

# Regulation Committee

Thursday 8 March 2018  
2.00 pm Luttrell Room - County Hall,  
Taunton



To: The Members of the Regulation Committee

Cllr J Parham (Chair), Cllr N Hewitt-Cooper (Vice-Chair), Cllr J Clarke, Cllr M Keating, Cllr A Kendall, Cllr T Lock, Cllr M Pullin, Cllr D Ruddle and Cllr N Taylor

Issued By Julian Gale, Strategic Manager - Governance and Risk - 28 February 2018

For further information about the meeting, please contact Michael Bryant on 01823 359048 or [mbryant@somerset.gov.uk](mailto:mbryant@somerset.gov.uk)

Guidance about procedures at the meeting follows the printed agenda **including public speaking at the meeting.**

This meeting will be open to the public and press, subject to the passing of any resolution under Section 100A (4) of the Local Government Act 1972.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on [www.somerset.gov.uk/agendasandpapers](http://www.somerset.gov.uk/agendasandpapers)



**RNID typetalk**

## **AGENDA**

Item Regulation Committee - 2.00 pm Thursday 8 March 2018

**\*\* Public Guidance notes contained in agenda annexe \*\***

1 **Apologies for Absence**

2 **Declarations of Interest**

3 **Accuracy of the Minutes of the meeting held on 8th February 2018 (To Follow)**

The Committee will consider the accuracy of the attached minutes.

4 **Public Question Time**

The Chair will allow members of the public to present a petition on any matter within the Committee's remit. Questions or statements about the matters on the agenda for this meeting will be taken at the time when the matter is considered and after the Case Officers have made their presentations. Each speaker will be allocated 3 minutes. The length of public question time will be no more than 30 minutes.

5 **Construction of a new road scheme Junction 25 M5 (Pages 7 - 140)**

To consider a report

6 **Any Other Business of Urgency**

The Chair may raise any items of urgent business.

## Regulation Committee – Guidance notes

### 1. Inspection of Papers

Any person wishing to inspect Minutes, reports, or the background papers for any item on the agenda should contact Michael Bryant, Tel: (01823) 359048 or 357628, Fax (01823) 355529 or Email: mbryant@somerset.gov.uk

### 2. Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: <http://www.somerset.gov.uk/organisation/key-documents/the-councils-constitution/>

### 3. Notes of the Meeting

Details of the issues discussed and decisions taken at the meeting will be set out in the Minutes, which the Committee will be asked to approve as a correct record at its next meeting. In the meantime, details of the decisions taken can be obtained from Michael Bryant, Tel: (01823) 359048, Fax (01823) 355529 or Email: mbryant@somerset.gov.uk

### 4. Public Question Time

At the Chair's invitation you may ask questions and/or make statements or comments about **any matter on the Committee's agenda**. You may also present a petition on any matter within the Committee's remit. **The length of public question time will be no more than 30 minutes in total.**

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been signed. However, questions or statements about the matters on the agenda for this meeting will be taken at the time when that matter is considered.

The Chair will usually invite speakers in the following order and each speaker will have a maximum of 3 minutes:

1. Objectors to the application (including all public, parish council and District Council representatives)
2. Supporters of the application (including all public, parish council and District Council representatives)
3. Agent / Applicant

Where a large number of people are expected to attend the meeting, a representative should be nominated to present the views of a group. If there are a lot of speakers for one item than the public speaking time allocation would usually allow, then the Chair may select a balanced number of speakers reflecting those in support and those objecting to the proposals before the Committee.

Following public question time, the Chair will then invite local County Councillors to

address the Committee on matters that relate to their electoral division.

If you wish to speak either in respect of Public Question Time business or another agenda item you must inform Michael Bryant, the Committee Administrator **by 12 noon on the last working day prior to the meeting (i.e. by 12 noon on the Wednesday before the meeting)**. When registering to speak, you will need to provide your name, whether you are making supporting comments or objections and if you are representing a group / organisation e.g. Parish Council. Requests to speak after this deadline will only be accepted at the discretion of the Chair.

You must direct your questions and comments through the Chair. You may not take direct part in the debate.

Comments made to the Committee should focus on setting out the key issues and we would respectfully request that the same points are not repeated.

The use of presentational aids (e.g. PowerPoint) by the applicant/agent or anyone else wishing to make representations to the Committee will not be permitted at the meeting.

An issue will not be deferred just because you cannot be present for the meeting.

The Chair will decide when public participation is to finish. The Chair also has discretion to vary the public speaking procedures.

**Remember that the amount of time you speak will be restricted, normally to three minutes only.**

## **5. Substitutions**

Committee members are able to appoint substitutes from the list of trained members if they are unable to attend the meeting.

## **6. Hearing Aid Loop System**

To assist hearing aid users, the Luttrell Room has an infra-red audio transmission system. This works in conjunction with a hearing aid in the T position, but we need to provide you with a small personal receiver. Please request one from the Committee Administrator and return it at the end of the meeting.

## **7. Late Papers**

It is important that members and officers have an adequate opportunity to consider all submissions and documents relating to the matters to be considered at the meeting, and for these not to be tabled on the day of the meeting. Therefore any late papers that are to be submitted for the consideration of the Regulation Committee, following the publication of the agenda/reports, should be sent to the Service Manager – Planning Control, Enforcement and Compliance (Philip Higginbottom) via [planning@somerset.gov.uk](mailto:planning@somerset.gov.uk) in respect of Planning and Town and Village Green items, and to the Senior Rights of Way Officer (Richard Phillips) in respect of Rights of Way items, and should be received no less than 48 Hours before the meeting.

## **8. Recording of meetings**

The Council supports the principles of openness and transparency, it allows filming, recording and taking photographs at its meetings that are open to the public providing it is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings and a designated area will be provided for anyone who wishing to film part or all of the proceedings. No filming or recording will take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to the Committee Administrator so that the relevant Chairman can inform those present at the start of the meeting.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

The Council will be undertaking audio recording of some of its meetings in County Hall as part of its investigation into a business case for the recording and potential webcasting of meetings in the future.

A copy of the Council's Recording of Meetings Protocol should be on display at the meeting for inspection, alternatively contact the Committee Administrator for the meeting in advance.

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Somerset County Council  
Regulation Committee – 8th March 2018  
Senior Leadership Team Director: Paula Hewitt  
Report by Service Manager – Planning Control, Enforcement and Compliance: Philip Higginbottom

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*Application Number:* 4/38/17/0205  
*Date Registered:* 29.05.2017  
*Parishes:* Stoke St Mary; Ruishton & Thornfalcon, West Monkton  
*District:* Taunton Deane  
*Member Divisions:* Monkton & North Curry; Blackdown & Neroche: Taunton East  
*Local Members:* Cllrs. David Fothergill; John Thorne; Simon Coles  
*Case Officer:* Michael Sendall  
*Contact Details:* [mSENDALL@somerset.gov.uk](mailto:mSENDALL@somerset.gov.uk)  
(01823) 359702

*Description of Application:*

**CONSTRUCTION OF A NEW ROAD SCHEME INCLUDING THE WIDENING AND ENLARGEMENT OF JUNCTION 25 ROUNDABOUT, THE WIDENING OF TONEWAY OVER APPROX. 200M LENGTH FROM J.25, THE CONSTRUCTION OF A NEW ROUNDABOUT TO THE SOUTHWESTERN CORNER OF THE GATEWAY PARK & RIDE SITE AND THE CONSTRUCTION OF LINKING SECTIONS OF ROAD TO J.25 AND THE A358/RUISHTON LANE JUNCTION, JUNCTION ALTERATIONS, PROVISION OF PEDESTRIAN AND CYCLIST FACILITIES AND ASSOCIATED STREET FURNITURE ON LAND AT JUNCTION 25, M5, TAUNTON**

*Grid Reference:* 325686 124666

*Applicant:* Somerset County Council

*Location:* The site is located approximately 3 km (2 miles) east of Taunton town centre, on the M5 motorway junction 25. The site is bounded by the M5 to the North and South, Black Brook Business Park to the South West and the A358 Toneyway to the Northwest; to the east is The Gateway Park and Ride site at Ruishton Lane, with Ruishton village to the North East.

**1 Summary of Key Issues and Recommendation:**

1.1 This is a Regulation 3 application which requires that it be determined by Somerset County Council as Local Planning Authority.

1.2 The key issues for members to consider are:

Principle of development:

Sustainable development:

Impact on the landscape character and visual amenity:

Flood Risk and the Water Environment:

Impact on the highway network:

Impact on Ecology:

Impact on amenity – Lighting, Noise, Air Quality and Dust:

Impact of the development on Crime and Disorder,

and whether the development is in accordance with the following Development Plan documents:-

Development Plan Documents:

- Taunton Deane Borough Council Adopted Core Strategy (2011-2028)
- Taunton Deane Borough Council Site Allocations and Development Management Plan (SADMP) 2016

and relevant material considerations, including:

- National Planning Policy Framework (NPPF)(2012)
- Planning Practice Guidance - various categories
- South West Strategic Economic Plan (SEP) 2014-2030 Heart of the south West
- The Somerset Growth Plan 2017-2030 dated June 2017
- Somerset's Future Transport Plan 2011-2026
- Bridgwater, Taunton and Wellington Future Transport Strategy 2011-2026 Nov 2011
- Nexus 25 Local Development Order (LDO): scope and design of the Strategic Employment Site (SEP)

Extracts from the Policies appear in **Appendix 'A'**.

**1.3 It is recommended that planning permission be GRANTED subject to the imposition of the conditions in section 10 of this report and that authority to undertake any minor non-material editing which may be necessary to the wording of those conditions be delegated to the Service Manager - Planning Control, Enforcement & Compliance.**

## **2 Description of the Site**

2.1 The site is located at Junction 25 of the M5 and is shown on drawing no. MJ004045-PL-001 Location Plan.

2.2 The area covered by the scheme is approximately 21 hectares comprising the existing highway, part of the Taunton Gateway Park & Ride site and its approaches, landscaped areas, agricultural land and poultry sheds. A new bridge will be constructed over Black Brook to carry the new section of dual carriageway over the existing watercourse.

2.3 The M5 Motorway will not physically be affected by the proposed works save that the on-sliproads will be subject to new traffic signals apart from the access to and egress from the roundabout at the Blackbrook Business estate. The entry onto the roundabout at this location will be by way of gap creation when other signals are at red.

2.4 The A358 Toneway entry into the Junction 25 roundabout from Taunton will have an additional lane added, so too with an additional lane added off the roundabout into Taunton.

2.5 To the east of the M5, the A358 towards Ilminster will be reconfigured around its junction with Ruishton Lane.

2.6 Junction 25 and the A358 are situated in a low-lying area with several tributaries of the River Tone including the Broughton Brook and Henlade Stream as well as the Black Brook. Part of the site is within Flood Zone 1 and the remainder predominantly



located in Flood Zone 3; however, mitigation measures will be taken to ensure that any flood risks will be minimised. A full flood risk assessment has been carried out.

2.7 There are a number of Public Rights of Way (PROW's) which will be affected by the proposals and the appropriate measures will be taken to divert those sections affected.

2.8 The M5 main carriageway and on/off sliproads form part of the Strategic Road Network which is the responsibility of Highways England. The remaining highway within the scheme boundary is the responsibility of the Highway Authority (HA) which in this case is Somerset County Council (SCC).

### **3 Site History**

3.1 The application site (and other land) was the subject of an outline planning application to develop a new Taunton Livestock Market in 1989. Having had regard to development plan policies and legislative provisions at that time the application (ref: 4/31/89/025) was refused by Taunton Deane Borough Council in 1990 for reasons relating to (i) countryside policy, (ii) the impact of the development on the visual qualities and character of the area, and (iii) concerns about setting an undesirable precedent for further development in the area.

3.2 Various planning applications relating to the agricultural land and poultry farm have been submitted to and determined by Taunton Deane Borough Council, as Local Planning Authority, but are not now strictly relevant to the proposal now being considered.

### **4. The Proposal**

4.1 The current M5 Junction 25 is at capacity therefore the application seeks to enlarge, widen and reconfigure the junction to reduce congestion and cater for future growth. Without this work, the junction and sliproads off the M5 will become blocked and ultimately backed up along the M5 Motorway which is unacceptable and which could lead to dangerous conditions.

4.2 This scheme involves widening Toneway at its junction with the roundabout for a length of approx. 200m and construction of a new dual carriageway of 300m to the east to link with the Junction 25 roundabout, which will involve the construction of a new bridge over Black Brook.

4.3 There would also be construction of a new roundabout on the south western side of the Gateway Park and Ride site, reconfiguration of Ruishton Lane/A358 junction and construction of a new A358 westbound link to the new roundabout. Construction of this new road and roundabout on the southern side of Ruishton junction (south western side of the Park and Ride) will provide a new link road (dual carriageway) to Junction 25. This will also allow the existing A358 between Junction 25 and Ruishton Lane to become a one way eastbound route (providing a continuous two lane exit from the roundabout) with a dedicated bus lane westbound between the Park & Ride site and Junction 25.

4.4 The new link road to Junction 25 roundabout will pass over Black Brook and a new single span bridge will be constructed over the water course to carry the new road. The bridge deck will be constructed with precast concrete beams and details of the structure are contained in the:  
'Approval in Principal Document (MJ004045/WSPPB/70025259/SBR/01/AIP)'.

In-situ concrete abutments will be set back from the water course to ensure that there is no impact on the capacity of the watercourse. Aluminium parapets will be installed along the back of the footway / cycleway across the bridge.

- 4.5 Upgraded and improved pedestrian and cycling facilities are proposed, as well as a reconfiguration of exiting routes out of the park and ride site. The proposed works will necessitate the loss of 35 car parking spaces from the park and ride site so as to accommodate the new link road and associated internal alterations. This will not be an issue as the site is invariably never at capacity.
- 4.6 The proposal also includes LED street lighting columns and way-finding signs. All areas of carriageways and accesses will be surfaced with black asphalt surfacing. Pedestrian/cyclist facilities will be surfaced in red or black asphalt material with Tactile paving as appropriate. Post and wire fencing and hedgerows will provide the boundaries to the site.
- 4.7 A landscaping scheme forms an integral part of the proposals with particular attention being paid to those areas adjacent to residential property.
- 4.8 The roads will generally be constructed to give traffic lanes of 3m to 3.65m depending on the site requirement and location. Off-road footway/cycleways will generally be 3.0m wide. The verges are 0.5m at the back of cycleways and 2.0m wide adjacent to carriageways.
- 4.9 Road markings for drivers, pedestrians and cyclists will use reflective, materials. Traffic signs will be provided in accordance with the Traffic Signs Regulations and General Directions 2016.
- 4.10 Surface water run-off will be collected via highway gullies. Interceptors will be provided to ensure that no hydrocarbons (oil etc.) are permitted to enter the water course for ecological reasons. This surface water will then be discharged through a network of sub-surface pipes and manholes into attenuation systems, as necessary, to store and hold water before being released at a comparable discharge rate into existing watercourses.
- 4.11 In summary the scheme comprises:
- Increasing the capacity of Junction 25, by increasing the number of circulatory traffic lanes from 3 to 4 and 5 in some places, by widening the existing carriageway and verges;
  - Widening Toneway at its junction with Junction 25 roundabout to 4 lanes and signalling the Toneway approach to the roundabout;
  - Providing a direct access to Junction 25 for buses leaving the Taunton Gateway Park and Ride (P&R) site to improve journey time reliability;
  - Maintain direct vehicular access from Junction 25 to the P&R to encourage the use of public transport for travelling to Taunton town centre;
  - The provision of an arm at the new roundabout for the realigned A358 to facilitate access to any future development sites within the area to the south east of the J25 roundabout which has been the subject of the Local Development Order and Nexus 25 proposals;
  - Improve the existing footway/footpath and cycle links through the junction by providing signalised crossing points and making provision for pedestrian and cycle routes to

serve any future development site, as mentioned in the previous point; also ensuring that they are suitable for those with mobility impairment;

- Provision of directional and way-finding signs for motorist, cyclist and pedestrians;
- Diversion of some Public Rights of Ways, and provision of improved crossing points for pedestrians;
- Use of coloured surfacing materials to distinguish pedestrian routes, bus routes, cycle routes and vehicular routes;
- Provision of street lighting;
- Provision of a comprehensive landscaping scheme;
- Provision of attenuation systems to collect surface water and pollutants and after separation, gradually discharge to rivers and watercourses by way of Sustainable Urban Drainage Systems (SUDS);
- In general, this will be a signal controlled roundabout and on its approaches; apart from Blackbrook Business Park where vehicles will gain access onto the roundabout during gaps at red phases. This gap creation system will also allow busses to exit the park and Ride site. The traffic signals will be linked by the 'Microprocessor Optimised Vehicle Actuation' (MOVA) system which is a product developed to overcome some of the problems associated with traditional Vehicle Activated control. It is more responsive to traffic conditions and can lead to a significant increase in capacity at junctions.

## **5 The Application**

### **5.1 Documents submitted with the application:**

Submitted application plans:

- MJ004045-PL-001 Site Location Plan Rev A
- 002 Red and Blue line plan and Highway Boundary Rev C
- 003 Footways, Cycleways and Rights of Way Rev B
- 004 General Arrangement Overview Rev B
- 005 General Arrangement Sheet 1 of 3 Rev B
- 006 General Arrangement Sheet 2 of 3 Rev B
- 007 General Arrangement Sheet 3 of 3 Rev B
- 008 Contours Rev B
- 009 Longitudinal Sections MC40 & MC200 Rev B
- 010 Illustrative Cross Section at Location A-A
- 011 Illustrative Cross Section at Location B-B
- 012 Illustrative Cross Section at Location CC
- 013 Illustrative Cross Section at Location D-D
- 014 Illustrative Cross Section at Location E-E
- 015 Illustrative Cross Section at Location F-F
- 016 Street Lighting Sheet 1 of 3 Rev B
- 017 Street Lighting Sheet 2 of 3 Rev B
- 018 Street Lighting Sheet 3 of 3 Rev B
- 019 Traffic Signals Sheet 1 of 3 Rev B
- 020 Traffic Signals Sheet 2 of 3 Rev B
- 021 Traffic Signals Sheet 3 of 3 Rev B
- 022 Proposed Signs Overview Rev B

## 5.2 Submitted application documents:

- Planning Application Form dated 14 April 2017
- Planning Supporting Statement dated 14 April 2017
- Design and Access Statement dated 14 April 2017
- Traffic Forecasting Report dated July 2016
- Pier Impact Assessment - Safety Risk Assessment Report dated June 2017
- Flood Risk Assessment April 2107
- Archaeological Geophysical Survey and Desk-Based Assessment dated October 2015
- Archaeological Written Scheme of Investigation dated April 2017
- Geophysical Survey Summary dated March 2017
- Archaeological Monitoring and Recording Report dated April 2017
- Transport Assessment dated 30 July 2017
- Transport Assessment –Technical note – Supplementary Information about Taunton Saturn Model dated July 2017
- Road Safety Audit Report Stage 1 Feasibility Designers Response dated 28 December 2017
- Proposed Drainage Strategy dated 13 April 2017
- Noise Assessment dated April 2017
- Air Quality Assessment dated April 2017
- Landfill Statement dated 15 April 2017
- Water Framework Directive Assessment dated April 2017
- Biodiversity - Ecology dated 17 April 2017
- Detailed Arboricultural Report dated April 2017
- Landscape and Visual Impact Assessment dated April 2017
- Road Safety Audit Response Report dated 28 Dec 2017
- Walking, Cycling & Horse Riding Assessment & Review dated 30 July 2017
- Walking, Cycling & Horse Riding Assessment dated 22 Dec 2017
- Walking, Cycling & Horse Riding Review dated 31 Aug 2017

### Other submitted Documents:

First Ecology – Ecological Appraisal dated Nov 2017

Sustrans – Sustainable Transport Delivery Excellence Programme dated November 2016

J25 Consultation Report

EIA Screening Opinion

## 6 Environmental Impact Assessment (EIA)

- 6.1 An assessment of the proposed development in the context of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 has found that the proposal falls within Schedule 2, specifically 10(f) 'Construction of roads', that the proposal exceeds the applicable thresholds and criteria insofar that the area of the development exceeds 1 hectare; and 13(b) 'Changes and extensions'.
- 6.2 Given that the development exceeds the site size threshold, it is necessary to screen the proposal to determine whether or not the effects on the environment associated with the development are likely to be significant. The screening process determines whether or not the proposal represents EIA development, and therefore whether or not an Environmental Statement and EIA is required.
- 6.3 An Environmental Impact Assessment Screening Opinion has been undertaken and issued. The Environmental Impact Assessment Screening Opinion is a matter for the County Council as the Local Planning Authority to determine and is not something that

is publicly consulted upon. It is sent to the Borough Council to be placed on the Part 1 register and made available for public inspection for a period of two years. It has also been made available as a background document to this report.

- 6.4 The need for a contamination assessment report has been considered but it has been concluded that this was not required for this project.
- 6.5 The applicants have undertaken extensive Ground Investigations and these have not identified any issues of contamination on what is primarily a green field site. Incidentally, the applicant has had detailed discussions with the landowner on potential issues of contamination and the applicant has an agreement that a declaration will be included in the sales agreement that no asbestos containing materials, carcasses or other potential contaminants have been buried or discharged onto the land which is being acquired.
- 6.6 Geophysical Surveys of the site have been undertaken and these do not indicate any areas of disturbed subsoil which could be linked to burial pits etc., or any other contamination. This report was submitted in support of the planning application and been accepted.
- 6.7 In addition to the above, it is considered that the effects associated with the development will not be significant and can be avoided, managed or mitigated through the use of appropriate conditions.
- 6.8 Taking account of the above, and for the reasons discussed in this report, it is concluded that the proposed development is Schedule 2 development; However, the associated effects on the environment are not considered to be significant. Accordingly, the proposed development is not EIA development and an Environmental Statement is not therefore required. The more detailed reasons for this conclusion are set out in the screening opinion itself which is a background document to this report.
- 6.9 Detailed documents were submitted with the application on all environmental aspects; where further information or clarification was required by our own specialists' officers, these further details have been forthcoming. Detailed studies have therefore been carried out on all ecological matters that would normally be required to be submitted for an Environmental Assessment. This has enabled the Council to determine that an Environmental Assessment is not required in this instance.

## **7. Consultation Responses**

- 7.1 Below are precis of the external and internal consultees, together with comments and observations from the public, all in response to the publicity of this planning application. The full contents of the observations are attached as Appendix 'B'.

### **7.2 Precip of Observations from External Consultees:**

- 7.2.1 **Highways England:** Originally raised questions over the Transport Statement and Highways modelling, the scheme design and lack of reports. This resulted in Highways England issuing a holding objection which prevented the County Council as Local Planning Authority from granting planning permission should it have been minded to do so.

- 7.2.2 The outstanding issues have now been resolved and this has resulted in Highways England removing their recommendation of non-approval and now recommend that if planning permission is granted a number of conditions are added to the consent. These include:
- Generally in accordance with the approved plans
  - Submission of detailed design to include traffic signals and queue detection, Stage 2 Road Safety Audit and the scheme to be constructed in accordance with the approved scheme
  - Submission of Construction Management Plan
  - Submission of a Construction Environmental Management Plan
  - Submission of technical details relating to bringing the carriageway closer to the over-bridges
  - Submission of a Traffic Management Plan
- Additionally there are a number of Informatives to be added to any permission.
- 7.2.3 Highways England has responded separately to the Local Development Order in relation to the Strategic Employment Site at junction 25, following consultation from Taunton Deane Borough Council (TDBC). Highways England shall continue to work with TDBC and the promoters of the Nexus 25 development to ensure it is brought forward in a way that ensures the safe and efficient operation of the Strategic Route Network.7.3
- 7.3.1 **Taunton Dean Borough Council Support:** Provides access to the “Nexus 25” strategic employment site, which will play a significant part in the achievement of the Core Strategy’s Strategic Objectives, particularly Objective 2 (Economy).
- 7.3.2 Need for a biodiversity survey to establish if mitigation for the scheme is required, but understood that surveys were underway.
- 7.3.3 Accepts that a Landscape and Visual Impact Assessment undertaken and acknowledges that the area is dominated by the M5 with a low level of tranquillity existing; recommends more landscaping with a check on vegetation for birds and bats prior to construction. Primary impact on landscape during construction. Caution over signage as already high and could lead to clutter.
- 7.3.4 Negligible impacts on Noise and Air Quality, there could be a slight increase in noise levels at some properties (less than 3dB) although more properties would be affected with the new scheme. The likely impact would be negligible, therefore, mitigation is not deemed necessary; but need for good practice during construction phase. The operational assessment is based on predictions of traffic data and modelled particulate levels (PM10 and PM2.5) and nitrogen dioxide (NO2) and concludes that the impact on pollution levels would not be significant.
- 7.3.5 For the construction phase the potential impact from dust was assessed and it was concluded that there would be a low impact from the site. There could be emissions from construction vehicles entering the site, but this would be negligible when compared to the level of existing traffic on the road.
- 7.3.6 The noise and air quality reports appear to be thorough and in line with what would be expected. The proposed works are alterations to existing roads, with a new roundabout and roads on an area of open land. Most of the houses that have been included in the assessment are several hundred metres from the road. There are likely to be some increases in noise and pollutant levels (whether or not the works are carried out), but these are not likely to have a significant effect on nearby premises. There is a need for good practice during the construction phase.

- 7.4 **Ruishton & Thornfalcon Parish Council:** Strongly object, main purpose to open up Nexus25 and an employment site and not to improve junction 25.
- 7.4.1 Questions over the width of carriageways; proposals do not alleviate current traffic problems at the roundabout or through Henlade; waste of tax payers money; impact on the viability of the businesses; the bottleneck of Ilminster bound traffic where the 2 lanes merge into one has not been addressed; tailbacks into Taunton from Blackbrook; Nexus will encourage rat running.
- 7.4.2 Cyclists and Pedestrians: employment site will have no reasonable access by sustainable transport; proposed pathways and cycle path are dangerous; a large number of footpaths cross busy lanes with no or very small refuges between the lanes; the scheme should include a cycleway from Church Lane in Ruishton to the Hankridge Retail Park.
- 7.4.3 Flooding: concerned the adverse impact of building on a flood zone 3, no satisfactory hydraulic modelling carried out.
- 7.4.4 Health and wellbeing for residents: The Air Quality Assessment report has been evaluated using out of date figures of 2015 and not 2016.
- 7.4.5 Environment: Concerned that an Environmental Impact Assessment has not been undertaken which the public should be consulted on.
- 7.5 **Creech St Michael Parish Council:** Safety concerns in the village and plans are not joined up; understand need for all the improvements but do not believe that the J25 requires improvement to relieve the traffic pressure, and that it is just for the Nexus; supports the scheme, particularly as it provides 4 (rather than 3) lanes onto the roundabout from Taunton; taken together the schemes do not presently deal adequately with the Henlade traffic; needs of local people being able to get around after the new expressway is built are met.
- 7.6 **West Monkton Parish Council:** The application lacks joined up thinking with other road infrastructure projects; no information how it will link into the Creech Castle junction: increase rat running through Creech St Michael and Monkton Heathfield; no benefit for the local area and therefore the Parish Council does not support the Small Improvement Scheme in the way it is presented.
- 7.7 **Stoke St Mary Parish Council:** Proposals based on Nexus; nothing about the application will alleviate Taunton's ongoing traffic issues; no faith that cyclists and pedestrians will be catered for; environmental concerns regarding flooding and air pollution.
- 7.7.1 Comments upon supplied documents:  
Planning and Design and Access Statement, concerns over culverting Henlade Stream and impact on Lower Henlade; Drainage Strategy: Flooding issues will not be eased.
- 7.7.2 Traffic and Transport Assessments: Concern that traffic figures are inaccurate and need for HE to name their preferred route, this site should be deferred. No additional benefit for motorists, cyclists or pedestrians.
- 7.7.3 Air Quality: Grave concerns with the report which is too optimistic and misleading; no report indicating air quality post construction.
- 7.7.4 Noise: No comment.

- 7.7.5 Archaeological and geophysical: likelihood that archaeological artefacts may be discovered.
- 7.7.6 Arboricultural: tree removal to be carried out sensitively and replanting like for like.
- 7.7.7 Landscape & Visual Impact: work to be carried out sensitively.
- 7.7.8 Biodiversity- Ecology: investigations are carried out in accordance with Government guidelines.
- 7.7.9 Landfill: should be carried as ecologically prudent as possible.
- 7.7.10 Proposals should be put on hold. We consider that the Junction 25 traffic scheme needs completely remodelling to simplify traffic flow; Proposed Drainage Strategy for Planning Report that culverting Henlade stream maybe insufficient in extremely wet conditions. Criticism of SCC's delivery of road schemes.
- 7.8 **North Curry Parish Council:** Nexus 25 Site – Local Development Order. In May 2017, SCC as local highway authority submitted a planning application in respect of access to the site, appropriate changes to the road network around J.25 and other ancillary matters. TDBC has commented: "The current scheme to improve M5 Junction 25 will, amongst other things, provide access to the "Nexus 25" strategic employment site for Taunton proposed in adopted Taunton Deane Core Strategy policy SS8 ... Without the implementation of this Junction improvement scheme the Nexus 25 site cannot be developed. As is referred to in the previous paragraph, we have serious concern regarding access to the Nexus 25 site being provided solely from J.25, even if J.25 is improved.
- 7.9 **Environment Agency:** The Environment Agency has had direct discussions with the applicant (SCC) as part of a pre application agreement concerning a hydraulic model. The model was then used to assess the flood level for the site. We can now WITHDRAW our earlier objection, in principle to the proposed development, subject to the inclusion of a condition and informatives.
- 7.10 **Parrett Internal Drainage Board (Somerset):** The Scheme is just outside the Drainage Boards District; however, the water will discharge into it. The Board has no objections subject to a condition and an informative.
- 7.11 **Somerset Wildlife Trust:** The Trust have concerns regarding the opportunities for green infrastructure; Promoting Sustainable transport , the potential impacts on wildlife habitats and species, and healthy communities. SWT would like to see a scheme that simplifies and improves the sustainable travel routes included in the scheme; the provision of green corridors linking urban green spaces to the countryside; and an ecological impact assessment of the likely impacts on habitats and species with a strong proposal for mitigation, compensation and a net biodiversity gain.
- 7.12 **Natural England:** No Objection; the proposal will not have significant adverse impacts on designated sites or protected landscapes.
- 7.12.1 The proposed development will not have likely significant effects on European designated sites: Somerset Levels and Moors Special Protection Area and Ramsar site; Hestercombe House Special Area of Conservation; Quants Special Area of Conservation. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out. We note the distance of the proposed development from the European sites in question and the



following conclusion in the Biodiversity / Ecology Report “The studies undertaken to date have not identified any issues which cannot be mitigated with respect to biodiversity / ecology”, which may provide a suitable justification for that decision.

- 7.12.2 National designated sites: the proposed development will not damage or destroy the interest features of the Sites of Special Scientific Interest identified within 5km of the proposed development.
- 7.12.3 Protected Landscapes: Blackdown Hills AONB: We do not consider that the proposed development would compromise the purposes of designation or special qualities of the AONB.
- 7.12.4 We would advise that the proposal is determined in line with relevant NPPF and development plan policies, landscape and visual impacts are minimised as far as possible. Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.
- 7.13 **South West Heritage Trust:** The “Geophysical Survey Summary” had no reference to the large excavation of the prehistoric and Roman Settlement adjacent to the proposal. This information is crucial to interpret the geophysical survey and may indicate that some of the features in the North of the proposal area are associated with a villa or similar building. The Written Scheme of Investigation (WSI) for a trial trench evaluation has been submitted as part of the application. Full evaluation should be carried out prior to determination.
- 7.13.1 In order to accord with NPPF policy this application should not be determined until the evaluation has taken place and the results understood. This will enable a mitigation strategy to be formulated.
- 7.13.2 Further, the archaeological evaluation on the site has shown that there are areas of occupation therefore a condition should be attached to the permission requiring archaeological excavation.
- 7.14 **Sustrans:** We have no comment to make on the issue of capacity increase at J25, but we object to the proposed provision for walking and cycling. There is a modest amount of walking and cycling traffic through this junction at present, probably largely originating in Henlade and Ruishton, Taunton is readily accessible by cycle within a journey time of about 30 minutes. Our objection arises from the sub-standard provision for cycling and walking.
- 7.14.1 As it stands a cyclist travelling from Ruishton to Blackbrook would need to negotiate eight toucan crossings within about 600 metres, very significantly adding to journey time and actively discouraging active travel.
- 7.14.2 Separation of carriageway and cycle tracks by a 'desirable minimum' one metre wide verge for safety and comfort; Cycle track width of desirable minimum 4.0m, this assumes separate pedestrian facilities. We urge that the current proposal is withdrawn. SCC is in possession of our recent options report for this crossing which includes proposals for a grade separated crossing.
- 7.15 **Taunton Area Cycling Campaign:** Objects to the scheme; creates a lengthy and convoluted route from both directions, requiring 7 road crossings and may result in additional risk-taking by frustrated cyclists; is in conflict with the Interim Advice Note 195 from Highways England which gives much greater emphasis on grade separation.

- 7.15.1 Adapting the existing culvert under the motorway (subject to flooding concerns) or creating a landmark cycling & walking bridge over the motorway.
- 7.15.2 NPPF paragraphs cited. The proposed scheme's cycling provision looks like an afterthought; Construction phase - We would like assurances that cyclists will be considered during the construction phase of any scheme and not put into danger by the works.
- 7.15.3 Overall we are concerned that the proposed junction scheme will have a very negative effect on cycling and walking at this key junction.
- 7.16 **Campaign for Better Transport:** Objection; Contrary to National Policies; Poor quality provision for vulnerable road users, particularly pedestrians and cyclists. There are a high number of crossings and will entail pedestrians and cyclists being kept waiting for long periods, some of which are not signalised; Contrary to NPPF; Undermines DfT Walking & Cycling Investment Strategy; SCC has not recognised the importance of walking and cycling; the application should be refused or deferred;
- 7.16.1 We believe that the planning application as submitted will provide sub-standard facilities that are so bad as to deter all but the most hardy or desperate pedestrians and cyclists.
- 7.17 **Avon & Somerset Police:** There are almost 13 offences per month, 3 per week, which is considered to be 'average' crime levels in the surrounding area. Surface changes in colours and materials should assist in improving personal safety for users; Street Lighting - the provision of street lighting will improve safety and security; Landscaping and Planting - must avoid the creation of potential hiding places. CCTV – I am not aware of any public CCTV coverage in this area and the provision of such CCTV monitoring should be considered for safety and security reasons.
- 7.2 **Precis of Observations from Internal Consultees:**
- 7.21 **Somerset County Council as Lead Local Flood Authority (LLFA):** Increase in surface water runoff, has the potential to increase flood if not adequately controlled; details of drainage designs not submitted. The LLFA has no objection to the proposed development, as submitted, subject to drainage conditions being applied.
- 7.22 **Somerset County Council - Ecological Advisor:** There is a lack of hedgerow planting and no blackthorn is provided in the species mixes which is the food plant of the brown hairstreak butterfly.
- 7.22.1 Habitats: The site consists of seventeen different habitats; rich grassland is proposed for the field to the west of the eastern roundabout which could be counterproductive if it is going to be lost to development; the western fields, south of the link to the J25 roundabout is to be returned to agriculture, it would need to be managed following construction and for the duration of the development.
- 7.22.2 Bats: A diversity of bat species were recorded; Most foraging activity was recorded along the Henlade and Blackbrook watercourse south of the park and ride site and the M5 junction roundabout which would be affected by construction work. The Henlade Stream would be lost through the development, but given the species affected; it is considered that there is unlikely to be an adverse effect on these species.
- 7.22.3 Hazel Dormouse: No hazel dormice were found but in 2015 dormice were present along the Black Brook, results indicate that scrub habitat southeast of the J25 roundabout on the south side of the Black Brook could potentially support hazel dormice, a European protected species. Given the density at which dormice occur,

and that there would be no impact on the Favourable Conservation Status of the local population, any impacts on individual dormice could be mitigated under non-licensed reasonable avoidance measures.

