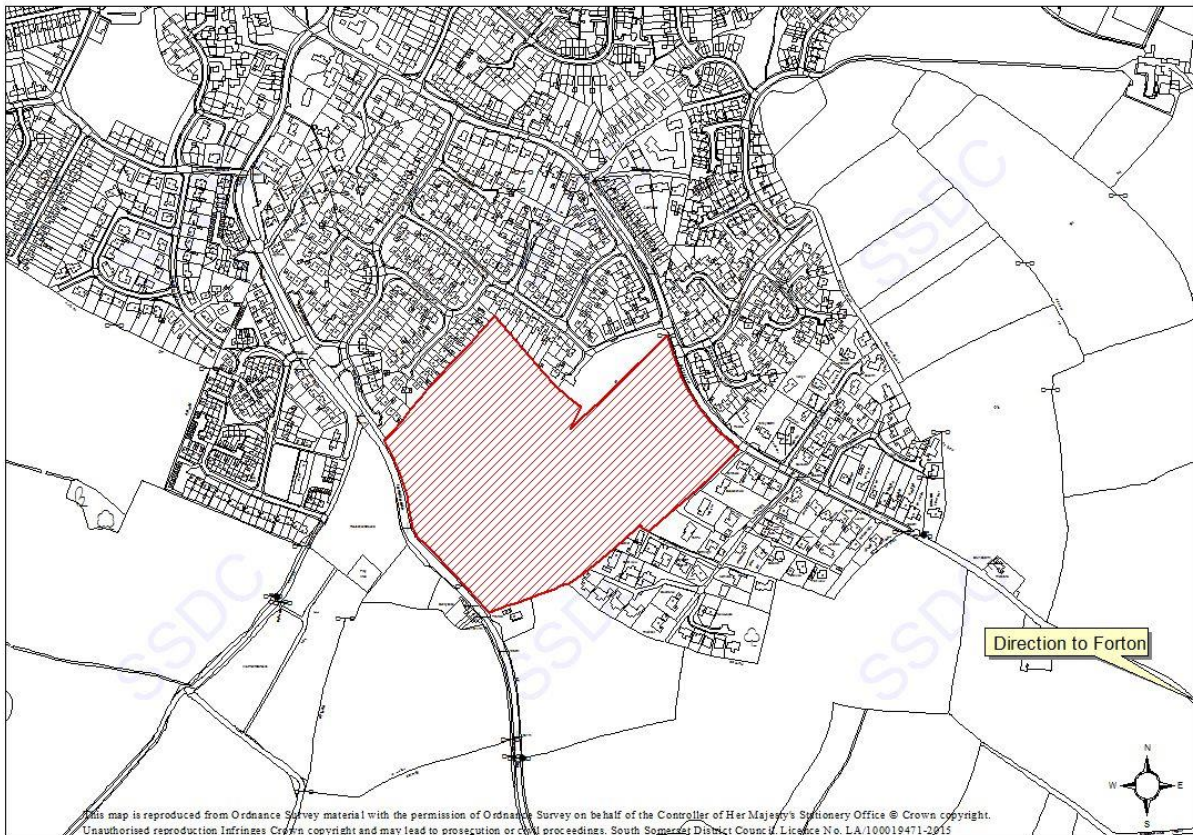
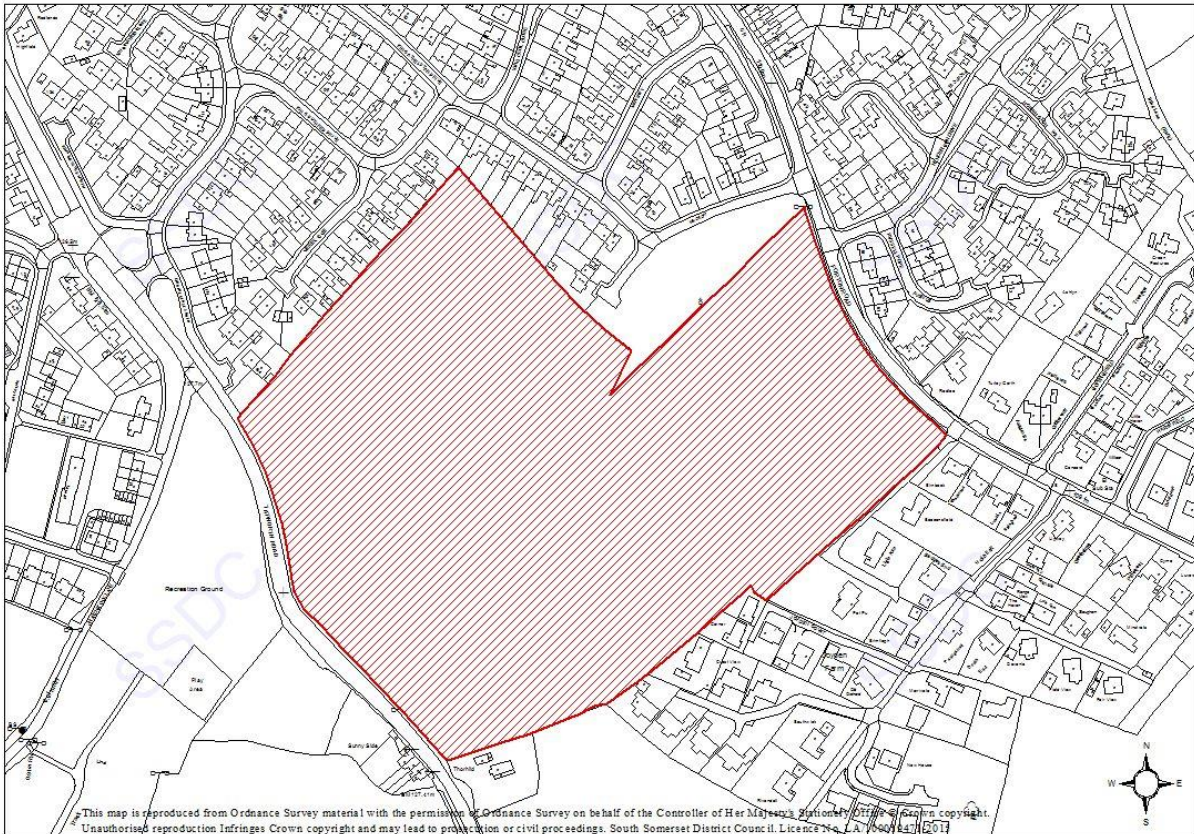


Officer Report On Planning Application: 15/04772/OUT

Proposal:	Development of up to 200 residential dwellings (including up to 35% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water attenuation, access points form Forton Road and Tatworth Road and associated ancillary works (outline) (GR 332536/107629)
Site Address:	Land North Of Tatworth Road And Adjacent To Forton Road Chard
Parish:	Chard
HOLYROOD (CHARD) Ward (SSDC Member)	Cllr Jason Baker
Recommending Case Officer:	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
Target date:	28th January 2016
Applicant:	Gladman Developments
Agent: (no agent if blank)	
Application Type:	Major Dwlg's 10 or more or site 0.5ha+

REASON(S) FOR REFERRAL TO COMMITTEE





This application is referred automatically to Area West Committee as it is a proposal for up to 200 homes and therefore constitutes a major-major application.

SITE DESCRIPTION AND PROPOSAL

The site is located along the southern edge of Chard, between the A358 (Tatworth Road) and the B3162 (Forton Road). The majority of the site adjoins residential properties with the exception of most of Tatworth Road and a small section of the southern boundary, where fields adjoin the site. The Ashcroft play area is located to the west of Forton Road along part of the northern boundary of the application site.

The land is currently grassed and used for agriculture, covering an area totalling 8.31 hectares. The majority of the site is bounded by mature hedgerows with further hedgerows forming the individual field boundaries. The rest is a mix of post and rail fencing and wooden panel fencing. The land slopes down from Tatworth Road to Forton Road, with an approximate 20 metre fall in the land levels from south to north.

