

Application No:	3/37/19/002
Parish	Watchet
Application Type	Full Planning Permission
Case Officer:	Alex Lawrey
Grid Ref	Easting: 307018 Northing: 143282
Applicant	Savills (UK) Ltd
Proposal	Erection of 10 No. dwellings with associated works
Location	Land to the south of Stoates Mill, Watchet
Reason for referral to Committee	

Recommendation

Recommended decision: Grant

Recommended Conditions

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

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

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

(A1) DRNO 1808 0010 REV E PROPOSED SITE LAYOUT
(A1) DRNO 1808 0111 REV E BLOCK PLAN
(A1) DRNO 1808 0112 REV C PROPOSED SITE LAYOUT
(A1) DRNO 1808 0451 REV B PROPOSED STREET ELEVATIONS
(A1) DRNO 1808 0453 REV A PROPOSED SITE SECTIONS
(A1) DRNO 1808 0911 REV A EXISTING SITE LAYOUT
(A3) DRNO 1808 0910 REV B SITE LOCATION PLAN

(A1) DRNO 1808 0212 REV F PROPOSED PLOT 12 LAYOUT AND ELEVATIONS

(A1) DRNO 1808 0211 REV G PROPOSED PLOT 11 LAYOUT AND ELEVATIONS

(A1) DRNO 1808 0213 REV G PROPOSED PLOT 13 LAYOUT AND ELEVATIONS

(A1) DRNO 1808 0214 REV G PROPOSED PLOT 14 LAYOUT AND ELEVATIONS

(A1) DRNO 1808 0215 REV F PROPOSED PLOT 15 PLANS AND ELEVATIONS

(A1) DRNO 1808 0216 REV F PROPOSED PLOT 16 PLANS AND ELEVATIONS

(A1) DRNO 1808 0217G PROPOSED PLOT 17 LAYOUT AND ELEVATIONS

(A1) DRNO 1808 0218 REV G PROPOSED PLOT 18 LAYOUT AND ELEVATIONS

(A1) DRNO 1808 0219 REV E PROPOSED PLOT 19 LAYOUT AND ELEVATIONS

(A1) DRNO 1808 0220 REV E PROPOSED PLOT 20 LAYOUT AND ELEVATIONS

(A1) DRNO 1808 0221 REV A PROPOSED PLOT 12 AND 14 GARAGES

(A1) DRNO 1808 0451 REV E PROPOSED STREET ELEVATIONS

(A1) DRNO 1808 0805 REV B PRECEDENT IMAGES CONNECTION TO ADJACENT MILL DEVELOPMENT

(A1) DRNO 1808 0808 REV A PROPOSED DEVELOPMENT SHADOW PATH ANALYSIS

(A1)DRNO 1808 9001 REV F PROPOSED HARD LANDSCAPING

(A1) DRNO 1808 9003 REV A PROPOSED SOFT LANDSCAPING

(A3) DRNO 1808 9004 REV A LANDSCAPE DETAILS BRICK BOUNDARY WALL WITH SOLDIER COURSE BRICK COPING

(A3) DRNO 1808 9005 REV A LANDSCAPE DETAILS FEATURE CAPPING TO PIERS

(A3) DRNO 1808 9006 REV A LANDSCAPE DETAILS DWARF RETAINING WALLS

(A3)DRNO 1808 9007 REV A LANDSCAPE DETAILS RENDER FINISHED BOUNDARY WALL WITH COPING

(A3) DRNO 1808 9008 REV A LANDSCAPE DETAILS RENDER FINISHED BOUNDARY WALL WITH DOMED CAPPING

(A3)DRNO 1808 9009 REV A LANDSCAPE DETAILS UNCOURSED RANDOM STONE WALL WITH DOMED MORTAR CAPPING

(A3) DRNO 1808 9010 REV A LANDSCAPE DETAILS FENCES

(A3) DRNO 1808 9011 REV A LANDSCAPE DETAILS METAL RAIL FENCING

(A3) DRNO 1808 9012 REV A LANDSCAPE DETAILS TREE PROTECTION

(A1) DRNO 1808 9013 REV A LANDSCAPE DETAILS GATES

(A1) DRNO 1808 9014 REV A LANDSCAPE DETAILS PAVINGS

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

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

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

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

Reason

In the interests of amenity and highway safety

- 5 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

To prevent increased risks of flooding

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

Reason

To ensure the development does not damage the public highway

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

Reason

To ensure the development provides sustainable transport options

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

Reason

In the interests of highway safety and residential amenity

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

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

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

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

- 10 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Ref: ANC-HYD-PH2-XX-RP-D-5001-S2 P2 by Hydrock dated 21-12-2019 and the following mitigation measures detailed within the FRA:

It is recommended that all new building Finished Floor Levels are set at a minimum of 150mm above immediately surrounding ground, or 600mm above the 1% (100 year) Annual Event Probability plus 85% Climate Change levels (whichever is higher) to ensure any design exceedance flows, should they occur, are directed away from any buildings (in line with best practice).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: To prevent the increased risk of flooding.