- 7.22.4 Water Vole: Evidence found water vole use of Black Brook in close proximity to the proposed location of the new road bridge. As water vole colonies are dynamic it is possible that further activity could occur between these points prior to construction commencing.
- 7.22.5 Birds: A total of 29 bird species were recorded, 16 were observed showing breeding behaviour. None of the breeding birds were schedule 1 listed. One breeding species, the song thrush is listed on s41 of the Natural Environment and Rural Communities Act 2006, it was recorded as breeding along the south western edge of the park and ride site and along Black Brook. However, this habitat would be retained within the scheme; any vegetation removal and demolition of buildings would need to avoid the bird nesting season.
- 7.22.6 Reptiles: A small population of slow worms was recorded on the south eastern area of the J25 roundabout and a small population of grass snakes were recorded on the opposite bank of the Black Brook in the same area. It is proposed that in order to avoid harm that individuals are trapped and translocated to the adjacent strip of scrub and scattered tree habitat between the Black Brook and the M5.
- 7.22.7 The overall effect for the timing constraints for dormice, water voles, and reptiles will mean that a programme of works for the Black Brook Bridge and roads in vicinity of the watercourse will need to be observed.
- 7.22.8 The planting schedule may have to be modified if hazel dormouse is found on the site. Question over bat activity on site and the structural requirements needed to maintain these populations. Depending on its management the area of species rich grassland is welcomed.
- 7.22.9 The survey carried out by First Ecology in November 2017 found brown hairstreak eggs in the hedgerows; these will be retained and protected as per the findings of the detailed arboricultural report and will preserve the majority of identified brown hairstreak habitat within the site. A third location, adjacent to the Park and Ride car park, where one brown hairstreak egg was found, is scheduled for removal; therefore blackthorn should be incorporated within the new proposed soft landscaping adjacent to the Park and Ride area.
- 7.22.10 The ecologist recommends a number of corresponding and related conditions.
- 7.23 **Somerset County Council – Acoustic Specialist:** the proposed development would not give rise to noise and vibration impacts that were sufficient to justify planning objection or specific conditioning other than mitigation for noisy construction activities during night-time hours.
- 7.23.1 A number of points may require further clarification: consideration regarding: what aspects of noise modelling may have been considered to have noise mitigating features in the development; the function of noise monitoring results and their relationship, if any to noise modelling; predicted noise contours for the scheme at opening and at 2033; the method employed for the consideration and representation of vibration impacts; the consequence of the scheme on SCC actions required under Noise Action Planning.
- 7.23.2 The proposed development would not appear to give rise to noise and vibration impacts that were sufficient to justify planning objection as the changes in noise

impact as modelled are small and this would appear a reasonable expectation when considered in the presence of considerable existing traffic noise from the M5 and A358.

- 7.23.3 No specific conditions regarding further noise mitigation are required but it remains unclear what mitigating aspects of the development have featured in the noise modelling. This uncertainty would make it difficult to assess the consequence any design changes should they occur.
- 7.23.4 The implication of the scheme on the SCC Noise Action Plan is not detailed. It is possible that this development will have a consequence at nearby NIAs and that this may then have cost implication to SCC when required to reduce noise.
- 7.24 **Somerset County Council – Highway Authority:** the proposal is considered to be acceptable in terms of design and layouts. This improvement is considered beneficial to the highway network and acceptable to the Highway Authority.
- 7.24.1 The Highway Authority has reviewed the proposal and concludes the overall benefits to safety and capacity, is considered an improvement on the existing and forecasted situation and therefore recommends approval. The new roundabout would also have the ability to provide future access to the proposed employment site (LDO) and could potentially provide an arm for a future Henlade bypass.
- 7.24.2 Therefore taking into account the above information the Highway Authority raises no objections but would recommend a condition.
- 7.25 **Somerset County Council – Public Rights of Way:** There are public rights of way (PROW) recorded on the Definitive Map that run through the site.
- 7.25.1 Proposed works must not encroach on to the current available width of the footpaths.
- T 32/4A Path may need to be stopped up/diverted; safe crossing point over the A358 may need to be defined if there is evidence that this path is well used.
- T 26/4 A diversion will need to be applied to bring it onto the proposed line. Gradient of slope needs to be a 1:12 or less and surfacing required. The crossing point for the public needs to be assessed for safety; PROW directional signage required.
- T 26/4 The safety of the public using the diverted path needs to be assessed during flood conditions as part of the flood compensation scheme. Our preference is to not have the footpath enclosed by fencing unless absolutely necessary and its maintenance responsibility needs to be determined and not rest with the Rights of Way Service.
- T 26/12 The gradient of the slope up to the new road junction needs to be 1:12 or less. It is not clear whether this has been taken into account in the 'Footways, Cycleways and Rights of Way' plan. It is suggested that some tie-in surfacing would be appropriate. A diversion will be needed. PROW directional signage required.
- T 26/12 The crossing point for the public needs to be assessed for safety at the new roundabout; diversion Required.
- 7.25.2 The current proposal will obstruct the footpaths T26/4 and T 26/12. The proposal either needs to be revised to prevent any obstruction or a diversion order applied for.
- 7.25.3 The Rights of Way Service do not object to the proposal subject to the applicant being informed that the grant of planning permission does not entitle them to obstruct a public right of way.

- 7.25.4 The Rights of Way Service request improved surfacing of the existing rights of way where there is tie in with the new road and footway/cycleway network.
- 7.25.5 The health and safety of the public must be taken into consideration during works to carry out the proposed development.
- 7.26 **Precis of Observations from Public comments submitted:**
- 7.26.1 The application was advertised in accordance with Statutory Procedures. Six letters of objection have been received and one letter in support.
- 7.26.2 Objections to the proposals; Harm to the on-going operation of the Toby Carvery Restaurant and lack of due consideration for impact on businesses and alternative options; would result in significantly fewer vehicles passing by the site due to the redirection of westbound traffic around the west of the Park and Ride; significant drop in turnover as a result of the one-way highway being introduced on the A358. The introduction of a footpath along the north of the A358 extending to the premises will be supported. The proposal will have a significant negative impact on business. As a result, there is an anticipated need to reduce the number of employees. Due consideration should be given to alternative options.
- 7.26.3 This scheme is not focused on improving J25, it is a scheme whose main focus is opening up an employment site at a cut price to any future developer. Development contrary to Local Plan Policy S5. No reasonable access by sustainable transport from Taunton and is therefore contrary to the principles of sustainable development. The proposed scheme's cycling provision looks like an afterthought. Scheme provides no benefit to the local community. Traffic modelling information is needed to assess this more thoroughly prior to planning being granted. The bottleneck of Ilminster bound traffic caused where the 2 lanes merge into one has not been addressed. The additional small length of additional carriageway leading into Taunton from the Blackbrook turning will have the same effect causing traffic to back up. The extra sets of traffic lights will add to tailbacks through Henlade. Concern about the proposed width of carriageways on the roundabout. No screening for Environmental Impact Assessment which the public are consulted on. Potential impact on increased levels of pollution, traffic and areas subject to flooding. Not desirable or indeed beneficial to progress this scheme in isolation.
- 7.26.4 If the new route is designed to be an "expressway" then the project could be deemed to be a failure if it does not encourage drivers to use it. Traffic lights at Henlade crossroads -this will act as a deterrent by its slowing traffic up and would have the effect of giving an easier route for traffic from Monkton Heathfield and Creech St Michael to the A358/M5 rather than the existing route which is too narrow to accommodate the ever increasing vehicle numbers using this route and will make Ruishton Lane safer for pedestrians and cyclists. Highways England, Somerset County Council and Taunton Deane Borough Council have not been communicating when they should really be working in partnership.
- 7.26.5 The scheme fails to consider the adverse impact on local businesses, the Toby Carvery Restaurant the chicken farm and Woodlands Castle. No satisfactory hydraulic modelling carried out or any modelling for the impact on settlements downstream. Providing a 4th lane on the roundabout at J25 will do nothing to alleviate the current traffic problems. Poor provision of pedestrian and cycle access to Taunton is appalling. Far too many light controlled crossing make it a tortuous route for these users.

- 7.26.6 The proposed alterations to Junction 25 will result in an ugly and inefficient complex of roads and park and ride facilities which citizens will be seeking to navigate safely in vehicles, on foot, bicycle, mobility scooters, with buggies and children going to school and college. Could easily be branded as a "dogs-breakfast" of a proposal. No demand for the eastward link from the motorway. Does little but shift the congestion problem further down the A358 in both directions. Improvements to this junction are necessary but this short-term, inadequate proposal will postpone the day that a long-term solution is agreed. A comprehensive strategic review of transport and development for this gateway to Taunton is needed. What is not required is this wholly inadequate proposal.
- 7.26.7 The Air Quality Assessment report has not used the most up to date information. The proposed layout around J25 with all the extra traffic lights will not encourage anyone to cycle into Taunton or any who use wheelchairs. There are a large number of footpaths; if we are to encourage people to live a healthy lifestyle this development with footpaths crossing busy roads and no or very small refuge in the roads will not help.
- 7.26.8 In support of the scheme; it is essential that this scheme goes ahead to increase capacity of the junction; the new employment site will be of a major importance in the future economy of Taunton. When Creech Castle junction has been completed, traffic flows from Toneway will improve and make 'rat running' less attractive.

## **8 Comments of the Service Manager – Planning Control, Enforcement & Compliance**

- 8.1 The key issues for members to consider are:
- 8.1.1 Principle of development:  
Sustainable development:  
Impact on the landscape character and visual amenity:  
Flood Risk and the Water Environment:  
Impact on the highway network:  
Impact on Ecology:  
Impact on amenity – Lighting, Noise, Air Quality and Dust:  
Impact of the development on Crime and Disorder,  
and whether the development is in accordance with the following Development Plan documents:-
- 8.1.2 Development Plan Documents:
- Taunton Deane Borough Council Adopted Core Strategy (2011-2028)
  - Taunton Deane Borough Council Site Allocations and Development Management Plan (SADMP) 2016
- 8.1.3 and relevant material considerations, including:
- National Planning Policy Framework (NPPF)(2012)
  - Planning Practice Guidance - various categories
  - South West Strategic Economic Plan (SEP) 2014-2030 Heart of the South West
  - The Somerset Growth Plan 2017-2030 dated June 2017
  - Somerset's Future Transport Plan 2011-2026
  - Bridgwater, Taunton and Wellington Future Transport Strategy 2011-2026 Nov 2011

- Nexus 25 Local Development Order (LDO): scope and design of the Strategic Employment Site (SEP)

8.2 Regard is to be had to the Development Plan for the purpose of the determination of this planning application, which must be made in accordance with the Plan unless material considerations indicate otherwise. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 this decision has been taken with due regard to the Development Plan unless material considerations indicate otherwise. The decision has been taken having regard to the policies and proposals in the Development Plan for the area:

- Taunton Deane Core Strategy (2011-2028)
- TDBC SADMP

8.2.1 **Taunton Deane Core Strategy (2011-2028):** This Core Strategy for Taunton Deane was adopted in 2012 and provides for the delivery of 13,000 new homes and 9000 new jobs by 2028 as defined in policies CP2 and CP4. Policy SS8 sets out the need for a Strategic Employment site, however its precise location is not included in the Core Strategy. Since its adoption, the area around Junction 25 has been identified for the Strategic Employment Site. The proposed road scheme would facilitate the delivery of the Strategic Employment site as well as deliver much needed junction capacity improvements to address existing and future travel demand, irrespective of the much needed employment site.

8.2.2 **The SADMP (2016):** This plan does not specifically allocate the Strategic Employment site, however it does indicate in accordance with the Core strategy Policy SS8 the need for a second strategic employment site Paragraph 2.2.46 in the SADMP indicates the identification of land around J25 of the M5 as the preferred option and the site most closely aligned to the criteria in policy SS8. Paragraph 2.2.47 indicates the proposal to prepare a 'single issue' plan to allocate the employment site as soon as the Highways Agency can assess the proposed highway impact of the proposal alongside the anticipated changes to the wider strategic network. This application for the new road scheme is part of the anticipated changes.

8.2.3 Within the SADMP the following Development Management policies relate to this road scheme proposal:-

- Policy A3: Cycle network
- Policy ENV1: protection of trees, woodland, orchards and hedgerows
- Policy ENV 5 : development in the vicinity of Rivers and canals
- Policy D2: Approach Routes to Taunton and Wellington
- Policy D9: A coordinated approach to development and Highway planning

8.3 **Other material conditions:**

8.3.1 **National Planning Policy Framework (NPPF)(2012)**  
All those Policies and paragraphs as set out in Appendix "A"

8.3.2 The scheme is in accordance with the NPPF 'Promoting Sustainable Development'; specifically paragraphs 29, 30 and 35:

Paragraph 29 - Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives; giving people a real choice about how they travel.

Paragraph 30 - Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.

Paragraph 35 - Development should be located and designed where practical to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; and create safe and secure layout which minimise conflicts between traffic and cyclists or pedestrians, and consider the needs of people with disabilities by all modes of transport.

8.3.3 Whist some objectors have queried the proposals for a lack of sustainability, the scheme has designed and proposed a safer route for pedestrians and cyclists and taken into account the needs of people with disabilities by introducing signalized crossing points throughout the scheme.

## 8.4 **Planning Practice Guidance**

8.4.1 There are 18 categories of guidance which have been taken into consideration in the preparation of this application and in the assessment of it in formulating this report. These relate to:

- Air quality
- Climate change
- Conserving and enhancing the historic environment
- Consultation and pre-decision matters
- Determining a planning application
- Environmental Impact Assessment
- Flood risk and coastal change
- Land affected by contamination
- Local Plans
- Natural environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Strategic environmental assessment and sustainability appraisal
- Transport evidence bases in plan making and decision taking
- Travel Plans, Transport Assessments and Statements
- Use of planning conditions
- Water supply, wastewater and water quality
- Sustainable drainage systems

8.4.2 This guidance has been used to inform this planning report and relevant sections of the following material consideration documents provide weight in support of this report's recommendation.

8.5 **The South West Strategic Economic Plan (SEP (2014-2030))** In their Part 2: 'Understanding our Growth Potential' focusing on Transport under the section 'Roads', it recognises that Junctions along the M5 motorway are at or reaching capacity and therefore new development close to these junctions cannot take place without associated infrastructure improvements.



## 8.6 The Somerset Growth Plan 2017-2030

### 8.6.1 Objectives of the plan include:

12. Strategic connectivity into Somerset, including roads

14. Ensure a sufficient supply of viable and deliverable sites allocated for development

17. Increased flood resilience will improve the resilience of Somerset's transport infrastructure, and will enable previously marginal sites to be fully developed for employment

### 8.6.2 1.1 Purpose of the Growth Plan

The purpose of the Plan is to attract and guide investment, to overcome barriers.

The Growth Plan will inform and be informed by the Heart of the South West productivity plan; it will be used to prioritise strategic economic development activity in Somerset.

### 8.6.3 2.5.3 Infrastructure

There is relatively good strategic connectivity into the County, but there is potential for improvement. Motorway and mainline rail links to major destinations exist, but suffer reliability issues which need to be addressed. This is particularly important in light of the value of the M5 corridor to the region's economy.

### 8.6.4 Infrastructure to support productivity and innovation

12. Strategic connectivity into Somerset, including roads.

### 8.6.5 Infrastructure

4.6 Improved connectivity to and within Somerset by roads.

### 8.6.6 4.6.1 Vision

By 2030 strategic access into Somerset will be reliable via the M5, A303 and the main rail line. Journey times to major destinations (e.g. London, Bristol and Exeter) will be quicker than in 2017, with more frequent, reliable and faster rail services to London. Road and rail access across and within Somerset will be quicker and more reliable than in 2017.

### 8.6.7 4.6.3 Performance indicators

M5 corridor improvements including J25.

4.8 A strong supply of suitable employment property.

### 8.6.8 4.8.1 Vision

By 2030 Somerset will have a good market supply of employment sites. The Local Plans will ensure that there is a sufficient supply of viable and deliverable sites. Somerset will have a network of innovation centres, which provide accommodation and support to businesses in the county's most competitive target business areas (which may be sectors or technologies).

- 4.11 Improved coastal and fluvial flood resilience
- 4.11.3 Performance indicators

Delivery of flood resilience schemes.

Area of land now able to be developed for employment and/or housing.

Improving flood resilience in the county will help to improve the reliability of transport connections, e.g. the town centre of Taunton. Improved flood resilience may also enable development to take place on sites that have previously been considered too high a flood risk. This could increase the amount of land available for employment.

- 8.7 **Somerset's Future Transport Plan 2011-2026**
- 8.7.1 POS 1 Community and Partnership involvement  
We will help our communities to help themselves. We will help them to make improvements to transport and deliver improvements in partnership with other organisations.
- 8.7.2 SUS 4 Cycling  
We will encourage people to cycle more by helping them to make smarter travel choices. We will support the provision of appropriate and well connected cycling facilities.
- 8.7.3 SUS 5 Walking  
We will help people make more trips on foot and help people see the benefits of walking.
- 8.7.4 SUS 6 Rights of Way  
We will work to maintain our Rights of Way network and improve the information available to help people use them.
- 8.7.5 SUS 9 Noise  
We will manage the effect of transport-related noise on our communities
- 8.7.6 SUS 10 Landscapes and Biodiversity  
We will protect Somerset's landscapes and biodiversity by working to minimise the effect transport schemes have on them.
- 8.7.7 ECN 1 Car and Taxi  
We will work to better manage the traffic on the roads and improve the most congested junctions and routes.
- 8.7.8 ECN 2 Sustainable Development  
We will work with developers to ensure they take into account the way people travel.
- 8.7.9 HLT 1 Stay Active  
We will help people be more active by giving them more opportunities to travel in a healthy way, such as by walking or cycling.
- 8.7.10 HLT 3 Air Quality  
We will work to minimise the effect any changes to Somerset's transport systems have on air pollution.
- 8.8 **Bridgwater, Taunton and Wellington Future Transport Strategy 2011-2026 Nov 2011**
- This is a material policy consideration which sets out SCC's transport policy for the period between 2011 and 2026.
- 8.8.1 The Strategy's key objectives are:  
Supporting the Economy -  
Reduce use of the strategic network for local trips; reduce car use for short distance journeys; increase flood resilience; reduce rate of growth in journey times; and improve journey time reliability.
- 8.8.2 Strengthening Communities -  
Improve accessibility to public transport and walking and cycling opportunities;

- 8.8.3 Protecting the Environment -  
Reduce rate of growth of greenhouse gas emissions; reduce rate of growth of noise; reduce levels of NOX and particulates; increase species and habitat diversity; protect archaeological and historic heritage; and improve visual appearance of streetscapes
- 8.8.4 Making Travel Safer –  
Reduce total number of casualties; reduce child casualties; reduce cycling, pedestrian, motorcycle and public transport casualties;  
A number of the proposals within this document relating to Taunton have already been carried out as part of the Park and ride site.
- 8.9 **Nexus 25 Local Development Order:**  
  
Taunton Deane Borough Council at their Full Council meeting on 12 December 2017 resolved to delegate the decision to adopt the Nexus 25 Local Development Order to the Assistant Director Planning and Environment conditional on planning permission being granted for the M5 J25 junction improvement (*this application*).  
The Local Development Order had a consultation period between 1 and 31 March 2017.
- 8.10 A large number of consultees have wrongly assumed that the application now being considered is being promulgated purely to provide the access to the Nexus 25 development site. This is not the case. There would be justifiable criticism if this scheme purely constructed the new roundabout which is necessary irrespective of the Nexus 25 proposal, without providing the small section of infrastructure to link into a known development proposal. This approach is widespread and commonplace when serving new communities and where future development is clearly planned; for example parts of the diverted A38 at Monkton Heathfield and the Colley Lane Southern Access Road on the southern edge of Bridgwater.
- 8.11 Criticism has also been levelled by some that the proposals are disjointed from other proposals and policies and that there is “*no joined-up thinking*”. This is not correct, as all parties have been working together and there is a Memo of Understanding between TDBC, SCC, Highways England, Environment Agency, Summerfield Developments SW (Ltd) and Heart of the South West Local Enterprise Partnership; which commits the signatories to use best efforts to progress the developments in this location.
- 8.12 The scheme designers have undertaken some further interrogation of the Traffic Model and have set out below some summary figures:
- 8.12.1 The additional distance introduced by the scheme for west bound traffic is approximately 300 metres. This would equate to about half a minute of additional journey time based on an average speed of 30 mph, however with the new signalised junctions it would be safe to assume an additional 1 minute journey time for west bound traffic.
- 8.12.2 However the scheme is predicted to reduce traffic congestion at peak times and therefore the additional journey time incurred by west bound traffic would most likely be outweighed by savings in the time to travel through the new traffic light controlled junction using the new longer route.
- 8.12.3 For a westbound route between Henlade Crossroads and Heron Gate Roundabout the traffic model predicts, at opening, an overall journey time

saving due to the scheme of between 7 and 10 minutes during the morning peak hour and 3 – 6 minutes during the evening peak hour (inclusive of the additional time travel via the new road).

### 8.13 **The Principle of Development:**

- 8.13.1 This policy section is led by **Strategic Objective 7** – Infrastructure - of TDBC Core Strategy to ensure that development provides or contributes to the on- and off-site infrastructure that is necessary for the development to proceed and to mitigate impact on existing communities and the environment.
- 8.13.2 Equally **Policy CP 7** – Infrastructure - requires that infrastructure is in place at the right time to meet the needs of Taunton Deane and to support the growth set out in the Core Strategy. Infrastructure supporting sustainable development measures that facilitate economic development.
- 8.13.3 **Policy CP 6** follows on -Transport and Accessibility - states that development should contribute to reducing the need to travel, improve accessibility to jobs is consistent with the principle of the management of the strategic road network; improves road safety, and encourages travel by sustainable modes; capacity enhancements are still likely to be required at M5 Junction 25 or else this may act as a constraint on the long term growth for Taunton.
- 8.13.4 **Strategic Objective 6** – Accessibility - To improve accessibility to achieve a major change in travel behaviour towards walking, cycling and public transport.
- 8.13.5 This development is a stand-alone proposal primarily to increase the capacity of the Junction 25 roundabout on the M5 motorway, by widening lanes on to the existing roundabout and adding lanes to the approaches to and from the existing roundabout. In addition, the roundabout will be signalised with linked traffic signals. A further advantage in having the arms signalised will be to improve controlled crossing facilities for pedestrians and cyclists and the mobility impaired.
- 8.13.6 **Policy DM 2** - Development in the Countryside - Outside of defined settlement limits the following uses, amongst others, will be supported:  
Development for essential utilities infrastructure but must be compliant with the Habitats Regulations 2010 and any subsequent amendment; - be near a public road and existing services; - be of a scale, design and layout compatible with the rural character of the area; - not harm the residential amenity of neighbouring properties, landscape and ecology of the local area or highway safety, and adequate arrangements can be made for the provision of services.
- 8.13.7 **Policy SP 1** - Sustainable development locations – Which prioritise the most accessible and sustainable locations to promote principles of sustainable development by: minimising and/or mitigating pressures on the natural and historic environment. The Taunton urban area will remain the strategic focus for growth within Taunton Deane Borough and the wider sub-region and be the focal point for new development.
- 8.13.8 An indirect benefit arising from this proposal would be to provide a link into the development site now known as Nexus 25 which is the subject of a resolution to adopt a Local Development Order for its development by Taunton Deane Borough Council. This development site would help deliver a new strategic

employment site under **Policy SS8** of the adopted Taunton Deane Core Strategy.

**Policy SS 8** - Taunton – Broad location for strategic employment – is intended to meet the identified qualitative need for a second strategic employment site. This Policy is further strengthened by **Policy CP 2** - Economy – which is intended to meet the economic forecast for the growth of around 11,900 net additional jobs in Taunton Deane over the plan period.

8.13.9 Highways England is an integral part of these proposals and without their approval to the proposals, the scheme could not proceed. Their duty is to ensure the smooth running of the Strategic Road Network and ensure that any development proposals do not have any adverse impact on the capacity of the network and its junctions. Of particular concern are junctions that are at or nearing capacity where there could be an impact if vehicles were to back up onto the main carriageway route. Again **Policies CP 6** Transport and Accessibility and **CP 7** Infrastructure, as mentioned previously, are relevant to the involvement and support of Highways England.

8.13.10 The improvements which are being promoted as part of these proposals include the placement of traffic signals on the junctions at the roundabout at Junction 25. These signals will be managed through the MOVA system 'Microprocessor Optimised Vehicle Actuation' so that they are interlinked; this will ensure that there is no unwarranted impact on the main M5 motorway and approach arms are managed to work efficiently.

8.13.11 The applicant submitted reports and assessments in support of the proposed scheme and Highways England have required clarification on a number of issues including:

- The Transport Assessment
- The Highway Modelling – both in LINSIG and SATURN
- The scheme design and its compliance against standards
- The lack of a Stage 1 Road Safety Audit, WCHAR Assessment, and GD04/12 Risk Assessment.

These were initially reviewed by Highways England shortly after the submission of the application in summer 2017.

8.13.12 Highways England reviewed this information and this resulted in the receipt of a holding objection to enable the applicant to revise the information provided to resolve the concerns before any planning permission could be granted.

8.13.13 Following the receipt of Highways England's holding objection, the applicant and their consultants WSP have held extensive discussions with Highways England and their consultants CH2M.

8.13.14 Further details of the Walking, Cycling and Horseriding (WCHAR) Assessment and Road Safety Audit were amended and resubmitted to Highways England for final approval which has now been received. Consequently, Highways England has lifted its holding objection and are recommending that conditions should be attached to any planning permission that may be granted.

8.14 **In conclusion for the Principle of Development:**

8.14.1 **Strategic Objective 7** – Infrastructure – Provision of access to the development and to mitigate impact on the community.

*This is met by the design of the scheme and the methods by which the community is shielded by the proposed and enhanced landscaping scheme.*

- 8.14.2 **Policy CP 7** – Infrastructure - supporting sustainable development that facilitates economic development.  
*The proposal will make provision for the safe movement of pedestrians and cyclists through the development and provide access for future development.*
- 8.14.3 **Policy CP 6** -Transport and Accessibility - improve accessibility to jobs and management of the strategic road network; improves road safety, and encourages travel by sustainable modes.  
*The development will meet these aims and increase capacity on the roundabout.*
- 8.14.4 **Strategic Objective 6** – Accessibility - To improve accessibility to achieve a major change in travel behaviour towards walking, cycling and public transport.  
*Safer pedestrian and cycle routes are proposed and increased efficiency of the Park and Ride service by direct access to the roundabout.*
- 8.14.5 **Policy DM 1** – General requirements - Proposals for development, taking account of any mitigation measures proposed, will be required to meet the following criteria, in addition to any other Development Management policies which apply: efficient use of land, preference for previously developed land where in a sustainable location, with the higher densities in centres and on public transport routes; additional road traffic arising, taking account of road improvements involved; not lead to harm to protected wildlife species or their habitats; appearance and character of any affected landscape, settlement, building or street scene would not be unacceptably harmed. Potential air pollution, water pollution, noise, dust, lighting, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not unacceptably harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment; the health, safety or amenity of any users of the development will not be unacceptably harmed by any pollution or nuisance. Outside of defined settlement limits the following uses will be supported: edited: Development for essential utilities infrastructure.  
Subject to the above criteria all must:  
- be compliant with the Habitats Regulations 2010 and any subsequent amendment;  
- not harm the residential amenity of neighbouring properties, landscape and ecology of the local area or highway safety.  
*The requirements imposed by this Policy will be generally met and where this is not possible, mitigation measures will be recommended to ensure compliance with the Policy. A part of the application site has already been used and is therefore brownfield land; the site is sustainable due to its location adjacent to the M5 motorway and primary traffic routes through to Ilminster, Yeovil and Taunton. Full and comprehensive surveys have been undertaken and submitted with the application and mitigation measures will be undertaken to ensure no unacceptable harm occurs to the public and ecology including any protected species.*
- 8.14.6 **Policy DM 2** - Development in the Countryside - will be supported: Development for essential utilities infrastructure but must be compliant with the Habitats Regulations 2010 not harm the residential amenity of neighbouring properties, landscape and ecology of the local area or highway safety.

*The proposed development is essential to provide for the necessary capacity improvements through Junction 25 and secure the safety of the Motorway junction. Ecological mitigation will be provided for and secured through the recommended conditions.*

- 8.14.7 **Policy SP 1** - Sustainable development locations –prioritises the most accessible and sustainable locations by minimising and/or mitigating pressures on the natural and historic environment.  
*The proposal is located at a motorway junction into a major economic centre for the region and makes provision for future development, having regard to mitigating habitats and possible archaeological remains.*
- 8.14.8 **Policy SS8** - - Taunton – Broad location for strategic employment need for a second strategic employment site.  
*The proposed development will provide for an access into any future employment site – which is considered to be good forward planning.*
- 8.14.9 **Policy CP 2** - Economy – which is intended to meet the economic forecast for growth.  
*The junction capacity improvements and access to future employment sites will assist in delivering the infrastructure to meet this policy.*
- 8.14.10 **Policies CP 6** Transport and Accessibility - relevant to the involvement and support of Highways England.  
*Highways England are supporting this proposal in terms of design assistance and scrutiny and financially in view of the acknowledged junction running at or near capacity and will not be able to cater for future growth unless works are undertaken to meet these needs.*

These Development Plan policies represent the reasoning behind and justification for the location of this proposal and the benefits for any subsequent future development which may be gained from it.

- 8.15 **Does the proposal represent sustainable development?**
- 8.15.1 **Policy SD 1** - Sustainable development – There is a presumption in favour of development that improves the economic, social and environmental conditions in the area contained in the NPPF.
- 8.15.2 **Policy SB1** - (SADMP) - Settlement Boundaries - In order to maintain the quality of the rural environment and ensure a sustainable approach to development, proposals outside of the boundaries of settlements identified in Core Strategy policy SP1 (Sustainable locations) will be treated as being within open countryside and assessed against Core Strategy policies CP1 (Climate Change), CP8 (Environment) and DM2 (Development in the Countryside) unless: it accords with a specific development plan policy or proposal; or is necessary to meet a requirement of environmental or other legislation; and in all cases, is designed and sited to minimise landscape and other impacts.
- 8.15.3 **Policy SP 1**- Sustainable development locations -Prioritising the most accessible and sustainable locations and promote principles of sustainable development by: minimising and/or mitigating pressures on the natural and historic environment. The Taunton urban area will remain the strategic focus for growth within Taunton Deane Borough and the wider sub-region and be the focal point for new development. It will accommodate at least 9,500 new

jobs, sustainable transport links and a range of other higher order services and facilities that will enhance and strengthen its role.

- 8.15.4 Further, **Policy SP 2** - Realising the vision for Taunton - The Taunton Urban Area will provide the strategic focus for growth for around 9,500 additional jobs; 42,200 sqm of additional office space; encourage sustainable transport choices. Provide bus priority measures to encourage public transport use. Provide high quality, comprehensive cycle and pedestrian networks and secure improvements to Junction 25 of the M5 to meet the needs of the proposed urban extensions.
- 8.15.5 **Policy EC1** of the (SADMP) - Other uses in employment areas – cites employment activities that generate an appropriate employment alternative (other than main town centre uses such as retail, leisure and office) within existing and committed employment areas, will generally be permitted subject to: accessible by means of a range of transport modes including public transport; appropriate landscaping and screening.
- 8.15.6 Junction 25 is currently running at capacity and requires these works to ease current traffic flows and cater for future growth. The proposal does represent sustainability in its broadest sense as it will enable Junction 25 to cope with the predicted traffic flows up to 2033. The development itself does not produce vehicle trips; it merely caters for the current trips on the highway and surrounding development and is designed to cater for the anticipated growth from planned future developments.
- 8.15.7 However, the proposals will add to and benefit sustainability for those residents and business and future developments in the area by improving walking and cycling routes by upgrading footways and crossing points by the signalisation of those crossing points, in accordance with:  
**Policy A5** - of the (SADMP) - Accessibility of development - states that all major non-residential development should be accessible within walking distance or by public transport to a majority of its potential users. Provision should also be made for cycling between residential development and non-residential facilities, or between a non-residential development and its catchment area, where these lie within 5km of the development.
- 8.15.8 **Policy A3** of the (SADMP) - Cycle network -New development should not conflict with, and where relevant should provide for: on and off-road cycleways; traffic calming, traffic management and junction re-design to benefit cyclists; convenient and secure cycle parking facilities; provision of lighting on paths within, and where appropriate, implementation of cycle schemes identified in the County Council's Future Transport Plan.
- 8.15.9 Criticism has come from consultees and the public citing that cycle and pedestrian journey times will be slower and less convenient as more signals will be installed at crossing points. This has to be weighed against the fact that these crossing points will be safer to cross with traffic being stopped rather than cyclists and pedestrians having to take their chance at crossing when the road is clear. Also, that some crossing locations are not signal controlled; true, but these locations are not very well used and that on the Park and Ride bus routes vehicles will only be at that location intermittently i.e. once every 12 minutes. Although not part of this application, the intent of the Nexus 25 development will further improve pedestrian / cycle links across the M5.



- 8.15.10 Whilst it has been stated above that the development proposal does not generate vehicle and pedestrian trips in its own right, the site is located adjacent to the Taunton Gateway Park and Ride facility. The proposals have been designed to provide direct access to Junction 25 which will allow quicker egress from the Park and Ride site for buses when traffic on the roundabout is stopped by the new signals. This will encourage the use of Public Transport from the Park and Ride site directly into Taunton Town Centre.
- 8.16 **In conclusion for the proposal to represent sustainable development:**
- 8.16.1 **Policy SD 1** - Sustainable development –Presumption in favour of development that improves the economic, social and environmental conditions in the area contained in the NPPF.  
*The development is located on a strategic route and will improve capacity at Junction 25 to safeguard the economic future for the region; environmental safeguards are in place to ensure the appropriate mitigation for the ecology of the area and nearby residents.*
- 8.16.2 **Policy SB1** - (SADMP) - Settlement Boundaries - In order to maintain the quality of the rural environment and ensure a sustainable approach to development, but must accord with a specific development plan policy and is necessary to meet a requirement of environmental or other legislation; and in all cases, is designed and sited to minimise landscape and other impacts.  
*The junction is in a location which cannot be moved so the improvements have to be made at this point in the highway network. Opportunities will present themselves to have further landscaping to enhance the area.*
- 8.16.3 **Policy SP 1**- Sustainable development locations -Prioritising the most accessible and sustainable locations by: minimising and/or mitigating pressures on the natural and historic environment. The Taunton urban area will remain the strategic focus for growth within Taunton Deane Borough and the wider sub-region; will be the focal point for new development and accommodate at least 9,500 new jobs and sustainable transport links.  
*Junction25 is a set location and the proposals will mitigate the impacts of the development as far as possible and this will be safeguarded through planning conditions. Sustainable transport links will be provided for in the upgrading of pedestrian and cycle routes through the development and by the efficiency improvements to the Park and Ride site.*
- 8.16.4 **Policy SP 2** - Realising the vision for Taunton - The Taunton Urban Area will provide the strategic focus for growth for around 9,500 additional jobs; 42,200 sqm of additional office space; encourage sustainable transport choices. Provide bus priority measures to encourage public transport use. Provide high quality, comprehensive cycle and pedestrian networks and secure improvements to Junction 25 of the M5 to meet the needs of the proposed urban extensions.  
*Again, Junction 25 is a set location and the proposals will provide sustainable transport links through the development and by the efficiency improvements to the Park and ride site.*
- 8.16.5 **Policy EC1** of the (SADMP) - Other uses in employment areas – cites employment activities that generate an appropriate employment alternative (other than main town centre uses such as retail, leisure and office) within existing and committed employment areas, will generally be permitted subject to: accessible by means of a range of transport modes including public transport; appropriate landscaping and screening.

