

WEST OF ENGLAND DEVELOPMENTS (TAUNTON) NO 2 LTD

**Erection of 34 No. dwellings, (7 No. bungalows and 27 No. houses) with associated works including drainage, landscaping and highways works on land adjacent to Willey Road, Stoke St Gregory**

Location: LAND ADJACENT TO WILLEY ROAD, STOKE ST GREGORY,  
TAUNTON

Grid Reference: 334690.127403

Full Planning Permission

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## **Recommendation**

**Recommended decision: Conditional Approval**

### **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 18.29.01 Site Location Plan  
(A1) DrNo 18.29.02D Site Layout House Types  
(A1) DrNo 18.29.03D Site Layout Block Plan  
(A2) DrNo 18.29.04 Floor Plan House Type A  
(A2) DrNo 18.29.05 Floor Plan House Type B  
(A2) DrNo 18.29.06 Floor Plan House Type C  
(A2) DrNo 18.29.07A Floor Plan House Type D  
(A2) DrNo 18.29.08 Floor Plan House Type E  
(A2) DrNo 18.29.09 Floor Plan House Type F  
(A2) DrNo 18.29.10 Floor Plan House Type F  
(A2) DrNo 18.29.11 Floor Plan House Type G  
(A2) DrNo 18.29.12 Floor Plan House Type H  
(A2) DrNo 18.29.13A Floor Plan House Type J  
(A2) DrNo 18.29.14 Plots 1 & 2 Type F Elevations  
(A2) DrNo 18.29.15 Plots 3 & 4 Type F Elevations  
(A2) DrNo 18.29.16 Plot 5 Type H Elevations  
(A2) DrNo 18.29.17 Plot 6 Type H Elevations  
(A2) DrNo 18.29.18 Plots 7 & 8 Type F Elevations

(A2) DrNo 18.29.19 Plots 9 &10 Type F Elevations  
 (A2) DrNo 18.29.20 Plots 11 & 12 Type G Elevations  
 (A2) DrNo 18.29.21 Plots 13-15 Type G Elevations  
 (A2) DrNo 18.29.22 Plots 16-19 Type J Elevations  
 (A2) DrNo 18.29.23 Plot 20 Type B Elevations  
 (A2) DrNo 18.29.24 Plot 21 Type A Elevations  
 (A2) DrNo 18.29.25 Plot 22 Type D Elevations  
 (A2) DrNo 18.29.26 Plot 23 Type D Elevations  
 (A2) DrNo 18.29.27 Plot 24 Type B Elevations  
 (A2) DrNo 18.29.28 Plot 25 Type C Elevations  
 (A2) DrNo 18.29.29 Plot 26 Type A Elevations  
 (A2) DrNo 18.29.30 Plot 27 Type E Elevations  
 (A2) DrNo 18.29.31 Plot 28 Type E Elevations  
 (A2) DrNo 18.29.32 Plot 29 Type E Elevations  
 (A2) DrNo 18.29.33 Plot 30 Type E Elevations  
 (A2) DrNo 18.29.34 Plot 31 Type E Elevations  
 (A2) DrNo 18.29.35 Plot 32 Type C Elevations  
 (A2) DrNo 18.29.36 Plot 33 Type B Elevations  
 (A2) DrNo 18.29.37 Plot 34 Type A Elevations  
 (A2) DrNo 18.29.38 Garages - Sheet 2 of 2 Floor Plans & Elevations  
 (A2) DrNo 18.29.39 Garages - Sheet 2 of 2 Floor Plans & Elevations  
 (A1) DrNo 18.29.40A Site Elevations  
 (A2) DrNo 18.29.41 Access Elevations  
 (A1) DrNo 2321/500 Drainage Strategy Plan  
 (A1) DrNo SPP.3065.001 Rev C Soft Landscaping Plan  
 (A1) DNo 2321/500 Rev A Drainage Strategy Plan  
 (A2) DrNo 18.29.42A Footpath Link

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

3.

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 Blackdown Environmental submitted report, dated September 2018 and a Dormice survey 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 the species
4. Details of any outside 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 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.

4. No part of the development hereby permitted shall be first occupied until the access works have been carried out generally in accordance with a design and specification that will be submitted to and approved in writing in conjunction with the Highway and Local Planning Authority.

Reason: In the interests of highway safety.

5. The proposed estate roads, footways, footpaths, 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, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that the highway works are carried out satisfactorily.

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

Reason: In the interests of pedestrian and highway safety.

7. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

Reason: In the interests of highway safety.

8. There shall be an area of hard standing at least 6m in length (as measured

from the nearside edge of the highway to the face of the garage doors), where the doors are of an up-and-over type.

Reason: To ensure that adequate on-site parking is provided.

9. 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 made before commencement and maintained thereafter at all times.

Reason: In the interests of highway safety.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the use of any existing garage, or garage hereby permitted, as part of this development shall not be used other than for the parking of domestic vehicles and not further ancillary residential accommodation, business use or any other purpose whatsoever.

Reason: To ensure that adequate off-street parking is provided.

11. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety.

12. The development hereby permitted shall not be first occupied until an agreed number of vehicle parking spaces and layout for the development have been provided and approved in conjunction with the Local Planning Authority. The said 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: To ensure that adequate off-street parking is provided.

13. Prior to first occupation of the development hereby permitted, access to covered cycle and motor cycle parking, numbers and spaces to be fully in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

14. Prior to first occupation of the development hereby permitted, access to covered electric vehicle charging points will need to be available to all dwellings. This is to be provided within the garages or through shared charge points. They shall be in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage and support the use of electric cars.

15. 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, if required.

Reason: In the interests of highway safety.

Reason for Pre-commencement: To ensure that adequate measures are in place to avoid traffic congestion prior to construction starting on site.

16. 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.

17. 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.

Reason: In the interests of highway safety.

18. No development shall be commenced until details of the surface water drainage scheme in accordance with the FRA (Rev C) and Drainage Strategy Plan (Spring Design 2321/500 Rev A dated 01/04/2019) together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National Planning Policy Framework (July 2018) and the Technical Guidance

to the National Planning Policy Framework.

19. (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.

20. 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 in the an area.

21. Prior to the occupation of the approved dwellings, a Travel Plan is to be submitted to and approved in writing by the Local Planning Authority. Such Travel Plan should include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There should be a timetable for implementation of the measures and/or the monitoring of travel habits. The development shall not be occupied until the agreed measures are being implemented in accordance with the agreed timetable. The measures should continue to be implemented as long as any part of the development is occupied.

