

Public Agenda Pack



Notice of Meeting of

PLANNING COMMITTEE - WEST

Wednesday, 1 May 2024 at 2.00 pm

John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE

To: The members of the Planning Committee - West

Chair: Councillor Simon Coles
Vice-chair: Councillor Derek Perry

Councillor Norman Cavill	Councillor Caroline Ellis
Councillor Habib Farbahi	Councillor Andy Hadley
Councillor Ross Henley	Councillor Steven Pugsley
Councillor Mike Rigby	Councillor Andy Sully
Councillor Rosemary Woods	Councillor Gwil Wren

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticserviceswest@somerset.gov.uk.

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: democraticservicesteam@somerset.gov.uk by **12noon on Tuesday, 30 April 2024**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and an audio recording made.

Issued by (the Proper Officer) on Friday 19 April 2024.

AGENDA

Planning Committee - West - 2.00 pm Wednesday, 1 May 2024

Public Guidance Notes for Planning Committees (Agenda Annexe)
(Pages 7 - 10)

Councillor Reminder for Declaring Interests (Agenda Annexe) (Pages 11 - 14)

Webcast link to view the meeting (Pages 15 - 16)

1 Apologies for Absence

To receive any apologies for absence and notification of substitutions.

2 Minutes from the Previous Meeting (Pages 17 - 20)

To approve the minutes from the previous meeting held on 19 March 2024.

3 Declarations of Interest

To receive and note any declarations of interests in respect of any matters included on the agenda for consideration at this meeting.

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes: [City, Town & Parish Twin Hatters - Somerset Councillors 2023](#))

4 Public Question Time

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker.

Requests to speak at the meeting at Public Question Time must be made to the Monitoring Officer in writing or by email to democraticserviceteam@somerset.gov.uk by 5pm on Wednesday 24 April 2024.

5 Planning Application 43-23-0056 Land to the North of Taunton Road, Wellington, TA21 8RS (Pages 21 - 324)

To consider an application for an Outline application with all matters reserved, except for access, for a mixed use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (Departure from the Local Plan)

6 Planning Application 14-21-0047 Land East of A38, south of Walford Cross, Monkton Heathfield (Pages 325 - 426)

To consider an application for outline planning permission with all matters reserved, except for access, comprising up to 1,450 dwellings, up to 4.91 hectares of land for strategic employment uses, up to 8 hectares of land for a through school, mixed use district centre including mobility hub, community facilities, green infrastructure, drainage works, and associated works, on land at Walford Cross, Monkton Heathfield.

7 Planning application 49-20-0034 LAND TO THE NORTH OF BURGES LANE WIVELISCOMBE (Pages 427 - 508)

To consider an application for approval of reserved matters following Outline Application 49/17/0060 to determine layout, scale, appearance and landscaping for the erection of 71 No. dwellings with the detail required to confirm access as required by Condition No. 03 on land north of Burges Lane, Wiveliscombe

8 Planning Application 3/37/23/001 Land to the south of Doniford Road and Normandy Avenue, Watchet (Pages 509 - 596)

To consider an application for the approval of reserved matters following outline application 3/37/17/019 for the access, appearance, landscaping, layout and scale for the erection of up to 139 No. dwellings and associated works.

9 Planning Application 05/23/0030 THE GABLES, WELLINGTON ROAD, BRADFORD ON TONE, TAUNTON, TA4 1EN (Pages 597 - 618)

To consider an application for the Change of use of land from agricultural to residential for siting of 4 No. gypsy pitches with associated hardstanding and the erection of 2 No. Day room buildings and 4 No. bin & cycle stores at The Gables, Wellington Road, Bradford on Tone.

10 Planning Application 38/23/0406 17 TRINITY STREET, TAUNTON, TA1 3JG (Pages 619 - 642)

To consider an application for the Change of use of part residential (C3) and part community use (F2(B)) to full residential use with demolition of 3 No. extensions with various repairs and restorations, erection of ground and first floor extensions and detached garage and installation of solar panels at 17 Trinity Street, Taunton.

11 Planning Application 38/23/0405 17 TRINITY STREET, TAUNTON, TA1 3JG (Pages 643 - 660)

To consider an application for the Change of use of part residential (C3) and part community use (F2(B)) to full residential use with demolition of 3 No. extensions with various repairs and restorations, erection of ground and first floor extensions and detached garage and installation of solar panels at 17 Trinity Street, Taunton (Listed Building Consent).

12 Appeal Decisions (Pages 661 - 670)

To receive details of an Appeal Decision received in April 2024.

Other Information:

Exclusion of the Press and Public for any discussion regarding exempt information

The Press and Public will be excluded from the meeting when a report or appendix on this agenda has been classed as confidential, or if the Committee wish to receive confidential legal advice at the meeting. If the Planning Committee wish to discuss information in Closed Session then the Committee will be asked to agree the following resolution to exclude the press and public:

Exclusion of the Press and Public

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 to exclude the press and public from the meeting, on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972:

Reason: Para 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

(Or for any other reason as stated in the agenda or at the meeting)

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Public Guidance Notes for Planning Committees

Can I speak at the Planning Committee?

The Applicant or Agent, Parish, Town or City Council, Division Members and objectors or supporters are able to address the Planning Committee. **All speakers need to register – please see details on the next page.**

The order of speaking will be:-

- Those speaking to object to the proposal - maximum of 5 speakers of 3 minutes each
- Those speaking in support of the proposal - maximum of 5 speakers of 3 minutes each
- Parish, Town or City Council(s) - 3 minutes each
- Councillors of Somerset Council (non-Committee members) - 3 minutes each
- The applicant or their agent - 3 minutes

Public speaking will be timed and the Chair will be responsible for bringing the speech to a close. The speaker/s will be allowed to address the Committee during their registered slot only and will not be allowed to provide further clarification. If an item on the Agenda is contentious, with a large number of people attending the meeting, a representative speaking to object or support the proposal should be nominated to present the views of a group.

The Chair can exercise their discretion in consultation with the Legal Adviser and this maybe, for example, it maybe that comments are derogatory in which case the Chair will exercise discretion to prevent the speaker from continuing, or if balance was required in terms of speakers for and against or to make a specific point, to allow a further speaker.

Comments should be limited to relevant planning issues. There are limits to the range of issues that can be taken into account when considering planning applications.

Although not an exhaustive list, these might include:

- Government planning policy and guidance
- Planning legislation
- The suitability of the site for development
- Conflict with any planning policies such as the relevant Development Plan – which are available for inspection on the Council's website
- Adopted Neighbourhood Plans
- Supplementary Planning Documents (SPD)

- Previous planning applications and decisions
- Design, appearance, layout issues and relationship with the surrounding area.
- Living conditions such as privacy, noise and odour.
- Highway safety and traffic issues
- Biodiversity and ecology
- Impact on trees and the landscape
- Flood risk in identified areas at risk.
- Heritage assets such as listed buildings, conservation areas and archaeology
- The economy, including job creation/retention.
- Drainage and surface water run-off.

Issues that are not usually relevant will vary with each application, but the courts have established that the following matters cannot be taken into account when considering planning applications:

- The history or character of an applicant
- Perceived or actual impact of development on property values.
- Land ownership, restrictive covenants or other private property rights including boundary and access disputes or maintenance.
- An applicant's motivations or future intentions.
- Retrospective nature of applications;
- Impact on private views;
- The extent of public support or opposition for a proposal alone;
- Competition between businesses;
- Matters controlled by other (non-planning) legislation such as licensing and building regulations or other laws.

How do I register to speak at Planning Committee?

A request to speak must be made to the Council's Democratic Services team no later than 12 noon on the working day before the Committee meeting by email to democraticserviceswest@somerset.gov.uk . For those speaking to object or support the proposal, the speaking slots will be allocated on a first come first served basis. If there are numerous members of the public wishing to speak in one slot it is advisable to make arrangements for one person to make a statement on behalf of all. The meetings are hybrid and you can speak either in person at the meeting or virtually. If you wish to speak at the meeting virtually please inform Democratic Services so that they can advise you of the details. If you have registered to speak, the Chairman will invite you to speak at the appropriate time during the meeting.

Can I present information to the Committee?

Please be advised that you cannot present documents in any form to the Committee Members at the meeting – this includes photographs and presentations (including Powerpoint presentations).

How do I know what time an application will be heard?

If you have registered to speak in person, we recommend arriving at the meeting venue about 15 minutes before the start time. If joining virtually, please consider joining the meeting a few minutes early to ensure your technology is working correctly - you may have to wait in a lobby until being admitted to the meeting. It is not possible to estimate the exact time an application will be heard.

What if my Division Member does not sit on the Planning Committee?

If your local Councillor is not a member of the Planning Committee, he or she can still address the meeting to outline any concerns or points of support. However, they will not be permitted to take part in the main debate, to make or second a proposal or to vote on any item.

Presentation of planning applications

The Planning Officer will present the case to the Committee explaining the factual matters and any salient points which need to be drawn out with the use of a visual presentation. It is important to note that the Planning Officer is not an advocate for either the applicant or any third parties but will make an impartial recommendation based on the merits of the proposal and any relevant material considerations.

The role of Officers during the debate of an application

When an application is considered at Planning Committee, it is the Officers' role to explain why they have concluded that permission should be approved or refused and answer any questions that Members may have. Whilst the Committee has to reach its own decision bearing in mind the Officer advice, report and recommendation, the Lead Planning Officer and Council Solicitor in particular have a professional obligation to ensure that a lawful and unambiguous decision is made in accordance with the Council's Development Plan, planning legislation, regulations and case law. This means, in the event that a contrary decision is sought, they will need to explain the implications of doing so. This can sometimes mean that Officers need to advise and guide Members as to planning policy, what are or are not material considerations, what

legally can or cannot be considered or given weight and the likely outcome of any subsequent appeal or judicial review.

Officers' views, opinions and recommendations may, on occasion, be at odds with the views, opinions or decisions of the Members and there should always be scope for Members to express a different view from Officers. However, any decision by the Committee must be based on proper planning reasons as part of the overall aim to ensure that a lawful and unambiguous decision is made. Where this is contrary to that recommended within the Officer report, the Lead Planning Officer and Council Lawyer will advise Members in making that decision.

Recording of the Meeting

Please note that this meeting will be recorded, and the recording will be made available on the Council's website and/or on YouTube. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore, unless you are advised otherwise, by taking part in the Council meeting during public participation you are consenting to being recorded and to the use of the sound recording for access via the website or for training purposes.

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public – providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings, No filming or recording may take place when the press and public are excluded for that part of the meeting.



Councillor reminder for declaring interests

The [Members Code of Conduct](#) deals with declaration of interests and participation at meetings.

Non participation in case of Disclosable Pecuniary Interest

Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests*, you **must** disclose the interest, **must not** participate in any discussion or vote on the matter and **must not** remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest,' you do not have to disclose the nature of the interest, just that you have an interest. A dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests**, you **must** disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise **must not** take part in any discussion or vote on the matter and **must not** remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests 'directly relating' to financial interest or well-being

Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you **must not** take part in any discussion or vote on the matter and **must not** remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests 'affecting' financial interests or well-being

Where a matter arises at a meeting which affects –

- a) your own financial interest or well-being;
- b) a financial interest or well-being of a relative or close associate; or
- c) a financial interest or wellbeing of a body included under Other Registrable Interests

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the division affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest,

you may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you **must not** take part in any discussion or vote on the matter and **must not** remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

If your Non-Registrable Interest relates to –

- 1) an unpaid directorship on a company owned by your authority or
- 2) another local authority of which you are a member,

subject to your declaring that interest, you are able to take part in any discussion and vote on the matter.

*1. **Employment:** any employment or office held, or trade, profession or vocation carried on, by you or your partner for profit or gain.

2. **Sponsorship:** any payment or financial benefit towards your election expenses or expenses as a member received within the last 12 months, excluding any from your council.

3. **Contracts:** any current contract between your council and you, or your partner, or any body in which you or your partner are a partner, director, or shareholder.

4. **Land:** any land which is in your Council's area which you or your partner own, have a right to occupy, or receive the income from (excluding a licence to occupy land for less than a month).

5. **Corporate tenancies:** any tenancy between your council and a body in which you or your partner are a partner, director, or shareholder.

6. **Securities:** any beneficial interest in any shares or other securities of any description in a body held by you or your or your partner if the body has a place of business or land in your council's area, and: the total value of the securities held is over £25,000, or you or your partner hold more than one hundredth of the total issued share capital of the body, or if the body has more than one class of shares you or your partner hold more one hundredth of the issued share capital of that class.

**a) any unpaid directorships b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any body exercising functions of a public nature directed to charitable purposes or one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union, of which you are a member or in a position of general control or management.

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Teams Invite Planning West 1 May 2024

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Minutes of a Meeting of the Planning Committee - West held in the John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE, on Tuesday, 19 March 2024 at 2.00 pm

Present:

Cllr Simon Coles (Chair)
Cllr Derek Perry (Vice-Chair)

Cllr Norman Cavill
Cllr Habib Farbahi
Cllr Ross Henley
Cllr Andy Sully
Cllr Gwil Wren

Cllr Caroline Ellis
Cllr Andy Hadley
Cllr Steven Pugsley
Cllr Rosemary Woods

In attendance:

Other Members present remotely:

Cllr Alan Bradford

83 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors.....

84 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - West held on 19 February 2024 be confirmed as a correct record subject to, under Minute no. 73 (Declarations of Interest), the addition of the following wording:

'Councillor Rosemay Woods declared that she was predetermined in respect of agenda item 6 (20/23/0045) and would take no part in that item and that she would abstain from voting.'

85 Declarations of Interest - Agenda Item 3

The Chair confirmed that in respect of Agenda Item 5 (3/26/24/002 – The Blue Anchor) the Applicant’s partner, who was a Somerset Councillor, was known to all members of the Committee.

Cllr Gwil Wren confirmed that he was predetermined in respect of Agenda Item 6 (23/23/0040/lb – Little Fort) and that he would speak then leave the meeting and take no further part in that item.

The following declarations in respect of membership of city, town and parish councils were automatically recorded:

Cllr Norman Cavill	-	West Monkton Parish Council
Cllr Caroline Ellis	-	Taunton Town Council
Cllr Ross Henley	-	Wellington Town Council

86 Public Question Time - Agenda Item 4

No members of the public had registered to speak.

87 Planning Application 3/26/24/002 - The Blue Anchor, Cleeve Hill, Watchet, TA24 6JP - Agenda Item 5

The Planning Officer presented the application with the assistance of a PowerPoint presentation. She clarified that there was a slight amendment to the report and that under 4.1 it should state that the ‘holiday apartment will contain 4 bedrooms, 2 bathrooms’. This was because 2 bedrooms and 2 bathrooms of the original holiday accommodation would remain as part of the hotel.

The Applicant’s partner spoke in support of the application.

Members noting condition 5, regarding the use of the managers accommodation, was standard practice in this type of application, supported the application. It was proposed by Councillor Sully and seconded by Councillor Henley to grant permission in accordance with the Officers’ Recommendation.

Resolved:

That planning application 3/26/24/002 for the Change of use of owners accommodation to holiday apartment with conversion of garage and pub function room to owners apartment (retention of part works already undertaken) be

APPROVED subject to the conditions listed in the Agenda report.

(voting: unanimous in favour)

88 Planning Application 23/23/0040/LB - Little Fort, St Michaels Hill, Milverton, TA4 1JS - Agenda Item 6

The Chair allowed the circulation of four photographs showing views of the property both with the trees in leaf and without leaves.

The Planning Officer then presented the application with the assistance of a PowerPoint presentation.

The Applicant and two division members spoke in support of the application highlighting the design, layout and temporary nature of the solar panels. The need for the building to remain relevant and that the suggested alternative ground sited solar panels took up a considerable amount of garden and were significantly less efficient.

Councillor Gwil Wren then left the meeting.

The Committee discussed the proposal and, whilst acknowledging that conservation areas were precious, felt that with the design and layout of the panels, and the limited views of the property, that they caused little impact. Members considered Historic England's guidance and the legislation and understanding that the solar panels could easily be removed when newer technology was available, felt that on balance and in this particular instance, it would be appropriate to grant permission.

The Committee then adjourned for a comfort break.

Upon resuming the meeting it was proposed by Councillor Ross Henley and seconded by Councillor Caroline Ellis to grant listed building consent on the basis that in the view of the elected members, having regard to this specific proposal, it was considered that the level of harm would be less than substantial due to the limited views of the proposed development. However, the harm identified would be outweighed by the environmental benefits of the proposal.

Resolved:

That planning application 23/23/0040/LB for listed building consent for the installation of 18 No. solar panels on the south facing roof of Little Fort, St Michaels Hill, Milverton be APPROVED.

(voting: 9 in favour, 1 against)

89 Planning Application 3/21/23/088 - Land off Seaward Way, Minehead - Agenda Item 7

The Planning Officer then presented the application, for the variation of two planning conditions, with the assistance of a PowerPoint presentation.

The Committee discussed the application and in response to questions over the maximum height of the fencing it was confirmed that 4.8m rather than 5m had been chosen. This was due to the fences being manufactured in set heights and the choice of either 4.8m or significantly higher. After being re-assured that both Sports England and the English Cricket Board were content with the safety factor.

Consequently, it was proposed by Councillor Andy Hadley and seconded by Councillor Steven Pugsley to grant permission in accordance with the Officers' Recommendation.

Resolved:

That planning application 3/21/23/088 for the variation of Condition No. 02 (approved plans) and Condition No. 14 (ball stop netting) of application 3/21/21/015 at land off Seaward Way, Minehead, as detailed in the Agenda report be APPROVED.

(voting: unanimous in favour)

90 Appeal Decisions (for information) - Agenda Item 8

The Committee noted the appeal decision.

(The meeting ended at 4.11 pm)

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CHAIR

Application Details	
Application Reference Number:	43/23/0056
Application Type:	Outline Application with all matters reserved except Access
Statutory Start Date:	16 June 2023
Expiry Date:	15 September 2023
Extension of Time:	31 May 2024
Description	Outline application with all matters reserved, except for access, for a mixed use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (Departure from the Local Plan)
Site Address:	Land to the North of Taunton Road, Wellington, TA21 8RS
Parish:	Wellington Town Council
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment area:	Yes
AONB:	No
Case Officer:	Simon Fox, Major Projects Officer (Planning) 07392 316159 simon.fox@somerset.gov.uk
Agent:	Carney Sweeney
Applicant:	West of England Developments (Taunton) Ltd
Reason for reporting application to Members:	This application is referred to committee in consultation with the Head of Planning given the policy status of the land, the significance of the scheme and the public interest.

1. Recommendation

That planning permission be **GRANTED** subject to:

- a) approval of the sHRA on receipt of a Reservation Notice confirming that the required number of P-Credits have been reserved for the development; and
- b) completion of the S106 Agreement (Heads of Terms listed at Appendix 1); and
- c) the conditions listed at Appendix 2.

Delegated to the Head of Planning.

2. Executive Summary of key reasons for recommendation

- 2.1 This revised application seeks outline planning permission with all matters (landscaping, scale, appearance and layout) reserved for future consideration except access, which is fully detailed in this application.
- 2.2 The application represents a departure from the Development Plan, however, after consideration of all representations and consultations, the applicable planning policy and intentions behind the allocation and material considerations including the planning history, the benefits to Wellington and the scope of the application, the application is considered appropriate to be recommended for approval on its own merits subject to the prior completion of a Section 106 agreement, the approval of the Shadow Habitat Regulations Assessment and the conditions listed at Appendix 1 to this report.
- 2.3 The application does not explicitly apply for but is intrinsically linked to the delivery of the new railway station for Wellington, due to the inclusion of the road from Nynehead Road which will serve the station in the future and the transfer of land to deliver the car park. This is evidenced by the original submission actually including the station car park. The car park was omitted during the course of the assessment of the application.
- 2.4 The delivery of the new railway station for Wellington is of corporate importance and is intended to be, along with its car park, subject to a separate application by Network Rail (NR). A further separate full application by NR for site preparation works including haul roads and compounds is due imminently.