*Now there is a resolution to approve a Local Development Order for this location, cognisance has to be given to the fact that there is a strong desire and will on the part of the wider community, as reflected in that resolution on the back of the Taunton Deane Core Strategy and associated Site Allocations & Development Management Policies document, to see significant employment and access thereto provided; this application will provide those accessible transport modes.*

- 8.16.6 **Policy A5** - of the (SADMP) - Accessibility of development - states that all major non-residential development should be accessible within walking distance or by public transport to a majority of its potential users. Provision should also be made for cycling between a non-residential development and its catchment area, where these lie within 5km of the development.  
*Whilst the proposal is not a traffic generator in its own right, it will enable any future development to be served by the proposals and the future development will present opportunities for further links to be provided.*
- 8.16.7 **Policy A3** of the (SADMP) - Cycle network -New development should not conflict with, and where relevant should provide for: on and off-road cycleways; traffic management and junction re-design to benefit cyclists; provision of lighting on paths within, and where appropriate, implementation of cycle schemes identified in the County Council's Future Transport Plan.  
*The proposed development will substantially enhance cycle and pedestrian routes by providing safer crossing points throughout the development by way of traffic signals.*
- 8.16.8 These policies represent the reasoning for the sustainability of the development proposals which provide for improvements through the existing junction for all modes of travel.
- 8.17 **The impact of the proposal on landscape character, visual amenity and landscape features:**
- 8.17.1 **Policy CP 8** – Environment - Conserve and enhance the natural and historic environment, need to mitigate and where necessary, compensate for adverse impacts on landscape, protected or important species, important habitats and natural networks, river and ground water quality and quantity so that there are no residual effects. Need to ensure that flood risk is not exacerbated from increased surface water flows by ensuring that existing greenfield rates and volumes are not increased.
- 8.17.2 A Landscape and Visual Impact Assessment has been undertaken of the site and its surroundings and provides an accurate site landscape context. The site and surrounding area is dominated by the M5 and the existing Junction 25, and highway corridors resulting in a low level of tranquillity. However In terms of **Policy DM 4** - Design - A sense of place will be encouraged by addressing design at a range of spatial scales - town, district, village, neighbourhood, street, space. Masterplans for the proposed urban extensions and strategic development sites in Taunton Urban Extensions SPD. Design codes to amplify masterplans for the major development sites in Taunton; design briefs for sites and design policies in the SADMP.
- 8.17.3 The area has a rural-urban fringe character which has a degree of landscaping but conditions are recommended to be imposed to enhance the existing planting and provide new areas to visually improve the M5 corridor, which is identified as a Biodiversity and Landscape enhancement corridor,

such that the proposal is considered to result in an acceptable level of landscape character impact, or such like, as per the wording of the policy and is therefore considered to be compliant with the preceding and following policies.

- 8.17.4 **Policy ENV2 (SADMP)** - Tree planting within new developments -The planting of trees within new developments shall be sought where this would benefit wildlife and biodiversity, enhance landscape or public amenity. Trees should be planted along streets and on highway verges (depending on safety issues and reasonable cost of future maintenance). Development proposals should where possible provide a broad mix of native and non-native trees in new developments. The proper management of this resource for nature Conservation purposes will be sought.
- 8.17.5 The proposed scheme involves near full signalisation of the roundabout and widening of the carriageway on the roundabout and some approaches at junction 25; a new link road and roundabout to the southeast is also proposed with alterations to the Ruishton Lane and Park and Ride junction. The scheme will involve new earthworks with the embankments up to 2.8 m and removal of some vegetation.
- 8.17.6 The greatest impact to visual amenity and landscape will occur during the construction stage.
- 8.17.7 Signage and illumination in the area is already high and so there should be some re-evaluation of any new signage to avoid visual clutter in the area.
- 8.17.8 **Policy D2 (SADMP)** - Approach routes to Taunton -Development which would harm the visual qualities of routes into and out of Taunton will not be permitted.
- 8.17.9 **Policy ENV4 (SADMP)** – Archaeology - Where a development proposal affects a site of archaeological importance, Area of High Archaeological Potential, or it is known or suspected that the development could affect archaeological remains, developers must provide for satisfactory evaluation of the archaeological value of the site. Development affecting sites will not be permitted unless their archaeological and historic interest, character and setting would be preserved unless: The development would make preservation in situ physically impossible and the remains are not of sufficient importance to outweigh the need for development; and Developers would make adequate provision for excavation and recording of remains affected. Where evaluation does not justify designation as a site of national or county importance and development is to be allowed, developers must provide for an adequate programme of works.
- 8.17.10 South West Heritage Trust (SWHT) have highlighted the need for archaeological surveys to establish if there is a prehistoric and Roman Settlement on the site, as remains were found on the adjacent Park and Ride site. That site is not part of this application but a condition is recommended to secure further investigation by means of trial pits and trenches; this can be covered by a “Programme of Works in Accordance with a Written Scheme of Investigation” prior to construction of the development. As part of this application, trial trenches were opened but very limited material was found. However, should any remains be found as the scheme progresses then further investigation can be carried out. SWHT had originally recommended that this application be not determined until the evaluation has taken place and the results understood. However, they have now accepted that that would

seem unreasonable to withhold a decision on this application until a full archaeological survey was carried out. The proposed condition will enable a mitigation strategy to be formulated if remains are found.

- 8.17.11 A Geophysical Survey has been undertaken on the site but that did not reveal any material issues of great significance; however, South West Heritage Trust have highlighted the fact that adjacent to the site, the excavations for the Park and Ride site revealed Roman period building material indicating the presence of a Roman building in the vicinity. The archaeological evaluation on the site has shown that there are some areas of occupation (most likely relating to the settlement at Cambria Farm P&R). Therefore a condition is recommended requiring archaeological excavation of certain areas on the site prior to commencement of development and monitoring of works in other areas.
- 8.17.12 Natural England considers that the proposed development would not have any significant adverse impacts on European designated sites or protected landscapes and has no objection to the proposals.
- 8.17.13 Natural England has also commented that it does not consider that the proposed development would damage or destroy the interest features of the Sites of Special Scientific Interest identified within 5km of the proposed development as this relates to National designated sites..
- 8.17.14 In respect of Protected Landscapes i.e. the Blackdown Hills AONB, based on the plans submitted, Natural England has no objection to the proposed development and they do not consider that the proposed development would compromise the purposes of designation or special qualities of the AONB.
- 8.17.15 No Listed Buildings are affected by the proposals.
- 8.17.16 **Policy D2** The area is already heavily trafficked with a major highway network; it is therefore anticipated that this route will be enhanced.
- 8.17.17 The scheme designers are limited somewhat in being able to move away from the requirements of highway layouts which have to provide safe routes. However, due to the new layout and the realignment of the A358 opposite the Blackbrook Tavern where new green verges will be available, there will be opportunities for additional landscaping. This new planting, along with other areas, will accord with: **Policy ENV2** (SADMP) - Tree planting within new developments.
- 8.18 **Policy Conclusion for the impact of the proposal on landscape character, visual amenity and landscape features:**
- 8.18.1 **Policy CP 8** – Environment - Conserve and enhance the natural and historic environment, need to mitigate and where necessary, compensate for adverse impacts on landscape, protected or important species, important habitats and natural networks, river and ground water quality and quantity so that there are no residual effects.  
*The application site and proposal is located on a major highway network; any permission will have conditions and informatives recommended to ensure that ecological disturbance is mitigated and the Council's ecologist has ensured this to be the case; an enhanced landscaping scheme is recommended to improve on the existing landscaping and this will provide additional habitats for protected species. The site is not readily viewable from the Blackdown Hills Area of Outstanding Natural Beauty.*

- 8.18.2 **Policy DM 4 - Design** - A sense of place will be encouraged by addressing design at a range of spatial scales.  
*A Landscape and Visual Impact Assessment has been undertaken of the site and its surroundings and provides an accurate site landscape context. The site has an existing a low level of tranquillity.  
The area has a rural-urban fringe character which has a degree of landscaping but conditions are recommended to be imposed to enhance the existing planting and provide new areas to visually improve the M5 corridor, which is identified as a Biodiversity and Landscape enhancement corridor, such that the proposal is considered to result in an acceptable level of landscape character impact or such like as per the wording of the policy and is therefore considered to be compliant with it.*
- 8.18.3 **Policy ENV2 (SADMP)** - Tree planting within new developments - The planting of trees within new developments shall be sought where this would benefit wildlife and biodiversity, enhance landscape or public amenity. Trees should be planted along highway verges (depending on safety issues and reasonable cost of future maintenance).  
*A full landscaping plan will be required to be submitted which will accord with and meet this policy.*
- 8.18.4 **Policy ENV2 (SADMP)** - Tree planting within new developments -The planting of trees within new developments shall be sought where this would benefit wildlife and biodiversity, enhance landscape or public amenity. Trees should be planted along streets and on highway verges (depending on safety issues and reasonable cost of future maintenance).  
*The scheme will involve new embankments and removal of some vegetation but again as in the previous policy, a full landscaping plan will be required to be submitted which will accord with and meet this policy with migration for the loss of the existing planting.*
- 8.18.5 **Policy D2 (SADMP)** - Approach routes to Taunton -Development which would harm the visual qualities of routes into and out of Taunton will not be permitted.  
*The major routes already exist and will be the subject of extensive replacement and enhanced landscaping*
- 8.18.6 **Policy ENV4 (SADMP)** – Archaeology - Where a development proposal affects a site of archaeological importance, Area of High Archaeological Potential, or it is known or suspected that the development could affect archaeological remains, developers must provide for satisfactory evaluation. Development affecting sites will not be permitted unless their archaeological and historic interest, character and setting would be preserved unless: The development would make preservation in situ physically impossible and the remains are not of sufficient importance to outweigh the need for development; and Developers would make adequate provision for excavation and recording of remains affected. Where evaluation does not justify designation, developers must provide for an adequate programme of works.  
*There may be remains although trial pits and an investigation did not highlight any finds of importance; however a condition is recommended to secure further investigation by means of trial pits and trenches; this can be covered by a “Programme of Works in Accordance with a Written Scheme of Investigation”*
- 8.18.7 These policies represent the reasoning and need for mitigation for the impact of the proposal on landscape character, visual amenity and landscape features.

- 8.19 **Flood Risk and the Water Environment:**
- 8.19.1 **Policy CP 1-** Climate Change - Development proposals should result in a sustainable environment, and will be required to demonstrate that the issue of climate change has been addressed and minimising off site water discharge through methods such as Sustainable Urban Drainage systems.
- 8.19.2 **Policy CP 8 – Environment** - Conserve and enhance important habitats and natural networks, river and ground water quality and quantity so that there are no residual effects. Need to ensure that flood risk is not exacerbated from increased surface water flows by ensuring that existing greenfield rates and volumes are not increased.
- 8.19.3 **Policy I4 (SADMP)** - Water infrastructure - Adequate surface water disposal shall be provided for all new development. Separate systems of drainage with points of connection to the public sewer system or outfalls will be required. Surface water shall be disposed of by Sustainable Urban Drainage Systems (SUDS) unless it is demonstrated that it is not feasible.
- 8.19.4 **Policy ENV5 - (SADMP)** - Development in the vicinity of rivers and canals Development proposals on, adjacent to or in the vicinity of rivers, streams and canals shall: Improve public access to, along and from the waterway and improve the environmental quality of the waterway corridor; Protect access for vehicular maintenance and future uses; Optimise views of water space and Prevent adverse impact on amenity including noise, odour, visual and lighting impacts unless adequate compensation and mitigation is provided.
- 8.19.5 Representations have raised a number of concerns in respect of flooding which could be exacerbated by the proposed development. However, a full Drainage Strategy has been provided for planning purposes by the applicant's consultants WSP for the proposed scheme and a full Flood Risk Assessment completed by the same consultants.
- 8.18.6 Part of the application site is located within Flood Zone 3 and is an area which frequently floods. Potential risks will be managed through flood storage compensation.
- 8.19.7 To provide an improved understanding of the fluvial flood risk in the vicinity of the proposed scheme and a basis for assessing the impact of the scheme on third parties, a detailed hydraulic modelling assessment has been completed.
- 8.19.8 A Landfill Statement has been submitted: This states that the construction of the roads above the flood plain for the dual carriageway will be constructed with fill material at a higher level to the surrounding land.
- 8.19.9 An area of land is proposed to be allocated for flood compensation to ensure that the proposed scheme does not make flooding worse. As such these areas of land will be lowered for storage of water to provide replacement flood storage.
- 8.19.10 The Environment Agency has had direct discussions with the applicant (SCC) as part of a pre application agreement concerning a hydraulic model. The model was then used to assess the flood level for the site.
- 8.19.11 The Environment Agency has received additional information from Somerset County Council and have now withdrawn their earlier objection, subject to the

inclusion of a condition relating to the approved Flood Risk Assessment with the minimum road level being 12.49m AOD, and floodplain compensation storage of 14,300 m<sup>3</sup> provided. They have also recommended a number of Informatives.

- 8.19.12 The Parrett Internal Drainage Board (Somerset) has commented that the scheme is just outside of the Drainage Board's District; however the water from the proposal will discharge into it. The Board has no objection to the proposals but have recommended a condition be imposed requesting that a scheme for the management of surface water to ensure no detrimental impact on the water environment should be submitted to and approved by the County Planning Authority. They also request an informative be added to any consent advising that Land Drainage Consent is required from them if any water drains into the Board's District.
- 8.19.13 The Board was concerned over the use of patented 'smart sponges' which were to be used to remove hydrocarbons from highway water runoff; this has now been resolved whereby 'Hydrodynamic Vortex Separators' would be used instead. Smart Sponges only removed hydrocarbons and have to be replaced on a regular basis. They are a sponge that is placed in a manhole and when they are saturated with hydrocarbons they have to be removed, disposed of and replaced. They do not remove suspended sediments or heavy metals from surface water, or prevent the build-up of silt within the proposed attenuation storage cells.
- 8.19.14 Hydrodynamic separator devices use centrifugal force to separate out particulates and silt from the surface water, this reduces all types of pollutants entering into the watercourses downstream and prevents the build-up of silt within the proposed attenuation storage cells. They are maintained in the same way a normal silt trap or gulley would be, i.e. which is to vacuum out the silt and dispose of it. They have no moving parts and will reduce the amount of long-term maintenance costs to the highway drainage authority.
- 8.19.15 Somerset County Council as Lead Local Flood Authority (LLFA) has indicated that there will be an increase in impermeable areas that will generate an increase in surface water runoff. This has the potential to increase flood risk to the adjacent properties or the highway if not adequately controlled. However, the LLFA has no objection to the proposed development, as submitted, subject to a condition being applied relating to a detailed drainage design with supporting calculations for the surface water drainage scheme based on sustainable drainage principles.
- 8.19.16 The flood modelling as part of the assessment indicates that there is likely to be an increase in flood levels within the red line boundary of the site following the development. This is likely to result in a nominal reduction in the developable area of the adjacent development site. However, the modelling does not show any increase in fluvial flood risk to third party land during events with an annual probability of up to and including 1 in 100 with a 40% allowance for climate change, neither does the modelling indicate any increase in flood risk downstream of the development.

## 8.20 **Policy Conclusion for Flood Risk and the Water Environment:**

- 8.20.1 Policy CP 1- Climate Change - Development proposals should result in a sustainable environment, and will be required to demonstrate that the issue of climate change has been addressed and minimising off site water discharge through methods such as Sustainable Urban Drainage systems.

The Environment Agency has had direct discussions with the applicant (SCC) as part of a pre application agreement, concerning a hydraulic model.so to with The Parrett Internal Drainage Board and Lead Local Flood Authority; so this policy has been addressed as these authorities have not raised objections but have recommended certain conditions and informatives.

8.20.2 Policy CP 8 – Environment - Conserve and enhance important habitats and natural networks, river and ground water quality and quantity so that there are no residual effects. Need to ensure that flood risk is not exacerbated from increased surface water flows by ensuring that existing greenfield rates and volumes are not increased.

The council's ecologist has been instrumental in ensuring that habitats are catered for in the proposals and covered by conditions and informatives.

8.20.3 Policy I4 (SADMP) - Water infrastructure - Adequate surface water disposal shall be provided. Surface water shall be disposed of by Sustainable Urban Drainage Systems (SUDS) unless it is demonstrated that it is not feasible. Sustainable Drainage Systems have been incorporated into the design to ensure that existing greenfield rates and volumes are not increased.

8.20.4 Policy ENV5 - (SADMP) - Development in the vicinity of rivers and canals Development proposals on, adjacent to or in the vicinity of rivers, streams and canals shall: Improve public access to, along and from the waterway and improve the environmental quality of the waterway corridor; Optimise views of water space and Prevent adverse impact on amenity including noise, odour, visual and lighting impacts unless adequate compensation and mitigation is provided.

8.20.5 Again in compliance Policy CP 8 above, the council's ecologist has been instrumental in ensuring that habitats are catered for in the proposals and covered by conditions and informatives.

8.20.6 These policies represent the reasoning and have met the need for mitigation for Flood Risk and the Water Environment.

8.21 **The impact of the proposal on the highway network:**

8.21.1 **Strategic Objective 7-** Infrastructure -To ensure that development provides or contributes to the on- and off-site infrastructure that is necessary for the development to proceed.

8.21.2 **Policy D9 (SADMP)** - A co-ordinated approach to development and highway planning, design of development and its associated highways. To include: Providing for safe walking and cycling routes; Promoting an inclusive environment that recognises the needs of people of all ages and abilities, including the need for social interaction; Reflecting and supporting pedestrian desire lines in networks and detailed designs.

8.21.3 Highways England have now withdrawn their holding objection dated 24 July 2017 after considerable dialogue and submission of additional information and papers and they now recommend that a number of conditions should be attached to any planning permission that may be granted. These conditions relate to the scheme being built generally in accordance with the approved plans; detailed design to include traffic signal design and operation; Stage 2 Road Safety Audit; provision of a Construction Management Plan; submission of technical details relating to the proximity of the carriageway to the



overbridges; submission of a Traffic Management Plan; plus a number of informatives.

- 8.21.4 The Highway Authority has determined that the proposal is considered to be acceptable in terms of design and layout. The technical work undertaken and submitted to Highways England, which has also been scrutinised by their consultants indicates that the junction will operate within capacity up to 2033. This modelled scenario also accounts for Core Strategy proposals and the LDO Strategic employment site. This improvement is considered beneficial to the highway network and acceptable to the Highway Authority. If there was any doubt in these matters, Highways England, would not have accepted the results. The design has taken into consideration the possible increase in traffic movement associated with other potential projects based on traffic modelling which has been undertaken.
- 8.21.5 The Highway Authority has reviewed the proposal and concludes the overall benefits to safety and capacity and considers that the proposed highway scheme will be an improvement on the existing and forecasted situation and therefore recommends approval for the scheme at Junction 25. They have established that there will be safety benefits for pedestrians and cyclists in the provision of traffic signals at junctions and crossing points and have accepted that the capacity benefits by widening the approach lanes and by adding lanes on the roundabout will ensure that the junction will operate within the design parameters up to 2033.
- 8.21.6 Therefore taking into account the above information the Highway Authority raises no objections subject to a condition relating to a Construction Management Plan to address highway network impact concerns.
- 8.21.7 The recommended condition is now comparable to the Highways England condition and has therefore been incorporated into that condition with some additional informatives added so as to avoid duplication. These proposed conditions and informatives will mitigate impacts on the highway network and ensure the ecology of the area is protected from any unreasonable impacts for the construction of the development. The conditions will relate to; in accordance with the details shown on the plans; detailed design plans to be submitted; to include traffic signals and a road safety audit; submission of a Construction Traffic Management Plan and Construction Environmental Management Plan; details to ensure the integrity of the overbridge supports for the motorway; Traffic Management Plan to ensure the operation of the traffic signals is satisfactory
- 8.21.8 With the safeguards mentioned in the previous paragraphs, this proposed development can be supported.
- 8.21.9 Some correspondents have questioned the adequacy of the width of the proposed traffic lanes and tracking for large vehicles. These plans will be produced in the detailed design stage and will be the subject of Road Safety Audit reports:

Stage 1: Already submitted.

Stage 2: Completion of detailed design.

Stage 3: Completion of construction (generally this takes place prior to opening to traffic).

Stage 4: Early operation at 2-4 months after road opening.

Any issues arising from the operation of the new highway will be identified and remedied at these stages.

- 8.21.10 Questions have been raised by interested parties as to why an alternative route for pedestrians and cyclists has not been proposed. Due to the structure of the bridge carrying the M5 motorway, the designers have been constrained with the location of the route. The design has tried to take pedestrians and cyclists off the road and away from passing vehicles and provide safe crossing points, utilising the available space.
- 8.22 **Conclusion of Policies relating to the impact of the proposal on the highway network.**
- 8.22.1 **Strategic Objective 7- Infrastructure** -To ensure that development provides or contributes to the on-and off-site infrastructure that is necessary for the development to proceed.  
*The highway network already exists and the new sections will provide the necessary improvements to the capacity at Junction 25. Highways England have now withdrawn their holding objection dated 24 July 2017 and they now recommend that a number of conditions be imposed. This has therefore met the policy objective, as without the approval of Highways England, the scheme would not be able to be brought forward.*
- 8.22.2 **Policy D9 (SADMP)** - A co-ordinated approach to development and highway planning, design of development and its associated highways: providing for safe walking and cycling routes; promoting an inclusive environment.  
*The Highway Authority has reviewed the proposal and concludes the overall benefits to safety and capacity and considers that the proposed highway scheme provide safety benefits for pedestrians and cyclists in the provision of traffic signals at junctions and crossing points and have accepted that the capacity benefits by widening the approach lanes and by adding lanes on the roundabout will ensure that the junction will operate within the design parameters up to 2033. Policy D9 is therefore met.*
- These policies represent the reasoning and recognition and dealing with the impact of the proposal on the highway network.
- 8.23 **The impact of the Proposal on Ecology:**
- 8.23.1 **Strategic Objective 8 - Environment** - To maintain and enhance biodiversity in the natural and man-made environment, minimising the need to travel, waste, pollution and the use of non-renewable resources.
- 8.23.2 **Policy CP 8 – Environment** - Conserve and enhance the natural and historic environment, need to mitigate and where necessary, compensate for adverse impacts on landscape, protected or important species, important habitats and natural networks, river and ground water quality and quantity so that there are no residual effects. Need to ensure that flood risk is not exacerbated from increased surface water flows by ensuring that existing greenfield rates and volumes are not increased.
- 8.23.3 **Policy ENV1 (SADMP) Protection of trees, woodland, orchards and hedgerows** Development should seek to minimise impact on trees, woodlands, orchards, historic parklands and hedgerows of value to the areas landscape, character or wildlife and seek to provide net gain where possible. Where the loss is unavoidable, the development should be timed to avoid disturbance to species that are protected by law. Adequate provision must be made to compensate for this loss.

- 8.23.4 A detailed Arboricultural Report has been submitted for the application site area. In addition, a proposed landscaping plan has been included within the application. Whilst this shows that some trees and shrubs will need to be removed for the proposed road scheme replanting areas are proposed a condition is recommended to include further details of a more extensive planting scheme, with specific species.
- 8.23.5 There is a lack of hedgerow planting and no blackthorn is provided in the species mixes. Blackthorn is important to be included as this is the food plant of the brown hairstreak butterfly and this species of tree is the only plant that the butterfly lays its eggs on. That is the reason why blackthorn will need to be included within any tree planting scheme.
- 8.23.6 The brown hairstreak butterfly is listed in section 41, species of the Natural Environment and Rural Communities Act 2006, as being a priority species for which the local authority has to have regard for the conservation of in carrying it out its duties, which includes the granting of planning.
- 8.23.7 From the Ecological Appraisal that was undertaken, there was no evidence of any Badger setts within the application site.
- 8.23.8 A Landscape and Ecology Management Plan will need to be conditioned to ensure that wildlife within the site is not put at risk and that mitigation measures should be included within that plan.
- 8.23.9 A 'test of likely significant effect' (TOLSE), is only required where there is a potential for there to be a significant effect on a European or Ramsar designated site. In this case, Natural England has agreed the proposed junction scheme has no identified potential impacts on European or Ramsar sites. Therefore a TOLSE assessment has not been carried out.'

8.24 **Conclusion of Policies relating to the impact of the Proposal on Ecology:**

- 8.24.1 **Strategic Objective 8** - Environment - To maintain and enhance biodiversity in the natural and man-made environment.  
*A full and robust assessment has been carried out in the investigation of species that are within or may be affected by the development –*
- 8.24.2 **Policy CP 8** – Environment - Conserve and enhance the natural and historic environment, need to mitigate and where necessary, compensate for adverse impacts on landscape, protected or important species, important habitats and natural networks, river and ground water quality and quantity so that there are no residual effects.  
*Again a full and robust assessment has been carried out in the investigation of species that are within or may be affected by the development – and where these are affected by the development proposals measures for the mitigation of any lost habitats has been proposed, which then meets the policy objectives.*
- 8.24.3 **Policy ENV1** (SADMP) Protection of trees, woodland, orchards and hedgerows. Development should seek to minimise impact on trees, and hedgerows of value to the areas landscape, character or wildlife and seek to provide net gain where possible. Where the loss is unavoidable, the development should be timed to avoid disturbance to species that are protected by law. Adequate provision must be made to compensate for this loss.

*Detailed landscape proposals will be required to be submitted, together with the need to protect trees remaining within the site. The landscaping proposals will be required to add to the planting within the area. Rigid conditions will be recommended to protect the habitats and provide for replacement spaces. The policy has therefore been addressed.*

The survey work which has been undertaken and methods of mitigation gives weight to meeting the policies and adequately deals with the impact of the proposal on ecology.

## 8.25 **The impact of the proposal on amenity – Lighting, Noise and Vibration, Air Quality and Dust:**

8.25.1 **Policy DM 1** General requirements (part) - Proposals for development, taking account of any mitigation measures proposed, will be required to meet the following criteria, in addition to any other Development Management policies which apply: Potential air pollution, water pollution, noise, dust, lighting, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not unacceptably harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment; the health, safety or amenity of any users of the development will not be unacceptably harmed by any pollution or nuisance.

8.25.2 Lighting:

**Policy DM 1 & Paragraph 125 of the NPPF:** The impact of light pollution should be avoided.

The existing street lighting has been reviewed and the majority of existing columns will be removed and a new scheme of LED street lighting with more efficient lanterns, in terms of their positioning and cowling etc., will be added to the existing highway and to the new sections of highway. Any unnecessary lighting will be avoided. The lighting proposals provide an acceptable balance between the needs for operational efficiency, safety and local amenity.

8.25.3 Noise and vibration:

**Policy DM 1 & Paragraph 123 of the NPPF:** Planning Policies and decisions should aim to avoid from giving significant impacts on health and quality of life as a result of new development:

A Noise Assessment has been submitted with the application and this has been reviewed and commented upon by the Council's own Acoustic Specialist, who has stated that the modelling would indicate only negligible impacts arise at 3152 locations on the opening year (<1dB) with predicted changes of less than 3dB after 15 years and as such it would appear that the modelled road scheme impacts are unlikely to be significant in planning or EIA terms or require specific noise conditions (other than to require clarification and agreement of any intentions to undertake any necessary night-time construction activity). If noise modelling has, as expected, incorporated realistic traffic flow and topographic information then it would be expected that the model output would provide a realistic indication of noise change arising from the development.

The Design Manual for Roads and Bridges (DMRB) predictions undertaken by the noise consultant's modelling have indicated that no changes in LA10(18h) on the opening year will exceed 1dB increase, and when considered over the 15 year growth, these changes remain below 3dB and as such are negligible. The changes in noise impact as modelled are small and this would appear a reasonable expectation when considered in the presence of considerable existing traffic noise from the M5 and A358. The council's acoustics specialist

does not expect any vibration issues to arise from the scheme that were sufficient to justify a planning objection or specific conditions requiring mitigation etc.

- 8.25.4 Air Quality and Dust:  
**Policy DM 1 & Paragraph 124 of the NPPF:** Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants.  
An assessment of construction phase impacts associated with dust and fine particulate matter emissions has been undertaken in line with the relevant Institute of Air Quality Management guidance. This identified that there is a Low Risk of dust soiling impacts and a Low Risk of increases in particulate matter concentrations due to construction activities. These risks will be further reduced through good site practice and the implementation of suitable mitigation measures which will be covered by an appropriate informative. The residual effects of the construction phase on air quality have been considered to be negligible.
- 8.25.5 The figures taken from 2015 are baseline figures for the results of the assessment to show that in the 2018 opening year concentrations at all sensitive receptors considered are predicted to be significantly below the Air Quality Standards (AQS) objective. The highest predicted concentration is 18.8µg/m<sup>3</sup> at R43 with the maximum predicted change of 0.6% of the relevant AQS objective, therefore in accordance with the EPUK/IAQM guidance<sup>10</sup>, the impact of the increased emissions associated with the Scheme on annual mean NO<sub>2</sub> concentrations is considered to be negligible.
- 8.25.6 The methodology for the assessment was discussed and agreed with the Environmental Health Officer of Taunton Deane Borough Council; who in the Borough Council's response to the consultation stated that the assessment appeared to be thorough and in line with what would be expected as the proposed works are alterations on existing roads, with a new roundabout and roads on an area of open land.
- 8.25.7 For the construction phase the potential impact from dust was assessed and the report concluded that there would be a low impact from the site. There could be emissions from construction vehicles entering the site, but this would be negligible when compared to the level of existing traffic on the existing highway.
- 8.25.8 The report does make a number of recommendations for mitigation for air quality and dust during the construction phase. These are examples of good practice which should be considered by the developer and their contractors and therefore an informative is recommended to secure this, Planning conditions relating to Construction and Environmental Management Plans to secure such mitigation are also recommended.
- 8.25.9 Based on the assessment results, air quality is not considered to be a constraint on granting planning permission.
- 8.25.10 One perceived indirect benefit in respect of this development will be the removal of the poultry farm; this has in the past given cause for complaints environmentally due to the odours that emanate from time to time from the premises.

8.26 **Conclusion of Policies relating to the impact of the proposal on amenity – Lighting, Noise and Vibration, Air Quality and Dust:**

8.26.1 Lighting:

Policy DM 1 & Paragraph 125 of the NPPF: The impact of light pollution should be avoided.

The existing street lighting has been reviewed and the majority of existing columns will be removed and a new scheme of LED street lighting with more efficient lanterns will be added to the existing highway. The lighting proposals provide an acceptable balance between the needs for operational efficiency, safety and local amenity.

8.26.2 Noise:

Policy DM 1 & Paragraph 123 of the NPPF: Planning Policies and decisions should aim to avoid from giving significant impacts on health and quality of life as a result of new development:

A noise assessment has been submitted with the application, which included a view on vibration and this has been reviewed and commented upon by the Council's own Acoustic Specialist. The changes in noise impact as modelled and vibration are small and this would appear a reasonable expectation when considered in the presence of considerable existing traffic noise from the M5 and A358.

8.26.3 Air Quality and Dust:

Policy DM 1 & Paragraph 124 of the NPPF: Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants. An assessment of the construction and operational phases impacts associated with dust and fine particulate matter emissions has been undertaken. For the construction phase the potential impact from dust was assessed and the report concluded that there would be a low impact from the site. The report does make a number of recommendations for mitigation for dust/air quality during the construction phase and these are included as an informative. During the operational phase of the development air quality and dust has also been assessed and has not been found to have any likely significant effects.

8.26.4 Summary: The new lighting proposals have been designed to incorporate the latest lanterns which are now more efficient and will avoid light pollution and be more cost effective than the existing lanterns.

Noise and vibration assessments have been carried out and reviewed by the county's acoustic specialist and do not give rise to any likely significant effects.

Survey work which has been undertaken and methods of mitigation gives weight to meeting the policies and adequately deals with the impact of the proposal on ecology.

Air Quality and Dust - An assessment of construction phase impacts associated with dust and fine particulate matter emissions has been undertaken and found not to be significant.

The surveys, findings and proposals have therefore met the requirements of the National Planning Policy Framework.

8.27 **The impact of the development upon Crime and Disorder.**

8.27.1 **Policy DM 1** General requirements - Proposals for development, taking account of any mitigation measures proposed, will be required to meet the following criteria, and other forms of pollution or nuisance which could arise as a result of the development will not unacceptably harm public health or safety,

the amenity of individual dwellings or residential areas or other elements of the local or wider environment; the health, safety or amenity of any users of the development will not be unacceptably harmed by any pollution or nuisance.

- 8.27.2 In addition, Section 17 of the Crime and Disorder Act 1998 places a duty on local authorities to take into account the crime and disorder impacts of a proposed development. Government policy through **Paragraph 58** in the National Planning Policy Framework “Promoting Sustainable Development” indicates that development should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
- 8.27.3 The Police have indicated that there are almost 13 offences per month, 3 per week, which they consider to be ‘average’ crime levels in the surrounding area.
- 8.27.4 Surface Changes – they welcome the use of surface changes and colours in paving materials to distinguish pedestrian, bus, cycle and other vehicular routes which will assist in improving personal safety for users.
- 8.27.5 Street Lighting - the provision of street lighting to improve safety and security is essential and such lighting would comply with BS 5489:2013.
- 8.27.6 CCTV - the provision of CCTV monitoring should be considered for safety and security reasons. Any such system’s compatibility with the street lighting scheme and how/where monitored should also be borne in mind. CCTV cameras already installed on the park and ride site and at the existing traffic signalled controlled junctions on the roundabout and this will be extended to include the new signalised junctions. A condition is recommended to ensure further details are submitted for approval.
- 8.27.7 Landscaping and Planting – The police have requested that any landscaping should not impede on opportunities for natural surveillance and must avoid the creation of potential hiding places. As a general rule, in areas where visibility is needed, shrubs should be selected which have a mature growth height of no higher than 1 metre and trees should have no foliage or branches below 2 metres in height, so allowing a 1 metre clear field of vision. In this regard, it is recommended that open-branched and columnar can be used in a landscape scheme where natural surveillance is required and this should be considered when a further detailed landscaping scheme is produced and submitted for approval.
- 8.27.8 In conclusion, the NPPF paragraph has been incorporated into the design and conditions will ensure that the landscaping proposals will ensure compliance with the advice from the Police.
- 8.27.9 **Conclusion of Policies relating to the impact of the development upon Crime and Disorder:**
- Policy DM1 and NPPF paragraph 58 has been met or will be met by the mitigation measures requested by the Police by the imposition of the recommended planning conditions to cover matters such as lighting, CCTV and landscaping.

## 8.28 **Equalities Act 2010**

8.28.1 Having considered the implication of the development, including in particular, the consultation responses, it is not considered that the proposal has triggered a duty to carry out an equality impact assessment under the Equalities Act 2010 (see *R (Baker) v Secretary of State for the Environment* [2008] EWCA (Civ) 141 at [64]). The threshold for triggering one or more of the duties is a low one. Elias J at first instance [2005] EWHC 1435 (Admin) stated that it was said to have been crossed because there was an 'issue which needed at least to be addressed, see [98]. In this case it is the officers' assessment that no such issue has been raised or is obviously caused by this proposal.

## 8.29 **Human Rights Act 1998**

8.29.1 This application needs to be considered against the provisions of the Human Rights Act 1998.

8.29.2 Under Article 6 of the European Convention on Human Rights the applicants and those third parties, including local residents, who have made representations have the right to a fair hearing and to this end the Committee must give full consideration to their comments. Article 8 and Protocol 1 to the Convention at Article 1 confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, Council officers have concluded some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. Officers are of the view that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the HRA 1998 and the Town and Country Planning Acts.

## 8.30 **Concluding Development Proposals and meeting Development Plan Policies:**

8.30.1 As discussed above, the proposed development accords with all relevant planning policies within the Taunton Deane Borough Council Adopted Core Strategy (2011-2028) and Taunton Deane Borough Council Site Allocations and Development Management Plan (SADMP) 2016]. As such, it is considered that the proposal is in accordance with the Development Plan. Where there are conflicts with Policy statements, there are exceptions and provisos given within the Policies to meet these exceptions if mitigation can be established.



**8.31 Contamination Assessment:**

8.31.1 The majority of the application site is located to the southwest of the A358. This is green field land (i.e. previously undeveloped land) and therefore remains undisturbed. A further section of the application site is now brown field land as this has been developed for the park and ride site; prior to this, this was also green field land with no contamination present. The only area that would be subject to contamination assessment would be that area of the chicken sheds which will be required to be excavated for the construction of the new road and a small part of the catchment area for surface water attenuation.

8.31.2 The applicant has undertaken extensive Ground Investigations and these have not identified any issues of contamination.

8.31.3 Geophysical Surveys of the site have been undertaken and these do not indicate any areas of disturbed subsoil which could be linked to burial pits etc. This survey report was submitted in support of the planning application.

8.31.4 During the Tender period, access will be available to the chicken sheds and surroundings as chicken production on the site will have ceased by then and so a full asbestos survey will be undertaken at that time. Access has been limited due to the risk of bringing contaminants onto the poultry farm whilst egg and poultry are on the farm. A condition is therefore recommended to cover the methodology for the demolition and land clearance and disposal of material from the farm to ensure no land or ground water or fluvial contamination occurs.

8.31.5 In view of the above findings, it is considered that a contamination Assessment is not required for this development.