Reason: To encourage sustainable travel patterns.

22. Prior to the construction of the buildings, 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.

## Notes to Applicant

### 1. **Ecology Informative Note**

The condition relating to wildlife requires the submission of information to protect wildlife. The local planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected throughout the development process and be provided with a mitigation proposal that will maintain favourable status for species affected by this development proposal.

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.

### 2. **Highways Advice Note**

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

### 3. **Public Right of Way Advice Note**

We recommend that a connecting link to the footpath T 25/28 is provided as part of a S38 agreement.

Any proposed works must not encroach onto the width of the PROW.

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.

- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would:

- make a PROW less convenient for continued public use; or
- create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided.

4. Your attention is drawn to the accompanying Section 106 requiring a contribution towards the public open space on the playing fields located opposite the site.

## Proposal

Full planning permission is sought to erect 34 no. dwellings with associated new access onto Willey Road, car parking, garages and landscaping. The application is supported by a Design and Access Statement; a Transport Statement; a Housing Needs Assessment; a Viability Assessment; a Flood Risk Assessment and Drainage Strategy and a Preliminary Ecological Report.

The proposed housing mix is as follows:

- 3 no. 2 bedroom discounted open market dwellings;
- 1 no. 2 bedroom discounted open market bungalow;
- 1 no. 3 bedroom discounted open market dwelling;
- 2 no. 2 bedroom social rent dwellings;
- 4 no. 1 bedroom social rent dwellings;
- 1 no. 2 bedroom social rent bungalow;
- 2 no. 3 bedroom social rent dwellings;
- 10. no 3 bedroom open market dwellings;
- 8 no. 4 bedroom open market dwellings;
- 2 no. 5 bedroom open market dwellings.

A new access road will be created off Willey Road with the provision of a new footway along the road frontage down to the boundary with no. 8 Willey Road. This will require the partial removal of the roadside hedgerow to provide visibility splays. The new dwellings will be sited around a double ended cul-de-sac with 5 bungalows backing onto Willey Road. A 20 metre landscaped buffer zone will be laid out to the

north of the Church Close boundary. A new pedestrian footpath link will connect with Church Close to the south. A new attenuation pond will be provided to the north east of the site.

## Site Description

The site comprises an open field sited to the north of Church Close, Stoke St Gregory. It is bounded by hedgerows on to the west and south. The eastern boundary opens out onto the village allotments. The north boundary is open to the remainder of the field, which is outside the application site but within the same ownership. On the opposite side of Willey Road to the west are four pairs of semi-detached dwellings (no's 9 - 16) which are outside the settlement boundary. These dwellings lie to the north of the village playing fields. The dwellings in Church Close to the south lie within the settlement boundary. The site itself is situated outside the settlement boundary in open countryside

## Relevant Planning History

36/18/0047 - An application for the erection of replacement pavilion, equipment store, multi-use games area and provision of car park on land on the opposite side of Willey Road is currently under consideration.

## Consultation Responses

*STOKE ST GREGORY PARISH COUNCIL* - We support this application because it is agreed Parish Council policy that the housing stock in Stoke St Gregory has become increasingly skewed in the direction of larger and more expensive properties. We have been made aware of a strong demand locally for smaller and more affordable houses, both as starter homes and for downsizing.

We are also conscious of the need to support services in the village, particularly the school, the shop and the pubs, and we feel that a moderate increase in population is necessary to make the community more viable.

*STOKE ST GREGORY PARISH COUNCIL (Further Comments)* -

This planning application is the result of four years of sustained activity on the part of the Parish Council; an activity which was instigated from the community. The first engagement with TDBC Housing Department four years ago (in which I participated) was extremely constructive as they themselves had perceived a similar need. A housing needs survey was commissioned from which, surprisingly to all involved, little need emerged. There are several reasons why this could be the case. Firstly, most of the respondents were occupants of large detached dwellings, secondly no account was taken of the many young people who had been forced to move outside the Parish but who wished to move back and thirdly the survey only dealt with Social Housing when there is a clearly expressed need for small open market housing for people who wish to remain in the village to downsize or to start on the housing ladder within their own community.

It is widely held in the village that there is a need, and consultations in the village that have occurred over the several months, prior to and during this application have confirmed that this development would be welcomed by an overwhelming majority in

the village. This is also endorsed by Southwestern housing in a communication to your department, which has not yet displayed on your web site. In short, the housing survey is a single data point which occurs as an outlier to a population of data which suggests the contrary.

The Parish Council was sufficiently convinced of this need that they publicly requested proposals for land which could be used for housing. This was publicised throughout the Taunton Deane area where it could be seen by both landowners and potential developers. While there were several preliminary offers, the only one that could be taken to this next stage is the one that is before you. So far from being a speculative planning application by an opportunistic developer, it is the culmination of several years of consistent effort led by the Parish Council and supported by the village. The site proposed was in the most sustainable possible location in the village, being next to existing housing and within easy walking distance of the village shop, the village hall, the pub, the parish Churches and the playing field.

Moving to Planning Policy; when the policy was published some nine years ago its position on rural settlements was driven by a need to protect rural life and particularly the heritage of its many villages. Sustainability of development sites was a key issue but how this is defined is very much open to interpretation. There are many in the Parish who would define sustainability in terms of whether proposed development will help to sustain the local community, particularly key facilities like the school, the village shop the pubs etc. That, we believe, should be one of the key measures of sustainability. Rigorous implementation of the policy as it was defined has led to collateral impacts which could have not been anticipated at the time. The issue is not with the implementation of the policy but the long-term corollary damage that this policy, as originally envisaged is causing. While this was recognised in Point 4.50 of the Core Strategy, no mitigating actions were put in place. During the period of this policy, not one new house has been constructed in Stoke St Gregory. There have been many house extensions and a few barn conversions. The consequence of this is that Stoke St Gregory, almost certainly not uniquely, has an ageing population living in increasingly large houses while younger people, and older people wishing to downsize are forced to move from the village as there is no suitable housing stock. In several cases this has happened to families who have lived in Stoke St Gregory for several generations and reinforces the issue of missing data in the housing survey. So, far from protecting rural life, the current policy is causing its demise. This is further evidenced by the fact that all of the community services are vulnerable and under threat. Already one of our two pubs has been granted consent to be turned into a residential property. The village shop has been for sale for a considerable time and will close at the end of this year unless the community takes it over and the second pub is also threatened with closure.