- 11 The development hereby permitted shall not be commenced until details of a strategy to protect bats, birds and reptiles has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Country Contracts Bat activity surveys dated June, August and September 2018 and the Reptile survey dated August/October 2018 and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for the species
4. Details of any outside lighting

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

Reason: To protect and accommodate wildlife

Informative notes to applicant

STATEMENT OF POSITIVE WORKING

In determining this application the Local Planning Authority considers it has

complied with the requirements of paragraph 38 of the National Planning Policy Framework. Although the applicant did not seek to enter into pre-application discussions/correspondence with the Local Planning Authority, during the consideration of the application [certain elements of the proposal were deemed to be unacceptable / issues/concerns were raised by a statutory consultee / neighbour in respect of xxx]. The Local Planning Authority contacted the applicant and sought amendments to the scheme to address this issue/concern and amended plans were submitted. For the reasons given above and expanded upon in the planning officer's report, the application, in its revised form, was considered acceptable and planning permission was granted.

Proposal

Erection of 10 No. dwellings with associated works. The design has been revised twice and the final third iteration of the design has been produced following on from the assessment by the Design Review Panel.

Site Description

The application site is located within central Watchet, bordered by the West Somerset Railway to the south, the Washford River to the west and existing residential along the north and eastern boundaries. The site is accessed via a private road off Anchor Street, through an archway which forms part of the redeveloped, former Stoates Mill.

Relevant Planning History

In December 2013, planning permission was granted for the *conversion of commercial units into 10 residential units, erection of a 70 bedroom care home, redesigned access and associated works* (ref. 3/37/08/036) . This followed a previous permission for 10 units and a residential care home with 61 bedrooms under planning reference 3/37/08/005.

The proposals included the conversion of the stone and brick mill buildings off Anchor Street into 10 dwellings (including 3 affordable units) and to erect a 3-storey rendered and stone residential care home with a natural slate roof in the adjoining field to be accessed through a redesigned access off Anchor Street through an archway created through one of the converted mill buildings.

To date, phase 1 works have been completed on the front part of the site, comprising the residential conversion of the mill and other ancillary buildings. Seven of the residential units are now occupied with the remaining sold subject to contract. Due to lack of market interest in the care home, this part of the extant application has not been implemented. As a result the current application now proposes 10 market dwellings on the remainder of the site that if approved would be delivered

instead of the care home..

Consultation Responses

Watchet Town Council - Objection

The Committee rejects the amended application on the same grounds - Concerns on traffic usage. Will reconsider if sufficient proposal put forwards for traffic management.

Highways Development Control - No objection subject to conditions

Comments received 15/02/19:

Access

The proposal site sits off an existing access that serves the unclassified Anchor Street in Watchet. In previous application 3/37/08/036, the Highway Authority expressed concerns about the nature and suitability of Anchor street and its junction arrangement onto Swain Street (B3191). Subsequently the Highway Authority recommended refusal for application 3/37/08/036, however the application was consented by the LPA.

Notwithstanding the above, it could be considered as unreasonable for the Highway Authority to object to this current planning application given that vehicle movements for the development proposed may be considered comparable to the consented care home and residential units (3/37/08/036). However, the LPA should be mindful of the previous comments made by the Highway Authority.

Should any future development be proposed that would require the access of this element of highway and seen to have a detrimental impact on the local highway, this is likely to attract an adverse response from the Highway Authority.

Internal Layout

Turning to the internal layout, the applicant should be aware that it is likely that the internal layout of the site as indicated within the submitted drawing, will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code. The 'Design & Access Statement' (paragraph 7.1.8) indicates that the site will remain private and be maintained by a management company. SCC will require full contact details of the management company together with a copy of management agreement stating what exactly the management company will be responsible for in terms of maintenance.

The 'Design & Access Statement' (paragraph 7.4.5) indicates that surface water will be managed through a SuDS approach with attenuation crates being positioned beneath the estate road. The developer should be made aware that this design will mean that the site would not be considered suitable for adoption at any stage in the future.

Subject to consent, If the site is to remain within private ownership it is advised that the developer contact the local refuse collection company to ascertain whether they would be prepared to make collections and serve the private road.

It is noted that no swept path analysis has been provided. The applicant must ensure that the largest associated vehicle has the capacity to safely enter, manoeuvre and egress onto the public highway in a forward gear. The applicant should also be mindful of the accessibility for all emergency service vehicles is safely achievable.

Surface water from the proposed development site will not be permitted to discharge onto the existing public highway.

Any existing services located within the carriageway or footway fronting this development that may need to be diverted, lowered or protected will have to meet the requirements of both the relevant Statutory Undertaker and the Highway Authority. It should be noted that all services should be lowered to a depth to allow full road construction, inclusive of capping, to be constructed over. Works must comply with the requirements of 'Code of Practice' measures necessary where apparatus is affected by major works (diversionary works) under Section 84 NRASWA 1991.

The developer will need a Section 171 licence to be issued before any works to the highway or immediately adjacent to it can commence. It is the responsibility of the developer to apply for any licences in advance as requests to start without the licences will be refused. It will take approximately one month from application for the licence to be issued. Licences are obtainable from DevelopmentEngineering@somerset.gov.uk. Applications should be made at least four weeks in advance of works commencing in order for Statutory Undertakers to be consulted concerning their services.

