

38/19/0003

GADD PROPERTIES LTD

Redevelopment including the erection of 22 no. dwellinghouses with associated access, parking and Local Equipped Area for Play (LEAP) at Fairwater Yard, Higher Palmerston Road, Taunton

Location: LAND AT FAIRWATER YARD, HIGHER PALMERSTON ROAD,
TAUNTON

Grid Reference: 321963.125505

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Subject to a S106 Agreement to secure the provision of affordable housing and the provision and maintenance of the play area/open space.

Recommended Conditions (if applicable)

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

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

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

(A3) DrNo 2016/01/PL001 Site Location Plan

(A3) DrNo 2016/01/PL002J Site Layout Plan1 of 2

(A3) DrNo 2016/01/PL003J Site Layout Plan 2 of 2

(A3) DrNo 2016 01/PL004H Type A Floor Plans Plots 7&8

(A3) DrNo 2016 01/PL005H Type A Elevations Plots 7&8

(A3) DrNo 2016/01/PL006H Type B Floor Plans Plots 1-6

(A3) DrNo 2016 01/PL007H Type B Elevations Plots 1-6

(A3) DrNo 2016 01/PL008H Type C Floor Plans Plots 12-16

(A3) DrNo 2016 01 PL/009H Type C Elevations Plots 12,13

(A3) DrNo 2016 01/PL010 H Type C Elevations Plots 14,15,16

(A3) DrNo 2016 01/PL011H Type D Floor Plans Plots 10,11,17,18 & D1 Floor plans Plot 9

(A3) DrNo 2016 01/PL012H Type D Elevations Plots 10,11, 17 & 18

(A3) DrNo 2016 01/PL013H Type E Floor Plans Plots 19 - 22

(A3) DrNo 2016 01/PL014H Type E Elevations Plots 21, 22

(A1) DrNo 2016/01/PL016H Site Survey

(A3) DrNo 2016 01/PL017H Type E Elevations Plots 19, 20
(A3) DrNo 2016 01/PL018H Elevations Plot 9

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

3. Prior to the construction of the dwellings above dpc samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

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

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

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

(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.

5. The new footpath link to the public right of way shall be provided prior to the occupation of the dwellings.

Reason: In the interests of providing adequate pedestrian links from the site and to encourage walking.

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

Reason: In the interests of highway safety.

7. 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 the completion of the first dwelling and thereafter maintained at all times.

Reason: In the interests of highway safety.

8. The proposed estate road, footways, footpath, tactile paving, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, (where applicable) shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety

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

Reason: In the interests of highway safety.

10. The parking spaces and access thereto shall be properly consolidated and surfaced, and shall thereafter be kept clear of obstruction at all times and not used other than for the parking of vehicles or for the purpose of access.

Reason: In the interests of highway safety.

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

Reason: To minimise the disturbance from the development on the amenities on the surrounding area and in the interests of highway safety

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting the 2015 Order with or without modification), no extensions, outbuildings, gates, walls, fences or other means of enclosure shall be erected on the site other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

Reason: To prevent over development and to safeguard the appearance of the area.

13. The development shall be carried out in accordance with the submitted flood risk assessment (ref: RMA-C1878 dated 20 December 2018 by RMA Environmental) and the mitigation measures it details:

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

14. The development hereby permitted shall not be commenced until details of a strategy to protect bats, birds and reptiles has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of EPS Ecology's Preliminary Ecological report, dated October 2018 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 bats and nesting birds

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 bats and birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird and bat boxes and related accesses have been fully implemented

Reason: To protect and accommodate wildlife.

Reason for pre-commencement condition: To ensure that any European Protected Species are protected during the course of the development

15. The car parking areas for plots 9 to 15 are to be built at ground level and must remain unchanged for the lifetime of the development.

Reason: To ensure there is no reduction in floodplain.

16. No development hereby approved shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority (LPA). This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses,
 - potential contaminants associated with those uses,
 - a conceptual model of the site indicating sources, pathways and receptors,
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the LPA. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution.

Reason for pre-commencement condition: To establish the level of contamination on site and how this should best be dealt with to reduce risk.

17. Prior to each phase of development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the LPA. The report shall include results of sampling

and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) the bathroom windows to be installed within the development shall be obscured glazed. The obscure glazing shall be to the standard of Pilkington Level 5 and non opening below 1.7m from finished floor level.

Reason: To protect the amenities of adjoining residents.

20. 2 No. outward facing pedestrian access gates and a vehicle maintenance gate, details and locations of which shall have previously been agreed in writing with the Local Planning Authority, shall be provided within the LEAP/open space boundary fencing before this area is first brought into use and maintained thereafter.

Reason: To ensure safe egress and access and in the interest of the visual amenities of there area.

21. Prior to the erection of any balconies and privacy screens, details shall have previously been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained thereafter.

Reason: To protect the amenities of the surrounding area and to ensure the development does not harm the character of the area.

22. Prior to the occupation of the dwellings, cycle and motorcycle storage facilities shall be made available on site details and locations of which shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved storage scheme and shall be maintained thereafter.

Reason: To promote sustainable development.

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

Reason: To provide adequate access to recreation facilities for occupiers and local residents in accordance with Taunton Deane Borough Council's Site Allocations and Development Management Plan Policy C2.

24. No dwelling shall be occupied until a scheme that secures the provisions of suitable electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

25. Prior to the commencement of the development hereby permitted, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall demonstrate that the surface water run-off and volumes generated up to and including the 1 in 100 year critical storm will not exceed the run-off and volumes from the undeveloped site following the corresponding rainfall event. The scheme shall include details of phasing and maintenance. The development shall subsequently be implemented in accordance with the details approved.

Reason: To ensure that flood risk is not increased off site.

Reason for Pre-commencement: To ensure that a drainage strategy is agreed prior to commencement.

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 entered into pre-application discussions to enable the grant of planning permission.

2. The applicant will be required to secure an appropriate legal agreement/license for any works within or adjacent to the public highway as 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. 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.

4. The applicant is advised to refer to the '**SBD Homes 2016**' 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

Proposal

The application as amended is to demolish the existing dilapidated buildings on site and erect 22 new dwellings with access, parking and play area. This includes 12 semi-detached dwellings, a terrace of 3 dwellings, 1 detached 4 bed dwelling and a block of 6, 2 bedroomed flats.

