the historic stead will be prominent in views from the proposed access route to the site and towards the east of the site through new residential development sited north and in close proximity of the existing historic farmyard.</i></p> <p><i>In summary, the introduction of residential development within the setting would inevitably result in harm to the open landscape which provides the historic context in which the listed farmstead is experience. However, the setting has mostly been compromised by the modern structures that are to be removed as part of this proposal”.</i></p> <p>Additional commentary is given regarding The Mill building which sits within the historical boundary of Comeytrove Manor, and is considered curtilage listed. The view of the Conservation Officer is that the future of this heritage asset, which could be for a community use, would need to be addressed and resolved prior to the progression of Parcel H1F and the intended s73 for revisions to the Public Open Space infrastructure.</p>	<p>The Mill is now within the ownership of the Consortium and there have been no plans progressed to repair, conserve and use the building to date.</p>
<p>South West Heritage Trust - Archaeology</p>	<p>On original plans - “As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds”.</p>	<p>No further action.</p>
<p>SWT Placemaking Officer</p>	<p>On original plans - Concern raised over compliance with the approved Masterplan and Neighbourhood Design</p>	<p>The design, layout and approach to landscape follows</p>

	<p>Guide. No Appearance Palette has been submitted. House types do not follow the precedents should in the Neighbourhood Design Guide. The density does not follow the Neighbourhood Design Guide. The layout is over-engineered and lacks street continuity and coherence. The Pocket Park needs holistic consideration.</p> <p><i>“The grouping that comprises of units 393 – 306 is shown in the Masterplan and Design Guide as a free standing outward looking island. This proposed is an inward looking scheme with back gardens facing outwards. This is unacceptable. Plot 293 could be better positioned to terminate the long views down the access road”.</i></p> <p>More street trees should be included. A different approach to attenuation basins would be far better. The house types do not reflect local vernacular building forms. There is little differentiation between the design quality of key and secondary key buildings. There is virtually no roofscape interest. <i>“This RM gives very little consideration to sustainable placemaking and working towards carbon neutrality – none of the houses have PV’s, no recycling storage, bicycle storage is not integrated into house designs (in particular to the front of houses to encourage the use of cycling as the preferred mode of travel), sedum roof or slate PV’s could be considered etc. These are shown as requirements for Garden Town developments both in the approved Garden Town Vision and the SW&T Design Guide SPD. Sustainability and climate change concerns were raised by the Design Review Panel for this development and yet have not been addressed. Scant regard has been paid to climate change and sustainability matters”.</i></p>	<p>that established by previous approvals, and before those the requirements and obligations set out in the outline consent, tested for financial viability.</p>
--	--	--

<p>SWT Green Infrastructure Officer</p>	<p>On original plans – More trees could be included. Street Design differs from the Neighbourhood Design Guide. Comments relating to boundary treatment backing on to Highfield Park. The drainage scheme could better integrate with the street layout including swales and rain gardens. <i>“Rather than allocate a large attenuation area that is unused most days of the year. I would prefer open spaces to be designed as multifunctional spaces allowing to capture water during heavy rain events but still used as a place to play, meet, and interact during most days of the year”.</i></p>	<p>Trees are always encouraged and many have been included; it is accepted more could be planted. The drainage principles were agreed via the outline consent and then via the Infrastructure application in 2019.</p>
<p>SCC Ecologist</p>	<p>Condition 18 (Updated LEMP and ECMS) - Needs updated surveys to inform Condition 19 (Ecological Management Plan) Can be discharged Condition 20 (Updated Surveys) – Updated surveys required. Condition 21 (Lighting for Bats) A lighting plan for this parcel is required.</p> <p>sHRA – <i>“SES are satisfied that the current applications can be realistically delivered and fulfilled through the fallowing of land which is within the overall redline boundary of Comeytrove (specifically concerning the wider Outline consent). Similarly, to the arrangements agreed with previous approved phases will be subject to including the current ‘interim’ measure as a permanent measure concerning the the fallowed land (i.e. leaving the land to naturally regenerate) if a permanent measure(s) cannot be found in the medium to long term”.</i></p>	<p>The outline consent contains 4 conditions (18-21) that provide a framework to assess ecological impacts and provide mitigation and enhancement. The approval of these conditions is a separate matter and will not affect the layout and so this application can be approved.</p>
<p>SWT Tree Officer</p>	<p>On original plans – The Arb Technical Note is agreed. Comments about the details of levels near to the Veteran tree not being available. <i>“Space should be made for large species within the housing layouts.</i></p>	<p>The Tree Officer notes the number of Extra Heavy Standard trees, these are large</p>

	<p><i>Highlights the need for a watering regime due to the number of Extra Heavy Standards. Wary of the use of columnar and fastigiate trees”.</i></p> <p>Updated comments on review of additional information – <i>“I've found the cross-sections and they look reasonable in terms of gradients and excavations required. With the extra clearance afforded this tree because of its veteran status I'm confident that no damage will come to it, so long as the submitted tree protection plans and arb method statements are strictly adhered to, and the works are overseen by their project arborists. I note that the footpath cutting across the corner to the north of the road that was shown on the original plans seems to have been omitted”.</i></p>	
Somerset Waste Partnership	<p><i>I can see some of the properties have more than three steps to their waste collection area. The current building regulations (2010 section H6) 1.10 state that for waste containers up to 250 Litres, steps should be avoided between the container store and the collection point wherever possible and should not exceed three in number.</i></p>	<p>Whilst not ideal the provision of steps is allowed for by Building Regulations. Any deviance will be picked up at that stage.</p>
Devon and Somerset Fire and Rescue	<p>On original plans - Comments relating of means of escape, and the availability of fire hydrants.</p>	<p>These matters are covered by Building Regulations; no further action.</p>
Blackdown Hills ANOB	<p>On original plans – No comments to make.</p>	<p>No further action.</p>

8.3 Local representation

8.3.1 In accordance with the Council’s Adopted Statement of Community Involvement this application was publicised by letters of notification to neighbouring properties and several site notices were displayed in streets surrounding the site on 10 April 2022.