3. Planning Obligations, conditions and informatives

3.1 Obligations (See Appendix 1 - s106 Heads of Terms, for a fuller description)

An obligation will secure:

- 1) A financial contribution of £573,000 towards Education
- 2) A financial contribution of £89,336 towards Healthcare
- 3) Highway Works
- 4) Spine Road step in rights
- 5) Travel Plan

- 6) A financial contribution of £573,620 towards Active Travel to provide walking and cycling connections to the development
- 7) Delivery of the Station Square, capped at £305,000
- 8) Provision of Community, Public Open Space, Play and Recreation facilities
- 9) Safeguarding Ecology
- 10) Safeguarding future Access to neighbouring land
- 11) A financial contribution of £50,000 towards The Grand Western Greenway Project
- 12) Local Labour Agreement
- 13) Delivery of employment land

3.2 Conditions (see Appendix 2 for full wording)

- 1) Submission of the Reserved Matters
- 2) Timescale for the Submission of the Reserved Matters
- 3) Drawing Schedule
- 4) Nutrient Neutrality
- 5) Retail floor space restriction
- 6) Materials and finishes
- 7) Finished floor levels
- 8) Public Art
- 9) Surface water drainage strategy
- 10) Surface water drainage management and responsibilities
- 11) Foul drainage strategy
- 12) Estate roads details
- 13) Highway condition survey
- 14) No surface water disposal to the highway
- 15) CEMP - Highways and pollution control
- 16) Badger survey
- 17) GCN licence
- 18) Dormice licence
- 19) CEMP - Biodiversity
- 20) Hedgebank creation
- 21) Bat mitigation planting
- 22) Ecology field linkage prohibition
- 23) TPO replacements
- 24) Landscape and Ecological Management Plan (LEMP)
- 25) Lighting strategy
- 26) Ecological enhancements

- 27) Roads to be constructed to base course
- 28) Future Homes Standard equivalent
- 29) Water consumption
- 30) EV charging
- 31) Archaeology – WCI
- 32) Archaeology – Post-excavation analysis
- 33) Noise Mitigation
- 34) Noise Mitigation
- 35) Noise Mitigation
- 36) Odour Impact Assessment
- 37) Fencing to railway
- 38) Glare assessment

3.3 Informatives (see Appendix 2 for full wording)

- 1) Statement of positive working
- 2) Encouragement to achieve Secured by Design accreditation
- 3) Network Rail liaison during design process
- 4) Badgers
- 5) LLFA advice
- 6) LLFA advice
- 7) Highway drainage
- 8) EV and road adoption
- 9) Rights of Way advice

4. Proposed development, Site and Surroundings

Details of proposal

- 4.1 The site is allocated in the Core Strategy, under Policy SS3 'Wellington Longforth'. The allocation plan indicates the built area of the application site as wholly employment. Part of the application red line also proposes public open space within the Green Wedge. Access to that employment area was to be gained via Nynehead Road. The wider allocation sought to deliver 900 homes. A full review of Policy SS3 is provided later in this report at Paragraph 12.7.

- 4.2 This revised application seeks outline planning permission with all matters (landscaping, scale, appearance and layout) reserved for future consideration except access, which is fully detailed in this application.
- 4.3 The proposal seeks planning permission for:
- a) Detailed plan for access off Nynehead Road,
 - b) Up to 200 dwellings,
 - c) 0.8ha (2 acres) of employment land (Use Classes E and F),
 - d) Station Square Public Realm,
 - e) Spine road from Nynehead Road to proposed car park (by others),
 - f) Public open space and drainage infrastructure, and
 - g) Woodland mitigation (for ecology purposes) to the north of the railway line.
- 4.4 Matters b) – g) to be detailed by the future submission of the Reserved Matters.
- 4.5 The application does not explicitly apply for but is intrinsically linked to the delivery of the new railway station for Wellington, due to the inclusion of the road from Nynehead Road which will serve the station in the future and the transfer of land to deliver the car park, as such it is referenced throughout this report.
- 4.6 The railway station (platforms, footbridge and car park etc) will be subject to a separate application by Network Rail. At this time there is an indication that NR will seek approval via Part 18 of The Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended). As such reference to any future ‘application’ for the railway station is in this context.

Site and surroundings

- 4.7 The application site, as amended, is located between the B3187 Taunton Road immediately to the south, the Exeter-Bristol Railway Line immediately to the north and Nynehead Road and a small area of third-party land immediately to the east. To the west is a field retained for ecological benefit as part of a green wedge and further west is a recently completed development ‘Longforth Park’, served from Lillebonne Way.

- 4.8 The site itself measures 11.07ha and comprises three arable fields bound by hedgerows and several mature trees, some of which are protected.
- 4.9 One field is the other half of a once larger field recently developed for a supermarket. The supermarket is currently served off the first section of spine road which will serve this wider development with a new junction with Nynehead Road.
- 4.10 One of the other fields will similarly be split with one half, to the north-west, being earmarked for the railway station car park. It is not envisaged the car park will require all of this land and so there is the prospect of a further application for commercial/residential development on this parcel of land.
- 4.11 A further field to the west sits between the application site and the first Longforth Phase by Bloor Homes and to the north of Lillebonne Way and the site secured as allotments in connection with Phase 1. This field has been referred to as the 'Ecology Field' due to the presence of a significant tree bat roost and is referred to as such throughout this report. It is proposed to partition the field into two halves through a new robust native hedge, one half containing the bat roost tree will be fenced to prevent public access, will receive tree planting and will be managed for biodiversity and the other half will receive tree planting and be available for low impact informal open space and be accessible via the new development.
- 4.12 The site is not near a Conservation Area but only a very short distance to the north of the site and railway line is Nynehead Court Grade II* Registered Park and Garden. The historic carriage access, marked by Grade II C19 stone piers is found adjacent the smallest section of existing field on the northeast and continues northwards, divided by the railway line with main access found in the village of Nynehead. The railway line crosses the historic carriage access via a bridge constructed by Brunel, with attached formally occupied Lodge. Close to this can be found the former aqueduct and Nynehead boat lift for the former Grand Western Canal, now indicated by a strip of woodland.

5. Relevant Planning History

- 5.1 There is no planning history on the application site itself. However, it forms part of the larger 'Wellington Longforth' mixed use allocation for 900 homes,

primary school and employment under Policy SS3 of the adopted Core Strategy. The western side of the allocation has been developed by Bloor Homes accessed from Lillebonne Way and its roundabout junction with Taunton Road (B3187). In addition, the recent completion of a supermarket to the south-eastern corner is material to the determination of this application.

5.2 The key planning permissions bordering the site are set out below:

Reference	Description	Decision	Date
43/11/0105	Construction of the first section of the Wellington Northern Relief Road with access junction with Taunton Road, Landscaping, Planting, and Drainage Infrastructure at Longforth Farm, Wellington	Approved	26 March 2012
43/11/0104	Outline application for the demolition of agricultural barns, felling of 3 no. Category R protected trees and development of land for up to 503 no. Residential units with ancillary infrastructure comprising of new junction with Taunton road, part of the wellington relief road, sports pitches, a changing facility with car park, a primary school, allotments, children's play area, informal open space, balancing ponds, landscape planting, diversion of public footpath wg17/17 and creation of new public footpath at land on Longforth Farm, Wellington.	Approved	18 January 2013
43/13/0013	Reserved matters application following outline approval 43/11/0104 for Phase 1, erection of 177 dwellings with associated access, appearance, landscaping and layout at Longforth Farm, Wellington.	Approved	25 April 2013
43/15/0143	Application for approval of reserved matters following outline application 43/11/0104 in relation to Phase 2 for the erection of 134 no dwellings with associated access, appearance,	Approved	23 March 2016

	landscaping and layout at Longforth Farm, Wellington.		
43/17/0110	Application for approval of reserved matters following outline application 43/11/0104 for the erection of 119 No. Dwellings with associated access, scale, appearance and layout at Phase 3 on land at Longforth Farm, Wellington.	Approved	1 February 2018
43/19/0030	Erection of a 2 form entry primary and nursery school comprising of a two storey teaching block with sports hall, hard/soft landscaping with playing field , associated car park, cycle parking and pedestrian access points with vehicular access and secure line fencing on land at Longforth Farm, Longforth, Wellington.	Approved	15 July 2019
43/20/0086	Erection of a Class E(a) foodstore with associated parking, landscaping and access works on land north west of the Nynehead Road/Taunton Road/Torres Vedras Drive Roundabout, Wellington	Approved	22 April 2022

6. Environmental Impact Assessment

- 6.1 In this case the development falls within Category 10b (Urban Development Projects) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
- 6.2 The applicant submitted an Environmental Impact Assessment Screening Opinion in August 2022 and the Council concluded the proposal would not have any significant environmental effects and a further environmental statement was not required.

7. Habitat Regulations Assessment

- 7.1 In a letter, dated 17 August 2020, NE advised the Council that whilst the Somerset Levels and Moors Special Protection Area ('SPA') could accommodate increased nutrient loading arising from new development within its hydrological catchment that the Somerset Levels and Moors Ramsar Site ('the Ramsar Site') could not. The difference, NE state, is that whilst such

increased nutrient deposition is “...unlikely, either alone or in combination, to have a likely significant effect on the internationally important bird communities for which the site is designated” as regards the SPA such a conclusion cannot be drawn in relation to the Ramsar Site.

- 7.2 The typical consequence of such excessive phosphate levels in lowland ditch systems is “the excessive growth of filamentous algae forming large mats on the water surface and massive proliferation of certain species of Lemna” NB: (Lemna refers to aquatic plants such as duckweed).
- 7.3 This excessive growth “adversely affects the ditch invertebrate and plant communities through... shading, smothering and anoxia (absence of oxygen)” which in turn allows those species better able to cope with such conditions to dominate. The result is a decline in habitat quality and structure. NE state that “The vast majority of the ditches within the Ramsar Site and the underpinning SSSIs are classified as being in an unfavourable condition due to excessive phosphate (P) and the resultant ecological response, or at risk from this process”.
- 7.4 NE identify the sources of the excessive phosphates as diffuse water pollution (agricultural leaching) and point discharges (including from Waste Water Treatment Works (‘WWTWs’)) within the catchment noting that P levels are often 2-3 times higher than the total P target set out in the conservation objectives underpinning the Ramsar Site. In addition NE note that many of the water bodies within the Ramsar Site have a phosphate level classed as significantly less than ‘Good’ by reference to the Environment Agency’s Water Framework Directive and that the river catchments within the wider Somerset Levels are classed as having a “Poor Ecological Status”.
- 7.5 At the time of the letter the issue in terms of the Ramsar Site was that the conservation status of the designated site was ‘unfavourable’ but the SSSI Condition Change Briefing Note for the Somerset Levels and Moors dated May 2021 the overall condition across all Somerset Levels and Moors SSSI’s is ‘Unfavourable Declining’ due to evidence of failing water quality, most notably high Phosphate levels.
- 7.6 NE have advised the Council that in determining planning applications which may give rise to additional phosphates within the catchment they must, as competent authorities, undertake a Habitats Regulations assessment and undertake an appropriate assessment where a likely significant effect cannot be ruled out. NE identify certain forms of development affected including

residential development, commercial development, infrastructure supporting the intensification of agricultural use and anaerobic digesters.

- 7.7 The project being assessed here will result in a positive phosphate output and therefore the wastewater from the development will add to the phosphate levels within the Somerset Levels and Moors Ramsar Site ('the Ramsar Site'). The pathway is via the wastewater treatment works. Therefore, the surplus in the phosphate output would need to be mitigated in order to demonstrate phosphate neutrality and ensure no significant adverse impact on the affected designated area.
- 7.8 The applicant has submitted a shadow Habitats Regulation Assessment (sHRA) and a Nutrient Neutrality Assessment (NNAMS). A calculation has been undertaken to ascertain the amount of phosphate the development is likely to create after the treatment plant process and has offered mitigation by effectively stopping the equivalent amount being released elsewhere in the catchment. In this case via an overarching scheme with WCI which seeks to prevent phosphates being released in watercourses via the upgrading of domestic septic tanks. The applicant is proposing to purchase P-Credits from this upgrading scheme. Due to the fact the applicant has not purchased the credits, they are currently reserved, the Council is not formally able to confirm that a Likely Significant Effect on Somerset Levels and Moors Ramsar will not occur but will likely be able to form that conclusion once the Reservation Certificate is produced (upon payment of the deposit) and the sHRA and NNAMS are updated to reflect this accordingly.
- 7.9 The Council is content there is a coherent plan of action in place that will deliver nutrient neutrality and the comments of the Phosphate Team are noted in the consultations section of this report. The judgment whether a proposal will adversely affect the integrity of the designated site for the purposes of Regulation 63(5) of the Habitats Regulations is one for the LPA to make. In conclusion the LPA view 200 additional dwellings are deliverable whilst maintaining phosphate neutrality and therefore ensuring no adverse effect on the integrity of the Somerset Levels and Moors Ramsar site.
- 7.10 The recommendation reflects this position and seeks to approve the application and delegate to the Head of Planning upon receipt of a valid Reservation Certificate and updated suitable sHRA and NNAMS.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website.

Date of Consultations: 19/06, 05/07 and 20/10 and latterly 13/14 March 2024.

The application was advertised as a departure due to the allocation policy stating the site was to be used for employment uses.

8.1 Statutory Consultees

8.1.1 It should be noted not all statutory consultees are consulted on all planning applications. The circumstances for statutory consultation are set out in the Development Management Procedure Order.

8.1.2 A summary of comments is made, the Council's website should be viewed to see the full representation.

Statutory consultee	Consultee Comments and Officer Comment
Wellington Town Council	<p>Comments on the initial proposal – <i>“It was RESOLVED to support the application in principle; in addition, Councillors made the following comments.</i></p> <ul style="list-style-type: none"> • <i>There was concern about the inclusion of four storey buildings which was felt would be dominating on the surroundings.</i> • <i>There is no mention of CIL payments, therefore the Section 106 agreements will have to be very carefully monitored.</i> • <i>Points raised by the Integrated Care Board were widely agreed with, however, it was noted that not just extra building space will be required at the Doctors Surgeries, but more importantly the employment of more GPs.</i> • <i>There was disappointment in the lack of comments from the Highways team”.</i> <p>Comments on amended submission, Support reaffirmed although concern raised regarding the prospect of viability reducing planning obligations</p>
<p>Officer comment: Four storey buildings have been removed. This development is not CIL liable.</p>	
Nynehead Parish Council (Adjacent Parish)	<p>Comments on the initial proposal – Concerns relating to highway access and flooding. <i>“As a result of the recent construction of the Lidl supermarket and the existing presence of a sizeable caravan park, traffic using the short distance between the Taunton Road roundabout and the turnoff to Poole has increased noticeably since the opening of Lidl. The proximity of the Lidl access to the traffic island on Taunton</i></p>

Road has led to several complaints from Nynehead residents about the dangers of shoppers pulling out into Nynehead Road without taking note of through traffic from the island. (A motorist indicating left to join the Nynehead Road from Taunton Road may still have automatically-cancelling indicators working which could be wrongly interpreted as meaning the driver intends to turn into Lidl!).

“The shortness and narrowness of the section of Nynehead Road between the Taunton Road roundabout and the sole vehicular access to the site could be expected to lead to queuing traffic, delays and dangers to both motorists and pedestrians”.

Due to flooding in Nynehead Road [but north of the proposed access] flood warning signs should be a mandatory condition for approval.

“The Council recognises that the new development itself is beyond its jurisdiction, and it welcomes the increase in travel options which the new railway station may provide. But it has serious concern about complications and potential dangers from the current plans for the sole roadway to and from the site. Councillors remain open to further discussions with the SC and in particular the Highways Department on how these matters could be resolved”.

Comments on amended submission,

“The various amendments do not address the issues raised in our Council's original submission posted on 2 August 2023, with the possible exception that the slightly smaller number of homes to be built may somewhat reduce traffic pressure on Nynehead Road”.

Previous comments regarding the access and flooding are reiterated.

“We are also concerned that there are no planning details available for a key element of the site area, the construction of a railway halt and access related to it. Our concerns in this respect are the amount of further traffic on an already malfunctioning junction (which would be better moved further away from the roundabout) and the amount of vehicle parking to be provided for rail users. The Council is concerned that inadequate parking facilities close to the station would mean motorists may park haphazardly on the narrow roadways surrounding the site, adding to the risks of accidents”.

Officer comment: See comments from the Highway Authority and LLFA.

It is not considered necessary or appropriate for this development to fund flood warning signs.

The railway station is subject to a separate application.

<p>West Buckland Parish Council (Adjacent Parish)</p>	<p>No comments received.</p>
<p>Highway Authority</p>	<p>Comments on amended submission, “Overview: <i>This response follows on from our initial observations where we raised a number of points which needed to be addressed by the applicant. We have subsequently received further information through a Transport Assessment Addendum as well as through meeting with the applicant. The following response will look to address these points and provide a final recommendation.</i></p> <p>Detailed Response: <i>Further to the Highway Authority’s initial comments whereby we raised a number of points which needed to be addressed by the applicant’s highways consultant. In response the applicant has provided a Transport Assessment Addendum which has looked to address these points.</i></p> <p><i>With regards to the first element and the status of the care home element it is understood that through further discussions with the applicant that this part of the scheme has now been removed from the proposal. Consequently, no additional modelling work will be required over what has been provided.</i></p> <p><i>Turning to the delivery of the spine road the Highway Authority previously requested further information in the form of 'General in Accordance' drawings so that we could assess the suitability of the road design. Since this request was made further dialogue has occurred between the Highway Authority and the applicant. This has centred on the multi-purpose use of the completed road i.e. serving both the development as well as the train station site. Consequently, it has been agreed that the applicant will look to secure and deliver the road through the Section 106 agreement this will also allow the road to be dedicated as adopted highway once the works have been completed. Given the aforementioned strategic nature of the scheme, the Highway Authority will be looking to include a step-in rights clause(s) within the Section 106 agreement. This will allow the Highway Authority to step into deliver the road if timescales are such that the applicant is not able to deliver the scheme in time for the station opening.</i></p>

Regarding the junction onto Nynehead Road and the existing section of carriageway which currently serves the food store. The Transport Addendum has provided further details of the proposed visibility splays in relation to the junction. However, its noted that the applicant has still retained the existing T junction design which was delivered by the LIDL food store. The Highway Authority only ever foresaw this arrangement as being temporary until the junction can be reprofiled to give priority to the new development rather than Nynehead Road. This was worked out through the pre application process but was not included as the preferred option in the planning application.

The Highway Authority is of the opinion that the revised junction would be the preferred layout considering the increase in use of the junction. It is understood from dialogue with the applicant that their position on this relates to not being able to secure the required land for the visibility splay back to the Taunton Road roundabout as it crosses third party land. In light of this concern and considering the strategic nature of this scheme the Highway Authority has looked to engage with the third party with a view to have this land dedicated as adopted highway. By securing this it will allow the revised junction design to be brought forward. As such, although the T junction must be considered as part of this application there will be scope through the Reserved Matters applications and technical approval process to amend the junction to be inline with the Highway Authority's preferred option. Ideally the Highway Authority would have preferred the applicant to be delivering the revised scheme but by securing this dedication we are satisfied that it provides the flexibility that either junction arrangement can be delivered.

Moving onto the next point, it is noted that the applicant has provided a Road Safety Audit (RSA) 1 within the Transport Addendum. This has been passed to our audit team for review and the conclusions will be passed back to the applicant in due course to help inform the technical design. With regard to the offsite contributions, the Highway Authority has had further dialogue on this matter with the applicant and set out our vision for Active Travel connections for east Wellington. In light of this the applicant has proposed a contribution which will look to secure a series of Active Travel measures which will tie into this vision. The Highway Authority has reviewed and costed the package of works. This

contribution has been agreed with the applicant and will need to be secured through the Section 106 agreement.