A Local Equipped Area for Play (LEAP) and open space will be provided to the south western corner of the site and contained within railings and a hedge. A footpath link to the northern corner of the site will link to an existing public right of way (T13/12) that runs along the north western boundary of the site.

Vehicular access is via the existing access from Higher Palmerston Road to the north (a cul de sac) where improved access and surfacing works will be carried out. A vehicular access for Environment Agency emergency vehicles will be maintained within the development to enable access to an existing culvert.

Site Description

The 0.3 hectare site consists of an old industrial yard with access via Higher Palmerston Road which is accessed off Staplegrove Road. The few buildings on the site are dilapidated single storey buildings. The site is surrounded on two sides by residential properties and the access road passes a row of 4 terraced properties (1-4 Higher Palmerston Road). To the north western boundary lies allotments and to the south eastern boundary St James Cemetery.

The site is currently used by 3 businesses for vehicle storage/repairs and sales.

Mill Lease Stream runs to the west of the site and as a result that area and to the

south falls within floodzones 2 and 3.

Relevant Planning History

None

Consultation Responses

SCC - TRANSPORT DEVELOPMENT GROUP –

It is noted that the number of proposed dwellings has been reduced from 23 to 22 in the latest submitted plans. Further amendments to the scheme that have highway safety and design implications include the lowering of the road at the site entrance to reflect the levels of the adjacent properties, the addition of a footpath link to the existing Public Right Of Way, the highway layout has been amended to a shared surface, the footpath adjacent to No.s 1-4 Higher Palmerston Road has been reduced in width and the depth of the tandem car parking spaces has been altered.

Whilst the above amendments are noted none of the alterations are considered to substantially affect the highway safety of the proposal above that commented upon previously. I would therefore refer you to the previous comments and recommended conditions from the Highways Authority.

Previous comments

The site sits to the south of Higher Palmerston Road, an unclassified highway subject to a 30mph speed limit. Due to the nature of the road and the proximity of the site to a roundabout observed speeds on site are significantly below 30mph. Higher Palmerston Road is a no-through route and is connected to the A3027 (Staplegrove Road) by a roundabout approximately 25 metres from the entrance to the site. There are other dwellings along Higher Palmerston Road with associated lay by parking areas. There is an existing access to the site between 119 and 121 Staplegrove Road, the access currently serves four dwellings and a small number of commercial sites.

Traffic impact

The average dwelling generates 6-8 vehicle movements per day, therefore the proposed development is likely to generate between 138-184 movements. TRICs information provided shows trip generation of 14 two way am peak and 14 two way pm peak. These numbers are not likely to have a detrimental impact on the wider highway network.

Infrastructure Design Layout

The suitability of the proposed layout in respect to envisaged flows and turning movements will need to be established through relevant modelling to prove the layout has adequate capacity. The envelope of visibility must be obtainable from a driver's eye height of between 1.05m and 2m to an object height of 300mm. All visibility splays should be checked in the vertical plane by the designer to ensure the views in the horizontal plane are not compromised, gradients may affect stopping distances and where applicable

longitudinal gradient (%) should be incorporated into the calculations. Care shall be taken to ensure that no substantial fixed obstructions are within the site lines, including road furniture such as traffic signs and all land over which visibility splays pass must be available for dedication to the Highways Authority. As the proposed access junctions with the “closed off” section of the old Staplegrove Road the submitted visibility splay of 2m x 18.5m to the left and 2m x 16.5m to the right are considered acceptable, however, it is noted that current on-street parking on the old Staplegrove Road obstructs this visibility splay. Failure to provide suitable and sufficient visibility splay may result in an injudicious manoeuvre from the side road in conflict with traffic, or pedestrians, on the old Staplegrove Road. Limited swept path analysis drawings have been provided with the application, full drawings should be provided based on the largest FTA Design Vehicle expected to use the junction and the access road at a scale of 1:200. The applicant should consider the provision of a non-motorised access from the south of the site on Palmerston Road for access to local amenity. As no cross sections have been provided these will be required at the detailed design stage, showing the full width of the adoptable highway such as adjacent footways and verges as cross sections for each chainage, so that all aspects can be fully determined. No longitudinal section drawings or contour drawings have been provided, these will need to be submitted at the detailed design stage so that all aspects can be fully determined.

Highway Safety

It is unclear from the information provided how the proposed levels of the access road will tie in with the existing levels on Staplegrove Road, currently there is a concrete plinth on the south eastern side of Higher Palmerston Road, along with what appears to be a redundant PFS and the properties on the opposite side of Higher Palmerston Road (facing onto the old Staplegrove Road) appear to have cellars, low level windows and driveways to the rear of the properties. The detailed design submission should include detailed information in relation to levels and associated thresholds and the gradients should be considerate of inclusive mobility design requirements to ensure safe access is provided for those with mobility impairments. It is a reasonable expectation, and in line with sustainable transport and public health initiatives, for young people to be able to walk via a non-hazardous route from new developments to/from local primary and secondary schools (accompanied here necessary). As such it is recommended that the designer assess the walked routes to school and highlight any sections of the route that do not have adequate footways or where the young person is expected to cross the road. Failure to identify a safe route to and from school may result in a pedestrian/vehicle conflict or applications for access to free school transport. From the drawings provided it would appear that there are gaps in the infrastructure for non-motorised users (NMU), the applicant should provide evidence that these users have been considered as part of this scheme as part of a NMU context report. There does not appear to be any footway provision adjacent to the proposed dwellings on the southern side of the development, shared use surfaces present various difficulties for visibility and mobility impaired users. There is a pedestrian desire line for young people accessing and egressing from the LEAP to the houses on the southern side of the development resulting in a risk of vehicle/pedestrian conflict.

Travel Plan

The Somerset County Council – Travel Planning Guidance (November 2011) specifies that a Measures Only Travel Statement should accompany residential development where the number of units (dwelling houses) are greater than ten.

However, a Measures only Travel Plan could be and would need to be secured via a Section 106 legal agreement.