Failure to refresh the demography of the village will result in its terminal decline which is accelerating as each year goes by. This planning application seeks to address this impact. The concept of rural centres is flawed by the assumption that it is fine to increase capacity nearby (North Curry), allowing smaller neighbouring villages (Stoke St Gregory) to wither.

I hope that by sharing this view with you and putting some perspective into the reasons behind this application a dialogue can ensue. You may well ask why a Neighbourhood Plan was not prepared to highlight these concerns. Stoke St Gregory is a small parish, managed with a fiscally prudent budget. It was felt that to

place on the community the burden of time and cost associated with following the complex neighbourhood plan process, and reaching a conclusion which in all likelihood would be close to what has been presented, did not represent the best use of either financial or human resources. While, in retrospect, that can be questioned, we now have an opportunity to take a major step towards fulfilling the most obvious and likely result of a such a plan. We ask that you view this application in this light. If you fail to do so the very existence of our village as a viable community is seriously threatened.

#### **SCC TRANSPORT DEVELOPMENT GROUP (Original Comments) -**

For clarity the Highways Authority do not object to the principal of the proposed development.

#### **Transport Statement**

The applicant has submitted a Transport Statement (TS) in support of the application which has since been assessed.

The forecasted residential trip rates in the AM/PM peak within the submitted TS are considered lower for such an application, however anticipated AM/PM peak movements for a development of this nature are unlikely to have a significant impact on the surrounding highway network that isn't, with reference to the NPPF considered as severe. As such, the Highway Authority do not object to the development proposed on traffic impact grounds.

#### **Access**

The proposal site lies off the unclassified Willey Road in Stoke St Gregory where traffic is subject to a 30mph speed limit.

With reference to the submitted plan (Drg No: 18077-001) the 2.4m x 43m dimensions proposed from the access point onto Willey Road is considered as acceptable in this instance and in line with Manual for Streets for a 30mph speed limit. The applicant must ensure there is no obstruction to the visibility proposed visibility greater than 300 millimeters above adjoining road level.

The swept path analysis shows that a refuse vehicle is accommodated by the proposed layout, but a slightly larger than normal radii has been used to accommodate the refuse vehicle. Ideally the corner radii should be 6m in this instance to help reduce turning vehicle speeds. Other means could be sought to accommodate the refuse vehicle, such as local widening on Willey Road (this can be appropriately secured under a suitable legal agreement).

The applicant must ensure that all associated vehicles to the development proposed have the capacity to safely manoeuvre within the internal layout and enter the public highway in a forward gear. The applicant should also note that a detailed technical swept path analysis will be carried out if offered for adoption (and subject to consent) which will have to clearly demonstrate this.

Collision data has been taken from SCC's Collision Database and covers the 5-year period between 01/09/2013 and 31/08/2018. There have been no recorded collisions along Willey Road, Stoke St Gregory during this period.

Longitudinal or contour drawings haven't been submitted. Contouring at 25mm intervals should be provided for consideration with the detailed design submission so that the drainage and drivability aspects can be fully determined. Suitable approach gradients for the access road to ensure surface water drains back into the site and not the highway whilst ensuring level sections of the carriageway to enable vehicles to pull out safely. Additional drawings would be required for surfacing, surface water drainage, highway lighting, kerb details and road markings to comply with design standards.

Highway Improvement Schemes should be subject to a Stage 3 Road Safety Audit within 1 month of opening. It is recommended that a Stage 3 Road Safety Audit is undertaken within 1 month of coming into operation, subject to planning consent.

Whilst it is not within the site boundary limits, it would be advantageous (and in line with the Local Plan and NPPF) if the applicant provided a suitable pedestrian and cycle access to the local playing field across Willey Road from the proposed site. It is likely that the desire line would see pedestrians travelling down Willey Road to gain access to the existing playing field access. Suitable implementation of a pedestrian/cycle access nearer the proposal site would reduce the potential for pedestrian/vehicle conflict on Willey Road.

### **Internal Layout**

Turning to the internal layout the following comments are in relation to the details contained within submitted drawing number 18.29.03/A.

The applicant should be aware that it is likely that the internal layout 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

Allowances shall be made to resurface the full width of Willey Road 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.

The approach gradient for the access road to Willey Road should be a maximum 2% uphill gradient over 15m where it connects into the channel line of Willey Road. This will ensure that surface water drains back into the site and not out onto the highway. It will also provide a level section of carriageway for vehicles to pull out safely.

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 forwarded to SCC.

Surface water from any private areas, including drives and parking bays will not be permitted to discharge onto the prospective public highway boundary. Private interceptor drains will need to be provided to prevent this from happening.

It is noted from the drawings that a footway will be provided from the southern end of the site to link to Church Close. No dimensions have been shown but the minimum recommended footway width in the DfT's Inclusive Mobility is 2m throughout the site. However, if the intention for the proposed link at the southern end of the application

site that will connect onto an existing residential development site is to be used by a combination of cyclists and pedestrians a mixed use is to use the link then it should be constructed as a footpath/cyclepath and not purely as a footpath to provide a safe and inclusive environment for all.

Adoptable 17.0m forward visibility splays will be required across the inside of carriageway bends outside of plots P7 and P33. There shall be no obstruction to visibility within these areas that exceeds a height greater than 600mm above the adjoining carriageway level.

The applicant will need to confirm who will be responsible for the future maintenance of the proposed Attenuation basin at the northern end of the application site.

The private drives serving Plots P23, P24 and P32 should either be 6.0m or 10.5m in length as measured from the back edge of the prospective public highway boundary. Their current lengths may give rise to parked vehicles overhanging the footways.

Tandem parking bays should be designed to a length of 10.5m as measured from the back edge of the prospective public highway boundary. This will have to be checked by the designer to see that this has been adhered to within the site.

The parking bays to the west of Plot 11 and to the north of plots P11-P15 should be 5.5m in length as measured from the back edge of the prospective public highway boundary, so as to prevent any overhanging by parked vehicles of the footpath that runs behind the bays.

It is assumed that the parking court fronting Plots 11-P19 will be privately maintained. On this basis, in terms of addressing Advance Payments Code legislation, SCC may be prepared to adopt the footways that serve the afore-mentioned plots.

The applicant will need to confirm what the 4 no. bays behind the footway between plots P19 and P34 represent

Any gates shall be hung so that they open inwards and not out over the prospective public highway.