The application seeks outline consent for the erection of up to 200 dwellings, structural planting and landscaping, informal open space and play area, surface water attenuation, access from Forton Road and Tatworth Road and ancillary works.

All matters have been reserved for future approval except for access. Two vehicular access points are proposed, one each from Forton Road and Tatworth Road.

In addition to the housing, of which 35% is proposed as affordable housing, the scheme will provide approximately 1.77 hectares of green infrastructure. This shall include accessible greenspace, woodland planting and Sustainable Urban Drainage attenuation basin. Existing hedgerows will be maintained and enhanced where required. The central hedgerow will have

a break created in order to provide for the new internal road which shall link the whole development. Moreover, this will provide the access through from Forton Road to Tatworth Road (and vice versa) creating a crucial part of the larger primary link road linking the A30 and A358.

A new green corridor is proposed that will cross through the centre of the site and will include new native tree planting in the southern part of the site. A 5 metre wide tree planting belt is also proposed along the site boundaries adjacent to existing residential properties.

The application has been accompanied by a number of supporting documents including a Planning Statement, Design and Access Statement, Landscape Appraisal, Transport Assessment, Travel Plan, Ecological Appraisal, Environmental Report, Archaeology report, noise screening and air quality assessment, Flood Risk Assessment, Drainage Strategy, Socio-economic statement, an Arboricultural assessment, a Statement of Community Involvement, and a topographical survey.

In regard to the socio-economic report, the applicant has stated that the estimated construction spend will be £18.9m, with 168 FTE construction jobs spread over a 6 year build out and 183 additional FTE indirect jobs in associated industries. Future residents could generate over £4m in annual gross expenditure, with a New Homes Bonus of £1.8m over a 6 year period and Council Tax payments of around £2.4m over 10 years.

HISTORY

15/04845/EIASS - Development of up to 200 residential dwellings (including up to 35% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water attenuation, access points from Forton Road and Tatworth Road and associated ancillary works.

No other relevant recent history.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents

South Somerset Local Plan (adopted 2015)

SD1 - Sustainable Development

SS1 - Settlement Policy

SS4 - District Wide Housing provision.

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

PMT1 - Chard Strategic Growth Area

PMT2 - Chard Phasing

HG3 - Provision of Affordable Housing.

TA3 - Sustainable Travel at Chard and Yeovil.

TA4 - Travel Plans

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision of Open Space, Outdoor Playing space, Sports, cultural and Community

Facilities in new Development.
EQ2 - General Development
EQ4 - Biodiversity

Chard Regeneration Framework (inc. Implementation Plan Sept 2010)

Relevant material considerations:
National Planning Policy Framework.
Core Planning principles
Chapter 6 - Delivering a wide choice of high quality homes
Chapter 7 - Requiring Good Design

CONSULTATIONS

Chard Town Council proposes that the principle of the development of this site is accepted but that it should not proceed until full consideration is given to the following:

- That the timing of this development should be reviewed to ensure that it aligns with the proposed scheduling of the Local Plan.
- That no development should commence until the necessary infrastructure is in place.
- That the proposed density of this development should be reduced.
- That the commitment to provide 35% affordable housing is assured and not eroded by future applications for this site.
- That the current availability of School places and medical facilities should be reviewed and consideration given to the impact that this development would have on that provision.
- That a new Traffic Survey should be conducted on the A358 and Forton Road during the peak Summer holiday period so that it more accurately reflects the period of highest traffic flow on the roads.
- That Road Safety concerns about traffic flow past residential parking zones and the adequacy of existing pavements along Forton Road are addressed.
- That Safe Routes to School between the proposed development and Manor Court School, along both Tatworth Road and Forton Road, are provided.
- That a new survey is carried out to ensure that infrastructure for disposing of sewage and surface water generated by the proposed development is adequate.
- That there are binding agreements in place regarding the future maintenance of any water attenuation measures and public open spaces that form part of any development.

Highway Authority: (First response)

The Highway Authority has reviewed the submission and considered the overall benefits and dis-benefits of this proposal. On balance there is no objection in principle but the proposal does not reflect the Chard Regeneration Strategy or the future infrastructure delivery.

Policy Context

This proposal forms part of the overall Chard Regeneration Strategy which provides a vision for Chard which is also reflected in South Somerset's Local Plan 2006-2028. Part of which is to form not only a phased delivery of residential development but also infrastructure to provide a continuous route to the east of the town to provide a link between the A358 Furnham Road to the A358 Tatworth Road. It is understood that this proposal has been

submitted prematurely when based on the proposed phasing within the strategy as such it does not make allowance for future infrastructure delivery. Therefore it is a matter South Somerset District Council as the Local Planning Authority to decide whether this proposal is acceptable at this time when taking into account the proposed vision for Chard.

Traffic Impact

The applicant has provided a Transport Assessment (TA) as part of their planning submission. This report has been audited and the Highway Authority's comments are set out below.

In terms of trip generation the applicant has utilised the TRICS datasets to sample development to generate suitable trip generation rates for suitable AM and PM peak hours. Appendix D of the TA shows the site selected and filters used to estimated trip calculations for the development from TRICS and the Highway Authority is satisfied that this sample appears reasonable.

Turning to the trip distribution the applicant has distributed based on the 2011 Census Distribution - Place of Work, which is considered to be acceptable to the Highway Authority. Table 8.9.2 summaries the estimated increases in the AM and PM peak hour traffic at the proposed development accesses onto Forton Road and onto Tatworth Road, as well as the estimated increases at the other key junctions that were highlighting during the scoping process prior to any submission. The Henderson Drive junction with site access onto Forton Road has not been tested for future traffic flows as a through route, this would be the case if in time it forms part of the proposed Chard Regeneration Strategy (CRS) network. This is in addition to the TA identifying that there are issues with the other junctions that formed part of the pre application discussions and in particular the signal controlled Furnham Road/Fore Street/East Street being regarded as unlikely to occur 'as alternative route choices for traffic generated by the proposed development, as well as traffic on the wider network, will be made available through the regeneration strategy'.

The point of access onto the A358 Tatworth Road has been modelled as a simple priority junction. Given the status of the A358 it may be appropriate to consider whether this is the most appropriate form of junction. The applicant may wish to consider the future function of this junction with part or the entire CRS network in place and ascertain that the proposed layout would not preclude any significant increase in traffic turning at the junction in such a future scenario. Consequently based on the applicant's resultant traffic re-assignments should show to demonstrate that the proposed site access junctions will be fit for purpose.

In terms of impact the applicant has not provided the data that was collected in February 2015. The Highway Authority is satisfied that this is acceptable as it is neutral month but the information should have formed part of the submission. A simple traffic growth methodology has been applied to the existing network rather than based on the reassignment based on the CRS. However it is apparent from reviewing the CRS it the proposed link road through the site is required to alleviate the severe impact the proposal would have on the junctions in the TA.

It is noted that some committed development has been accounted for and general growth factors have been applied to traffic on the network. However it is apparent that there TA relies upon the delivery of the CRS yet it does not include any scenarios that take it into account. Therefore other phases of the CRS have not been modelled to show that the two site accesses will be fit for purpose as proposed.

The TA uses PICADY, ARCADY and LINSIG to model the performance of the various

junction types. The AM and PM peak hours are modelled. However the outputs have not been provided and therefore cannot be checked or verified. LINSIG has been used to assess the Convent Link junction however it doesn't appear that we have had the LINSIG files submitted. Consequently the Highway Authority would need this information to be submitted to allow our Signals Team to assess the traffic impact on the junction.

As a consequence the Highway Authority would require further traffic assignment scenarios should be produced to test the site access junctions whilst the applicant should also submit the ARCADY and PICADY outputs and the LINSIG files and outputs to allow the Highway Authority to fully assess them.