Parking

The site falls within Zone A of the Somerset Parking Strategy (SPS) Parking standards. The optimal parking provision for this site as set out in the adopted Somerset County Council Parking Strategy (SPS) for a residential development in a Zone A area such as this location is:

ZONE C	1 Bed	2 Bed	3 Bed	4 Bed	Visitor	TOTAL
Policy 1	1	2	3	0.2		
# Dwellings	0	6	11	6		
Optimum	0	6	22	18	5	51
Actual*		6	22	12	0	40

* Actual provision taken from provided Parking Matrix

The proposal includes the provision of 2 integral garages, within the Manual for Streets guidance it is considered that approximately 44% of garages are used for parking of vehicles, this would equate to 1 (rounded up) vehicles being parked within garages, however, the figures given within the application include both garages being used for the parking of vehicles. There are no visitor spaces identified, the proposal identifies that the initial length of the access road could be utilised by visitors. If the road is to be adopted then there will be no legal right to park on the public highway and, while it is accepted this often occurs, it can cause disruption to traffic flow and create a road safety hazard. New developments should provide sufficient off-road parking in accordance with the SPS, including adequate provision for visitors, which the proposed layout fails to provide. Furthermore, the proposal would see the informal parking area for the existing 4 dwellings removed, leading to a knock on effect of the vehicles associated with those properties needing to find alternative parking on the proposed access and/or public highway. Whilst it is acknowledged that lower than optimum parking levels can be accepted in certain circumstances the proposed overall parking provision of 40 spaces for the 23 dwellings, 20% below the optimum level, is not considered sufficient. It is likely to lead to indiscriminate parking within the existing and proposed public highway network which, in turn, would lead to additional stresses on the safety of the highway network and the availability of on-street parking within the local area. The parking spaces identified have been located transverse to the end of the turning head, access and egress from/to these parking spaces will result in vehicle movements in direct conflict with reversing and turning manoeuvres. It is recommended that the parking provision and design and reviewed to reduce the risk of pedestrians or vehicles being struck by other vehicles. It is also recommended that details of access requirements to local bus stops is provided. To comply with the SPS standards there is a requirement for appropriate, accessible and secure storage for 69 bicycles based on 1 per bedroom if a scheme below the SPS optimum car parking level is consented, the appropriate level, type and location of cycle parking becomes more essential, and a minimum of one motorcycle space per five dwellings, in this instance 4, which have not been identified for this proposal. The application will also need to provide electric charging points for each property.

Estate Roads

If the applicant wishes to offer the highway for adoption by SCC there are a number

of elements that would need to be considered or addressed.

- It would be necessary for a 5.0 metre wide bituminous macadam carriageway with 2.0 metre wide footways to be provided throughout the site and the longitudinal gradient of the carriageway should be no slacker than 1:90.
- If the applicant is considering a shared surface carriageway this would need to be constructed in block paving with a minimum width of 5.0 metre and a minimum 1.0 metre wide service margin. The longitudinal gradient of a shared surface shall be no slacker than 1:80. Please note that as set out in Estate Roads in Somerset – Design Guidance Notes (The 'red' book) adopted shared surfaces can only serve up to 20 dwellings.
- A 2.0 metre wide footway should be provided between plots 9 and 12.
- The length of the proposed 'Effective Straight' within the site appears to exceed the recommended maximum length of 70m as set out within 'Manual for Streets.' Therefore, in order for vehicle speeds to be kept to 20mph or lower, the applicant would need to look at amending the alignment of the carriageway.
- Where parking bays butt up against any form of structure (planted areas, walls of footpaths) etc, the bays should be a minimum of 5.5m in length as measured from the back edge of the prospective public highway boundary.
- Tandem parking bays should be 10.5m in length, again as measured from the back edge of the prospective public highway boundary.
- Any proposed grass margins should have a minimum width of 1.0m. Grass margins are to be continuously delineated with 50mm x 150mm pc edging kerbs.
- Surface water from all private areas, including parking bays and drives, shall not be permitted to discharge onto the prospective public highway boundary. Private interceptor drainage systems shall be installed to prevent this from happening.
- Where an outfall, drain or pipe will discharge into an existing drain, pipe or watercourse not maintainable by the Local Highway Authority, written evidence of the consent of the authority or owner responsible for the existing drain will be required, with a copy submitted to SCC.
- The gradient of the proposed access road should not, at any point, be steeper than 20 for a distance of 10m from its junction with Staplegrove Road.
- Planting within adoptable areas will require the payment of a commuted sum by the developer. Under Section 141 of the Highways Act 1980, no tree or shrub shall be planted within 4.5m of the centreline of a made up carriageway. Trees are to be a minimum distance of 5.0m from buildings, 3.0m from drainage/services and 1.0m from the carriageway edge. Root barriers of a type to be approved by SCC will be required for all trees that are to be planted either within or immediately adjacent to the back edge of the highway to prevent future structural damage to the highway. A comprehensive planting schedule will need to be submitted to SCC for checking/approval purposes for any planting either within or immediately adjacent to the highway.
- No doors, gates or low-level windows, utility boxes, down pipes or porches are to obstruct footways/shared surface roads. The Highway limits shall be limited to that area of the footway/carriageway clear of all private service boxes, inspection chambers, rainwater pipes, vent pipes, meter boxes (including wall mounted), steps etc.
- Tie into existing carriageway – Allowances shall be made to resurface the full width of the carriageway where disturbed by the extended construction and to overlap each construction layer of the carriageway by a minimum of 300mm. Cores may need to be taken within the existing carriageway to ascertain the depths of the bituminous macadam layers.
- A Section 171 licence will be required for any proposed works either within

or immediately adjacent to the Highway. It is the responsibility of the developer to apply for any licences in advance, as requests to start without the licences will be refused. It will take approximately one month from application for the licence to be issued. Licences are obtainable from DevelopmentEngineering@somerset.gov.uk.