8.3.2 2 letters from the same objector were received. A summary of comments is provided in the table below.

Comment	Officer comment
Policy	

The proposal fails to mention the Neighbourhood Plan.	See Section 9.4.
Design and Layout	
The design does not accord with SWT's Design Guide.	The scope of the application and the reserved matters are discussed from Para 12.6 onwards.
The houses are only distinguishable by minor variations in materials.	The scope of the application and the reserved matters are discussed from Para 12.6 onwards.
Cycle and bin storage facilities should be near to the front door.	The approach to this follows the previous 5 RM approvals.
Many of the properties have steps to the front door.	The development is being built on a gradient. Where there may be steps to the front door there is often level access provided to the back door.
There are no LEAPs or NEAPs in this parcel.	Correct. The location of play areas is set out in the Design Guide. A LEAP adjoins this parcel.
Affordable Housing is not evenly distributed.	The distribution is considered acceptable.
None of the GI officer's comments have been actioned.	Trees are always encouraged and many have been included; it is accepted more could be planted and the Committee could well seek this. The drainage principles were agreed via the outline consent and then via the Infrastructure application in 2019.
The Tree Officer has concerns about the Veteran Tree.	These concerns have been resolved.
Highways	
Will private drives be adopted?	No they are private as the name suggests and will not be adopted.
Commentary is given on the submitted CEMP. The enforcement of current CEMPs is questioned.	The CEMP will be agreed via the relevant Outline condition should this application be approved.
Drainage	
There is no mention of the SUDs hierarchy. The developers have prioritised the number of houses on site, rather than civil engineering or aesthetic considerations.	The drainage principles were agreed via the outline consent and then via the Infrastructure application in 2019. The number of dwellings allowed is set by the Outline and the approach to engineering was agreed via the Infrastructure application in 2019.
Other	
Issues raised about the answers to questions on the application form.	Some of the answers may be questionable but do not materially

	affect the determination of the application.
The energy plan builds in obsolescence.	The plan is in accordance with current Building Regulations.
Parish Councils should be given chance to respond again once all consultees have commented.	This is not common practice.

8.3.3 There were no specific letters of support received.

9. Relevant planning policies and Guidance

9.1 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning application regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

9.2 Listed Buildings and Conservation Areas Act 1990 section 66 and 72 is relevant in order to assess the impact on heritage assets.

9.3 Both the Taunton Deane Core Strategy and the West Somerset Local Plan to 2032 were subject to review and the Council undertook public consultation in January 2020 on the Council's issues and options for a new Local Plan covering the whole District. Since then the Government has agreed proposals for local government reorganisation and a Structural Change Order agreed with a new unitary authority for Somerset to be created from 1 April 2023. The Structural Change Order requires the new Somerset authority to prepare a local plan within 5 years of vesting day

9.4 Relevant policies of the development plan in the assessment of this application are listed below.

Core Strategy 2012

SD1 - Presumption in favour of sustainable development

CP1 - Climate change

CP4 - Housing

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

Site Allocations and Development Management Plan 2016

A1 - Parking Requirements
A2 - Travel Planning
A3 - Cycle network
A5 - Accessibility of development
ENV1 - Protection of trees, woodland, orchards and hedgerows
ENV2 - Tree planting within new developments
ENV3 - Special Landscape Features
I3&4 - Water infrastructure
D7 - Design quality
D8 - Safety,
D9 - A Co-Ordinated Approach to Dev and Highway Plan,
D10 - Dwelling Sizes
D12 - Amenity space
Site allocation policy TAU1 - Comeytrowe / Trull

Other relevant policy documents

Somerset West and Taunton Design Guide
Taunton: The Vision for our Garden Town and the Taunton Design Charter and Checklist
Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency 2022
The Somerset County Council Parking Strategy (2013) supports the provision of EV charging points in new residential developments.

Neighbourhood Plans

The Trull Neighbourhood Plan is part of the development plan and a material consideration. The Trull Neighbourhood Plan includes policies that are aligned with the adopted policies in the Taunton Core Strategy and Site Allocations and Development Management Plan (SADMP), and provide for sustainable development in the parish.

- Policy F1 Reducing Flood Risk requires proposals to include an acceptable SuDS system and manage surface water in a way that adds value, these principles have been established at outline stage with details being provided in this application to satisfy the Local Lead Flood Authority.
- E2 Woodland, Trees and Hedgerows, supporting broadleaved tree planting and hedgerow enhancement. New trees and retained hedges feature in this development.
- H2 Housing 'in keeping' requires housing to demonstrate appropriate compliance with urban design principles. Housing should be 'in keeping' with neighbours however this it is acknowledged that this is most relevant for housing within existing settlements. Housing in the proposed parcel is most closely associated with properties that are

- either rendered or in red brick.
- H3 Affordable Housing requires affordable housing to be indistinguishable from market housing, it is considered this has been achieved.
- H5 External Space requires developments to provide storage space for waste and recycling bins, this has been provided in the form of areas of hard standing for each plot.

The National Planning Policy Framework

The revised National Planning Policy Framework (NPPF), last update July 2021 sets the Governments planning policies for England and how these are expected to be applied.