**9 Conclusion:**

9.1 This is a major application to carry out extensive works to Junction 25 of the M5 and approach roads, with implications for the strategic route network and pedestrian and cycling routes through the junction. The proposals will also impact on the existing Park and Ride service.

9.2 There will also be impacts on the flood zone and ecology within the area and of course residents and businesses within the area.

9.3 The application was submitted to be determined, by this Local Planning Authority; it was accompanied by the many reports and documents listed. These reports and documents have been extensively reviewed by many consultants including those from Highways England and the Councils own planning and specialist officers. Where necessary, the reports have been amended to include improvements to the scheme and to ensure that the application is in a form that can be presented to the Committee for determination with a recommendation for approval in accordance with adopted policies and statutory procedures.

9.4 It is concluded that the proposed development accords with the Development Plan: Taunton Deane Borough Council Adopted Core Strategy (2011-2028) and Taunton Deane Borough Council Site Allocations and Development Management Plan (SADMP) 2016] for the area and represents sustainable development.

## 10 Recommendation:

**It is recommended that planning permission be GRANTED subject to the imposition of the conditions in section 10 of this report and that authority to undertake any minor non-material editing which may be necessary to the wording of those conditions be delegated to the Service Manager - Planning Control, Enforcement & Compliance:**

1. Time Limit (3 years implementation):  
The development hereby permitted shall be commenced within three years of the date of this permission.

Reason: Pursuant to Section 91 of the Town and Country Planning Act 1990.

2. Completion of Development:  
The development hereby permitted shall be carried out in strict accordance with the approved plans and specifications as listed below in the 'submitted application plans', and with any scheme, working programme or other details submitted and approved in writing by the County Planning Authority in pursuance of any condition attached to this permission.

Reason: To enable the County Planning Authority to deal promptly with any development not in accordance with the approved plans.

3. Scheme to conform with approved details:  
The scheme shall be generally in accordance with the details shown in Somerset County Council Drawing MJ004045-PL-004 Rev B, save for changes made as a result of detailed design or road safety audit. Any such changes shall be submitted to, and approved in writing by the County Planning Authority in consultation with Highways England before any approved changes are implemented.

Reason: In the interests of highway safety.

4. Submission of detailed design:  
Before commencement of the development hereby permitted, a detailed design shall be submitted to and approved in writing by the County Planning Authority (in consultation with Highways England). Details to be included with the detailed design shall include but not be limited to:

- Traffic signal design and details of queue detection and signal operation
- Stage 2 road safety audit, with all recommendations either incorporated in to the design or Exceptions agreed in accordance with the Design Manual for Road and Bridges;

The scheme shall not be constructed other than in accordance with the approved scheme.

Reason: In the interests of highway safety.

5. Submission of a Construction Management Plan:  
Before commencement of the development hereby permitted a Construction Traffic Management Plan (CTMP) shall be submitted to, and approved in writing by, the County Planning Authority in consultation with Highways England. Once approved,

the CMTP shall be implemented in full for the duration of the construction phase of the development hereby approved.

Reason: In the interests of highway safety and to ensure that any impact on the highway is minimised.

6. Submission of a Construction Environmental Management Plan:  
Before commencement of the development hereby permitted a Construction Environmental Management Plan (CEMP), (including method statement and phasing plan) shall be submitted to, and approved in writing by, the County Planning Authority in consultation with Highways England. Once approved, the CEMP shall be implemented in full for the duration of the construction phase of the development hereby approved.

Reason: In the interests of minimising the risks to ecology and the environment and amenities of local residents.

7. Any night-time working shall only be permitted between the hours of 1900 hrs to 0600 hrs and shall be limited to areas of existing highway or on land directly abutting such areas and shall be carried out in accordance with a programme to be submitted through the Construction Management Plan and the Construction Environmental Management Plan conditioned herein.

Reason: In the interests of ecology and residential amenity.

8. Submission of technical details for work affecting the M5 overbridge:  
Before commencement of the development hereby permitted the technical details relating to works to bring the circulatory carriageway closer to the M5 over-bridges shall be submitted to, and approved in writing by, the County Planning Authority in consultation with Highways England and those approved details shall be adhered to for the duration of the development hereby permitted.

Reason: In the interests of highway safety.

9. Submission of a Traffic Management Plan:  
Before commencement of the development hereby permitted a Traffic Management Plan (TMP) shall be submitted to, and approved in writing by, the County Planning Authority in consultation with Highways England. The Plan shall set out the operation of the traffic signals at the junction (as well as any junctions linked to M5 junction 25) and how the junction(s) will be managed throughout the duration of the construction phase so as to ensure the safe and efficient operation of the SRN and those approved details shall be adhered to for the duration of the construction and operational phases of the development hereby permitted

Reason: In the interests of highway safety.8.Flood Risk Mitigation:

10. Flood Risk Assessment:  
The details contained within the approved Flood Risk Assessment (FRA) report No. 70025259-001 dated April 17 and the mitigation measures contained therein shall be adhered to and any variation therein shall be submitted to, and approved in writing by, the County Planning Authority in consultation with The Environment Agency.

Reason: To prevent the increased risk of flooding.

11. Surface Water Management:  
Before the commencement of the development hereby permitted a scheme for the management of surface water to ensure no detrimental impact on the water

environment shall be submitted to, and approved in writing by the County Planning Authority in consultation with the Parrett Drainage Board. Upon approval, the scheme shall be implemented in full for the duration of the development hereby permitted.

Reason: In the interests of protecting ecology.

12. Surface Water Drainage Details:

Before commencement of the development hereby permitted a surface water drainage scheme, based on sustainable drainage principles, together with a programme of implementation, including:

- future maintenance arrangements and the provision of inspection manholes;
- the piping and filling of ditches; and,
- arrangements for all surface water drainage from the development to be passed through maintained trapped gullies/oil interceptors, to an approved design and maintenance schedule using a 'Hydrodynamic Vortex Separator' system, or similar to be approved by the County Planning Authority in consultation with the Environment Agency, before being discharged into watercourses, and their construction and commissioning before commencement of development;

shall be submitted to and approved in writing by the County Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. The approved surface water drainage scheme shall be implemented and be fully operational before the development hereby permitted is first brought into use, and shall thereafter be maintained for the duration of the development hereby permitted.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage to minimise the risk of pollution of the water environment in the interests of wildlife conservation, public safety and the amenities of the surrounding area. and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

13. Archaeological Investigation:

Before the commencement of the development hereby permitted a "Programme of Works" (POW) in accordance with a Written Scheme of Investigation (WSI) shall be submitted to and approved in writing by the County Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. Once approved the POW shall be implemented in full for the duration of the construction phase of the development hereby permitted.

Reason: To protect the archaeological interests of the area.

14. Submission of a Detailed Landscaping Scheme:

Before the commencement of the development hereby permitted a detailed Landscape Planting schedule, which is of benefit to those species identified as being affected by the scheme, including but not exclusively bats, hazel dormice, water voles, brown hairstreak butterfly and reptiles, shall be submitted to and approved in writing by the County Planning Authority. All species used in the planting proposals shall be locally native species of local provenance unless otherwise agreed in writing with the County Planning Authority.

Reason: In the interests of the maintenance of populations of European and UK protected and priority species and biodiversity generally

15. Submission of a Landscape and Ecological Management Plan:  
Before the commencement of the development hereby permitted a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by the County Planning Authority. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed;
  - b) Ecological trends and constraints on site that might influence management;
  - c) Aims and objectives of management;
  - d) Appropriate management options for achieving aims and objectives;
  - e) Prescriptions for management actions;
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
  - g) Details of the body or organization responsible for implementation of the plan; and
  - h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which for the duration of the development the implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action shall be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

Reason: In the interests of biodiversity.

16. Protection of Nesting Birds:  
No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the County Planning Authority.

Reason: In the interests of the protection of nesting wild birds.

17. Submission of a Lighting Design for Biodiversity:  
Before the commencement of the development hereby permitted the installation of any external lighting associated with the development shall be subject to a "lighting design for biodiversity" and shall be submitted to and approved in writing by the County Planning Authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting shall be installed (through the provision of lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites

and resting places. Once approved the external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained for the duration of the development hereby permitted. Under no circumstances shall any other artificial lighting be installed without prior written approval from the County Planning Authority.

Reason: To ensure the 'Favourable Conservation Status' of populations of European protected species

18. Protection of Dormice:

All scrub, hedgerow and/or trees along the south bank of the Black Brook within the development area shall only be cleared in either:

a) October when dormice are still active but avoiding the breeding and hibernation seasons. A licensed dormouse ecologist shall supervise the work checking the site for nests immediately before clearance and, if needed, during clearance. All work shall be carried out using hand held tools only. If an above ground nest is found it shall be left in situ and no vegetation between it and the adjacent undisturbed habitat shall be removed until dormice have gone into hibernation (December) as per method b). The results will be communicated to the County Planning Authority by the licensed ecologist within 2 weeks; or

b) Between December and March only, when dormice are hibernating at ground level, under the supervision of a licensed dormouse ecologist. The hedgerow, scrub and/or trees will be cut down to a height of 30cm above ground level using hand tools. The remaining stumps and roots will be left until the following mid-April / May before final clearance to allow any dormouse coming out of hibernation to disperse to suitable adjacent habitat. No clearance shall take place between June and September inclusive when females have dependent young.

Reason: In the interests of the protection of a European Protected Species.

19. Water Vole Survey:

Within one month prior to the commencement of development works, including commencement of groundworks and vegetative clearance, a survey for water voles shall be carried out within 20 metres of the construction area, including areas used for storage of materials and plant, for the bridge over Black Brook. A report of the survey, and any mitigation required and its timing shall be submitted to and approved in writing by the County Planning Authority prior any work commencing at this location. Where displacement of water voles is required work shall only take place between 15th February and 15th April.

Reason: In the interest of the protection of an UK protected species.

20. Protection of Reptiles:

Any vegetation in the construction area shall initially be reduced to a height of 10 centimetres above ground level by hand, brushings and cuttings removed and left for a minimum period of 48 hours of warm suitable weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land in the active period. This work shall only be undertaken between April and October. Subsequent to this, and to prevent injury or killing of reptiles located within the parcel of land between the Black Brook and the Junction 25 roundabout, a 'reptile fence' will be erected and maintained around the construction area to allow reptiles to be trapped from within this area and translocated west of the development area under the supervision of a suitably qualified ecologist and in accordance with government

and nationally accepted best practice. Prior to the installation of the exclusion fencing, a suitably qualified ecologist should provide an ecological site induction for all contractors. A letter confirming the induction and installation of the exclusion fencing; results of the trapping and removal of the exclusion fencing at the appropriate time shall be submitted to and approved by the County Planning Authority in writing to ensure that reptiles have been appropriately protected from construction activity in lieu of a detailed mitigation plan submitted with the application. In addition before the commencement of the development hereby permitted a translocation site with no presence of reptiles shall be identified prior to exclusion measures commencing and its location submitted to and approved in writing by the County Planning Authority to ensure that latent harm will not occur from habitat crowding at the receptor site in lieu of a site having been identified in the application.

Reason: In the interests of UK protected species.

21. Submission of Water Tank Design for Flood Attenuation:  
Before the commencement of the development hereby permitted, a further detailed design of the proposed tank to hold the 1 in 100 year runoff from the road for the duration of flooding, shall be submitted to and approved in writing by the County Planning Authority in consultation with the Environment Agency as due to the location of the outfall from the surface water attenuation, it will be unable to discharge into the watercourse during a flood event.

Reason: To prevent the increased risk of flooding.

22. Provision of Otter Protection:  
Before the commencement of the development hereby permitted details of otter ledges to be included under the new bridge over the Black Brook and in the new box culverting of the Henlade stream with appropriate otter fencing shall be submitted to and approved in writing by the County Planning Authority in consultation with the Environment Agency. Once approved, the details shall be implemented in full and the ledges and box culverting shall be fully operational at the point the development hereby permitted is first brought into use.

Reason: In the interests of conserving a protected species.

23. Construction Noise Mitigation Control Scheme:  
Before the commencement of development, a construction noise mitigation control scheme that shall detail the extent of night-time works and the measures to be put in place to limit disturbance to any residential or occupied development shall be submitted to and agreed in writing by the County Planning Authority. Once approved, the scheme shall be implemented in full for the duration of any construction activities associated with the development hereby permitted between the hours of 22:00-06:00.

Reason: In the interests of residential amenity.

24. Scheme of Dust Mitigation Control:  
Before the commencement of the development hereby permitted, a scheme setting out the measures for dust control and mitigation during the construction phase shall be submitted to and approved in writing by the County Planning Authority. The approved scheme shall be implemented in full for the duration of the construction phase associated with the development hereby approved.

Reason: To minimise potential nuisance to local residents and to protect the amenities of the surrounding area during construction works.

25. Provision for Storage of Fuels:  
Storage of fuels for machines and pumps shall be sited well away from any watercourses. The tanks shall be bunded or surrounded by oil absorbent material to control leakage and spillage. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall have been submitted to and approved in writing by the County Planning Authority before the commencement of their storage on site. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume that could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work shall be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downward into the bund.

Reason: To prevent pollution of the water environment in the interests of wildlife conservation, public safety and the amenities of the surrounding area.

26. Provision of mitigation measures for dealing with dirty water:  
The method for the discharge of silty or discoloured water from excavations arising from the development hereby permitted shall either be discharged through irrigation of grassland or into a settlement lagoon to remove gross solids.

(Note: The Environment Agency must be advised if a discharge to a watercourse is proposed.)

Reason: To minimise the risk of pollution of the water environment in the interests of wildlife conservation, public safety and the amenities of the surrounding area.

27. Measures for Tree and Root Protection:  
Before the commencement of the development hereby permitted details of the method of tree and root protection for those trees and shrubs shown to be retained on the plans hereby approved shall be submitted to and approved in writing by the County Planning Authority.

Reason: In the interests of ecology and visual amenity.

28. Design Details of Footway/Cycleway Routes:  
Before the commencement of the development hereby permitted further designs shall be submitted to and approved in writing by the County Planning Authority for the widening of and provision to be made for a minimum of 3m wide footway/cycleway in that footway/cycleway link south of the proposed bus lane adjacent to and south of the A358 as shown on the plan in Appendix 'C'.

Reason: To ensure a continuous width of at least 3m to link the proposed 3m sections in the interests of highway and pedestrian safety.

29. Design of Maintenance Bay:  
Before the commencement of the development hereby permitted further design details for the layout and operation of the proposed Maintenance bay to be constructed on the existing roundabout to show the alignment of the access and egress locations and proposed signage shall be submitted to and approved in writing by the County Planning Authority.



Reason: In the interests of highway safety.

30. CCTV provision:  
Before the commencement of the development hereby permitted details shall be submitted to and approved in writing by the Local Planning Authority for the further provision of CCTV coverage for the new traffic light controlled junctions and relevant areas together with the monitoring regime which is to be used.

Reason: In the interests of highway and public safety.

31. Avoidance of Land Contamination:  
Before the commencement of the development hereby permitted, a methodology statement, setting out the measures to be used for the demolition and land clearance and disposal of material from the existing poultry sheds, other ancillary farm buildings and paved areas shall be submitted to and approved in writing by the County Planning Authority.

Reason: To ensure no land or ground water or fluvial contamination occurs so as to prevent pollution of the water environment in the interests of wildlife conservation, public safety and the amenities of the surrounding area.

32. Details shall be submitted for the location of and provision for advance directional signage to The Premier Inn and Blackbrook Tavern, the design and location shall be approved in writing by the County Planning Authority and the new signage shall be implemented at the opening of the new highway route.

Reason: In the interests of highway safety.

### **Informatives:**

- 1 The highway proposals associated with this consent may involve some works within the public highway, which is land over which you have no control. Highways England may therefore require you to enter into a suitable legal agreement to cover the detailed design and construction of the works. Please contact Sarah Lewis (telephone 0300 470 4334) at an early stage to discuss the details of the highways agreement.
- 2 The applicant should be aware that an early approach to Highways England is advisable to agree the detailed arrangements for financing the design and construction of the scheme. Commencement of works will also need to be timed to fit in with other road works on the strategic road network or local road network to ensure there are no unacceptable impacts on congestion and road safety.
- 3 Please be advised that Highways England may charge Commuted Sums for maintenance of schemes delivered by third parties. These will be calculated in line with HM Treasury Green Book rules and will be based on a 60 year infrastructure design life period'.
- 4 The implementation of this permission will require network occupancy on the Strategic Road Network. This will require prior notice and agreement in line with Highways England procedures, including road space booking. Contact should be

made with SouthWestRoadspace@highwaysengland.co.uk at the earliest opportunity to begin this process.

- 5 Lighting near watercourses should be kept to a minimum and as far from watercourses as possible. Appropriate directional lighting should be used where necessary to keep watercourses as dark and natural as possible, to maintain this important wildlife corridor for otters, bats and other wildlife.
- 6 Good tree and scrub cover should be maintained along any watercourse for wildlife benefit. The natural bed should be retained throughout the open section of the diverted channel on the Henlade stream.
- 7 Note that grass snakes are present and active in October and can be translocated by the ecologist in the process. In the case of b) the vegetation will need to be further reduced to 10cm in May only to avoid potential maternity nests present in the summer.
- 8 This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the Henlade Stream, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.
- 9 The need for an Environmental Permit is over and above the need for planning permission. To discuss the scope of the controls please contact the Environment Agency on 03708 506 506. Some activities are now excluded or exempt; please see the following link for further information: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.
- 10 The applicant is advised that Land Drainage Consent is required under Section 23 and 66 of the Land Drainage Act 1991, from the Parrett Internal Drainage Board for any construction in, or within, 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District.
- 11 The gradient of the slope on Footpath T 26/12 up to the new road junction needs to be 1:12 or less. Some tie-in surfacing would be appropriate. A diversion will be needed. PROW directional signage required.
- 12 Development, insofar as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary (diversion/stopping up) Order has come into effect.
- 13 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. A temporary closure can be obtained from Sarah Hooper on (01823) 357562.
- 14 In order to protect controlled waters, the biodiversity and residential amenities of the area the Construction Management Plans should cover the following matters amongst, others as necessary and required:
  - (a) Site security;
  - (b) Fuel oil storage, bunding, delivery and use;

- (c) How both minor and major spillages will be dealt with;
- (d) Containment of silt/soil contaminated run off;
- (e) Disposal of contaminated drainage, including water pumped from excavations;
- (f) Discharge of silty or discoloured water from excavations should be irrigated over grassland or a settlement lagoon be provided to remove solids;
- (g) Construction vehicles not crossing or working directly in a water course. Temporary bridges to be constructed for vehicles to cross and excavations carried out from the bank. Any work in or near a water course to be done in a dry area e.g. river water to be diverted away from the working area using coffer dams;
- (h) Site induction for workforce highlighting pollution prevention and awareness;
- (i) The submission, approval and implementation of details to ensure a permanent, appropriate level of EA access to controlled waters in the vicinity of the development and maintenance regime of the scheme;
- (j) A scheme for the provision and operation of vehicle cleaning measures at the site exit onto the public highway;
- (k) Details of the construction period and the sequence of development;

and specifically for the Traffic Management Plan:

- (l) Construction vehicle movements;
- (m) Construction Contractors Compound;
- (n) Construction operation hours;
- (o) Construction vehicular routes to and from site;
- (p) Construction delivery hours;
- (q) Expected number of construction vehicles per day;
- (r) Car parking for contractors;
- (s) Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- (t) A scheme to encourage the use of Public Transport amongst contractors; and
- (u) measures to avoid traffic congestion impacting upon the Strategic Road Network.

15 Guidance on the assessment of dust from demolition and construction – produced by The Institute of Air Quality Management (Version 1.1 Updated June 2016), should be adopted as good practice during the construction of this development.

16 A work programme is included below to show the times when construction activity can be permitted at Black Brook so as to limit impacts on wildlife habitats.

**Work Programme Prior to Construction Activity at Black Brook**

Species	Location	Oct	Nov	Dec	Jan	Feb	Mar	April	May	Jun	Jul	Aug	Sep
Hazel Dormouse	South of Black Brook between watercourse and field	a)	Scrub and hedgerow including roots cleared under the supervision of a licensed ecologist. If a nest is found work will stop and method b) will be used	No work permitted									
		b)	No work permitted to mid-December	Remove above ground vegetation to a height of 30cm using hand tools under supervision of licensed ecologist.	No work permitted	No work permitted	Vegetation reduced to 10cm by hand and the remainder. E.g. roots, removed after a minimum of 48 hours under supervision of licensed ecologist.	No work permitted	No work permitted	No work permitted	No work permitted	No work permitted	No work permitted
Water Vole	Banks of Black Brook	No work permitted	No work permitted	Survey	Survey	Displacement under licence if present and required to mid-April		No work permitted					
Reptiles	North of Black Brook to J25	No work permitted	No work permitted	No work permitted	No work permitted	No work permitted but translocation site needs to be identified		Vegetation reduced to 10cm by hand; Install exclusion fencing; Reptiles trapped by ecologist over 60 days avoiding the gravid period.					

## 11 POLICY ANALYSIS:

11.1 Subject to a resolution to permit the application development, the following is a summary of the reasons for the County Council's decision to grant planning permission.

11.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 this decision has been taken with due regard to the development plan unless material considerations indicate otherwise. The decision has been taken having regard to the policies and proposals in:

- Taunton Deane Borough Council Adopted Core Strategy (2011-2028)
- Taunton Deane Borough Council Site Allocations and Development Management Plan (SADMP) 2016

11.3 The proposal is in accordance with the Development Plan and in particular the following policies:

### Taunton Deane Borough Council Adopted Core Strategy (2011-2028)

Strategic Objective 6	Accessibility	To improve accessibility to achieve a major change in travel behaviour towards walking, cycling and public transport
Strategic Objective 7	Infrastructure	To ensure that development provides or contributes to the on- and off-site infrastructure that is necessary for the development to proceed and to mitigate impact on existing communities and the environment.
Strategic Objective 8	Environment	To maintain and enhance biodiversity in the natural and man-made environment, minimising the need to travel, waste, pollution and the use of non-renewable resources.
Policy SD 1	Sustainable development	Presumption in favour of development that improves the economic, social and environmental conditions in the area contained in the NPPF.
Policy CP 1	Climate Change	Development proposals should result in a sustainable environment, and will be required to demonstrate that the issue of climate change has been addressed and minimising off site water discharge through methods such as Sustainable Urban Drainage systems
Policy CP 2	Economy	To meet the economic forecast for the growth of around 11,900 net additional jobs in Taunton Deane
Policy CP 6	Transport and Accessibility	Development should contribute to reducing the need to travel, improve accessibility to jobs are consistent with the principle of 'corridor' management' on the strategic road network; improve road safety, and encourage travel by sustainable modes; capacity enhancements are still likely to be required at M5 Junctions 25 else may act as constraint on the long term growth for Taunton.

Policy CP 7	Infrastructure	In place at the right time to meet the needs of Taunton Deane and to support the growth set out in the Core Strategy. Infrastructure supporting sustainable development; measures that facilitate economic development.
Policy CP 8	Environment	Conserve and enhance the natural and historic environment, need to mitigate and where necessary, compensate for adverse impacts on landscape, protected or important species, important habitats and natural networks, river and ground water quality and quantity so that there are no residual effects. Need to ensure that flood risk is not exacerbated from increased surface water flows by ensuring that existing greenfield rates and volumes are not increased.
Policy SP 1	Sustainable development locations	Prioritising the most accessible and sustainable locations promote principles of sustainable development by: minimising and/or mitigating pressures on the natural and historic environment. The Taunton urban area will remain the strategic focus for growth within Taunton Deane Borough and the wider sub-region and be the focal point for new development. It will accommodate at least 9,500 new jobs, sustainable transport links and a range of other higher order services and facilities that will enhance and strengthen its role.
Policy SP 2	Realising the vision for Taunton	The Taunton Urban Area will provide the strategic focus for growth for around 9,500 additional jobs; 42,200 sq.m of additional office space; encourage sustainable transport choices. Provide bus priority measures, to encourage public transport use. Provide high quality, comprehensive cycle and pedestrian networks within Taunton and between the town and adjoining settlements. Secure improvements to Junction 25 of the M5 to meet the needs of the proposed urban extensions.
Policy SS 8	Taunton – broad location for strategic employment	Meet the identified qualitative need for a second strategic employment site, an allocation will be made in the SADMP; having regard to: a scale to secure strong inward investment, raising the skills base and profile of the town, be well located in relation to the national route network and the Taunton urban area, targeted towards Class B (non-office) use, having no overriding environmental or physical constraints restricting development; and capable of delivery within agreed timescales.
Policy DM 1	General requirements	Proposals for development, taking account of any mitigation measures proposed, will be

		<p>required to meet the following criteria, in addition to any other Development Management policies which apply: efficient use of land, preference for previously developed land where in a sustainable location, with the higher densities in centres and on public transport routes; additional road traffic arising, taking account of road improvements involved; not lead to harm to protected wildlife species or their habitats; appearance and character of any affected landscape, settlement, building or street scene would not be unacceptably harmed. Potential air pollution, water pollution, noise, dust, lighting, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not unacceptably harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment; the health, safety or amenity of any users of the development will not be unacceptably harmed by any pollution or nuisance.</p>
Policy DM 2	Development in the Countryside	<p>Outside of defined settlement limits the following uses will be supported: edited: 7. Development for essential utilities infrastructure.</p> <p>Subject to the above criteria all must:</p> <ul style="list-style-type: none"> <li>- be compliant with the Habitats Regulations 2010 and any subsequent amendment;</li> <li>- be near a public road and existing services;</li> <li>- be of a scale, design and layout compatible with the rural character of the area;</li> <li>- any conversion or reuse must not harm the architectural or historic qualities of the building;</li> <li>- not harm the residential amenity of neighbouring properties, landscape and ecology of the local area or highway safety, and adequate arrangements can be made for the provision of services; and</li> <li>- not involve the creation of a residential curtilage which would harm the rural character of the area.</li> </ul>
Policy DM 4	Design	<p>A sense of place will be encouraged by addressing design at a range of spatial scales - town, district, village, neighbourhood, street, space</p> <ul style="list-style-type: none"> <li>• Masterplans for the proposed urban extensions and strategic development sites in Taunton Urban Extensions SPD and Wellington;</li> </ul> <p>Design codes to amplify masterplans for the major development sites in Taunton; Design briefs for sites and design policies in the SADMP</p>

Taunton Deane Borough Council Site Allocations and Development  
Management Plan (SADMP) 2016

Policy EC1	Other uses in employment areas	Employment activities that generate an appropriate employment alternative (other than main town centre uses such as retail, leisure and office) within existing and committed employment areas, will generally be permitted subject to: accessible by means of a range of transport modes including public transport; appropriate landscaping and screening
Policy A3:	Cycle network	New development should not conflict with, and where relevant should provide for: on and off-road cycleways; traffic calming, traffic management and junction re-design to benefit cyclists; convenient and secure cycle parking facilities; provision of lighting on paths within, and where appropriate, implementation of cycle schemes identified in the County Council's Future Transport Plan.
Policy A5	Accessibility of development	All major non-residential development should be accessible within walking distance or by public transport to a majority of its potential users. Provision should also be made for cycling between residential development and non-residential facilities, or between a non-residential development and its catchment area, where these lie within 5km of the development.
Policy I4	Water infrastructure	Adequate surface water disposal shall be provided for all new development. Separate systems of drainage with points of connection to the public sewer system or outfalls will be required.  Surface water shall be disposed of by Sustainable Urban Drainage Systems (SUDS) unless it is demonstrated that it is not feasible.
Policy ENV1	Protection of trees, woodland, orchards and hedgerows	Development should seek to minimise impact on trees, woodlands, orchards, historic parklands and hedgerows of value to the areas landscape, character or wildlife and seek to provide net gain where possible. Where the loss is unavoidable, the development should be timed to avoid disturbance to species that are protected by law. Adequate provision must be made to compensate for this loss.
Policy ENV2	Tree planting within new developments	The planting of trees within new developments shall be sought where this would benefit wildlife and biodiversity, enhance landscape or public amenity. Trees should be planted along streets and on



		<p>highway verges (depending on safety issues and reasonable cost of future maintenance). Development proposals should where possible provide a broad mix of native and non-native trees in new developments. The proper management of this resource for nature conservation purposes will be sought.</p>
Policy ENV4	Archaeology	<p>Where a development proposal affects a site of archaeological importance, Area of High Archaeological Potential, or it is known or suspected that the development could affect archaeological remains, developers must provide for satisfactory evaluation of the archaeological value of the site. Development affecting sites will not be permitted unless their archaeological and historic interest, character and setting would be preserved unless: The development would make preservation in situ physically impossible and the remains are not of sufficient importance to outweigh the need for development; and Developers would make adequate provision for excavation and recording of remains affected.</p> <p>Where evaluation does not justify designation as a site of national or county importance and development is to be allowed, developers must provide for an adequate programme of works.</p>
Policy ENV5	Development in the vicinity of rivers and canals	<p>Development proposals on, adjacent to or in the vicinity of rivers, streams and canals shall: Improve public access to, along and from the waterway and improve the environmental quality of the waterway corridor; Protect access for vehicular maintenance and future uses; Optimise views of water space and Prevent adverse impact on amenity including noise, odour, visual and lighting impacts unless adequate compensation and mitigation is provided.</p>
Policy D2	Approach routes to Taunton and Wellington	<p>Development which would harm the visual qualities of routes into and out of Taunton will not be permitted</p>
Policy D9:	A co-ordinated approach to development and highway planning	<p>Co-ordinated approach to design of development and its associated highways. To include: Providing for safe walking and cycling routes; Promoting an inclusive environment that recognises the needs of people of all ages and abilities, including the need for social interaction; Reflecting and supporting pedestrian desire lines in networks and detailed designs.</p>
Policy SB1	Settlement Boundaries	<p>In order to maintain the quality of the rural environment and ensure a sustainable approach to development, proposals outside of the boundaries of settlements identified in</p>

		Core Strategy policy SP1 will be treated as being within open countryside and assessed against Core Strategy policies CP1, CP8 and DM2 unless: it accords with a specific development plan policy or proposal; or is necessary to meet a requirement of environmental or other legislation; and in all cases, is designed and sited to minimise landscape and other impacts.
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11.5 Other material considerations for the area comprise: National Planning Policy Framework March 2012 (NPPF) and the Planning Practice Guidance. The application is in accordance with the NPPF and the Guidance in terms of delivering and promoting safe and sustainable development, ensuring the vitality of town centres and conserving and enhancing the natural environment.

**Policy DM 1 - General requirements -** Proposals for development, taking account of any mitigation measures proposed, will be required to meet the following criteria: efficient use of land, preference for previously developed land where in a sustainable location, with the higher densities in centres and on public transport routes; additional road traffic arising, taking account of road improvements involved; not lead to harm to protected wildlife species or their habitats; appearance and character of any affected landscape, settlement, building or street scene would not be unacceptably harmed. Potential air pollution, water pollution, noise, dust, lighting, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not unacceptably harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment; the health, safety or amenity of any users of the development will not be unacceptably harmed by any pollution or nuisance.

11.6 These Policies and guidance ensure that this proposal is policy led and that it will significantly improve the traffic management in and around junction 25 of the M5 Motorway which will ensure its long term capacity; further, the proposals will provide access into an important and strategic development site which will add to the long term and sustainable economic growth of the area without undue harm to residents, ecology and the environment.

**12 Statement of Compliance with Article 35 of the Town and Country Development Management Procedure Order 2015**

In dealing with this planning application the County Planning Authority has adopted a positive and proactive manner. The Council offers a pre-application advice service for minor and major applications, and applicants are encouraged to take up this service. This proposal has been assessed against the National Planning Policy Framework, and Core Strategy policies, which have been subject to proactive publicity and consultation prior to their adoption and are referred to in the reasons for approval. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

## **Background Papers**

**Appendix 'A'** Development Plan Documents and supporting policy documents

**Appendix 'B'** Consultation responses

### **Submitted application plans:**

MJ004045-PL- 001 Site Location Plan Rev A  
002 Red and Blue line plan and Highway Boundary Rev C  
003 Footways, Cycleways and Rights of Way Rev B  
004 General Arrangement Overview Rev B  
005 General Arrangement Sheet 1 of 3 Rev B  
006 General Arrangement Sheet 2 of 3 Rev B  
007 General Arrangement Sheet 3 of 3 Rev B  
008 Contours Rev B  
009 Longitudinal Sections MC40 & MC200 Rev B  
010 Illustrative Cross Section at Location A-A  
011 Illustrative Cross Section at Location B-B  
012 Illustrative Cross Section at Location CC  
013 Illustrative Cross Section at Location D-D  
014 Illustrative Cross Section at Location E-E  
015 Illustrative Cross Section at Location F-F  
016 Street Lighting Sheet 1 of 3 Rev B  
017 Street Lighting Sheet 2 of 3 Rev B  
018 Street Lighting Sheet 3 of 3 Rev B  
019 Traffic Signals Sheet 1 of 3 Rev B  
020 Traffic Signals Sheet 2 of 3 Rev B  
021 Traffic Signals Sheet 3 of 3 Rev B  
022 Proposed Signs Overview Rev B

### **Submitted application documents:**

- 1) Planning Application Form dated 14 April 2017
- 2) Planning Supporting Statement dated 14 April 2017
- 3) Design and Access Statement dated 14 April 2017
- 4) Traffic Forecasting Report dated July 2016
- 5) Pier Impact Assessment - Safety Risk Assessment Report dated June 2017
- 6) Flood Risk Assessment April 2107
- 7) Archaeological Geophysical Survey and Desk-Based Assessment dated October 2015
- 8) Archaeological Written Scheme of Investigation dated April 2017
- 9) Geophysical Survey Summary dated March 2017
- 10) Archaeological Monitoring and Recording Report dated April 2017
- 11) Transport Assessment dated 30 July 2017
- 12) Transport Assessment –Technical note – Supplementary Information about Taunton Saturn Model dated July 2017
- 13) Road Safety Audit Report Stage 1 Feasibility Designers Response dated 29 July 2017
- 14) Proposed Drainage Strategy dated 13 April 2017
- 15) Noise Assessment dated April 2017
- 16) Air Quality Assessment dated April 2017
- 17) Landfill Statement dated 15 April 2017
- 18) Water Framework Directive Assessment dated April 2017
- 19) Biodiversity - Ecology dated 17 April 2017

- 20) Detailed Arboricultural Report dated April 2017
- 21) Landscape and Visual Impact Assessment dated April 2017
- 22) Road Safety Audit Response Report dated 28 Dec 2017
- 23) Walking, Cycling & Horse Riding Assessment & Review dated 30 July 2017
- 24) Walking, Cycling & Horse Riding Assessment dated 22 Dec 2017
- 25) Walking, Cycling & Horse Riding Review dated 31 Aug 2017

**Other submitted Documents:**

- 26) First Ecology – Ecological Appraisal dated Nov 2017
- 27) Sustrans – Sustainable Transport Delivery Excellence Programme dated November 2016
- 28) J25 Consultation Report
- 29) EIA Screening Opinion

**List of Policy Documents**

- Taunton Deane Borough Council Adopted Core Strategy (2011-2028)
- Taunton Deane Borough Council Site Allocations and Development Management Plan (SADMP) 2016 South West Strategic Economic Plan (SEP)2014-2020
- National Planning Policy Framework (NPPF)(2012)
- Planning Practice Guidance - various categories
- South West Strategic Economic Plan (SEP) 2014-2030 Heart of the south West
- The Somerset Growth Plan 2017-2030 dated June 2017
- Somerset's Future Transport Plan 2011-2026
- Bridgwater, Taunton and Wellington Future Transport Strategy 2011-2026 Nov 2011
- Nexus 25 Local Development Order (LDO): scope and design of the Strategic Employment Site (SEP)

**Taunton Deane Borough Council**  
**Adopted Core Strategy 2011-2028**

**Relevant Objectives:**

**Objective 6**

**Strategic Objective 6 (Accessibility)**

To improve accessibility between homes, jobs and services and achieve a major change in travel behaviour towards walking, cycling and public transport.