A Section 50 licence will be required for sewer connections within or adjacent to the highway. Licences are obtainable from BSupport-NRSWA@somerset.gov.uk. At least four weeks' notice is required

Parking

Figure 7.3.4 in the Design and Access Statement states that sufficient parking will be provided in accordance with the Somerset Parking Strategy (SPS), although it would appear no definitive figure has been provided. To clarify, suitable vehicle parking should be provided in line with the SPS.

Figure 7.3.5 states that cycle parking will be provided within the garages for each plot where Electric Vehicle (EV) charging points could also be located. Therefore, the garages should be designed and constructed to accommodate suitable cycle parking (in line with the SPS at 1 cycle space per bedroom) and vehicle spaces whilst also providing Electric car charging points in all of the garages as part of SCC Policy.

Drainage

In receipt of the Flood Risk Assessment report BIM ref. ANC-HYD-PH2-XX-RP-D-5001 S2 P2 there is no objection to the surface water management proposed within the report and that the intention is for the access road serving the development to remain in private ownership.

Conclusion

With the above in mind, the layout of the private street will have to satisfy APC. It is recommended that a suitable swept path analysis is provided on a suitable scaled (1:200 advised) topographical drawing and be to the satisfaction of the Highway Authority. Given previous consent and conditions of the site, it is therefore assumed that highway related conditions and commitments are carried forward for this application. It is also recommended however, that the following conditions are also attached for this proposal if members are minded approving the application:

- The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement, and thereafter maintained until the use of the site discontinues.
- The development hereby permitted shall not be first occupied until an agreed number of vehicle parking spaces and layout for the development have been provided and approved by the Local Planning Authority. The said spaces and access thereto shall be properly consolidated and surfaced and shall thereafter be kept clear of obstruction at all times and not used other than for the parking of vehicles or for the purpose of access.
- Prior to first occupation of the development hereby permitted, access to covered cycle, and electric vehicle charging points will need to be available to all dwellings. This is to be provided within the garages or through shared charge points. They shall be in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.
- Prior to the commencement of the development, a suitable Travel Plan is to be submitted to and approved in writing by the Local Planning Authority. Such Travel Plan should include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There should be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures are being implemented in accordance with the agreed timetable. The measures should continue to be implemented as long as any part of the development is occupied.
- A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

- No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
- No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
 - Construction vehicle movements;
 - Construction operation hours;
 - Construction vehicular routes to and from site;
 - Construction delivery hours;
 - Expected number of construction vehicles per day;
 - Car parking for contractors;
 - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
 - A scheme to encourage the use of Public Transport amongst contractors; and Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Further comments received 28/02/19:

I refer to the above planning application and additional information received by the Highway Authority on 18 February 2019 and have the following observations on the highway and transportation aspects of this proposal.

In our previous comments dated 15 February 2019 the Highway Authority highlighted that, at the current time no swept path analysis or clarity on proposed parking spaces appeared to have been provided for the proposed development. Further documents have since been received by the Highway Authority in support of the application which have been assessed.

The applicant has proposed to provide 4 vehicle spaces per dwelling, with each having a double garage (minimum dimensions of 6m x 6m) and at least two external driveway spaces (minimum dimensions of 4.8m x 2.4m per space). The Somerset Parking Strategy (SPS) optimum parking provision for this application would be 32 vehicle spaces, including 2 visitor parking spaces. The Highway Authority do not object to the proposed parking figure in this instance however, the LPA should be mindful of our previous comments dated 15 February 2019 with regards to proposed cycle parking spaces within garages.

To reiterate, the site as proposed will not be adopted by the Highway Authority

although it is also advised that the area of hard standing is to an appropriate length to accommodate all modern day standard vehicles (as measured from the nearside edge of the private footway/private road to the face of the garage doors), where the doors are of an up-and-over type.

With reference to submitted swept path drawing no: SPA_01, there would appear sufficient parking and turning for a refuse vehicle to enter the public highway in a forward gear. It is noted that no swept path analysis has been provided demonstrating the refuse vehicle entering off the public highway and through the existing archway and vice versa. It is envisaged that, given previous consent for the site this has been considered by the applicant and is safely achievable although for the avoidance of doubt dimensions of the constructed archway and a swept path analysis to and from the public highway in a forward gear should be provided.

Update: Information now provided and details acceptable to highways as of 18th March 2019.

It is advised that the applicant contact the local waste management company to establish which type of vehicles are likely to service the development and, given that the site is to remain private and whether they are satisfied to serve the proposed development. The applicant should be mindful of recommended distances over which refuse bins can be transported by operatives/residents as set out within Manual for Streets.

It is to our understanding that the applicant is seeking exemption of an APC for the proposed development site now it is envisaged that the internal layout is to remain private and will be served off an already existing private 'street'.

In order for the applicant to qualify for the exemption of APC the development will still need to be built to an adoptable standard in terms of depth of materials with associated drawings to be checked for approval. Full details of how the proposed private roads, planting, footpaths etc will be maintained and by whom will also need to be submitted. The roads will need to be inspected where a superintendents fee is liable. Upon satisfactory completion of the above, an APC exemption certificate can be issued by the Highway Authority.

With the above in mind, the Highway Authority refer the LPA to our previous conditions dated 15 February 2019 if members are minded to approving this application.