Relevant Chapters of the NPPF include:

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
6. Buildign a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making efficient use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

All policies and material considerations can only be considered as far as they relate to the details for which reserved matters approval is sought, as defined in the Development Management Procedure Order (DMPO) 2015.

10. Conclusion on Development Plan

- 10.1 To properly perform the S38(6) duty the LPA has to establish whether or not the proposed development accords with the development plan as a whole. This needs to be done even if development plan policies "pull in different directions", i.e. some may support a proposal, others may not. The LPA is required to assess the proposal against the potentially competing policies and then decide whether in the light of the whole plan the proposal does or does not accord with it. In these circumstances, the Officer Report should determine the relative importance of the policy, the extent of any breach and how firmly the policy favours or set its face against such a proposal.
- 10.2 The relevance of and weight given to material considerations is vitally important in assessing the 'planning balance'. This project relates to a historic allocation, a 2014 application and 2019 outline approval informed by a viability assessment. Importantly also pre-Garden Town allocation. The Urban Extensions of Comeytrove and Staplegrove were therefore brought forward, allocated, financially assessed and master planned in a different policy context to that which exists today. The challenge is to ensure sustainable development is secured, within the established legal framework to maintain momentum in housing delivery.

- 10.3 Indeed, SWT published the Strategic Housing and Employment Land Availability Assessment (SHELAA) in May 2022. The former TDBC LPA area had a 4.04 Year Housing Land Supply (YHLS).
- 10.4 As a result of the Phosphates Planning Committee decision on 21 July 2022 to bring forward interim measures to unlock development in the former TDBC area and taking into account the Written Minister Statement 20 July 2022 the Council considers that it could demonstrate a 5YHLS.
- 10.5 The interim measures, the phosphates credits, could unlock between 150 and 780 dwellings and this would result in a HLS of between 4.25 and 5.13 years. At the upper end this would mean that *Presumption* would not apply.
- 10.6 Clearly the sites in the supply need to come forward and this scheme of 55 units with a phosphate solution is part of a site which underpins and contributes significantly to the Council's five-year housing land supply.
- 10.7 This report assesses the material planning considerations and representations before reaching a conclusion on adherence with the development plan as a whole.

11. Local Finance Considerations

Community Infrastructure Levy
Creation of dwellings is CIL liable.

Amended scheme development measures approx. 8180 sqm.

The application is for residential development in Taunton where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £572,750.00. With index linking, this increases to approximately £767,250.00.

This calculation does not take account of any exemptions that may be claimed and granted. Exemptions will apply for example for each affordable house constructed.

12. Material Planning Considerations

- 12.1 The main planning issues relevant in the assessment of this application are as follows:
- The principle of development
 - The scope of this application
 - Issues raised through the consultation process

Principle of Development

- 12.1. The principle of developing this site to provide a new sustainable neighbourhood has been established by the outline approval. This reserved matters application seeks approval for detailed matters in relation to layout, scale, appearance and landscaping and as explained above consideration is limited to these issues.
- 12.2. A full and detailed Environmental Statement was submitted with the Outline application. It was not required to be updated to support this application.
- 12.3. However, as Members will be aware the issue arising from the intervention of Natural England pertaining the phosphorus levels on the Somerset Levels and Moor has required the submission of a Shadow Habitats Regulations Assessment. This matter is described and discussed following this section of the report.

Negotiated Amendments

- 12.4. In accordance with the NPPF, officers have worked proactively with the applicants to secure improvements to the proposal. A number of design changes have been secured over several sets of amended plans.
- 12.5. These can be summarised as improvements to dwelling design and streetscape, revised boundary treatments, landscaping changes and improvements and increased justification for certain design approaches.

The Scope of this application

- 12.6. The outline application accompanied by an Environmental Statement was approved on the basis that reserved matters would subsequently be sought for layout, scale, appearance and landscaping. Access was approved as part of the outline application and three Highways related plans for 2 roundabouts on the A38 and Honiton Rd and the secondary 'bus only' access off Comeytrove Lane were approved and listed in Condition 02 accordingly.
- 12.7. Article 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out that the reserved matters should encompass some or all of the outstanding details of the outline application proposal, including:
 - landscaping - the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen
 - layout - includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development
 - scale - includes information on the size of the development, including the height, width and length of each proposed building
 - appearance - aspects of a building or place which affect the way it looks, including the exterior of the development

- 12.8. Condition 02 of the outline consent stated the development was to be carried out in accordance with 5 parameter plans. These plans had been formulated through consultation and through the conclusions of the Environmental Statement. For example the Environment Statement concluded that there would be policy compliance and no environmental harm caused if the development was developed in line with the guidelines set out on the parameter plans, i.e.: development of a certain height, distribution and density, accessed in the manner set out and with the quantum, distribution and general characteristics of green infrastructure. In many ways the parameter plans established at outline stage form the bones of the skeleton to which the Reserved Matters now represent the flesh.
- 12.9. Applications for Reserved Matters are not full planning applications in the normal sense where all matters are on the table but are instead a matter of assessing compliance with all the matters agreed at the outline stage and via outline conditions. Only the matters of layout, scale, appearance and landscaping are those reserved (or deferred) to this latter stage and they must be guided by the parameter plans set at the outline stage and any conditions attached to the permission.
- 12.10. It should be noted that the Reserved Matters do overlap to an extent and are inextricably linked insofar as changes to one aspect will invariably impact on another.
- 12.11. Access -The Access and Movement Parameter Plan stated in Condition 02 is Plan No. 9603 Rev H. It shows the access points around the periphery of the development for vehicles (incl. bus), cycle and pedestrian. This Reserved Matters application accords with this approved plan. An assessment of the internal movement and access is to be found at Para 12.43.
- 12.12. Landscaping - The Green Infrastructure Parameter Plan stated in Condition 02 is Plan No. 9604 Rev L. It shows the strategic public open spaces to serve the development, the approx. locations of LEAPs and the NEAP, allotments and playing fields, plus proposed structural landscaping and retained/removed hedgerows/trees. This Reserved Matters application accords with this high-level parameter plan.
- 12.13. There is however a conflict with the already approved detailed application for Highfield Park (app ref 42/19/0053) which surrounds the annexed cluster of properties, Plots 293-306. Plot 293 overlaps an area approved as POS. Additional justification for this change was requested and submitted during the course of the application to demonstrate that where in fact two areas overlap, two other areas have been given back to the park neutralising any impact. The Highfield Park plan is itself now subject to proposed revision via a recently submitted s73 application revising elements of the 2019 Infrastructure application. Without wishing to pre-empt the determination of that application before it has been reported to the Planning Committee it is felt the matter results in an equally good arrangement and so whilst there will be regularisation it is not felt that should hold this application from progressing.