In terms of the Travel Plan, the original submission was supported by a Travel Plan. This has been reviewed by our Travel Plan Team and there were a number of elements which required further information. In light of this the Highway Authority has met with the applicant's highway's consultant to look to agree a revised Travel Plan, this will be submitted and secured through the Section 106. The applicant has updated Flood Risk Assessment and Drainage Strategy the Highway Authority has reviewed the document and it is broadly considered to be acceptable. Although the applicant will need to provide further clarification on the following points. Firstly, does Ditch 1 need to be culverted under the access road to accommodate upstream flows? Secondly the Drainage Strategy plan indicates that the food store development forms part of the Basin 1 catchment, but it is not clear as to how this site connects to the proposed surface water drainage infrastructure on the application site.

The applicant has updated the master plan and parameter plans, this includes a movement plan that shows the key routes for non-car users which aligns with the active travel corridors the authority is promoting. In terms of the master plan, we accept at this stage that no details of the residential parcels have been included. However, we would like to take the opportunity to highlight that any internal layout will need to be designed in line with the Council's Place Making principals as well as the Streets in Residential Development – Design Guidance Notes. Specific thought will need to be given to the street hierarchy as well as materials and Electric Vehicle charging points.

Conclusion & Recommendation:

To conclude, the Highway Authority is satisfied that the Transport Assessment Addendum has addressed the points which had been raised as part of our initial response. With regard to the spine road, we are satisfied that through dialogue with the applicant we have agreed a way forward as well as securing certainty over its delivery with step in rights being secured through the Section 106 agreement. Regarding the junction with Nynehead Road, it is acknowledged that the junction proposed is not what the Highway Authority had agreed through the pre application process. Through dialogue with the applicant, we have been able to ascertain the reasoning for this amendment. Consequently, the Highway Authority

	<p><i>is working to secure the required land to be dedicated as adopted highway. This will allow the original access to be delivered either through a Reserve Matters application or via the technical approval process. In terms of the sustainable travel elements, both the Travel Plan and Active Travel contributions have been agreed and therefore will need to be secured through the Section 106 agreement.</i></p> <p><i>Consequently, considering the above the Highway Authority raises no objection to this scheme and should the Local Planning Authority grant consent the following would need to be secured.</i></p> <p><i>Section 106 Agreement: Highway Works (spine road) and step in rights, Active Travel contribution and Travel Plan obligations”.</i></p> <p><i>Conditions proposed.</i></p>
<p>Officer comment:</p> <p>Noted, see s106 HoT and recommended conditions.</p> <p>Some suggested conditions (EV charging and cycle parking) are not required at this outline stage and will be matters for future determination via Reserved Matters.</p>	
<p>Natural England</p>	<p>No comments received.</p> <p><i>Note- NE has advised our Phosphates Team on the nutrient neutrality plan</i></p>
<p>Public Rights of Way - SCC</p>	<p>Comments on amended submission,</p> <p><i>“No Objection subject to conditions and/or S106 obligations detailed below”</i></p> <p><i>“I can confirm that there are no public right of way (PROW) recorded on the Definitive Map that run through or abut proposed site at the present time”.</i></p> <p><i>Whilst the development is providing public open space, it is offering no convenient links for active travel modes to rural public rights of way to the north. The rail line and Nynehead Road bounding the site to the north and east are not helpful. The Grand Western Canal public footpath will be a significant attractor, which based on the current proposal will necessitate walkers most likely using Nynehead Road which is without any footway and has blind bends. A s106 contribution is sought to help explore and facilitate off road active travel links to the north.</i></p> <p><i>It is noted that the applicant has control of the land to the north of the rail line, and as and when the train station application (and any application to the north) comes forward there will be a clear desire line for walking and cycling to be facilitated by the likely overbridge that would be provided as part of the station development. For the</i></p>

	<p><i>applicant's awareness it will be in the public's interest to negotiate walking and cycling access to the station not only from the south, but also from the north".</i></p> <p>Informative note proposed.</p> <p>Additional note regarding the Ash 2 Level Crossing; the new path came into existence upon confirmation of the order, which has already happened. Minor works needs to extinguish the level crossing to issue the final certificate.</p>
<p>Officer comment: Monies are sought towards the Grand Western Greenway Project which will explore the feasibility of greater walking and cycling connectivity from the south to the north of the railway line.</p>	
<p>EA</p>	<p>No comments to make.</p>
<p>Lead Local Flood Authority (LLFA)</p>	<p>The applicant is advised to carry out infiltration tests at the detailed design stage.</p> <p>Calculations and drawings should be provided at the detailed design stage.</p> <p>Rain gardens and water butts are expected at the detailed design stage.</p> <p>Further details at the detailed design stage are required to demonstrate a viable connection can be made.</p> <p>A final maintenance strategy is required at the detailed design stage.</p> <p>Comments on amended submission, <i>"Thank you for the email, we will be expecting the discharge rate to be set to 2l/s/ha based on the impermeable area as this site is within the catchment of the River Tone, however should the applicant be aware of this requirement and the LPA satisfied that this can be provided at reserved matters stage we would request the following conditions applied to secure this.</i></p> <p><i>We would also advise that National Rail are consulted on the proposal due to the proximity to their assets and discharge location".</i></p> <p>Further comment upon receipt of a FRA Technical Note - <i>"Following on from the Technical Note Rev 1 submitted by the applicant following the meeting held on the 11th April 2024. The applicant has provided a rationale on why 2 l/s/ha cannot be achieved, however have restricted discharge rates lower than the 1 in 1 year event and proposed to include water butts for the</i></p>

	<p><i>development. At the next planning stage consideration should be given to restricting discharge rates further (if possible) and including a 300mm freeboard.</i></p> <p><i>As such, on the basis of the information provided, in this instance we have no objection to application in principle and should the LPA be minded to grant permission the following conditions and informatives should be applied.....”</i></p>
<p>Officer comment: Conditions recommended</p>	
<p>Historic England</p>	<p>Comments on the initial proposal – <i>Assesses the significance of Nynehead Court and Park and Garden and the impact of the proposal and policy context.</i></p> <p><i>“Historic England has concerns regarding the application on heritage grounds. Those concerns relate to whether the impact of the proposed development on the significance of the designated heritage assets potentially affected has been satisfactorily assessed in the submitted documentation. Your authority should ensure you are satisfied that the potential impacts on this aspect of Nynehead Court’s significance have been sufficiently addressed prior to making your determination, guided by the advice of your conservation, archaeological and placemaking specialists. If harm is identified then opportunities should be taken to avoid and minimise the identified harm. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 194, 195, 199 and 200 of the NPPF”.</i></p> <p>Comments on amended submission - <i>“The revised information includes a review of the original heritage statement and an additional addendum to establish the impacts of the proposed outline application on the setting of the historic core of Nynehead Court including the grade II* listed house of the same name, the grade I listed Church of All Saints as well as the grade II* registered park and garden.</i></p> <p><i>The report has concluded that the proposed development will have no change on the highly designated grouping of assets, due to the intervening woodland which will screen both the house and the development site in views from the historic core of the parkland. From a review of the information submitted and our knowledge of the site, Historic England considers that it might be possible that the development would not be visible in the views from the main</i></p>

	<p><i>historic core or make a particular contribution to the significance of the designed landscape. Consequently, we consider that it could be possible to accommodate some form of development on the site, without causing harm to the experience of Nynehead Court’s special historic interest.</i></p> <p><i>However, your authority will need to ensure you are satisfied with the outcome of the additional information submitted and be guided by the advice of your own heritage and landscape specialists. Furthermore, consideration should be given as to whether there are opportunities through the detailed design phase to avoid or minimise any potential impacts. The council will need to utilise their own knowledge and experience of the site, as well as their own heritage specialists to advise with respect to any final scheme. Recommendation Historic England previously indicated that we had concerns regarding the application on heritage grounds. Those concerns related to whether the impact of the proposed development on the experience of the designed sequence of ornamental features, scenes and views which is gained from particular locations and when moving around the estate had been satisfactorily assessed in the submitted documentation. In view of the additional information submitted, we therefore recommend that your authority consult your heritage and landscape officers and ensure you are satisfied that the potential impacts on this aspect of Nynehead Court’s significance have been sufficiently assessed prior to making your determination to address the requirements of paragraphs 201, 205 and 206 of the NPPF. In determining this application, you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess”.</i></p>
	<p>Officer comment: An addendum to the heritage statement was submitted to specifically assess Nynehead Court views, concluding there were none. See Conservation and Landscape Officer’s comments concluding no harm, and Paragraph 12.96 onwards.</p> <p>New woodland proposed for bat mitigation and future consideration at the detailed design stage will further safeguard heritage assets.</p>
<p>The Garden Trust</p>	<p>Comments on the initial proposal – No objections or concerns raised.</p> <p><i>“We appreciate that the precise heights, layout, landscaping and density etc will all need to be agreed in due course under a further</i></p>

	<p><i>'detailed reserved matters (sic) application' (PS 4.2.3) and the GT/SGT will be carefully scrutinising this to ensure that suitable mitigation is put in place to minimise or eliminate if possible any impacts upon the RPG".</i></p> <p>Comments reiterated on amended proposal.</p>
<p>Officer comment: No further action, to be considered further at the Reserved Matters stage.</p>	
National Highways	<p>Comments on amended submission -</p> <p><i>"We have reviewed the additional transport information submitted by Richard White Transport as set out in the attached email dated 4 April 2024. Based on this information I confirm National Highways has no objections to the proposed amendments to application 43/23/0056".</i></p>
Network Rail	<p>Comments on the initial proposal -</p> <p><i>"Network Rail has no objection in principle to the above proposal on the provision that the closure for Ash 2 level crossing goes ahead. Due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission".</i></p> <p>Comments relating to safety, drainage, fencing, ground levels, foundations, ground disturbance, site layout, excavations/earthworks, plant/scaffolding and cranes, landscaping, lighting and noise.</p> <p>Further comments were made regarding the likely increase in noise from the planned railway station and any dwellings within 90m should be constructed to provide the necessary sound insulation as mitigation.</p> <p>Subsequent comments were made raising no objections as the order has now been made to close and divert Ash level crossing.</p>
<p>Officer comment: Conditions recommended</p>	
Office of Road and Rail	<p>Any building adjacent to the railway needs agreement with NR.</p> <p>A glare assessment will be needed to ensure new structures adjacent to the railway do not pose risk to the operational railway.</p> <p>No drainage systems within 5m of NR operational land and all drainage must drain away from operational land.</p>

	<p>Boundary fencing will need to be installed by the site to ensure that trespassing, pre, post and during works is not possible.</p> <p>Advice regarding tree planting.</p> <p>The ORR would expect the applicant to reach out to Network Rail ASPRO team for comment on the proposal and to engage with the team at Network Rail during the planning and construction process.</p>
<p>Officer comment: See Network Rail comments, conditions recommended and several matters will be revisited via the Reserved Matters.</p>	
<p>Active Travel England</p>	<p><i>“Deferral: ATE is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue as set out in this response”.</i></p> <p>An assessment of current infrastructure, the policy context and the proposal is set out.</p> <p><i>“For these opportunities to be realised, ATE considers that improvements to infrastructure will be required in order to enhance this development in line with current government policy and design guidance and will meet those expectations for more ambitious walking, wheeling, and cycling targets to be met than is currently proposed in the submitted Transport Assessment and Travel Plan”.</i></p>
<p>Officer comment: The Council recognises the necessity to secure off-site active travel linkages. It is considered the most efficient way of doing this is to seek a financial contribution and pool this with other monies to deliver more significant and value for money improvements. See s106 Heads of Terms.</p> <p>On-site linkages is a matter reserved for future determination.</p>	

8.2 Non-Statutory Consultees

Non-Statutory consultee	Consultee Comments and Officer Comment
<p>Planning Policy</p>	<p>Comments on amended submission,</p> <p><i>“Principle of development</i></p> <p><i>The proposal submitted is for a residential development on a site allocated for employment use and contrary to the current adopted Taunton Deane Core Strategy (2011-2028).</i></p> <p><i>The Taunton Deane Adopted Core Strategy (2011-2028)</i></p> <p><i>allocates Longforth Farm for the development of an urban extension as part of Policy SS3, in order to deliver around 900 new homes, a new local centre and 11 hectares of employment land for general industrial, storage and distribution. The policy sets out a</i></p>

series of principles for the layout and form of the development, along with requirements for developer contributions.

The employment allocation to the east of the site was reserved specifically for the relocation of the two biggest employers in Wellington, Swallowfield and Relyon. The release of this land occupied by Swallowfield and Relyon was intended to facilitate “mixed use development including part of the new local centre, re-opening of Wellington railway station, new homes and small business start-up units along the railway line”.

Both companies have confirmed that they do not have the intention to relocate, indicating that relocation is either not financially tenable or presents significant practical and logistical challenges that they are unable to overcome within the plan period. The result is that there is a shortfall in delivering the 900 homes planned for in this wider urban extension.

The proposal to deliver homes, alongside employment uses, is supportive of the Core Strategy objective set out in Policy SP3, for the wider urban extension to deliver approximately 900 homes. The homes identified in this proposal will contribute to delivering this objective and as such is acceptable in principle.

While the employment space has decreased from 11 hectares to 0.77 hectares, this allocation was for strategic relocation of businesses, which Swallowfield and Relyon no longer view as a viable option. As some time has now passed since the adoption of the Core Strategy, and the intended purpose of this allocation is no longer required, consideration needs to be given to the place-making guidance set out in the Wellington Place Plan to ensure that growth in this location happens in a sustainable way that supports the aspirations of the town”.

Comments relating to the Wellington Place Plan, the Council’s 5-yr housing land supply, and policy SS3, phosphates and BNG are captured in the policy and Officers assessment section of this report.

“Conclusion

In conclusion, the principle of this mixed-use development is supported”.

Officer comment: Assessment against the development plan is provided at Paragraph 12.1 onwards.

**Nutrient
Neutrality
Officer**

“On the basis of the information submitted, we understand that the proposed development would generate 25.72kg/year of additional phosphates. The applicant has completed their Phosphate Budget Calculations on the basis of ‘Post AMP7’ limits, taking into account confirmed upgrades to Wellington Wastewater Treatment Works (WwTW) by Wessex Water which will be in place by January 2025. This is acceptable, subject to a condition being attached to any grant of planning consent limiting occupation of the proposed dwellings until 1 January 2025 i.e. after the improvements to the WwTW have taken place. A suggested condition is provided later in this response.

The NNAMS submitted suggests that the applicant is seeking to utilise third-party Phosphate Credits (P-credits) to mitigate the 25.72 kg/year of phosphates that would be generated from the proposed development.

In the case of third-party P-credits, Somerset Council, as competent authority under the Conservation of Habitats and Species Regulations (2017) ‘The Habitats Regulations’, requires applicants to submit proof that third-party P-credits have been reserved for their proposed development, or that third-party P-credits have already been assigned or ‘allocated’ to their proposed development. This is because in order to complete a Habitats Regulations Assessment (HRA) of the proposed development, the Council needs to be certain ‘beyond reasonable scientific doubt’ that phosphate mitigation is secured prior to any planning permission being granted. The submission of a ‘Reservation Notice’ or ‘Allocation Certificate’ allows us to favourably conclude an HRA.

The NNAMS does not specify the P-credits that the applicant is seeking to acquire, however through subsequent discussion with the Case Officer, and review of P-credit Purchase Agreement submitted, we understand that the applicant is seeking to use third-party P-credits provided by WCI Group Ltd. (WCI).

Somerset Council has what is known as an ‘overarching’ legal agreement in place with WCI and as such, in principle, we are able to accept P-credits arising from this third-party scheme as phosphate mitigation. This legal agreement was signed on the 22 March 2024. The Council is currently awaiting additional information from the P-credit provider in line with the terms of the Agreement to allow Somerset Council to accept ‘Reservation Notices’ and ‘Allocation Certificates’ associated with the scheme.

	<p><i>We have reviewed the P-credit Purchase Agreement provided by the applicant; however this does not reflect the form of document required by the overarching legal agreement. It does not include evidence that 25.72 P-credits, required to mitigate the proposed development, have been ‘reserved’ for planning application 43/23/0056, thus allowing a formal ‘Reservation Notice’ from the P-credit provider to be submitted to the Local Planning Authority (LPA) by the applicant.</i></p> <p><i>In the absence of the Reservation Notice we are not able to conclude a favourable HRA for the proposed development. In addition, in order for an HRA to be completed by the LPA we would require an updated NNAMS to set out clearly that WCI is the applicant’s chosen P-credit scheme.</i></p> <p><u><i>Conclusion</i></u></p> <p><i>In light of the above, our advice is that planning permission should not be issued until a Reservation Notice and updated NNAMS is submitted. The receipt of these documents will allow Somerset Council to carry out an HRA for the proposed development, or the applicant may choose to submit a Shadow HRA of the proposed development for Somerset Council to formally adopt as the HRA for the proposed development.</i></p> <p><i>Should planning permission be granted, prior to the commencement of development, Somerset Council will require the submission of an ‘Allocation Certificate’ to confirm that the 25.72 P-credits reserved by the applicant have been fully acquired. We understand that any planning permission for this proposed development would be subject to a Section 106 Agreement, and this requirement could be included as part of this agreement. Given that the applicant has calculated their phosphate mitigation requirement based on post-AMP7 limits we also recommend the following planning condition is attached to any grant of consent, or this requirement could be incorporated into the Section 106 Agreement”.</i></p>
<p>Officer comment:</p>	<p>The recommendation will be ‘subject to’ the receipt of the Reservation Notice and the completion of the HRA and NNAMS process. The suggested condition also features in the recommendation</p>
<p>Ecologist</p>	<p>Comments on amended submission, No objection raised.</p> <p>“Natural England decided against designating/protecting the tree”.</p> <p>Barbastelle bat maternity roost</p>

The application site contains a Barbastelle maternity roost, thought to be focused on a single tree. As noted in the Somerset Bat Group's comments, the protection of the roost and associated habitat for commuting and foraging has been the subject of previous discussion with the Council's ecologist. We assume that this was one reason for the inclusion of the 'green wedge' identified in the local plan allocation.

While the roost is potentially of national significance and should be considered for notification as a Site of Special Scientific Interest, Natural England does not intend to pursue that course of action in this case. Nevertheless, Barbastelles are one of the UK's rarest bat species and are afforded a high level of protection in policy and law. Your Authority will need to be satisfied that any planning approval will maintain the 'Favourable Conservation Status' of Barbastelle bats.

Based on information available, Natural England considers that you will need further information to understand how Barbastelle bats are using the area and how an effective avoidance and mitigation strategy might be put in place. Means by which issues such as public access around the roost can be limited, for example through grazing and/or creation of a nature reserve, and connectivity to the wider landscape might be improved through reconfiguring some aspects of the masterplan, should be explored. The applicant's ecological report states that further work is needed, and it is not clear that any further assessment or survey is being carried out in the current season.

Although it may be argued more information is required on barbastelle activity in and around the site.

There has been significant time (years) to undertake extensive survey effort in order to determine barbastelle activity around the site and further afield.

Significant avoidance, mitigation, compensation and enhancement measures have been planned and are being put in place for the longevity of the barbastelle roost.

A significant area of land to the north west of the rail line has been designated for the creation of broadleaf woodland habitat (managed under BNG agreement) to enhance connectivity to the wider landscape and habitats for the Barbastelles.

Around £300,000 - 500,000 provision has been made to secure habitats, mitigation, compensation and enhancements for the Barbastelle Roost.