**Objective 7 Strategic Objective 7 (Infrastructure) To ensure that development provides or contributes to the on- and off-site infrastructure that is necessary for the development to proceed and to mitigate impact on existing communities and the environment.**

**Objective 8 Strategic Objective 8 (Environment) To maintain and enhance biodiversity, the natural and man-made environment, minimising the need to travel, waste, pollution and the use of non-renewable resources and to promote good design and materials which respect and enhance local distinctiveness.**

**Policy SD 1**

**PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT**

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants jointly to find solutions which mean that proposals secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

**Policy CP 1**

**CLIMATE CHANGE**

Development proposals should result in a sustainable environment, and will be required to demonstrate that the issue of climate change has been addressed by:

- a. Reducing the need to travel through locational decisions and where appropriate, providing a mix of uses;
- b. Specifying how the development meets the relevant code level in the Code for Sustainable Homes, or, in the case of commercial development, the BREEAM standards;
- c. The protection of the quality, quantity and availability of the water resource, for example by the use of water conservation and recycling measures and minimising off site water discharge through methods such as Sustainable Urban Drainage systems;
- d. Incorporation of measures which promote and enhance the resilience of ecosystems and biodiversity networks within and beyond the site;
- e. Measures to minimise and mitigate the risks to the development associated with expected climate change impact such as average temperature increases, the urban 'heat island' effect, extreme weather events and soil moisture decreases in the summer and autumn;

- f. The adoption of the sequential approach and exceptions test to flood risk in accordance with Policy CP8 (Environment) and incorporation of measures in design and construction to reduce the effects of flooding. Proposals for the development of renewable and low carbon sources of energy, including large-scale freestanding installations will be favourably considered provided that:
- g. Their scale, form, design, materials and cumulative impacts can be satisfactorily assimilated into the landscape or built environment and would not harm the character of these areas and has no overriding adverse impact on the amenity of the area in respect of noise, dust, odour and traffic generation;
- h. Impact on the local community, economy, nature conservation or historical interests does not outweigh the economic and wider environmental benefits of the proposal, and,
- i. Provision is made for the removal of the facilities and reinstatement of the site should it cease to be operational.

## **Policy CP 2**

### **ECONOMY**

To meet the economic forecast for the growth of around 11,900 net additional jobs in Taunton Deane provision will be made for:

Around 36.5 hectares of land for Class B1 b.c., B2, B8 and Sui Generis uses, focused within the Taunton urban area with complementary provision at Wellington;

Around 49,500 square metres of additional Class B1a. office space, focused on Taunton town centre;

Around 93,150 sq.m. of additional retail floorspace focused on Taunton town centre, with complementary provision at Monkton Heathfield and Wellington;

Around 35,150 sq.m. of additional assembly and leisure space, focused on Taunton town centre;

Provision for around 270 additional hotel bedspaces, within Taunton town centre; and

Around 121,500 sq.m. of additional floorspace for residential and non-residential institutions A1 use through on site expansions, site allocations and Development Management (criteria based) policies.

Development proposals for B Class uses shall provide for a range of unit / suite sizes, quality and tenure to cater for a broad spectrum of business needs.

Proposals which lead to the loss of existing or identified business, industrial or warehousing land to other uses, including retail, will not be permitted unless the overall benefit of the proposal outweighs the disadvantages of the loss of employment or potential employment on the site.

The Borough Council and its partner organisations will work with developers and contractors on allocated sites to secure job sustainability by improving local skills and employment opportunities by ensuring that an optimum proportion of jobs are sourced from within the local area and employers investing in relevant training and learning schemes for employees.

## **Policy CP 6**

### **TRANSPORT AND ACCESSIBILITY**

Development should contribute to reducing the need to travel, improve accessibility to jobs, services and community facilities, and mitigate and adapt to climate change. This will be achieved by:

Ensuring that development proposals are consistent with the principle of 'corridor management' on the strategic road network and rail links connecting Taunton Deane to other regions;

Improving accessibility by public transport, cycling and walking to key destinations such as Taunton and Wellington town centres, new employment areas, Somerset College and Musgrove Park Hospital, especially from North Taunton and Taunton East, and from rural

centres and villages to the main towns;  
Ensuring that new development supports expansion of local and regional rail services, including the West Somerset Railway;  
Requiring all developments to submit a robust evidence base and management plan in line with current policy and guidance on Transport Assessment, Travel Planning and the County Council's Travel Plan SPD;  
Using 'smarter choices' measures such as personal and employer travel planning programmes to achieve modal shift;  
Managing public and private car parking (including capacity and pricing structures) in accordance with national and/or local parking standards to reduce congestion and pollution, improve road safety, and encourage travel by sustainable modes; and  
Locating major industrial and warehousing development where it will encourage efficient, safe and sustainable freight transport, including options for the use of rail or waterways.

Of particular note is paragraph 3.87 given below the Policy

"Even with modal shift, capacity enhancements are still likely to be required at M5 Junctions 25 and 24. Beyond 2028, the capacity of Junction 25 may act as constraint on the long term growth of Taunton. At present there is no evidence to suggest that an additional motorway junction will be required within the Core Strategy timeframe, but the scale of growth proposed for Taunton suggests that the position should be kept under review."

#### **Policy CP 7 INFRASTRUCTURE**

The Borough Council will work with partners to ensure that infrastructure is in place at the right time to meet the needs of Taunton Deane and to support the growth set out in the Core Strategy. It will also secure developer contributions towards the provision of physical, social and green infrastructure. This will be achieved by the following means:

Preparation and regular review of the Infrastructure Delivery Plan (IDP) for the Borough that will set out the infrastructure to be provided by partners, including the public sector and utilities;

Securing contributions to all aspects of land use, infrastructure and services that may be affected by development, in accordance with the Borough Council's identified priorities and objectives for delivering sustainable communities;

Preparation of a Community Infrastructure Levy (CIL) charging schedule that sets out the level of developer contributions towards new or upgraded infrastructure to support the overall growth of the Borough;

Negotiating appropriate planning obligations to mitigate any adverse impacts of proposed development - while avoiding duplication of payments made through CIL; and

Where viability is a constraint, priority will be given to:

1. Measures essential to enable a development to physically proceed.
2. Infrastructure supporting sustainable development.
3. Measures that facilitate economic development.
4. For residential schemes, contributions to other measures related to the needs of the new population.

#### **Policy CP 8 ENVIRONMENT**

The Borough Council will conserve and enhance the natural and historic environment, and will not permit development proposals that would harm these interests or the settings of the towns and rural centres unless other material factors are sufficient to override their importance. Proposals that will



have an adverse impact on Natura 2000 and Ramsar sites and/or features which provide ecological support for their conservation objectives will not be supported.

Planning applications for development on sites within the Bat Consultation Zone will require a 'test of significance' under the Habitat Regulations to be carried out. Applicants must provide all necessary information to enable such a test to be conducted, including any necessary survey work, reports and avoidance/mitigation measures with the application.

A network of green infrastructure assets has been identified and should be retained and enhanced, including through the development of green wedges and corridors as envisaged through the Taunton Deane Green Infrastructure Strategy. A number of green and blue links are proposed.

New green wedges are proposed to be delivered as an integral part of urban extensions at Comeytrowe / Trull in Taunton and in Wellington at Longforth and Cades / Jurston. Extensions to existing green wedges are proposed at Staplegrove, along the Tone east of the M5 and at Wellington. A new Priorswood country park is proposed to be provided as an integral part of the urban extensions at Monkton Heathfield and Nerrols. New green links are proposed from the town through the existing green wedges to the Quantock Hills AONB to the north and the Blackdown Hills AONB to the south. Developments will be expected to adopt Natural England's Accessible Natural Green Space Standards (ANGSt) and contribute to realising the opportunities identified within the Taunton Deane Green Infrastructure Strategy.

Development will be supported at sustainable locations to improve green infrastructure, public access, visual amenity and the overall quality of the natural environment. Development will need to mitigate and where necessary, compensate for adverse impacts on landscape, protected or important species, important habitats and natural networks, river and ground water quality and quantity so that there are no residual effects.

The Council will seek to direct development away from land at risk of fluvial or other causes of flooding (including areas likely to be subject to flood risk in the future as a result of climate change) adopting a sequential approach to the location of development, as set out in the Strategic Flood Risk Assessment Level 2. Development sites will need to ensure that flood risk is not exacerbated from increased surface water flows by ensuring that existing greenfield rates and volumes are not increased off-site through the adoption of multi-functional SUDS. The Council will seek to reduce flood risk and mitigate for the impacts of climate change within Taunton Deane (and in particular the Taunton urban area) through the provision of a strategic flood attenuation scheme to which development sites will need to contribute.

## **Policy SP 1**

### **SUSTAINABLE DEVELOPMENT LOCATIONS**

In order to create and maintain sustainable, balanced communities, provision will be made for the delivery of new services, facilities and infrastructure including the creation of at least 11,900 new jobs and at least 17,000 new homes, including an appropriate balance of affordable and market housing, over the Plan period.

Proposals should make efficient use of land and follow a sequential approach, prioritising the most accessible and sustainable locations and maximising opportunities to make best use of previously developed land where possible. Proposals should promote principles of sustainable development by: minimising and/or mitigating pressures on the natural and historic environment and valuable natural resources; ensuring that sufficient utilities and infrastructure can be provided to support new development; and directing development away from areas of greatest flood risk wherever possible.

Development will be focused on the most accessible and sustainable locations as shown on the Key Diagram:

The Taunton urban area(1) will remain the strategic focus for growth within Taunton Deane Borough and the wider sub-region and as such will be the focal point for new development. It will

accommodate at least 13,000 new homes as well as 9,500 new jobs, sustainable transport links and a range of other higher order services and facilities that will enhance and strengthen its role. Wellington(2) will act as a secondary focus for growth within the Borough, developing its role as a market town serving a wider rural hinterland. It will accommodate at least 2,500 new homes in the period up to 2028 in addition to new employment development and retail growth commensurate with its role and function.

Major Rural Centres are identified as Wiveliscombe and Bishops Lydeard. These settlements will provide the focus for essential facilities within rural communities, this will include an appropriate balance of housing provision, small-scale employment and other local services. In these settlements allocations of up to 200 new net additional dwellings will be made through the Site.

Allocations and Development Management DPD.

Minor Rural Centres are identified as Cotford St Luke, Creech St Michael, Milverton, North Curry and Churchinford. New housing development at these locations will include an appropriate balance of market and affordable housing together with some live-work units and will be small scale allocations, sites within the development boundary (primarily on previously developed land) and sites fulfilling affordable housing exceptions criteria outside of development boundaries. For these settlements a total allocation of at least 250 new net additional dwellings will be made through the Site Allocations and Development Management DPD. The villages of Ashbrittle, Ash Priors, Bishopswood, Blagdon Hill, Bradford-on-Tone, Burrowbridge, Cheddon Fitzpaine, Combe Florey, Corfe, Fitzhead, Halse, Hatch Beauchamp, Henlade, Kingston St Mary, Langford Budville, Lydeard St Lawrence, Nynehead, Oake, Pitminster, Ruishton, Sampford Arundel, Stoke St Gregory, Stoke St Mary, West Bagborough, West Buckland and West Monkton will retain settlement boundaries, as shown on the Proposals Map insets, and have no further allocations made through the Site Allocations and Development Management DPD, but some scope for small scale proposals within settlement limits. Outside of the settlements identified above, proposals will be treated as being within Open Countryside.

## **Policy SP 2**

### **Realising the vision for Taunton**

The Taunton Urban Area (TUA includes the associated settlements of Bathpool, Bishops Hull, Monkton Heathfield, Norton Fitzwarren, Staplegrove, Staplehay and Trull) will provide the strategic focus for growth within the Borough. Over the Plan period up to 2028, the key features of the vision will:

- Realise forecast growth in the local economy including provision for around 9,500 additional jobs with a focus on health, education and retail and promotion of the green economy; there will be around 42,200 sq.m of additional office space; around 81,100 sq.m. of additional retail space; around 35,000 sq.m. of additional assembly and leisure space, along with provision for a 270 bed hotel and additional floor space for residential institutions within the Town Centre; and around 23.5 hectares of land for Class B1 b.c., B2, B8 and sui generis uses, focused within the wider Taunton urban area. This will be accompanied by at least 13,000 dwellings of which around 1,700-2,100 will be in the Town Centre;
- Focus shopping, leisure, sport and cultural development and other employment growth towards town centre and then other identified regeneration opportunities outside of the town centre delivered through the adopted Town Centre Area Action Plan;
- Deliver at least 13,000 net additional dwellings (including existing planning consents and allocations). This will include strategic sites at Monkton Heathfield (approximately 4,500 dwellings), Priorswood / Nerrols (approximately 900 dwellings), sites within the adopted Town Centre Area Action Plan (approximately 2,000 dwellings) and broad locations for development towards the end of the Plan period at Comeytrowe / Trull (between 1,000 and

2,000 dwellings) and Staplegrove (between 500 and 1,500 dwellings) and areas of search for a potential strategic employment site for Taunton;

- Contribute approximately 3,250 new net affordable dwellings in accordance with Core Policy CP4 Housing;
- Create balanced and sustainable, high quality mixed-use communities through the provision of employment and community facilities including schools, community halls, places of worship, recreational space, doctors' surgeries and sheltered accommodation;
- Protect and extend the Town's distinctive green wedges and corridors and develop a comprehensive network of green and blue infrastructure across the town. Strategic green infrastructure locations will be delivered at French Weir Country Park, Priorswood Country Park, Pyrland Hall and Bathpool Green Wedge;
- Provide strategic surface water attenuation on the River Tone between Wellington and Taunton;
- Encourage sustainable transport choices. Provide bus priority measures, improvements to Taunton bus station, real time passenger information and improvements to bus stops and shelters to encourage public transport use. Provide high quality, comprehensive cycle and pedestrian networks within Taunton and between the town and adjoining settlements;
- Provide a bus priority corridor and associated highway improvements on the A38 and A3259, between Wellington and Bridgwater via Taunton town centre, Firepool, Taunton railway station, and the proposed urban extension at Monkton Heathfield;
- Provide an enhancement scheme in Taunton town centre, including North Street, East Street and Corporation Street, incorporating bus priority measures and improvements for pedestrians and cyclists;
- Secure improvements to rail services and facilities at Taunton station, including bus/rail interchange;
- Provide the Northern Inner Distributor Road in Taunton, improvements to Creech Castle junction, new highway links within northern Taunton as an integral part of new developments, complete a by-pass for Norton Fitzwarren and improve access to the West Somerset Railway as an integral part of development; improve key road junctions within Taunton to maintain their effectiveness; and a Henlade by-pass together with traffic calming and improved junctions as part of A303/A358 improvement package, subject to the availability of government major highway scheme funding;
- Provide a Park and Ride site at Monkton Heathfield, an enlargement of the existing Park and Ride site at Silk Mills and Park and Bus site at Chelston linked to enhanced bus services along the A38 serving the Wellington – Bridgwater corridor;
- Provide variable message signing on the main approaches to Taunton, together with enhancements to urban traffic management;
- Secure improvements to Junction 25 of the M5 to meet the needs of the proposed urban extensions; and

- Review the need for a new or improved motorway junction to support the longer term growth of Taunton.
- This is illustrated in Key Diagram 2:

### **Strategic Sites and Broad Locations**

#### **Policy SS 8 TAUNTON - BROAD LOCATION FOR STRATEGIC EMPLOYMENT**

To meet the identified qualitative need for a second strategic employment site, an allocation will be made in the Site Allocations and Development Management DPD having regard to the following criteria:

- a. of a scale to secure strong inward investment, raising the skills base and profile of the town;
- b. well located in relation to the national route network and the Taunton urban area;
- c. targeted towards Class B (non office) use in order to complement rather than compete with town centre office opportunities;
- d. having no overriding environmental or physical constraints restricting development; and
- e. capable of delivery within agreed timescales.

### **Development Management Policies**

#### **Policy DM 1 GENERAL REQUIREMENTS**

Proposals for development, taking account of any mitigation measures proposed, will be required to meet the following criteria, in addition to any other Development Management policies which apply in a particular case:

- a. Make the most effective and efficient use of land, giving preference to the recycling of previously developed land where this is in a sustainable location, and with the density of development varying according to the characteristics of the area, with the higher densities in centres and on public transport routes;
- b. Additional road traffic arising, taking account of any road improvements involved, would not lead to overloading of access roads, road safety problems or environmental degradation by fumes, noise, vibrations or visual impact;
- c. The proposal will not lead to harm to protected wildlife species or their habitats;
- d. The appearance and character of any affected landscape, settlement, building or street scene would not be unacceptably harmed by the development;
- e. Potential air pollution, water pollution, noise, dust, lighting, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not unacceptably harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment;
- f. The health, safety or amenity of any users of the development will not be unacceptably harmed by any pollution or nuisance arising from an existing or committed use;
- g. The site will be served by utility services necessary for the development proposed, including high speed broadband connectivity.
- h. Structures and installations:
  - i. Telecommunications installations must be sensitively designed and sited to minimise impact on the environment and amenity, and alternative sites or solutions with less impact must be demonstrated not to exist. Satisfactory evidence must be submitted to demonstrate that facilities cannot be shared and removal of the installation will be required as soon as reasonably practical after it is no longer required for telecommunication purposes.
  - ii. Renewable energy installations – see policy CP1: Climate Change

## **Policy DM 2 DEVELOPMENT IN THE COUNTRYSIDE**

Outside of defined settlement limits the following uses will be supported:

1. Community uses
  - a. within existing buildings or new build where there is an identified local need that cannot be met within the nearest defined centre.
2. Class B Business Use
  - a. new, small scale buildings up to 500 sq.m. near a public road and adjacent to a rural centre within which there is no suitable site available;
  - b. extensions to existing businesses where relocation to a more suitable site is unrealistic and the economic benefit of the proposal outweighs any harm to the objectives of the policy;
  - c. within existing buildings.
3. Holiday and Tourism
  - a. accommodation within existing buildings where there is an identified need, is compatible with and supports economic diversification of existing farming and service enterprises;
  - b. touring caravan and camping sites with good access to the main road network and the site is not located within a floodplain or an area at high risk of flooding;
  - c. tourist and recreational facilities provided that increased visitor pressure would not harm the natural and man-made heritage.
4. Agriculture, forestry and related
  - a. new non residential agricultural and forestry buildings commensurate with the role and function of the agricultural or forestry unit;
  - b. farm shops provided that any building is situated within or adjacent to the existing farm complex, existing buildings are used where possible, sale of other food and drink remains ancillary to the sale of locally grown

## **DESIGN**

### **Policy DM 4 DESIGN**

A sense of place will be encouraged by addressing design at a range of spatial scales - town, district, village, neighbourhood, street, space, building – using planning documents that relate to each scale:

- Town-wide design strategies for Taunton and Wellington;
- Masterplans for the proposed urban extensions and strategic development sites in Taunton Urban Extensions SPD and Wellington;
- Design codes to amplify masterplans for the major development sites in Taunton and Wellington;
- Village design statements and similar; and
- Design briefs for sites and design policies in the Site Allocations and Development Management DPD, including Building for Life and Lifetime Homes criteria.

We can then move on to the Specific Policies contained within the TADC SADMP Core Strategy Document 2011-2028.

## **Taunton Deane Adopted Site Allocations and Development Management Plan 2016**

### **Development Management Policies**

#### **Policy EC1: Other uses in employment areas**

In addition to industry and warehousing (Use Classes B1b-B8) and sui generis uses of a similar nature within permitted employment areas, other employment activities that generate an appropriate employment alternative (other than main town centre uses such as retail, leisure and office) within existing and committed employment areas, will generally be permitted subject to the following criteria:

- A. Other relevant development plan policies being satisfied;
- B. The proposal must be in a location accessible by means of a range of transport modes including public transport;
- C. The proposal must not undermine the operational capabilities of Class B uses in the area;
- D. Where applicable, appropriate landscaping and screening is provided.

Within larger employment areas (normally in excess of 8 hectares) ancillary facilities which support the functioning of the employment area including childcare facilities, cafes and sandwich shops, banks and health and fitness facilities, are also likely to be acceptable subject to the above criteria and provided they are not of a scale to become a destination in their own right and operational hours are limited to the hours of public transport accessibility.

#### **Policy A3: Cycle network**

New development should not conflict with, and where relevant should provide for:

- A. On and off-road cycleways as shown on the Policies Map;
- B. Traffic calming, traffic management and junction re-design to benefit cyclists;
- C. Convenient and secure cycle parking facilities;
- D. Provision of lighting on paths within, and where appropriate, between urban areas to enable cycling after dark; and
- E. Implementation of cycle schemes identified in the County Council's Future Transport Plan.

#### **Policy A5: Accessibility of development**

Residential development should be within walking distance of, or should have access by public transport to, employment, convenience and comparison shopping, primary and secondary education, primary and secondary health care, leisure and other essential facilities.

All major non-residential development should be accessible within walking distance or by public transport to a majority of its potential users.

Provision should also be made for cycling between residential development and non-residential facilities, or between a non-residential development and its catchment area, where these lie within 5km of the development....

#### **Policy I4: Water infrastructure**

Adequate foul drainage/sewage treatment facilities and surface water disposal shall be provided for all new development. Separate systems of drainage with points of connection to the public sewer system or outfalls will be required.

Surface water shall be disposed of by Sustainable Urban Drainage Systems (SUDS) unless it is demonstrated that it is not feasible.

### **Environment**

#### **Policy ENV1: Protection of trees, woodland, orchards and hedgerows**

Development should seek to minimise impact on trees, woodlands, orchards, historic parklands and hedgerows of value to the areas landscape, character or wildlife and seek to provide net gain where possible. Where the loss is unavoidable, the works (or development) should be timed to avoid disturbance to species that are protected by law. Adequate provision must be made to compensate for this loss.

Development which would result in the loss of Ancient Woodland, Aged or Veteran Trees will not be permitted.

The proper management of this resource for nature conservation purposes will be sought.

**Policy ENV2: Tree planting within new developments**

The planting of trees within new developments shall be sought where this would benefit wildlife and biodiversity, enhance landscape or public amenity. Trees should be planted in:

- A. Communal areas and along streets or/and between buildings; and
- B. On highway verges (depending on safety issues and reasonable cost of future maintenance).

Development proposals should where possible provide a broad mix of native and non-native trees in new developments.

The proper management of this resource for nature conservation purposes will be sought.

**Policy ENV4: Archaeology**

Where a development proposal affects a site of archaeological importance, Area of High Archaeological Potential, or it is known or suspected that the development could affect archaeological remains, developers must provide for satisfactory evaluation of the archaeological value of the site, and the likely effects on it as part of the planning process.

Development affecting sites or the setting of designated archaeological heritage assets, and non-designated archaeological sites or settings which have been demonstrated to have a similar level of importance, will not be permitted unless their archaeological and historic interest, character and setting would be preserved. Designated heritage assets of archaeological importance should be preserved in situ. Proposals which do not provide for this will not be permitted unless:

- A. The development would make preservation in situ physically impossible and the remains are not of sufficient importance to outweigh the need for development; and
- B. Developers would make adequate provision for excavation and recording of remains affected.

Where evaluation does not justify designation as a site of national or county importance and development is to be allowed, developers must provide for an adequate programme of works.

**Policy ENV5: Development in the vicinity of rivers and canals**

Development proposals on, adjacent to or in the vicinity of rivers, streams and canals shall:

- A. Improve public access to, along and from the waterway and improve the environmental quality of the waterway corridor;
- B. Protect access for vehicular maintenance and future uses;
- C. Optimise views of water space through siting, configuration, and orientation of buildings, recognising that appropriate boundary treatment and access issues may differ (between the towing path and offside of the canal); and
- D. Prevent adverse impact on amenity including noise, odour, visual and lighting impacts unless adequate compensation and mitigation is provided as part of the application.

**Design**

**Policy D2: Approach routes to Taunton and Wellington**

Development which would harm the visual qualities of routes into and out of Taunton and Wellington will not be permitted.

**Policy D9: A co-ordinated approach to development and highway planning**

A co-ordinated approach shall be adopted to the design of development and its associated highways. This should include:

- A. Providing for safe walking and cycling routes;
- B. Promoting an inclusive environment that recognises the needs of people of all ages and abilities, including the need for social interaction;
- C. Reflecting and supporting pedestrian desire lines in networks and detailed designs;
- D. Creating networks of streets that provide permeability and connectivity to main destinations and a choice of routes;

E. Developing street character types with reference to both the place and movement functions of each street; and

F. Designing to keep vehicle speeds at or below 20 mph on residential streets unless there are overriding reasons for accepting higher speeds.

G. Where appropriate, preservation and enhancement of the character of conservation areas, designated assets and their settings.

Where appropriate, the Council will seek a flexible approach to street layouts and the use of locally distinctive, durable and maintainable materials, street furniture and soft landscaping, including trees.

### **Spatial Policies**

#### **Policy SB1: Settlement Boundaries**

In order to maintain the quality of the rural environment and ensure a sustainable approach to development, proposals outside of the boundaries of settlements identified in Core Strategy policy SP1 will be treated as being within open countryside and assessed against Core Strategy policies CP1, CP8 and DM2 unless:

A. It accords with a specific development plan policy or proposal; or

B. Is necessary to meet a requirement of environmental or other legislation; and

In all cases, is designed and sited to minimise landscape and other impacts.

### **National Planning Policy Framework 2012**

1. The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.

2. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

#### **Achieving sustainable development**

6. The purpose of the planning system is to contribute to the achievement of sustainable development.

7. There are three dimensions to sustainable development: economic, social and environmental: an economical role; a social role; an environmental role.

8. These roles should not be undertaken in isolation, because they are mutually dependent.

9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life,

10. Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

#### **The presumption in favour of sustainable development**

11. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

12. This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

13. The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.

14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.



15. Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay.

16. The application of the presumption will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:

- develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;
- plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and
- identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.

### **Core planning principles**

17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking.....

- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

### **Delivering sustainable development**

Building a strong, competitive economy

19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

20. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

21. Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should:

- set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;

- plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries;
- identify priority areas for economic regeneration, infrastructure provision and environmental enhancement; and

### **Promoting sustainable transport**

29. Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

30. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.

32. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.

34. Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.

35. Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport.

41. Local planning authorities should identify and protect where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice.

### **Requiring good design**

56. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

58. Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;

- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;

and

- are visually attractive as a result of good architecture and appropriate landscaping.

### **Promoting healthy communities**

75. Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

### **Meeting the challenge of climate change, flooding and coastal change**

93. Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable National Planning Policy Framework and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

94. Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.

99. Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.

100. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere....

103. When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment....

### **Conserving and enhancing the natural environment**

109. The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils....

110. In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework.

111. Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.

112. Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

114. Local planning authorities should:

- set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure;

116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

117. To minimise impacts on biodiversity and geodiversity, planning policies should:

- plan for biodiversity at a landscape-scale across local authority boundaries;
- identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;
- promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;
- aim to prevent harm to geological conservation interests; and
- where Nature Improvement Areas are identified in Local Plans, consider specifying the types of development that may be appropriate in these Areas.

118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged;

122. In doing so, local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

123. Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

124. Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions

should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

125. By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

### **Conserving and enhancing the historic environment**

131. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. ....

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

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

135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

136. Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

139. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

140. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

### **Decision-taking**

186. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.

187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

#### **Pre-application engagement and front loading**

188. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

190. The more issues that can be resolved at pre-application stage, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.

191. The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle, even where other consents relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible.

192. The right information is crucial to good decision-taking, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations Assessment and Flood Risk Assessment). To avoid delay, applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible.

#### **Determining applications**

196. The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions.

197. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

#### **Tailoring planning controls to local circumstances**

199. Local planning authorities should consider using Local Development Orders to relax planning controls for particular areas or categories of development, where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area, such as boosting enterprise.

#### **Planning conditions and obligations**

203. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

206. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

#### **Annex 1: Implementation**

209. The National Planning Policy Framework aims to strengthen local decision making and reinforce the importance of up-to-date plans.

210. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

212. However, the policies contained in this Framework are material considerations which local planning authorities should take into account from the day of its publication. The Framework must also be taken into account in the preparation of plans.

**Planning practice guidance categories**

Air quality

Climate change

Conserving and enhancing the historic environment

Consultation and pre-decision matters

Determining a planning application

Environmental Impact Assessment

Flood risk and coastal change

Land affected by contamination

Local Plans

Natural environment

Noise

Open space, sports and recreation facilities, public rights of way and local green space

Strategic environmental assessment and sustainability appraisal

Transport evidence bases in plan making and decision taking

Travel Plans, Transport Assessments and Statements

Use of planning conditions

Water supply, wastewater and water quality

Sustainable drainage systems

The relevant guidance can be viewed at the following website:

<https://www.gov.uk/government/collections/planning-practice-guidance>

## **South West Strategic Economic Plan (SEP) 2014-2030 Heart of the South West**

Road • M5 motorway, A 38 trunk road and A380 primary route – dual carriageway grade from Bristol to Exeter, Plymouth and Torbay. Some junctions along this route are now at or reaching capacity, therefore new development close to these junctions cannot take place. In particular the junctions associated with Hinkley.

“The Somerset Chamber of Commerce fully supports the HOTSWE LEP’s stance on improving the transport infrastructure through the LEP area, and working with neighbouring LEPs across the entire South West of England. For our area to remain competitive on the UK and global stages, the transport links must be improved. For us in Somerset this means enhancing the rail network to maintain regular trains into the South East and far South West as well as the Midlands, and completing the dualling of the A303 from Stonehenge to make sure that two key road arteries into the South West are maintained – we cannot rely solely on the M5” Rupert Cox, CEO, Somerset Chamber of Commerce Key Messages: • Our weak strategic transport infrastructure is inhibiting growth and productivity. • The poor resilience of our transport infrastructure is damaging our economy. • Pinchpoints in strategic network are blocking growth opportunities, particularly in relation to Hinkley • Local Transport Infrastructure has the potential to unlock economic growth and further investment is required; and • In rural areas, lack of transport is a barrier to accessing employment, education and training.

### **From Figure 28: Implementation of ‘Place’ Priorities:**

Transport and Accessibility Improving resilience and quality of strategic transport networks. Local transport infrastructure to unlock housing and growth Sustainable transport and access to employment

### **The Somerset Growth Plan 2017-2030 dated June 2017**

Objectives of the plan include:

Infrastructure to support productivity and innovation

12. Strategic connectivity into Somerset, including road, rail and public/community transport, will be Improved

14. Somerset will have a good market supply of employment sites and premises, including a network of enterprise centres. The Local Plans will ensure a sufficient supply of viable and deliverable sites allocated for development

17. Increased flood resilience will improve the resilience of Somerset’s transport infrastructure, and will enable previously marginal sites to be fully developed for housing and employment

#### **1.1 Purpose of the Growth Plan**

The purpose of this Growth Plan is to attract and guide investment, to overcome barriers and maximise sustainable growth from local opportunities, benefitting Somerset’s communities, businesses and residents.

The Growth Plan will inform and be informed by the Heart of the South West productivity plan and the UK Government’s Industrial Strategy through an iterative process as these plans are developed. It will be used to prioritise strategic economic development activity in Somerset.

#### **2.5.3 Infrastructure**

There is relatively good strategic connectivity into the county, but there is potential for



improvement. Motorway and mainline rail links to major destinations exist, but suffer reliability issues which need to be addressed. This is particularly important in light of the value of the M5 corridor to the region's economy.

## **Infrastructure to support productivity and innovation**

12. Strategic connectivity into Somerset, including road, rail and public/community transport, will be Improved.

Infrastructure

4.6 Improved connectivity to and within Somerset by road, rail and public/community transport

### **4.6.1 Vision**

By 2030 strategic access into Somerset will be reliable via the M5, A303 and the main rail line. Journey times to major destinations (e.g. London, Bristol and Exeter) will be quicker than in 2017, with more frequent, reliable and faster rail services to London. Road and rail access across and within Somerset will be quicker and more reliable than in 2017.

### **4.6.3 Performance indicators**

M5 corridor improvements including J25

## **4.8 A strong supply of suitable employment property**

### **4.8.1 Vision**

By 2030 Somerset will have a good market supply of employment sites and premises with public investment used to overcome any exceptional constraints to their delivery; all necessary steps to assure delivery will be taken if required. The Local Plans will ensure that there is a sufficient supply of viable and deliverable sites allocated for development. Somerset will have a network of enterprise centres that cover the county. These will provide business support alongside high quality affordable premise for new-start and growing businesses. The enterprise centres will produce a stream of businesses that graduate into other employment space, and continue to grow. Somerset will have a network of innovation centres, which provide accommodation and support to businesses in the county's most competitive target business areas (which may be sectors or technologies).

## **4.11 Improved coastal and fluvial flood resilience**

### **4.11.3 Performance indicators**

Delivery of flood resilience schemes

Area of land now able to be developed for employment and/or housing

Improving flood resilience in the county will help to improve the reliability of transport connections, and will reduce the flood risks in some parts of the Somerset levels that have suffered badly from flooding in the past. It will also help to reduce flood risk in some large urban areas in Somerset e.g. the town centres of Bridgwater and Taunton. Improved flood resilience may also enable development to take place on sites that have previously been considered too high a flood risk. This could increase the amount of land available for employment and/or housing development.

## **SOMERSETS FUTURE TRANSPORT PLAN**

### **POS 1 Community and Partnership involvement**

We will help our communities to help themselves. We will help them to make improvements to transport, allow them to shape our work and deliver improvements in partnership with other organisations.

### **SUS 4 Cycling**

We will encourage people to cycle more by helping them to make smarter travel choices and get better cycling skills. We will support the provision of appropriate and well connected cycling facilities.

### **SUS 5 Walking**

We will help people make more trips on foot and help people see the benefits of walking.

### **SUS 6 Rights of Way**

We will work to maintain our Rights of Way network and improve the information available to help people use them.

### **SUS 9 Noise**

We will manage the effect transport-related noise has on our communities at problem locations. We will assess sites according to the Department for Environment, Food and Rural Affairs' guidance and prioritise possible solutions.

### **SUS 10 Landscapes and Biodiversity**

We will protect Somerset's landscapes and biodiversity by working to minimise the effect transport schemes have on them.

### **ECN 1 Car and Taxi**

We will work to better manage the traffic on the roads and improve the most congested junctions and routes. We will work with developers to try and make sure new developments don't make conditions worse.

### **ECN 2 Sustainable Development**

We will work with developers to ensure they take into account the way people travel, and how people travel, to access services.

### **SAF 1 Road Safety**

We will work with partner organisations, for example, by helping drivers and riders to improve their skills.

### **SAF 2 Motorcycling**

We will promote safe and responsible motorcycling by working with our partners to deliver our road safety policy and helping to improve parking provision.

### **HLT 1 Stay Active**

We will help people be more active by giving them more opportunities to travel in a healthy way, such as by walking or cycling.

### **HLT 3 Air Quality**

We will work to minimise the effect any changes to Somerset's transport systems have on air pollution. We will work with Somerset's district and borough authorities to improve air quality in Somerset by encouraging partnership working and sharing best practice with our neighbours.

### **Bridgwater, Taunton and Wellington Future Transport Strategy 2011 – 2026 Nov 2011**

This a material policy consideration which sets out SCC's transport policy for the period between 2011 and 2026.

**The Strategy's key objectives are:**

#### **Supporting the Economy -**

Reduce use of the strategic network for local trips; reduce car use for short distance journeys; increase flood resilience; reduce rate of growth in journey times; and improve journey time reliability.

#### **Strengthening Communities -**

Improve accessibility to public transport and walking and cycling opportunities; prioritise access to/from deprived wards; improve levels of physical fitness; and maintain self-containment

#### **Protecting the Environment -**

Reduce rate of growth of greenhouse gas emissions; reduce rate of growth of noise; reduce levels of NOX and particulates; increase species and habitat diversity; protect archaeological and historic heritage; and improve visual appearance of streetscapes

#### **Making Travel Safer –**

Reduce total number of casualties; reduce child casualties; reduce cycling, pedestrian, motorcycle and public transport casualties; and reduce crime and fear of crime on public transport and in urban spaces.

A number of the proposals within this document relating to Taunton have already been carried out as part of the Park and ride site.

### **Nexus25 Local Development Order (LDO)**

The LDO was presented to TDBC's Scrutiny Committee On 14 November 2017

The LDO was conditionally approved by TDBC's full council at their meeting on 12 December 2017

The LDO includes the Borough Council's 'Statement of Reasons' together with its accompanying Design Guide and Environmental Impact Assessment / Environmental Statement. The LDO has been developed through a process of working with other stakeholders and has also been informed by an informal public consultation exercise which was additional to the requirements of the Regulations.