Any planting immediately adjacent to the prospective public highway will need to be supported by the submission to SCC of a comprehensive planting schedule for checking/approval purposes. 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 any tree that is to be planted either within or adjacent to the prospective public highway in an effort to prevent structural damage to the highway. Any planting within the adopted highway will require the payment of a commuted sum by the developer.

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

Any proposed adoptable retaining/sustaining features to be constructed as part of this development will require the submission of an Approval In Principle and the payment of a commuted sum.

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](mailto:BSupport-NRSWA@somerset.gov.uk) – At least four weeks' notice will be required.

Any existing services located within the carriageway, verge of 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 should be lowered to a depth to allow full road construction, inclusive of capping, to be constructed over. Works shall comply with the requirements of 'Code of Practice' measures necessary where apparatus is affected by major works (diversionary works) under Section 84 NRSEA 1991.

I refer to the additional information received by the Highway Authority on 12 March 2019 in relation to the above-mentioned planning application. The following observations are with regard to the highway and transportation aspects of this proposal.

### **Parking**

The proposed development is to be accommodated by the provision of 100 vehicle spaces for the 34 dwellings. Whilst this figure is considered in line the SPS (Somerset Parking Strategy), it is important to note, not all dwellings will individually meet the required parking provision. This is likely to lead to some resident parking outside their residential units on the proposed estate road for personal convenience instead of using the allocated parking spaces within the site.

No visitor parking has been provided by the applicant. The Highway Authority do not support any proposed-on street parking. Associated parking should be within the relevant curtilage of the dwellings or off the local highway to reduce any risk on vehicle confliction. It is recommended that a suitable number of visitor parking is provided in line with the SPS.

Cycle parking is to be provided at a rate of 1 space per bedroom. It is advised that garages are designed and built to accommodate both cycle and vehicle parking spaces should no separate suitable cycle storage parking be provided.

Access to 16-amp electric vehicle charging points is to be provided for all residential dwellings in accordance with the SPS.

### **Travel Plan**

A Travel Plan Statement (TPS) was submitted as part of the application. This has been reviewed and identified several issues, that will require addressing to achieve an acceptable TPS that will need to be secured via a S106.

The key points that require addressing are:

- A Travel Plan fee must be included in the TPS, in accordance with the adopted SCC Policy. This is required to be paid in full to SCC prior to commencement of the

development. For a development of this size, the fee is £700 plus VAT;

- A tabular action plan needs to be provided showing the measure, responsible party and timescale for implementation;
- Cycle parking is not shown on the plan in appendix A and details of provision need to be supplied. Details on cycle routes for longer distances should include gradients, speed limit on road and comfort of use;
- Bus Timetables and route map should be included as an appendix. Photos should be included to illustrate issues or locations. The reference to Moving Forward should be removed;
- The TPS must state the amount of time per week that the TPC will have to manage the TPS;
- Physical measures and features are not shown clearly in the figures provided in the Travel Plan. Clear figures showing the location of proposed measures/features (such as secure sheds for cycles) and demonstrate that they are being considered in the planning of the development;
- Cycle and motorcycle parking has been committed to in the TPS, however no details other than this have been provided in the TPS. Design parameters for cycle and motorcycle parking needs to be set in the TPS. These should be in line with SCC TPS and SCC Parking Strategy guidance. A plan should be included to show the parking for these modes, clearly showing the number of vehicles that can be stored and how users will gain entry etc.

It is therefore anticipated that an amended TPS will be provided to address these issues.

## **Drainage**

The following is with reference to the Flood Risk Assessment and Drainage Strategy Report, ref. 2321-FRA01 Rev A submitted in support of this application. Whilst it doesn't affect the outcome of the flood risk assessments, it should be noted that the site is incorrectly located on the maps shown against items 3.3, 3.5 and 3.6.

The designer will need to consider the construction detail at the interface between the proposed permeable paved areas and the access roads to ensure that the introduction of surface water at the interface doesn't compromise the structural integrity of the road or footway.

Item 5.17 confirms the intention that all sewers upstream of the detention basin will be adopted by Wessex Water, with the basin itself being maintained by a management company. The report should confirm the ownership of the flow control manhole and the outfall pipe downstream from the basin to the proposed outfall into the ditch. It should also be noted that as this outfall pipe will cross the existing public footpath T25/28, a licence to install the pipe will be required from the Highway Authority.

Access arrangements will need to be considered to accommodate the routine maintenance operations required to both the detention basin and the flow control manhole. Consideration should be given to providing a suitable access provision

from the existing field gate access off Slough Lane at the north eastern corner of the development land.

Land drainage consent will be required to construct the proposed outfall headwall within the existing ditch/watercourse.

## **Conclusion**

With the above in mind, whilst the development proposed will generate an increase in vehicle movements onto the local highway network, it is not considered that the residual impact can be considered as severe in this instance.

If members are minded granting planning permission, please note that a suitable Travel Plan will need to be agreed and secured in writing via a S106. It is also recommended that a suitable pedestrian and cycle access is to be provided (and agreed in writing by the LPA) between the proposal site and local playing field that will be appropriately secured within the decision notice.

The Highway Authority would also recommend that the following conditions are imposed.

- No part of the development hereby permitted shall be first occupied until the access works have been carried out generally in accordance with a design and specification that will be submitted to and approved in writing in conjunction with the Highway and Local Planning Authority.
- The proposed estate roads, footways, footpaths, 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, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
- 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.
- The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.
- There shall be an area of hard standing at least 6m in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of an up-and-over type.
- 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

made before commencement and maintained thereafter at all times.

- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the use of any existing garage, or garage hereby permitted, as part of this development shall not be used other than for the parking of domestic vehicles and not further ancillary residential accommodation, business use or any other purpose whatsoever.
- There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced brought into use and shall thereafter be maintained at all times.
- The development hereby permitted shall not be first occupied until an agreed number of vehicle parking spaces and layout for the development have been provided and approved in conjunction with the Local Planning Authority. The said 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.
- Prior to first occupation of the development hereby permitted, access to covered cycle and motor cycle parking, numbers and spaces to be fully in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.
- Prior to first occupation of the development hereby permitted, access to covered electric vehicle charging points will need to be available to all dwellings. This is to be provided within the garages or through shared charge points. They shall be in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.
- 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, if required.
- 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.
- 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.