Wessex Water Authority - No objection subject to comments

Comments received 28/01/19:

Wessex Water has no objections to this application and can advise the following information for the applicant:

The Planning Application

The applicant has indicated that foul sewerage will be disposed of via the main

sewer. Rainwater running off new driveways and roofs will require consideration so as not to increase the risk of flooding. The applicant has indicated in the current application that rainwater (also referred to as "surface water") will be disposed of via the existing water course.

Applying for new drainage and water supply connections

If your proposals require new connections to the public foul sewer and public water mains, notes and application forms can be found here.

Are existing public sewers or water mains affected by the proposals?

According to our records there are no recorded public sewers or water mains within the red line boundary of the development site. Please refer to the notes on the attached map for advice on what to do if an uncharted pipe is located. The proposal is located in an area prone to sewer flooding caused by high levels of groundwater during prolonged periods of wet weather. Separate systems of drainage on site must be completely watertight and vent stacks rather than durgo valves must be used to prevent restricted toilet use during these prevailing conditions.

Is the surface water strategy acceptable to Wessex Water?

One of our main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution. You have indicated that surface water will be disposed of via the existing water course. The strategy is currently acceptable to Wessex Water, providing that discharge rates and flood risk measures are in place and agreed with the LFA and Environment Agency According to the EA Flood Risk Maps the location is at risk of surface water flooding. The planning authority will need to be satisfied that the site is not at risk from surface water flooding or that the proposal will increase surface water flood risk elsewhere.

Environment Agency - No objection subject to conditions

Comments received 31/01/19:

The Environment Agency objects to the proposed development, as submitted, on the following grounds:

There is insufficient information supplied to assess flood risk to this proposal.

We understand an updated model has been undertaken which will need to be reviewed by ourselves. Upon completion of the review we will be able to comment on the Flood Risk Assessment (FRA) and proposal. Please can the applicant's agent arrange for an electronic copy of the model to be sent to us, including the updated LiDAR and topographical survey to back up the changes made to the baseline model.

The Environment Agency model did not include the mill wall as it is not classed as

a flood defence, and for the purpose of floodplain and planning applications, the model needs to take the worst case scenario into consideration. Please re-run the base line model with the revised flow without the wall to provide a new updated baseline to compare with the new proposal. Until this information is made available we would wish to maintain our objection.

The following details should be noted and are supplied for information:

Part of the development falls within Flood Zone 3 which is an area with a high probability of flooding, where the indicative annual probability of flooding is 1 in 100 years or less from river sources (i.e. it has a 1% or greater chance of flooding in any given year) or 1 in 200 years or less from tidal/coastal sources (i.e. a 0.5% or greater chance in any given year).

This development may also 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 Washford River, 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>.

Comments received 05/04/19 following review of updated modelling information:

Thank you for referring the amended details concerning the above application, which was received on 1 April 2019.

After reviewing these details the Environment Agency can now WITHDRAW its earlier objection, providing the Local Planning Authority (LPA) is satisfied the requirements of the Sequential Test under the National Planning Policy Framework (NPPF) are met, and subject to the inclusion of the following condition which meets the following requirements:

CONDITION:

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Ref: ANC-HYD-PH2-XX-RP-D-5001-S2 P2 by Hydrock dated 21-12-2019 and the following mitigation measures detailed within the FRA:

It is recommended that all new building Finished Floor Levels are set at a minimum of 150mm above immediately surrounding ground, or 600mm above the 1% (100 year) Annual Event Probability plus 85% Climate Change levels (whichever is higher) to ensure any design exceedance flows, should they occur, are directed away from any buildings (in line with best practice).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in

writing, by the LPA.

Reason: To prevent the increased risk of flooding.

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

From the plans, we cannot tell where the access is from the main road to the site. If any of the access is within Flood Zone 3, the developer will need to contact the emergency planner to discuss an emergency plan.

Somerset county council flooding and drainage - No objection subject to comments and conditions

We note that this is phase 2 of a wider redevelopment of the Mill site off Anchor Street related to application 3/37/08/036. The Washford River is a designated Main River and will therefore need consultation with the EA regarding flood zones, location of defences, flood levels, and discharge points. We note the FRA suggests that there is a mill leat running through the centre of the site, but that this has been infilled. We trust that the EA have confirmed that this is the case.

Due to the flood risk associated with the site, the drainage calculations have correctly included a submerged outfall condition. However, the modelled flood levels used to inform the drainage need to firstly be approved by the Environment Agency. Microdrainage calculations submitted suggest potential surcharging of the drainage network in 1 in 1-year event, there should be no surcharging in the 1 in 1-year event.

The proposed development is relatively small and yet has three outfalls into the Washford River which relate to three drainage 'catchments' (northern, central and southern) identified within the site. The discharge rate for each is small, and whilst achievable with certain flow control devices, this could result in a higher likelihood of blockage and exceedance. The overall discharge rate for the development has been limited to the calculated greenfield runoff rate.

Opportunities to simplify the drainage scheme and utilise a range of SUDS features should be explored in the context of any site constraints. Exceedance routing will need to be confirmed on a plan at detailed design stage, through a detailed drainage condition.

South West Heritage Trust - No objection

Comments received 23/01/19:

As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

Conservation Officer - Objection

Comments received 13/03/19:

I have looked at the design and access statement. What is missing from this is a thorough understanding of the local vernacular in Watchet that transmits directly into the layout and design and massing of the proposed development .