Therefore to conclude the trip generation and traffic assignments appear to be acceptable. However it appears that the ARCADY, PICADY and LINSIG files and outputs have not been submitted with the TA as such they need to be submitted to the Highway Authority. It is apparent from the information provided as it is likely that this proposal would result in the overloading of the highway network and it doesn't appear that any mitigation has been put forward. It should be noted that the application has also come forward in advance of the early phases from the CRS as such it is also contrary to the planning strategic approach to Chard's future development. The TA does not demonstrate that this development can be brought forward in isolation of the earlier phases of the CRS. Instead it appears to show that there would be an impact which could be considered to be severe to junctions in Chard unless the CRS provides suitable alternative routes.

As a consequence based on the TA as it stands the proposals impact on the adopted highway can be considered severe in terms of section 4 of the National Planning Policy Framework (NPPF).

Travel Plan

The applicant has provided a Travel Plan as part of their submission to the Local Planning Authority. The Highway Authority has reviewed the document and a copy of the audit report is attached. However the main points that need to be addressed are set out below.

- The use of iOnTravel has not been included;
- The TP Fee of £2000 + VAT has not been committed to;
- Parking standards have not been addressed;
- Cycle parking details are required;
- Targets for all modes need to be set;
- A Safeguarding Sum needs to be committed to.

The applicant would need to address the above points in any further Travel Plan submission. In addition the applicant should be made aware that the Travel Plan would need to be secured via a S106 agreement.

Off-site works

The off-site highway works consist of the two junctions onto Forton Road and Tatworth Road. The Highway Authority has carried out a safety audit and have the following observations to make.

It is thought that the proposed access road on Forton Road will be too close to the existing junctions. The proposed access will create a crossroads with Henderson Drive which has the potential to increase the number of potential conflicts at this junction. As such the applicant is

advised to look at Somerset County Council's Estate Roads In Somerset Design Guidance Notes which recommends a minimum of 100m between same side junctions and 40m between junctions on opposite sides. At present the proposed distance between Ashcroft and the new junction is 35.5m Therefore it is recommended that the new proposed junction is moved further from Ashcroft and at least 40m south of Henderson Drive. This should assist in reducing the conflict points and potential hazards. Please note that a similar approach would be required with the point of access onto Tatworth Road by making sure there is a distance of at least 40m from Chardstock Lane.

The proposed new access junctions should also include crossing points with dropped kerbs at the side road tangent points to assist the elderly, disabled and buggies.

The applicant is should be aware that the Highway Authority would require a Non-Motorised User (NMU) audit as no details have been provided on cycle routes, pedestrians crossing points and visibility splays within the site. It is appreciated that this is an outline application as such the NMU audit would need to form part of any future reserve matters submission if the Local Planning Authority is minded to grant permission.

Drainage

The applicant has reviewed the submitted drainage documents, which included the surface water management strategy. This proposed the use of oversized pipes positioned within the area of prospective highway. If such storage is permitted under prospective highway areas then any pipe with a clear span of 900m or greater will be considered as a structure requiring Highway Authority approval and will be subject DMRB AIP process and detailed design approval. The designer should note that their use will also attract a commuted sum to include maintenance and for their eventual replacement.

The surface water management strategy for the proposed points of access to the site (served off Tatworth Road and Forton Road) should not increase the burden on the existing drainage systems serving these roads and should therefore be catered for as part of the new drainage network serving the development. Clarification of the future ownership and maintenance regime/responsibilities associated with the proposed attenuation pond would be beneficial given its proximity to the existing highway and adjacent properties. Given the location it is considered essential that a strict maintenance programme will need to be adhered to in order to safeguard the efficiency of the system.

It is noted that the proposal seeks to discharge the restricted surface water runoff into the existing Wessex Water system located within Forton Road. The developer must obtain all necessary consents to discharge from the new drainage system to the approval outfall, and must provide evidence that the proposed system needs their requirements.

Internal Layout

The Highway Authority notes that the proposal is for outline permission as such the details of the internal layout have not been finalised. However the applicant would be advised to take account of the following comments prior to any detailed design submission.

The Highway Authority would require that the internal carriageway would need to provide a minimum width of 5.0m whilst the shared surfaced areas would require a 1.0m service margin on both sides with a 2.0m margin at the end of all turning arms. Access roads will require 1.8m wide footways on either side of the carriageway, again with a 2.0m margin at the end of all turning arms. In regards to the vertical alignment gradients should be no steeper than 1 in 14 but should have a minimum gradient of 1 in 100 (without channel blocks)

or 1 in 180 (with channel blocks). Shared surface block paved areas should have a maximum gradient of 1 in 14 and a minimum gradient of 1 in 80. Footways should not be designed with longitudinal gradients steeper than 1:12 as anything steeper will provide difficulties for wheelchair users. The applicant should also note that where the proposal meets the adopted highway a suitable tie-in would need to be provided.

Please note that all turning heads to be designed per SCC guidance 'Estate Roads in Somerset - Design Guidance Notes. Any detailed submission would need to make sure that a swept path drawing showing how a refuse vehicle with 4 axles and measuring 11.4m in length can manoeuvre through the proposed adoptable areas of the site.

Conclusion and Recommendation

To conclude the applicant will need to take account of the comments raised in terms of the internal layout. The Highway Authority has no objection in principle to this proposal however it is apparent that the proposal does not reflect the Chard Regeneration Strategy or make allowance for future infrastructure delivery. However that being said it is a matter for the Local Planning Authority to decide whether this proposal should be permitted.

As a consequence if the Local Planning Authority were minded to grant planning permission the Highway Authority would require the following conditions to be attached.

Case officer comment: A list of highway conditions are recommended which have been included as part of the list of conditions attached at the end of this report.

Highway Authority (additional comments):

In the Highway Authority's previous response it was noted that although the trip generation and traffic assignments appeared to be acceptable none of the ARCADY, PICADY and LINSIG files had been submitted. The Highway Authority has now had the opportunity to assess the modelling data. Having assessed the submitted information the models confirm that the proposed development would have an impact on the key junctions unless or until the distributor roads to the east of Chard are constructed. As a consequence the Highway Authority's previous comments are still considered to be relevant in as much that the proposal will result in the overloading of the highway network with it coming forward in advance of the early phases from the Chard Regeneration Strategy (CRS). However this is a matter for the Local Planning Authority to decide whether this proposal should be granted permission.

The other element that was referred to in the Highway Authority's previous comments related to the proposed junction onto Forton Road. From the submitted information this would have seen the creation of a cross roads with Henderson Drive. It is understood that this proposed layout formed part of the CRS. However as part of the Highway Authority's observations it was recommended that the junction was moved 40m south of Henderson Drive based on highway safety grounds of potential conflicts at this junction. The Highway Authority understands that the junction should be in line with the CRS but it must also be safe and appropriate for use. As a consequence on balance either the proposed or a revised layout could be considered acceptable in highway safety terms provided additional information and technical design.

Therefore taking into account the additional information the Highway Authority would reiterate our previous conclusions that there is no objection in principle to this proposal however it is apparent that it does not reflect the CRS or make allowance for future infrastructure delivery. However that being said it is a matter for the Local Planning Authority to decide whether this proposal should be permitted.

As a consequence if the Local Planning Authority were minded to grant planning permission the Highway Authority would require the conditions/recommendations made in our previous response to be attached with the addition of the following Grampian condition.

No work shall commence on the development hereby permitted until details of the proposed junction arrangements onto Forton Road have been submitted to and approved in writing by the Local Planning Authority. Said works shall be fully constructed in accordance with the approved plans to an agreed specification before the development is first brought into use.

Landscape Officer:

A landscape and visual appraisal (LVA) is submitted in support of this application, which seeks outline consent for a residential development of up to 200 houses as part of the Chard development plan. It reviews the character of the site within its wider landscape context, with reference both to published assessments of the local landscape, and on-site appraisal. It concludes that the site and its immediate context is of low-moderate landscape value, whilst the visual appraisal - drawing on the nature of the prospect from 22 local vantage points - concludes that the site is visually contained, and well-related to the urban area of Chard. An assessment of likely landscape and visual effects arising from development finds that impact will initially be moderate-minor adverse immediately post construction, reducing to minor adverse as landscape mitigation takes hold, whilst visual effects are relatively low, other than where considered from immediately adjacent residences and public open space. In general I agree with the findings of the LVA, and consider this to be a site capable of accommodating development.