#### NOTE

*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*

*(REVISED COMMENTS)* - In our previous comments dated 6 February 2019, there was no objection to the principle of the proposal subject to highway conditions and a suitable Travel Plan secured under a S106. It was also recommended that a suitable pedestrian and cycle access be provided by the applicant (and agreed in writing by the LPA) between the proposal site and the local playing field (which is also subject to a live planning application – 36/18/0047) that will be appropriately secured within the decision notice.

The following comments are made alongside the additional submitted detail for the adjacent Recreational Site (36/18/0047) given both proposals are now interlinked in providing a pedestrian/cycle way between the two sites.

It is noted from the drawings that a footway will be provided from the southern end of the site to link to Church Close and a proposed footway is shown adjacent to Willey Road heading south to a crossing point to continue the footway to the recreational area. No dimensions have been shown but the minimum recommended footway width in the DfT's Inclusive Mobility is 2m. For clarity, the proposed footway will not result in any narrowing of the Willey Road.

No pedestrian crossing visibility splays have been shown on the submitted Footpath Link drawing 18.29.42. Visibility splays with an 'x' distance of 1.5m and a suitable 'y' distance, 43m or that required by the results of a speed survey, will be provided and shown on the drawings for assessment. The current location of the proposed uncontrolled pedestrian footway (on the eastern side) on drawing no 18.29.42 would not allow for suitable visibility splays, given that it would appear to encroach on third party land to the south. Whilst it is technically possible to provide a suitable uncontrolled footway to the recreational site, the applicant will need to revisit current

design to address the above.

Carriageway cross section drawings for each chainage across the frontage of the site would need to be submitted to show appropriate features such as channel line levels, tops of kerbs, centre line of the carriageway etc. whilst encompassing the full width of the adopted highway.

Longitudinal or contour drawings haven't been submitted. Suitable approach gradients for the access road to ensure surface water drains back into the site and not the highway whilst ensuring level sections of the carriageway to enable vehicles to pull out safely. Additional drawings would be required for surfacing, surface water drainage, highway lighting, kerb details and road markings to comply with design standards.

*(FURTHER COMMENTS) -*

Please find the following that require amending within the TPS.

Point 3.15 states 1 space per garage rather than per bedroom. Point 3.16 states 1 space in a cycle store in rear of garden, rather than a minimum of one space per bedroom. Cycle parking needs to state within the document at a level of one cycle space per bedroom. Therefore this requires amending.

Under point 4.9 the site audit identifies that there are limited footways through the village, which are unlit. The applicant should detail within the TPS what facilities are available at the nearby bus stop. e.g. shelter, timetable information, flag, etc.

Regarding the Travel Plan Management Fund (to cover promotional events), the applicant will need to provide a budget to cover 3 events per year. Regarding Point 6.22, although current guidance states GTV reimbursement up to 50% of costs, it would be more effective to reimburse 100% i.e. instead of the resident having to spent £400 in order to receive £200, they

would spend £200 in order to receive £200, which would not impact on the developer and become more effective with changing the ways in which we travel by making this a more inclusive scheme.

Point 7.3 states produce welcome packs at completion of each residential and commercial unit – the applicant will need to clarify what part of the site, if any, is commercial.

Regarding Point 6.15, please note that Carshare Somerset no longer exists. Please refer to liftshare.com.

**SCC - RIGHTS OF WAY** - I can confirm that there is a public right of way (PROW) recorded on the Definitive Map that runs through the site at the present time (**public footpath T 25/28**). I have attached a plan for your information.

We have no objections to the proposal, but the following should be noted:

**SCC - RIGHTS OF WAY** - I can confirm that there is a public right of way (PROW) recorded on the Definitive Map that runs through the site at the present time (**public footpath T 25/28**). I have attached a plan for your information.

We have no objections to the proposal, but the following should be noted:

### **1. Specific Comments**

We recommend that a connecting link to the footpath T 25/28 is provided as part of a S38 agreement.

### **2. General Comments**

Any proposed works must not encroach onto the width of the PROW.

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would:

- make a PROW less convenient for continued public use; or
- create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided.

### ***LANDSCAPE & BIODIVERSITY -***

#### **Landscape**

I consider that this scheme should have a more robust northern boundary. In addition the opportunity could be taken to extend the existing orchard further into the new development.

#### **Biodiversity**

The application is for the erection of 34 dwellings on land adjacent to Willey Road, Stoke St Gregory. The site comprises the southern extent of a single species poor

semi improved field, bounded on three sides by hedgerows. New allotments, an orchard and a small area of unmanaged grass are also present within the site adjacent to the eastern boundary.

A section of the western hedgerow will need to be removed to access the site. Blackdown Environmental carried out a Preliminary ecological appraisal of the site, in September 2018.

The findings were as follows:

### **Badgers**

The surveyor found no evidence of badgers on site, but it is considered likely that badgers pass through the site.

### **Bats**

The eastern and western boundaries are the most likely to be regularly used by foraging and commuting bats. There are no trees or buildings on site that could support roosting bats. I support the installation of bat tubes within half of the new properties.

### **Dormice**

The eastern and western hedges are suitable for dormice. Part of the western hedgerow will require removal to access the site and so I agree that a dormice survey should be carried out. If dormice are identified an EPS licence will be required to access the site.

### **Great crested newts**

There are no ponds on site although there are four ponds within a 250m radius of the site. The hedgerows and areas of long grass and tall ruderal vegetation are suitable for Great crested newts. Reasonable precautions should be undertaken when clearing the hedgerow when an ecologist should undertake a hand search for GCN.

### **Reptiles**

The hedgerows and areas of long grass and tall ruderal vegetation are suitable for reptiles. I agree that the main area of grassland should be maintained by grazing or mowing to ensure that it does not establish into a habitat suitable for reptiles or

great crested newts.

Reasonable precautions should be undertaken when clearing the hedgerow when an ecologist should undertake a hand search for reptiles.

### **Birds**

Nesting birds are likely to use the hedgerows on site so clearance of vegetation should take place outside of the bird nesting season.

I support the installation of terrace nest boxes on the new properties.

### **Suggested Condition for protected species:**

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 Blackdown Environmental submitted report, dated September 2018 and **a Dormice survey** 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 the species
4. Details of any outside 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 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.

## **Informative Note**

The condition relating to wildlife requires the submission of information to protect wildlife. The local planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected throughout the development process and be provided with a mitigation proposal that will maintain favourable status for species affected by this development proposal.

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.