The obvious starting point for observation is the mill complex itself. The design and massing and juxtaposition of the buildings combine to make a good composition that is intertwined in the grain of Watchet. I am concerned that the proposed development does not pick up on this distinctive character. Instead it is a development that is anonymous and unrelated to its context. I could not support the development proposal in its current form.

I recommend the applicant review the design and access statement by doing a careful analysis of traditional buildings in Watchet. In amongst the things to look at are the spaces between buildings and how the access and parking can fit into a layout that starts with such spaces rather than starting with the road layout and fitting houses around that. The early poundbury development forms are a good example. Walls play an important part in joining buildings and should feature here too.

The statement correctly points to policies on good design in sensitive locations. This site is in the conservation area and in my view the proposals will have a negative rather than positive impact.

I am not averse to considering more contemporary design that is influenced by and rooted in traditional design. I would be happy to meet the applicants to discuss the above preferably after they have undertaken a thorough analysis of Watchet vernacular

Design Officer - Objection

Comments received 18/03/19:

The application is most disappointing in that:

- 1. There is no attempt to establish the local character of the area or the site (in spite of national public guidance).*
- 2. The house types are generic housing estate types, which do not relate to the Watchet Conservation Area or indeed to themselves;*
- 3. There is no attempt at placemaking.*
- 4. The use of a cul-de-sac in this layout is inappropriate in this context; a yard approach would be appropriate to this backland, semi industrial mill related site. That would inform the grouping of the buildings and the 'mews court' type access and parking.*
- 5. The road layout is inappropriate for such a small development, where vehicle movements are minimal throughout the day. A tracking approach as per MfS2 is appropriate.*

The layout and house types are contrary to the advice contained in the draft West

Somerset Design Guide which advocates the principles of 'placemaking'. This application fails in this regard and seeks to provide a certain number of housing units alongside a standard estate road regardless of the character of the settlement in which the site is located. It is essential that any scheme creates a sense of place and responds positively to its surroundings in a way which creates the valued heritage of the future.

Given the above failures of this scheme, I strongly recommend that it is refused on the basis of poor design and harm to the significance of Watchet Conservation Area which is a designated heritage asset.

No further comments received after revised scheme submitted

Biodiversity Officer - No objection subject to conditions

Comments received 18/02/19:

Biodiversity

Initial ecological surveys were carried out on this land in March 2013. Up to date surveys are now required so Country Contracts carried out Bat activity surveys on the site in June, August and September 2018 and a Reptile survey in August/October 2018. Findings were as follows:

Bats

The habitat likely to support bats are the trees, shrubs and vegetation around the site boundaries particularly along the Washford River. A total of seven species of bat were detected during the June survey, five bat species in the August survey and four species in the September survey. The species were-Common pipistrelle, soprano pipistrelle, serotine, daubenton's, long eared, Greater and lesser horseshoe bats. Most bat activity was recorded along the Washford River and no bat roosts were found on site. The removal of any trees and the impact of lighting would have an adverse impact on these foraging bats.

Birds

There is potential for nesting birds on site.

Reptiles

The site was surveyed for reptiles on seven separate occasions. The surveyor found a peak count of 12 slow worms on one visit so the site is considered to support a distributed breeding colony. Most slow worms were found on the southern boundary. I support the recommendations with regards to reptiles on site namely that the reptiles will need to be relocated. Suitable receptor sites will need to be agreed. Discarded materials which may provide a refuge for reptiles should be carefully removed

Suggested Condition for protected species:

The development hereby permitted shall not be commenced until details of a strategy to protect bats, birds and reptiles has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice

of Country Contracts Bat activity surveys dated June, August and September 2018 and the Reptile survey dated August/October 2018 and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for the species
4. Details of any outside lighting

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

Reason: To protect and accommodate wildlife

Somerset Wildlife Trust - No objection subject to condition

Support comments from biodiversity officer in terms of proposals for mitigation and enhancement. In addition we would request that any site boundaries are constructed so as to allow the free passage of small mammals. All of these recommendations should be included in the planning conditions if it is decided to grant planning permission.

Landscape Officer - No objection subject to condition

Comments received 18/02/19:

I have no landscape objection to the scheme. Full landscape details are required.

Tree Officer - Objection

Comments received: 12/02/19:

Regarding Stoates Mill, there doesn't appear to be an arboricultural survey or constraints plan, which would clearly show the Root Protection Areas of the trees and their proximity to the proposed buildings. Some of the buildings appear to be very close to the boundary trees, both in terms of the potential root damage, and the potential shade that will be cast, particularly on the east side.

The site is within the conservation area, so no tree works should have been, or should be, carried out in there without consent.

As most of the trees are on the boundaries, in principle it should be possible to achieve a scheme that retains these trees.

Updated comments received 12/03/19 following applicant's submission of

Arboricultural Survey and Report:

I have some concerns.

There seems to be a discrepancy between the location of the trees plotted on the Tree Constraints/Removal Plan and their locations on the original site survey and site layout plan. The trees on the former appear to be closer to the proposed houses.