Public access around the roost was under the management of the residential homes to the immediate west and has not been enforced

- *Number of barbastelle have gone down over the years when the site was managed by other consultants*
- *Both the new residential housing and new school have proceeded with no objection*
- *The LPA have undertaken a meeting with Paul Kennedy from the Somerset Bat group to request the bat groups input into the scheme.*
- *The 125m 'no works' and 200m 'restricted works' are not legally defined, however development has and is planning to honour and enhance in order to help protect the ecological importance as stated above.*
- *Railway surveys still ongoing SNC-Lavalin/Atkins (Matthew Peden) and not part of the Longforth development, separate (but contextually joined)*

The Rising water main: See Longforth Wellington new rising main addition to the CEMP condition 03 attached

The conditions additional with the main CEMP (condition 03) for the site are provided in order to localise the works for the rising main located to the east of the barbastelle tree via measures including fencing, exclusion, toolbox talks, timing (working hours etc, no lighting).

NOTE: currently the entire field is open to the public, including up to the tree, which was supposed to be controlled by Bloor homes development to the west”.

Proposed Conditions

“Conditions made and reviewed in agreement with Ecological Impact Assessment (EcIA) undertaken by Halpin Robbins”.

Comments regarding understanding the Barbastelle roost

Historic data (UK Bat Mitigation Guidelines – September 2023 – Case study 39) for the Barbastelle bat roost has shown a decrease in the numbers of Barbastelle bats from 2015 – 2022. Mitigation in the form of a 125m no-works buffer zone and 200m restriction clause (October – March) was implemented in 2011/2012 in order to help, with additional monitoring.

The Ecological Impact Assessment (EcIA) undertaken by Halpin Robbins indicates that the main receptors for the Barbastelle Bats within the site include:

- The roost (identified to the west of the site boundary, within a tree in the westernmost field);*
- Foraging and commuting habitats (wooded areas and hedgerows)*

As a result of the construction and post-construction activities proposed, these habitat features could be impacted adversely:

- “The known barbastelle maternity roost beyond the site boundary to the west may also be impacted by construction and post-construction activities. This would result in a major adverse impact at a regional level.”*
- “Construction activities to facilitate development have potential to damage retained hedgerows and trees which form foraging and commuting routes for bats.”*
- “Increases in artificial illumination both during the construction and operational phases of the development will also impact bat species and have the potential to disturb dark flight corridors thereby affecting the ecological functionality of the retained hedgerows and trees. These impacts are anticipated to result in a major adverse impact at a local level.”*

The EcIA (January 2023) indicated walked transect and static surveys in undertaken in 2021 showed that hedgerows (see figure 12) around the site were heavily utilized by the Barbastelle bats for commuting. It was determined the proposed development would impact in the following ways:

- Damage to retained roosts during construction and postconstruction activities.*
- Disturbance to retained roosts through artificial illumination and post construction activities.*
- Loss of foraging and commuting habitat.*
- Damage of retained foraging and commuting habitat during construction.*
- Increases in artificial illumination of foraging and commuting habitat.*

Therefore, in order to mitigate these impacts the following methods will be necessary:

- CEMP produced and following during construction.*
- LEMP produced, detailing future management.*

	<ul style="list-style-type: none"> • <i>Heras fencing and buffer zones to protect roosts during construction.</i> • <i>Tree planting and permanent fencing to protect barbastelle roost, creating 200m buffer.</i> • <i>Sensitive timing of all works with 200m of barbastelle tree roost.</i> • <i>Sensitive lighting strategy/plan.</i> • <i>Heras fencing to protect retained habitats during construction.</i> • <i>Species rich grassland creation as compensation for loss of neutral grassland.</i> • <i>Roosting opportunities to be provided as enhancement.</i> <p><i>Additionally, land north of the rail line (See figure 17) has been included within the planning strategy to be made into a dark corridor with woodland planting to allow the Barbastelle bats both additional commuting and foraging habitat (stepping stone) into woodland habitat (long Copse). It is intended that this area (around 5ha) will be planted for a diverse mix of tree species to accommodate the Barbastelles but also a number of other species. It is additionally intended for these measures to result in an increase in the number of Barbastelle bats using the existing roost by providing interconnectivity to the wider landscape. Continued monitoring will be essential to ensure this occurs”.</i></p>
<p>Officer comment: This is a significant issue and these extensive comments show why.</p> <p>Comments from Natural England are relevant as are the representations from Somerset Bat Group.</p> <p>The extensive conditions and obligations within the s106 HoTs results in no objections being raised by the Council’s Ecologist, see Paragraph 12.82 onwards.</p>	
<p>Affordable Housing</p>	<p>On amended proposal –</p> <p><i>“Policy CP4 Housing in the Taunton Deane Core Strategy 2011 – 2028, the Affordable Housing Supplementary Planning Document May 2014 and TDBC Decision June 2016 aim to ensure that affordable housing is provided as part of all development schemes which provide eleven or more net additional dwellings. 25% of the new housing should be in the form of affordable homes, with a tenure split of 25% First Homes, 60% social rented and 15% intermediate housing in the form of shared ownership”.</i></p> <p><i>“Affordability of the First Homes tenure is a concern given the rising house prices within the location of this scheme therefore flexibility of the 25% First Homes to change to Shared Ownership</i></p>

would be considered to provide a more affordable low-cost home ownership option”.

“Whilst no indication of unit mix and tenure has been proposed at this stage, on the basis of 200 dwellings, a 25% affordable housing planning obligation would equate to 50 affordable homes. Upon assessing the local housing need evidence (March-24) a suggested affordable housing mix is :-

Social Rent

4 x 1 bed house

3 x 1 bed fully adapted disabled bungalow or house

10 x 2 bed house

2 x 2 bed fully adapted disabled bungalow or house

6 x 3 bed house

1 x 3 bed fully adapted disabled bungalow or house

3 x 4 bed house

1 x 5 bed house

Shared Ownership

10 x 2 bed house

10 x 3 bed house”

“As the Affordable Housing Planning obligation includes 25 or more affordable homes, the scheme should provide 10% of the total affordable housing provision to be in the form of fully adapted disabled affordable homes in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010. We note the Design and access statement part 1 section 5.3.1 confirms the intent for a percentage of the affordable dwellings to ‘comply with part M(4)3 of the building regulations”.

“To reflect local housing need the requirement we have included in the mix is for 3 x 1bed, 2 x 2bed and 1 x 3bed social rented fully disable adapted dwellings to Part M4, Category 3: Wheelchair User dwellings of the Buildings Regulation 2010”.

Updated Comments following Viability study -

“Following a viability exercise it has been concluded that no affordable homes will be delivered on this site. There remains a significant need for affordable homes both within Wellington and across Somerset.

The scheme however will deliver aspects to support the advancement of the new railway station and includes £1,800,000 of other S106 Planning Contributions.

	<i>For completeness the last formal comments submitted for affordable housing are below and would have equated to up to 50 new affordable homes for the area”.</i>
Officer comment: See s106 HoTs, Appendix 1 and the Development Viability section, Paragraph 12.63 onwards.	
Environmental Health	Assessment of noise from railway, roads and the supermarket plus odours from the sewerage treatment works – conditions proposed.
Officer comment: Conditions recommended.	
Conservation Officer	<p>Comments on amended submission, <i>“There are no heritage concerns regarding the access and principle of the development of this site is acceptable. Reducing the number of dwellings would be beneficial for the setting of Nynehead Court”.</i></p> <p>Initial comments recognised heritage assets in the vicinity, undertook an assessment of harm and concluded the proposals have the potential to cause less than substantial harm to the setting of Nynehead Court and the Nynehead Court Registered Park & Garden.</p> <p>Mitigation by design will be needed to minimise this harm - layout, density, height and materials.</p>
Officer comment: These are matters reserved for future determination, no further action.	
South West Heritage Trust - Archaeology	<p><i>“Based on the amended plans I can confirm that as a majority of the site has been subject to earlier archaeological evaluation through geophysical survey and trial trenching (in 2010 and 2011) no further pre-determination investigation is required. The evaluation did show potential for archaeology relating to prehistoric activity and there is an area within the proposal site that has not been archaeologically assessed”.</i></p> <p><i>“The geophysical survey and trial trench across much of the site did produce some evidence of medieval archaeology so the condition would relate to all the site. It is likely that on the area already surveyed archaeological monitoring would be required in some areas, and the as of yet un-surveyed areas [the NR car park area] would need (probably) trenching and (based on results) maybe further monitoring/excavation. So the condition for a WSI would make sure both monitoring and survey take place on appropriate areas”.</i></p>
Officer comment: Conditions recommended.	
Sustrans	No comments received.

**Placemaking
Officer**

“With the masterplan as submitted there is a risk that the site will not be planned for in a holistic manner due to the fragmented land ownership situation; it is however recognised that is a difficult planning situation, particularly when the location of the station can only come forward in the proposed location. However it is imperative that the station square needs to act as the main focus for the development and show how all parts of the scheme relate to this central point and what should be a civic space. With the fragmented land ownership situation, I still remain concerned that by removing the station site and square from the masterplan that there is a lack of framework and certainty as to how the two sites would come forward and relate.

Other issues remain as follows:

- The separation of the proposed scheme from the community to the west and the town centre – it is however recognised that the site is separated from the existing community by an important bat roost site/protected site.*
- The lack of direct cycle and walking links to the town centre to the west – it is however recognised that the site is separated from the existing community by an important bat roost site/protected site.*
- The issue of one long cul-de-sac road not linking to the wider Wellington – this is however near to the proposed station which will link well to the national rail network.*
- The cycle walking route to the western boundary would not have sufficient natural surveillance for ensuring safe movement*
- The main street is too semi-rural and lacks a distinct identity. It would be better to treat this more as an urban street with houses back edge of footpath and tree lined*
- Storey heights are poorly defined with ‘up to’ numbers giving no clarity*
- SUD’s appear as over large, engineered lacking informality and naturalised features. The linking stream will also act as a barrier to connectivity and movement. I would have thought it better to have a corridor of SUD’s, swales and raingardens all integrated; this also needs to be integrated with BNG.*
- Little on sustainability of buildings (apart from orientation).*
- Public art- the inclusion of the former top of Wellington Monument as a focus is welcomed, however some smaller pieces of public art around the site as part of the public realm would be welcomed*

	<ul style="list-style-type: none"> • <i>Little information provided on the urban blocks, in particular parking strategy</i> • <i>Street Sections – the width as shown for the shared space streets are far too wide and should be no more than 5m as set out in the Teal Book and Districtwide Design Guide. As such they should be reduced in width.</i> • <i>The Urban Design Parameters Plan is unclear with the items shown on the key not clearly expressed on the plan. Character areas could also be shown.</i> • <i>Framework Bursts – it would be helpful if these could be supported to show a 3D axon of the groupings</i> • <i>Given the importance of this proposal, I'd strongly suggest that the scheme is reconsidered by the QRP to ensure that their previous concerns have been adequately addressed. This could be a Chairs Review”.</i>
<p>Officer comment: As is recognised some factors are prejudiced by the fragmentation of the applications and the constraints such as the Ecology Field however every effort has been made to ensure the development layout and its components ensure a good outcome for future residents.</p> <p>Some design points can be revisited at the Reserved Matters Stage.</p> <p>The previous QRP report is attached, overall it is considered the main points, mindful of the context and constraints have been met or can be achieved via other applications, and so a further referral with the cost and time this requires is not felt to be necessary at this stage, but will be required at reserved matters stage.</p>	
<p>Landscape Officer</p>	<p>On initial proposal –</p> <p><i>“In terms of support for the proposals:</i></p> <ol style="list-style-type: none"> <i>1. The site is allocated and there is no objection to the principle of developing the site.</i> <i>2. There are no concerns regarding impact on Nynehead Court, its Registered Park and Garden and the former entrance gate piers just to the north of the site entrance.</i> <i>3. It is considered that the proposals will have negligible impact on the wider, more elevated surrounding landscapes of the Quantock Hills and Blackdown Hills.</i> <i>4. The reasons for the general distribution of development and open space, although objected to at pre application stage on the grounds that the development would be better moved to the east in what is show in the proposals as public open space, are appreciated, and there is no objection to the general</i>

	<p><i>positioning of built development and open space on the. There is concern however that the detailed layout could be better.</i></p> <p><i>5. Happy that the employment allocation has been repositioned to be closer to the station”.</i></p> <p>Concerns raised relating to the Place Plan aspiration for a transport hub – just a car park is shown, poor active travel connections, the character of the development could be improved, revised parameter plans and a design that responds to the topography.</p> <p>On amended proposal (different officer) –</p> <p><i>“The principle of the development on this site is acceptable, however there are number of concerns remaining with this outline application, as detailed below. Some of them will be dealt with at RM stage, but others should be addressed sooner.</i></p> <p><i>There are fundamental concerns about the train station being excluded from the site. This risks resulting in a disconnected design and a missed opportunity to create a cohesive landscaping strategy, public square and station-led intensification. It is understood that there are practical and programme issues relating to the separation of the site, however, every effort should be made to integrate the two proposals as they develop in tandem.</i></p> <p><i>Given this, the provision of a square and mobility hub that abuts the land for the station is welcome. Careful design will be required at RM stage to ensure this is an attractive, people-centred space which facilitates active travel and a sense of place. This will include use of materials on buildings and paved surfaces; consideration of pedestrian desire lines; population of the square with landscaping and other amenity features such as benches. It is strongly recommended that the station entrance (albeit part of a separate application) be as close to this square as practicable. It is also strongly recommended that an accredited landscape architect and urban designer be employed in the design of the square and other public landscaping elements of the site.</i></p> <p><i>There are no concerns with the proposed density and heights of buildings – this does have the potential to result positively in character areas, subject to thoughtful design at RM stage. It is recommended that the scheme to return to the QRP at the RM stage”.</i></p>
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	<p>Opinion given that a connection should be made through the 'Ecology Field' to create a direct route to town.</p> <p>Comments made regarding the landscape design of the open space and opportunities to integrate green and blue infrastructure rather than rely on engineered attenuation basins.</p>
<p>Officer comment: The proposed railway station car park has been omitted from this application to form a comprehensive application in the future to be submitted by Network Rail with the platforms/ footbridge etc. Significant effort has been expended to seek a holistic developed despite different applications and different applicants. The prospect of a 'as the crow flies' desire line connection through the 'Ecology Field' are extremely limited due to the ecology interests and the fact the route could not be lit resulting in safety concerns.</p> <p>The other comments made will be revisited at the Reserved Matters Stage.</p>	
Tree Officer	<p>Comments on the initial proposal –</p> <p><i>"I have no objection to this scheme in principle. Although the scheme appears to have been designed to accommodate and retain the main existing trees and hedgerows, it should be noted that drawing 1950 TPO Plan does omit a number of TPO trees, particularly to the west of the site, as well as the Hobby Pond copse and Lodge Copse between the site and the road to Nynehead. The relevant TPOs are attached, TPO TD830 and TD12. Many of these TPOs are within proposed open space areas. Those that are within the built environment must be given space in excess of the recommendations in BS5837 to grow without causing obstruction or nuisance and to avoid root damage. The existing boundary and internal hedgerows must be retained and protected, except where access points are required. The layout should be designed such that there is space for some larger specimen trees at key points. As many trees along the railway have been lost recently due to Network Rail policy, this scheme will provide an opportunity to restore some canopy cover to this part of Wellington".</i></p> <p>Comments reiterated on amended proposal.</p>
<p>Officer comment: The integration of trees, proposed and existing, is a matter for future determination. Suitable conditions will be imposed for tree protection and replacement of the to be felled TPO.</p>	
Education Authority	<p>Comments on the initial proposal –</p> <p>A proposal of 220 dwellings in this location will generate the following number of pupils for each education type:</p> <p>20 early years pupils</p> <p>71 Primary school pupils</p>

	<p>31 Secondary pupils 2 SEN pupils</p> <p><i>“The Isambard Kingdom Brunel (IKB) Primary school is the likely school that early years and primary aged children from this development will attend as it is within walking distance. However there are other facilities within the DfE standard 2 mile walking distance to this site which children may attend”.</i></p> <p><i>“Secondary contributions will also be required to expand Court fields Secondary facilities to cater for further children, as currently the required kitchen/dinning/toilets/hall etc do not have capacity for the number of children attending or any increases expected as a result of this development and others”.</i></p> <p><i>“Special education needs funding is required to support the project planned to build a new satellite facility linked to the Selworthy School in Taunton, which will also cater for the SEN children expected from this development”.</i></p> <p>Financial contributions are requested.</p>
Officer comment: See s106 Heads of Terms, Appendix 1.	
NHS LPA Engagement	<p>A request is made for a S106 contribution towards the cost mitigation of the pressures on a local healthcare facility.</p> <p>Total contribution £89,336 or £596 per dwelling.</p>
Officer comment: See s106 Heads of Terms, Appendix 1.	
Economic Development	<p>“It is encouraging to see an element of land near the station safeguarded for employment uses. The station will be a key economic driver for Wellington and to maximise benefit it is important that it is well integrated with other forms of transport. It is important that sufficient space within the development is given over as a ‘mobility hub’ of transport connections, including bus links, taxi rank, vehicle pick up/ drop off; cycle links and storage. Private vehicles should be included in the mix ensuring that the car park is large enough and has space for vehicle charging. Appropriate management of the car park is key to transport integration and encouragement of rail use. It is important that car users are able to park at a reasonable price – otherwise they are more likely to complete the entire journey in the car. Use of reduced parking charges with proof of a rail ticket could ensure that rail users are encouraged and services better integrated”.</p>
Crime Prevention Officer	<p>Comments and advice given with regards to layout of roads and footpaths, the orientation of dwellings, rear access footpaths, dwelling boundaries, gable end walls, climbing aids, vehicle parking, landscaping, play areas, street furniture, street lighting,</p>

	the railway station, the employment area, and the physical security of dwellings.
These are matters reserved for future determination, informative note recommended.	
Somerset Waste Partnership	No comments received.
Wessex Water	No objection – outlines assets on site and adjoining. Numerous easement requirements set out, this relates to the need for maintenance and may affect the Reserved Matters layout unless diversions take place.
Officer comment: Easements may present an issue to the final layout depending on the potential for diversions. The potential for tree planning and ground levels changes are compromised by easements. The asset needs to be accurately located first (only high level plans exist) in order to judge easements and the impact on the layout.	
Somerset Wildlife Trust	Comments on initial submission, <i>“We have noted the above mentioned Planning Application as well as the supporting Ecological Appraisal provided by Halpin Robbins. In general terms we would support the findings of that Appraisal. We would also fully support the recommendations of the County Ecologist. However we are very concerned by the comments from the Somerset Bat Group. Further work needs to be done on this particular issue and in the circumstances we are therefore submitting a Holding Objection at this time”.</i>
Officer comment: See Ecologists comments.	
Devon and Somerset Fire and Rescue	Comments relating to Building Regulations.
Blackdown Hills ANOB Service	No comments received.
Quantock Hill AONB Service	No comments received.
Ramblers Association	No comments received.

8.3 Local representation

8.3.1 In accordance with the Council’s Adopted Statement of Community Involvement this application was publicised by letters of notification to neighbouring properties on 19 June 2023 and several site notices were

displayed on 22 June 2023. The final set of amended plans in March 2024 were also fully consulted upon.

8.3.2 Letters were received from 11 groups, business and/or individuals over the two rounds of public consultation. Comments reported below are on the initial submission unless otherwise stated. A summary of comments is provided in the table below.

