

08/17/0040

GLADMAN DEVELOPMENTS

Outline Planning Application with all matters reserved, except for means of access, for the erection of up to 180 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point off Cheddon Road, Taunton

Location: LAND OFF CHEDDON ROAD, TAUNTON

Grid Reference: 323158.127425

Outline Planning Permission

Recommendation

Recommended decision: Conditional Approval

Subject to a Section 106 agreement to secure the 25% affordable housing provision, off-site habitat mitigation, maintenance of the play areas and open space and travel plan provision

Recommended Conditions (if applicable)

1. Approval of the details of the (a) layout (b) scale (c) appearance and (e) landscaping of the site (hereinafter call 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than the expiration of two years from the approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This is an outline permission and these matters have been reserved for the subsequent approval of the Local Planning Authority, and as required by Section 92 of the Town and Country Planning Act 1990 (as amended).

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

DrawingNo. 4746-55-03A - Junction layout with footway along frontage

DrawingNo. 7689-L-04 - Location Plan

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

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

Reason: To ensure the preservation of archaeological remains.

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

4. The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of FPCR's Ecological Appraisal report, dated October 2017 and include:
 1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
 3. Measures for the retention and replacement and enhancement of places of rest for nesting birds
 4. A Construction and Environmental management plan (CEMP) and a Landscape and Ecological management plan (LEMP)

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes and related accesses have been fully implemented.

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

Reason for pre-commencement: To ensure no wildlife is harmed during construction and beyond.

5. A specific lighting strategy shall be produced at the reserved matters stage, showing how and where external lighting will be installed (through the provision of lighting contour plans down to 0.1 Lux across the open space areas of the site, technical specifications and other mitigating measures) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the bat species using their territory. All external lighting shall be

installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: To minimise the effects on Lesser Horseshoe bats (and other bat species).

6. Prior to construction of any dwellings, works for the disposal of sewage and surface water drainage shall be implemented on the site to serve the development hereby permitted, in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The details shall include the timing of provision, proposed adoption and future maintenance arrangements for the surface water drainage system. The works once approved and installed shall thereafter be retained and maintained in that form.

Reason: To ensure the adequate provision of drainage infrastructure.

7. No part of the development hereby permitted shall be occupied or brought into use until the construction of suitable vehicular and pedestrian access to the development has been carried out in accordance with a design generally in accordance with the layout shown on drawing 4746-55-03A (but with details, including but not limited to kerb radii dimensions and the location of informal pedestrian crossing points amended in consultation with the Local Planning Authority). The Design and specification are to be approved in writing by the Local Planning Authority and shall be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

8. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 54 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: To ensure suitable visibility is provided and retained at the site access, in the interests of highway safety.

9. No part of the development hereby permitted shall be occupied or brought into use until a scheme to provide a safe route for pedestrians within the adopted highway from the development to The Taunton Academy, including measures such as new and widened footways, informal pedestrian crossings and entry treatments, has been submitted to and approved in writing by the Local Planning Authority. The scheme is to be fully implemented in accordance with the approved plans and to a specification approved in writing by the Local

Planning Authority prior to the occupation of any dwelling hereby approved.

Reason: In the interests of highway safety.

10. Before any building or engineering works are carried out on the site, the construction access and contractors' parking/compound area shall be provided, surfaced and drained in accordance with a detailed scheme, which shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall also indicate the eventual use of that area.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

12. None of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been implemented within the development site, with appropriate links through the site boundary to the existing external network, in accordance with a strategy and scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure suitable access to the site is provided and retained, in the interests of highway safety and in the interests of sustainable development.

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

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

14. A phasing plan for the site shall be submitted to and approved in writing by the Local Planning Authority following commencement of construction and any variation to the phasing shall be agreed in writing by the Local Planning Authority prior to it being carried out.

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

15. Details of the strategy for the translocation of the roadside hedge shall be

submitted to and approved in writing by the Local Planning Authority prior to any movement or hedge removal. Works shall thereafter be carried out as agreed.

Reason: To safeguard the visual appearance and character of the road frontage in accordance with Core Strategy policy DM1.

16. An assessment of the translocated hedge shall take place a year after it has been moved and the assessment shall be submitted to and approved by the Local Planning Authority and if any additional planting is identified as being required this shall be carried out in the next available planting season and thereafter maintained for five years.

Reason: To safeguard the visual appearance and character of the road frontage in accordance with Core Strategy policy DM1.

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

(ii) The scheme shall be implemented within the first available planting season from the date of commencement of the development.

(iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species.

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

Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. The applicant will be required to secure an appropriate legal agreement/ licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.
3. Your attention is drawn to the policies of the Local Neighbourhood Plan which will need to be complied with as part of any reserved matters application.

Proposal

Outline application for the erection of up to 180 houses, including 25% affordable provision with access, open space, landscaping and sustainable drainage system on land north of Cheddon Road, Taunton.

An Environmental Statement was submitted with this scheme in order to address, in particular the impacts on bats in the Special Area of Conservation (SAC) at Hestercombe and the traffic implications of the scheme. A Design & Access statement, Flood Risk Assessment and Visual Impact Assessment have also been submitted with the proposal.

Site Description

The site consists of 3 fields to the north of Cheddon Road between Pyrland Hall Farm and Pyrland Farm. The site is currently grazing land and is surrounded by hedgerows with a public right of way to the west and north.

Relevant Planning History

None, although the southern part of the site is allocated for residential as part of the Site Allocations and Development Management Plan.

Consultation Responses

CHEDDON FITZPAINE PARISH COUNCIL - 1. This planning application does not adhere to or comply with the WM&CF Neighbourhood Plan ('made' April 2018) on the following policies:

- Policy H1 – no bungalows
 - Policy H3 – no reference to external refuse bin housing
 - Policy H4 – no adjustment made to the split to 80% Social Rented and 20% Shared Ownership.
 - Policy E5 – no recognition of broadband connection
 - Policy T1 – no connectivity to existing footpaths
 - Policy R1 – dark skies
 - Policy R4 – inadequate recreational space
2. The Parish Council notes the representation from the following Officers, and supports their recommendations:
- Principal Transport Planner for SCC Highways: comments regarding traffic flows, traffic modelling, parking, lack of suitable access and turning, emergency exit, pedestrian links, footway frontage, a Full Travel Plan. All this to be taken into account regarding the developments at Staplegrove, Firepool, Northwalls, and West Monkton.