I'm concerned that a number of the largest trees on the site are proposed for removal. I'm also conscious of the fact that the trees, particularly on the east side, are very close to the proposed buildings, which are touching the trees' Root Protection Areas in places. This is not ideal because:

- a) It will be very difficult to actually build those houses without significant incursion into the RPA;
- b) The resulting gardens are very small;
- c) The trees will cast much shade over the new houses;
- d) The trees will shed minor debris and branches, and there will be increased pressure to prune or fell the trees once the new 'targets' - ie people and property - are living in close proximity.

Ideally, I think that a single, central row of houses would be better in terms of allowing more space for trees and buildings to co-exist without conflict.

Housing Enabling Officer - no comments received

Representations Received

One representation objecting to the development was received raising issues related to flood risk, impacts on biodiversity and access to the riverside

one letter of support received, also commenting that there should be additional traffic calming measures

Planning Policy Context

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

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

CC2	Flood Risk Management
NH1	Historic Environment
NH2	Management of Heritage Assets
NH3	Areas of high archaeological potential
NH13	Securing high standards of design
NH6	Nature conservation & biodiversity protection & enhancement
SC1	Hierarchy of settlements
SC2	Housing Provision
SC3	Appropriate mix of housing types and tenures
SD1	Presumption in favour of sustainable development
T/8	Residential Car Parking
TW/1	Trees and Woodland Protection
W/7	River Corridor Protection
SC4	Affordable Housing
WA1	Watchet Development
TR1	Access to and from West Somerset
TR2	Reducing reliance on the private car
R/6	Public Open Space and Small Developments
BD/9	Energy and Waste Conservation
NH7	Green infrastructure
CC6	Water Management

Retained saved policies of the West Somerset Local Plan (2006)

CC2	Flood Risk Management
NH1	Historic Environment
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Determining issues and considerations

Determining issues and considerations

The general principle of development taking place on this site has already been established through the extant consent for the care home. However it was not possible to develop the site with the care home consent after the original provider pulled out, and the site was marketed for several years with the extant consent but no other provider showed any interest. It is accepted that this site could effectively be viewed as forming phase 2 of the mill conversion already undertaken although in fairness it is acknowledged that the first phase of development is complete and this application should be viewed as separate and stand-alone.. Key planning considerations are design quality and relationship with the surrounding historic environment of Watchet Conservation Area as well as addressing the site's constraints including the required set back from the river, the existing tree belt on the east side whilst ensuring acceptable highway access arrangements.

The Principle of the Development

In accordance with WSC Local Plan to 2032 policy SC1, new development will be concentrated in the district's main centre, Minehead/Alcombe, and in the rural service centres of Watchet and Williton. The policy places the following requirements on new developments:

4. Development within or in close proximity (within 50 metres) to the contiguous built-up area of Minehead/Alcombe, Watchet, Williton and primary and secondary villages will only be considered where it can be demonstrated that:
 - A. It is well related to existing essential services and social facilities within the settlement, and;
 - B. There is safe and easy pedestrian access to the essential services and social facilities within the settlement, and;
 - C. It respects the historic environment and complements the character of the existing settlement, and;
 - D. It does not generate significant additional traffic movements over minor roads to and from the national primary and county highway route network.
 - E. It does not harm the amenity of the area or the adjoining land uses.

The majority of the criteria can be met given the central location of the site and ready access to shops, facilities and services within a short walk. Highways are now satisfied that the access arrangements and level of traffic generation are acceptable in this location. The proposal is set at 10no. open-market dwellings so is below the threshold of 11no. dwellings for affordable housing provision as per policy SC4, therefore it is accepted that the proposed development is policy compliant in regards

to the lack of affordable housing provision, and given the constraints at the site it would have been extremely difficult to increase housing density.

However concerns have been raised over the original plans submitted that the form and design of the development did not sufficiently respect the historic environment or complement the character of the existing settlement sufficiently to satisfy criteria C. The design has been subject to three revisions with the second iteration assessed by the Design Review Panel and revisions made accordingly.

National Planning Policy (NPPF) promotes the effective use of land. At Paragraph 11 it states that planning decisions should:

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)

The site is not brownfield land however given its association with the mill conversion, it is currently under-utilised and the land could be used more effectively to contribute toward the local housing supply and improving the visual amenity of this central part of the town.

Design and Impact on Conservation Area

Despite being in the centre of the town the site is fairly well screened by the mature landscaping that bounds most of the site as well as the mill development to the front, the poplar tree belt to the east, the rail line to the south and the river providing a barrier to the west. Once developed however the site will be visible from some of the converted mill properties as well as from residential properties facing towards the site from the east (off Brendon Road) and west (off Warren Close). There are two dwellings that are immediately adjacent to site boundary in the north-east corner which will views in to the site.