*HOUSING ENABLING* - This application has been submitted as a rural exception site, which should be affordable housing led. Currently the level of market housing is significantly greater than the affordable housing provision, therefore it is not an exception site in its true sense. As per the adopted Affordable Housing SPD (Section 1.10 – Exception Sites), where cross-subsidy is required to facilitate the provision of the affordable housing ‘a detailed statement, including viability information independently verified at the applicants cost by the Council’s preferred independent assessor should be submitted with the planning application’. To date, no information to demonstrate the level of open market housing required to bring forward the 14 affordable homes has been submitted.

A Housing Needs Survey was undertaken in 2016. At the time of the survey, it was not considered necessary to provide any additional affordable housing at that time. However, since that time the level of applicants on Homefinder Somerset expressing Stoke St Gregory as their Parish First Choice has increased from 4 to 10.

The affordable housing mix of 14 for this proposed site has been discussed with the Housing Enabling Lead and it is considered that the scheme would provide a broad mix of tenure and sized affordable properties, although these could go beyond meeting the increased local demand.

With reference to the Discounted Open Market properties, a discount of at least 30% would be required to provide an affordable housing option within the reach of the local incomes.

The developer should seek to provide affordable homes through a Registered Provider on Taunton Deane’s preferred affordable housing development partners list and the rented units should be allocated through the Choice Based Lettings system, Homefinder Somerset. All of the affordable homes should have a local connection requirement.

*HOUSING ENABLING COMMENTS – Updated 17 May 2019:*

Following detailed discussions with the applicant and representatives of the Parish Council further work has been undertaken to establish the housing need within the

Parish. Housing Enabling are supportive of the findings identified within the updated Housing Need Assessment report received 9<sup>th</sup> May 2019.

An independent viability assessment was commissioned in line with the adopted Affordable Housing SPD (Section 1.10 – Rural Exception Sites) and concluded the proposed scheme is unable to provide more additional affordable housing to that proposed.

The affordable housing mix of 14 for this proposed scheme is considered to provide a broad mix of tenure and sized affordable properties to meet the local communities housing needs, With reference to the Discounted Open Market properties, a discount of at least 30% would be required to provide an affordable housing option within the reach of the local incomes.

The developer should seek to provide affordable homes through a Registered Provider on the Councils preferred affordable housing development partners list and the rented units should be allocated through the Choice Based Lettings system, Homefinder Somerset.

All the affordable units should be subject to the local connection and as such the local connection clause is to be included within a S106 agreement.

*HOUSING STANDARDS* - No comment.

*LEISURE DEVELOPMENT* - A LEAP and a children's play area should be provided. Alternatively, as the development is near to an existing playing field, an off-site contribution of £3,263 per each 2 bed + dwelling could be accepted. The contribution to be index linked and spent on additional children's play equipment in the playing field.

*SCC - CHIEF EDUCATION OFFICER* - No comment.

*ENVIRONMENT AGENCY* - No comment.

*WESSEX WATER* - We have no objections in principle to this application, please review the additional information below which confirms an approach as the site progresses through planning.

### **Surface Water Strategy**

No comments as the applicant has indicated a connection to land drainage and in line with the SUDs hierarchy.

### **Foul drainage Strategy**

As indicated under section 6 – FOUL DRAINAGE of the attached drainage report. The Applicant has requested a point of connection to our 150 mm dia foul sewers in church road with a mixed scheme utilising both pumped and gravity sewers.

The 150 mm dia foul sewers at the point of connection has adequate capacity to accommodate the proposed flows.

The sewer line upstream from the point of connection is a 100 mm dia foul sewers. It has been clearly communicated to the developer that upsizing will be required if the point of connection is to be reviewed closer to the site and to this 100 mm dia.

The foul sewers after the point of connection gravitate southwards through back gardens; Upsizing this length of sewers will prove significantly difficult and as such any changes to the proposal are to be communicated effectively to Wessex water. A revised drainage strategy may require a split connection to minimise the impact from any additional flows.

As the developer is proposing to pump a portion of said foul flows. WW will need to agree a flow rate which considers capacity as well as septicity as the site progresses.

Additional consideration should also be given to the easement around the pumping station; Design guidance published by WRc "Sewers for Adoption" provides for a minimum clearance of 15 metres from site boundary to habitable dwellings. This recognises the potential risk of nuisance from odour, noise and vibration. This measure is stated to overcome repeated complaints arising from operating conditions and maintenance activities. We will advise against habitable dwellings being constructed closer than 15 metres to pumping stations to avoid nuisance or complaint.

A separate system of draining the site is required to service the site and can be reviewed in detail at detailed design.

(a plan showing route and temporary storage areas, detailed calculations based on final layout as well as any maintenance and adoption proposals.)

Where the site's revised layout affects our 100 mm dia foul sewers and rising mains to the south of the site. Statutory easements will be required.

*DRAINAGE ENGINEER* - The drainage strategy is based on connecting the site drainage to a ditch to the north of the development. It is not clear how this ditch connects to the wider network. I have been in contact with the Somerset Drainage Boards Consortium, who share similar concerns.

The surface water flood maps for the area suggests a flow route along Slough Road and within the Granny Gothards ice cream site, which then heads towards the Drainage Boards district to the north east. The impact of the development on this area needs to be fully considered in the FRA and drainage strategy.

We are extremely disappointed to see a piped-to-pond network proposed at this development. There are many opportunities to deliver a high quality, multi benefit SUDS scheme as part of this development, given the space available and the rural location, and we urge this to be strongly encouraged through the planning process. The layout of the site should be designed so as to respect the existing drainage regime as much as possible.

The applicant is advised to contact us to discuss the SUDS proposals should the point of discharge be resolved.

**DRAINAGE BOARD** - The Board **objects** to the proposals for the following reasons:

The proposals are to discharge into a watercourse towards the north of the proposed development. This watercourse is not shown on ordnance survey plans and therefore it cannot be determined if this connects to the wider network of watercourses within the Board's District where watercourses are well managed. If it

is not connected, the proposals could increase flood risk. Further information is required.

*LOCAL LEAD FLOOD AUTHORITY* - I am happy with the proposals in terms of the on site drainage and SUDS provision. I assume that the Drainage Board are satisfied with the rates? I would want any condition to secure those SUDS features shown on the plans, as they offer a range of benefits. It is a shame that the main attenuation is not more integrated into the development site, so that it can become a landscape and amenity feature, but this isn't a point of objection.

Right of connection/ access to the receiving ditch going forward must be secured and Land Drainage Consent for the structures and any amendments to the ditch will need to be sought from ourselves.