Comment
<p>Somerset Bat Group –</p> <p><i>“I object to this application due to impacts on a Barbastelle Bat roost of national significance”.</i></p> <p><i>“As it stands the proposed development will likely destroy a unique maternity roost of Barbastelle Bats which are listed on Annex II of the Habitats Directive. As such the development, including future proposals for the new rail station, cannot be approved without the permanent loss of Barbastelles”.</i></p> <p><i>“The fragmentation of hedgerows and those that are retained to some extent within the development will lead to a net loss of dormouse habitat and a reduction in dormouse populations in the local area”.</i></p> <p>Follow Up comments on the amended submission –</p> <p><i>“IMPACTS ON BARBASTELLE BAT MATERNITY ROOST OF NATIONAL SIGNIFICANCE</i></p> <p><i>I object to the revised planning application. My previous comments still stand. There appears to be no further surveys to address any of the issues raised and some assumptions in the submitted EcIA have no basis or appropriate surveys and are therefore erroneous”.</i></p> <p><i>“Public Open Space - The land grab of almost half of the field in which the Barbastelle maternity roost sits makes a mockery of the mitigation put in place for the Bloors development. I must reiterate the case officers conclusions for the Bloors Longforth Farm development:</i></p> <p><i>There will be no public access to the field containing the maternity bat roost and substantial planting to prevent such access. The field will remain in agricultural use”.</i></p> <p><i>“Juvenile Barbastelles are likely to use the immediate surrounding habitats from the roost tree during their initial foraging upon weaning. The SAC guidance states that a Juvenile Sustenance Zone of 1km around the maternity woodland is required. Whilst the Longforth colony is not designated as a SAC or SSSI, in order to maintain the population at a Favourable Conservation Status no further development should be permitted within or around core areas. The site is already</i></p>

highly fragmented, and a key area is to be converted to a football pitch immediately to the south, removing more rough grassland and scrub that may be vital to the colony.

It is proposed that the public open space will be turned into species rich grassland, which seems at odds with its proposed POS designation. Trampling, dog faeces and a short sward do not result in species rich grassland and only by excluding people and dogs can it be managed as such.

Nutrication from dog faeces, coupled with high footfall means that these areas generally have low biodiversity. There are no public open spaces within or around Wellington that people and dogs access that are species rich. Several important nature reserves of the Avalon Marshes complex have dog bans in place due to disturbance, including the killing of protected species by dogs, and fouling.

Wellington Basins LNR is severely impacted by dog fouling and can be quite unpleasant to walk around at times.

Encroaching into the western field will almost certainly increase disturbance to the maternity colony”.

Further detailed comments relating to bat surveys, the timing of works, roosts in trees, building heights, the mitigation planting and the proposed railway station.

“The bats are being squeezed into a smaller and smaller pocket of habitat around the tree and it cannot continue without permanent loss of the colony. It speaks volumes that they still use the tree despite the fragmentation of the surrounding landscape and suggests that suitable roosting opportunities in the area are not widely available.

‘Maternity colonies on average switch roosts every 3.5 days and therefore require several large trees that can form an expansive roosting network (Russo et al., 2005). Hence, large mature broadleaf woodlands are needed to support a large enough population to avoid inbreeding and loss of genetic diversity. Many native woodlands have been lost or replaced by plantation forests across Europe, and the remaining woodlands are fragmented and degraded (Estreguil et al., 2012). This situation is even more acute in Britain, where the proportion of native and ancient woodlands is particularly low due to historic losses (Reid et al., 2021)’.

From Razgour et al., cited above.

None of this development can proceed without severe impacts on the Barbastelle maternity roost and there cannot be an approval of this application without full assessment of the use of the area by radiotracking and systematic static detector deployments across all months of the year”.

Officer Comment – The presence of bats has been discussed extensively with the Council’s Ecologist. Meetings have also taken place with the applicant; his Ecologist

and a meeting was held with the Somerset Bat Group. The matter is assessed in detail on the later section – ‘Ecology’.

Caravan and Motorhome Club on behalf of Cadeside Caravan and Motorhome Club Campsite on Nynehead Road –

“The site allocation and vision for mixed use development in the area is acknowledged however as always, such future development must be balanced against the existing community. New development should not prejudice or prevent the operation of existing land uses and as such, the following comments are made:

- 1. The proposed development offers a clear and direct route from Nynehead Road to the proposed train station. We understand that the new train station does not form part of this application however this new route offers an excellent opportunity for members of the Club to travel sustainably and visit the wider area. The proposed toucan crossing to Taunton Road is noted however the Club would welcome an additional crossing to allow our Club members safe access from Cadeside, across Nynehead Road and to the proposed development.*
- 2. The touring pitches would be the most sensitive to development as they are occupied by members and their vans. At their closest, these pitches are approximately 20 metres from the site’s eastern boundary and therefore in close proximity with the easternmost residential parcel of land. Although the highway serves as separation, at reserved matters stage we would expect robust planting and landscaped buffers along this boundary, which would increase separation distances as well as having ecological benefits.*
- 3. The Building Heights plan (drawing number 0740-V2-1007-3) shows indicative heights of the residential element closest to the Club site as up to 2.5 storey and up to 4 storey, with this area also being the greatest density. When considering appearance and articulation at reserved matters, we would request that openings be minimised to reduce harm to amenity for members of the Club and to avoid prejudicing any future development of our site”.*

Officer Comment – The desired continuous road access option provides a uncontrolled crossing point via dropped kerbs, see Highways section at Paragraph 12.27 onwards. If that doesn’t happen then the Caravan and Motorhome Club Campsite also shares a boundary with public highway where there is existing footway provision so a linkage could be made there if the operators wished to improve their pedestrian connectivity.

It is envisaged landscaping would occur along the Nynehead Road boundary. The previously proposed four storey element has now been withdrawn. Fenestration is matter for future determination.

Bramley Close Resident –

Railway station supported

Supports toucan crossing and cycle routes

Serious reservations concerning dwelling numbers and the impact on healthcare facilities.

A smaller scheme of affordable housing would be better.

Officer Comment – The availability of healthcare (appointments) is often a concern for local people when additional development is planned. The planning system cannot fund the hire of GPs and healthcare professional per se. In this case the ICB has sought financial contributions to aid the expansion of a local practice. It is not explained why a smaller number of affordable houses is regarded 'better'; the current waiting list in Somerset for an affordable home is in excess of 9500.

The field has archaeological interest and should be explored before the evidence is lost.

Officer Comment – Comments from the County Archaeologist are noted above.

Station Road Resident -

The Travel Plan is inaccurate insofar as the assessment existing cycle infrastructure. *"It is not safe and comes nowhere close to the recommendations of LTN 1/20"*.

It also asserts the National Cycle Link to the north provides safe access to a host of facilities *"To assert it is largely traffic free and safe for bicycle travel is simply not true and should not form a part of this plan"*.

"To promote cycling facilities to this development, and to encourage sustainable travel between population centres, provision should be made for traffic free infrastructure into Wellington and Taunton. This plan does neither. The core design principles of LTN 1/20 are that routes should be coherent, direct, safe, comfortable and attractive. It proposes taking cyclists and mixing them with heavy traffic on the main approach road to the town protected only by red paint on the road. It proposes that narrow, country lanes frequently used by large agricultural machinery is the 'safe and attractive route to Taunton' where the only protection is a few signs on posts. I represent the Grand Western Greenways Association that seeks to establish a traffic free route along the Tone river valley from Wellington Station to Taunton Station. We plan to join this route with the Bridgwater to Taunton Canal to provide a traffic free connection from Bridgwater to Wellington. I also represent the Wellington Wheelers Cycling Club that has 200 members in the Wellington / Taunton area who know and understand the merits or otherwise of this type of plan".

Officer Comment – The application, via s106, will secure contributions towards active travel, see **Appendix 1**, s106 Heads of Terms.

“Comments on behalf of Taunton Area Cycling campaign (TACC):

- 1) There is already cycle/motor traffic conflict at Lidl access. This is proposed to be main access road into site. Safety measures/20mph (raised junction?) needed on Nynehead Road to manage conflict*
- 2) The ‘Movement’ map shows no link from the proposed rail halt connecting with housing to the west. This could be provided within the green space within the red area.*
- 3) A blue cycle/pedestrian cycle route shown running N-S from the halt is supported . The detailed design will need to provide a safe and convenient route across the car park . It needs to connect with housing to the south and the town centre. The 2 toucan crossings on Taunton Road are supported. The top of the ramp from Lidl needs to connect to this. There isn’t even a dropped kerb to enable cyclists to use this egress from Lidl.*
- 4) Connections to the proposed W2T route should be made more explicit. The current Strategic Business Case study should be reporting very soon, and it expected to show a preferred option”.*

Officer Comment – The application, via s106, will secure contributions towards active travel, see **Appendix 1**, s106 Heads of Terms.

Russet Close Resident -

“I have concerns regarding the environmental impact of these planning proposals. The noise levels and congestion will add to the already overburdened A38. As a resident who lives near to the main road opposite the proposed site the noise level from traffic has already increased substantially since the opening of the new Lidl supermarket and the pollution levels are increasing noticeably. The Wellington infrastructure would certainly not cope with a further injection of people and traffic without the support of new doctors surgery's dentists and community officers Whilst new job opportunities are welcome it should at the cost of the environment”.

Officer Comment – This site has been allocated for development, albeit for factories. The Highway Authority has not raised an issue with additional traffic on the A38, nor Highways England with the impact on the M5. The A38 corridor will be relieved from traffic as people use the railway station instead, to which this site facilitates access. Active Travel routes also give people another alternative to car use.

Commentary on healthcare is given elsewhere in this section.

Russet Close Resident -

“The addition of more housing and new railway station will undoubtedly lead to an increase in the traffic on Wellington Road. My property backs onto the Wellington Road and the increase in noise and pollution has increased considerably since the development of the Lidl supermarket. My garden once peaceful is now a no go for sitting out because of the traffic noise and constant deceleration and acceleration of cars and buses from the 2 roundabouts. Cycle lanes will not have any effect on this the existing one is seldom used by cyclists who prefer to cause chaos by cycling on the road. I regularly queue to get to Chelton roundabout each morning and evening and can see this queue increasing with the 200 extra cars plus railway traffic. Chelston has always been a bottleneck it would make sense for any further developments to be placed outside of Wellington. I don't expect the already overburdened GP practices and dentists have been considered either. Please consider the impact on the existing homeowners who back onto the Wellington Road or now extension of the M5”.

Officer Comment – This site has been allocated for development, albeit for factories. The Highway Authority has not raised an issue with additional traffic on the A38, nor Highways England with the impact on the M5. The A38 corridor will be relieved from traffic as people use the railway station instead, to which this site facilitates access. Active Travel routes also give people another alternative to car use.

Commentary on healthcare is given elsewhere in this section.

John Cole Close Resident –

“I am a resident of Wellington and have been nearly all my life, I have seen the town grow considerably . I do not agree with this planning application and development . The town needs to have some green space, they have just built homes in this area and no more are needed. We need to leave our countryside towns looking like countryside towns and not turn them into small cities. Also the road infrastructure is not changing and cannot cope with any more traffic "have you seen the condition of the roads around Wellington ". More houses would destroy the community feel of wellington, and just turn it into a commuter town”.

Officer Comment – This site has been allocated for development, albeit for factories. The Ecology field is not to be developed.

The Highway Authority comments regarding the A38 are noted.

Palmers Mead Resident –

“In summary, we recognise there is a need for increased residential provision in the town. We are concerned that this does not take place at the expense of

attending to the health and well-being needs of local residents, the habitat of valued wildlife and the downgrading of an area of beauty and character. The developments as proposed show some sympathy to this if executed in the current form with retaining the field and associated area north of Lillebonne Way/Normandy Way to the Longforth roundabout where it junctions with the A38. Other considerations concern the possible unintended consequences of providing inadequate parking if a railway station is built and the unnecessary or inappropriate siting of high storey buildings on the proposed development. However, we feel care needs to be exercised in taking on the concerns which we have highlighted and that the current proposals do not become a platform for further intensive development which is suggested for the area”.

Officer Comment – This site has been allocated for factories which arguably would have been less visually attractive and more impactful generally than a residential development. The Ecology field is not to be developed. Comments on railway station parking are noted.

Wiltshire Close Resident –

“It has, or should have, been generally understood for many years that a town the size of Wellington (population around 14,000), whilst significant in size to some, is too small to achieve a high degree of self-containment. In other words, it is not sufficiently large to avoid a significant proportion of utility trips having to be made to destinations outside the town. Back in the 1990s, it was suggested that such a town needed to have a population of at least 25,000; i.e. almost double the size of Wellington”.

Does having a station in Wellington make it sustainable?

“..... probably around 5% of trips from a development at this location might be made by train, but the remaining 95% would be undertaken by other modes, and probably 80% of the total by private car. Many of these will be to Taunton along the already congested A38, or even further afield on the M5”.

Given growth in recent times here should be a strict period of restraint on development in Wellington.

“There should certainly not be a further 220 dwellings on another greenfield site on the edge of the town. Local environmental impact The site was not allocated for ‘general needs’ development in the 2011-2028 development plan, but only for the relocation of the existing land uses that occupy part of the former station site. Clearly, if the land is not kept available for such a purpose, then this is very likely to compromise (not facilitate, as the application suggests) the provision of a station for the town. There has been an unfortunate series of planning decisions in the Wellington area over the past 10-15 years which have compromised the character of the town and its local environment. The highway design aspects of the Cades

and Longforth developments, with roundabouts on the B3187, were completely inappropriate, using DMRB rather than a 'Manual for Streets' approach, and as well as the ugly and unnecessary roundabouts, did not even include extension of the 30 mph urban speed limit".

"The site is also quite close to the route of the Grand Western Canal and former canal lift at the one-time driveway to Nynehead Court. The rural qualities of this very important amenity have already been impacted, to some degree, by the housing development at Longforth Farm. A significant further loss of rurality could be expected if this development were to be permitted. It should also be noted that a railway station would require lighting, and other physical features such as a ramped footbridge or lifts, which would have a very significant urbanising effect. Appropriateness of the site for a railway station This is not an appropriate location for a railway station for Wellington, for a number of reasons: The site is about as remote from the centre of the town as you could get; indeed it will be almost completely cut off from the town proper by the proposed areas of open space. It is also very remote (at least 3km) from the western area of the town's development around Rockwell Green. In truth, it can hardly be considered as being within Wellington at all, and many potential users of a station here would effectively be forced to drive to get to the train".

"...a visitor to Wellington using a station on the original site could walk past the quite impressive Victorian villas in Station Road, and other characterful 19th century housing built mainly of Wellington Red bricks, a station on the site suggested would be located at the end of a residential cul-de-sac, affording travellers entering the town a lengthy walk through a combination of open space and/or 21st century spec-builder development. It would be faintly ridiculous".

"Conclusion The development of this land for housing is contrary to the adopted Local Plan, as is the suggestion that a station might be provided there. It would potentially risk the deliverability of a station at its historic site, the only one that appears to be suitable for the purpose. Major changes to the pattern of land use should not be being made as a result of developer pressure, i.e. through the submission of a planning application that is in conflict with the adopted Plan, but only by a review of the Plan itself, accompanied by an Examination or Public Inquiry open to third parties, at which the merits of any proposals can be adequately debated. Any suggestion that facilitating a station makes development here sustainable is an example of 'greenwash'; it will instead increase car travel on the A38 and M5, as well as further adding to traffic within the Blackdown Hills AONB. The development is not generally sustainable in location or form. Developing this site will further undermine the relationship between the urban area of Wellington and the surrounding countryside, which historically was a positive environmental feature of the town. There would specifically be a negative impact on the historic approach to Nynehead Court and the Grand Western Canal. Given

that the proposed station site lies at the end of the developer's cul-de-sac, there would seem to be nothing to prevent the development going ahead, and the station simply not happening (and Network Rail make no commitment to a station here in their letter). For these reasons, therefore, planning permission should be refused".

Officer Comment – This site has been allocated for development, albeit for factories, as part of a 900 dwelling allocation that will only, for the foreseeable deliver 629 houses, unless the current factories relocate and those sites are used for residential development in the future.

Generally the Council has advocated for the railway station to ensure Wellington does become more sustainable, that people can train from Wellington as opposed to driving to Taunton for onward journeys. It will also attract visitors to Wellington. So most would consider it a good thing.

The comments of the Council's Conservation Officer are noted with regards the setting of nearby heritage assets, and the Council's Landscape Officer with regards landscape setting.

The benefits of the station (platforms, footbridge and car park etc) need to be balanced with any actual or perceived harm, a matter for that application not this. The merits of the location of the planned station is a matter for that application not this.

The delivery of the station is dependent on many things, planning permission, continued Government funding being two key ones. The station project is supported by the Wellington Place Plan.

Resident of Perry Close, Nynehead –

"...I have noticed that when leaving Wellington at the ' Lidl ' roundabout to turn left to go along the Nynehead Rd our car and many others does not self cancel the left hand indicator until we are past the Lidl turning on the left unless we manually cancel it because of the proximity of the Lidl turning to the roundabout. The Lidl turning is too close to the roundabout and if that turning is to be used for extra amount of traffic for the proposed station etc it will be an increasing incident risk for those people who are not local who do not realise that they need to manually cancel their indicator before the Lidl turning on the left if they want to continue on the Nynehead Road".

Officer Comment – Several letters along the same lines have been sent to the Highway Authority under the cover of the supermarket application reference. The Highway Authority's comments regarding the access design are noted. Attempts are being made to secure land from the supermarket to potentially create a different access arrangement in time and monies have been safeguarded for this.

8.3.3 Whilst some positive comments were made in some of the representations there were no specific outright letters of support received.

8.3.4 The Divisional Member (Cllr Wren) has also commented –
“I fully endorse the concerns of Nynehead Parish Council about the adequacy and safety of the junction onto the Nynehead Road. It is already a well used ‘rat run’ to the M5 which bypasses Wellington and there is a lack of thought about the consequences of extra vehicle movements from 220 houses, a station and employment land on top of the existing traffic accessing the Lidl site. I attended the Parish Council meeting to discuss this and it was clear that the existing use of the access is causing near misses (which are not picked up by highways) with signals traffic heading north as they exit the roundabout being misinterpreted by drivers exiting Lidl. Having driven along this road many times it is my personal view that the existing access onto this minor road cannot be made safe to carry this major increase in volume and variety of traffic and therefore an alternative needs to be considered. I also endorse the concerns of the Wildlife Trust about the potential impact on the nearby bat roost”.

8.3.5 These comments have been made by others, see Highways section, Paragraph 12.27 onwards and Ecology section, Paragraph 12.82 onwards for assessment.

9. Relevant planning policies and Guidance

9.1 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning application regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

9.2 Listed Buildings and Conservation Areas Act 1990 section 66 and 72 is relevant in order to assess the impact on heritage assets.

- 9.3 As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.
- 9.4 Relevant policies of the development plan in the assessment of this application are listed below.

Core Strategy 2012

- SD1 - Presumption in favour of sustainable development
- CP1 - Climate change
- CP2 - Economy
- CP4 - Housing
- CP5 - Inclusive communities
- CP6 - Transport and accessibility,
- CP7 - Infrastructure
- CP8 - Environment
- SP1 - Sustainable Development Locations
- SP3 - Realising the vision for Wellington
- SS3 - Wellington Longforth
- DM1 - General requirements
- DM4 - Design
- DM5 - Use of resources and sustainable design

Site Allocations and Development Management Plan 2016

- TC5 - Out-of-centre proposals
- C2 - Provision of recreational open space
- C5 - Provision of Community Halls
- A1 - Parking Requirements
- A2 - Travel Planning
- A3 - Cycle network
- A5 - Accessibility of development
- I3 - Water management
- I4 - Water infrastructure
- ENV1 - Protection of trees, woodland, orchards and hedgerows
- ENV2 - Tree planting within new developments
- ENV4 - Archaeology

D2 - Approach routes to Taunton and Wellington
D7 - Design quality
D8 - Safety
D9 - A Co-Ordinated Approach to Dev and Highway Plan
D10 - Dwelling Sizes
D12 - Amenity space
D13 - Public Art

Other relevant policy documents

Somerset West and Taunton Design Guide

Taunton: The Vision for our Garden Town and the Taunton Design Charter and Checklist

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency

The Somerset County Council Parking Strategy (2013) supports the provision of EV charging points in new residential developments.

Neighbourhood Plans

Wellington was designated as a Neighbourhood Plan Area in 2012 but a Neighbourhood Plan in name was not progressed to adoption, in favour of the Place Plan which has been adopted as a material planning consideration (see below).