The development of the Nexus 25 site is closely linked to Somerset County Council's project to upgrade M5 Junction 25 in order both to increase its capacity and to provide access to the Nexus 25 site. The Local Economic Partnership has provided funding for the J25 improvement scheme because it also provides access to the Nexus 25 site, without the junction improvement scheme, the employment site cannot be delivered.

In terms of physicality, the J25 M5 capacity improvement scheme can proceed without the Nexus 25 development proposal; on the contrary, the Nexus 25 proposals cannot proceed without the J25 M5 works.

## APPENDIX 'B'

### External and Internal Consultees and Public Comments:-

#### B1. External Consultees:-

##### B1.1 Highways England:

##### B1.1.1 Highways England Planning Response (HEPR 16-01) Formal Recommendation to an Application for Planning Permission

From: Divisional Director, South West Operations Division, Highways England  
planningsw@highwaysengland.co.uk

Council's Reference: 4/38/17/0205

B1.1.2 Referring to the full application received on 29 May 2017 regarding the construction of a new road scheme including the widening and enlargement of Junction 25 roundabout, the widening of Toneway over approx. 200m length from J25, the construction of a new roundabout at the South/Western corner of the Gateway Park & Ride site and the construction of linking sections of road to J25 and the A358/Ruishton Lane junction, junction alterations, provision of pedestrian and cycling facilities and associated street furniture on land at Junction 25, M5, Taunton, notice is hereby given that Highways England's formal recommendation is that we:

- a) ~~offer no objection;~~
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);
- c) ~~recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);~~
- d) ~~recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B ~~is~~ is not relevant to this application.

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should you disagree with this recommendation you should consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2015, via transportplanning@dft.gsi.gov.uk.

#### **[Annex A] Highways England recommended Planning Conditions**

- B1.1.3 HIGHWAYS ENGLAND (“we”) has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.
- B1.1.4 This response represents our formal recommendations with regard to the outline application for a mixed use development at the construction of a new road scheme including the widening and enlargement of Junction 25 roundabout, the widening of Toneway over approx. 200m length from J25, the construction of a new roundabout at the South/Western corner of the Gateway Park & Ride site and the construction of linking sections of road to J25 and the A358/Ruishton Lane junction, junction alterations, provision of pedestrian and cycling facilities and associated street furniture on land at Junction 25, M5, Taunton (Application Ref – 4/38/17/0205) and has been prepared by Steve Hellier of the Operations Directorate and South West Planning Manager.
- B1.1.5 We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policy of the Secretary of State as set out in DfT Circular 02/2013 “The Strategic Road Network and the Delivery of Sustainable Development” and the DCLG National Planning Policy Framework (NPPF).

#### Statement of Reasons

##### B1.1.6 Introduction

A Transport Assessment (TA) has been prepared by Somerset County Council (SCC) and covers transport matters with respect to an improvement scheme at M5 Junction 25.

The scheme comprises:

- Increasing the capacity of Junction 25, by increasing the number of traffic lanes and through signalisation;
- The addition of a new arm to the roundabout to provide a link to a new development site to the south east of the junction;
- Providing a direct access to Junction 25 for buses coming out of the Taunton Gateway Park and Ride (P&R) site to improve journey time reliability;
- Maintain direct vehicular access from Junction 25 to the P&R to encourage the use of public transport for travelling to Taunton town centre;
- Improve the existing cycle links and provide new ones to link to future employment site;
- Provide safe pedestrian and cycle crossing points at junctions;
- Consideration to the needs of the mobility impaired;
- Provision of directional and way-finding signs for motorist, cyclist and pedestrians;
- Provision of landscaping to enhance the environment;
- Use of colours in paving material to distinguish pedestrian routes, bus routes, cycle routes and vehicular routes; and
- Provision of street lighting to improve safety and security.

The TA has been produced in line with the ‘Guidance on the production of Transport Assessments’ document. It should be noted that this has since been superseded by the ‘Transport evidence bases in plan making and decision making’ document, published March 2015 as part of the Planning Practice Guidance.

#### B1.1.7 Existing Site Function

The area covered by the scheme is approximately 21 hectares comprising existing highway, arable land, P&R facility and poultry houses. In relation to the existing highway, the M5 mainline carriageway and on/off slips form part of the SRN. The remaining highway within the scheme boundary is the responsibility of the Local Highway Authority (LHA) which is Somerset County Council (SCC).

The existing P&R is proposed to be retained with some modifications to its site access.

#### B1.1.8 Proposed Development

The scheme comprises:

- Widening circulatory roads and signalisation of Junction 25;
- Widening Toneway at its junction with Junction 25;
- Construction of a new arm to the south eastern side of the roundabout;
- Construction of a new dual carriageway to the new arm of the roundabout leading to the development site;
- Construction of a new roundabout serving the development site and construction of a new A358 west bound link to the roundabout;
- Construction of new cycleways to maintain the link from Ruishton Lane junction and Blackbrook Business Park on the west side of the Junction 25 roundabout;
- Construction of new cycleways to link to the proposed development site;
- Provision of directional and wayfinding signs;
- Associated street lighting;
- Diversion of some Right of Ways, and provision of safe crossing points for pedestrians;
- Associated landscaping work; and
- Provision of attenuation systems to collect surface water and gradually discharge to rivers and watercourses.

The scheme has a number of aims:

- To improve road safety and to reduce congestion by improving the operation of M5 Junction 25, in particular ensuring that mainline M5 queuing does not occur; and
- to enable the accommodation of future planned growth and development, in particular a Strategic Employment Site (known as Nexus 25) to the south east of the junction (the SES is being brought forward under a Local Development Order).

B1.1.9 Highways England has responded separately to the Local Development Order in relation to the Strategic Employment Site at junction 25, following consultation from Taunton Deane Borough Council (TDBC). We shall continue to work with TDBC and the promoters of the Nexus 25 development to ensure it is brought forward in a way that ensures the safe and efficient operation of the SRN.

#### B1.1.10 Assessment

The applicant submitted a number of reports and assessments in support of the proposed scheme. These were initially reviewed shortly after the submission of the planning application in summer 2017.

Highways England's review of this information resulted in the submission of a recommendation of non-approval dated 24 July 2017 to enable the applicant to revise the information provided to resolve our concerns. Broadly these related to:

- The Transport Assessment and Traffic Forecasting Report;
- The Highway Modelling – both in LINSIG and SATURN;
- The scheme design and its compliance with standards; and

- A Stage 1 Road Safety Audit and Designers Response, WCHAR Assessment, and Safety Risk Assessment.

B1.1.11 Following the submission of Highways England's recommendation of non-approval, we have been involved in extensive discussions with the applicant and their consultants WSP.

B1.1.12 These discussions and interim submissions of information have now enabled us to be satisfied with the proposed scheme and its effect on the operation of the SRN. In summary, these relate to:

- A number of clarifications and additional supporting information has been provided in relation to the Transport Assessment and Traffic Forecasting Report which respond to Highways England's earlier concerns
- A number of clarifications and additional supporting information has been provided in relation to the SATURN modelling. Whilst these have gone some way to resolving the concerns set out in our previous HEPR, we have not been able to reach agreement on a few specific areas, particularly those relating to traffic growth in the model and journey times. However, whilst we hold these reservations we are happy that for the purposes of assessing the current planning application the model is fit for purpose. However, further application of the model for other purposes will require discussion and approval with Highways England.
- The LINSIG model has been revised in line with our earlier comments and we are now satisfied that it provides a robust basis for forecasting the detailed operation of the proposed scheme. As a result of our concerns relating to the SATURN model we have run a number of sensitivity tests in LINSIG to test the ability of the proposed junction layout to accommodate a higher level of traffic than assumed in the Transport Assessment and Traffic Forecasting Report. As would be expected, junction capacity is not infinite, but this testing has shown that a traffic signal plan which protects the operation of the M5 is able to be implemented at the junction. This holds traffic out of the junction on the non-SRN approaches to ensure that the junction and the M5 in particular operates in a safe and acceptable manner.
- Changes to the scheme design following our standards review, as set out in our previous response have been made and the proposed design is now acceptable in terms of compliance with design standards.
- A Stage 1 Road Safety Audit and Designers Response, WCHAR Assessment and Safety Risk Assessment have now all been received and reviewed. These documents have been found to be acceptable to Highways England.

As such, this updated response sets out planning conditions which we recommend are attached to any planning consent granted and these are detailed in the section below.

#### B1.1.13 Proposed Planning Conditions

1. The scheme shall be generally in accordance with the details shown in Somerset County Council Drawing MJ004045-PL-004 Rev B, save for changes made as a result of detailed design or road safety audit. Any such changes must be submitted to, and agreed in writing by the local planning authority in consultation with Highways England.

2. Construction of the scheme hereby permitted shall not commence until a detailed design has been submitted to and approved in writing by the Local Planning Authority (in consultation with Highways England). Details to be included with the detailed design shall include but not be limited to:

- traffic signal design and details of queue detection and signal operation
- Stage 2 road safety audit, with all recommendations either incorporated in to the design or Exceptions agreed in accordance with the Design Manual for Road and Bridges;

The scheme shall not be constructed other than in accordance with the approved scheme.

3. Construction shall not commence until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority in consultation with Highways England and thereafter implemented in full.

4. Construction shall not commence until a Construction Environmental Management Plan (including method statement and phasing plan) has been submitted to, and approved in writing by, the Local Planning Authority in consultation with Highways England and thereafter implemented in full.

5. Construction shall not commence until technical details relating to works to bring the circulatory carriageway closer to the M5 over-bridges has been submitted to, and approved in writing by, the Local Planning Authority in consultation with Highways England.

6. Construction shall not commence until a Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority in consultation with Highways England and thereafter implemented in full. The Plan shall set out the operation of the traffic signals at the junction (as well as any junctions linked to M5 junction 25) and how the junction(s) will be managed throughout the duration of the construction phase so as to ensure the safe and efficient operation of the SRN.

#### B1.1.14 Informative Notes:

The highway proposals associated with this consent may involve some works within the public highway, which is land over which you have no control. Highways England may therefore require you to enter into a suitable legal agreement to cover the detailed design and construction of the works. Please contact Sarah Lewis (telephone 0300 470 4334) at an early stage to discuss the details of the highways agreement.

The applicant should be aware that an early approach to Highways England is advisable to agree the detailed arrangements for financing the design and construction of the scheme. Commencement of works will also need to be timed to fit in with other road works on the strategic road network or local road network to ensure there are no unacceptable impacts on congestion and road safety.

Please be advised that Highways England may charge Commuted Sums for maintenance of schemes delivered by third parties. These will be calculated in line with HM Treasury Green Book rules and will be based on a 60 year infrastructure design life period'.

The implementation of this permission will require network occupancy on the Strategic Road Network. This will require prior notice and agreement in line with Highways England procedures, including road space booking. Contact should be made with [SouthWestRoadspace@highwaysengland.co.uk](mailto:SouthWestRoadspace@highwaysengland.co.uk) at the earliest opportunity to begin this process.

#### B1.2 Taunton Deane Borough Council (TDBC):

##### B1.2.1 Principle of the development:

Taunton Deane Borough Council supports the planning application, for the following reasons:

B1.2.2 The current scheme to improve M5 Junction 25 will, amongst other things, provide access to the "Nexus 25" strategic employment site for Taunton proposed in adopted Taunton Deane Core Strategy policy SS8, currently being progressed through the preparation of a Local Development Order. Without the implementation of this Junction



improvement scheme the Nexus 25 site cannot be developed. [n.b. the LDO has now been granted conditionally by TDBC on 12 December 2017].

B1.2.3 Given also that the “Nexus 25” site is a fundamental element of the Council’s development strategy for Taunton to 2028, it follows that the current planning application is also essential to the delivery of the Core Strategy’s proposals for the town.

B1.2.4 The delivery of “Nexus 25” will play a significant part in the achievement of the Core Strategy’s Strategic Objectives, particularly Objective 2 (Economy):

*“To provide the right conditions and sufficient land in appropriate locations to retain the Borough’s high levels of self-containment, re-balance the local economy away from its public sector dominance, promote the growth of the green knowledge economy and raise the overall quality of jobs through related strategies, enabling Taunton and the rest of the Borough to fulfil its true economic potential.”*

B1.2.5 The J25 improvement will also help to facilitate the implementation of Taunton Deane Borough Council’s overall growth strategy for the town, as expressed in Taunton Deane Core Strategy Policy SP2: “Realising the vision for Taunton” which sets out the development elements contained in the Core Strategy, including the need to “...Secure improvements to Junction 25 of the M5 to meet the needs of the proposed urban extensions...”.

**B1.2.6 Biodiversity**

I understand that you will have taken your own biodiversity advice, but we offer the following comments on the submitted ecological report.

B1.2.7 The current habitats/land on site include:

- Arable land with associated field margins;
- Improved agricultural grassland;
- Amenity grassland;
- Park and Ride facility;
- Poultry sheds;
- Streamside habitats associated with Black Brook and Henlade Stream;
- Retention Ponds;
- Hedgerows

B1.2.8 The report concludes that a range of ecological surveys - Hedgerow, invasive species, badger, bats, great crested newt, reptiles, breeding birds, dormice, brown hairstreak and an extended phase 1 survey are required to establish if mitigation for the scheme is required.

B1.2.9 We understand that these surveys are underway, but without them it is not possible to comment in detail to determine the impact of the scheme on wildlife. I would welcome the opportunity to comment further once the results are known.

**B1.2.10 Landscape**

A Landscape and Visual Impact Assessment undertaken of the site provides an accurate site landscape context. The site and surrounding area is dominated by the M5 and the existing Junction 25, resulting in a low level of tranquillity.

B1.2.11 The area has a rural-urban fringe character which could be enhanced with planting. Indeed the M5 corridor is identified as a Biodiversity and Landscape enhancement corridor.

- B1.2.12 The proposed scheme will involve full signalisation and widening of the carriageway at junction 25, a new link road and roundabout to the SE and alteration of the Ruishton and the Park and Ride junction. The scheme will involve new earthworks with the embankments up to 2.8 m and removal of vegetation. (This vegetation should be checked for nesting birds and roosting bats prior to removal.)
- B1.2.13 The LVIA identified a number of visual receptors in the area. Our landscape officer agrees that the primary impact on the landscape will arise during construction works.
- B1.2.14 Signage and illumination in the area is already high and so should not be increased too much as this will contribute to visual clutter in the area.
- B1.2.15 Noise and Air quality**  
In terms of some of the more technical aspects of the proposal, I have sought the views of the Environmental Health Officer, who has commented as follows:
- B1.2.16 The noise assessment uses predictions of traffic levels to estimate future levels of noise at properties in the surrounding area. It compares predicted noise levels (in 2018 and 2033) without the road improvements to those with the improvements and estimates that with, or without, the scheme there could be a slight increase in noise levels at some properties (less than 3dB) although more properties would be affected with the new scheme. The report concludes that the likely impact arising from the scheme would be negligible, therefore, mitigation is not deemed necessary.
- B1.2.17 The report includes an assessment of the impacts on air quality during the construction phase of the roads and the operational phase.
- B1.2.18 For the construction phase the potential impact from dust was assessed and the report concluded that there would be a low impact from the site. There could be emissions from construction vehicles entering the site, but this would be negligible when compared to the level of existing traffic on the road.
- B1.2.19 The operational assessment is based on predictions of traffic data and modelled particulate levels (PM10 and PM2.5) and nitrogen dioxide (NO2) and concludes that the impact on pollution levels would not be significant.
- B1.2.20 Taunton Deane Environmental Health do not have the computer modelling software to be able to check the calculations in noise or air quality reports. However, they appear to be thorough and in line with what would be expected. The proposed works are alterations to existing roads, with a new roundabout and roads on an area of open land. Most of the houses that have been included in the assessment are several hundred meters from the road. There are likely to be some increases in noise and pollutant levels (whether or not the works are carried out), but the EHO has confirmed that he can accept that the changes to the road layout are not likely to have a significant effect on nearby premises.
- B1.2.21 The report does make a number of recommendations for mitigation for dust/air quality during the construction phase. These are examples of good practice which should be considered by the developer and their contractors.

**B1.3 Ruishton & Thornfalcon Parish Council:**

- B1.3.1 Ruishton & Thornfalcon strongly object to this application on the following grounds:
- B1.3.2 It is Ruishton & Thornfalcon Parish Council's opinion that the scheme's main purpose is to aid the opening up an Employment Site known as Nexus 25 and to provide an access

into the Employment Site. It is not aimed on improving Junction 25 roundabout. The scheme does not offer any real improvements to the J25 roundabout and will be detrimental for the local residents, businesses, cyclists and Pedestrians. The scheme is contrary to Taunton Deane Local Plan Policy S5 as it is outside the defined limits of urban Taunton and in a designated village where development should, "be limited to that compatible with their local need, individual roles, characteristics and physical identities."

B1.3.3 Although a strategic employment site for Taunton was agreed in principle in the Taunton Deane Core Strategy it was not specified where it would be only that "a number of sites have been proposed for investigation including land around Monkton Heathfield, Junction 25 of the M5 and Comeytrowe." (Policy SS8). The Nexus 25 site has been chosen by TDBC without proper public consultation, although Sustainability reports were shown in their Issues and Options document TDBC did not fully complete the consultation process as they did not respond to the public comments received nor indeed to the concerns raised by Ruishton & Thornfalcon Parish Council regarding the validity of the Sustainability scorings despite being pressed to do so on a number of occasions.

#### B1.3.4 THE PROPOSED ROAD SCHEME

- Ruishton & Thornfalcon Parish Council are concerned to the proposed width of carriageways on the roundabout and suitability for large articulated lorries especially given the increase in HGV movements that Nexus 25 will generate.
- Providing a 4th lane on the roundabout at J25 will do nothing to alleviate the current traffic problems at the roundabout or through Henlade due to the projected 7000 traffic movements a day from the Nexus site.
- If these improvements are aimed at reducing the travel times along the A358, the congestion coming from Taunton, tail backs on the south bound M5 and easier access for the 1300 vehicles going into the Blackbrook business park, all the gains will be lost when Nexus 25 is built which will be wasting tax-payer's money.
- The scheme fails to consider the adverse impact on local businesses such as the Toby Carvery Restaurant, Cambria Farm and Woodlands Castle. These are thriving businesses which employ a reasonable number of people and the proposed one-way system for the A358 will have an impact on the viability of the businesses.
- The bottleneck of Ilminster bound traffic caused where the 2 lanes merge into one has not been addressed. To not make any adjustments will cause tailbacks to J25.
- The additional small length of additional carriageway leading into Taunton from the Blackbrook turning will have the same effect causing traffic to back up as vehicles seek to merge.
- There is an existing problem of traffic rat running from Monkton through Creech and Ruishton. It is more than likely that Nexus 25, will encourage more rat running. Ruishton & Thornfalcon Parish Council consider that measures should be put in place to manage this problem and not encourage it.

#### B1.3.5 CYCLISTS AND PEDESTRIANS

- This proposed strategic employment site will have no reasonable access by sustainable transport from Taunton and is therefore contrary to the principles of sustainable development in the National Planning Policy Framework (NPPF).
- The proposed pathways and cycle path are dangerous with the number of crossings required of the main road. Also sending users to the centre of the roundabout via 2 crossings is ridiculous for both those users and for the cars as it is one extra set of traffic lights that the cars have to go through on the roundabout itself. As these two sets of lights are within metres of each other the traffic will tend to straddle the first set or jump them to get through the second set if green. The paths from the start of the new scheme down the single carriageway to the roundabout are also not clearly defined, pedestrians and cyclists won't go the long way round following the new route for the

traffic so that means crossing this busy part of the road a couple of times. Again more traffic lights for the traffic.

- The cycle/footpath bridge across the motorway from Nexus 25 to join up with the existing cycleway through the Blackbrook estate is only a proposal and does not form part of TDBC's plan and was only included for illustrative purposes. It does not form part of the Travel Plan that supports the application.
- There are a large number of footpaths T32/4A, T22/20, T26/4, T26/12, T32/ UN. These footpaths cross the busy lanes with no or very small refuge between the lanes. This could be off-putting for people walking into Taunton and will not encourage people to live a healthier lifestyle
- To meet Community Safety, Sustainability implications, the scheme should also include a cycleway from Church Lane in Ruishton to the Hankridge Retail Park and to satisfy Sustainability the SCC plan must include improvements to the cycle and pedestrian routes along Ruishton Lane from Ruishton, which is the nearest centre of population to the Nexus 25 site that SCC's scheme is designed to open up.
- Overall, the arrangements for cyclists and pedestrians is considered dangerous and unnecessarily complicated. It is apparent that vehicle users for Nexus 25 has been considered first with cyclists and pedestrians as an afterthought. This is contrary to NICE guidance, endorsed by DfT that states "pedestrians and cyclists should be considered before other user groups in the design process - this helps ensure that they are not provided for as an afterthought."

#### B1.3.6 FLOODING

- Ruishton & Thornfalcon Parish Council are concerned the adverse impact of building on a flood zone 3 as do both the Environmental Agency and Drainage Board.
- There appears to be no satisfactory hydraulic modelling carried out, or modelling for the impact on settlements down-stream from the site, particularly the Blackbrook and the River Tone through Ruishton. Since completion of the Park and Ride, flooding has been experienced on the A358 across the highway in the vicinity of the Toby Carvery. This never happened before and will probably get worse due to run off from this scheme.
- Historically, the villages of Ruishton and Henlade are known to have serious and dangerous flooding issues

#### B1.3.7 HEALTH AND WELL-BEING FOR RESIDENTS IN THE LOCALITY OF J25 ROUNDABOUT

- It is estimated that Nexus 25 will generate 7,000 vehicle movements per 12 hour period and this will have an adverse effect on the air quality through the AQMA of Henlade.
- The Air Quality Assessment report has been evaluated using out of date figures of 2015 and not 2016. The Air Quality through Henlade is at its highest levels of 49 NO2 annual concentrates where East Reach the other AQ management area in TDBC is only 42. There were 2 new tubes receptors put into cover both sides of the A358 January 2016.

#### B1.3.8 ENVIRONMENT

- For a major scheme of this type there is no evidence that SCC have used the necessary screening process, as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, to determine whether this Scheme requires a full or partial impact assessment study. Ruishton & Thornfalcon Parish Council are concerned that an Environmental Impact Assessment has not been undertaken which the public should be consulted on.

#### B1.3.9 Summary

- Ruishton & Thornfalcon Parish Council consider that this application is all about delivering of an Employment Site which, no doubt, Taunton Deane Borough Council will be submitting a Local Development Order as soon as Somerset County Council has approved its own application.

- Little consideration has been given to the needs of the people using the A358. Any changes to J25 of the M5 should be focused on the alleviation of pressure on the M5/J25 roundabout together with the alleviation on congestion through Henlade rather than focused on the premature delivery of a massive employment site.
- This scheme provides no benefit to the local community which has suffered from the increased traffic as a result of so called 'improvements' to the A358 in the past; i.e. through noise, pollution, severance, depreciation of house value, and general inconvenience.
- This application should be considered in the context of the Nexus 25 LDO which is a substantial part of its justification and so the impact of the two schemes together should be jointly assessed.
- Ruishton & Thornfalcon Parish Council consider that, in view of the potential impact on increased levels of pollution, traffic and areas subject to flooding that a formal Environmental Impact Assessment should have been submitted. (Reference Town and Country Planning {Environmental Impact Assessment} Regulation 2011)
- It is stated that Highway England, Somerset County Council and Taunton Deane Borough Council have consulted with each other. Clearly this is not the case as Highway England has offered no connection to the new roundabout to link in with Nexus 25 with its preferred option.
- Somerset County Council plans are prejudicial to a Henlade bypass as identified in the Highway England's consultation
- Ruishton & Thornfalcon Parish Council are concerned on the disruption of traffic while construction work is carried out. The access and egress on the roundabout to and from J25 and the strong possibility that Hayden's Lane will be more of a 'rat run' than it is at present. Ruishton & Thornfalcon Parish Council would like to be informed of Somerset County Council's plans to minimize the disruption of traffic if this planning application is granted and before the work is carried out.
- Somerset County Council should withdraw this application in its present form. Re-present the application with the necessary changes when an Environment Assessment Impact survey has been carried out and some meaningful dialogue has happened between Highways England, Somerset County Council and Taunton Deane Borough Council.

#### **B1.4 Creech St Michael Parish Council:**

- B1.4.1 The Parish Council have safety concerns in their village and they express an overall opinion of all road improvement across the Taunton area indicating that the plans are not joined up and do not take proper account of the implications of each other on the traffic and routing through the affected areas/Parishes and individual villages including:
- The J25 of the M5 improvements (this application)
  - A358/A303(dualling scheme)
  - West Monkton urban extension
  - West Monkton eastern and western roads
  - Creech Castle Junction improvement.
- B1.4.2 The opinion is that they understand the overall need for all the road improvements but do not believe that the J25 requires improvement to relieve the traffic pressure, and that it is just for the Nexus employment site. They believe these improvements can't be implemented without the further proposal of a Henlade bypass. The PC is not supportive of further development which this junction would enable, and believe that the A358/A303 has a requirement to be dualled in order to remove the need for heavy traffic to go through Henlade.

B1.4.3 The Parish Council supports the scheme, particularly as it provides 4 (rather than 3) lanes onto the roundabout from Taunton, as it would appear to improve traffic flows through Henlade and "appeared to have " been designed to dovetail with the Highways England plans to dual the A358. The PC also supports the dualling of the A303 and A358 (providing it includes a bypass for Henlade and vascular access to the proposed employment park Nexus).

There are however some shortcomings and the Parish Council have asked the following:-

- The Scheme does not address the issue of rat running through Creech St. Michael (CSM) and the need for a programed safety works in CSM village therefore must be undertaken.
- We could not see any quantified projection of what traffic growth could be through Creech. Is this in your model? Nor can we see that the effect of the HE proposal for the dualling of the A358/A303 has been modelled.
- Indeed the scheme appears to be developed in isolation of the HE A303/358 dualling scheme.
- Taken together the Schemes do not presently deal adequately with the Henlade traffic.
- The PC feels the lorry access for the Nexus Employment Site must be off the HE dueled A303/358 road and not have heavy traffic having to travel Henlade.
- The PC is not convinced even with the HE A303/358 at either J15 OR J25a given the large number of large development sites in Taunton area (including that which may yet emerge in Corf, Henlade or be designated elsewhere) that even with the upgraded J25 that it will be sufficient for the volume of traffic.
- Would advocate the merit of a j24a at Walford Cross utilising the bridge there to enable traffic seeking to go northwards using the A38 from the Wivey direction to access the motorway without having to come through Taunton Town.
- Pleased to see that the Creech Castle Junction is to be upgraded.
- Suggest that either lights or a roundabout be installed at Henlade Cross Roads (Lipe Lane)
- That their needs to be a widely consulted upon and agreed programme for all the number of infrastructure schemes in the area-they can't all be built at the same time.

B1.4.4 The PC's priority is that there are safety improvement works integral to the scheme in the Village. The PC suggests that a package of improvements need to be included. These to include a 20mph limit throughout the entire CSM Village, village gateway at each entrance, a 'pinch point' to stop Lorries from routing through, improvements to the pavements on the Railway and Canal Bridges and from North End to Creech Heathfield and a pedestrian crossing on St Michaels Road. The works need to be in place before any of the above the schemes commence.

B1.4.5 Indeed the fatality at Creech Heathfield and the major crash in St Michaels Road last year highlight the danger this Parish currently has to suffer without the further building driving increases in traffic routing through.

B1.4.6 I write further to this Parish Council's initial response of the 12th May sent to comply with your original consultation deadline. As more information has become available and with an extended deadline the PC have decided to make further comments, hence this further letter.

B1.4.7 The PC remains' supportive of the principle of a new high quality duel carriageway expressway from London via the M3 to Taunton in order to bring economic benefits to Somerset, to provide more reliable journey times, improve safety and to avoid routing the road through the Blackdowns AONB.

B1.4.8 We are also aware of the other current infrastructure projects already agreed within and on this Parish borders' namely; The West Monkton Urban Extension of Taunton (which despite its name is a significant housing and employment development within this Parish), the West Monkton eastern and western relief roads, the Creech Castle junction improvement, the MS Junction 25 upgrade, the Nexus Strategic Employment Site and the obvious need to address the traffic on the A358 through Henlade/Ruishton. Representatives of the PC have attended each's consultation events. Not to mention its aspirations for the principles of its Garden Town status to be introduced.

None however where "joined up". None showed their impact on local villages.

B1.4.9 It was and remains obvious from these to the PC that all organisations involved need to be working far closer together on all these projects and that these projects need to be planned and developed within an overall programme of works; with each having greater regard than has been demonstrated to date for the others. The local communities, including this Council also need to be more involved too and the programming and phasing of the works needs to take place. Indeed despite your not having offered a Q&A sessions to this Parish/ or Council and no reference at those held to even acknowledge the highway problems that exist here this Council feels it clear that the impact on neighbouring communities (incl CSM) of each of these projects has not been or is being properly considered.

B1.4.10 This PC's priority is that there are safety improvement works integral to the scheme in the Village. Last year we had a fatality at Creech Heathfield and another death in St Michaels Road - not to mention frequent near misses and crashes. These highlight the danger this Parish currently has to suffer without further building driving increases in traffic routing through.

B1.4.11 As we consistently stated a comprehensive programme needs to be put in place ahead of your project; a programme of safety works (including "village gateways" on each entry, a pinch point in the centre to prevent larger lorries routing though), a village wide speed limit of 20mph, provision of foot/cycle way's where non exist (on the Railway and Canal Bridges and from North End to Creech Heathfield), a pedestrian crossing on St Michaels Road and a ban during the construction period of large 6'6"+ vehicles. Traffic modelling is required of the nearby villages (incl CSM) which has not been shown in plans to date. A roundabout or traffic lights as a minimum need siting at the Henlade Crossroads (Lipe Lane).

B1.4.12 This PC appreciates that your scheme and the above listed infrastructure projects (and others not listed here) are required and are going ahead.

B1.4.13 We now learn that in deciding to consult on one option you, HE, have suppressed consulting on several other options which would remove more traffic from Henlade. This is poor and in this Councils opinion this invalidates the consultation process and will have lost you the trust and confidence of affected communities.

B1.4.14 The PC understood from your representatives in good faith that the reason a J25a solution was proposed was that with the Nexus Employment site the J25 junction could not cope with the increased traffic volume and that the junction is not capable of even further improvement. Is this really the case though?

B1.4.15 We've experienced, for example, the M25 South Mimms junction roundabout which appears to handle far higher volumes. If so why is a larger further enhanced J25 roundabout with a Henlade Bypass not being proposed?

- B1.4.16 If so the PC accepts that a J25a may be required but the issue of removing constantly queuing traffic on the A358 in Henlade and providing access to Nexus (which must be from the duelled the A358/A303 in order to remove the need for heavy traffic to go through Henlade) MUST also be dealt with.
- B1.4.17 I've also been asked to raise the needs of local people being able to get around after the new expressway is built are met.
- B1.4.18 Separately the PC would also advocate the merit of a J24a at Walford Cross utilising the existing bridge there to enable traffic seeking to go northwards using the A38 from the north of Taunton seeking to travel from/to towards Bristol are to access the motorway without having to coming through Taunton Town to access an enhanced J25. This would reduce traffic on J25.
- B1.4.19 Finally a benefit was described in the Highways England booklet as "providing major development opportunities to the south of Taunton". What did you mean by that? Certainly this Council does not support further development to the huge amount already planned by TDBC either in Corfe are of in Henlade once bypassed.
- B1.4.20 I look forward to your confirmation that these safety works will be provided and your early acknowledgment and reply to this letter.

**B1.5 West Monkton Parish Council:**

- B1.5.1 This planning application, for a major infrastructure improvement, lacks joined up thinking with other road infrastructure projects, giving no cognisance of known developments (A303/A358 HE proposals) and providing no information as to how the application will link into and impact upon the proposals currently being prepared for the Creech Castle junction. The application as it stands will increase rat running through Creech St Michael and Monkton Heathfield, and the improvements that are suggested will not work without a by-pass for Henlade being in place. This scheme does not represent benefit for the local area and for West Monkton Parish and therefore the Parish Council does not support the Small Improvement Scheme in the way it is currently presented.

**B1.6 Stoke St Mary Parish Council**

- B1.6.1 We were supplied with some but not all of the planning documents regarding the proposed improvement scheme at Junction 25 of the MS motorway. The Parish of Stoke St. Mary wish to make the following observations:
- B1.6.2 Given that the recently completed Highways England consultation for the development of the A358, the Parish Council maintain considerable and serious doubts that this proposed "standalone" scheme remains viable. Were it not for the proposed business park, "Nexus25", it is still our opinion that these plans would not exist in this form.
- B1.6.3 We believe that traffic congestion in Taunton cannot improve until work is undertaken to the Creech Castle junction, The Hankridge Business Park access and ingress, Toneyway and the Obridge roundabouts. Nothing about this planning application will alleviate, Taunton's, ongoing traffic issues.
- B1.6.4 We have no faith that the laudable suggestion that cyclists and pedestrians will be well catered for. Whilst the proposals are welcome we seriously doubt that they will be incorporated into the proposed scheme. As the cost of provision of this scheme



rises cuts will inevitably have to be made and the first thing to go will undoubtedly be provision for walkers and cyclists.

- B1.6.5 As mentioned previously we have environmental concerns regarding flooding and air pollution. At the time of writing we have seen nothing from the Environment Agency and there is currently no environmental sustainability report.

Comments on the documents supplied:

1 Planning support statement and Design and Access Statement.  
MJ004045/001 & 2:

Generally we accept what has been consolidated into the two documents but we have some doubts over the benefits described in these documents. We also have concerns regarding the culverting of Henlade stream. If the current Highways England plans for the A358 go ahead, the preferred route will impact heavily upon this sensitive watercourse, which will have serious ramifications for Lower Henlade a known flood risk area.

2. Proposed Drainage Strategy for Planning dated 13 04-17 Report no: 70025259-001 & 2. Again, these reports do very little to ease our concerns that replacing water retaining ground with concrete and tarmac is going to ease flooding issues for other parts of the recognised local floodplain. The conclusions of all three documents is that substantial water management will be required to ameliorate flooding issues. In recent years no substantial maintenance work on local flood defence schemes has been carried out and we are concerned that these reports do not reflect the true nature of the flooding problems within Taunton Deane, which will be exacerbated by implementing this road scheme. We also note there is no confirmation from the Environment Agency and we deem this omission as an error, which needs addressing before proceeding.

3. Traffic and Transport Assessments Ref: MJ004045 & Report No287584AEPTEI02  
We are most concerned that the traffic figures quoted are inaccurate and do not actually reflect what actually happens "on the ground" We already know by admission, that this scheme "stacks" stationary traffic in a more efficient manner and we seriously doubt that the traffic movements in and out of the "Nexus 25" business park and the possibility of a Henlade by-pass, linking in with the Highways England proposed A358 upgrade will allow this scheme to operate efficiently. We believe that until the Highways England's proposed route becomes their preferred route, planning permission for this site should be deferred. We currently cannot see any additional benefit for the motorist, cyclist or pedestrian.

4. Air Quality Assessment:

As this part of the A358 at Henlade is currently one of the most polluted areas of Taunton Deane, as shown by the recent data supplied to Ruishton and Thornfalcon Parish Council, we have grave concerns that the conclusion of this report is far too optimistic and misleading. The increased capacity of more stationary and slow moving traffic during the operational period plus the inevitable slow moving vehicles will do nothing to enhance air quality.

There was no report available indicating air quality post construction.

5. Noise Assessment:

We have no comment to make regarding this report.

6. Archaeological Geophysical Survey and Desk-Based Assessment.  
70025259-006 Geophysical Survey Summary & Archaeological Written Scheme of Investigation & Archaeological Monitoring & Recording Report.  
We are aware from previous work around this site that there is likelihood

that archaeological artefacts may be discovered whilst excavating this site we would ask that should this happen then our heritage be dealt with diligently and professionally.

7. Arboriculture Report: 70025259-012

We appreciate that there will have to be some tree and shrub removal but would ask that this be carried out sensitively and that in accordance with removal like for like replacements are planted.

8. Landscape & Visual Impact Assessment: 70025259-007

As with the previous report we would ask that this work also be carried out sensitively and that the impact upon the immediate vicinity be kept to a minimum with impact locally also being minimised by use of whatever means necessary.

9. Biodiversity- Ecology Ref: SCC/MJ004045/004

We sincerely hope that these investigations are carried out in accordance with Government guidelines. It is unfortunate that a full report was unavailable.