- 12.14. Additional landscaping to that retained is provided for in the form of street trees, front gardens, parking areas and within incidental public open space areas. The quantum, distribution and species choice is considered acceptable and follows that approved on previous parcels. A condition relating to protective fencing for existing trees and hedges will be imposed as required by the Council's Tree Officer. In particular, the Veteran Tree will be protected and has been considered though the layout put forward. The Tree Officer has been given reassurances via the submission of cross sections submitted during the application process.
- 12.15. Layout - The Land Use Parameter Plan stated in Condition 02 is Plan No. 9600 Rev L. It shows the area covered by this reserved matters application as being 'residential development' which can include play areas, allotments, drainage basins and incidental landscaping. This parcel does not contain drainage basins, play areas or allotments as they are located elsewhere in line with the approved masterplan. This Reserved Matters application therefore accords with this approved plan.
- 12.16. Condition 04 of the outline consent required the submission of a Neighbourhood Design Guide. This was submitted and approved by the LPA. Within this document an indicative layout was set out. This Reserved Matters does not accord insofar as the annexed cluster of properties, Plots 293-306 were shown to be facing out onto the adjacent open space rather than inward looking to the access road.
- 12.17. This change is felt to be unacceptable by the Placemaking Manager. However, a review of the levels indicate that it is not possible to have north facing units without them looking onto a face of cut land or with other awkward levels changes to the rear. The change to the layout does however present a row of back garden fences to Highfield Park and so additional landscaping has been included. The applicant has chosen not to raise the boundary height to address Secured By Design concerns but has proposed solid walling rather than timber fencing. The other advantage of the approach taken is that wider views towards the Blackdown Hills are retained from Highfield Park.
- 12.18. The infrastructure Reserved Matters application, ref 42/19/0053, also showed some internal estate roads and the location of the more strategic public open space areas which this application also accords with.
- 12.19. The layout provides a suitable quantum of parking spaces, largely on plot, to accord with policy.
- 12.20. A later section of this report assesses the '*Standard of amenity for proposed dwellings*'.
- 12.21. Scale - The Scale Parameter Plan stated in Condition 02 is Plan No.9602 Rev K. It shows the area covered by this reserved matters application as being 'Up to 12.5m' 3-3.5 storey high development. This Reserved Matters application therefore accords with this approved plan.

- 12.22. Density - An integral part of scale and layout is density. The approved Density Parameter Plan stated in Condition 02 is Plan No.9601 Rev I. It shows the area covered by this reserved matters application as being 'Medium to Higher Density' inclusive of predominantly semi-detached units, some detached and some terraced units at a density of 30-50 dwellings per hectare (dph).
- 12.23. This Reserved Matters application shows an averaged density across the whole parcel at 33.2dph.
- 12.24. The plan continues the pattern established by Parcels H1a and H1c(i) whereby semi-detached units dominate, with larger detached units facing open spaces.
- 12.25. Appearance - Appearance is probably the Reserved Matter most concentrated on as the most visible and relatable aspect as it's what you see. Indeed, in assessing the 'appearance' reserved matter it is inevitable that matters of scale and density are referenced as it is not always possible to keep them separate.
- 12.26. Core Strategy Policy DM4 Design, Site Allocations & Development Management Plan (SADMP) Policy D7 Design Quality and Section 12 (Achieving well designed places), together with Chapter 12 of the NPPF are material considerations. The Garden Town Vision Charter and Checklist and the Somerset West and Taunton Design Guide are also material considerations albeit with limited weight given the existence of the outline approval.
- 12.27. Given the strategic nature of this site, this design process has taken place over a number of years, with broader considerations around the site context and structure being considered in principle as part of the Outline application, with the approval of the parameter plans previous discussed.
- 12.28. A condition (4) on the Outline application required the submission of a Site-specific Neighbourhood Masterplan and Design Guide. This document is intended to build on the approved parameter plans and provide a more detailed framework against which mid-level matters of design such as the proposed arrangement of development blocks, streets and spaces can be assessed. A Neighbourhood Design Guide for the Western Neighbourhood (Neighbourhood Design Guide) was agreed in March 2020 after several months of negotiations.
- 12.29. An Appearance Palette is also required by Outline condition (5) for each parcel. This in turn builds on the Neighbourhood Design Guide and provides a framework to assess narrower design considerations such as building design, building materials, surface materials, street furniture and tree species.
- 12.30. These plans and documents further inform how the reserved matters should be considered. This application is accompanied by a Compliance Statement setting out how the applicant believes the proposal accords with the parameter plans, Neighbourhood Design Guide and Appearance Palette.