I can also confirm that I have no issues to raise with the general approach to place-making, set out in the design and access statement (D&AS) section 4, along with the intent to adhere to building for life (BfL12) criteria.

An indicative masterplan is offered which indicates a spine of GI (green infrastructure) effectively through the centre of the site, inclusive of additional tree planting, to create separation of the two main areas of housing, whilst providing an open space focus for the development. This concept is illustrated on page 55 of the D&AS. Within the main areas of open space, there is an intention to major on a high proportion of native species, which I agree is a positive approach. Similarly within the residential areas an intent to plant street trees of narrow form and medium height is sensible. However, I would advise against an intent to plant orchard trees within public open space, particularly at the southern end of the site (where the profile of the site would benefit from the planting of stronger tree forms) for we have found orchard planting to create anti-social and maintenance problems on other sites, better that cultivated forms of fruiting species are utilised, providing the fruits are minimally sized. An Attenuation feature is located in the eastern corner, it is essential that this is not overtly engineered, and necessary structures are kept to a minimal scale.

In summary, cognisant that the site is indicated for development within the Chard development plan, from a landscape perspective I consider the design approach proposed by this outline application to be a satisfactory basis from which to develop a detailed layout for the site.

Ecologist: (summarised)

I've noted the Ecological Appraisal (fpcr, October 2015) and I've visited the site. The site can generally be considered of low ecology and nature conservation value. Protected species surveys concluded either likely absence (dormice) or only relatively low numbers (bats, reptiles, badgers).

I have no objections but make the following recommendations.

Badgers

Badger setts were recorded within one the interior hedges but the surveys concluded they are not continually used by badgers and that the application site is unlikely to be of significant importance to badgers.

I recommend an informative endorsing the following paragraph from the Badger Survey Report (fpcr, 1st October 2015).

Reptiles

A small number of slow worms were recorded on site. Measures to minimise harm will be required. I suggest this is dealt with more fully at the detailed application stage.

Dormice

Dormice weren't recorded during surveys. However, the consultant ecologist recommends precautionary measures for hedge removal. I support this recommendation as dormice have been recorded at widespread locations around the Chard area and the nest tube survey isn't regarded to be 100% reliable at proving absence. I recommend a condition:

No removal of any hedge (or part thereof) shall be undertaken until a Method Statement detailing precautionary measures for the avoidance of harm to dormice has been submitted to and approved in writing by the local planning authority. All hedge removal shall be undertaken in full accordance with the approved Method Statement unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance (dormouse) in accordance with NPPF, and of legally protected species in accordance with Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

Biodiversity enhancement

NPPF (para.118) expects development to deliver some enhancement for biodiversity, through taking opportunities to incorporate features beneficial for wildlife (e.g. native species planting, bird and bat boxes) within new developments. I note various biodiversity enhancements are claimed as part of landscaping and open space proposals.

I support the paragraph from the Ecological Appraisal in respect of biodiversity enhancements and recommend further detail be required to be submitted prior to development commencing.

Natural England (summarised):

No objection.

Internationally and nationally designated sites

The application site is not within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites). Therefore we advise that the development is unlikely to result in any significant effects on any such site. The application site is approximately 1.4km to the north-west of Stowell Meadow Site of Special Scientific interest (SSSI) which is designated at a national level. This site is a small but very rich botanical pasture with unusual core communities. Taking the nature of the proposals and the distance from the site into account, we advise that the development is unlikely to result in any significant effects on this site.

In terms of protected species, NE advise to check against their standing advice. They also offer advice about the opportunities to provide green infrastructure and biodiversity enhancements throughout the development.

Arborist:

The submitted tree information is very helpful and highlights the vulnerability of the large mature Beech (referred to as 'T6) located upon the raised verge adjoining the Tatworth Road (also adjoining No 184 king lne Close). I understand that Beech T6 is owned by Somerset County Council.

I understand that it is proposed to extend and widen the existing footpath to create a cycleway and pedestrian crossing within the Root Protection Area of Beech T6. I am keen to ensure that this is carefully constructed without causing harm to the health of the Beech. I have noted that extensive tree planting is intended and if reserved matters are forthcoming in the future, look forward to viewing the details.

If consent is to be granted, I would be grateful if you would consider the following:

Case officer: A tree condition is then recommended, which shall be attached to any consent granted.

Housing Development Officer:

Policy requires 35% affordable housing split 67:33 social rent: intermediate. On that basis we require 70 units. 47 for social rent and 23 units for shared ownership/other intermediate products.

I would expect the affordable units to be pepper potted throughout the site, that the units are developed to blend in with the proposed housing styles and prefer the dwellings to be houses or if flats have the appearance of houses. Further discussion is necessary to assess the property types required based on data from the Housing Register - Homefinder Somerset.

Our prevailing minimum space standards should also be adhered to:

1 bedroom flat	47 sq. m	
2 bedroom flat	66 sq. m	
2 bedroom house	76 sq. m	(86 sq. m if 3 storey)
3 bedroom house	86 sq. m	(94 sq. m if 3 storey)
4 bedroom house	106 sq. m	(114 sq. m if 3 storey)
5 bedroom house	126 sq. m	(134 sq. m if 3 storey)

We would expect the s106 agreement to contain appropriate trigger points to guarantee that some of the affordable housing provision is delivered in the event that the site gains permission but is only ever partially built out. The s106 should also include a schedule of approved housing association partners for delivery of the affordable units.

Community, Health and Leisure:

The total contribution (excluding land acquisition costs) being sought is £904,090 (£4,520 per dwelling). This is broken down as follows:

Local Facilities:

Equipped Play - £169,760 capital contribution and £98,056 commuted sum.
Youth Facilities - £33,333 capital contribution and £12,324 commuted sum.
Both of the above are for on-site provision.

Playing pitches - £78,309 capital contribution and £55,877 commuted sum.
This will be off site towards the development of new playing pitches in Chard.

Changing Rooms - £158,991 capital contribution and £12,790 commuted sum.
This will be off site towards the development of new changing rooms in Chard.

Community Hall and Strategic Contributions:

Community Halls - £102,597 - off site contribution towards a new hall in Chard or enhancement of an existing hall.

Theatres and Art Centres - £61,778 - off site contribution towards a new studio theatre at the Octagon or towards a stage refit at the Westlands Entertainment complex.

Artificial Grass Pitches - no contribution sought.

Case officer comment:

Following receipt of the above requests for sport and leisure obligations, the applicant sought clarification from the Community, Health and Leisure team as to whether all of the requests meet the Community Infrastructure Levy regulations, particularly in respect of not exceeding the limit of 5 obligations per project. The officer responded by confirming that there are less than 5 pooled contributions pooled for these specific mitigations for Theatres and Arts Centres. Hence, the Council is justified in seeking off site contributions for the community and strategic contributions.

In addition to the above, the Community, Health and Leisure team referred to their pre-application advice in which they requested on site provision and contributions based on the provision of 892 sq m of equipped play space and 223 sq m of youth facility space, provided on a single site (with 40 m buffer zones to the façade of the nearest dwelling) adjacent to the existing play area at Ashcroft.

The concept plan submitted with the current application identifies a proposed play area on the southern area of public open space, which is not in accord with this pre-application advice. The Community, Health and Leisure Service requests that an area of 1,115 sq m (892 sq of equipped play provision + 223 sq m of youth facility space generated by this development) is provided adjacent to the existing Ashcroft play area in order to extend this play area to provide a decent sized play area and facilities for older children for both this development and existing houses nearby. The best option would then be for the whole play area site to be managed by Chard Town Council, who manage the existing Ashcroft Play Area and, in principle, are in agreement with this idea.