Condition: No development shall be commenced until details of the surface water drainage scheme in accordance with the FRA (Rev C) and Drainage Strategy Plan (Spring Design 2321/500 Rev A dated 01/04/2019) together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National

Planning Policy Framework (July 2018) and the Technical Guidance to the National Planning Policy Framework.

*CHIEF FIRE OFFICER - DEVON & SOMERSET FIRE RESCUE* - No comment.

*POLICE ARCHITECTURAL LIAISON OFFICER* -

**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. I have some concerns regarding the proposed footpath link between Plots 12-13, which potentially increases these dwellings to the risk of burglary and ASB at the side via this footpath. There appears to be an alternative route close by via the gable end of Plot 11 and I recommend that the former footpath link be eliminated from the scheme.

**Orientation of Dwellings** – all the dwellings appear to overlook the street and public open spaces which allows neighbours to easily view their surroundings and also makes the potential criminal more vulnerable to detection.

**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 proposed communal area in this development comprises the landscaped buffer to the rear of Plots 1- 4, 11-15 and side of Plots 5 & 10, enabling surveillance from first floor bedrooms only. Some of these dwellings comprise bungalows, however, I recommend that a first floor window be incorporated into the gable end of Plot 5 which overlooks the landscaped buffer.

**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. This is particularly relevant in respect of the dwellings backing onto the landscaped buffer. Judging from the Indicative Site Layout Plan, these recommendations have been incorporated into the scheme.

**Car Parking** – appears to be a mix of on-plot garages and parking spaces and a communal on-street parking court. On-plot parking is the recommended option but the communal parking court is small in nature, close to and well overlooked from

homes they serve, which is also recommended in respect of this type of parking arrangement.

**Landscaping/Planting** - should not impede opportunities for natural surveillance and must avoid creating 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 is particularly relevant in respect of the proposed landscaped buffer.

**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 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 police approved ‘**SBD Homes 2016**’ design guide available on the Secured by Design website which provides further comprehensive guidance regarding designing out crime and the physical security of dwellings.

**SOMERSET CPRE - objects** to this planning application. There is no evidence of demand for housing in the area and this proposed development is not in accord with planning policy.

This is a speculative application for a significant housing development in open countryside outside the settlement boundary of Stoke St Gregory. The site was not identified for development at any stage in the TDBC consultations on planning policy and site allocations and settlement boundaries. In addition, the location is unsustainable because there is limited employment in the area and the occupants of the houses would be reliant upon the private car to access employment and services. The development would promote what the [Transport for New Homes](#) campaign identifies in their recent report as ‘carbased living’.

In light of the above, the proposal is contrary to Policies CP1 (Climate Change), CP4 (Housing), CP8 (Environment), SP1 (Sustainable Development Locations) and SP4 (Realising the vision for the Rural Area) of the Taunton Deane Core Strategy. These policies clearly define the areas in which the development of new housing will be supported and aim to avoid dispersed patterns of development which increase the

need to use the private car to access employment and services.

This development would be an unplanned and unwarranted incursion into open countryside and should be refused.

*SCC HISTORIC ENV SERVICE* - 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.

## **Representations Received**

Eighteen letters of support have been received and are summarised below:

- Supports the principle but the design doesn't reflect local character;
- New housing will support the local shop, pub and school;
- It provides affordable housing;
- CIL funds should go to support the local school;
- It will improve the housing choice within the village.

Thirty letters of objection have been received in relation to the original plans. Five additional letters have been received in connection with the revised plans. The main issues raised include:

- The site is outside the settlement boundary and the development would be contrary to policy;
- No housing need has been identified and the Council's own survey carried out 2 years showed no demand;
- The Parish Council's survey is limited in scope and not independent. There is no information to show that any of the respondents are connected to the local area;
- The village school is already at capacity;
- The new access onto Willey Road is dangerous and close to a bend;
- Pedestrian access to the village is poor due to the lack of pavements;
- The pre-application consultation was poor;
- It will result in loss of light and overlooking of adjoining properties;
- Partial loss of ancient hedge;
- The local bus service terminates in April 2019 so the development will be car - reliant;
- Alternative sites are available in the village which are owned by a Housing

Association and should be developed first;

- Alternative accesses are available from Church Close and Slough Lane

Letter of support from Coates English Willow, a local employer. The lack of available local housing in the village makes it difficult to recruit staff.

A petition of 14 signatures has been received, raising an objection to the loss of the hedgerow to enable the footpath to be provided.

**SOUTHWESTERN HOUSING SOCIETY** - There is a need for the properties earmarked at Stoke St Gregory. We feel that the mix and tenure of the properties lend themselves well to fulfilling a variety of needs, many of which may be latent within the settlement. We have other properties in the village that are always relet very quickly whenever vacancies arise. We discussed the mix with enabling colleagues at TDBC prior to the application being made.

**STOKE ST GREGORY PRIMARY SCHOOL** - The school is already full to capacity. Currently the school does not have enough space to accommodate extra pupils and will need to extend its buildings. The Governors seek assurances that the CIL funding arising from this development will go specifically to the local school.

## **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.

SD1 - Presumption in favour of sustainable development,  
SP1 - Sustainable development locations,  
CP4 - Housing,  
CP8 - Environment,  
DM1 - General requirements,  
DM2 - Development in the countryside,  
DM4 - Design,  
DM5 - Use of resources and sustainable design,  
SB1 - Settlement Boundaries,  
C2 - Provision of recreational open space,  
D7 - Design quality,  
D10 - Dwelling Sizes,  
D12 - Amenity space,  
ENV1 - Protection of trees, woodland, orchards and hedgerows,

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. 3650sqm.

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 £456,250.00. With index linking this increases to approximately £607,000.00.

### **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	£36,688
Somerset County Council	£9,172

#### *6 Year Payment*

Taunton Deane Borough	£220,130
Somerset County Council	£55,032

## **Determining issues and considerations**

### **The Principle of Development**

The Taunton Deane Core Strategy 2012 sets out the most accessible and sustainable locations for development within the Borough. Policy SP1 sets out a settlement hierarchy with the Taunton urban area being the main focus of growth. Within the rural areas, Stoke St Gregory is identified as a smaller village where settlement boundaries will be retained. Development outside of these boundaries will be assessed as being in open countryside under Policy DM2. Core Strategy Policy SP4 relating to the vision for rural areas seeks to encourage a "step change" in the provision of rural housing. Such sites are to be considered under Core Strategy Policy DM2. As the site lies outside the settlement boundary, the application must be assessed against Policy DM2. It states that affordable housing will be supported outside settlements if:

*a) adjoining settlement limits, provided no suitable site is available within the rural centre,*

*b) in other locations well related to existing facilities and to meet an identified local need which cannot be met in the nearest identified rural centre.*

The proposed development cannot be considered to fall within the Rural Exception Sites criteria as it is not wholly affordable. However, the Council's Affordable Housing SPD adopted in May 2014 states that affordable housing within or adjacent to rural settlements can be acceptable as long as there is an identified housing need.