- 12.31. The Comeytrove Garden Community will deliver a comprehensive landscape and green infrastructure scheme, with substantial areas of open space and tree planting in line with the Garden Town Vision. Much of this green infrastructure has already been designed and approved under application 42/19/0053. This application also approved the strategic Sustainable Urban Drainage Systems (SuDS) and earthworks to create level building plots. This is the work presently occurring across the site.
- 12.32. The SWT Design Guide states that the creation of a design concept, to identify key groupings, focal points/features, character areas, and street and space hierarchy is a very important stage in the design process. The Neighbourhood Design Guide sets out a framework regarding the creation of character areas and nodes, key frontages and groupings development of principles on development blocks, density and height ranges, development block structure, and street and space hierarchy for the Western Neighbourhood.
- 12.33. Within Phase 1, Parcels H1a, H1b, H1c(i) and H1c(ii), H1d, H1e and H1f all form part of Northern Slopes character area. A term used to set out different design characteristics across the site. Phase 2 is known as Hilltop Gardens and the Local Centre is similarly in a separate character area. What this means is that the parcels within each character area should more-or-less appear/look the same. The contrast is provided between character areas and should be subtle, akin to the use of a different palette of materials, different planting types, height, density, modern design over traditional design or urban design changes. The key is subtlety to make one area distinct from another to aid wayfinding and legibility.
- 12.34. As such the approach to parcel H1e has been both informed by reference to the suite of design documents but also importantly the Planning Committee's interpretation of them in already resolving to approve the Reserved Matters applications for H1b, H1a, H1c(ii), H1d and most recently H1c(ii) despite several design facets remaining problematic to officers and councillors alike. It was apparent the committee, as the decision-maker, attributed weight to a wide range of issues in making a decision based on the planning balance which it was perfectly entitled to do. The appearance of the Northern Slopes character area which impacts the whole of phase 1 has therefore in part been influenced by the committee decisions on these previous parcels.
- 12.35. Numerous amendments have been made to the Reserved Matters submission to both align with those parcels already approved but to also respond to new settings such as the public open space/countryside edge and to improve and clarify movement within the parcel and how it connects to other parts of the site.
- 12.36. The comments of the GI Officer and Tree Officer are noted; green infrastructure has been considered, species choices made, street trees and on-plot trees included and there is a comprehensive approved landscaping scheme within the public open spaces areas.

- 12.37. The comments of the Placemaking Specialist are acknowledged but it is felt that with the changes already made and improvements sought, plus the pattern set by the approval of previous parcels then the application can go forward with a positive recommendation.
- 12.38. Overall it is considered the proposal accords with the relevant policies of the Core Strategy and SADMP.

Residential Amenity - Impacts on Neighbours

- 12.39. The application area does not share a boundary with any existing adjacent property and hence the level of public interest and comment has been significantly less than with other previously approved parcels. As such the assessment has focused on the internal relationship of the new houses with each other, and there are no concerns evident.
- 12.40. Overall it is considered the proposal accords with the relevant policies of the NPPF, Core Strategy and SADMP.

Other Considerations

- 12.41. Beyond the strict interpretation of the Reserved Matters it is necessary to reflect on other material considerations; these are detailed hereon.

Ecology

- 12.42. The outline application is subject to numerous ecologically related conditions that require consideration at each Reserved Matters stage. The Council's Ecologist confirms there is some clarification required relating to street lighting in areas where bats may be present, informed by updated surveys. This is currently being actioned by the applicant and isn't a reason, given the safeguards of the Outline conditions, to decline to approve this application.

Internal Access and Movement

- 12.43. The Western Neighbourhood Design Guide and Masterplan set out a hierarchy of roads and streets which this application accords with. Condition 26 of the outline also required an internal network of cycle paths to be created and plans for this in the Western Neighbourhood have also been agreed, which this application respects.

Drainage and Flood Risk

- 12.44. The site is not within a Flood Risk area. The approach to surface water drainage follows that established via the Infrastructure application in 2019 when the majority of attenuation basins and the way they were to drain the Western Neighbourhood was approved. It is therefore not possible to completely change the approach at this stage as advocated by the GI Officer and Placemaking Specialist. The LLFA have sought extra conditions which will be imposed. The matter will be examined via the submission for condition 13 of the outline consent. The strategy works on the basis of surface water being captured and held in attenuation basins and then released slowly, at a rate the same or better than would have been the case had the rain fallen on

a green field. Other parts of the strategy include the use of water butts, permeable paving and depressions. Surface water is also importantly kept separate from foul discharges.

Impact of Heritage Assets

- 12.45. The outline application contained an assessment on the likely impacts to heritage assets. Now we have the precise detail within a Reserved Matters application we can compare the judgments and assumptions made then to the proposal as is now.
- 12.46. The primary areas of interest within the Environment Statement accompanying the outline application was Rumwell Park and the Trull Conservation Area.
- 12.47. Parcel H1e is not within the perceived setting of Rumwell Park which is located further to the north west and is distant from the Trull Conservation Area.
- 12.48. Comeytrove Manor (Grade 2) is located approx. 200m downhill to the south east, but there is little intervisibility between its setting and the parcel in question and in time Parcel H1f will be developed in between.
- 12.49. The Listed Buildings and Conservation Areas Act 1990 is relevant in order to assess the impact on heritage assets. Given the Reserved Matters is broadly in compliance with the parameter plans and given the inherent measures within the application (design and landscape) and the setting, it is considered there are no additional mitigation measures needed. The situation has been assessed by the SWT Conservation Officer and there is no reason to withhold reserved matters approval on the basis of any impact on heritage assets.