The case officer has discussed the request above with the developer and they have explained why the play space has been located to the southern end of the site. The key factor is the location of the site access from Forton Road and associated internal access road making it difficult to establish a reasonable road and housing layout. However, as layout is not a matter to be agreed at this outline stage, this will be an issue for any subsequent reserved matters application. The recommendation at the end of this report includes the specified amount of equipped play and youth facilities to be required as part of the legal agreement.

County Education (first response):

As you are aware from representations made previously by SCC the schools in Chard are coming under increasing pressure due to demographic changes in the area (pupils on roll at Manor Court increased by 40 between October 2014 and October 2015). This application, together with others in the pipeline would add significant pressure to schools that are either already at capacity or forecasted to be so in the next few years.

Financial contributions would therefore be sought in connection with this development of 200 dwellings. A development of this size would equate to the need for an additional; 40 primary school places with a notional cost of £14,007 per place, 28 secondary school places at a notional cost of £21,106 per place and 7 preschool places at a notional cost of £14,007 per place.

40 x £14,007 = £560,280 (Primary)
28 x £21,106 = £590,968 (Secondary)
7 x £14,007 = £98,049 (Preschool)

Case officer comment:

Clarification was sought from the County Education Officer by the case officer in respect of the current picture in terms of both any surplus school places and/or capacity issues. A second response has been received as below:

County Education (second response):

Further to my previous correspondence regarding this application.

The three primary schools in Chard have a total pupil capacity of 1049 which is made up as follows:

Avishayes Capacity 239 - Furthest from the above site
Redstart capacity 420
Manor Court capacity 390 - Nearest to site

The latest published forecasts indicate that by 2018 a total pupil capacity of 1050 will be required within Chard. This forecast data includes; demographic data as available, and some approved full and reserved matter planning applications. However, there are a number of approved applications in Chard that are not included in this published forecast which will add an additional 27 pupil places to the figure of 1050 - thus 1077 places will be required in Chard by 2018 to meet pupil numbers.

This application together with any others that come forward in Chard will further increase the need for capacity within the Chard schools which is not forecast to be available at the time this development comes forward. It will therefore be necessary request education contributions as per previous representation on this application

Streetscene Services (Open spaces): (summarised)

The amount of open space that would be needed to meet the additional demands of the future occupants of the development is 0.74 hectares.

The information provided within the 'Development Framework Plan' states there is sufficient Public Open Space; when measured on the scaled drawing the plan only shows approximately between 0.5 and 0.6ha of open space (a larger scaled plan would be appreciated to more accurately determine the calculation of open space that is being proposed). This calculation excludes the green corridor area which due to the retained hedgerow running through the middle makes the space inappropriate to be considered as

usable Public Open Space.

We are pleased with the central location of the open space on the development, as it creates a community focus; however we are concerned about the main arterial road cutting this space in half. Although it has been designed as a 'shared surface' it will inevitably become a rat run through the development and a significant danger to the pedestrians in this area, we wish to see further details as to how this area is going to be designed.

Another concern is the suggestion of 'species rich turf' on the open space - whilst this area is 'informal' open space, it will inevitably be used as a kick about area and we suggest that a more suitable grass mix turf is used, however a 'species rich' mix could be used within the green corridor area.

As the main Open Spaces are situated through the central area of the site, this leaves the North-eastern area rather housing dense with little access to a local area of open space; in order to break up the built form and create a further community focus we would like to see a small 'pocket park' incorporated within this area.

We appreciate that there is a significant presence of badger setts within the site and that these do need to be protected; we would like to know what the anticipated long term protection plans are for these setts.

We would also like to see a service strip (as per the SSDC Open space design guide and its addendum) either side of the retained hedgerow dividing the right-hand-side of the development, alternatively ownership and maintenance responsibilities could be transferred to the neighbouring house owners.

Regarding the SUD's area; we would be keen to see further landscape design details of this area and we feel that the use of Wild Flower Suds turf would be a significant addition.

Environmental Health Officer:

No objection raised subject to a condition in respect of a contaminated land watching brief and informatives in regard to noise and dust control and construction site noise.

Officer comment: The suggested condition will be imposed on any consent along with a Construction Management Plan to cover matters such as noise/ dust control and controlling construction/delivery hours.

Crime Prevention Design Advisor:

Rear parking courts are proven to be unpopular with residents. If they are unavoidable please insure that they are have good surveillance and kept to small proportions
Insure that public spaces are open, friendly spaces fostering a feeling of safety. Ensure that footpaths are wide without having adjacent structures
Ensure that private space is defensible or clearly defined
Design out any permeability providing access to the rear of properties
Ensure that play areas are sited with surveillance in mind and that play equipment is appropriate to the age group it is intended for

Climate Change Officer: (summary)

The Design and Access Statement shows clear intention to use sustainable construction materials and techniques, although there is no mention of photovoltaic arrays

It is very likely that future residents will want to install photovoltaic arrays to their south facing roof space in the near future (if the developer does not install them during construction). This is because the cost of photovoltaic (PV) arrays continues to fall and PV generated electricity is expected to reach grid parity in the USA by 2020 and in southern UK sometime between 2020 and 2030. That is to say, the cost of installing a roof top PV array will be equal to or cheaper than continuing to pay a full electricity bill. At this stage, who would want an east west facing house that is effectively sterilised from installation of PV? For this reason, applicants should present developments which maximise uncluttered south facing roof space within the constraints of the site.

The expectation of good site layout and building orientation are supported in national and local planning policy.

There are few constraints that impact orientation of dwellings at this site. All dwellings could have, unshaded near south facing roof space. I therefore look forward to commenting on the detailed design should this outline application be successful.

County Policy Officer (Minerals and Waste):

As Waste Planning Authority, Somerset County Council is responsible for waste planning policy in Somerset. Current adopted policy is set by the Waste Core Strategy (adopted February 2013) and this forms part of the Development Plan. Our comments on the above application are divided into two main areas: waste prevention and recycling and reuse. They are considered in the context of the development plan where the decision must be taken in accordance with the development plan unless material considerations indicate otherwise.

Waste prevention

There are opportunities to minimise waste production at the design stage of any development; the bigger the project, the more important it becomes to have a strategic approach to construction, demolition and excavation waste management.

A Site Waste Management Plan will be the minimum required for the proposed development to align with adopted local waste planning policy. Noting the size of the proposed development (up to 200 houses) we recommend that the applicant prepare a site waste management strategy in accordance policy WCS1 - waste prevention. This strategy would set the criteria to which detailed site waste management plans (SWMPs) for the development should adhere and this would support a phased delivery of the development as outlined in the Planning Statement (section 1.6 - delivery).

There are various templates and tools available for developing SWMPs, including those available from the Waste and Resources Action Programme (WRAP) website: www.wrap.org.uk.

Recycling and reuse

The applicants have discussed in the design and access statement accompanying the planning application that the design is "expected to" provide suitable facilities and storage for recycling and waste. Provision of facilities and storage for recycling would support the principle of diverting waste from landfill/disposal in accordance with the waste management hierarchy which is embedded throughout the Waste Core Strategy.

This is welcomed and would be broadly in accordance with Policy WSC2 - recycling and reuse. The applicant is encouraged to contact the Somerset Waste Partnership for detailed guidance for developers on designing adequate space and facilities for recycling and waste containers. Contact details can be found on their website - www.somersetwaste.gov.uk.

Policy WCS2 does provide further policy through criterion c) in relation to effective access for

waste collection and recycling vehicles. Colleagues from our Transport and Development Group will be able to provide further comment on highway standards in their capacity as the Highway Authority.

Additional general observations

The design and access statement also makes reference to the applicant exploring the following design aspects:

The use of locally sourced or recycled construction building materials and aggregates

Using recycled timber

As well as conserving natural resources, the use of recycled materials creates a demand for materials recovered at waste management facilities. Commitment to the specification and use of such materials is welcomed.