The SPD states that *"the Council will expect these developments to be small scale and should:*

*Meet or help to meet a proven and specific local need for affordable housing in the Parish or adjoining rural Parishes, which would not otherwise be met. Local housing needs will need to be demonstrated via an up to date Parish survey. The cost of the survey is to be borne by the applicant.*

*Be within or adjacent to the settlement boundary, well related to existing community services and facilities and sympathetic to the form and character of the village.*

*Consider all available sites around a settlement in order to identify the most suitable site. The development should be of an appropriate size as not to have an overbearing impact on the settlement or the countryside.*

*Arrangements will be secured to ensure that initial and subsequent occupancy of the dwellings is restricted first to those having an identified local need for affordable housing through the use of appropriate safeguards, including planning conditions or Section 106 obligations.*

*In the event that a small proportion of cross subsidy through open market housing is required to facilitate the provision of the remaining affordable housing to meet an identified local need, this will need to be discussed with the planning officer and housing enabling lead prior to submitting a planning application. A detailed statement, including viability information independently verified at the applicants cost by the Council's preferred independent assessor should be submitted with the planning application."*

In this case, although the site is in open countryside it is located adjacent to the village settlement boundary, which lies to the south. The village has limited services including a primary school, a shop and a pub. It is no longer served by public transport with the bus service ceasing in April 2019. Pedestrian access to these existing local facilities is currently difficult due to a lack of a footpath along this section of Willey Road. The site does not perform well in terms of being a sustainable location due to the lack of public transport, meaning that the new occupiers will be dependent on the private car. However, the site is within walking distance of the local school, shop, pub and playing fields.

## **Identified Need for Housing**

A Housing Need Survey (HNS) was undertaken by Taunton Deane BC in 2016, on behalf of Stoke St Gregory Parish Council. It identified a need for up to 11 affordable houses within the parish. This survey has a lifespan of up to 5 years and remains a material consideration in the determination of this application. The Parish Council has recently carried out its own updated HNS based on a questionnaire publicised from the village shop. The Parish Council felt that the level of housing need is higher than that identified in 2016. This survey is not a full HNS but the methodology for the revisions has been carried out following advice from the Council's Housing Lead. The revised survey identifies that there is a need for 21 affordable units within the parish.

The application proposes 14 affordable units on site to meet the identified need, a provision of 41%. The Viability Assessment has been independently assessed and concludes that any increase in the number of affordable housing units would affect the viability of the scheme. In other words, any reduction in the number of open market dwellings will result in fewer affordable units being provided. The Council's Housing Lead is satisfied that the development would meet an identified need for affordable housing.

## **Design and Layout**

The character of Stoke St Gregory within the vicinity of the application site is defined by inter- and post-war two storey dwellings and bungalows. The relatively modern development in Church Close to the south is a mix of two storey dwellings and bungalows grouped around a series of cul-de-sacs. The predominant material is red brick with clay tiled roofs. Four pairs of semi-detached dwellings with rendered elevations are located opposite the site in Willey Road. The proposed layout shows a row of 5 bungalows which will back onto Willey Road. The rest of the layout comprises a mix of semi-detached, detached dwellings and two bungalows arranged around three cul-de-sacs. The proposed materials are a mix of red brick, render and reconstituted stone with slate or clay type roof tiles. The proposed materials will fit in with the overall character of the adjoining dwellings. The scale and extent of the development is considered to be rather large in relation to the size of the existing village. It constitutes a large proportion of new build within a small settlement, in a less than sustainable location. The design and layout is fairly standard and is rather suburban for a rural site such as this. However, the design reflects recent development at Overlands in North Curry which was initially allowed on appeal. Furthermore, there is an identified need for affordable housing within the village with its associated community benefits. It is not considered that a refusal on design grounds could be sustained on appeal.

## **Highways**

The plans have been revised to increase the level of car parking; to improve the visibility splays and to provide a new pavement on Willey Road. This pavement will, in future, link up with a new pavement on the opposite side of the road which is associated with the playing field improvements. These are proposed as part of a separate planning application which has yet to be determined. A new footpath link will be made to an existing PROW to the south of the site which will connect to

Church Close. The two new pavements will improve the permeability of the site, enabling two separate pedestrian routes into the village. The removal of the hedgerow to create a new vehicular access will improve the visibility. Somerset County Highways has raised no objection in principle subject to the imposition of a number of conditions. These will ensure that the highway works are carried out satisfactorily.

## **Ecology**

The proposal is supported by a Preliminary Ecological Survey which identified that the eastern and western hedges may be suitable for dormice. These hedgerows may also be used by foraging and commuting bats. It is recommended that a dormice survey is carried out and mitigation measures put in place to protect bats, birds and reptiles. This can be secured by condition.

## **Public Open Space**

Development on the site would generate a requirement for a financial contribution towards off-site play equipment. There is an existing playing field almost opposite the site in Willey Road. This is the subject of a separate planning application which is undetermined. A financial contribution for improvements to these playing fields can be secured via a Section 106 agreement.

## **Flood Risk and Drainage**

The site is located in a Flood Zone 1, an area of the lowest flood risk. The surface water will drain to a ditch in the north east boundary and also to a new attenuation pond. Foul water will either drain by gravity, or by a new pumping station. The principle of the proposed drainage system is considered acceptable subject to the submission of further information. This can be secured by planning condition and also by separate approvals from the drainage and highway authorities.

## **Conclusion**

The NPPF encourages a proactive approach to providing affordable housing in areas where there are identified needs and where open market housing is required to facilitate the development. The proposal accords with Policy DM2 as the site adjoins the settlement boundary and is within walking distance of the school, playing fields, pub and shop. It is recommended that planning permission is granted subject to a Section 106 agreement to secure the affordable housing and the financial contribution for off-site play provision.

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

**Contact Officer: Ms A Penn**