- Housing Officer: It is understood that comments made on 3.5.2018 (TDBC website) have been amended on 10.5.2018 to reflect the recently 'made' (23.4.2018) Neighbourhood Plan.
 - Community Leisure Officer: notes a lack of provision of NEAPs & LEAPs.
3. Highways: Staplegrove Parish Council have recently (2018) sought views from neighbouring parishes regarding 'connectivity' from Staplegrove new spine road to Nerrols Drive in Cheddon Fitzpaine. Cheddon Fitzpaine Parish Council support 'in principle' a North Taunton Link Road to be discussed at County level with Staplegrove PC taking the lead. Without this road, the increase in traffic from all new developments will arrive at Kingston Road/Cheddon Road and dissipate down country lanes. The rat-running at present is already problematical for local residents. Farm View was built with wide grass verges to 'allow' for this road to be built.

Observations/Comments:

4. The Parish Council of Cheddon Fitzpaine should be a statutory Consultee for any amendments to the Design & Access Statement'. It is understood at present that these may be agreed at TDBC without referring back to the Parish Council.

Comment on revision

Cheddon Fitzpaine Parish Council (CFPC) has considered 'the amendment and clarification to the Transport Assessment within the Environmental Statement for 08/17/0040'. CFPC supports the amendments made by SCC Highways Development Management to the TA as written 'in conclusion' on pages 3, 4 & 5 of the letter dated 8 March 2019 to Mr Clifford.

In addition to the matters referred to above, CFPC wish to register our strong objection to a number of non-conformances with the following policies contained in our Neighbourhood Plan:

- NP Policy H1 – bungalows;
- NP Policy H3 – external refuse-bin housing;
- NP Policy H4 – 80% Social Rented and 20% Shared Ownership;
- NP Policy E5 – broadband connectivity;
- NP Policy T1 – interconnection with existing footpaths;
- NP Policy R1 – dark skies;
- NP Policy R4 – recreational space.

The information at our disposal supported by the specialist advice we have taken confirms that (08/17/0040) clearly falls within the scope of our NP. We therefore expect that the policies contained therein will be duly applied.

WEST MONKTON PARISH COUNCIL - The application is at odds with SADMP Policy TA3 which recommends 45 houses on the site.

The Parish Council endorses and strongly supports the comments from Highways Development Control including the need for secondary and/or emergency access to the site, turning circles for refuse collection vehicles. The Parish Council is familiar with traffic flows on Cheddon Road and the parking use immediately opposite the proposed access; and considers the access to be inadequate. No footpaths or crossing points are unacceptable.

The development is not in keeping with the surroundings on the northern side of Cheddon Road, comprising many listed buildings in spacious settings. The application is development into open countryside which the Parish Council does not support.

It is strongly recommended that the proposed changes to the NPPF are applied to carry material weight in relation to this application.

The application is not in accordance with the principles of Garden Town development.

The application represents an overload to services e.g. foul drainage and brown water drainage.

Local bus services referred to in the Travel Plan are too far away. No Safe Routes to School.

There are many examples of non-compliance with the WM&CF Neighbourhood Plan: no connectivity to existing footpaths (Policy T1), no bungalows (Policy H1), no reference to dark skies (Policy R1), inadequate recreational space (Policy R4) - see also report from TD Leisure Officer regarding provision of LEAP and NEAP, no reference to external refuse bin housing (Policy H3), no reference to external materials (Policy H4), no recognition of broadband connection (Policy E5).

SCC - TRANSPORT DEVELOPMENT GROUP -

COMMENTS ON REVISED DETAIL

I refer to the amended plans for the above planning application. The Highway Authority has the following observations on the highway and transportation aspects of this revised proposal.

Traffic Impact

A revised Transport Assessment (TA), provided by Stirling Maynard and dated January 2019, has been provided by the applicant to address the concerns previously raised by the Highway Authority. This revised TA:

- Now includes a more appropriate trip distribution assessment;
- Has considered the cumulative impact of committed developments within the area;
- Has quantified the impacts of this development on the wider highway network to confirm that these are expected to be negligible; and
- Investigated in more detail the accident record of the local highway network to confirm there are no issues that would need addressing as a result of the impact of this development.

The Highway Authority considers that this revised TA adequately identifies the impact of this proposed development, and confirms that there would be no severe traffic impact on the existing highway network if this development were to proceed

as proposed.

The Highway Authority therefore has no objection to this application in terms of its likely traffic impact.

Travel Plan

A Travel Plan (TP) has been submitted but requires amendment. The applicant has confirmed that they will enter into an agreement under section 106 of the Town and County Planning Act 1990 to provide a suitable TP, and this is recommended by the Highway Authority.

Parking

The applicant has previously confirmed that the Somerset County Council Parking Strategy will be followed during the design of the development at reserved matters stage, and this has been accepted by the Highway Authority.

Highway Works

General

The application is outline only, but access is not a reserved matter and has therefore been considered in some detail by the Highway Authority. The applicant has provided plans to show the access arrangements which are now based on a topographical survey, which is considered appropriate by the Highway Authority.

Access

The revised TA includes a number of different access arrangement options. Swept path analysis has been provided for both 10m and 8m kerb radii at the access bellmouth. Both options have been demonstrated to allow for a refuse vehicle to safely access the site and, as a tighter radius would help constrain vehicle speeds, it is recommended that the access be provided with 8m radius kerbs (or indeed reduced further to 6m, if this is found to be achievable during detailed design).