Wellington Place Plan

The WPP was adopted on 28 March 2023, by Somerset West and Taunton Council's Full Council. The document is not a Supplementary Planning Document but has the status of a material consideration and will be referred to in determining planning applications and considering regeneration and conservation activities, to ensure decision protect and enhance the quality of place in Wellington.

The document sets out a vision for Wellington and references the planned station extensively as a priority, indeed on page 86 it states –
“The proposal and funding to re-establish a railway station in Wellington is a once in a generation opportunity to transform the town's connections; improve accessibility for residents and visitors; and attract businesses to the town. It is critical to realise the full positive potential of the station by setting out a sustainable strategic approach”.

The National Planning Policy Framework 2023

The revised National Planning Policy Framework (NPPF), last update December 2023 sets the Government's planning policies for England and how these are expected to be applied.

Relevant Chapters of the NPPF include:

2. Achieving sustainable development
4. Decision-Making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making efficient use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

10. Conclusion on Development Plan

- 10.1 To properly perform the S38(6) duty the LPA has to establish whether or not the proposed development accords with the development plan as a whole. This needs to be done even if development plan policies "pull in different directions", i.e. some may support a proposal, others may not. The LPA is required to assess the proposal against the potentially competing policies and then decide whether in the light of the whole plan the proposal does or does not accord with it. In these circumstances, the Officer Report should determine the relative importance of the policy, the extent of any breach and how firmly the policy favours or set its face against such a proposal.
- 10.2 Furthermore the relevance of and weight given to material considerations is vitally important in assessing the 'planning balance'. The enabling aspect of this application to deliver access to and land for a new railway station for Wellington is a material consideration to which weight can be attributed despite the station not forming part of the application. The assessment of the 'planning balance' means there will inevitably be aspects of this proposal that do not strictly meet policy objectives and so it for the decision-maker to weigh up the positives against any actual or perceived negatives to reach a recommendation/decision in the public interest.
- 10.3 In accordance with Paragraph 73 of the NPPF the Council is required to identify and update annually a supply of specific deliverable sites with an

appropriate buffer. The purpose of the 5-year housing land supply (5YHLS) is to provide an indication of whether there are sufficient sites available to meet the housing requirement. As the planning policy which covers the former Somerset West and Taunton Area is more than 5 years old the Local Housing Requirement is calculated based on the Standard Method with a buffer set by the Housing Delivery Test Measurement results.

- 10.4 Somerset Council sets out the 5YHLS by the former District Council Local Planning Authority areas. The latest 5YHLS position statement was published in the 2023 SHLAA for the Somerset West and Taunton Area in May 2023. The former Taunton Deane LPA area 5YHLS position is 5.16, and the former West Somerset LPA is 7.9.
- 10.5 While the next formal position statement is due in May 2024, an interim position was produced in December 2023 to support an appeal, taking into account monitoring data from April to October 2023, calculating a 5YHLS of 5.18 for the former Taunton Deane LPA area. This calculation was challenged at that appeal at Creech St Michael where the Inspector concluded, in allowing the appeal, the Council could not demonstrate a 5YHLS supply. Work since that time, in the preparation of the May 2024 statement indicates a shift in circumstances with more sites coming forward with phosphate mitigation and so the Council will be able to conclude that a 5YHLS has been restored.
- 10.6 Situations where presumption in favour of sustainable development applies include if an authority cannot demonstrate a 5YHLS, including any appropriate buffer, in which case the balance would be tilted in favour of the granting of permission, except where the policies within the NPPF that protect areas or assets of particular importance provides a "clear reason for refusing the development proposed" or where the benefits of the proposed development are "significantly and demonstrably" outweighed by the adverse impacts when assessed against the policies in the NPPF taken as a whole. As at the date of this report, the Council cannot demonstrate a 5YHLS. However, given that any decision notice on this application will not be issued until after the forthcoming May statement (due to the need to resolve the s106 issue and complete the s106) and given the May statement will conclude that a 5YHLS has been restored, it is considered that the tilted balance is not engaged on this occasion.
- 10.7 The application was advertised as a departure due to the allocation policy SS3 stating this part of the allocation should be reserved from employment uses, and more particularly, for the relocation of specific businesses. An application

for largely residential development departs from that policy. This same approach was taken for the supermarket application.

- 10.8 This report assesses policy compliance, reasons for non-accordance, the material planning considerations and the representations before reaching a conclusion on adherence with the development plan as a whole.

11. Local Finance Considerations

Community Infrastructure Levy

The creation of dwellings is CIL liable regardless of size.

This proposed development measures approximately 25,333 sqm.

The application is for residential development within the settlement limit of Wellington where the Community Infrastructure Levy (CIL) is £0 per square metre. Based on current rates, there would not be a CIL receipt for this development.

12. Material Planning Considerations

- 12.1 The main planning issues relevant in the assessment of this application are as follows:

- The principle of development
- Negotiated amendments
- The scope of this application
- Access
- Highway Impacts
- Accessibility
- Design
- Station square
- Planning obligations and Development Viability
- Ecology
- Drainage and Flood Risk
- Heritage
- Employment Land uses
- Residential Amenity
- Play and Recreation

Principle of Development

- 12.2 The Taunton Deane Adopted Core Strategy (2011-2028) allocates Longforth Farm for the development of an urban extension as part of Policy SS3, in order to deliver around 900 new homes, a new local centre and 11 hectares of employment land for general industrial, storage and distribution. The policy sets out a series of principles for the layout and form of the development, along with requirements for developer contributions.
- 12.3 This application site, the eastern part of the allocation, was specifically reserved as an employment site for the relocation of the two biggest employers in Wellington namely Swallowfield and Relyon. The release of the land occupied by Swallowfield and Relyon was intended to facilitate *“mixed use development including part of the new local centre, re-opening of Wellington railway station, new homes and small business start-up units along the railway line”*.
- 12.4 This is the reason this application has been advertised as a ‘Departure from the Local Plan’ because the residential element (and indeed the planned railway station) is contrary to the plan. It is therefore necessary to examine the specific intention set out by the plan to relocate two significant business to this site. It is unknown whether at the time of adopting the Local Plan there was a genuine chance and interest from each business to relocate or whether this was a plan-led aspiration to move HGV intensive businesses to the edge of town nearer the M5 and use the factory sites to reopen the closed railway station at Tonedale locate a mixed-use development alongside.
- 12.5 Since the start of the Local Plan in 2011 lots of circumstances have changed and those business have confirmed, in the last 6 months, in writing to the Council that they have no plans to move from their current sites.
- 12.6 If the factory sites formed the western part of the allocation and this application sites forms the eastern part of the allocation then the middle section was always intended for residential development. A development of 429 homes has been recently completed by Bloor Homes and the Council has delivered a new primary school.
- 12.7 In another departure from the plan the south-east corner was subject to a planning application by Lidl in 2020, which has been built and is now in operation.

12.8 This application deals with the remainder of the land identified for the urban extension in Policy SS3 and this table examines its criteria. As has been indicated the Core Strategy indicates the application site as employment predicated on a completely different policy intention to relocate several factories in the town to what was considered a better site. As such the policy was written for a different circumstance and envisaged a different outcome, but the spirit of the policy intention has been assessed here.

<p>Policy SS3 - Taunton Deane BC Adopted Core Strategy 2011-2028</p>	
<p><u>Wellington Longforth</u></p> <p>Within the area identified at Longforth, a new compact urban extension to the north of Wellington will be delivered including:</p>	
<p><i>Policy Criterion</i></p>	<p><i>Officer Assessment</i></p>
<p>Phased delivery of around 900 new homes at an overall average of 35-40 dwellings per hectare</p>	<p>The first and only phase of Longforth Farm so far (Phase 1 by Bloor) delivered 429 homes (503 were consented at outline) homes. This application seeks permission for up to 200 dwellings, the land budget for residential development in this 11.07ha site is 5.07ha, and so this will be built at an average of 40 dwellings per hectare, noting the likelihood for the inclusion of flats.</p> <p>If this scheme is permitted, then a total of 629 homes will have been consented/built from the 900 home allocation.</p> <p>This will be, in part, due to the factories at the Tonedale end of the allocation, on whose land further housing development was planned, not relocating.</p> <p>Although the land subject to this application was allocated for employment this was with the</p>

	<p>express intention of relocating said factories, allowing expansion and better road access.</p> <p>As such there has been a swap, whereby the factories stay put, because they don't want to move, and the land allocated for them gets used for residential development instead. The allocation still underperforms in terms of dwelling numbers but this application site will deliver as many homes as possible within the prescribed density range.</p> <p>As far as this site is concerned this policy criterion has therefore been met.</p>
<p>25% of new homes to be affordable homes in line with Policy CP4: Housing</p>	<p>Due to development viability the development will not be able to deliver the mix and type of affordable housing requested by the Housing Enabler, as further explained at Paragraph 12.63 onwards.</p> <p>The adjacent Bloor development delivered 10% affordable housing.</p> <p>This policy criterion will not be met.</p>
<p>A new local centre with associated social infrastructure including a single form entry primary school, GP surgery, community hall, places of worship, sheltered housing and local convenience shopping</p>	<p>It is not clear whether the policy requires the developer(s) to physically build a local centre or provide land as part of an obligation, or simply to secure a permission for such.</p> <p>In any case the local centre is shown at the Tonedale end of the allocation (along with a reopened railway station) but will not be delivered because the factories are not relocating.</p> <p>A primary school has been delivered as part of Phase 1.</p> <p>A supermarket has been delivered on the allocated employment land off Nynehead Road.</p> <p>This application will secure financial contributions towards increasing physical capacity at a local GP Surgery.</p> <p>The Use Classes proposed allow retail, commercial and community uses.</p>

	<p>Due to development viability the development will not be able to deliver the mix and type of affordable housing requested by the Housing Enabler, as further explained at Paragraph 12.63 onwards.</p> <p>As far as this site is concerned this policy criterion has therefore been met as far as it can be.</p>
<p>11 hectares of employment land for general industrial (B2) and storage and distribution (B8) at the eastern edge of the allocation. This area is designated for the relocation of the two biggest employers in Wellington</p>	<p>This policy criterion will not be met due to the intended employers not wishing to relocate (at all, or to this site).</p> <p>0.8ha of employment land (Use Classes E and F) is proposed.</p>
<p>Land released by the relocation of the two biggest employers to be used for mixed use development including part of the new local centre, re-opening of Wellington railway station, new homes and small business start-up units along the railway line</p>	<p>This policy criterion will not be met due to the intended employers not wishing to relocate at this time, see Planning Policy comments.</p>
<p>Developer contributions towards (a) studies to establish the engineering, operational and commercial feasibility of a railway station for Wellington and, (b) subject to approval by the rail industry, towards capital costs</p>	<p>The applicant has been party to discussions with Network Rail and the Council regarding the deliver of a new railway station for Wellington for many years.</p> <p>The applicant is proposing to transfer sufficient land to Network Rail for the construction of a car park.</p> <p>The applicant is also proposing to bring forward the construction of the access road through the site, out of sequence with typical phasing, to ensure the station can be served by an 'adoptable' standard road from Day One of its opening.</p> <p>The applicant, working with the Council, is also facilitating the delivery of Station Square, an area of public realm located adjacent to the station car park. See Appendix 1 s106 HoTs.</p>

	<p>The applicant, and landowner is also aiding Network Rail by facilitating construction routes over land, and an area for a construction compound.</p> <p>It is considered this level of contribution is the wider sense meets the intention of the policy criterion.</p>
<p>Developer contributions for other infrastructure delivery in line with Policy CP7: Infrastructure</p>	<p>The application, via s106, will secure a host of other contributions towards infrastructure, see Appendix 1, s106 Heads of Terms.</p>
<p>A Northern Relief Road in the initial phases of the development between Taunton Road and the existing employment area, alleviating HGV traffic in the town centre and residential areas</p>	<p>This policy criterion will not be met because the factories are not relocating. Some HGVs have been able to be diverted from Town Centre routing due to the road network in Phase 1 (Lillebonne Way), but there is no through route as intended.</p> <p>This application does not alter that position or stop it happening in the future if circumstances change.</p> <p>An additional consideration is that the new Somerset Council is shifting policy away from providing strategic new infrastructure to cater for increased pressures on highway capacity from new developments. The Council will instead expect developers to provide high quality active travel and public transport networks within and accessing new development areas, to ensure new development does not create significant additional congestion. The Council will expect developers to implement high-quality sustainable travel plans which include a wide range of measures and incentives to enable active travel.</p> <p>Reducing carbon emissions is a key priority for the Local Transport Plan, aligning with Somerset's Climate Emergency Strategy.</p> <p>Any contributions relating to travel or transport are therefore expected to relate to active travel which is evident in the s106 HoTs.</p>

<p>A local bus loop to provide public transport access to the residential areas and link with the town centre, railway station and inter-urban bus services between Wellington and Taunton</p>	<p>Due to the above non-delivery of the through route Lillebonne Way has developed as a large cul-de-sac and due to the layout of Phase 1 and the protected species interests of the 'Ecology Field' between Phase 1 and this application site, this site will be laid out as a cul-de-sac also. Cul-de-sacs are difficult for bus operators to serve due to journey time and likely patronage and so the main bus route is on Taunton Road. The nearest bus stops (town bound and Chelston bound) are by the supermarket and are both served by shelters. It is still unknown whether a bus service will enter the application site to serve the station as this will be led by market conditions and likely patronage. The internal layout of the application site will however be laid out to physically allow for a bus by reason of having to serve a rail replacement coach to and from the station.</p>
<p>A green wedge of 18 hectares between the residential area and the employment area</p>	<p>This application respects the indicated green wedge by locating only public open space within it and safeguarding other land for ecological interests. It is evident Phase 1 protruded into the green wedge with built form (access road and houses). NB - the station car park will be proposed in the green wedge.</p>
<p>The development form and layout for Longforth should provide;</p>	
<p>A new neighbourhood that reflects the existing landscape character and the opportunities and constraints provided by natural features to create new neighbourhoods that are distinctive and memorable places</p>	<p>The indicative masterplan informed by a set of parameters plans works with the natural topography and features of the site. Clearly the intended employment uses with large format factories would have posed a different proposition. The Reserved Matters of landscaping, scale, appearance and layout are reserved for future consideration, probably via assessment by the Quality Review Panel.</p>

<p>Easy access to the town centre and a connected street network which accommodates pedestrians, cyclists and vehicles and promotes a viable public transport system</p>	<p>Due to the above non-delivery of the through route Lillebonne Way has developed as a large cul-de-sac and due to the layout of Phase 1 and the protected species interests of the 'Ecology Field' between Phase 1 and this application site, this site will be laid out as a cul-de-sac also. The 'Ecology Field' has curtailed the level of connectivity this site could have otherwise delivered to Phase 1. The pedestrian/cycle connection onto Taunton Road near the Lillebonne Way Roundabout is a critical additional connection for town bound journeys.</p> <p>The Station Square will deliver a Mobility Hub, principally for the station, but will benefit local residents also, see Appendix 1, s106 Heads of Terms.</p> <p>A financial contribution will be secure via s106 towards active travel measures to ensure the site is as well connected as possible.</p> <p>Work also goes on town wide with a Mobility Study for Wellington.</p>
<p>Well-designed public open spaces (including playing fields, children's play, allotments, and associated community facilities such as changing facilities) which are enclosed and overlooked by new development, create a green necklace around the town, and promote a positive relationship between new housing and existing communities</p>	<p>Of the 11.07ha site area, some 4.5ha is designated for public open space, SUDs and the station square. The public open spaces will vary from more formal with the development to a less formally managed space with a partitioned part of the 'Ecology Field'. The more formal areas will have play opportunities. This application will secure financial contributions towards off-site allotments and playing fields/changing rooms.</p> <p>The other detailed requirements can only be met via the assessment of the Reserved Matters, but the Masterplan implies these design objectives can be positively met.</p>
<p>Development will be further guided by a masterplan and design code to ensure a coordinated approach to the delivery of this site.</p>	
<p>Officer Response -</p>	

As is evident with a number of other Core Strategy allocations that envisaged Masterplanning, this has not happened.

The uncertainty as to whether the factories would relocate and the subsequent submission of Phase 1 in 2011 so soon after the Core Strategy adoption has arguably hindered any process to seek a co-ordinated masterplan, with the matters left for consideration as part of individual applications.

- 12.8. As with all planning applications the starting point for assessment is the adopted development plan and then to consider whether material considerations indicate a departure is acceptable, when taking all other circumstances into consideration.
- 12.9. In March 2023, the Council adopted the Wellington Place Plan as a material consideration in the determination of planning applications and other development or conservation activities in the town. The Place Plan sets out a vision and spatial strategy for the town and sets out broad locations appropriate for growth in Wellington from a place-making perspective. Station-led intensification to the south of the railway line, in the area known as Longforth Farm, is considered Tier 1 and more suitable to development in making the most of the great opportunity the new station brings to the town. *“To realise the potential of this major infrastructure investment, a sustainable transport hub should be established, with modal interchange, work spaces, homes and community uses”*
- 12.10. Particular consideration would need to be given to access, coalescence with the town and landscape sensitivities associated with the green corridor and the Grade II Listed Gardens at Nynehead. This assessment has been made at Paragraph 12.96 with input from the Conservation Officer, Historic England and the Gardens Trust.
- 12.11. Any proposals coming forward will need to align with the vision and objectives set out in the Wellington Place Plan. Opportunities that need to be explored for development in this location include:
- Genuine mixed-use cluster by the railway station
 - Active travel links to/from the town centre
 - A new local centre that supports the 15-minute neighbourhood principles and meets people’s everyday needs
 - Higher densities around the station
 - Railway access
 - Edge conditions – protecting existing neighbourhoods, railway line and hedgerows

- Taking design cues from workers cottages and farmstead
- 12.12. Particular challenges, in need of addressing, related to station-led intensification identified for this potential area for growth include:
- Impacts on Nynehead
 - Residential access from the west
 - Sensitivities with being close to Grade II Listed Gardens at Nynehead
 - Maintenance of the green corridor
- 12.13. These matters have been addressed in the Masterplan and through the s106 Heads of Terms as far as an Outline application will allow with the application for the railway station to follow which will need to address its requirements from the Place Plan.
- 12.14. The Place Plan sets out a vision for the town, which encompasses the following themes:
- An accessible place
 - A town rooted in its setting
 - Celebrating our industrial and commercial heritage
 - A high bar for sustainability
 - A welcoming town and centre
 - A resilient town
- 12.15. The focus of the first theme, an accessible place, is to *“link existing and new neighbourhoods with the town centre, prioritising active travel and buses within a sustainable travel hierarchy. Making safe and easy connections to the railway station, community facilities, employment areas, surrounding landscape and settlements including Taunton”*. Specific projects identified in the Place Plan and relevant for this application include:
- Re-establish a railway station for Wellington as a transport hub, with strategic connections to Taunton and Bristol Airport, integrated sustainable transport modes and a mix of uses co-located with the station
 - Investment in the public realm, pavement widening and direct crossings to improve key walking routes in the town centre and to schools as well as considering those who travel on roller skates, skateboards and scooters
 - Establishing an integrated cycling network with direct routes, segregated paths where possible, clear signage with distances, infrastructure such as cycle parking and maintenance points. Ensure that these feel safe and are overlooked
 - Cycle hubs at key locations

- Direct pedestrian and cycle links to local amenities, the town centre, large employers and the station to be priorities during the strategic masterplanning stage of new neighbourhoods. These links must be well lit
- Cycle provision to be integrated into new home design, with convenient, safe parking and e-bike charging
- Off-road and on-road EV charging points

12.16. It is considered these matters have been addressed in the Masterplan and through the s106 Heads of Terms as far as an Outline application will allow with the application for the railway station to follow which will need to address its requirements from the Place Plan.