Somerset Waste Partnership:

We are pleased to be able to support you in fulfilling your statutory obligations to provide adequate storage space for household waste and to provide adequate access for collection of waste from the property.

Wessex Water:

We can advise that separate foul and surface water systems drain existing properties in this location. We have been able to review arrangements and agree points of connection for foul water disposal and these are stated in the foul water drainage strategy. Sewers will be adopted through a S104 adoption agreement with Wessex Water subject to satisfactory engineering details.

However we are unable to advise that that satisfactory arrangements are in place for surface water disposal. The flood risk assessment concludes that surface water run-off can be restricted from the site with flood risk measures to protect for a 100 year event with climate change allowance. The assessment indicates that connections will be made to downstream public surface water systems

We regret to advise that we have no agreement relating to the following matters

- o Point of connection to the public surface water system
- o The impact of a surface water connection from the site
- o The scope of downstream works necessary to accommodate additional capacity required

We are not aware of any meaningful discussion upon any points of connection, discharges or flow rates from the site. Based upon the flow rates quoted and the capacity available we can advise that the existing public sewer system is unable to provide a satisfactory means of disposal. We cannot agree with paragraph 6.4.1 which states

6.4.1. This FRA demonstrates that the proposed development would be operated with minimal risk from flooding, would not increase flood risk elsewhere and is compliant with the requirements of the NPPF.

The risk of sewer flooding to downstream property has not been properly assessed from a new connection serving the site. The Local Lead Flood Authority will need to approve the surface water drainage strategy and surface water management proposals. We advise that this flood risk assessment has not properly considered the off site impact of the connection to the public sewer system and the scope of any necessary improvements to provide a

satisfactory means of disposal.

There may also be matters of co-ordinated infrastructure required for this strategic allocation under the South Somerset Core Strategy. We advise that further consideration needs to be given to off-site surface water disposal before the application is determined.

Water supply proposals will need to accommodate the requirements for a linked spine main to provide satisfactory capacity to serve the strategic allocation at Chard. This infrastructure will also need to be co-ordinated throughout the phased delivery of sites forming the strategic allocation.

Officer comment:

Following receipt of the above comments, the developer confirmed that on-going discussions with Wessex Water are taking place. Moreover, Wessex Water are currently modelling / assessing capacity in the local surface water network to confirm the allowable discharge rate from the development. A response to the developer from Wessex Water is expected shortly and an oral update will be provided at committee. The developer has also stated that it is understood that Wessex Water are looking at a strategic plan for surface water in this area to deal with the planned development in this area.

Wales and West Utilities: (summary)

Wales and West Utilities have pipes in the area. Our apparatus may be affected and at risk during construction works. Should the development be approved, the developer should contact Wales and West to discuss our requirements prior to the commencement of the works.

REPRESENTATIONS

12 letters/emails have been received, 11 of which made objections to the application with 1 representation. A summary of the points made are outlined below:

Residential Amenity

- Overlooking, loss of privacy and light.
- Close proximity of proposed new properties.
- Scheme does not show how new properties will relate to existing homes
- Loss of view
- Harmful impact of construction activity
- Decrease in property value.

Highways

- Increased levels of traffic, particularly causing a problem during peak hours.
- Tatworth Road is currently busy and cars turning right into the new development would cause delays.
- Additional traffic on Forton Road which is a country road and not built to accommodate this level of traffic.
- Traffic congestion at the junction of Forton Road, Tatworth Road and Church Street.
- Traffic turning right from Tatworth Road will cause delays.
- Transport Assessment is required
- Increased risk of accidents.
- Lack of a safe route to Tatworth Primary School.
- New access road adjacent to play area.

Landscape/Open space.

- Loss of green fields without justification - other sites should come forward first.
- Who will maintain the proposed 5 metre tree planting screen?
- Proposed landscape scheme will take years to mature.
- Public open space should be overlooked by houses to ensure secure by design. Also relocated to be of greater benefit to adjacent properties.

Play Area

- It would be better to locate the proposed play area closer to properties in Wessex Close and Ashford?

Design/Scale

- 3 storey dwellings not appropriate adjacent to existing properties.
- acknowledge plans are indicative but rows of regimented houses lack sense of place and individuality.
- Need to include opportunities for solar gain.
- Number of houses is too many.

Employment

- Lack of employment to respond to the increase in population.

Flooding/Drainage

- Increased risk of flooding to adjacent properties.
- Drainage has been an issue along the Ashcroft area of the proposal.

Infrastructure

- Increased pressure on local services including doctors, hospital and schools.

Local Plan/Chard Plan

- Understood that this site would come forward at a much later date in the town.
- Would it not be preferable to bring forward other sites first in the town for example the ACI Mill building?

The writer making a representation drew attention to the fact that the Flood Risk Assessment should take into account rainwater which runs from the fields creating a pond just to the south of the existing Ashcroft play area and houses at the southern end of Ashcroft road.

CONSIDERATIONS

Principle of residential development

Chard is identified as a Primary Market Town within the South Somerset Local Plan and as such plays a significant role in delivering the district's required growth through until 2028 and beyond. Historically, the growth of Chard has been problematic, due primarily to a requirement to provide a distributor road in its entirety from the Tatworth Road through to the northern section of the Furnham Road in the area of the Chard Business Park. Due to a significant lack of progress the district council worked with relevant bodies and the community to produce the Chard Regeneration Plan. This document identified that the previous requirement to secure a relief road in its entirety right from the outset was unrealistic. In lieu of this requirement the Implementation Plan advocated an approach that would allow different parcels of land to be developed individually provided that they included the required infrastructure for their scheme and didn't prejudice the development of other parcels within the growth area.

Policy PMT 1 clarifies what is expected within the Chard Strategic Growth Area:

- 2716 dwellings (some beyond 2028)
- 13 ha of employment land
- primary schools, neighbourhood centres, highway works, public open space etc.

This site is located wholly within the larger Chard strategic growth area and therefore the principle of development is acceptable.

Chard Regeneration Plan

The timing of the delivery of this site has been referred to by local residents, Chard Town Council and the Highway Authority in their respective responses to the proposal. The main point being made is that this site is coming forward earlier than proposed. Members will be aware that delivery of sites within the Chard Regeneration Plan is based on 3 broad growth phases over the plan period and beyond. Phasing of the sites is based on the need to incrementally increase the capacity of the highways infrastructure to accommodate the traffic flows as the town grows.

The application site is included in phase 2 of the Chard Plan. Therefore, whilst this site was not proposed to be very early phase 1 development, it does form part of a number of employment and residential sites along with new highway infrastructure coming forward in phase 2, albeit to the latter end of this phase of development.

It is important and useful at this stage to set this site in context of other sites and the current position Chard Plan delivery. Phase 1 largely focuses upon town centre regeneration and does not propose much in terms of new highway infrastructure. For economic and other reasons, the town centre regeneration has yet to take place. Importantly, phase 1 does include improvements to the signalling system at the central junction (A30/A358 intersection) in the centre of town. This work has been undertaken.

Phase 2, of which this site is an important part, will deliver around 1360 dwellings and new key highway infrastructure linking the A30 on the eastern side of the town to the A358 to the south. This new highway link will not only open up both new housing and employment land but when complete will remove pressure from the central junction. Physically, the new highway would connect to the south of the A30, possibly as an arm off a new roundabout at the southern end of Oaklands Avenue. It would then run south through new housing and employment development. This application site would be at the southern end of the new strategic highway.

Ideally, development of phase 2 sites, including the crucial highway infrastructure would come forward in a north to south order. However, in reality and based on a number of discussions with developers about the Chard sites, those sites are simply not going to come forward in the desired sequence. It is therefore important to assess whether allowing this site out of sequence would be detrimental to the delivery of the Chard Plan and Chard as a whole, and/or whether this site should come forward earlier in the absence of other sites coming forward. For clarification, members will be aware of the current application by CG Fry on Crewkerne Road, a phase 2 development site but which does not provide part of the strategic road.