- A Section 50 licence will be required for sewer connections within or adjacent to the Highway. Licences are obtainable from BSupport-NRSWA@somerset.gov.uk – At least four weeks' notice is required.
- The developer must keep highways, including drains and ditches, in the vicinity of the works free from mud, debris and dust arising from the works at all times. The developer shall ensure that vehicles leaving the site do not carry out and deposit mud or debris onto the Highway and shall provide such materials, labour and equipment as necessary to ensure compliance with this requirement.
- The developer will be held responsible for any damage caused to public highways by construction traffic proceeding to/from the site. Construction traffic will be classed as 'extra-ordinary traffic' on public highways. Photographs shall be taken by the developer's representative in the presence of the SCC Highway Supervisor showing the condition of the existing public highways adjacent to the site and a schedule of defects agreed prior to works commencing on site.
- Any existing services located within the carriageway or footway fronting this development that may need to be diverted, lowered or protected will have to meet the requirements of both the relevant Statutory Undertaker and the Highway Authority. It should be noted that all services lowered to a depth to allow full road construction, inclusive of capping, to be constructed over. It will be necessary for any design to comply with the requirements of 'Code of Practice' measures necessary where apparatus is affected by major works (diversionary works) under Section 84 NRASWA 1991.
- If there are to be any retaining/sustaining structures constructed as part of this development that will be offered to SCC for adoption the applicant will need to submit an Approval in Principle, to SCC for checking/approval, purposes, prior to the submission of detailed design drawings and a commuted sum, payable by the developer will be required.
- The developer must keep highways, including drains and ditches, in the vicinity of the works free from mud, debris and dust arising from the works at all times. The developer shall ensure that vehicles leaving the site do not carry out and deposit mud or debris onto the Highway and shall provide such materials, labour and equipment as necessary to ensure compliance with this requirement.
- The developer will be held responsible for any damage caused to public highways by construction traffic proceeding to/from the site. Construction traffic will be classed as 'extra-ordinary traffic' on public highways. Photographs shall be taken by the developer's representative in the presence of the SCC Highway Supervisor showing the condition of the existing public highways adjacent to the site and a schedule of defects agreed prior to works commencing on site.
- Any existing services located within the carriageway or footway fronting this development that may need to be diverted, lowered or protected will have to meet the requirements of both the relevant Statutory Undertaker and the Highway Authority. It should be noted that all services lowered to a depth to allow full road construction, inclusive of capping, to be constructed over. It will be necessary for any design to comply with the requirements of 'Code of Practice' measures necessary where apparatus is affected by major works (diversionary works) under Section 84 NRASWA 1991.
- If there are to be any retaining/sustaining structures constructed as part of this development that will be offered to SCC for adoption the applicant will need to

submit an Approval in Principle, to SCC for checking/approval, purposes, prior to the submission of detailed design drawings and a commuted sum, payable by the developer will be required.

Advanced Payment Code (APC)

The applicant should be aware that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC). This may include any private roads/drives that serve more than 2 dwellings (see Shared Private Drive comment below). These roads will need to be constructed to an acceptable standard as approved by the Highway Authority.

Drainage

The Highways Authority have no objection in principle to the contents and conclusions within the provided report, but reserve comment on the detailed drainage strategy should planning consent be granted.

Conclusion

It would appear that there is scope for the applicant to make further parking available that would identify closer to the SPS optimum levels, however the layout and location of the parking spaces will need to be reconsidered to eliminate the potential conflict with turning traffic.

It is clear that the applicant will need to provide more information and suitable drawings at the detailed design stage to ensure that the Highways Authority are content with the detailed proposal. However, in principal the Highways Authority have no objection to the scheme.

Should the Local Planning Authority be minded to recommend permission the Highways Authority would recommend that conditions are added to the Permission to cover:

- Measures to prevent vehicles depositing mud/debris on the highway.
- Disposal of surface water
- Approval of design and methods of construction for estate road, footways, paving, verges, visibility splays, drive gradients, street furniture etc
- Dwellings to be served by a consolidated drive prior to occupation
- No dwellings occupied until the footpath connection has been constructed.
- Provision of parking spaces to be agreed with LPA. All spaces to be consolidated and surfaced.
- Approval of Construction Environmental Management Plan.

The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development

BIODIVERSITY -

EPS Ecology carried out a Preliminary Ecological appraisal of the site in October

2018. Findings were as follows:

Habitat

The site comprises of 13 standard phase 1 habitat types including a native species rich hedgerow with trees. If partial or complete removal of this hedgerow is unavoidable then a replacement hedge should be planted to preserve biodiversity.

Bats

The surveyor considered the buildings on site to be unsuitable for bats. I support the installation of bat boxes within the new development.

Birds

The surveyor considered the buildings on site to be unsuitable for nesting birds. Small areas of dense scrub have potential for nesting birds so clearance should take place outside of the bird nesting season. I support the installation of bird boxes within the new development.

Reptiles.

The surveyor has recommended that measures be put in place to translocate any possible reptiles.

It is recommended that a condition is used to approve a strategy to protect birds, bats and reptiles. An informative note re protected species should also be added.

HOUSING ENABLING -

The affordable housing policy stipulates 25% of all new housing should be in the form of affordable units. Recognising the revision in the number of dwellings from 23 to 22 units this would equate to 5.5 affordable units.

However, following the submission of an independently assessed viability appraisal detailing the abnormal works required across the site including site decontamination it is recognised the 22 dwelling scheme is deemed viable through the delivery of 2 Discounted Open Market houses (2 x 2 bed apartments) to be sold at no greater than 80% of the open market value in perpetuity.

The S106 Agreement should contain the Council's standard clauses to detail the conditions for the sale and any subsequent resale of Discounted Open Market properties, such clauses to be agreed with the Council's Development Enabling Specialist.

LEAD LOCAL FLOOD AUTHORITY –

We have looked through the submitted documents and note amendments to address Environment Agency concerns. We would recommend this is resolved to their satisfaction.

In regards to surface water drainage strategy, there doesn't appear to be a significant change to the strategy since our previous response, therefore please refer to this response dated 20/02/19.

Previous comments

Part of the attenuation storage for the site is located in Flood Zone 3 for the Mill Lease Stream, and there has been no assessment of the impact this will have on the discharge of surface water drainage. Under flood conditions the drainage network will be unable to discharge into the stream, and this could result in the network exceeding, causing additional flooding problems on site. The proposals are a significant betterment on the existing drainage system, so will not increase downstream flood risk. The consultant has advised that finished floor levels will be raised to prevent internal flooding to properties. However, given the risk identified above, parts of the southern part of the site including play area, roads and driveways may flood and it is unclear at the moment how often this might occur or to what depth. In these situations, and to determine suitability of a proposal, we would generally expect an assessment of the drainage system using a surcharged outfall for a range of flood events. However, if the planning authority are minded to grant planning permission for the site, this assessment should be secured via condition.