Two layouts are put forward in terms of the footway arrangements. One has the footways at the vehicle access point end just past the radius tangents, with two separate informal crossing points further from the access and only linked to the (as yet undefined) internal estate layout. The Highway Authority would object to the provision of such a layout as it would have an unacceptable safety impact for vulnerable pedestrians, as they would be discharged onto the carriageway at unsafe locations.

However, an alternative layout is also proposed that shows a footway across the site frontage on either side of the access, linking to the two informal pedestrian crossing points on either side of the vehicle access (but outside of the parking layby directly opposite the proposed access). The Highway Authority would not object to the provision of a layout generally in accordance with this proposal.

It is noted that there will be an effect on the existing hedgerow, but the difference in impact between the two options (where one includes the footway along the frontage) would be minimal, as the main effect on the hedgerow would result from the need to provide suitable vehicle and pedestrian visibility splays to ensure the safety of all road users.

A technical audit of the proposed layouts has identified that there remains a risk that visibility to the right from the southern landing of the western informal crossing point may be obscured by vehicles parking in the adjacent layby. While this could be addressed by shortening the layby, this would remove parking space, which appears to be at a premium as the layby is well used. The applicant has therefore suggested minor alteration to the layby to allow vehicles to park clear of the visibility splay, and the details of how suitable visibility will be achieved will need to be considered further within the detailed design of the proposals. The Highway Authority is, however, comfortable that a suitable layout can be achieved.

The revised TA has identified the need to provide good links to the adjacent secondary school to encourage pupils to walk to school and ensure their route is safe. Some improvements are suggested, and it is recommended that a condition be applied to any consent to require the identification and delivery of suitable improvements to provide a good quality pedestrian link between the development and the existing Taunton Academy.

In the previous consultation response of 2 November 2019 it was recommended that a detailed access strategy should be developed to ensure that the development does not sit separately to the surrounding network, and instead provides connectivity for pedestrians and cyclists. This remains outstanding, and it is recommended that a condition be applied to any consent to require that such a strategy be produced to inform the design of the estate layout, which should consider the provision of links for non-motorised users onto Cats Lane and the unnamed road to the north of the development.

Conclusions

The revised TA has now robustly identified the expected traffic impacts of the proposed development and confirmed that there will not be a severe impact on the existing highway network.

The access proposals have been revised, and while options have been put forward that would not be acceptable the applicant has also identified arrangements that would provide safe and appropriate access. The Highway Authority would therefore not object to the proposed access onto Cheddon Road, subject to appropriate conditions to ensure the correct design is taken forward.

The Highway Authority therefore does not object to the revised application, subject to the securing of an approved Travel Plan by suitable legal agreement and the imposition of the following conditions:

- No part of the development hereby permitted shall be occupied or brought into use until the construction of suitable vehicular and pedestrian access to the development has been carried out in accordance with a design generally in accordance with the layout shown on drawing 4746-55-03A (but with details, including but not limited to kerb radii dimensions and the location of informal pedestrian crossing points amended in consultation with the Local Planning Authority). The Design and specification are to be approved in writing by the Local Planning Authority and shall be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority;
- No part of the development hereby permitted shall be occupied or brought into use until a scheme to provide a safe and attractive route for pedestrians from the development to The Taunton Academy, including measures such as new and widened footways informal pedestrian crossings and entry treatments, has been submitted to and approved in writing by the Local Planning Authority. The scheme is to be fully implemented in accordance with the approved plans and to a specification approved in writing by the Local Planning Authority prior to the occupation of any dwelling hereby approved;
- Before any building or engineering works are carried out on the site, the construction access and contractors' parking/compound area shall be provided, surfaced and drained in accordance with a detailed scheme, which shall be submitted to and approved in writing by the Local Planning Authority. Such scheme

shall also indicate the eventual use of that area;

- The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to construction works commencing, and thereafter maintained until the completion of construction works on the site;

- A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site;

- No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority;

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

- Before any dwelling hereby permitted is first occupied, a footway shall be constructed along the frontage of the site in accordance with a design and specification to be approved in writing by the Local Planning Authority;

- In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the development site, with appropriate links through the site boundary to the existing external network, in accordance with a strategy and scheme to be submitted to and approved in writing by the Local Planning Authority;

- There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 54 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times;

- There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 1.5 metres back from the carriageway edge on the centre line of any informal pedestrian crossing point provided on Cheddon Road as part of this development and extending to points on the nearside carriageway edge 54 metres either side of the crossing point. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times; and

- No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
 - o Construction vehicle movements;
 - o Construction operation hours;
 - o Construction vehicular routes to and from site;
 - o Construction delivery hours;
 - o Expected number of construction vehicles per day;
 - o Car parking for contractors;
 - o Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
 - o A scheme to encourage the use of Public Transport amongst contractors; and
 - o Measures to avoid traffic congestion impacting upon the Strategic Road Network

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

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

LEAD LOCAL FLOOD AUTHORITY - The submitted FRA states that there is a ditch along the hedgerow in the central part of the site. At the southern end of the ditch, there is a small pond located centrally on the southern boundary of the site, with an outfall pipe which flows to the south under Cheddon Road. The FRA states that it is believed that the watercourse flowing downstream of the pond is culverted under Cheddon Road and flows south towards St Patricks Close where it emerges above ground level and becomes a main river.

At this stage of the project, surface water runoff is proposed to be discharged to the ground. However it is understood that (if required) any offsite discharge will be attenuated to equivalent greenfield rates. We highlight that these must demonstrate no increase in flood risk between the 1 year and 100 year + climate change events, with consideration given to the capacity of the downstream watercourse (and culvert) and opportunities for betterment. Attenuation storage calculations for offsite discharge have not been provided at this stage as the proposed method is to infiltrate to ground. We highlight that this would also need to be designed for the 100 year event + 40% climate change allowance.

No information was submitted to demonstrate how surface water that exceeds the capacity of drainage features will be managed within the site. However, the proposed attenuation pond looks to be located at the lower extent of the site and the submitted FRA states that areas of existing surface water flow/ponding will be left undeveloped. It is therefore considered likely that appropriate measures can be implemented to manage exceedance flows within the site boundary. This will need to be demonstrated as part of the detailed design.