12.17. The Place Plan contains detailed guidance on the other themes, which planning applications are expected to meet in order to ensure a quality place in Wellington that is: ambitious in the approach to sustainability; economically and culturally vibrant; and celebrates its impressive landscape and historic setting. These are requirements that can be revisited at the Reserved Matters stage.

12.18. One such new circumstance which this application does not explicitly apply for but and is intrinsically linked to the delivery of the new railway station for Wellington which is widely referenced in the Wellington Place Plan, due to the inclusion of the road from Nynehead Road which will serve the station in the future and the transfer of land to deliver the car park, as such it is referenced throughout this report and is considered a material consideration to which, as the decision-maker, weight can be applied.

12.19. In conclusion, although the proposal is a departure from the Local Plan it is considered that the principle of the development is acceptable because the allocation policy intentions, insofar as the factory relocations, cannot be achieved and the site is otherwise within the settlement limits as defined by Policies SP1 and SB1 of the Site Allocations and Development Management Plan and so considered a suitable location for development. The benefits of the scheme, in delivering infrastructure to facilitate the future delivery of a railway station for Wellington is considered a material consideration to which great weight is applied.

Negotiated/Requested Amendments

12.20. In accordance with the NPPF, officers have worked proactively with the applicant to secure necessary improvements and additional information to

ensure the proposal complies with relevant legislation and policy. A number of design changes have been secured to the layout over the past 12 months.

- 12.21. The application was submitted in June 2023 in the full knowledge a phosphate mitigation/nutrient neutrality plan would be required to be able to determine the application positively but without such.
- 12.22. A plan to mitigate this was not submitted until February 2024. The necessary shadow Habitat Regulations Assessment was not submitted until 28 March 2024. As such the Council could not have considered approving the application until both of these documents was received, assessed and consulted upon. At the time of writing this report there has been no Reservation Notice submitted to the Council to illustrate the necessary phosphate credits have actually been secured but the credits have been 'reserved'. Section 7, paragraph 7.1 onwards explains how this impacts the recommendation the Council can make at this point in time.
- 12.23. An Ecological Mitigation plan was not submitted until 30 January 2024.
- 12.24. An evidenced viability issue was not raised until 25 March 2024 and detailed a significant shortfall in development viability requiring swift consideration by the Council as to the best approach to take, the conclusions to this are detailed at Paragraph 12.63 onwards.
- 12.25. The Council has worked at all times with the focus and aspiration to deliver this enabling application to achieve a new railway station for Wellington.

The Scope of this application

- 12.26. This revised application seeks outline planning permission with all matters (landscaping, scale, appearance and layout) reserved for future consideration except access, which is fully detailed in this application. The number of dwellings was reduced during the assessment of the application from 220 to 200.

Access

- 12.27. The application proposes one principal access for vehicles, via the newly created junction off Nynehead Road, which currently serves just the new supermarket.

- 12.28. There have been reported issues with the use of this junction relating to the distance between the junction and the roundabout meaning self-cancelling indicators are not cancelling in time the junction is approached causing misunderstandings and confusion for those pulling out of the junction, with several near misses reported. This is obviously an existing situation however the concern is that the proposed development will make this junction busier and the probability of a collision increased.
- 12.29. In response the applicant maintains the access is safe and fit for purpose in terms of serving the planned development. An alternative arrangement was proposed at the pre-application stage and this involved changing priority at the junction and making Nynehead Road from the north form a junction instead. The Highway Authority has commented that the alternative arrangement is favoured, however the current arrangement is not refusable.
- 12.30. There are also concerns as to how the current arrangement, which is barely 9 months old, facilitates active travel connections.
- 12.31. To address both issues there is the prospect of a junction redesign but this requires land from the supermarket. They have indicated that the redesign, referred to as the 'continuous road' option, is supported and a mechanism for securing the land is being pursued through our Estates Team. The applicant is aware that a potential ransom situation may be created and this in part has consolidated their position that the current arrangement should not prevent permission being granted.
- 12.32. Given the Highway Authority position but also given the opportunity to realise a better outcome, work with the supermarket will continue and monies (up to £281,306) for the continuous road option have been set aside if land was forthcoming. Time is tight to achieve this now given the need to secure an outline consent to progress reserved matters for the access road design in order for Network Rail to satisfy central government that the access road will be delivered. It is this which is driving this process, as such it is proposed that the current junction arrangement be approved but with the option to switch to the 'continuous road' option should land from the supermarket be secured.
- 12.33. In terms of access to the Railway Station the Council and the applicant have needed to constantly reassure Network Rail (who reassure Central Government holding the monies) that access to the station via the spine road will be

delivered in time for the station to open. This presented an issue insofar as the timescale for the station opening is likely to be before the completion of the residential development and importantly before the natural incremental phasing of the access road through it. Discussions took place regarding the Council taking a role in designing and constructing the road (and ancillaries) to 'guarantee' delivery, indeed the Council had committed to loaning CIL to pump prime the road delivery on a recovery basis, however the applicant was concerned that the Council's costs for design and construction would dwarf the cost to them in delivering it and would prejudice the then forecasted viability picture further. It was resolved that the applicant would act as developer to deliver the road, working closely with the Highway Authority over the technical design process to streamline delivery (design work has started and preliminary plans have been issued to the HA). The Council and the applicant, in still needing to reassure Network Rail (and Central Government) agreed that the section 106 agreement would include Step-in rights to provide the Council a fallback position in which to undertake the construction of the access road from Nynehead Road to the proposed Railway Station should the developer fail for whatever reason to by a particular date. Such rights are complex to set out in a legal sense and discussions are ongoing to inform the detail of the legal agreement, and to be clear may eventually be only on a best endeavours basis if the worst-case scenario played out, be that the applicant/landowner doesn't engage, or the applicant/contractor goes bust or a technical issue arises that cannot be overcome easily. In practical terms whilst the Council has reserved step-in rights, default by the applicant could cause delays, for instance the Council, depending on what progress had been made may have to work up the drawings, seek its own detailed planning permission to implement them and follow through its procurement processes. There is a good amount of time to deliver the road, we are reliant on the applicant at this time but the Council, as Highway Authority, and as CIL authority remains committed to assisting the applicant to ensure such rights would never be needed.

- 12.34. The frontloading of costs towards the delivery of the whole road in advance of when it would be needed by the residential development parcels will impact cash flow and will impact other s106 trigger points (they will be later than normal).

Highway Impacts

- 12.35. As the Highway Authority confirms there are no issues with highways capacity, in terms of vehicle movements to and from the site through local junctions.
- 12.36. A Construction Environmental Management Plan (CEMP) will ensure construction activity impacts on the highway are minimised. This document will also determine the point of access for construction vehicles.
- 12.37. One matter the Council is considering is a site wide TRO to prevent unwanted roadside parking by users of the planned railway station. Parking at the station car park will likely be charged and therefore the availability of free roadside parking in adjacent residential areas may be attractive to some creating tension with new residents and potentially restricting access for emergency vehicles. It is considered this responsibility and cost falls to Network Rail as part of the railway station application.
- 12.38. Internal road design is a matter for the Reserved Matters, however the general intention is to ensure Placemaking principles are applied, and the road is suitable for refuse vehicles, to serve the employment area and for a rail replacement service coach to access the railway station. The employment area was initially proposed to contain B8 uses which is a storage and distribution use but given the context it was felt appropriate to omit this and therefore remove the likelihood of HGVs needing the access the site and the potential need for large warehouses.

Accessibility

- 12.39. Wider accessibility to the site will be via the Cades roundabout and then the main access and via a new footway/cycleway proposed between the Lillebonne Way and Cades Roundabouts adjacent (east) to the new allotment site. As such there is a need to assess the standard of accessibility for people accessing the proposed dwellings and the employment land, and visa versa with residents needing to access schools, leisure, employment and retail but also with one eye on the fact a railway station is to be proposed via a separate application which will attract passengers. The applicant has been keen to ensure that accessibility infrastructure is proportionate to his scheme and not carrying the greater requirements of the railway station.
- 12.40. In terms of active travel the Taunton Road corridor (Chelston to town centre) has some acceptable cycling infrastructure and some not so good infrastructure. The applicant had attempted to propose a localised scheme,

inclusive of a signalised crossing to align with the new footway/cycleway proposed between the Lillebonne Way and Cades Roundabouts adjacent (east) to the allotment site, but this was not seen as sufficient. The Council is also aware of other schemes that may materialise in the area and the need to take a holistic approach to this important corridor. As such it has been negotiated to secure a financial contribution from the applicant to pool with other funds to deliver, in phases, improvements to the Taunton Road corridor, see **Appendix 1**, s106 Heads of Terms. It will then be the Council's responsibility to undertake the works with the intention to deliver the first phase of improvements by the time the first houses are occupied.

- 12.41. The constraints that exist principally due to the railway line and the 'Ecology Field' mean accessibility, permeability and desire line options are severely restricted. However, Taunton Road does feature on route maps for the intended LCWIP (Walking and Cycling Plan for Wellington) and so there is an ongoing concerted effort to improve accessibility with regards cycling in the town which as stated will be boosted by the financial contribution from this development.
- 12.42. In terms of other cycling (and walking) routes the Council acknowledges the Grand Western Greenway project and several meetings have been held with its promoters. Mindful of the potential for development north of the railway line in the future and the desirability to access the countryside route beyond by walkers, there is a possible route utilising the former access road to Nynehead Court which goes under the railway line. This could link to Nynehead Road and the better link the town to the National Cycle Route 3 which runs to the north through Nynehead. The potential for this linkage is at feasibility stage but a financial contribution has been negotiated with the applicant to progress this feasibility and address barriers to this cycle route implementation, see **Appendix 1**, s106 Heads of Terms.
- 12.43. In terms of public transport it is not clear whether a service bus will access the site to serve the residential dwellings and employment land. This may change when the railway station is completed and opened. Bus stops exist on Taunton Road which are within a short distance, and also serve the supermarket.

Design

- 12.44. Given the application is in outline with all matters reserved except Access many detailed design matters are not in scope for this application. However, having some foresight to those future matters is always worthwhile and is

necessary in part to ensure the correct parameters and composition is tested through the Masterplan. This is to ensure at a high level we allow for sufficient open space, adequate mitigation for biodiversity and landscape considerations, adequate drainage and still allow enough space for a quantum of housing that will pay for all of the above and more.

12.45. Due to the fact that thought has gone into it the Masterplan will be an approved plan to guide the submission of future reserved matters.

12.46. Earlier versions of the Masterplan were presented to the then SWT Quality Review Panel in September 2021 and later (via Chair's Review comprising 2 people), in November 2022.

12.47. In November 2022 Officers asked for the panel's views on:

- integration of the new neighbourhood with the town centre
- the development layout and vehicular and pedestrian routes through the site
- the provision of a local centre
- how successfully the scheme achieves sustainable and low carbon design any aspects of the scheme where the panel recommends further work.

12.48. The QRP report from November 2022 is attached as **Appendix 3**. By and large, within the scope of an outline consent the comments made by the panel have been considered and addressed. The suggestion to reconsider the need for a green wedge was rejected, for several reasons, notably the ecological constraints.

12.49. It is also worth noting that this application is not applying for the railway station and as such may of the QRP comments actually relate to Network Rail and will be pertinent to their separate application.

12.50. In addition, reference to the need for a Design Code is made. It is felt a scheme of 200 dwellings does not command need for such, instead investment of time on quality pre-application discussions with the Council and referral to the Quality Review Panel is requested so the actual Reserved Matters applications can be shaped prior to formal submission.

12.51. Finally comments relating to Sustainability are made. Sustainability can be viewed in several ways other than just energy production.

- 12.52. The site will be connected via active travel routes, public transport and of course likely by a railway station. There is a supermarket adjoining the site limiting need for car travel for such provisions. IKB Primary School is within walking distance located in Phase 1. There will also be play, sport and recreation facilities on site and within Phase 1. Employment opportunities will hopefully exist on site and in the Chelston area, a short walk or cycle to the east.
- 12.53. The site delivers a good quantum of green space and play opportunities, or financial sums to improve existing or planned facilities locally. The site will accommodate a super-NEAP. Wellington TC has resolved to manage the public open space and play area, whether this is via a traditional adoption model or via operating a Management Company is still to be confirmed through ongoing dialogue.
- 12.54. Future applications for Reserved Matters allow assessment of matters such as dwelling orientation for solar gain, cycle storage, car parking standards, biodiversity enhancements, the quality of green spaces and sustainable drainage systems and the extent of tree planting.
- 12.55. Improved Building Regulations already require better energy performance (demand and emissions) and the need for domestic EV charging points and water efficiency measures, matters also commented on by the Inspector at the recent Creech St Michael appeal.
- 12.56. The applicant has stated clearly this application will accord with Future Homes Standard but will not aspire to Passivhaus standards, despite the Quality Review Panels encouragement to do so. It is worth noting that this site will likely be sold to a developer whom may take a different view. Either way the commitment to FHS will be conditioned along with performance monitoring as required by Policy DM5.

Station Square

- 12.57. Discussions regarding this application and that of the planned railway station have occurred in parallel given the mutual landowner and the connectivity requirements. This application originally contained the station car park but not the works planned on Network Rail operational land (platforms, footbridge etc). During the application period it was clear it would be better that the

'station' comprised one application and the residential /commercial proposal as a separate one, as such the car park is now omitted to falls to Network Rail to apply for. Nonetheless whomever was providing it the Council wished to influence its design and its function beyond that of just a car park. The provision of a railway station offered the opportunity to explore a mobility hub which would offer other modes of transport and encourage active travel.

12.58. Concerns were also raised about emerging designs for the car park not providing the sense of welcome to Wellington that the Council and Town Council wanted to ensure is delivered. Those designs also saw those mobility hub aspirations increasingly marginalised and not hitting the mark. As such it was decided that Network Rail were likely unable to deliver these aspirations and so attention diverted to delivering a Station Square on the application site to sit alongside the Network Rail car park. This would be an area of public realm, probably paved and landscaped to create a welcoming area to arrive and depart from Wellington. It would also contain the elements comprising a mobility hub such as cycle storage/lockers, and space for future electric bike/scooter docking, bike repair, parcel collection point and onward travel information.

12.59. From a public realm perspective Station Square could also provide seating, shelter, branding, public information, pop-up power points (for events and activities), defibrillator, WiFi and Public Art.

12.60. It is proposed Station Square is built out to a certain specification by the developer and then transferred to Wellington Town Council. Indeed, WTC resolved on 8 April to adopt the Station Square and work with the Council and the applicant on its design. Monies have also been set aside by WTC towards the Station Square and Station enhancements. In terms of public art a working plan is to present the reclaimed Pyramidion from the refurbished Wellington Monument at or adjacent to Station Square. It is currently in storage, and it is felt this would be a good place to display it.

12.61. The Railway Station is not planned to provide any WC or refreshment facilities. It is felt this would be too onerous a requirement to place on this applicant. As part of the Employment Land area there is a desire to see a small café provided on the ground floor of the commercial building addressing Station Square which would serve passengers and also the employment area and this facility may contain a WC for public use. However, this would be a development led by the market on a commercial basis. The Town Council may also choose to provide such a facility themselves. The

Station Square Design would also allow for pop-up temporary catering opportunities, coffee/food trucks or similar.

12.62. The cost of providing land for the railway station car park and Station Square and the cost of delivering Station Square to a certain specification will be covered by this development as a development cost see **Appendix 1**, s106 Heads of Terms.

Development Viability and Planning Obligations

12.63. A series of planning obligations have been requested to mitigate the impacts of the increased population.

12.64. These are imperative to understand now to grant outline consent and to form the binding legal agreement.

12.65. Development viability is crucial to ensure the scheme can be delivered and provide a suitable return to the landowner and developer. In this case there is an added incentive, over just housing delivery, as to why this scheme must be delivered and that is to provide the road access to the planned Wellington Station. The fact this site is the chosen site for the new station does bring additional costs and requirements that other sites, even Phase 1, do not need to carry.

12.66. The ongoing economic climate means like most government bodies and Council's making the book balance is increasingly difficult, this modestly sized development of just 200 homes will only create so much income through sales and that income has to be greater than all the costs in order for any developer to commence a development.

12.67. The applicant and the Council jointly instructed a Viability Consultant to ascertain whether the development as proposed was viable given the section 106 requirements, the sales values in Wellington, the costs of materials and finance and the need to facilitate certain aspects due to the planned railway station.

12.68. The outcome was that the scheme was not viable to the extent of not being able to afford any affordable housing or education contributions.

12.69. Affordable Housing was sought in accordance with Policy CP4 Housing in the Taunton Deane Core Strategy 2011 – 2028 and the Affordable Housing Supplementary Planning Document May 2014 and TDBC Decision June 2016. The policy seeks 25% of the new housing should be in the form of affordable homes, with a tenure split of 60% social rented and 40% intermediate housing in the form of shared ownership. An indicative mix was given as:

Social Rent

4 x 1 bed house

3 x 1 bed fully adapted disabled bungalow or house

10 x 2 bed house

2 x 2 bed fully adapted disabled bungalow or house

6 x 3 bed house

1 x 3 bed fully adapted disabled bungalow or house

3 x 4 bed house

1 x 5 bed house

Shared Ownership

10 x 2 bed house

10 x 3 bed house

12.70. When costed this affordable housing provision would cost the developer circa £8m.

12.71. In terms of Education to ask to provide school places equalled £2.765m broken down accordingly

20 Early Years places at £385,236

71 Primary school places at £1,367,589

31 Secondary school places at £829,105, and

2 Special Educational Needs places at £184,029

12.72. The Council made observations and queried certain aspects of the appraisal and sought further information to help justify and explain the position it had reached.

12.73. As a result, some monies were ‘recovered’ and allocated towards education (to what age group will be decided by the Education Authority based on most need, but likely to be secondary places). For transparency the final report is attached as **Appendix 4**.

12.74. It should be noted that sales values have been labelled as optimistic and the land values squeezed to create a viable and deliverable scheme. The developer return, which is normally around 15-20% has been set at 4% and

this is extremely unusual but a profit is a profit and the applicants are content to continue on this basis.

- 12.75. Contributions and costs allocated towards on-site and off-site public open space, play and recreation were safeguarded as were the smaller sums requested for local GP surgery capacity and an off-site active travel project.
- 12.76. In terms of Health care, an issue for local people, a financial contribution has been requested by the Integrated Care Board, see **Appendix 1**, s106 Heads of Terms. At the recent Creech St Michael appeal the Inspector acknowledged, in allowing the appeal for up to 100 dwellings, that this was a national issue (not one that would lead to refusal of an application unless local GP surgeries couldn't be enhanced).
- 12.77. Other elements recommended to be secured by the legal agreement include a Local Labour Agreement to promote opportunities for local employment, upskilling and to support the local economy.
- 12.78. Where a scheme has an evident viability issue the process can be likened to apportioning a cake. The size of the cake is determined by the number and value of the houses to be sold. There is only so much cake to go around, you can give a big slice to someone but that leaves less for everybody else and if you have a lot of hungry people to feed then sadly somebody may miss out and this is evidenced in this application. The Case Officer has discussed internally with colleagues and is recommending an apportionment that is considered the best way to secure delivery of this site, however Members may take a different view. The NPPF states, "*The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force*".
- 12.79. The local plan is of an age, the economic situation is turbulent, everything costs more and development is being increasingly asked to contribute to more and more things. The overwhelming view is that despite no affordable housing and a reduced sum to education the scheme still works, will still create a good place to live and will deliver the station which has town wide benefits.
- 12.80. The final set of recommended planning obligations that the scheme can afford to deliver is set out at **Appendix 1**, s106 Heads of Terms.

Other Considerations

12.81. Beyond the strict interpretation of the Reserved Matters it is necessary to reflect on other material considerations; these are detailed hereon.

Ecology

12.82. Ecology emerged as a significant issue impacting the progression of this application, with the potential for this development to impact adversely on a significant bat roost located in a field adjacent to the site, now referred to as the 'Ecology Field'.