LEISURE DEVELOPMENT –

Policy C4 states that developments of new housing, on sites of six or more dwellings, will provide landscaped and appropriately equipped recreational open space in accordance with the following standards:

Children's play space: 20 square metres per family dwelling (a dwelling with 2 or more bedrooms) to comprise casual play space, LEAPS and NEAPS to the required standard, as appropriate. This standard excludes space required for noise buffer zones;

The proposed development of 22 dwellings (all 2 bed +) should provide 440sq metres of equipped and non-equipped play space. The development should therefore provide 1 x LEAP (Local Equipped Area of Play Space). The site layout proposes a LEAP, however, this should be centrally located and overlooked by front facing dwellings to promote natural surveillance.

For equipped areas:

LEAPs for children aged 4-8 year be a minimum of 400 sq meters in size with at least 5 types of equipment, covering all play disciplines of swinging, sliding, rocking, spinning, balancing and climbing. Equipment must be on appropriate surfaces, and signage, seating and litter bins should be provided. The equipment should come with a minimum 15 year guarantee. The play areas need to be within 400 meters walking distance of their home and be accessible and useable 365 days of the year. If fenced there should be 2 x outward opening, self-closing pedestrian gates and a larger gate for access by maintenance vehicles

All areas of child play space (casual areas and LEAPS) must be located and designed so as not to cause noise problems to nearby dwellings, in accordance with relevant environmental health standards. Buffer zones, perhaps including roads, buildings and landscaping, are likely to be needed.

Where public open space is to be provided as part of a development, conditions will be imposed requiring the developer to arrange for its future maintenance. The developer may negotiate a commuted sum to discharge this liability to the Local

Authority District or Parish Council.

ENVIRONMENTAL HEALTH OFFICER -

Some information regarding land contamination has been submitted with the application. This consists of some trail pit logs, results of soil sampling and correspondence between the developer and consultants.

The correspondence refers to the site having a history of commercial/industrial uses and that some remedial work may be required.

As the site has had commercial uses over many years, and the application is to develop the site for residential use, there is the potential for contamination to be present and to pose a risk to future users of the site or the environment.

The information that has been provided shows that the developer is aware of the potential for contamination on the site. However, as the consultant confirms, this is not fully phased site investigation and risk assessment. Therefore, the applicant should submit a site investigation and risk assessment in line with current guidance.

It would be good if this information could be provided with the application. If not a condition should be used to ensure that all the relevant information is submitted and any required remedial works are carried out.

I have seen on the planning application records that the Environment Agency have raised concerns about the lack of risk assessment regarding risks to ground water. and have asked for information. The applicant should be able to provide a report and assessment that addresses the Environment Agency's concerns as well as the other potential risks at the site.

The developer should be aware that under Planning Policy Statement 23 the responsibility for ensuring that the development is safe and suitable for use for the purpose for which it is intended lies with the developer. Compliance with the planning condition does not rule out future action under Part IIA of the Environmental Protection Act 1990, for example, if additional information is found concerning the condition or history of the site.

SOUTH WEST HERITAGE TRUST -

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.

SCC - CHIEF EDUCATION OFFICER -

I have the following comments regarding the implications of this development on Education provision :-

23 dwellings in this location will lead to the following pupil numbers for each school:

23 x 0.05 = 1.15 (2) early years pupils at North Town Nursery

23 x 0.32 = 7.36 (8) primary pupils for North Town primary school

23 x 0.14 = 3.22 (4) pupils for Taunton Academy secondary

The early years setting and the primary school are at capacity therefore we require CIL funding to enable expansion or improvement towards the provision of school places within the locality of the proposed development. Taunton Academy currently has capacity so we would not require funding for that. Recent build costs indicate the current level of funding required from the CIL fund:

2 x 17,074 = £34,148 for early years

8 x 17,074 = £136,592 for Primary

Total = £170,740

POLICE DESIGNING OUT CRIME -

Sections 2, 8, 9 & 12 of the National Planning Policy Framework July 2018 refer to the importance of considering crime & disorder at the planning stage. Paragraph 127(f) states;

Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Guidance is given considering 'Crime Prevention through Environmental Design', 'Secured by Design' principles and 'Safer Places 'Lite'

Crime Statistics – reported crime for the area of this proposed development (within 200 metre radius of the grid reference) during the period 01/02/2018 – 31/01/2019 is as follows:-

Arson & Criminal Damage – 2 Offences (comprising 1 criminal damage to dwelling & 1 criminal damage to vehicle)

Public Order Offences – 2 (both causing intentional harassment, alarm distress)

Robbery – 1 (personal property)

Sexual Offences - 1

Theft – 1 Offence (theft of pedal cycle)

Vehicle Offences – 2 (both theft from motor vehicles)

Violence Against the Person – 2 Offences (incl. 1 assault ABH)

This averages approximately 1 offence per month, which is classed as a very low level of reported crime.

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 i.e. surface changes by colour or texture, rumble strips and similar features 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 to the development has advantages from a crime prevention perspective over through roads in that this can help frustrate the search and escape patterns of the potential offender.

Orientation of Dwellings – all the dwellings appear to overlook the street and LEAP/Play Area which allows neighbours to easily view their surroundings and also makes the potential criminal more vulnerable to detection.

Dwelling Boundaries – it is important that all boundaries between public and private space are clearly defined and it is desirable that dwelling frontages are kept open to view to assist resident surveillance of the street and public areas, so walls, fences, hedges at the front of dwellings should be kept low, maximum height 1 metre, to assist this. 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 fencing and lockable. The Site Layout Plan indicates that these recommendations will be complied with.

LEAP/Play Area – communal areas have the potential to generate crime, the fear of crime and anti-social behaviour and should be designed to allow surveillance from nearby dwellings with safe routes for users to come and go. The proposed LEAP is located in the innermost part of the proposed development and well overlooked from nearby dwellings.

Car Parking – appears to be a mix comprising two on-plot garages/parking spaces with the remainder comprising on plot parking spaces and communal on street parking. On-plot is the recommended option but the communal parking appears to be in small groups, close to and well overlooked from owners homes, which is recommended for this type of parking arrangement.

Landscaping/Planting – there appears to be very limited scope for landscaping and planting which should not impede opportunities for natural surveillance and must avoid potential hiding places. As a general rule, where good visibility is needed, shrubs should be selected which have a mature growth height of no more than 1 metre and trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision. This would appear to be particularly relevant in the area of the LEAP.

Street Lighting – all street lighting for adopted highways and footpaths, private estate roads and footpaths and car parking areas should comply with BS 5489:2013.