Sustainability

- 12.50. This application for reserved matters is supported by an Energy and Sustainability Statement. The outline application did not secure additionality in terms of the sustainable construction specification over Building Regulations.
- 12.51. The Design Guides focused on other important but often forgotten measures of sustainability such as walkable neighbourhoods, cycling infrastructure, public transport and travel planning, open space inclusive of allotments, surface water management and biodiversity enhancement.
- 12.52. The submitted Energy and Sustainability Statement, which mirrors that already approved for parcels H1b, H1a, H1c(ii), H1d and H1c(ii) sets out a fabric first approach to demand reduction which will in turn delivers a level of energy performance beyond the current Building Regulation standards whilst addressing a range of additional sustainable design considerations. It also states how water saving measures have been incorporated into the design in order to deliver a calculated water use per person which far exceeds Building

Regulations requirements. The Council's now standard Condition on water efficiency is also proposed.

- 12.53. Councillors will also be keen to learn that in order to support the transition to electric vehicles all units, bar four flats due to be affordable accessible units, are to be provided with infrastructure to allow the future installation of electric vehicle charging points.

Standard of amenity for proposed dwellings

- 12.54. Internal floorspace and layouts meet the space standards of SADMP Policy D10. The Housing Enabler has also confirmed acceptance of the sizes and layouts of the affordable units.
- 12.55. There is sufficient space between the windows of dwellings to prevent unacceptable overlooking, and gable ends are positioned so as to avoid over-shadowing of neighbours.
- 12.56. Overall it is considered the proposed dwellings will provide an acceptable standard of amenity for future residents.

Refuse and Recycling

- 12.57. Hardstanding for bin storage is provided to the rear of all units. Where collection cannot be made from the immediate frontage of properties designated collection points are provided a short distance from properties. Some steps are required but accordance with Building Regulations is maintained.

Parking and cycle storage

- 12.58. Parking is provided largely in the form of on-plot parking (to the side or front of the dwelling). Visitor parking is also provided. The level of car parking, and size of garages, is adequate to meet the requirements for Parcel H1e and is in line with the parking standards in Appendix E of the Site Allocations and Development Management Plan.
- 12.59. External storage of cycles is in garages and sheds, again this is in line with parking standards. Where cycles are stored in sheds these are located adjacent to access gates.

13. Planning Balance and Conclusion

- 13.1. The continued delivery of the Garden Community will make a significant contribution towards meeting 'transformational housing growth' in Taunton and the wider council area whilst contributing to the Council's 5-year land supply of housing land and the provision of much needed affordable housing.
- 13.2. The principle of development of a neighbourhood 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 and the

approach taken in the approval of Reserved Matters on the first five approved housing parcels.

- 13.3. There has been engagement by the applicant's agent and officers have added value by seeking amendments to plans during the application stage.
- 13.4. The parcel contributes, in a small way, to the comprehensive landscape and green infrastructure scheme for the Comeytrowe site. The wider site is delivering substantial areas of open space, including new parks and gardens, allotments, playing fields and tree planting in line with the garden town vision approved by Reserved Matters 42/19/0053.
- 13.5. It is considered the application accords with the Development Plan when taken as a whole and any impacts are either already mitigated by legal agreement or conditions under the outline or via additional conditions proposed here.
- 13.6. It is considered that with regard to the planning balance the benefits of the scheme significantly outweigh the impacts. Overall, within the parameters set by the outline consent, the proposal represents sustainable development.
- 13.7. In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning conditions and informatives

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

(A1) DrNo PL-TW-31 Rev D	Site Location Plan
(A0) DrNo PL-TW-32 Rev C	Site Context Plan
(A1) DrNo PL-TW-23.2 Rev AB	Planning Layout Parcel H1e
(A1) DrNo PL-TW-34 Rev F	Parcel H1e Materials Plan
(A1) DrNo PL-TW-35 Rev C	Boundary Treatments Plan
(A1) DrNo PL-TW-35.1 Rev A	Boundary Treatments H1e
(A1) DrNo PL-TW-36 Rev B	Presentation Layout Parcel H1e
(A1) DrNo PL-TW-77 Rev B	Parcel H1e EV Charging Plan
(A1) DrNo SS-TW-31 Rev E	Street Scenes Parcel H1e
(A1) DrNo SE-TW-31 Rev A	Parcel H1e Site Sections
(A1) DrNo SRS-TW-32 Rev C	Parcel H1e Steps & Railings Study
DrNo AC-TW-33 Rev Y	Accommodation Schedule
(A3) DrNo HT-H1e-S-H13-01 Rev B	Housetype Planning Drawing - H13 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA20-01 Rev E	Housetype Planning Drawing - NA20 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA20-02	Housetype Planning Drawing - NA20 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA21-01 Rev C	Housetype Planning Drawing - NA21 - Secondary Frontage