An important starting point for this assessment is Policy PMT2 of the local plan which states that 'In order to ensure the timely delivery of the necessary infrastructure to support the growth, phasing sequences should be justified and it should be demonstrated that the proposal will not compromise the delivery of the total growth'. There is an inherent acceptance that sites may come forward out of sequence, but correctly each of those respective developments must demonstrate that that would not prejudice the delivery of other sites.

The key possible prejudicial aspect is the delivery of highway infrastructure. Members will note the comments of the Highway Authority. They have assessed the highway modelling work undertaken by the developer and have agreed with the findings ie it would result in overloading of junctions in the town in advance of the earlier phases and highway infrastructure being delivered. Importantly, the Highway Authority have not advised that the application be refused, or that the highway impact would be severe, ie the NPPF test, rather a decision for the LPA. It is apparent that there may be some short term pain before longer term gain to Chard and its road network.

However, it is essential that development starts to come forward on the Chard plan sites in the near future, otherwise it is considered that the Council has a much weakened defence to other non Chard plan sites from being approved at appeal. In addition, it is considered that the current lack of a 5 year supply of deliverable housing land does not mean that other sites would gain approval as demonstrated by the 2 recent appeal decisions in respect of land on the northern side of town. However, it is also clear that the government wants houses to be built and, if the Chard plan does not start delivering, other sites are more likely to be successful in obtaining consent.

A key factor to note is that this site will deliver the most southerly section of the new highway link from the A30 to the A358. Lack of planning permissions and/or delivery of development within the Chard Plan sites does open the door to non-strategic development coming forward elsewhere in Chard. Crucially, those would add pressure onto the existing highway network but without providing any of the much needed new highway infrastructure. Therefore, whilst the comments are the Highway Authority have been carefully taken into account, for the reasons outlined above, it is considered acceptable to grant outline consent for this development prior to other phase 2 sites.

A final important point to factor into the equation is in respect of the overall speed of site delivery. The developer has indicated a build out period of 6 years. Taking into account that should outline approval be granted, reserved matters approval would also then need to be obtained, a period of possibly 8 years before the whole site is developed is not considered to be unreasonable. Without a crystal ball, it is difficult to predict what may happen over the next 10 years, but it does afford some time for one or more of the other sites to be delivered in that time along with key sections of the new strategic road. Moreover, the full highway impact of this site will not be realized for a number of years.

Highways

The strategic highways aspect of the proposal has been discussed above as part of the application sites' position in the Chard Plan. In respect of more specific site related matters, the scheme is proposing 2 vehicular accesses, one from Tatworth Road and the other from Forton Road. The primary road will run through the site and create a link between those 2 roads, thus creating the southern end of the new strategic road from the A30 to the A358. From Forton Road, a priority controlled crossroads junction will be formed opposite Henderson Drive with a priority controlled T Junction on Tatworth Road. Members will note that the Highway Authority originally sought further modelling information from the applicant in respect of the impact upon the local junctions. This further information was provided to the Highway Authority. As outlined and assessed above, the modelling work shows that overloading of the highway network will occur in advance of the earlier infrastructure phases being delivered.

Members will note the comments of the Highway Authority about the proposed junction onto Forton Road. The proposed crossroads does accord with the Chard plan although the Highway Authority recommended the applicant to move the access 40 metres south of

Henderson Drive due to potential conflict at the junction. However, following further modelling work being sent to the Highway Authority, they do not object to a crossroads on highway safety grounds subject to the submission and approval of its technical design. A grampian style condition has been sought by the Highway Authority to ensure that those details are submitted and approved prior to the development commencing.

In terms of parking provision, the supporting documents state that the number of spaces will be in accord with the County Standards. The exact number and layout of the spaces can only be assessed and determined at any reserved matters stage when the number and size of dwellings is known.

Concerns had been raised about the quality of footways by the Town Council. In respect of pedestrian access, improvements are proposed with a widening of the footways to Ashcroft, a proposed new bus stop on Forton Road, a new footway and dropped kerbs/tactile paving around King Alfred Drive/Tatworth road junction and the introduction of dropped kerbs /tactile paving at various locations on walk routes to Manor Court School and the town centre. It is considered that those works would improve the safety and accessibility of the site.

In regard to accessibility to public transport, there are 2 bus stops within 400 metres of the site, one at Ashcroft and the other on Tatworth Road. The Travel Plan proposes improvements to existing bus infrastructure and the introduction of a new bus stop on Forton Road close to the site entrance. This will need to be agreed by the bus company. With regards to cycling, the site is within 5km of most services and facilities and employment sites, thus cycling would be a genuine alternative mode of transport for some people.

The Town Council made a point about undertaking a new traffic survey on the A358 and Forton Road during the peak summer period so that it more accurately reflects the highest traffic flow on the roads. Having spoken to the Council's Highway Consultant, the summer holiday periods or any school holiday period are not recommended times to undertake traffic surveys as the roads are less busy during the peak hours.

Density/Design/Scale/Layout

Concerns have been received that the density of the scheme is too high and should be lowered. This outline scheme proposes up to 200 homes on a site totalling 8.31 hectares. Taking the land for proposed green space out of the equation, this leaves approximately 6 hectares of developable space. This would provide a density of around 33.3 dwellings per hectares. This is considered to be an acceptable level of density and would not be too dissimilar to adjacent residential areas. Moreover, this is in accord with the Chard Plan which suggests 30-40 dwellings per hectare. It is also important to note that whilst the total number of houses can be agreed and limited to 200 homes via a condition at this stage, the precise number of houses up to 200 will only be determined at any future reserved matters stage.

Objections have been received from local residents about the design and layout of some of the houses, in particular, reference is made to 3 storey dwellings on site and close proximity of new dwellings to existing properties. The design and layout of the houses is a very important planning consideration and an indicative plan has been submitted to show how a development could be accommodated on site. However, approval for those detailed matters is not being sought at this outline stage and no approval is being given to the indicative plan. It is considered, however, that an appropriate design and layout can be achieved that would respect the amenity of existing residents.

The loss of a view has also been mentioned. However, this has been held by the courts not to be a valid planning reason to refuse an application.

Residential amenity:

Concern has been raised about the harmful impact of construction activity on the amenity and health of local residents. Construction activity will inevitably create some noise and disturbance to local residents. However, this can be mitigated by imposing a condition on any consent seeking submission of a Construction Management Plan which will control working and delivery hours, vehicular routes to and from site, wheel washing facilities to reduce dirt/mud on local roads and measures to control dust on site.

Landscape:

The application has been supported by a Landscape and Visual Appraisal which provides an assessment of the likely landscape and visual impacts of the proposed development. The assessment states that 'whilst there would inevitably be some adverse landscape and visual effects.....it is judged that the impact of the proposed development would be localised and limited in their extent'. The visual impact of the scheme would be mitigated over time by the proposed new woodland, tree planting and new hedgerows as part of the development.

The Council's Landscape Officer generally agrees with the findings of the landscape appraisal and raised no landscape objection to the proposal. He is supportive of the green infrastructure proposals running through the centre of the development and the use of a high proportion of native species. It is advised not to plant orchard trees within public open space as experience has shown that this can create anti-social and maintenance problems. Alternative tree planting is recommended - the developer has indicated that they are happy to plant alternative species.

Whilst landscaping details are one of the matters reserved for future approval, on the basis of the above comments, the landscape impact is considered to be acceptable. Thus, there is no in principle objection to the scheme on landscape grounds.

Ecology:

An Ecological Appraisal was undertaken of the site and accompanied the application. Members will note the comments of the Council's Ecologist who concluded that the site can 'generally be considered of low ecology and nature conservation value'. A condition is recommended in respect of dormice.