Physical Security of Dwellings – in order to comply with 'Approved Document Q: Security – Dwellings', of Building Regulations, all external doorsets providing a means of access into a dwelling and ground floor or easily accessible windows and rooflights must be tested to PAS 24:2016 security standard or equivalent.

Secured by Design (SBD) – if planning permission is granted, the applicant is advised to refer to the 'SBD Homes 2016' 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.

WESSEX WATER –

No comments received.

ENVIRONMENT AGENCY –

Flood Risk

Providing the Local Planning Authority is satisfied the requirements of the Sequential test under the National Planning Policy Framework (NPPF) are met, then the Environment Agency can withdraw its earlier objection, subject to the inclusion of a condition to ensure the development is carried out in accordance with the submitted Flood Risk Assessment.

Contaminated Land

We have reviewed the 'Phase 1 desk Study and Phase II Ground Investigation Report Fairwater Yard Taunton' and make the following comments:

Lead, copper, zinc, barium, diesel and PAHs concentrations were determined in near surface soils over widespread areas of the site. However, it would appear that no significant concentrations of contaminants are leaching from soils present on this site into near-surface groundwater, within the Alluvial Superficial Deposit.

A suitable Remedial Strategy, appropriate protective measures and a Discovery Strategy are required and should be implemented as part of the redevelopment works.

Drainage on the site should also consider soil contamination and potential mobilisation by rainwater and care taken in the location and design of flood prevention and attenuation features. Similar care should apply towards underground facilities and foundations to prevent contamination mobilisation.

The river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The proposal could lead to the poor chemical status in groundwater because it would cause and unacceptable release of pollutants into groundwater.

The previous use of the proposed development site presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A.

The applicant demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken.

In light of the above, the proposed development will be acceptable with regards to contaminated land subject to the imposition of a condition to approve a Remediation Strategy to deal with the risks associated with contamination of the site.

Representations Received

15 letters of objection/concern have been received raising the following:

- Road should link through the site
- Concern over parking and existing access rights for residents
- Lack of visitor parking

- Impact on parking in Staplegrove Road, suggest resident parking scheme
- Dangerous access onto roundabout
- Increased traffic and congestion
- Lack of bus service
- Poor pedestrian/cycle links to adjoining area contrary to policy D9
- Light pollution from street lights
- Reduced access to rear of 105-119 Staplegrove Road
- Secure fencing to existing property boundaries required
- Materials and house design not in keeping.
- Loss of light
- Loss of privacy
- Overlooking
- Should be limit to house numbers
- Siting of refuse
- Concern over increased flood risk
- Concern over drainage capacity
- Impact on wildlife
- Disruption during construction
- Relocation of slow worms
- Structural impact of new build

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,
SD1 - Presumption in favour of sustainable development,
CP1 - Climate change,
CP2 - Economy,
CP4 - Housing,
CP6 - Transport and accessibility,
CP8 - Environment,
DM1 - General requirements,
A1 - Parking Requirements,
A2 - Travel Planning,
A5 - Accessibility of development,
D7 - Design quality,
D10 - Dwelling Sizes,
D12 - Amenity space,
ENV2 - Tree planting within new developments,
D9 - A Co-Ordinated Approach to Dev and Highway Plan,
DM4 - Design,

C2 - Provision of recreational open space,
D2 - Approach routes to Taunton and Wellington,
SB1 - Settlement Boundaries,

This takes into account the recent adoption of the SADMP.

Local finance considerations

Community Infrastructure Levy

Creation of dwellings is CIL liable.

Proposed development measures approx. 2173.06 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 £152,250.00. With index linking this increases to approximately £204,000.00.

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	£ 23,739
Somerset County Council	£ 5,935

6 Year Payment

Taunton Deane Borough	£142,437
Somerset County Council	£ 35,609

Determining issues and considerations

The main consideration with this development is the principle of development and compliance with policy in terms of loss of employment land, the provision of affordable housing/viability, provision of play space, contamination, wildlife, design/layout, amenity, highway safety and parking and floodrisk/drainage.

Principle of Development

The site is on the outskirts of the Taunton town centre in a sustainable location well related to local services and facilities and lies within the settlement limits. The proposal therefore complies with Taunton Deane Borough Council's Core Strategy Policy SP1 'Sustainable development locations'.

The site is a brownfield site which accommodates 3 businesses, relating to the storage, repair and sale of cars: Pete Coleman's bodyworks, Fairwater Van Sales and Taunton Automobiles and Car Sales. Core Strategy Policy CP2 'Economy' does not support proposals that would lead to the loss of existing businesses unless the

overall benefit of the proposal outweighs the disadvantages of the loss of employment or potential employment site. The National Planning Policy Framework (NPPF) is clear that housing, generally, is considered to be a benefit and that permission should generally be granted for 'sustainable development'. Furthermore the site has been actively marketed for 15 months with little viable interest. A viability report has been submitted in support of the application which concludes that the site is not suitable for commercial use. A number of the buildings are now derelict and dangerous and are considered to be beyond economic repair. The principle of the development is therefore considered acceptable.

Affordable Housing/ Viability

Core Strategy Policy CP4 'Housing' stipulates 25% of all new housing of developments of 5 or more dwellings should be in the form of affordable units. Recognising the revision in the number of dwellings from 23 to 22 units this would equate to 5.5 affordable units.

Following the submission of an independently assessed viability appraisal detailing the abnormal works required across the site including site decontamination, the Council's Enabling Development Specialist recognises the 22 dwelling scheme is deemed viable through the delivery of 2 Discounted Open Market houses (2 x 2 bed apartments) to be sold at no greater than 80% of the open market value in perpetuity. In this instance a departure from Policy CP4 is deemed acceptable to enable the development to proceed and to achieve the benefits of delivering 22 houses.

Provision of play space

Local policy requires developments of six or more dwellings to provide landscaped and appropriately equipped recreational open space equating to 20 sqm per dwelling. For this development 440 sqm of play space is required.

A large play area to include a Locally Equipped Area of Play space (LEAP) is proposed in the westernmost part of the site however policy requires such areas to be centrally located within new developments for surveillance reasons. The play area is located in this area as this part of the site falls within the floodzone 3 and would be unsuitable for housing. The play area however is still well related to the furthest dwelling and is overlooked by front facing properties as required by the policy. The location of the play area is supported by the Police 'Designing out Crime' Officer. For these reasons it is considered that a departure to the policy in terms of the siting of the play area is acceptable. The Council's Enabling Development Officer requests additional access gates within the play area and these can be achieved through a planning condition should permission be approved.