10. Landfill Statement Ref: SCC/MJ004045/005

Our only comment is that this should be carried as ecologically prudent as possible.

B1.6.6

In Conclusion:

Stoke St. Mary Parish Council consider that the current proposal should be put on hold for the time being until the Highways England route plans are confirmed. As we know from our enquires from the L.E.P. this plan is not as time sensitive as previously thought.

If, for instance, the current suggestion of building a new motorway junction at Killams Lane is confirmed then we have to question the veracity of going ahead with the Junction 25 improvement scheme in its present form. Moreover, as the Highways England proposal claims to substantially relieve traffic issues on the existing A358 and at Junction 25 why is this current proposal necessary in its current and over complicated format? We consider that the Junction 25 traffic scheme needs completely remodelling to simplify traffic flow, to offer value for money and to promote the realistic movement of people both vehicular, on foot and by bicycle.

We are also very concerned that the line of Highways England's proposed route will bring very real flooding issues to Lower Henlade, which will have a knock on effect to the Henlade stream. It would appear from the Proposed Drainage Strategy for Planning Report that culverting Henlade stream maybe insufficient in extremely wet conditions.

Finally, Somerset County Council's recent track record on delivering road schemes on time, to budget and to the satisfaction of those affected by the work is at best poor. Stoke St. Mary Parish Council has grave concerns that yet again, the tax payers of Somerset will be not receiving value for money and wish we to obtain from Somerset Highways a guarantee that their choice of contractor on this occasion not guided by cost only.

## **B1.7 North Curry Parish Council:**

### **B1.7.1 Nexus 25 Site – Local Development Order**

1. Taunton Deane Borough Council (TDBC) is seeking the views of the Parish Council, following the publication of its proposal for the development of approx. 25 hectares (62 acres) of land, known as Nexus 25, located immediately to the east of the M.5, adjoining Junction 25 (J.25). A response is requested by 30 August, with the matter set to be referred to TDBC's Scrutiny Committee on 19 September and to the Council on 3 October.
2. TDBC's proposal for Nexus 25 is not promoted through the usual means of a planning application, but by a Local Development Order (LDO). An LDO follows a methodology akin to the preparation of a Development Plan, but with the force of a planning permission. It is designed to give greater flexibility in its process, in this case to encourage economic growth. Once the LDO is adopted, the developer will only need to make a planning application if its development proposals are not in accordance with the provisions of the LDO.
3. The LDO for Nexus 25 should be in general conformity with the TDBC Core Strategy, adopted in 2012. The Core Strategy planned for the economic expansion of the borough, with an additional 11,900 jobs by 2028, of which 9,500 are to be in Taunton and of which 3,500 - 4,000 are to be at Nexus 25. This was to be accompanied by an increase in housing provision to meet the employment needs of the new and expanded businesses and services. In the five years since adoption, new housing has been built, but the necessary economic development has lagged behind.
4. The Nexus 25 site was not specifically identified in the Core Strategy, although there was reference to the need to search for an additional strategic non-office based employment site with good links to the trunk road network. Investigations led to an examination of land close to J.25, but the site was not fully identified, and it was omitted from the Site Allocations & Development Management Plan in order to avoid a delay in adoption of that Plan.
5. The joint Growth Prospectus for Taunton, approved by the County Council (SCC) and TDBC in 2014, established a vision that "Taunton will be known as a unique destination for high value business, offering excellent connectivity and a great place to live, learn, work and play" (para.3.3.5). The Prospectus included a commitment to accelerate the delivery of a strategic employment site at J.25.
6. The proposal has been at the formative stage for some years, and in May 2017, SCC as local highway authority submitted a planning application in respect of access to the site, appropriate changes to the road network around J.25 and other ancillary matters (No. 4/38/17/0205). It is expected that the application will be considered by SCC's Regulation Committee on 7 September.
7. In respect of the application, TDBC has commented: "The current scheme to improve M5 Junction 25 will, amongst other things, provide access to the "Nexus 25" strategic employment site for Taunton proposed in adopted Taunton Deane Core Strategy policy SS8 ... Without the implementation of this Junction improvement scheme the Nexus 25 site cannot be developed. Given also that the "Nexus 25" site is a fundamental element of the Council's development strategy for Taunton to 2028, it follows that the current planning application is also essential to the delivery of the Core Strategy's proposals for the town ... The delivery of "Nexus 25" will play a significant part in the achievement of the Core Strategy's Strategic Objectives, particularly Objective 2 (Economy)"

8. In the context of potential improvements to the A.358, and particularly the possibility of a link being provided from a re-aligned route into Nexus 25 and to J.25, the design of the J.25 improvements allow for a spur connection to be made. However, because of the wish to make progress with the Nexus 25 development, that connection is not shown on the plans submitted as part of the planning application. The views of the Parish Council as submitted to Highways England (H.E.) in respect of the A.358 proposals are endorsed – strangely, recorded on the TDBC, not the SCC web-site – by comments submitted by West Monkton Parish Council in respect of this application. On 12 July, the Parish Clerk wrote: “This planning application, for a major infrastructure improvement, lacks joined up thinking with other road infrastructure projects, giving no cognisance of known developments (A303/A358 HE proposals) ... and the improvements that are suggested will not work without a by-pass for Henlade being in place. This scheme does not represent benefit for the local area ... and therefore the Parish Council does not support the Small Improvement Scheme in the way it is currently presented.”
9. As a matter of principle, the Parish Council regard it as very important that the urban area forming the eastern edge of Taunton is constrained by the M.5. Other than in exceptional circumstances, such as, we would suggest, is now proposed in respect of Nexus 25, substantial development beyond the motorway should be resisted. This will maintain the distinction between the “Garden Town” status of Taunton itself and the rural parts of the Borough Council area to the south and east of the motorway.
10. With this proviso and noting one outstanding issue of serious concern (to be discussed in the following paragraphs), the Parish Council support the LDO proposals for the development of Nexus 25. The Council welcome the provision of an employment site for businesses and services, as described in para. 4.3 of the LDO consultation document, which need extensive space and which can benefit from close proximity to the M.5 and to the A.358. As matters of detail, traditional office uses should not be permitted, as they would benefit more from a town centre location, and car showrooms would be better located elsewhere, close to other car sales franchises, as for example, off Toneway. An aggregate Class A use, similar to the new Gloucester services, would provide an ideal outlet for local produce.
11. As is referred to in the previous paragraph, we have serious concern regarding access to the Nexus 25 site being provided solely from J.25, even if J.25 is improved. This proposed development cries out to be viewed in conjunction with proposals by H.E. for improvements to the A.358 – exactly the point made by West Monkton Parish Council in its objection to the SCC planning application for site access. The Parish Council’s own response to the recent consultation by H.E. focussed on the volume of traffic which would continue to travel through Henlade to J.25, after the A.358 is realigned to link with a new motorway junction further south. In the Council’s examination of what it referred to as H.E.’s Consultation option (the only option described in any detail in the public consultation document), it was noted that the October 2015 daily traffic volume of 30,800 is expected to reduce to 26,800 by the year 2038. Neither those travelling through Henlade to J.25 and beyond, nor those people who live in the settlement will view that prospect with any great sense of relief.
12. The Council’s response to the H.E. consultation was to reject the Consultation option as the option of choice, and instead to express its support for a re-aligned A.358, which as well as linking to a new motorway junction south of J.25, connects to the A.378 and provides a link via the new alignment to Nexus 25 and to J.25, critically by-passing the settlement of Henlade. In respect of this consultation by TDBC, the Council, however it might regard the proposal generally, will want to be consistent in its view of how traffic conditions in the immediately surrounding area should be managed.
13. It is extraordinary that H.E.’s Consultation option made no provision for access to Nexus 25 and yet, as is described at para. 3.3.6 of the LDO document, “Key delivery partners

(including SCC, TDBC, LEP, developers, EA and Highways England) (our emphasis) have subsequently entered into a Memorandum of Understanding to accelerate delivery of the Strategic Employment Site, with the following purpose: To facilitate the delivery of a new high quality strategic employment site for Taunton at Junction 25 ... The site will: ... Be well connected and be the catalyst for further infrastructure improvements ... Provide an opportunity to enhance Taunton's identity as a high quality business destination, and create a strong gateway to the whole region via the M5 and the new SW Expressway".

14. If Nexus 25 is indeed to be a gateway into the South West, an access from it southbound which connects to one of only two primary routes into the South West is absolutely essential. H.E. must demonstrate that it will pay more than lip service to the Memorandum of Understanding, because there should be no doubt that if it does not provide the necessary resources to build a link to a newly re-aligned A.358, there is a vanishingly small prospect of SCC as local highway authority being able to do so.
15. In such circumstances, the LDO must make provision, with a fully binding commitment by H.E. and with any necessary support from SCC, for access to the site to be both from J.25 and from a link to the re-aligned A.358, when the latter is built. Once the new route of the A.358 is defined – H.E.'s consultation Option 2A/2B would, for example, provide such a link – the preliminary design work already undertaken by SCC can be brought to fruition. It is reasonable to expect that H.E. will, in accordance with its commitment to the Memorandum of Understanding, liaise closely with both SCC and TDBC to ensure a consistent approach in order to resolve what for the great majority of local people is the most intractable transport issue which they face. In addition, pedestrian and cycle access to the site must not be forgotten and, at the very least, a dedicated route to the site for these users via a bridge / access over the M5 motorway is considered essential.
16. If the Parish Council were to adopt this position in response to the Nexus 25 consultation, it would also be acting entirely consistently with its stated position in the recently conducted H.E. consultation in respect of the A.358.

#### Recommendations

17. The Parish Council supports the principle of a new employment site at J.25, with uses as described in para. 4.3 of the LDO consultation document, subject to the comments detailed in para. 10 of this report. It is critically important that access to Nexus 25 should be provided both from J.25 and from the new A.358, as is shown, for example, in H.E.'s consultation Option 2A/2B, and an early agreement should be secured with H.E. to ensure that such link is provided in accordance with H.E.'s commitment to the Memorandum of Understanding, as is referred to in para. 13 of this report. It is imperative that a link from the improved A358 to the Nexus site is in place before development of the site begins.
18. A copy of this report will be forwarded to Highways England, reminding it of its commitment as set out in the Nexus 25 Memorandum of Understanding, and drawing its attention to the significant impact which proposed changes to the route of the A.358 will have on the development prospects of the site, in the context of its place in the regional economy of the South West.

**North Curry Parish Council** has submitted a further email of representation as follows:

Further to our correspondence re. the proposed enlargement of the J25 roundabout (appn. 4/38/17/0205), whilst appreciating that North Curry Parish Council are not formal consultees and that the planning application has, for the time being withdrawn from the SCC Regulation Committee, they would however appreciate it if the following interim

concerns could be either borne in mind when reviewing the proposal or when the current proposal is presented to the Regulation Committee:

1. Cars leaving the Taunton Gateway park and ride facility and headed eastwards (towards North Curry / Langport / Ilminster etc) would first have to pass around the J25 roundabout: both inconvenient and creating unnecessary congestion.
2. There appears to be no provision at the secondary roundabout at Nexus 25 for a connection to the spur road linking J25 with the proposed A358 junction (Junctions B or D) at Hayden. The only connection of Nexus 25 to the motorway would be through Junction 25, again creating unnecessary congestion.
3. The junction will be floodlit, with expectation that upwards light spillage from the Taunton built up area will extend eastwards of the motorway.
4. There is little evidence that the Memorandum of Understanding regarding Nexus 25 between the various highways agencies (paragraph 8.11) has been properly understood, especially by Highways England.

#### **B1.8 Environment Agency:**

B1.8.1 The Environment Agency has had direct discussions with the applicant (SCC) as part of a pre application agreement concerning a hydraulic model. The model was then used to assess the flood level for the site.

B1.8.2 The Environment Agency has received additional information from Somerset County Council concerning the above application, which was received on 5 September 2017.

B1.8.3 We can now WITHDRAW our earlier objection, in principle to the proposed development, subject to the inclusion of the following condition within the Decision Notice:

CONDITION: The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) report No. 70025259-001 dated April 17 and the mitigation measures detailed within the FRA:

REASON:

To prevent the increased risk of flooding.

B1.8.4 The following informatives and recommendations should be included in the Decision Notice:

We would have liked to see Junction 25 improvement project and Nexus project work together to create a solution for floodplain compensation storage that works for both schemes, and provide biodiversity and environment enhancement whilst providing extra storage.

We are concerned with the outfall from the surface water attenuation. Due to its location, it will be unable to discharge into the watercourse during a flood event. It is important that the tank has been designed to hold the 1 in 100 year runoff from the road for the duration of the flooding.

Otter ledges should be included, as stated, under the new bridge over the Black Brook and in the new box culverting of the Henlade stream. Also appropriate otter fencing should be included in these locations.

Lighting near watercourses should be kept to a minimum and as far from watercourses as possible. Appropriate directional lighting should be used where necessary to keep watercourses as dark and natural as possible, to maintain this important wildlife corridor for otters, bats and other wildlife.

Good tree and scrub cover should be maintained along any watercourse for wildlife benefit. The natural bed should be retained throughout the open section of the diverted channel on the Henlade stream.

This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the Henlade Stream, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

The need for an Environmental Permit is over and above the need for planning permission. To discuss the scope of the controls please contact the Environment Agency on 03708 506 506. Some activities are now excluded or exempt; please see the following link for further information: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

#### **B1.9 Parrett Internal Drainage Board (Somerset):**

B1.9.1 The Scheme is just outside the Drainage Boards District, however the water will discharge into it.

B1.9.2 Although the Board has no objection to the proposals, there were concerns about the surface water drainage proposals for the scheme. However, the additional Highways Agency Water Risk Assessment (HAWRAT) carried out and a commitment to the use of hydrodynamic separators to provide an effective level of treatment to the surface water run-off will provide the water quality benefits that the Board feels are needed to protect the downstream watercourse.

B1.9.3 The Board would therefore wish to only recommend the following condition, instead of the two originally recommended.

##### **Condition:**

Prior to commencement of the development a scheme for the management of surface water to ensure no detrimental impact on the water environment should be submitted to, and approved in writing by the Local planning Authority in conjunction with the Parrett Drainage Board.

B1.9.4 The Board would request that the following informative is added to any permission that is granted:

##### **Informative:**

The applicant is advised that Land Drainage Consent is required under Section 23 and 66 of the Land Drainage Act 1991, from the Parrett Internal Drainage Board for any construction in, or within, 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District.

## **B1.10 Somerset Wildlife Trust**

- B1.10.1 Somerset Wildlife trust (SWT): The SWT has concerns regarding the opportunities for green infrastructure as the current design is contrary to the NPPF 4 Promoting Sustainable transport paragraph 35, the potential impacts on wildlife habitats and species, and contrary to NPPF 8 Promoting healthy communities, para 75.
- B1.10.2 SWT would like to see a scheme that simplifies and improves the sustainable travel routes included in the scheme; the provision of green corridors linking urban green spaces to the countryside; and an ecological impact assessment of the likely impacts on habitats and species with a strong proposal for mitigation, compensation and a net biodiversity gain.

## **B1.11 Natural England**

- B1.11.1 NO OBJECTION Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites or protected landscapes and has no objection.
- B1.11.2 European designated sites: Somerset Levels and Moors Special Protection Area and Ramsar site; Hestercombe House Special Area of Conservation; Quants Special Area of Conservation
- B1.11.3. Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the above European sites has no objection to the proposed development.
- B1.11.4 To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out. We note the distance of the proposed development from the European sites in question and the following conclusion in the Biodiversity / Ecology Report "The studies undertaken to date have not identified any issues which cannot be mitigated with respect to biodiversity / ecology", which may provide a suitable justification for that decision.
- B1.11.5 National designated sites: Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features of the Sites of Special Scientific Interest identified within 5km of the proposed development.
- B1.11.6 Protected Landscapes: Blackdown Hills AONB Based on the plans submitted, Natural England has no objection to the proposed development. We do not consider that the proposed development would compromise the purposes of designation or special qualities of the AONB.
- B1.11.7 We would advise that the proposal is determined in line with relevant NPPF and development plan policies, landscape and visual impacts are minimised as far as possible.
- B1.11.8 Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A. Should the proposal change, please consult us again.

## **B1.12 South West Heritage Trust**

- B1.12.1 The consultee identified a number of issues with the submission which were requested to be resolved before the application is determined.



- B1.12.2 The WSP document "Geophysical Survey Summary" had no reference to the large excavation of the prehistoric and Roman Settlement adjacent to the proposal site that took place on the Park and Ride site. The Excavation revealed Roman period Building material at the boundary between the P & R and the proposal site, indicating the presence of a Roman building( possibly a villa) in the vicinity.
- B1.12.3 This information is crucial to interpret the geophysical survey and may indicate that some of the features in the North of the proposal area are associated with a villa or similar building, and the WSP document does not reference this information. The Written Scheme of Investigation (WSI) for a trial trench evaluation has been submitted as part of the application. Full evaluation should be carried out prior to determination of a planning application as described in paragraph 28 of the NPPF.
- B1.12.4 Therefore in order to accord with National Planning policy this application should not be determined until the evaluation has taken place and the results understood. This will enable a mitigation strategy to be formulated.
- B1.12.5 Further correspondence:  
The archaeological evaluation on the site has shown that there are areas of occupation (most likely relating to the settlement at Cambria Farm P&R).
- B1.12.6 Therefore a condition should be attached to permission requiring archaeological excavation of certain areas on the site prior to development and monitoring of works in other areas.

The condition should read:

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

### B1.13 **Sustrans**

- B1.13.1 Sustrans is the charity that works to make walking and cycling easier.  
We have no comment to make on the issue of capacity increase at J25, but we object to the proposed provision for walking and cycling.
- B1.13.2 There is a modest amount of walking and cycling traffic through this junction at present, probably largely originating in Henlade and Ruishton, from people making the short trip to school, work or the local shops. All these destinations, and indeed the whole of Taunton is readily accessible by cycle from this location within a journey time of about 30 minutes.
- B1.13.3 The expected proposal to develop the adjacent land for employment uses will significantly add to the demand for movement through the junction, and encouraging local journeys to be made by active travel modes will mitigate the impact on local infrastructure.
- B1.13.4 Our objection arises from the sub-standard provision for cycling and walking. We suggest that the designers should consider the standards set out in Interim Advice Note 195/16, Highways England standards for provision for cycle traffic on the strategic road

network. Strictly we understand that the proposal is for roads which are not strategic, but clearly a motorway junction is of similar character, and in any event IAN195/16 is becoming regarded as the appropriate standard to aspire to for new road construction.

Adherence to the standards would result in:

- 1) A grade separated crossing of J25 - this would reduce the number of toucan crossings. As it stands a cyclists travelling from Ruishton to Blackbrook would need to negotiate eight toucan crossings within about 600 metres, very significantly adding to journey time and actively discouraging active travel.
- 2) Separation of carriageway and cycle tracks by a 'desirable minimum' one metre wide verge for safety and comfort;
- 3) Cycle track width of desirable minimum 4.0m assuming peak cycle flow greater than 150 per hour. This assumes separate pedestrian facilities. We urge that the current proposal is withdrawn for reconsideration of the provision for active travel modes. SCC is in possession of our recent options report for this crossing which includes proposals for a grade separated crossing.

B1.13.5 Sustrans have produced a full report which can be viewed online through the council's website.

#### **B1.14 Taunton Area Cycling Campaign**

B1.14.1 TACC was formed in October 2016 and has a growing supporter base, currently over 200 people.

B1.14.2 We object to the proposed scheme for the following reasons.  
For cyclists the proposed scheme creates a lengthy and convoluted route from both directions, requiring 7 road crossings and may result in additional risk-taking by frustrated cyclists. For cycle commuters from SCC's excellent Park & Ride - a method of travel into the town centre that surely should be supported given the town's congestion and parking issues - the route will involve a very slow and frustrating start to their journey.

B1.14.3 This scheme is in conflict with the Interim Advice Note 195 from Highways England which gives much greater emphasis on grade separated provision.

B1.14.4 Alternative solutions - preferably grade separated - for cyclists & pedestrians should be considered. Adapting the existing culvert under the motorway (subject to flooding concerns) or creating a landmark cycling & walking bridge over the motorway are other options that should be explored. There may be further alternatives; for instance some of the 7 crossings could be removed by repositioning lights on the J25 roundabout. Sustrans have provided Somerset County Council with a report suggesting a bridge option, and showing how this could be achieved, which we support.

B1.14.5 Location of strategic employment site and suitability for active travel - the proposed strategic employment site east of the motorway will have no reasonable access by sustainable transport from Taunton and is therefore contrary to the principles of sustainable development in the National Planning Policy Framework (NPPF). The proposed scheme's route for cyclists to the employment site is unnecessarily complicated.

#### B1.14.6 Specifically in the NPPF;

- Para 30 states that "In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport."
- Para 34 states "Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised."
- Para 35 states "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to;
  - give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
  - create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians..."

B1.14.7 The Department for Transport's Walking & Cycling Investment Strategy (June 2017) has the aim: "We want to make cycling and walking the natural choice for shorter journeys, or as part of a longer journey" and the "long term goal up to 2040 is that walking and cycling should be a normal part of everyday life, and the natural choice for shorter journeys such as the commute to school, college, work or leisure trips. We want to create a nation where cycling and walking are the norm for all people whatever their background or characteristics." The proposed scheme does not support these.

B1.14.8 NICE guidance, endorsed by DfT states that "pedestrians and cyclists should be considered before other user groups in the design process – this helps ensure that they are not provided for as an afterthought." The proposed scheme's cycling provision looks like an afterthought.

B1.14.9 Has there been any consideration of how existing cycle routes connect with the proposed scheme?

B1.14.10 Construction phase - We would like assurances that cyclists will be considered during the construction phase of any scheme and not put into danger by the works.

B1.14.11 Overall we are concerned that the proposed junction scheme will have a very negative effect on cycling and walking at this key junction.

#### B1.15 **Campaign for Better Transport**

B1.15.1 The issues raised here in this objection were brought up in the consultation and clearly show how this application is contrary to a whole raft of national policies and guidance as follows;

- Poor quality provision for vulnerable road users, particularly pedestrians and cyclists. There are a high number of crossings and will entail pedestrians and cyclists being kept waiting for long periods, leading to them taking a significant amount of time to negotiate this junction. Also some of these crossing points do not appear to be signalled. This means that pedestrians and cyclists will have to cross these roads at certain highly dangerous times of the day where peak flows are high. As a consequence, few people will walk and cycle and most will drive, adding to congestion and pollution in the area
- Exposing Pedestrians and cyclists to air pollution: due to the length of time it will take to cross all the junctions which is contrary to national, local and highways England policies.

Contrary to National Policy: A core planning principle of the National Planning Policy Framework (NPPF) as set out in paragraph 17 is:

- “Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable.”

Paragraph 29 states:

- “Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives...The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel...”

B1.15.2 In addition the application undermines the Department for Transport’s Walking & Cycling Investment Strategy (21 April 2017) which has the aim for England:  
“We want to make cycling and walking the natural choices for shorter journeys, or as part of a longer journey”

It also states that:

“Walking and cycling should be seen as transport modes in their own right and an integral part of the transport network, rather than as niche interests or town planning afterthoughts.”

B1.15.3 Unfortunately, Somerset County Council has not recognised the importance of walking and cycling . Cycle paths and footways should, as a piece of infrastructure attached to the Strategic Roads Network, conform to the standards required of that network and those are set out in the Interim Advice Note (IAN) 195/16. As the design does not meet these standards, the application should be refused,

B1.15.4 Conclusion

This application is a missed opportunity to promote walking and cycling and to reconnect communities separated by the M5 and this junction. In addition, it is contrary to national planning policy and will undermine the Government’s recently adopted Cycling and Walking Investment Strategy.

B1.15.5 We believe that the planning application as submitted will provide sub-standard facilities that are so bad as to deter all but the most hardy or desperate pedestrians and cyclists.

B1.15.6 New infrastructure attached to and effectively part of the Strategic Road Network should conform to the standards employed on that network: in this case this means IAN 195/16.

B1.15.7 Given this failure to comply with design standards, and for the other reasons given above, this application should be refused. At the very least, we ask that it be deferred for a rethink of the walking and cycling facilities.

**B1.16 Avon & Somerset Police**

B1.16.1 I have reviewed the documentation and plans submitted in support of the application and would make the following comments from the prevention of crime perspective:-

B1.16.2 Crime Statistics – reported crime during the period 01/06/2016-31/05/2017 for the area of this application (within 500 metre radius of the grid reference) is as follows:-

Arson - 1 offence (not endangering life)

Burglary - 11 offences (comprising 5 dwelling and 6 non-dwelling burglaries )

Criminal Damage - 12 offences (incl. 6 criminal damage to vehicles)

Fraud Forgery - 5 offences  
 Other Offences - 9  
 Robbery - 2 offences (both of personal property)  
 Sexual Offences - 2  
 Theft & Handling Stolen Goods - 63 offences (incl. 2 theft of/unauthorised taking of motor vehicles, 9 theft from or tampering with motor vehicles and 2 theft of pedal cycles)  
 Violence Against the Person - 46 offences (incl. 1 wounding, 7 assault ABH, 13 common assault & 11 causing harassment, alarm, distress)  
 Total - 151 Offences

- B1.16.3 This averages almost 13 offences per month, 3 per week, which are considered to be 'average' crime levels in the surrounding area.
- B1.16.4 Surface Changes - the use of surface changes and colours in paving materials to distinguish pedestrian, bus, cycle and other vehicular routes should assist in improving personal safety for users.
- B1.16.5 Street Lighting - the provision of street lighting to improve safety and security is essential and such lighting should comply with BS 5489:2013.
- B1.16.6 Landscaping and Planting - should not impede opportunities for natural surveillance and must avoid the creation of potential hiding places. As a general rule, in areas where visibility is needed, shrubs should be selected which have a mature growth height of no higher than 1 metre and trees should have no foliage or branches below 2 metres in height, so allowing a 1 metre clear field of vision. In this regard, it is recommended that open-branched and columnar can be used in a landscape scheme where natural surveillance is required.
- B1.16.7 CCTV – I am not aware of any public CCTV coverage in this area and the provision of such CCTV monitoring should be considered for safety and security reasons. Any such system's compatibility with the street lighting scheme and how/where monitored should also be borne in mind.

## **B2 Internal Consultees:**

### **B2.1 Somerset County Council as Lead Local Flood Authority (LLFA)**

- B2.1.1 The development indicates an increase in impermeable areas that will generate an increase in surface water runoff. This has the potential to increase flood risk to the adjacent properties or the highway if not adequately controlled.
- B2.1.2 The applicant has not provided details of the proposed drainage designs for the capture and removal of surface water from the development. Due to the location of the site and the proposed increase in impermeable areas it will be necessary to provide these details.
- B2.1.3 The LLFA has no objection to the proposed development, as submitted, subject to the following drainage condition being applied.

#### **Condition:**

No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles 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. The drainage strategy shall ensure that surface water runoff post development is attenuated on site

and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

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 in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

## **B2.2 Somerset County Council Environmental Services – Ecology**

- B2.2.1 The initial comments on the submitted Landscape Plan based on knowledge of recorded occurrences of wildlife species and their distribution. At a first look it appears that there is a lack of hedgerow planting and no blackthorn is provided in the species mixes. Blackthorn is the food plant of the brown hairstreak butterfly.
- B2.2.2 Further to my email of the 15 June and following receipt of the ecology survey report carried out by First Ecology I have the following comments and recommendations. I also refer to ecology surveys carried out by EAD for the proposed employment site adjacent to this application.

### Habitats

- B2.2.3 The application site consists of seventeen different habitats including plantation woodland surrounding the park and ride site; scrub and ruderals along the banks of Black Brook; broadleaf parkland/ scattered trees throughout the site; arable fields at the centre of the site east and west of the poultry farm; and improved and semi improved grassland fields that also have unmanaged margins. Black Brook runs alongside the western boundary of the site parallel with the motorway, whilst the Henlade Stream runs along the northern boundary of the fields and flows into the former watercourse.
- B2.2.4 I note from the landscape masterplan that species rich grassland is proposed for the field to the west of the eastern roundabout which I assume will facilitate the adjacent employment site promoted by Taunton Deane. However, I would consider that enhancing this field could be counterproductive if it is subsequently going to be lost to development with a possible effect on colonising species of importance. I understand that the western of the fields, south of the link to the J25 roundabout is to be returned to agriculture yet is planned for enhancement within the employment development. In any case habitats would need to be managed following construction to ensure that mitigation is secured for the duration of the development:

Condition:

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior [... to the commencement or occupation ...] of the development [or specified phase of development]. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).

- g) Details of the body or organization responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of biodiversity

### Bats

- B2.2.5 A diversity of bat species were recorded from both automated detector and manual transect surveys across the site by First Ecology, including common and soprano pipistrelle; Leisler's ( a rare species in the County); brown long-eared; serotine; noctule; a *Myotis* species, either Natterer's or the rare Bechstein's; and lesser horseshoe bats. In addition, EAD recorded the rare barbastelle bat hunting along the east west hedgerow to the south of the poultry farm. Most foraging activity was recorded by First Ecology for both pipistrelle species and serotine bats along the Henlade and Blackbrook watercourse south of the park and ride site and the M5 junction roundabout. This would be affected by construction work and the proposed development. The Henlade Stream would be lost through the development. However, given the species affected, their spatial ecology and their relative tolerance of lit conditions I would consider that there is unlikely to be an adverse effect on the 'Favourable Conservation Status' of these species. Nonetheless, and whilst not directly affected being recorded away from the construction area, I would recommend that the following be conditioned to ensure that Blackbrook and habitats adjacent to the roads are kept dark for light adverse bats species, such as brown long-eared, *Myotis*, barbastelle and lesser horseshoe species:

Condition:

Prior to occupation, a "lighting design for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed (through the provision of lighting contour plans and' technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure the 'Favourable Conservation Status' of populations of European protected species

### Hazel Dormouse

- B2.2.6 No hazel dormice were found in surveys carried out by First Ecology in 2017. However, in 2015 EAD found dormice present along the Black Brook for the section surveyed south of the application site. The length north of this was not surveyed by First Ecology or

EAD but the EAD results indicate that scrub habitat southeast of the J25 roundabout on the south side of the Black Brook could potentially support hazel dormice, a European protected species. Given the density at which dormice occur, and that there would be no impact on the Favourable Conservation Status of the local population, and the area involved impacts on individual dormice could be done under non-licensed reasonable avoidance measures. This needs to be conditioned as follows:

Condition:

All scrub and trees along the south bank of the Black Brook within the development area will be either:

- a) The entire area of hedgerow and scrub will be removed (including roots) using hand tools during October when dormice still active. A licensed ecologist should check the site for nests immediately before clearance and, if needed, during clearance. If an above ground nest is found it should be left in situ and no vegetation between it and the adjacent undisturbed habitat should be removed until dormice have gone into hibernation (December). The results will be communicated to the local planning authority by the licensed ecologist
- b) If (a) is not possible then remove above ground vegetation to a height of 30m using hand tools between December and February only when dormice are hibernating at ground level under the supervision of a licensed ecologist. The remainder will be left until the following May before final clearance to allow any dormouse coming out of hibernation to disperse to suitable adjacent habitat.

Reason: In the interests of a European Protected Species

Note that grass snakes are present and active in October and can be translocated by the ecologist in the process. In the case of b) the vegetation will need to be further reduced to 10cm in May only to avoid potential maternity nests present in the summer

#### Water Vole

- B2.2.7 First Ecology found evidence of water vole use of Black Brook in close proximity to the proposed location of the new road bridge. As water vole colonies are dynamic it is possible that further activity could occur between these points prior to construction commencing.

Condition:

A survey for water voles will be carried out immediately before development works within 20 metres of the construction area for the bridge over Black Brook. A report of the survey, and any mitigation required and its timing should be submitted to the Local Planning Authority for written approval prior to work commencing at this location. Where displacement of water voles is required work may only take place between 15th February and 15th April.

Reason: In the interest of an UK protected species

#### Birds

- B2.2.8 A total of 29 bird species were recorded by First Ecology on the application site of which 16 were observed showing breeding behaviour. None of the breeding birds were schedule 1 listed. The surveys were carried out in a sub optimal period or outside the breeding bird season. One breeding species, the song thrush is listed on s41 of the Natural Environment and Rural Communities Act 2006 for which the local planning authority must have regard for its conservation in carrying out its duties. Song Thrush was recorded as breeding along the south western edge of the park and ride site and along Black Brook. However, this habitat would be retained within the scheme. However, any vegetation removal and demolition of buildings would need to avoid the bird nesting season. The following needs to be conditioned:



Condition:

No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In the interest of nesting wild birds

Reptiles

- B2.2.9 A small population of slow worms was recorded by First Ecology on the south eastern area of the J25 roundabout and a small population of grass snakes were recorded on the opposite bank of the Black Brook in the same area. It is proposed that in order to avoid harm that individuals are trapped and translocated to the adjacent strip of scrub and scattered tree habitat between the Black Brook and the M5.

Condition:

Any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brushings and cuttings removed and left for a minimum period of 48 hours of warm suitable weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land in the active period. This work may only be undertaken between April and October. Subsequent to this, and to prevent injury or killing of reptiles located within the parcel of land between the Black Brook and the Junction 25 roundabout, a reptile fence will be erected and maintained around the construction area to allow reptiles to be trapped from within this area and translocated west of the development area under the supervision of a suitably qualified ecologist and in accordance with government and nationally accepted best practice. Prior to the installation of the exclusion fencing, a suitably qualified ecologist should provide an ecological site induction for all contractors. A letter confirming the trapping, exclusion fencing and induction will be submitted to the local planning authority. In addition a translocation site with no presence of reptiles will be identified prior to exclusion measures commencing and its location submitted to the local planning authority for written approval.

Reason: In the interests of UK protected species

- B2.2.10 The overall effect for the timing constraints for dormice, water voles, and reptiles will mean that the following programme of works for the Black Brook Bridge and roads in vicinity of the watercourse will need to be carried prior to works commencing as follows:
- B2.2.11 A table is recommended to be used as an informative on the planning permission. Note the condition for breeding birds although covered by conditions for other species around Black Brook would apply to the rest of the application site.
- B2.2.12 I am expecting surveys for the presence of Brown Hairstreak butterfly, an s41 priority species for which the local planning authority has to have regard for its conservation in carrying out its duties, to be undertaken this month and will comment further once I have received the results of this survey.
- B2.2.13 The planting schedule may also have to be modified if hazel dormouse is found on the site. The species is present on the opposite side of the motorway and to the south in the Blackdowns.

B2.2.14 We also do not know what bat activity is occurring on site and the structural requirements needed to maintain these populations. Depending on its management the area of species rich grassland is welcomed.

B2.2.14 A Landscape and Ecology Management Plan will need to be conditioned but I will give my recommendation as to its wording after receiving further ecological reports along with any conditions I consider necessary to ensure compliance with legislation and policy. This Landscape and Ecology Management Plan will need to cover the period of the development, i.e. in perpetuity.

B2.2.15 The survey carried out by First Ecology in November found brown hairstreak eggs in the hedgerows along the southern boundary of the western-most arable field and the eastern boundary of the southern-most pasture field of the site. These will be retained and protected as per the findings of the detailed arboricultural report prepared for the site (Rutherford, C. 2017). This will preserve the majority of identified brown hairstreak habitat within the site. A third location, the blackthorn tree within the plantation woodland adjacent to the Park and Ride car park, where one brown hairstreak egg was found, is scheduled for removal (Rutherford, C. 2017). First Ecology, in compensation for this habitat loss, blackthorn should be incorporated within the new proposed soft landscaping adjacent to the Park and Ride area.

B2.2.16 I set out my recommendations for conditions to prevent harm to wildlife during and its maintenance post construction in an email on 16 November. One of these conditions was for a Landscape and Ecology Management Plan. However, this does not cover a planting scheme. I would therefore recommend that a further condition is applied so that we can assure ourselves that the landscape planting accompanying the proposed development would be of benefit to local wildlife species including brown hairstreak butterflies.

Condition:

A Landscape Planting schedule, which is of benefit to those species identified as being affected by the scheme, will be submitted to and approved by the Local Planning Authority prior to completion of the highway works. All species used in the planting proposals shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.

Reason:

In the interests of a protected and priority species, and biodiversity generally.