It is noted that the calculations were estimated using FSR rainfall data. In

accordance with the SUDS Manual, the storage volumes and discharge rates should be calculated using FEH methods and the FEH 2013 rainfall data. Updated calculations will be required for the detailed design.

No information was submitted regarding the adoption, operation and maintenance arrangements for the surface water drainage system.

In principle we do not object to the proposed development on flood risk and drainage grounds. However, prior to the Council granting permission we recommend that the Council requests the following information:

- Confirmation that the development will not be delivered in phases. If the development is to be delivered in phases, we recommend that further information is provided to demonstrate how the drainage system will be constructed, designed and operated to meet the required design standards for each phase;
- Confirmation of agreement in principle of proposed adoption and maintenance arrangements for the surface water drainage system as this may affect the proposed design.

Should the Council be minded to grant planning permission, we recommend that the information requested above and the following information is included within any reserved matters application:

- Results of infiltration testing undertaken in accordance with BRE365 at the location of the proposed infiltration basin, as recommended in the submitted FRA;
- Detailed drawings that demonstrate the inclusion of SuDS and location and size of key drainage features;
- Drainage calculations that demonstrates there will be no surface water flooding up to the 1 in 30 year event, and no increased risk of flooding as a result of development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change. Drainage systems and attenuation storage should be designed using FEH methods and 2013 rainfall data;
- Drawing showing details of the proposed attenuation storage. The drawing should include a cross-section through the storage showing invert levels of the inlet pipe and base of the storage basin;
- Confirmation of the proposed methods of treating surface water runoff to ensure no risk of pollution is introduced to groundwater or watercourses both locally and downstream of the site, especially from proposed parking and vehicular areas;
- Description and drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of the

drainage system;

- Demonstration that appropriate access is available to maintain drainage features.

If the results of infiltration testing indicate that infiltration will not provide a feasible means of managing surface water runoff, an alternative drainage strategy with supporting calculations must be submitted to the Council for review and approval. Best practice SUDS techniques should be considered and we promote the use of combined attenuation and infiltration features that maximise infiltration during smaller rainfall events.

SCC - ECOLOGY - The conservation objectives for the Hestercombe House SAC include 'to maintain and restore' the population of the qualifying species. It is considered that the development would have an effect on this objective. Since designation is that of about 44% of the qualifying population as recorded in 2017.

Taunton Deane Borough Council, as the competent authority' under the Habitats Regulations, considers that there is unlikely to be an effect on the integrity of the conservation objectives of Hestercombe House SAC provided the following conditions are applied to the planning permission or are subject to a s106 agreement. As the application is for outline permission there is scope for mitigation to be conditioned in order to counter-act the risk of a significant effect occurring.

1. A habitat enhancement area of a minimum of 4.16 hectares shall be provided either on or off site. The replacement habitat shall be of woodland, ponds and species rich meadow is created, which is accessible to Lesser Horseshoe bats. The layout of and a planting schedule for the habitat creation / enhancement of this open space will be submitted to and agreed with Taunton Deane Borough Council prior to work commencing on site. This enhancement will be planted at the earliest possible date following permission unless otherwise agreed with the Borough Council.
2. A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority to ensure that the habitat creation / enhancement is managed appropriately for Lesser Horseshoe bats. The plan will include the aims and objective of management of the whole site in perpetuity from completion of the works. Prescriptions for management actions shall be included with measures to promote the establishment and maintenance of the planting to a favourable structure for Lesser Horseshoe bats. It should also include a monitoring strategy to ensure that Lesser Horseshoe bats continue to use the site and remedial measures to rectify the situation should negative results arise. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.
3. To minimise the effects on Lesser Horseshoe bats (and other bat species), a specific lighting strategy shall be produced at the reserved matters stage, showing how and where external lighting will be installed (through the provision of lighting contour plans down to 0.1 Lux, technical specifications and other mitigating measures) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory. All external lighting shall be installed in accordance with the

specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior written consent from the local planning authority.

It is considered by Taunton Deane Borough Council that provided these measures are conditioned or subject to a s106 agreement and thereafter implemented in full there is unlikely to be an effect on the integrity of the conservation objectives of the Hestercombe House SAC.

Provided the above measures are implemented it is considered Stage 3 of the Habitats Regulations Assessment is not required.

SCC - CHIEF EDUCATION OFFICER - No comment received.

SCC - NOW HISTORIC ENV SERVICE(AS NOT PART OF SCC 2015) - The Archaeological desk-based assessment submitted by the applicant concludes that there is some potential for buried archaeology on the site of local significance. This is a reasonable conclusion and we agree with the suggestion that a condition should be applied to permission (if granted) that can deal with the archaeology issues.

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

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

WESSEX WATER - No comment

HISTORIC ENGLAND - No comments to make.

BIODIVERSITY - The application is outline for the erection of 180 dwellings on land off Cheddon Road, Taunton. A total of 30m of hedgerow will be removed for access.

The site is 1.4km south of Hestercombe SAC.

Pyrland Park LWS is located 235m to the west of the application site.

FPCR carried out an ecological appraisal of the site in October 2017.

Findings were as follows

Bats

The site lies within Bat consultation Zone B for lesser horseshoe bats.

Please see Larry Burrows Habitat Regulation assessment for Pyrland farm, Cheddon Road.

I agree with conclusions in the assessment. There is a shortfall of 1.28ha of

mitigation for lesser horseshoe bats in the submitted masterplan. Any mitigation should be functional at the time of development. Lux light levels should not increase on any retained or new bat habitat

Birds

The vegetation on site offered bird nesting potential. Vegetation shall only be removed outside of the bird nesting season.

I support the erection of bird boxes on site

Badger

No information available (A confidential plan referred to in the report has not yet been sent to the case officer)

Reptiles

The site was assessed as having sub optimal habitat for reptiles

Great crested newts

Waterbodies 430+ to the west of the site are known to support GCN but ponds on and close to the site did not contain GCN.