Wildlife

A preliminary ecological appraisal of the site has been carried out. The report identifies the possible loss of a hedge which provides wildlife benefit and recommends replacement hedgerow planting. The site however has limited

opportunity for replacement hedgerow planting and this is discouraged by the Police crime officer as it would provide opportunities to hide within the site. A landscaping condition however will be imposed to provide some additional tree and shrub planting.

The report concluded that the existing buildings were unlikely to be suitable for nesting birds or bats and that measures are put in place to relocate any possible reptiles. This would address the concerns of a resident re relocation of slow worms. The Council's ecological advisor recommends no objection subject to the approval of a strategy to protect, bats, birds and reptiles. A condition is proposed accordingly.

Contamination

Due to the historic use of the site as a reclamation yard and more recent use for car repairs, storage and sales, a Phase 1 Desk Study and Phase II Ground Investigation Report has been submitted in support of the application.

Lead, copper, zinc, barium, diesel and PAHs concentrations were determined in near surface soils over widespread areas of the site. The report recommends in light of these elevated levels encountered in near surface soils, a minimum depth of 600mm depth of clean cover would be required across areas proposed as private gardens. It is also recommended that following their clearance, that additional verification ground investigation is undertaken across the areas of the site not previously accessed due to the existing businesses operating and access restraints. As such, both the Environment Agency and the Council's Environmental Health Specialist raises no objections subject to the use of a planning condition to require further investigations and a Remediation Strategy to deal with the risk associated with contamination of the site.

Design and Layout

The scheme originally proposed dwellings of a contemporary design with flat roofs and this was considered out of character with the area which comprises Victorian terraces of brick walling and slate roofs to the east and more modern buildings in Palmerston Road to the south of brick and tiled pitched roofs. The dwellings have been redesigned to include traditional pitched roofs of manmade fibre cement slate which would be in keeping with the terraced dwellings at the entrance and those along Staplegrove Road. The external walls of the dwellings would be of brick and render again to reflect the brick and render of dwellings on Staplegrove Road and the brick of dwellings along Palmerston Road. The pitch of the roofs would be similar to the dwellings in Palmerston Road as glimpses of the new development would be seen alongside these existing dwellings when travelling over the Staplegrove Road bridge towards the town centre. Policy D2 of the Taunton Deane Borough Council's Site Allocations and Development Management Plan (SADMP) does not support development that would harm the visual qualities of routes into and out of Taunton. The proposal is now considered to respect this policy.

Each dwelling and the flats would have access to garden space and refuse storage in compliance with Policy D12 'Amenity space' and the room sizes would be compliant with Policy D10 'Dwelling Sizes'

In terms of layout, the dwellings would be erected in an almost linear pattern following the line of the shared surface access road thus reflecting the row of 4 terraced dwellings at the entrance. The location of the dwellings however also dictated by the need to avoid the floodzone 3 area. Following comments/objections received during the consultation stage, the layout has been amended to provide: emergency access for Environment Agency vehicles to a culvert to the north western boundary; lowering of the access road to reflect the levels of the existing row of terraced dwellings; narrowing of the footpath outside these dwellings to retain their parking provisions and reinstatement of the footway to retain rear access to 105 -119 Staplegrove Road. A new footpath connection is also now provided to the northeast of the site. It is not a direct link to the public highway, however, it is still considered to provide an acceptable route out to a pedestrian crossing and a cycle route and from here to the town centre.

Highway Impact/access/parking

The site is currently used by 3 businesses – Pete Colman’s bodyworks, Fairwater Van Sales and Taunton Automobiles. The southern part of the site is an old reclamation yard. A transport statement and travel plan were submitted in support of the application. The transport statement confirms that the site has in the past and continues to generate levels of traffic by a variety of vehicle types. The Highway Authority confirm that the local highway network is considered to be of a suitable standard to accommodate the traffic predicted to be generated by the proposal.

The site used to derive access immediately off the A3027 (Staplegrove Road) with very restricted visibility. However access is now gained via Higher Palmerston Road and then Staplegrove Road. In 2017, a new roundabout junction was constructed on Staplegrove Road as part of the Northern Inner Distributor Road. Controlled pedestrian and cycle crossing facilities have been installed just off the roundabout on Staplegrove Road.

It is proposed to construct a simple 'T' junction from the public highway, by crossing the existing footway on Staplegrove Road. The Old Staplegrove Road is effectively now a service/access road and used by residents for parking so vehicle speeds are low and the amount of traffic using this short section of highway is minimal.

It is important that service and delivery vehicles can access the site. The movements of a large 4-axle (11.4m long) refuse collection vehicle (the largest vehicle likely to visit the site) entering, exiting and turning within the site layout has been demonstrated within the Transport Statement. The collection of waste and recycling from the site can be undertaken using the standard roadside collection method. A delivery vehicle would perform the same manoeuvres.

With regards to emergency vehicles, such as a fire appliance, these would be able to enter the site and be able to reach within 45m of each dwelling as recommended in paragraph 6.7.2 of Manual for Streets.

Access for cyclists and pedestrians would be via the vehicular access road where footways would be provided on both sides or via a new footpath link which would connect to the existing public right of way that then connects to the town centre cycle

route

The Highway Authority in assessing the scheme against the County Council's car parking standards, state that the scheme does not meet the required parking standards. However, I have assessed the parking against the Council's own parking standards which have been adopted more recently. The site falls within the Taunton Town Centre proposals area and therefore in assessing the parking against Appendix E of the SADMP, 1 parking space per dwelling is required irrelevant of the number of bedrooms. For 22 No. dwellings 22 spaces are required.

5 visitor spaces would also be required which can clearly be accommodated within the 41 spaces.

In terms of cycle parking, 1 space per bedroom would be required and motorcycle parking requires 1 motorcycle space per 5 dwellings or 1 motor cycle space per 20 car parking spaces, whichever is the greater. No such storage areas have been shown within the scheme, however, the applicant has confirmed they are able to provide sufficient storage, details of which can be approved via a planning condition.

If on-road disabled parking is required, an appropriate request can be made to Somerset County Council.

It is recognised that the construction phase of a development can cause disturbance however this is for a temporary period and can be managed through the use of a Construction Traffic Management Plan (CTMP) approved under a planning condition. The purpose of a CTMP is to identify an appropriate route for HGV traffic to access the site during the construction phase, and to establish measures to reduce any interruption and / or delay to existing vehicular traffic so as to ensure that the impacts of construction traffic in the vicinity of the site and on the surrounding highway network are kept to a minimum.