Flooding/Drainage:

The site is located in Flood Zone 1 which constitutes an area of low flood risk of flooding from rivers. As the development site exceeds 1 hectare, a Flood Risk Assessment (FRA) has been undertaken and submitted as part of the application. The FRA confirms the site is in Flood Zone 1. There are no watercourses within, bounding or within the immediate vicinity of the site, thus at low risk of river flooding. Groundwater flooding has been identified within the site albeit limited and the risk can be mitigated to a low and acceptable level with the adoption of a surface water management strategy.

In respect of surface water management, the use of Sustainable Drainage Options (SUDS) was explored but based on soakaway tests, was considered unfeasible due to the ground conditions. Instead, it is proposed to use Wessex Water's public surface water sewer and foul sewer network serving the existing dwellings to the north of the site. Members will note from earlier in this report that Wessex Water had not agreed with the developer about the discharge rate to their systems and are currently modelling capacity in the local surface water network to confirm the allowable discharge rate from the development. Results from this modelling work are expected shortly and an oral update will be given at committee.

Planning Obligations:

Members will note the planning obligations sought in respect of affordable housing,

education and sport and leisure. The developer has indicated that they are willing to enter into a S106 to make those contributions subject to them meeting the CIL regulations. In respect of affordable housing, the applicant has stated that 35% of the total number of dwellings will be affordable homes and the legal agreement will bound any future developer of the site accordingly. Whilst the valid concern of the Town Council about lowering the number of affordable homes is acknowledged, members will be aware that applicants can apply to the Local Planning Authority to reduce the affordable housing obligation where the viability of a development is in question. Any such application would be subject to a viability appraisal and scrutiny by the District Valuer. The result of that process may result in a lower level of affordable housing on the site.

In respect of education provision, the County education officer has stated that capacity at the 3 primary schools will be reached by 2018. Therefore, the future children living on this development will increase the need for capacity within the current schools. It is therefore correct that contributions are sought for the pro rata increase in demand for places that this application will generate.

Other issues/points

Concern has been raised about the impact of the development on medical facilities. NHS Somerset were consulted on this application but no response was received. However, it is worth noting that NHS Somerset did not identify Chard as an area with capacity issues as part of the work recently undertaken to update the Council's Infrastructure Delivery Plan.

CONCLUSION

This site forms part of the Chard Plan (phase 2). It will provide up to 200 homes and crucially provide the southern end of the new strategic road which will link the A30 with the A358. In the absence of other phase 2 sites coming forward in the short term that provide other sections of the strategic road, it is considered that notwithstanding the short term highway junction overloading, approval and hence delivery of this site is important to demonstrate that the Chard Plan is deliverable. In addition to the provision of market housing, the development will also make significant contributions towards the provision of affordable housing (35%); education, sport, play and community facilities; and travel planning. For these reasons, the application is recommended for approval.

SECTION 106 PLANNING OBLIGATION/UNILATERAL UNDERTAKING

The application be approved subject to:

- a) The prior completion of a section 106 planning obligation (in a form acceptable to the Council's Solicitor(s) before the decision notice granting planning permission is issued, the said planning permission to cover the following terms/issues:
 - 1) The provision of 35% affordable housing;
 - 2) Contribution towards the provision of sport, play and strategic facilities, including land acquisition costs towards pitches and changing rooms; the scheme shall include 892 square metres of equipped play space and 223 square metres of youth facilities and shall be provided on a single site with 40 metre buffer zones to the facade of the nearest dwelling;
 - 3) Contribution towards education provision;
 - 4) Submission of a Travel Plan; and
 - 5) Provision and maintenance of 0.78 hectares of informal open space.

RECOMMENDATION

Grant Permission.

01. This proposed sustainable development is located within part of the Council's designated area for growth in the Chard Plan and will provide much needed market and affordable housing. The development will also make contributions towards education provision, sport, play and community facilities and travel planning. The development will also provide the southern section of the crucial new strategic road link between the A30 and the A358. The site is in a sustainable location within reasonable distance of the town centre accessible by foot, cycle or bus. The proposal is therefore in accord with Policies SD1, SS1, SS4, SS5, SS6, PMT1, PMT2, HG3, TA4, TA5, TA6, HW1, EQ2, and EQ4 of the South Somerset Local Plan (adopted 2015), the Core Planning principles, Chapter 6 and Chapter 7 of the NPPF and the Chard Regeneration Plan.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

03. All reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design and scale of the dwellings, site layout, plot boundaries, materials, and landscaping.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

04. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area to accord with Policy EQ2 of the South Somerset Local Plan.

05. Before the development hereby permitted shall be commenced details of all eaves/fascia board detailing, guttering, downpipes and other rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character and appearance of the area to accord with Policy EQ2 of the South Somerset Local Plan.

06. Before any of the development hereby permitted is commenced details of the internal ground floor levels of the buildings to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area to accord with Policy EQ2 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

10. In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting alternative modes of travel to the car in accord with Policy TA3 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

12. There shall be no obstruction to visibility greater than 600mm above adjoining road levels in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

13. No work shall commence on the development hereby permitted until details of the proposed junction arrangements onto Forton Road have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be fully constructed in accordance with the approved plans to an agreed specification before the development is first brought into use.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

14. In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or remains from any past industrial use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, to accord with Policy EQ2 and the NPPF.

15. No removal of any hedge (or part thereof) shall be undertaken until a Method Statement detailing precautionary measures for the avoidance of harm to dormice has been submitted to and approved in writing by the local planning authority. All hedge removal shall be undertaken in full accordance with the approved Method Statement unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance (dormouse) in accordance with NPPF, and of legally protected species in accordance with Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

16. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure that the development is satisfactorily drained to accord with the NPPF.

17. Prior to commencement of this planning permission, site vegetation clearance, demolition of existing structures, ground-works, heavy-machinery entering site or the on-site storage of materials, an Arboricultural Method Statement and a Tree and Hedgerow Protection Plan shall be prepared in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and these details shall be submitted to the Council. On approval of the tree and hedgerow protection details by the Council in-writing, a site-meeting between the appointed building/groundwork contractors, the Site Manager and the Council's Tree Officer (Phil Poulton: 01935 462670 or 07968 428026) shall be arranged at a mutually convenient time. The locations and suitability of the tree protection measures (specifically the fencing & signage) shall be inspected by the Tree Officer and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree protection requirements shall be implemented in their entirety for the duration of the construction of the development and the protective fencing may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees and hedgerows) in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

18. No development shall commence on site until an Environmental Construction Management Plan has been submitted to and agreed in writing by the Local Planning Authority. Such a plan shall include details of construction work hours, construction delivery hours, the routing of construction vehicles to and from the site, estimated number of construction vehicles per day, the location of the constructor's compound both for the parking of construction and contractor's vehicles and storage of materials, the methods/practices for minimising the level of dirt and mud being brought onto the public highway, a scheme to minimise dust and a scheme to ensure the local roads are cleaned on a regular basis.

Reason: To protect the amenity of local residents during construction and to ensure the local highway network is maintained in safe and clean condition to accord with Policy EQ2 and TA5 of the South Somerset Local Plan.

19. The development hereby approved shall be carried out in accordance with the following approved plan:

Drawing number: 6666-L-01 rev A.

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

20. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of

similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To protect the amenity of the area to accord with Policy EQ2 of the South Somerset Local Plan.

Informatives:

01. Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to the Traffic and Transport Development Group, County Hall, Taunton, or by phoning 0300 123 2224. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.

The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence Team will be signed off upon satisfactory completion.

02. Noise and dust control

The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health service.

Construction site noise

To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. The applicant is also advised to seek approval for any proposed piling operations.

03. The applicant is advised of the following in the submitted Badger Survey Report (fpcr, 1st October 2015):

4.8 It is recommended that further biodiversity enhancements are actioned through the landscape plan and post development management plan to increase the biodiversity value of the site'.

5.3 Badger populations are dynamic and whilst the information included within this report is considered sufficient to assess the potential effects of development proposals, it is recommended that the status of setts is re-assessed prior to detailed design stage and / or the commencement of construction.