Given the low likelihood that GCN travel no more than 250m from their breeding grounds and given the lack of suitable terrestrial habitat on site, I agree that the risk of GCN being affected is low.

Dormice

Nest tube surveys returned no evidence of dormice

If permission were granted I suggest the following condition

Suggested Condition for protected species:

The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of FPCR's Ecological Appraisal report, dated October 2017 and include:

5. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
6. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
7. Measures for the retention and replacement and enhancement of places of rest for nesting birds
8. A Construction and Environmental management plan (CEMP) and a Landscape and Ecological management plan (LEMP)
9. Details of lighting

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird boxes and related accesses have been fully implemented

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

Informative Note

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

planning consent) must comply with the appropriate wildlife legislation

LANDSCAPE - I cannot support this proposal of 180 houses as it is a much larger proposal than identified in the SADMP (TAU 3). The development encroaches further into the open countryside than initially accepted in the SADMP.

It is not clear how much hedging bordering the south of the site will need to be removed to assess the site I consider that the proposal will impact on the landscape character of immediate locality.

TREE OFFICER - No comment.

HOUSING ENABLING - 25% of the new housing should be in the form of affordable homes, with a tenure split of 60% social rented and 40% intermediate housing in the form of shared ownership. As part of the site sits within the West Monkton and Cheddon Fitzpaine Neighbourhood Plan area consideration should be given to the plans' Housing Policy H4 – Affordable Housing with a tenure split of 80% social rent and 20% intermediate housing in the form of shared ownership if deemed viable.

The type and size of the affordable housing units to be provided should fully reflect the distribution of property types and sizes in the overall development. 10% of the total affordable housing provision should be in the form of fully adapted disabled units in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010.

Taking the Homefinder information for Taunton into account, there appears to be a significant need for 1b2p accommodation, which we would seek in the form of maisonette style properties with their own access and garden area. There is also a considerable amount of people looking for 2b4p accommodation.

On this basis, we would suggest a mix along the lines of:

- 10-15% 1b2p
- 40% 2b4p
- 35-40% 3b 5/6p
- 10% 4b6p

The shared ownership housing should be in the form of 2b4p and 3b5/6p houses.

Whilst no indication of the location of the affordable units has been provided at this stage, these should be an integral part of the development and should not be visually distinguishable from the market housing on site. In addition, the affordable housing is to be evenly distributed across the site and in clusters of no more than 15 units. The practicalities of managing and maintaining units will be taken into account when agreeing the appropriate spatial distribution of affordable housing on site.

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

The affordable housing scheme must be submitted to and approved in writing by the Housing Enabling Lead at Taunton Deane Borough Council. Early engagement with the Housing Enabling Lead to agree the affordable housing provision is recommended.

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

QUANTOCK HILLS AONB - We concur with the comments of your Landscape Officer that an increase in houses to 180 is much larger than the 40 allocated in the SADMP and, considering other allocated sites coming forward for development on the northern side of Taunton, we ask you to consider if the cumulative push of the urban and suburban environment towards the nationally protected Quantock Hills has potentially reached a critical limit.

The Quantock Hills AONB Service requests that when assessing the number of houses and extent of the site, this application is considered in the context of other development sites, in order to fully understand potential effects on landscape character, landscape resource and visual amenity. This should include those already allocated as well as those under construction that are extending Taunton into open countryside on its northern fringes. Ongoing and proposed development (Nerrols Farm, Monkton Heathfield and Staplegrove for example) must all be considered in the context of this proposal as, both individually and collectively, they are bringing the urban/suburban landscape closer to the boundary of the Quantock Hills. This is reducing the actual area of land and the perceived sense of separation between townscape and high quality rural landscape of national significance.

The juxtaposition of the Quantock Hills with the Vale of Taunton Deane makes for a very important perceptual relationship. Whilst we recognise the setting of the AONB is not protected, Taunton Deane's own LCA recognises the importance of the relationship between the Vale and the protected landscape. The National Character Area description recognises them as so intrinsically linked in terms of character that they are mapped together and form a joint description (NCA 146: Vale of Taunton Deane and Quantock Fringes). Therefore, change within the vale, must be fully considered in terms of its proximity to and relationship with the Quantock Hills.

The preservation of the setting and character of the AONB is supported by the Vision for Taunton in the adopted Core Strategy, which states:

“Despite accommodating substantial levels of growth, the urban form of Taunton will remain self-contained, below ridge lines which are sensitive to development and preserving the setting and character of the Quantock Hills AONB and Blackdown Hills AONB.”

It is unclear why, as statutory consultees, Natural England have made no reference to the setting of the protected landscape and the potential effects on views and character to the AONB.

Section 85 of the CRoW Act 2000 states that:

“In exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty”.

We trust that the Quantock Hills AONB will be given due consideration during your assessment of the application.

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

POLICE ARCHITECTURAL LIAISON OFFICER - Sections 58 and 69 of the National Planning Policy Framework March 2012 both require crime and disorder and fear of crime to be considered in the design stage of a development and ask for:-

“Safe and accessible environments where crime and disorder, and the fear of

crime, do not undermine quality of life or community cohesion."

Guidance is given considering 'Crime Prevention through Environmental Design', 'Secured by Design' principles and 'Safer Places.

Comments:-

Crime Statistics – reported crime for the area of this proposed development during the period 01/05/2017-30/04/2018 (within 500 metre radius of the grid reference) is as follows:-

Burglary - 12 Offences (comprising 9 dwelling burglaries & 3 business/community burglaries)

Criminal Damage - 5 Offences (incl. 3 criminal damage to vehicles)

Drug Offences - 3

Other Offences - 5

Sexual Offences - 2

Theft & Handling Stolen Goods - 15 Offences (incl.2 theft of motor vehicles & 2 theft from motor vehicles)

Violence Against the Person - 55 Offences (incl. 1 malicious wounding, 12 assault ABH, 13 common assault & battery & 11 causing harassment/alarm/distress)

Total - 97 Offences

This averages 8 offences per month, which is classed as a low reported crime level.