(A3) DrNo HT-H1e-S-NA21-02 Rev B	Housetype Planning Drawing - NA21 - Secondary Frontage
(A3) DrNo HT-H1e-S-NT31-01 Rev C	Housetype Planning Drawing - NT31 - Secondary Frontage
(A3) DrNo HT-H1e-S-NT31-02 Rev E	Housetype Planning Drawing - NT31 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA32-01 Rev C	Housetype Planning Drawing - NA32 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA32-02 Rev D	Housetype Planning Drawing - NA32 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA32-03	Housetype Planning Drawing - NA32 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA34-01 Rev C	Housetype Planning Drawing - NA34 - Secondary Frontage
(A3) DrNo HT-H1e-S-NT40-01 Rev C	Housetype Planning Drawing - NT40 - Secondary Frontage
(A3) DrNo HT-H1e-S-NT41-01 Rev E	Housetype Planning Drawing - NT41 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA42-01 Rev C	Housetype Planning Drawing - NA42 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA42-02 Rev B	Housetype Planning Drawing - NA42 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA44-01 Rev D	Housetype Planning Drawing - NA44 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA45-01 Rev A	Housetype Planning Drawing - NA45 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA49-01 Rev C	Housetype Planning Drawing - NA49 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA51-02 Rev D	Housetype Planning Drawing - NA51 - Secondary Frontage
(A3) DrNo HT-H1e-S-NA51-03	Housetype Planning Drawing - NA51 - Secondary Frontage
(A3) DrNo HT-H1e-K-NA44-01 Rev B	Housetype Planning Drawing - NA44 - Key Local Space Frontage
(A3) DrNo HT-H1e-GE-NT40-01 Rev C	Housetype Planning Drawing - NT40 - Green Edge Frontage
(A3) DrNo HT-H1e-GENT41-01 Rev C	Housetype Planning Drawing - NT41 - Green Edge Frontage
(A3) DrNo HT-H1e-GE-NA42-01 Rev B	Housetype Planning Drawing - NA42 - Green Edge Frontage
(A3) DrNo HT-H1e-GE-NA44-01 Rev C	Housetype Planning Drawing - NA44 - Green Edge Frontage
(A3) DrNo HT-H1e-GE-NA45-01 Rev B	Housetype Planning Drawing - NA45 - Green Edge Frontage
(A3) DrNo HT-H1e-GE-NA51-03 Rev C	Housetype Planning Drawing - NA51 - Green Edge Frontage
(A3) DrNo HT-H1de-TW-GAR-01	Housetype Planning Drawing Single Garage Single Owner
(A3) DrNo HT-H1de-TW-GAR-02	Housetype Planning Drawing Double Garage Double Owner

(A3) DrNo HT-H1de-TW-GAR-03	Housetype Planning Drawing Double Garage Single Owner
(A0) DrNo BRL-L-PL 119 Rev B	Section A-A Parcel H1E (TW) Landscape Sections
(A0) DrNo BRL-L-PL 120 Rev B	Section B-B Parcel H1E (TW) Landscape Sections
(A0) DrNo BRL-L-PL 121 Rev B	Section C-C Parcel H1E (TW) Landscape Sections
(A0) DrNo BRL-L-PL 122 Rev A	Section D-D Parcel H1E (TW) Landscape Sections
(A2) DrNo BRL-N1- P161	Parcel H1E, Plot T285 Study, Landscape Section & Elevation
(A0) DrNo BR-L-N1-PL225 Rev D	Landscape Proposals, Planting Plan, Layout Sheet
(A0) DrNo BR-L-N1-PL223 Rev D	Landscape Proposals Planting Plan, Sheet 1
(A0) DrNo BR-L-N1-PL224 Rev D	Landscape Proposals Planting Plan, Sheet 2
(A2) DrNo BR-L-N1-PL330	Landscape Details Soft Landscape Tree Pit
(A2) DrNo BR-L-N1-PL331	Landscape Details, Soft Landscape Multistem Tree Pit
(A1) DrNo 0980-02-ATR-5001 Rev G	Fire Tender Tracking Plan
(A1) DrNo 0980-02-ATR-5101 Rev G	Refuse Vehicle Tracking Plan
(A1) DrNo 0980-02-DR-5001 Rev G	Preliminary Drainage Layout
(A1) DrNo 0980-02-GA-5001 Rev G	Preliminary Highway Levels Plan
(A1) DrNo 0980-02-GA-5002 Rev G	Preliminary Highway Levels Plan
(A1) DrNo 0980-02-GA-5003 Rev G	Preliminary Highway Levels Plan
(A1) DrNo 0980-02-GA-5101 Rev G	Preliminary Proposed Adoption Plan
(A1) DrNo 0980-02-GA-5201 Rev G	Preliminary Junction Visibility Plan
(A1) DrNo 0980-02-RP-5001 Rev D	Preliminary Road Profile Plan
(A1) DrNo 0980-02-RP-5002 Rev C	Preliminary Road Profile Plan
COM-TW-03 Rev 09, November 2022	H1e Design Compliance Statement
Energy and Sustainability Statement H1e, AES Sustainability Consultants Ltd, December 2020 (Rev2 August 2022)	
Drainage Statement 0980 RevB awp, 16 December 2021	
Arboricultural and Ecological Technical Note – Parcel H1e Prepared by: The Environmental Dimension Partnership Ltd, August 2022, Report Reference edp0782_r057b	
Shadow Habitats Regulations Assessment Report, 220816_P1136_sHRA_H1E, 16 August 2022, ead ecology	

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

2. The landscaping/planting scheme shown on the approved plans shall have been completely carried out by the end of the first available planting season after the final occupation within Phase H1e.
For a period of ten years after the completion of Phase H1e the trees and shrubs shall be protected and maintained and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other

appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed 'landscape led' development benefits from the approved landscaping scheme in the interests of visual amenity, ecological enhancement and landscape character in accordance with Policy CP8 of the Taunton Deane Core Strategy and Policy ENV2 of the SADMP.

3. Notwithstanding Condition 02 the development hereby approved shall be carried out and maintained in accordance with drawing DrNo PL-TW-34 RevF (Materials Plan), DrNo PL-TW-35 RevC (Boundary Treatments Plan) and DrNo PL-TW-35.1 RevA (Boundary Treatments Details) unless any variation in writing is first agreed with the Local Planning Authority.