### **B2.3 Somerset County Council – Acoustic Specialist**

B2.3.1 In the view of the County Council Acoustics specialist the proposed development would not give rise to noise and vibration impacts that were sufficient to justify planning objection or specific conditioning (other than to agree on the mitigation for noisy construction activities during night-time hours).

B2.3.2 The consideration has identified a number of points that may require further clarification regarding:

- Uncertainty in what aspects of noise modelling may have been considered to have noise mitigating features in the development;
- The function of noise monitoring results and their relationship, if any to noise modelling;
- The overall predicted noise contours for the scheme at opening and at 2033;
- The method employed for the consideration and representation of vibration impacts;
- The consequence of the scheme on SCC actions required under Noise Action Planning.

- B2.3.3 In my view the proposed development would not appear to give rise to noise and vibration impacts that were sufficient to justify planning objection. The changes in noise impact as modelled are small and this would appear a reasonable expectation when considered in the presence of considerable existing traffic noise from the M5 and A358.
- B2.3.4 While I do not consider there is a need for any specific conditions regarding further noise mitigation it remains unclear what mitigating aspects of the development have featured in the noise modelling. This uncertainty would make it difficult to assess the consequence any design changes should they occur.
- B2.3.5 The implication of the scheme on the SCC Noise Action Plan is not detailed. It is possible that this development will have a consequence at nearby NIAs and that this may then have cost implication to SCC when required to reduce noise.
- B2.3.6 You asked me to comment on the change to noise at Cambria Farm and I am unable to answer this question because the consultant's noise report provides no details of predicted noise level or the changes expected at any specific locations. However the DMRB predictions undertaken by the noise consultant's modelling have indicated that no changes in LA10(18h) on the opening year will exceeded 1dB, and when considered over the 15 year growth these changes remain below 3dB and as such are negligible.
- B2.3.7 Further discussions with you and R Needs would now confirm the intension of SCC and the developer to purchase the entire land plot associated with Cambria Farm and as such I would assume the issues of noise impacts at this location were no longer significant to planning consideration.
- B2.3.8 As discussed my report identified a significant number of shortfalls in the measurement, and uncertainties with the modelling aspects of the noise assessment report from WSP Parsons Brinkerhoff. My report flagged a number of these points and indicated that they may need further clarification if this was considered necessary (why they consulted with TDBC, what are the effects on SCC Noise Action Plan intensions, uncertainty on the use of monitoring data & potential under-prediction of M5 baseline noise measurement, no information on noise modelling, no noise contour plots or predicted noise levels at key locations, no details of any mitigation measures incorporated in the modelling, no reasoning for vibration impact consideration). However, if noise modelling has, as expected, incorporated realistic traffic flow and topographic information then it would be expected that the model output would provide a realistic indication of noise change arising from the development. The modelling would indicate only negligible impacts arise at 3152 locations on the opening year (<1dB) with predicted changes of less than 3dB after 15 years and as such it would appear that the modelled road scheme impacts are unlikely to be significant in planning terms or require specific noise conditions (other than to require clarification and agreement of any intensions to undertake night-time construction activity). As such you may feel that further clarification of my issues may then seem unnecessary.
- B2.3.9 The uncertain justification for the measurements in the consultant's report and any future reference that may be made to them, may lead to a number of difficulties if they are to be employed to determine measured indications of pre and post development changes in noise at other locations. While this is not relevant to a planning consideration I would expect that any use of NML1 will under-estimate existing noise from traffic if it is to be predicted at greater distance from the M5 where a subsequent assessment is undertaken and this could increase the apparent noise impact assumed from the scheme. In a similar way I would expect an increase in noise from the M5 if an assessment at NML3 was undertaken under different wind conditions and as such this might mask any increase resulting from the new scheme.

B2.3.10 My report states I did not expect vibration issues to arise from the scheme and as such further explanation of the <10% vibration nuisance at 1992 locations after the 15 year period may seem unnecessary. The basis for the consultant's nuisance rating remains unknown as there is no data provided to indicate predicted vibration level or the method of prediction.

Recommendations: I would recommend that planning conditions may need to be drafted so as to identify the construction noise mitigation to avoid any risk of disturbance, particularly during night-time hours. A condition linked to the proposals for the general reduction of construction noise, made in section 6.1.2 of the Transport Assessment or 12.3.3 of the Final Supporting Statement would form a good basis for developing a construction noise control scheme. A suggested wording might be:

Condition:

*The highway developer shall, prior to the commencement of construction activities between the hours of 22:00-06:00, obtain the agreement of the planning authority for a construction noise mitigation control scheme that will detail the extent of night-time works and the measures to be put in place to limit disturbance to any residential or occupied development.*

Reason:

In the interests of residential amenity.

#### **B2.4 Somerset County Council – Transport Development Group**

B2.4.1 The Principal Transport Planner from SCC has determined that the proposal is considered to be acceptable in terms of design and layout. The technical work undertaken indicates that the junction will operate within capacity up to 2033, this modelled scenario also accounts for Core Strategy proposals and the LDO Strategic employment site. This improvement is considered beneficial to the highway network and acceptable to the Highway Authority.

B2.4.2 The Highway Authority has reviewed the proposal and concludes the overall benefits to safety and capacity, is considered an improvement on the existing and forecasted situation and therefore recommends approval for the scheme at Junction 25. The new roundabout would also have the ability to provide future access to the proposed employment site (LDO) and could potentially provide an arm for a future Henlade bypass.

B2.4.3 Therefore taking into account the above information the Highway Authority raises no objections to application 4/38/17/0205 and if the Planning Authority were minded to grant permission then the following conditions would need to be attached:

*Condition:*

*“No development shall commence until a Construction Traffic 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 Contractors Compound;*
- *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:

In the interests of Highway Safety and amenity.

## B2.5 Somerset County Council – Public Rights of Way

B2.5.1 I can confirm that there are public rights of way (PROW) recorded on the Definitive Map that run through the site at the present time (footpath nos. T 32/4A; T22/20; T26/4; T26/12). I have attached a plan for your information.

Any proposed works must not encroach on to the current available width of the footpaths.

Specific Comments:

1. Locations on accompanying map;

1 T 32/4A Path may need to be stopped up/diverted off the definitive line to accommodate the new road layout. Safe crossing point over the A358 may need to be defined if there is evidence that this path is well used.

2 T 26/4 A diversion will need to be applied for path T 26/4 to bring it onto the proposed line. Gradient of slope up to new spur road needs to be a 1:12 slope or less and surfacing required. The crossing point for the public needs to be assessed for safety.

PROW directional signage required.

3 T 26/4 Comments as Location 2 above.

4 T 26/4 The safety of the public using the diverted path needs to be assessed during flood conditions as part of the flood compensation scheme. It would appear fencing is proposed.

Our preference is to not have the footpath enclosed unless absolutely necessary. The future maintenance responsibility of the fencing needs to be determined and should not rest with the Rights of Way Service.

5 T 26/4 Comments as location 4 above. It is not clear if the flood compensation scheme will affect the definitive line of the path and it may be necessary to include this within any diversion scheme.

6 T 26/12 The gradient of the slope up to the new road junction needs to be 1:12 or less. It is not clear whether this has been taken into account in the 'Footways, Cycleways and Rights of Way' plan. It is suggested that some tie-in surfacing would be appropriate. A diversion will be needed. PROW directional signage required.

7 T 26/12 The crossing point for the public needs to be assessed for safety at the new roundabout.

8 T 26/12 Comments as location 6 above.1

2 Diversion Required

The current proposal will obstruct the footpaths T26/4 and T 26/12.

The proposal either needs to be revised to prevent any obstruction or a diversion order applied for.

The Rights of Way Service do not object to the proposal subject to the applicant being informed that the grant of planning permission does not entitle them to obstruct a public right of way.

Please include the following paragraph as an informative note on the permission, if granted.

Development, insofar as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary (diversion/stopping up) Order has come into effect.

#### Surfacing Required

We would request improved surfacing of the existing rights of way where there is tie in with the new road and footway/cycleway network. A discussion on this aspect may be beneficial.

#### 3 Generic Comments:

The health and safety of the public using the footpaths must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of the footpaths, but only to a standard suitable for the public use. Rights of Way Service will not be responsible for putting right any damage occurring to the surface of the footpath 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 footpath 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. A temporary closure can be obtained from Sarah Hooper on (01823) 357562.

**B3 Public comments**

B3. [REDACTED]: have been instructed to respond to this planning application on behalf of Mitchells and Butlers, which operates the Toby Carvery on the A358 very near to the junction in question.

Having reviewed the submitted planning application details and the relevant planning policy documents, we write to object to the above application on the following grounds:

- a) Potential harm to the on-going operation of the Toby Carvery Restaurant
- b) Lack of due consideration for impact on businesses and alternative options

B3.1.1 Further detail in respect of the grounds for objection is set out below

**Background**

- B3.1.2 The premises known as Toby Carvery, Taunton, is a standalone building with significant amounts of parking and is the first business to the east of Junction 25. The business operates very successfully and currently benefits from business from traffic on the Motorway due to its proximity to the motorway junction.
- B3.1.3 The current proposal for Junction 25 of the M5 would result in significantly fewer vehicles passing by the site due to the redirection of westbound traffic around the west of the Park and Ride. As a consequence of this reduction in passing traffic the footfall for the business dissipates having a potentially significant effect on the business.
- B3.1.4 Potential Harm to the Ongoing Operation of the Business:  
Mitchell's and Butlers believe that the lack of westbound traffic driving past the premises could have a significant effect on the ongoing operation of the business due to a reduction in foot traffic having a negative impact on the business.
- B3.1.5 Mitchell's and Butlers currently employ 26 members of staff at the site with a view to increase this number due to increased turnover on last year. Mitchell's and Butlers believe that a potential drop in business would result in having to reduce the number of staff at the site.
- B3.1.6 Mitchell's and Butlers estimate that there will be a significant drop in turnover as a result of the one-way highway being introduced on the A358. The introduction of a footpath along the north of the A358 extending to the premises will be supported, however this addition will not mitigate the negative effect of the loss of drive-by traffic on the westbound side of the road.
- B3.1.7 The National Planning Policy Framework (NPPF) sets out the Government's commitment to ensuring the planning system does everything it can to secure economic growth. In accordance with this, the NPPF states that significant weight should be attached to the need to support economic growth. One could certainly argue that a development that has the potential to cause such a significant reduction in business is not in compliance with this aim.
- B3.1.8 Additionally, the Taunton Deane Borough Council Core Strategy Objective 2 (Economy) sets out that the Core Strategy is an employment led strategy and that existing employment areas will be safeguarded and continue to meet the needs of business. The above Objective is followed up in Policy CP2 which sets

out that proposals which lead to loss of existing business should be avoided. Mitchell's and Butlers believe that they will need to reduce the number of employees at the premises, therefore the proposal is not an example of safeguarding existing business.

Lack of due consideration for impact on businesses and alternative options:

B3.1.9 It is Mitchell's and Butlers belief that due consideration for alternatives to the proposed development have not been given in the planning application documentation and that these should be thoroughly explored prior to any decision on the proposed application.

B3.1.10 It is apparent that no consideration has been had on the impact of the proposed development on local businesses. Considering one of the key objectives of national and local planning policy is the creation of a strong and competitive economy as set out above we believe that more consideration should be bund for the impact of the proposed development on local businesses, including the Toby Carvery Restaurant.

#### B3.1.12 Summary

As set out above, the redirection of westbound traffic in the proposed development at Junction 25 of the M5 will have an irreparable impact on Mitchell's and Butlers Plc business, the Toby Carvery on the A358. Mitchell's and Butlers believe that the proposal will have a significant negative impact on the business. As a result, they anticipate that they will need to reduce the number of employees at the premises.

B3.1.13 National and Local Planning Policy sets out that the Government and Council are committed to creating a strong and competitive economy, with the Taunton Deane Borough Council stating that the Core Policy is an employment led strategy. Policy CP2 sets out that proposals that affect businesses should be avoided unless the gain from the proposal outweighs the negative effects. The impact on local businesses should be carefully considered in deciding on the application.

B3.1.14 Further to this, due consideration has not been given to local businesses in the application documents. In addition, it seems from the planning application documents that due consideration has not been given to alternative options. It is our opinion that due consideration should be given to alternative options to the proposal which incorporate due consideration of the negative impacts on local businesses

B3.2 [REDACTED]: This scheme is not focused on improving J25 as is being touted, it is a scheme whose main focus is opening up an employment site. The Chief Executive of Heart of the South West - Local Enterprise Partnership confirmed that (email 05/06/17). "The objective of this major improvement at Junction 25 is to support the economic growth of Taunton by reducing congestion and providing additional capacity to enable housing growth, and specifically to facilitate the strategic employment site adjacent to Junction 25 which is being planned by Taunton Deane Borough Council."

B3.2.1 The sole object of this scheme seems to be to provide an access to the "proposed" "Strategic Employment Site" at a cut price to any future developer. And as such SCC's Planning Application 4/38/17/0205 is promoting a development contrary to Local Plan Policy S5. This site is outside of the defined limits of urban Taunton and in a designated village where development should,



according to Policy S5 of Taunton Deane Local Plan, “be limited to that compatible with their local need, individual roles, characteristics and physical identities.”

- B3.2.2 Furthermore although a strategic employment site for Taunton was agreed in principle in the Taunton Deane Core Strategy it was not specified where it would be only that “a number of sites have been proposed for investigation including land around Monkton Heathfield, Junction 25 of the M5 and Comeytrowe.” (Policy SS8). The Nexus 25 site has been chosen by TDBC without proper public consultation, although Sustainability reports were shown in their Issues and Options document TDBC did not fully complete the consultation process as they did not respond to the public comments received nor indeed to the concerns raised by Ruishton & Thornfalcon Parish Council regarding the validity of the Sustainability scorings despite being pressed to do so on a number of occasions.
- B3.2.3 The purpose of the SCC scheme is to open up a major strategic employment site (Nexus 25). But this proposed strategic employment site will have no reasonable access by sustainable transport from Taunton and is therefore contrary to the principles of sustainable development in the National Planning Policy Framework (NPPF). The cycle/footpath bridge across the motorway from Nexus 25 to join up with the existing cycleway through the Blackbrook estate is only a proposal and does not form part of TDBC’s plan and was only included for illustrative purposes it does not form part of the Travel Plan that supports the application.
- B3.2.4 To meet Community Safety, Sustainability implications the scheme should include a cycleway from Church Lane in Ruishton to the Hankridge Retail Park. Also to satisfy Sustainability the SCC plan must include improvements to the cycle and pedestrian routes along Ruishton Lane from Ruishton, which is the nearest centre of population to the Nexus 25 site that SCC’s scheme is designed to open up.
- B3.2.5 The proposed scheme’s route for cyclists to the employment site is unnecessarily complicated. NICE guidance, endorsed by DfT states that “pedestrians and cyclists should be considered before other user groups in the design process – this helps ensure that they are not provided for as an afterthought.” The proposed scheme’s cycling provision looks like an afterthought.
- B3.2.6 SCC’s Scheme provides no benefit to the local community which has suffered from the increased traffic as a result of so called 'improvements' to the A358 in the past; i.e. through noise, pollution, severance, depreciation of house value, and general inconvenience.
- B3.2.7 There is an existing problem of traffic rat running from Monkton through Creech and Ruishton and Nexus 25 will encourage more, as the SCC scheme includes opening up land for Nexus 25 you should be aware of this and should put in measures to manage the problem,
- B3.2.8 SCC’s Scheme does not address the serious Health and Wellbeing implications for the residents living alongside and in the area of the A358 through Henlade. As it is estimated that Nexus 25 will generate 7,000 vehicle movements per 12 hour period and this will have an adverse effect on the air quality through the AQMA of Henlade especially prior to any alleviation of traffic that the new Highway England’s proposed new A358 route may or may not bring.
- B3.2.9 Highways England expect Taunton bound traffic using the A358 will follow the route to the new J25A junction and then travel northbound to exit at J25 for Taunton. I am concerned the effect that this additional traffic will have on the

capacity of even an upgraded J25 motorway roundabout and the knock on effect on traffic approaching J25 from the Henlade direction. Traffic modelling information is needed to assess this more thoroughly prior to planning being granted.

- B3.2.10 The bottleneck of Ilminster bound traffic caused where the 2 lanes merge into one has not been addressed why when this scheme is supposed to ease congestion at J25? To not make any adjustments will cause tailbacks to J25. Similarly the additional small length of additional carriageway leading into Taunton from the Blackbrook turning will have the same effect causing traffic to back up as vehicles seek to merge. These and other traffic pinch points east and west of the roundabout need to be addressed in your Scheme in conjunction with any improvements to the roundabout otherwise the existing traffic problems will negate the benefits that the proposal seeks to deliver. In fact I believe that the extra sets of traffic lights will add to tailbacks through Henlade.
- B3.2.12 I am concerned about the proposed width of carriageways on the roundabout especially given the increase in HGV movements that Nexus 25 will generate, has advice been taken as to their suitability for large articulated lorries manoeuvring around the roundabout.
- B3.2.13 For a major scheme of this type I can see no evidence that SCC have used the necessary screening process, as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, to determine whether this Scheme requires a full or partial impact assessment study. And I am concerned that an Environmental Impact Assessment has not been undertaken which the public are consulted on.
- B3.2.14 In view of the potential impact on increased levels of pollution, traffic and areas subject to flooding a formal Environmental Impact Assessment should have been submitted. In addition this application should be considered in the context of the Nexus 25 LDO which is a substantial part of its justification and so the impact of the two schemes together should be jointly assessed.
- B3.2.15 Little consideration has been given to the needs of the people using the A358. Any changes to J25 of the M5 should be focused on the alleviation of pressure on the M5/J25 roundabout together with the alleviation on congestion through Henlade rather than focused on the premature delivery of a massive employment site.
- B3.2.16 At a joint meeting that SCC had with Highways England on 6th April Andrew Page-Dove of Highways England stated that, in regard to SCC's J25 Improvement Scheme, "the proposal at the western end had changed, J25 is an issue and the strategic employment site needs to be considered". This appears to highlight that SCC's decision not to concentrate on alleviating the current J25 bottleneck with a lower cost and straight forward scheme and instead spend millions more on a scheme that by seeking to open up employment land has jeopardised not only a Henlade bypass but also resulted in Taunton itself being bypassed.
- B3.2.17 I reference a meeting attended by SCC with Highways England and TDBC earlier this year, 6th January 2017, at which it was reported that all the attendees with regard to HE's A358 proposal, TDBC's Nexus 25 proposal and SCC's J25 proposal agreed that they - "would not want three proposals which did not integrate well with each other". It would make more sense to tie SCC's Scheme with Highway England's application for the upgrade of the A358 Southfields to

Taunton plan. It is not desirable or indeed beneficial to progress this scheme in isolation

B3.2.18 Therefore I recommend refusal until the Planning application addresses the above points.

B3.3 [REDACTED]: It is essential that this improvement scheme goes ahead providing as it will, an increased capacity at junction 25 and a new access to the NEXUS employment site. The employment site will be of major importance for the future economy of Taunton.

B3.3.1 As funding has been gained to improve the Creech Castle junction, it is only a matter of time before that work is done. When the two schemes have been completed, I would expect that the traffic flows from the A38/Toneway to Jn25 and the A358 to improve. Consequently as this will reduce time delays, it should make the alternative of rat running less attractive.

B3.3.2 I agree with West Monkton Parish Council's comments re HE's A358 proposals that are giving no cognisance to the known proposals for this area.

B3.4 [REDACTED]: Highway England has predicted that traffic through Henlade will be reduced by only one third. Although there may be measures like signage to make the new route from West Hatch (Junction B) more attractive as the quickest route to the M5, Ruishton & Thornfalcon Parish Council still believe that vehicles will still use the "old" A358 to access Taunton. If the new route is designed to be an "expressway" then the project could be deemed to be a failure if it does not encourage drivers to use it.

- Traffic lights at Henlade crossroads -this will not only act as a deterrent by its slowing traffic up it would allow vehicles to turn right out of Lipe Lane which would have the effect of giving an easier route for traffic from Monkton Heathfield and Creech St Michael to the A358/M5 rather than the existing route used through Ruishton via Ruishton Lane which is too narrow to accommodate the ever increasing vehicle numbers using this route and will make Ruishton Lane safer for pedestrians and cyclists.
- Through attendance at my local Parish Council meetings it seems Highways England, Somerset County Council and Taunton Deane Borough Council work have not been communicating when they should really be working in partnership to ensure that the A358 improvement scheme provides an effective and efficient relationship between J25, Nexus 25 and the A358 scheme. Under the CDM Regulations 2015 one would hope that a collaborative approach from all Designers for both projects. It is assumed that a Principal Designer been appointed by the HE and they are fully conversant with the Nexus 25 project during the pre-construction design phase. RIBA Stage 2)
- The issue of most concern to the Council is how the A358 scheme relates to the Nexus 25 strategic employment site proposal. It had been the hope and expectation of the Council that a direct connection from the new alignment of the A358 to the Nexus 25 site would be provided. The Council has been preparing a Local Development Order for the Nexus 25 site and the County Council have recently submitted a planning application for improvements to J25 (which Highways England are part funding) both of which include provision for a dual carriageway between J25 and the roundabout into the Nexus 25 site which has been designed to facilitate connection to the new A358. Government and Highways England consistently reference the need to encourage economic growth, it is not clear how the scheme as proposed will do this and as such it seems to conflict with National and local policy.
- Linking of villages across the A358 should be better considered. Have HE consulted with local residents and fully understood school runs and postal service routes etc.
- R&T P.C. strongly believe that there should be a link from the new road to the proposed Nexus 25 strategic employment site as described in Option 8/8B + Jct 25. This would serve as a Henlade bypass taking Taunton bound traffic direct to the motorway

roundabout thus removing existing traffic congestion through Henlade as well as improving air quality there. It will also give better access to the proposed Nexus and assist in Taunton's economic growth.

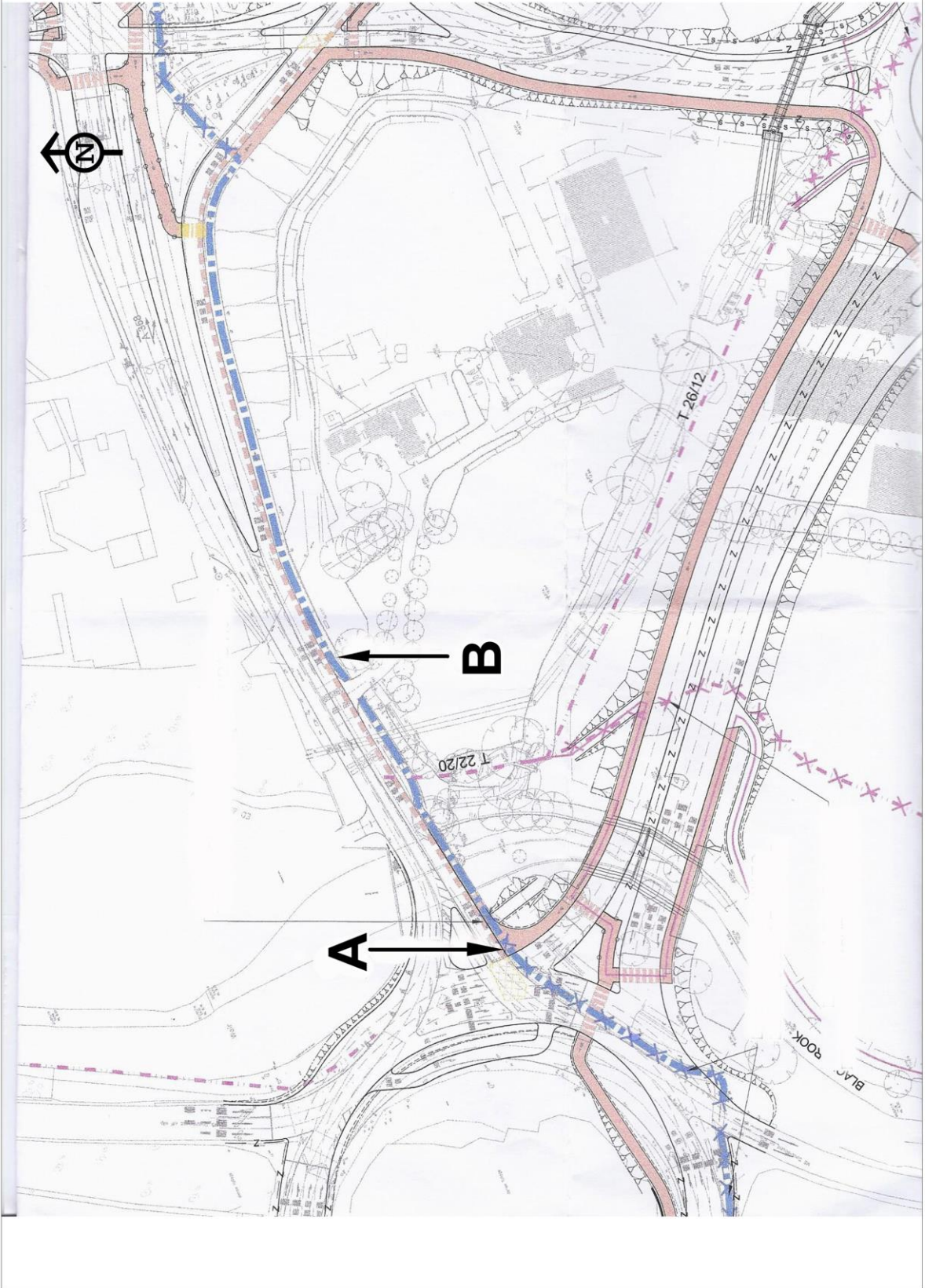
- B3.5 [REDACTED]: 1. The scheme fails to consider the adverse impact on local businesses, the Toby Carvery Restaurant the chicken farm and Woodlands Castle for instance. These are thriving businesses which employ a reasonable number of people and the proposed one way system for the A358 will have an impact on the viability of the businesses.
2. There appears to be no satisfactory hydrolic modelling carried out, or any modelling for the impact on settlements down-stream from the site, particularly the Blackbrook and the River Tone through Ruishton. I would remind you that since completion of the Park and Ride flooding has been experienced on the A358 across the highway in the vicinity of the Toby Carvery. This never happened before and will probably get worse due to run off from this scheme.
3. This scheme was allegedly drawn up in consultation with TDBC and Highways England. It appears that HE are not interested in linking the new roundabout with their proposal for the rerouting of the A358. Not much consultation going on there. The whole purpose of this scheme is to open up the site of the proposed Nexus Business Park.
4. Providing a 4th lane on the roundabout at J25 will do nothing to alleviate the current traffic problems at the roundabout or through Henlade due to the projected 7000 traffic movements a day from the Nexus site. Furthermore the lanes on the roundabout are the minimum width and the very large commercial vehicles that currently negotiate it will cut across lanes due tightness of space.
5. The poor provision of pedestrian and cycle access to Taunton is appalling. Far too many light controlled crossing make it a tortuous route for these users.
- B3.5.1 In conclusion I would summarize by saying that the scheme fails on several points and does not address the problem of traffic exiting J25 down Tone Way and onwards towards Taunton. Whatever is done to J25 will do little to improve the traffic problems unless the A358 onwards to Taunton is improved and extra lanes provided, no environmental impact assessment has been carried out and it would appear that no proper hydrological assessment has been done.
- B3.5.2 On this basis I object to the proposed planning application.
- B3.6 [REDACTED]: I am writing to object to the proposals for the M5 Junction 25 currently submitted to SCC for planning approval.
- B3.6.1 It is widely acknowledged that urban gateways are significant elements in the economic and social success of towns. The proposed alterations to Junction 25 will result in an ugly and inefficient complex of roads and park and ride facilities which citizens will be seeking to navigate safely in vehicles, on foot, bicycle, mobility scooters, with buggies and children going to school and college. Swindon became known for its chaotic "magic roundabout" and Taunton could easily be branded by this "dogs-breakfast" of a proposal.
- B3.6.2 As a resident of Ruishton parish for over 35 years I know that what is wanted is a by-pass for Henlade and I accept that development of a business park by the motorway is inevitable but this scheme is short-term and wasteful. 10% of the new road capacity will be significantly underused at weekends and in the evening as there will be no demand for the eastward link from the motorway.
- B3.6.3 Highways England is proposing a dual-carriageway for the A358, which offers no real benefit to the town and very little benefit to the residents of Henlade, this is an opportunity for proper strategic planning. SCC should be attempting to harness the investment from Central Government to provide a once in a lifetime solution to capacity issues on the existing A358 and junction 25. This would be possible if the new AI.SR

were to by-pass Henlade and link back to the existing junction, and in so doing provide access to the business site.

- B3.6.4 In terms of the detail of the proposed scheme I have two main objections. Firstly that it does little but shift the congestion problem further down the A358 in both directions. The pinch-points of Creech Castle and in Henlade remain and tail-backs are inevitable. It is for this reason that Henlade has the worst air pollution in Somerset.
- B3.6.5 The second concerns the issues of sustainable transport and safety. Given the central purpose of this proposal is to facilitate the development of the business park which is due to attract 4,000 workers/day, where is the provision for sustainable transport? The park & ride is designed to take workers into Taunton, not bring them out, there being no parking provision in Taunton to facilitate this function. The off-road provision for cyclists with multiple road crossings and traffic lights to navigate suggests that most cyclists will opt for the main road carriageway. This will include school children. The crossing system for pedestrians, buggies and mobility scooters is equally complex and having experienced the death of a schoolboy from the village in the past at this roundabout the prospects for future safety are questionable at the very least. The Nexus 25 proposal shows a footbridge across the motorway but in a location unsuitable for use by residents of Ruishton, Henlade and Thornfalcon. This needs to be integrated into the scheme.
- B3.6.6 In short, everyone would acknowledge that improvements to this junction are necessary but this short-term, inadequate proposal will postpone the day that a long-term solution is agreed. What is required is a comprehensive strategic review of transport and development for this gateway to Taunton. What is not required is this wholly inadequate proposal.
- B3.7 [REDACTED]: I can find no information on an Environmental Impact Assessment Directive 2011/92/EU. in any of the 812 pages to do with this development and knowing there are protected species Hazel Dormouse on the other side motorway I think this should happen but what else is there with out a proper EIA I would have thought this must be done before any planning is granted and I believe this is a requirement on all other planning applications so please reject this application till this is done or could this set a president
- B3.7.1 I also have concerns to do with flooding and building on a flood 3 zone in relation to A358 which had flooded in the past nr J25 and the village of Ruishton which floods still.
- B3.7.2 I note that the EA have concerns as well on this development and the impact all around as do the Drainage board and of course these works are for the Nexus25 site which is also on a flood 3 zone. This planning application should be turned down till a better assessment has taken place to reassure the residents of Ruishton .
- B3.7.3 The Air Quality Assessment report has not the most upto date info. in it which was sent to SCC by TDBC in time to do there report they have used 2015 not 2016 figures so how can you asses a report which is inaccurate .The Air Quality through Henlade is at its highest levels of 49 NO2 annual consecrates where East Reach the other AQ management area in TDBC is only 42 ,there were 2 new tubes receptors put into cover both sides of the A358 January 2016 . (see attached from TDBC)
- B3.7.4 The proposed layout around J25 with all the extra traffic lights will not encourage anyone to cycle into Taunton from Ruishton or Henlade which they do now or any who use wheelchairs, I also see no improvement to Ruishton Lane which has become a rat run and this scheme will make it more so .

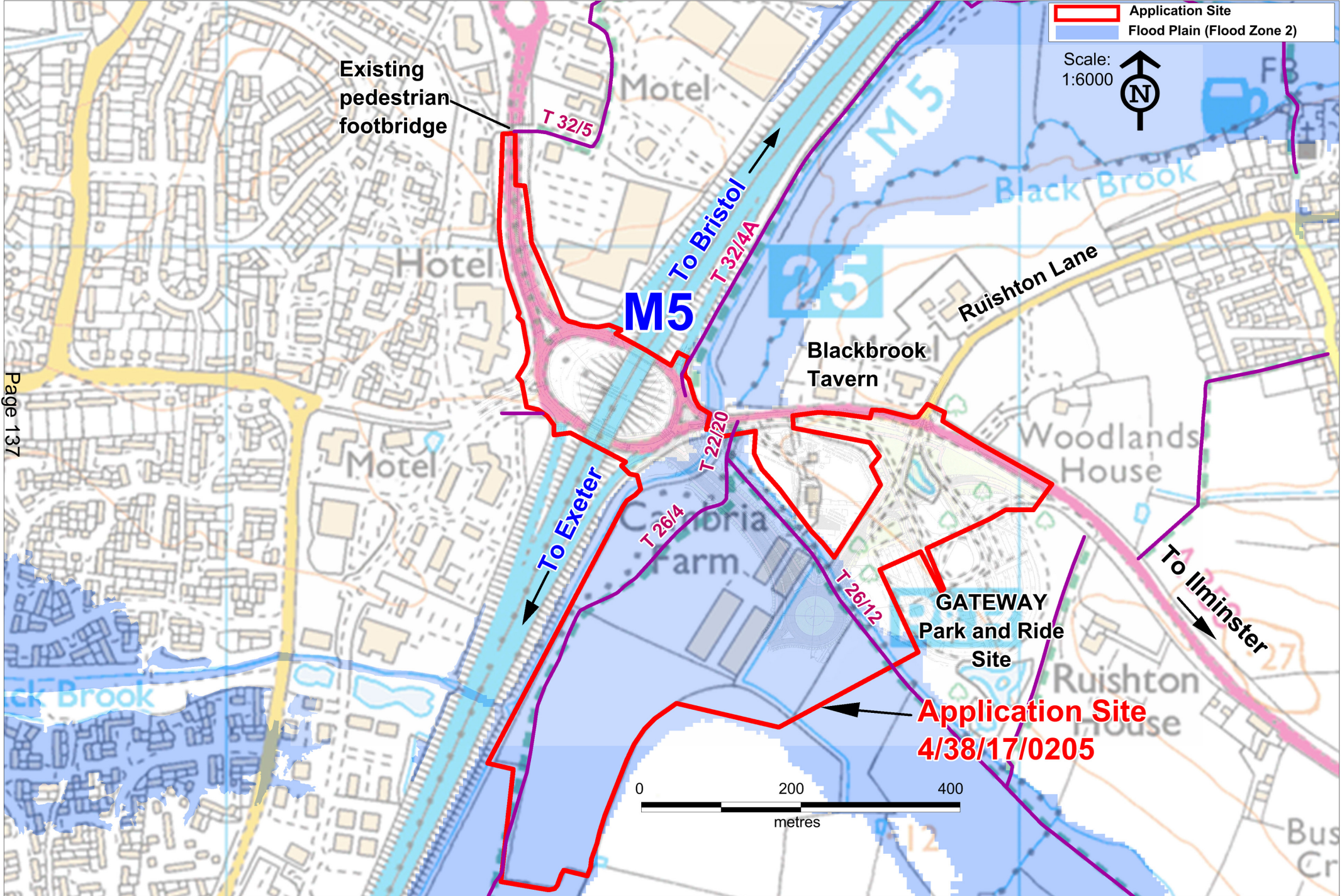
- B3.7.5 There are a large number of footpaths T32/4A ,T22/20 ,T26/4,T26/12 ,T32/ UN if we are to encourage people to live a healthy lifestyle this development with footpaths crossing busy roads and no or very small refuge in the roads will not help.
- B3.7.6 I see no measures in these documents to stop the travellers from getting onto the park and ride site which once the new road it put through it will enable them to have free access on to the P&R site costing SCC more money to remove them and clear up there mess.
- B3.7.7 These improvements are aimed at reducing the travel times along the a358 the congestion coming from Taunton ,and tail backs on the south bound M5 and easier access for the 1300 cars ,vans and lorries going into the Blackbrook business park, when Nexus 25 is built all the gains will be lost wasting tax payers money and of course SCC have not taken into account Highways England preferred scheme where traffic will be coming from there new J25a on of ramp.
- B3.7.8 As the traffic leaves Taunton and joins the a358 with the two new lanes which reduces back to one after a short while I do not call this an improvement if this application is granted and completed in time (bearing in mind P&R site over spent and no builders on site and overspent as well the new mile-long Northern Inner Distribution Road and overspent and still no delivered !!!)
- B3.7.9 How can anyone have confidence in this scheme in it's present form it should be rejected and asked to look at a new bridge next to the currant one which would cheaper and a better use of public money. There is more than enough room on either side of the currant one to achieve this.

# Appendix 'C'



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