Concerns were raised by Council's Conservation and Place-making officers that the original proposed layout and form of development was not sympathetic to the local vernacular and that the layout was more reflective of a typical modern suburban street rather than appropriate to Watchet Conservation Area. However after changes made following on from assessment by the Design Review Panel (DRP) the final design is considered to have addressed these issues. Changes include additions of chimneys to four plots (including one with projecting chimney stack to side elevation), variations in eaves levels, dormer windows and setbacks to some plots, expressed timber lintels to openings in stone-faced walls, changes to massing, inset doors with recesses, and blanked window to garage forming entranceway to mews courtyard. The changes are based upon both comments by the DRP and on found examples of local vernacular detailing given in submitted documentation. The layout as proposed is for two mews courts with attendant line-of-sight views into the

development from the arch of the original mill building along the same trajectory. It is considered that the changes would not significantly detract from the heritage significance of the converted mill building and the Conservation Area, and would achieve a good balance between vernacular detailing and contemporary design. The urban grain in the surrounding area is generally fairly tight and this is replicated in the final designs. The design incorporates shared surfaces for the road and front yard/garden areas with limited new plantings of trees. This would be through permeable paving and helps to retain aspects of the industrial heritage of the wider Stoates Mill site. The proposed materials include brick, render and stone for wall surfaces, with some rubbed brick arches and timber lintels as examples of vernacular heritage detailing, and are considered to be acceptable in broad outline, subject to a condition for final approval of materials prior to works above DPC levels

Highways, Access and Parking

As highlighted in their consultee response, Highways raised concerns over the previous application in relation to the safety of the access arrangements off Anchor Street and recommended that the application be refused on these grounds. However that application was permitted and as such the response from Highways to this application reflects a comparison with the extant permission as opposed to no development occurring and therefore there is no objection on highways grounds subject to recommended conditions.

In terms of the parking layout on updated plans there is considered to be sufficient off-street parking for the scale of proposed use with specified garages and space to the front of properties for additional parking and visitors. The garages would allow for secure storage of bicycles.

Flood Risk Management and Drainage

Along the Western boundary of the site, the Washford River runs towards the town. As a Main River, the channel and its banks are within Flood Zone 3. The EA retain riparian ownership responsibilities for maintenance of the river and require an 8 metre strip of land to be maintained beside the river, measured from the 'top of bank' line. This constraint has informed the proposed layout. A Flood Risk Assessment (FRA) has been prepared and approved by the Environment Agency, subject to conditions. A historic mill leat has been infilled and the diversion blocked off so that there is no longer a watercourse running through the site.

The eastern/right bank of the River is significantly elevated above the watercourse and western/left floodplain, and Environment Agency mapping shows it to be within Flood Zone 1 (Low Risk). There is a low risk of flooding from all other sources. The proposed development falls entirely within Flood Zone 1 and as such the FRA states that the Sequential test has been passed.

The proposed development will discharge all surface water runoff from impermeable areas to the River Washford to the west of the site at a cumulative rate that is equivalent to the existing average annual (QBAR) greenfield discharge rate during all storms up to the worst case duration 1 in 100 year storm event plus a 40% allowance for climate change. The total discharge from surface water from the site is

therefore limited to 4.10l/s.

The proposed development will discharge domestic grade foul water into the existing public foul sewer situated in Anchor Street via a new gravity drainage system within the site that will need to be adopted, that discharges flows via an adopted foul sewer spur that was constructed as part of the adjacent old Mill Phase 1 development.

As the proposed development area is within Flood Zone 1 a Sequential Test is not required. The submitted Flood Risk Assessment states that it is not required as site is wholly in Flood Zone 1 but is near the river in flood zone 3, however subject to conditions the LLFA have not objected to the proposed development, and it is considered that the proposed approach to surface and foul water management within the development is acceptable.

Landscape, Trees and Heritage

Following review of the original application, Council's Tree Officer requested an Arboricultural Survey and Assessment be provided. This report was submitted which revealed that the dwellings had not been accurately plotted on the original plans in relation to the existing trees and their root protection zones. The survey also provided information on the health of the trees and if any were in poor health and could be removed.

Following discussion between the agent and the Tree Officer it was concluded that the original layout could not be delivered without removal of a substantial number of trees and the remaining trees would be in too close proximity to rear elevations of properties. The poplar tree belt is largely in good health and is an attractive visual feature rising above the site which can be seen from some distance away as part of views of the centre of the town. A number of nesting birds were clearly visible using these trees during the spring months. Although there are not tree preservation orders on these trees, they are protected by virtue of their presence within the Conservation Area. Overall it was concluded that this Poplar tree belt should be retained and that development should be sited accordingly. The revised scheme would still remove many trees but would retain some of the Poplar trees and, on balance, it is considered that the benefits of the proposal in terms of the creation of new housing outweigh any harm caused through removal of trees. Many of the trees along the eastern boundary to the site would be retained with those removed essential to the progress of the development due to proximity to proposed dwellings. Impacts on the Conservation Area caused by the removal of trees are considered to be relatively minimal given that the site is set behind many tall buildings and has very limited public views into it. The greatest impacts would be on views to the converted mill buildings and the trees closest to this north side would be largely retained, so the issue of tree removal is not considered to provide significant grounds to refuse the application. Impacts on the setting of the Conservation Area are considered to be minor and acceptable as the site is screened from the rest of the Conservation Area and the development would have little visual impact upon it except insofar as it relates to the removal of some of the taller trees as discussed above. Some new plantings are proposed and the final details of a landscaping scheme will be set by a condition attached to any permission granted.

Ecology and Biodiversity

The Washford River is a County Wildlife site and as such the wildlife habitat needs to be safeguarded along the river corridor as well as the flora and fauna. Due to the EA's required river set back, the trees and landscaping along this boundary will be retained and will serve as a natural amenity area.