The Highway Authority estate roads team have raised a number of comments about the detailed layout of the highway, but it is considered that these can be dealt with through their standard condition requiring final submission and approval of the estate roads. There will be no adverse impact on highway safety.

Given the location of the site (1.5km from the town centre) and the opportunities for residents to walk, cycle, car share and use the public transport network, it is considered that the development is sustainable in transport terms. The applicant has also agreed to the installation of electric charging points at each dwelling, details of which can be approved under a planning condition.

The Highway Authority has raised no objection subject to a number of conditions and therefore the proposal is considered acceptable on highway grounds.

Residential Amenity

Concern has been expressed with regards to loss of amenity to nearby residents.

The orientation of the dwellings and the distances between dwellings would ensure

that there would be no direct overlooking of either the existing dwellings or of dwellings within the development. The 3 storey block of flats would have balconies but these would be to the rear. The balconies' glazing can be conditioned to be of opaque glazing and would have privacy screens to offer further privacy. Although the rear of Plots 1 – 9 would look towards the allotments, an embankment would be formed along the rear boundary of the gardens with a 1.8m close board fence on top. This would reduce overlooking into the site from users of the public footpath that runs parallel with the rear boundary. Likewise the rear of Plots 12- 22 face towards the cemetery but there is mature boundary treatment that would be retained and again given the distances involved the opportunities for overlooking into the cemetery would be limited.

The layout plans have been revised to ensure that rear access can still be achieved through the site to the rear of 105 – 119 Staplegrove Road.

Although residents from the 4 terraced dwellings raised concerns that they would no longer be able to park to the front of their dwellings when the proposed new road into the site is built, it must be noted that these residents do not have a legal right to park in this location. That being said, the scheme has been revised by reducing the width of the footway parallel with the access road to enable continued parking to the front of the dwellings once the road gets adopted. There is also unrestricted parking available within two lay-by areas within 35 metres off these dwellings, which residents can utilise.

In terms of potential disturbance from vehicles accessing the site and passing the frontage of the 4 terraced dwellings, it must be remembered that the site is currently occupied by 3 businesses with no control over their hours of use or vehicle movements. Prior to this the site was a reclamation yard. The development is not anticipated to give rise to a significant increase in traffic and therefore traffic disturbance should be minimal.

Concern has also been expressed with regards to loss of light. All properties are a significant distance from any residential dwellings and so there would be no loss of light.

The site is currently a visual eyesore with a number of dilapidated buildings and cars stored/ parked in an ad hoc manner. This development will enable the site to be cleared and the new development would visually enhance the area which would be beneficial to the surrounding area.

Flood Risk/drainage

The western /southern edge of the site is within flood zone 3 and is liable to flood. A Flood Risk Assessment (FRA) was submitted in support of the application. The EA has withdrawn its initial objection subject to conditions following amendment of the scheme to enable emergency access to a culvert along the north western boundary. This resulted in the loss of one dwelling from the scheme. A safe access to plots 9-15 which lie within the floodrisk area will also be provided via a footpath to the front of these properties with the path raised approximately 800mm above the maximum predicted flood levels.

The FRA confirms that floodplain storage compensation will be accommodated within with the green play space areas by way of level adjustments where necessary. The areas of driveway, which fall within floodzone 3b, are considered acceptable and any small areas outside this could be accommodated by adjusting the green play space levels or other areas of the road or driveways.

It is, therefore, considered that subject to ensuring that the development is carried out in accordance with the mitigating measures identified in the FRA, the development will not be at risk of flooding, nor will it cause any increase in the likelihood of flooding downstream. Appropriate drainage conditions would be imposed accordingly.

Other matters

Concern has been raised with regard to street lighting. The transport statement confirms that Somerset County Council as the Highway Authority would require the proposed internal access road and the site access junction to be adequately lit in accordance with the relevant local standards for the purposes of highway and personal safety. The transport statement further confirms that the County Council's Street Lighting team prefer to design lighting schemes for new residential developments in-house to ensure that its standards are adhered to and maintained. This is normally undertaken at the Section.38 technical submission stage. Therefore, the specifics and precise layout of the lighting scheme would be addressed at detailed design stage, post planning, when the technical submission is made to Somerset County Council at S.38 legal agreement stage.

A resident expressed concern that there was no bus stop provided with the scheme. The supporting transport statement confirms that the no. 25 bus service running between Taunton and Wiveliscombe and Dulverton offers the nearest service. The closest 'official' pair of bus stops are located along Bindon Road outside the Matalan store approximately 660m from the entrance to the application site. This is considered an acceptable distance to walk. Furthermore the site is in a very sustainable location in relation to Taunton Train Station given the new inner distributor road which enables easy access from the site to the station.

A resident has requested that the rear boundary of the site is opened to enable vehicular access through to Palmerston Road to the south however this would be contrary to the advice of the Crime Prevention Officer who states: 'The single vehicular entrance/exit to the development has advantages from a crime prevention perspective over through roads in that this can help frustrate the search and escape patterns of the potential offender'.

A further resident has asked for fencing to existing properties. The proposal is to maintain the existing boundaries to the south west and the south east and the north west will be formed by a 1.8m fence on top of an embankment. There would be no justification to fence neighbouring properties.

The structural impact of the development has also been raised. All dwellings would be constructed a considerable distance from any existing dwelling. Where the development would come into close proximity with existing dwellings would be relating to the works to the junction and access road however the technical design

and construction of these would be approved by the Highway Authority.

Conclusion

This development provides an opportunity to remove a historic commercial use from a primarily residential area. Removal of the unsightly commercial yard provides an opportunity to improve the visual appearance of the area and would benefit existing residents in terms of improved visual amenity and removal of unsightly buildings and potential commercial nuisances.

The site is in a sustainable location well located to the town centre, linked by footpaths, cycleways, a bus service and the Taunton Train station is located close by (980m).

With suitable conditions in place, it is considered that the proposed development is acceptable. It is, therefore, recommended that planning permission is granted subject to a Section 106 agreement. The legal agreement will secure the affordable housing and the provision and maintenance of the play area, as set out within the consultation responses.

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

Contact Officer: Mrs Karen Wray.