Design & Access Statement – the DAS at page 63 includes a section entitled 'Safer Places and Crime Prevention', which indicates to me that the applicant has considered crime prevention measures in the design of this proposed development.

I

support the comments made in this section and expand on some of them below.

Layout of Roads & Footpaths - vehicular and pedestrian routes appear to be visually open and direct and are likely to be well used enabling good resident surveillance of the street. The use of physical or psychological features such as road

surface changes by colour or texture, rumble strips or similar within the development

would help reinforce defensible space giving the impression that the area is private and deterring unauthorised access. The single vehicular entrance/exit also has advantages from a crime prevention viewpoint in that it can help frustrate the search and escape patterns of the potential offender.

Orientation of Dwellings - all appear to overlook the street and public spaces which

allows neighbours to easily view their surroundings and also makes the potential criminal feel more vulnerable to detection. The majority of the dwellings also appear to be 'back to back', which is also recommended, as this helps restrict unauthorised access to the rear of dwellings where the majority of burglaries occur.

Public Open Space - communal areas have the potential to generate crime, the fear

of crime and ASB and should be designed to allow supervision from nearby dwellings with safe routes for users to come and go. The landscape buffer around the perimeter of the site appears to be well overlooked by a number of dwellings, as is the green lane through the centre, and all appear to comply with this recommendation.

LEAP – the proposed LEAP is located in a fairly large communal area on the edge of

the development with limited surveillance from nearby dwellings. From a safeguarding children perspective, I recommend it be more centrally located with safe routes for users to come and go and good all-round surveillance from

dwellings.

Dwelling Boundaries – it is important that all boundaries between public and private

space are clearly defined and it is desirable that dwelling frontages are kept open to view to assist resident surveillance of the street and public areas, so walls, fences, hedges at the front should be kept low, maximum height 1 metre to assist this. More vulnerable areas such as exposed side and rear gardens need more robust defensive measures such as walls, fences or hedges to a minimum height of 1.8 metres. Gates providing access to rear gardens should be the same height as adjacent fences and lockable. Judging by the masterplan in the DAS, this appears to

be catered for but at this outline stage is difficult to fully assess.

Car Parking – appears to be a mix of in-curtilage garages and parking spaces and small communal on street parking spaces, the former being the recommended option, but is also difficult to fully assess.

Landscaping/Planting – should not impede opportunities for natural surveillance and must avoid the creation of potential hiding places. As a general rule, where good

visibility is needed, i.e. dwelling frontages shrubs should be selected which have a mature growth height of no more than 1 metre and trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision.

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

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

Physical Security of Dwellings – in order to comply with **Approved Document Q: Security – Dwellings** of building regulations, all external doorsets and ground floor or easily accessible windows and rooflights must be tested to comply with PAS 24:2016 security standard or equivalent.

Secured by Design - the applicant refers to this national police initiative in the DAS and, if planning permission is granted, is advised to refer to the '**SBD Homes 2016**' design guide, which is 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.

LEISURE DEVELOPMENT - In accordance with the TDBC adopted SADMP Policy C2 and Appendix D, provision for children's play should be made for the residents of these dwellings.

The Design & Access Statement proposes a Locally Equipped Area of Play Space (LEAP) however this should be centrally located and overlooked by the front of properties to promote natural surveillance.

Children aged 8 years and under should not have to walk more than 400m to their nearest equipped play area. The location of the LEAP should not therefore be more than 400m from each dwelling via pavement or footpath, not as the crow flies.

Children aged 8 years and above should also not have to walk more than 1000m by footpath or road, not as the crow flies, to their nearest play area (NEAP). The proposed development appears to be more than 1000m from the nearest NEAP. Provision for over 8's should therefore be made on site.

A development of 180 dwellings if all 2 bed+ should provide 20sqm of equipped and non-equipped play space giving a total of 3600sqm. The development should therefore provide 1x LEAP and 1 x NEAP (Neighbourhood Equipped Area for Play) as a minimum of the equipped play space.

The LEAP of at minimum of 400sqm should contain 5 pieces of play equipment for children aged 4-8 years to cover all the play disciplines of swinging, sliding, rotating, climbing, rocking and balancing.

The NEAP of at least 1000sqm should contain at least 8 pieces of equipment to cover the disciplines and be suitable for ages 8 years to adult. Both areas should contain seating, bin and signage. All equipment to have a manufacturer's guarantee of at least 15 years.

The LEAP if fenced must have at least 2 x outward opening self-closing pedestrian gates and a gate for maintenance access. The design of the play areas should be submitted for approval by TDBC Open Spaces. Open Spaces should also be asked to comment on green infrastructure and its layout proposals.

ENVIRONMENT AGENCY - The Environment Agency has no objections to the proposed development, but wishes the following informatives and recommendations are included in the Decision Notice:

The proposed development is located in Flood Zone 1, which is low flood risk and the ideal location for development with regards to flood risk.

Somerset County Council, as the Lead Local Flood Authority, should be consulted to ensure the surface water drainage proposals for this site do not adversely affect their interests. Especially as the Flood Risk Assessment makes reference to a ditch running across the development site.

To prevent pollution of the water environment, during construction the following issues should be considered:

1. Site security.
2. Fuel oil storage, bunding, delivery and use.
3. How both minor and major spillage will be dealt with.
4. Containment of silt/soil contaminated run-off. To include managing how soil deposits will be minimised from being deposited on the road.
5. Disposal of contaminated drainage, including water pumped from excavations.
6. Site induction for workforce highlighting pollution prevention and awareness.
7. Measures should be taken to prevent the runoff of any contaminated drainage during the construction phase.

There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

NATURAL ENGLAND -

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations'). The application site is in close proximity to Hestercombe House Special Area of Conservation (SAC) which is a European site. The site is also notified at a national level as Hestercombe House Site of Special Scientific Interest (SSSI).