The ecology surveys undertaken on the site concluded there was potential habitat for bats and nesting birds as well as finding a breeding colony of slow worms. As such an Ecological Management Strategy will be secured under condition to provide suitable mitigation measures including translocation of the reptiles to a suitable receptor site.

Other Matters

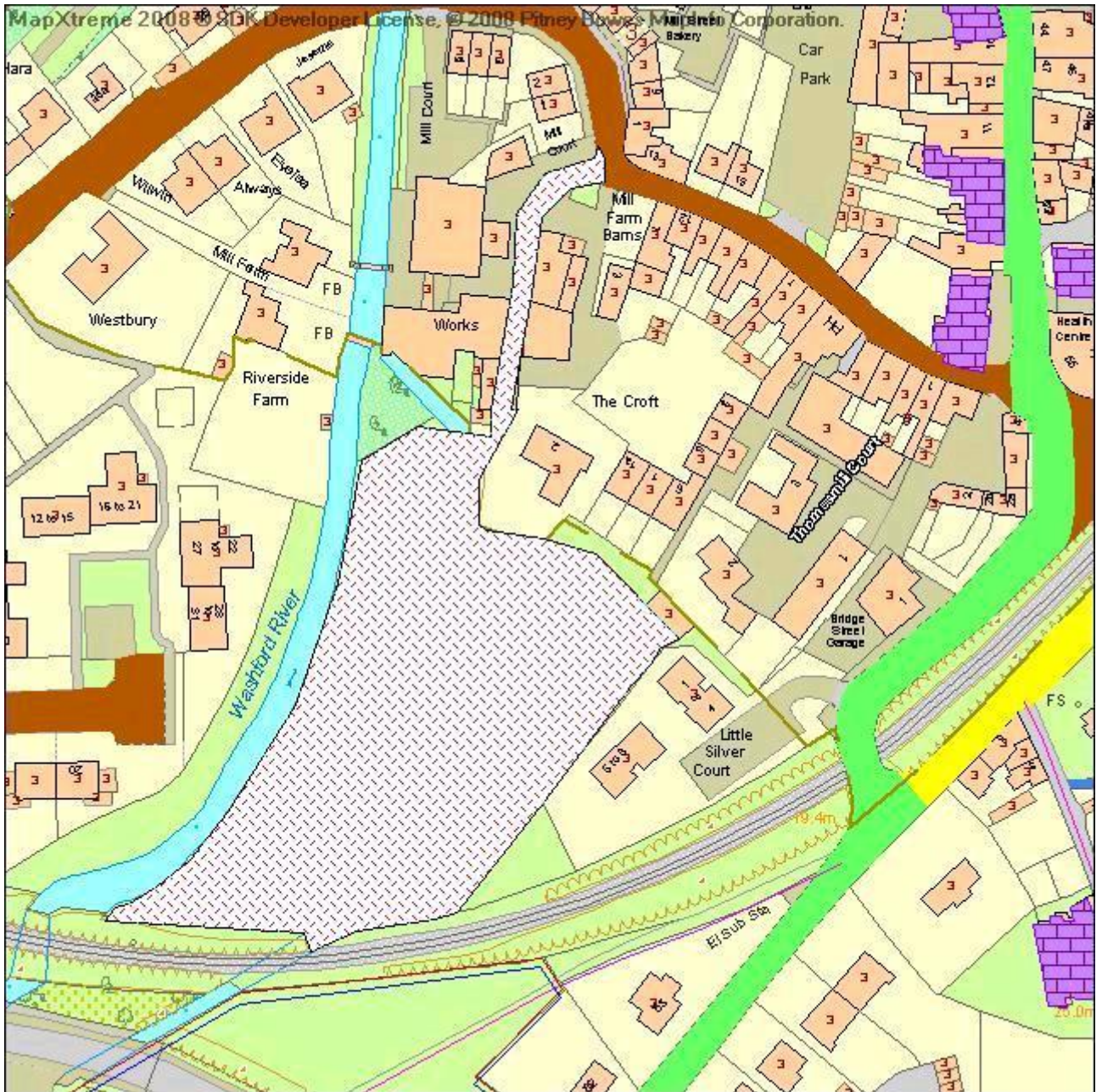
The town council have objected to the scheme due to the potential for traffic impacts within the town. However the County highways authority have not objected and it is considered that any traffic impacts would be less than severe and would not warrant grounds to refuse the proposal.

Two letters of representation have been received, one objecting due to potential flooding and biodiversity issues, the other supportive but raising highway safety concerns. These issues are considered above.

Conclusion

This application has been subject to considerable revision since first submitted and has been assessed by the Design Review Panel. Suggested improvements by the DRP have -in the main- been adopted. Issues related to traffic impacts have been highlighted by the town council and in letters of representation however the highways authority have not objected to the proposals subject to conditions. The site is in a good location for residential development located close to shops and services within Watchet, a town which also benefits from reasonable public transport connections. It is therefore a sustainable location for residential development and the proposal is considered to be compliant with relevant local and national policies. Subject to conditions cited above the application is therefore recommended for approval.

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



Application No 3/37/19/002
 Erection of 10 No. dwellings with
 associated works
 Land to the rear of Stoates Mill,
 Watchet



Planning Manager
 West Somerset Council,
 West Somerset House
 Killick Way
 Williton TA4 4QA
 West Somerset Council
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