Reason: To accord with Policy DM4 of the Taunton Deane Core Strategy and Policy D7 of the SADMP.

4. Each individual dwelling hereby approved shall only be occupied following it's individual compliance with the Energy and Sustainability Statement H1e, AES Sustainability Consultants Ltd, December 2020 (Rev2 August 2022) and the agreed scheme of electric vehicle charging infrastructure as outlined on drawing no. PL-TW-77 RevB and letter dated from Boyer Planning dated 04/08/2022.

Reason: To support the Council in its declaration of a Climate Emergency and to accord with para 110 of the National Planning Policy Framework and Policies PM2 and PP2 of the adopted SCC Parking Standards (2013).

5. No individual dwelling hereby approved shall be occupied until:
 - (i) the optional requirement for potential consumption of wholesome water by persons occupying that dwelling in Part G of Schedule 1 and Regulation 36 of the Building Regulations 2010 of 110 litres per person per day has been complied with; and
 - (ii) a notice specifying the calculated consumption of wholesome water per person per day relating to the dwelling as constructed has been given to the appropriate Building Control Body and a copy of the said notice provided to the Local Planning Authority.

Reason: To improve the sustainability of the dwellings in accordance with the Taunton Deane: Core Strategy Policies DM5 and CP8, the Supplemental Planning Document - Districtwide Deign Guide and Paragraphs 134, 154 and 180 of the National Planning Policy Framework.

6. Prior to occupation of development to implement the Phosphates Mitigation Strategy and Fallow Land Management Plan as contained within the Shadow Habitats Regulations Assessment Report, 220816_P1136_sHRA_H1e, 16 August 2022, ead ecology in so far as they relate to the development the subject of this reserved matters application. The fallow land identified within the Fallow Land Management Plan shall be retained and maintained in accordance with that plan unless otherwise agreed in writing with the local planning authority. The Applicant may from time to time submit to the local planning authority a revised Phosphates Mitigation Strategy and Fallow Land Management Plan for its approval particularly in the event that Natural England guidance in relation to measures relevant to phosphates mitigation changes in

future or in the event that alternative mitigation strategies becomes available and in anticipation that the fallow land will in time come forward for development. Should the fallowed land not come forward for development within a period of 25 years following this approval the provisions of the Shadow Habitats Regulations Assessment Report, 220816_P1136_sHRA_H1e, 16 August 2022, ead ecology shall be implemented and maintained in perpetuity. Reason: To allow the development to proceed as phosphate neutral so as to ensure no adverse effect on the integrity of the Somerset Levels and Moors Ramsar site to accord with the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended).

7. In accordance with the submitted Arboricultural and Ecological Technical Note, August 2022 ref edp0782_r057b all protective hedge and tree fencing shall be erected prior to any works within the parcel. Notwithstanding the document, all fencing shall be the fixed type of fencing shown at Annex EDP 2. No trenches shall be dug within the RPAs of trees or hedges for underground services (or anything else) without the prior assessment and written agreement of the Local Planning Authority.
Reason: To safeguard existing trees and hedges to accord with Policy ENV1 of the SADMP.
8. Details of the cycle crossing point across the junction located adjacent to Plot T255 shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation such agreed details shall have been fully implemented unless otherwise agreed in writing with the Local Planning Authority.
Reason: To facilitate the safe passage of pedestrians and cyclists throughout the site to accord with Policy A3 of the SADMP and show compliance with LTN 1/20 and approved Condition 26 of the Outline Consent.
9. Details of the cycle/pedestrian crossing points from the Garden/Pocket Park to Highfield Park and over the estate road to Parcel H1e within Highfield Park shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation such agreed details shall have been fully implemented unless otherwise agreed in writing with the Local Planning Authority.
Reason: To facilitate the safe passage of pedestrians and cyclists throughout the site to accord with Policy A3 of the SADMP.
10. Prior to the commencement of works information relating to the management of construction stage drainage shall be submitted to and approved in writing by the Local Planning Authority. The information shall confirm specific measures for this part of the site particularly to confirm whether there is a risk of flooding off site and, if so, how that would specifically be managed and mitigated. The development shall thereafter be carried out in accordance with the approved details. Reason: To prevent the increased risk of flooding to accord with the aims and objectives of the National Planning Policy Framework.

11. Prior to first occupation information relating to the management responsibilities of the various components of the proposed surface water drainage network including private systems shall be submitted to and approved in writing by the Local Planning Authority. The information shall include typical maintenance schedules for all the proposed components and details of how each party will be advised of their responsibility and maintenance obligations (including private systems). The development shall thereafter be carried out in accordance with the approved details.

Reason: To prevent the increased risk of flooding to accord with the aims and objectives of the National Planning Policy Framework.

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 the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with. Potential surface improvements to the path T 29/10 can be technically approved under a s38 adoption agreement. In the event that there is not an agreement, then a separate s278 agreement will be required. The applicant will need to demonstrate that the crossing point of T 29/11 over the proposed access road, is safe for the public to use and constructed appropriately through the technical approval process as part of a relevant legal agreement.
3. The applicant is advised to refer to the 'SBD Homes 2019' design guide available on the Secured by Design website – www.securedbydesign.com – which provides further comprehensive guidance regarding designing out crime and the physical security of dwellings.
4. All works in the vicinity of the Veteran tree should be overseen by the project arborist.
5. In accordance with the National Planning Policy Framework the Council has worked in a constructive and creative way with the applicant to find solutions to problems in order to reach a positive recommendation and to enable the grant of planning permission.