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have

regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

No objection

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, provided that the mitigation measures specified by the appropriate assessment are appropriately secured in any permission given.

Representations Received

35 letters of objections received on the grounds of:

- Outside of Local plan policy
- Loss of green space and valuable farming land.
- Loss of privacy
- Overdevelopment of the site
- No need for housing and lack of employment
- Non compliance with Neighbourhood plan policies
- Not in keeping with garden town
- Outside of settlement limit
- An unplanned extension
- Not in keeping with surroundings of northern side of road
- Increase in traffic and therefore accidents. Roads cannot cope with extra volume
- Will lead to parking and congestion problems

- Inadequate access
- Danger to cyclists and pedestrians
- A 20mph speed limit should be imposed from the site to the school and a safe pedestrian route planned.
- Inadequate infrastructure locally and Council cannot keep up with road maintenance.
- Traffic impact on narrow lanes
- Will isolate fields and force agricultural traffic onto the road
- Roads too narrow to take heavy machinery
- Impact on conservation area
- Listed building at King's Hall school would be overshadowed
- Impact on views from Hestercombe House spoiling character of landmark
- Impact on Cheddon Corner and King's Hall School
- Impact on AONB
- Negative landscape impact
- Loss of peace and tranquility
- Noise and air pollution
- Loss of hedgerow impacting on rural nature of area and environment.
- Impact on wildlife including bats
- Strain on local services
- Loss of prime agricultural land
- Surface water drainage and increased flood risk
- Will lead to water shortage
- Will lead to increase in fly tipping

- Loss of view
- Loss of value
- A similar application outside of the development area at Creech St Michael was refused.
- Local resources including schools and doctors surgery's cannot cope.

9 further objections on amended Transport and access detail raising the following:

- The nearest bus stop could be half a mile from the furthest dwellings, this is not local and there is no Sunday service, or evening service
- No local jobs
- Nearest bus stop in Ladymead Road not convenient
- Pressure on primary and secondary schools
- Will add to congestion
- Crossing will be at a dangerous point
- Will increase traffic and emissions and no acceptable travel plan
- Baseline traffic flows are incomplete - certain junctions missing
- Traffic speeds along this stretch of road
- Road narrow in parts and traffic often has to slow to pass
- Traffic increase will put significant strain on inadequate local transport infrastructure
- Impact on Cats Lane
- Poor junction visibility
- Impact on lay-by opposite
- Will make road busier and more dangerous
- Contrary to Local Plan loss of countryside and wildlife
- No infrastructure
- Inadequate access and increase in traffic would be unsafe
- Not in keeping with surroundings
- Overdevelopment
- Outside settlement on valuable farm land
- No need for more housing
- Detrimental and damaging to rural character of the area

- Loss of hedging
- Would overload water/drainage/recycling services
- Increase flood risk
- Increase in traffic, air pollution, congestion and noise pollution
- Bat roosts at Hestercombe have European protected status.
- Will disturb wildlife
- Hazard of construction vehicles

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

SP1 - Sustainable development locations,
 CP1 - Climate change,
 CP4 - Housing,
 CP6 - Transport and accessibility,
 CP8 - Environment,
 DM1 - General requirements,
 DM2 - Development in the countryside,
 DM4 - Design,
 SB1 - Settlement Boundaries,
 TAU3 - Pyrland Farm,
 A1 - Parking Requirements,
 A2 - Travel Planning,
 C2 - Provision of recreational open space,
 D7 - Design quality,
 ENV1 - Protection of trees, woodland, orchards and hedgerows,
 ENV2 - Tree planting within new developments,
 ENV4 - Archaeology,
 I4 - Water infrastructure,

West Monkton and Cheddon Fitzpaine Neighbourhood Plan was adopted on 23 April 2018

Policy H1 – Housing suitable for older people

Policy H3 – Refuse Bin Storage for residential development

Policy H4 – Affordable Housing.

Policy E5 – Wider roll-out of Broadband connectivity

Policy T1 – Developing a comprehensive and high quality cycle and footpath network

Policy R1 – Dark skies

Policy R4 – Recreation and community facilities

This takes into account the recent adoption of the SADMP.

Local finance considerations

Community Infrastructure Levy

Creation of dwellings is CIL liable.

Outline application and no details of density included in application.

Assumed medium density and used residential testing assumptions on 40dph for CIL calculation.

Most of the application site is within the £125 charging zone but a small portion is within the £70 charging zone. CIL calculated on the £125 charging zone only.

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £2,000,000.00. With index linking this increases to approximately £2,750,000.00.

New Homes Bonus

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

1 Year Payment

Taunton Deane Borough	£194,232
Somerset County Council	£48,558

6 Year Payment

Taunton Deane Borough	£1,165,394
Somerset County Council	£291,348

Determining issues and considerations

The main considerations with this proposal are compliance with policy and impacts on the wildlife and ecology of the area, landscape, setting of listed buildings, traffic and drainage.

POLICY

The policy for the area is set out in the development plan consisting of the Core Strategy, the Site Allocations and Development Management Plan and the West

Monkton & Cheddon Fitzpaine Neighbourhood Plan. The Core Strategy sets out the locations suitable for new developments and in general seeks to concentrate development in sustainable locations under policy SP1. The Site Allocations and Development Management Plan identifies part of the site nearest Cheddon Road as suitable for residential development of around 45 dwellings under policy TAU3: Pyrland Farm. The policy requires offset planting to compensate for the loss of any bat habitat as well as affordable housing, the design and mix of dwellings and recreational space. All of these points are either addressed below or are subject to reserve matter details.

The provision of a development outside of the development limit has to be considered in light of policies in the development plan and there must be identified harm to warrant a refusal. So merely because the site exceeds the defined allocated site is not in itself a reason for refusal but there must be some element of harm as a result. This was reflected in the recent legal argument at appeal in Wellington. The current proposal therefore has to cause significant harm on material planning grounds for it to be refused.

A further consideration with the site is the application of Neighbourhood planning policies as the West Monkton and Cheddon Fitzpaine Neighbourhood Plan was adopted on 23 April 2018. The Parish Council make reference to a number of policies, however the current proposal is in outline form and does not specify at this stage the number and design of dwellings, nor the refuse provision, footpath links or recreation provision as referred to in policies H1, H3, T1 and R4. A note can be added drawing attention to the need to comply with H1 as part of any detailed layout and a condition will be proposed concerning children's play provision and controlling lighting as this is also required to address bat impacts. The provision of broadband connectivity is not something that can be controlled through the planning process and affordable housing is a requirement set out in the Core Strategy under policy CP4. The Housing Enabling Officer has commented on the need and has made recommendations in terms of the provision and tenure split. This would be controlled through a Section 106 legal agreement which the applicant has made clear they are happy to do in principle. A note to the applicant is proposed to draw their attention to the need to comply with Neighbourhood Plan policies as part of any reserved matters submission.

ECOLOGY

The site consists of existing grass land and hedges and has been subject to various wildlife surveys. The site is also within the consultation distance of Hestercombe SAC and so the impact on Lesser Horseshoe bats has to be considered. The Biodiversity Officer is in agreement with the submitted wildlife assessment and recommends a condition to ensure appropriate mitigation is carried out. The County Ecologist has undertaken a Test of Likely Significant Impact on the SAC at Hestercombe and Natural England raise no objection. The conclusion is that there is a potential for a significant likely effect but this can be avoided by implementing a number of mitigation measures. These include habitat enhancement both on and off site, provision of a Landscape and Ecological Management Plan (LEMP) and provision of a lighting strategy. These elements can be secured through conditions and a legal agreement for any off site provision. Subject to securing this mitigation there is no adverse impact on wildlife to warrant an objection to the scheme.

LANDSCAPE

The landscape around the site is undulating with a general rise in levels towards the north and the Quantocks Area of Outstanding Natural Beauty. A visual impact assessment has been submitted with the application and this has been considered in terms of assessing the impacts of the site. I have considered the impacts on long distance views and views from the AONB with the Landscape Officer following initial comments. The site is screened from many views to the north and where it is visible the impact is limited and blends in with the existing residential development. Given that the proposed development at Staplegrove is larger, has a bigger impact and has been supported by Committee it is not considered that the very limited impact on the AONB of the current scheme is one that warrants a refusal. In fact to do so would be unreasonable.

The impacts on the local area around the site are greater and the greatest impact will be from Cheddon Road itself where the access has to be formed. However the southern part of the site is allocated and access would need to be formed in this location, even for the smaller allocated site. Given that there will need to be buffer planting of 20m around the site for wildlife mitigation purposes, it is not considered that the landscape impact on the character of the area is so adverse as to warrant an objection to the development and in my view the development in the longer term will be largely screened, other than the main road frontage, by the planting proposed. A condition with regard to translocation of the hedge on the road frontage is proposed to try and retain as much of the hedge as possible. A condition to secure the planting within the site is also proposed. Consequently there is not considered to be a significant adverse landscape impact from the proposal.

SETTING AND IMPACT ON HERITAGE ASSETS

Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies. This requires that in considering whether to grant planning permission, the Local Planning Authority "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses". The site lies within 250m of one listed building to the north-west, King's Hall and around 120m of Pyrland Farm to the east and Historic England has been consulted in terms of the impact on the setting of these properties. The site is currently bounded by hedgerows and the landscape mitigation planting will add significantly to that. Historic England has not made any comment in respect to the scheme and it is considered that space and screening between the properties is sufficient for there not to be any significant adverse impact of the development on the setting of these buildings. The proposal is therefore considered to comply with Section 66 and would not cause harm to the setting. The initial survey work has indicated there may be impacts on archaeology and consequently South West Heritage has suggested an archaeological condition to secure investigation of the site before construction and therefore a written scheme of investigation condition is proposed and is in compliance with the NPPF.

ACCESS AND TRAFFIC

The access to the site will be provided off the Cheddon Road frontage with a new access and splay proposed as part of the current application. The Highway Authority has considered the revised information submitted and considers that there is a suitable means of access into the site that can be conditioned and that the level and impact of traffic on nearby junctions from the new development would not have a severe impact on the surrounding highway network. The internal road layout and parking provision would form part of the reserved matters and would need to be in line with County Highway guidance in terms of the road provision and the SADMP policy A1 in terms of parking. The applicant is in discussion with County Highways over the provision of a travel plan and this would need to be secured through a legal agreement. This forms part of the recommendation. Conditions are proposed by the Highway Authority in terms of the formation of the new access and visibility off Cheddon Road and these are recommended together with conditions in respect of safe route for pedestrians to the Academy, a footway along the site frontage, a contractor's compound, surface water disposal and footway/cycle links.

DRAINAGE

The site lies within an area outside of the flood risk area and the provision for foul and surface water would need to be provided in consultation with statutory bodies. The foul drainage would be connected to Wessex Water systems and there is no reason this could not be achieved. In terms of surface water the site lies within flood zone 1 where there is no risk of flooding. The surface water drainage scheme will need to be designed to prevent the risk of flooding elsewhere and limit any outfalls to greenfield rates. As the site is over 1ha the surface water drainage will need to be agreed by the Lead Local Flood Authority and a suitable condition to secure this is recommended. The drainage strategy proposes the managing of surface water and sufficient attenuation for all events up to the 1 in 100 year event inclusive of 40% climate change factor. Therefore subject to a suitable condition the development of the site should not be precluded on flood risk grounds.

CONCLUSION

In summary while part of the site lies outside of the identified Local Plan allocation, the assessment of the scheme identifies no significant adverse impacts on the wildlife and ecology, landscape, listed building setting, traffic, highway safety and drainage. Consequently in light of recent case law and the policies of the Local Plan the provision of the housing scheme as submitted is considered to comply substantially with policy and is recommended for approval subject to appropriate conditions and a legal agreement.

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

Contact Officer: Mr G Clifford