12.83. This bat roost had been detected as part of the Phase 1 Bloor site and must have been known about by the landowner, however the application as submitted made no reference to it, meaning there was an immediate issue with a lack of information.

12.84. The presence of the roost and bats generally has been discussed extensively with the Council's Ecologist. Meetings have also taken place with the applicant; his Ecologist and a meeting was held with the Somerset Bat Group and the Ecologists for the Bloor scheme Clarkson Woods.

12.85. The plans have been informally amended several times in order to agree the correct approach. It should be noted that the Somerset Bat Group does not agree the negotiated position and their comments are summarised in the representations section of this report. The proposed plan is however fully supported by the Council's Ecologist.

12.86. The approach to maintaining the favourable conservation status of the bats extends back to the time the neighbouring Longforth Farm Phase 1 scheme by Bloor was approved. In gaining that approval an undertaking was made, via their Ecologists report (by Michael Woods Associates, now Clarkson Woods) that the field would be secured, and no public access would be available. A buffer zone restricting the proximity of dwellings to the tree was set. However the 'Ecology Field' was not in the control of Bloor and never has been, so as soon as dwellings were occupied there was recreational pressure put on the field as a dog walking loop. This was not stopped, despite it was technically trespassing, and after the undertaking by Bloor, the advice of their Ecologists or seemingly the actual landowner. It is opined that this activity has impacted on the roost already.

- 12.87. The 'Ecology Field' does form part of this application as the applicant has control of it and through discussions has proposed that a part is made available for general recreation. It will not be managed like a playing field, more akin to a Country Park. A new native hedge on a bank will be planted to partition the public open space and additional trees will be planted to create extra habitat and provide some protection from light and noise from surrounding areas.
- 12.88. A significant area (4.4ha) of additional woodland is also proposed on the north side of the railway line to enhance bat habitat and create a visual linkage to the existing 'Hobby Copse', a stand of trees located adjacent to the north side of the 'Ecology Field'. This additional land requirement and the planting is proposed at significant cost to the development.
- 12.89. As of 12 February 2024 Biodiversity Net Gain (BNG) is a statutory requirement for the granting of planning permissions. This measure ensures that development leaves the natural environment in a measurably better state than it was beforehand. This will be achieved through a requirement to deliver at least 10% net gain in biodiversity over the pre-development biodiversity value of a site, secured for at least a 30 year period. One of the main criteria for mandatory BNG is that it applies to applications submitted after 12 February, and so there has been no BNG calculation undertaken, however a host of planting conditions coupled with the green spaces to be created will provide enhancement opportunities.

Drainage and Flood Risk

- 12.90. The site is not within a fluvial flood risk area and is generally at very low risk from surface water flooding.
- 12.91. The strategy works on the basis of surface water being captured and held in attenuation basins and then released slowly, at a rate the same or better than would have been the case had the rain fallen on a green field. The site slopes gently north and so two basins will be located on this boundary controlling release via a hydrobrake to an existing culvert under the railway line.
- 12.92. The surface water drainage network will be designed for up to and including the 1 in 100 year event plus 45% allowance for climate change in accordance with EA guidance with an additional allowance of 10% for Urban Creep.

- 12.93. The recommend requirements specifically related to a surface water drainage strategy are to seek opportunities to reduce the volume and rate of run off to lessen flooding severity elsewhere.
- 12.94. The LLFA has agreed the strategy insofar as this outline consent is concerned but commented that due to the high flood risk in the wider area that the greenfield run-off rate of 2 litres per second is imperative. A planning condition is recommended to require a detailed scheme at the future reserved matters stage.
- 12.95. This strategy has been selected because infiltration rates on the site do not appear to allow use of soakaways. Other parts of the strategy include the use of existing ditches as conveyancing swales which provide more capacity. Surface water is also importantly kept separate from foul discharges.
- 12.96. It is considered the requirement of SADMP Policy I4 are met for this outline consent.
- 12.1. With regards to foul drainage due to the topography of the land there is need for a foul sewerage pumping station at the lowest point of the site, this is located on the Masterplan more than 15m away from the nearest residential property within the employment area so will likely not impact residential amenity, subject to detailed assessment at the Reserved Matters stage. This accords with SADMP Policy I3.
- 12.97. The infrastructure is typically sited underground with just a fence and some cabinets sited above ground so this will not impact visual amenity.

Impact of Heritage Assets

- 12.98. The site is within sight of the Grade II* listed Registered Park and Garden and the assets surrounding the interchange of the former Grand Western Canal and the Exeter to Bristol railway line with the carriage trackway to Nynehead Court. There are listed gate piers at the head of this trackway adjacent to Nynehead Road.
- 12.99. The Authority is required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed

building or a conservation area the decision maker "must give that harm considerable importance and weight."

- 12.100. Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2023 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 12.101. Paragraph 207 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 208 further states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 203 also states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 12.102. The Conservation Officer identifies and describes the significance of several assets including the Registered Park & Garden of Nynehead Court, Nynehead Court, Nynehead Conservation Area, Nynehead Court Features and the railway & canal Features.
- 12.103. Additional information regarding the setting of Nynehead Court was sought during the application process.
- 12.104. In assessing harm the Conservation Officer opines "*the principle of the development in this location is acceptable. However, the initial outline*

proposals have the potential to cause less than substantial harm to the setting of Nynehead Court and the Nynehead Court Registered Park & Garden. Mitigation by design will need to be utilised to minimise this harm - the layout, density, height and materials of any forthcoming full application will need to take the following recommendations into account to be acceptable on heritage grounds”.

- 12.105. The recommendations given can be incorporated into the design considerations at the Reserved Matters stage.
- 12.106. Comments made by Historic England and the Gardens Trust do not lead to a different conclusion.
- 12.107. It is worth noting once more that the site is allocated for factories via the Development Plan (Core Strategy) and was done so in the knowledge of these heritage assets. With less opportunity to perhaps mitigate in the way suggested by the Conservation Officer.
- 12.108. The first phase of the Longforth Farm site has also been built out and the way it has been developed (good and bad elements) has informed this masterplan, additionally with the retention of the hedgerows and incorporation of landscaping to break up the built form, a ceiling on storey heights and future control on the material palette to be recessive. The railway embankment also acts as an initial buffer plus planting to be undertaken for bat mitigation will also reinforce local character and screen views. The other assets are very much in their own setting and not affected materially by this development.
- 12.109. Given the assessment by the Conservation Officer there is no reason to withhold outline approval, where various matters are reserved, on the basis of any impact on heritage assets. Overall it is considered the proposal accords with the relevant policies of the NPPF, Core Strategy and SADMP.

Employment Land Use Classes

- 12.110. The general intention with this provision is to secure some additional employment opportunities in Wellington. The edge of town location adjacent to a new railway station will be attractive to some business looking for new premises. The Use Classes Order has changed to broaden uses that can be

changed to flexibility without the need for planning permission. The proposed use classes are E and F, and this is in part to also satisfy Policy SS3.

- 12.111. Class E covers retail, financial and professional services, café or restaurant (which previously would have been A1) plus office, R&D and any industrial process that can be carried out in a residential area (which previously would have been B1) plus clinics, health centres, creches, day nurseries and day centres (which previously would have been D1) plus gymnasiums and indoor recreation (which previously would have been D2).
- 12.112. Class F covers schools, education and training centres, museums, public libraries, public halls, places of worship for example (which previously would have been D1) plus a hall or meeting place (which previously would have been D2).
- 12.113. During the course of the application a proposed use of B8 – storage and distribution – was negotiated out of the scheme and therefore removed the likelihood of HGVs needing to access the site and the potential need for large warehouses.
- 12.114. With a broad range of uses available the employment land will be as attractive to end users as it can be in this context. However, the proposed retail and other high street uses triggers SADMP Policy TC5 which seeks to protect the high street from out-of-town high street/retail, an argument at the centre of the recent decision to grant a new supermarket adjacent to this site.
- 12.115. The employment area is proposed at 0.828ha and in theory this could all be retail floorspace unless some parameters are put in place through planning condition.
- 12.116. There is a desire to see a small café open here (with WC) addressing Station Square to serve passengers and also the employment area. A planning condition restricting wider retail and high street uses to 500m² is therefore proposed. On this basis it is considered there is no sequentially preferable site available (adjacent to a railway station to serve passengers), the proposal would not have a significant adverse impact on the vitality, viability and diversity of an existing or allocated centre including local consumer choice and trade in the centre and taking into account the cumulative impact of recently completed developments such as the supermarket, planning permissions and development plan allocations, nor impact on existing,

committed or planned investment within the centre. Given the potential location fronting Station Square the proposal would also benefit from the accessibility provided by the Mobility Hub.

- 12.117. It should be noted that the applicant and future developer will not be obligated to build any of the employment buildings, just safeguard, service and market the site for further inward investment. Ultimately the market, and local promotion by the Council, Town Council and developer will dictate what is provided here.

Residential Amenity - Impacts on Existing and Future Residents

- 12.118. The application area does not share a boundary with any existing adjacent residential property other than the Lodge site to the east which contains three lodges. That site is well treed and it is not envisaged that when complete the development would have any impact on these residents. A Construction Environmental Management Plan (CEMP) will ensure construction activity impacts are minimised.
- 12.119. The application site will adjoin the supermarket and two roads and so the potential for noise disturbance from refrigeration and air handling units and vehicles on future residents has been assessed.
- 12.120. There will also be proposed residential properties close to proposed employment uses and so caution will also need to extend to this internal impact.
- 12.121. It is possible with noise measures and/or detailed design (proximity/ orientation) to mitigate against unacceptable living conditions, this may require some changes to the layout at the detailed stage, compared to the Masterplan, as each phase of residential and employment development will need to be accompanied by a noise survey assessing that particular layout, orientation, window placement, boundary treatment etc.
- 12.122. A sewerage pumping station is now proposed, this is located on the Masterplan more than 15m away from the nearest residential property within the employment area so will likely not impact residential amenity, subject to detailed assessment at the Reserved Matters stage. This accords with SADMP Policy I3.

Play, Recreation and Leisure

- 12.123. The development will deliver a NEAP on site. Of the 11.07ha site area, some 4.5ha is designated for public open space, SUDs and the station square. The public open spaces will vary from more formal with the development to a less formally managed space with a partitioned part of the 'Ecology Field'. The more formal areas will have play opportunities.
- 12.124. This application will secure financial contributions towards off-site allotments and playing fields/changing rooms, see **Appendix 1**, s106 Heads of Terms. This money will be targeted to existing projects in the area.
- 12.125. The other detailed requirements can only be met via the assessment of the Reserved Matters, but the Masterplan implies all policy/design objectives can be positively met.

Other Matters

- 12.126. Matters such as the standard of amenity for proposed dwellings, refuse and recycling storage and parking levels and cycle storage will be considered at the Reserved Matters stage.

13. Planning Balance and Conclusion

- 13.1. The continued delivery of housing will contribute to the Council's 5-year land supply of housing land. The principle of development has been established by the Local Plan, albeit for factories, but given the location, is also acceptable for residential development. A residential development that also importantly provides a road connection and land to facilitate a planned new railway station for the town and its surrounding villages.
- 13.2. The scheme is subject to viability challenges and officers have sought to test the appraisal to ensure the best outcome is secured. Ultimately the development can only deliver so much section 106 contribution and the recommended position seeks to ensure the development is as sustainable as possible and a nice place to live, delivers the road and land for a railway station for the benefit of the town, delivers a station square as the gateway to Wellington for train passengers, delivers monies for active travel whilst also contributing to an off-site sport project and allotment provision. All alongside

ensuring the scheme works from a technical point of view in terms of ecology, drainage, highways and heritage.

- 13.3. The application is a departure from the Development Plan insofar as the site is allocated for the relocation of specific businesses which have stated they are now not looking to relocate, the site does not provide any affordable housing and only provides a reduced education contribution due to the economic viability of the scheme. However there are many benefits. On balance it is considered the proposal does not accord with the Development Plan when taken as a whole but there are strong material considerations referred to in this report which indicate permission should be granted.
- 13.4. Indeed the development delivers far more than it doesn't and is deliverable. It is considered that with regard to the planning balance the benefits of the scheme significantly outweigh any actual or perceived impacts. There are no residual matters that cannot be covered by planning conditions, the legal agreement, the submission of future Reserved Matters and indeed the future planning application for the station.
- 13.5. In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Section 106 Agreement (s106) Heads of Terms

Section 106 Agreement (s106) Heads of Terms	
** all triggers to be agreed through further negotiation with the applicant	
A financial contribution towards Education school places	<ul style="list-style-type: none"> £573,000 Suggested trigger 110 occupations
A financial contribution towards Heath	<ul style="list-style-type: none"> £89,336 of £596 per dwelling pro rata to extend a local GP surgery or surgeries. Suggested trigger 50% on commencement of housing (foundations), 50% at 110 occupations.
Highway Works	<ul style="list-style-type: none"> Delivery of spine road between Nynehead Road to Wellington Railway Station site, to be subject to a s38 agreement (for adoption allowing public access) Suggested trigger Prior to occupation <ul style="list-style-type: none"> Completion of pedestrian and cycle link from Taunton Road to Wellington Train Station site. (Topping out the Haul Road). Suggested trigger Prior to opening of the station unless it is not practicable to do so and agreed in writing. <ul style="list-style-type: none"> Realignment of access to Lidl from Nynehead Road - To revert to a continuous road option upon control of necessary land from the supermarket within a timescale to be agreed with the Council or at least by 180 occupations or monies to be passed to the Highway Authority to undertake the work alongside active travel works.
Spine Road step in rights	Spine Road Step-in rights – This is to provide the Council a fallback position in which to undertake the construction of the access road from Nynehead Road to the proposed Railway Station should the developer fail to by a particular date.
Travel Plan	<ul style="list-style-type: none"> Full Travel Plan TP Fee £5000 TP Coordinator Fee £tbc Travel Vouchers £tbc

	<p>Safeguard sum £72,650</p> <p>Management budget £tbc</p> <p>Suggested trigger Prior to commencement</p>
A financial contribution towards off-site active travel works	<ul style="list-style-type: none"> • £573,620 for off-site active travel (cycling and walking) works to be undertaken by the Council. <p>Suggested trigger Prior to commencement</p>
Station Square	<p>Station Square, incorporating the Mobility Hub, marked orange 'Station Square' Plan 0740-V4-1006 Land Areas Plan-A0L attached.</p> <p>To design, agree (via an RM submission) and construct alongside the access road and then transfer the land to Wellington Town Council.</p> <p>Suggested trigger – Prior to any occupation.</p> <p>Based on a specification -</p> <ul style="list-style-type: none"> • covered and secure cycle parking and lockers • bike repair and pump • space for 10 scooters, space for electric bike docking (8 cycles) (with power) and 2 cargo bike(s) • WTC notice board for travel/tourist information (taxi info, map to local landmarks etc) • utility provision for real time travel • Station Square branding • surfacing • tree Planting • drainage • street furniture – benches and bins • pop-up power points • lighting • wayfinding • public art • CCTV • WiFi • mobile device charging • public defibrillator • space for the future provision of a parcel locker <p>A financial cap of £305,000 to be applied.</p> <p>Trapdoor clause should Wellington TC not adopt, to review specification, costings and maintenance by private Management Company or another third party.</p>

<p>Community, Public Open Space, Play and Recreation</p>	<ul style="list-style-type: none"> • Play Areas Trim trail features 1 Super-NEAP • Public Open Space 3.77 ha, excluding SUDs Transfer to and managed by Wellington Town Council, with the trapdoor option of a Man Co. • POS Phasing Plan Suggested triggers - NEAP by 110 occupations, Play on the Way via POS Phasing plan. • Playing Pitches and Changing Rooms £124,714 or 624 per dwelling pro rata to provide and/or enhance playing pitch and changing room provision in Wellington Suggested trigger Prior to any commencement of housing (foundations). • Allotments £10,000 to provide and/or enhance allotment provision in Wellington Suggested trigger 110 occupations
<p>Ecology</p>	<ul style="list-style-type: none"> • Fence off and secure the ecology field. Land to be retained and managed by landowner. • Off-site wildlife mitigation woodland planting and ecological enhancement, marked red 'Woodland North of Railway' Plan 0740-V4-1006 Land Areas Plan-A0L No less than 4.4ha. Suggested triggers - Planting scheme to be submitted to and approved and the scheme implemented all prior to commencement. Ecology and Wildlife Management Plan to be submitted to and agreed prior to commencement of the mitigation scheme. Land to be retained and managed by landowner. • Off-site bat mitigation tree planting in the ecology field, shown in the blue line land adjacent to the part field marked light green 'Additional Open Space-Western Field' Plan 0740-V4-1006 Land Areas Plan-A0L attached. This POS area is to be fenced off from the larger field, the planting scheme to be submitted to and approved and the scheme implemented all prior to commencement. Ecology and Wildlife Management Plan to be submitted to

	and agreed prior to commencement of the mitigation scheme.
Future Access to neighbouring land	Future access to adjacent land. To not stymie (ransom) potential future access opportunities along the boundary to the east (Lodge Copse also known as The Lodge) for the purposes of future access by public or private highway and/or pedestrian and cycle access. Plan to be attached to agreement.
The Grand Western Greenway Project	In addition to the off-site Active travel contribution above – <ul style="list-style-type: none"> £50,000 to carry feasibility and contribute towards an identified Active Travel route – the Grand Western Greenway, but only where it is to provide a connection to this site Suggested trigger Prior to commencement
Local Labour Agreement	To promote opportunity for local employment, upskilling and to support the local economy. Limited to 5% local workforce where available.
Nutrient Neutrality	To demonstrate the use of P-credits.
Delivery of employment land	Delivery of employment land - Third party sale by 75% occupations or commencement of construction by the developer of a unit larger than 2000 sqft. Serviced land by when served by the access road. Submission of a marketing strategy prior to any commencement of housing (foundations).
<p>General Provisions –</p> <p>If any s106 provision (and specific development costs identified in the Viability Appraisal Cost Plan, tbc) is underspent, not pursued or replaced by third party funding then monies would be diverted toward education provision or towards affordable housing (monies to be spent on or off-site).</p>	

Appendix 2 – Planning conditions and informatives

1. Details of the appearance, landscaping, layout, internal access roads and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.
2. Application(s) for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. The development hereby permitted shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.
3. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A1) 0740-101-1 RevD	Location Plan (OS)
(A0) 0740-V4-1005 RevG	Illustrative Masterplan
(A0) 0740-V4-1006 RevD	Land Budget Plan
(A0) 0740-V4-1006-1	Land Areas Plan
(A3) 20017 SK02	Proposed Access Arrangement Option A – Consented Junction with Nynehead Road
(A3) 20017 SK05	Proposed Taunton Road Toucan Crossing and Footway Cycleway Improvements

Reserved matters details shall comprise no more than 200 dwellings.
4. The development hereby approved shall not be occupied before 1 January 2025, unless otherwise agreed in writing with the Local Planning Authority on production of written evidence that the Asset Management Plan 7 (AMP7) planned upgrades to the Wellington Waste Water Treatment Works by Wessex Water to provide additional treatment capacity and improve nutrient capture have been completed and that the increase in phosphorus arising from occupation of the Development will accordingly be no more than 25.72 kilograms per year
Reason: To ensure that the proposed development is phosphate neutral in perpetuity in accordance with Paragraphs 180 and 186 to 188 of the National Planning Policy Framework (July 2021) and to accord with the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended).
5. The use of any commercial building for the purposes of Class E retail shall be limited to a total net sales area of 500sqm gross. Reason: To protect the vitality and viability of Wellington town centre in accordance with Policy CP3 of the TD Core Strategy.

6. The application(s) for approval of the reserved matters shall indicate:
 - a) materials to be used for the external walls and roofs;
 - b) materials to be used for rainwater goods;
 - c) the design (including joinery details where appropriate), type of material, plus proposed colour and finish of all windows and doors plus recesses;
 - d) details of eaves/verges;
 - e) location and design details of all vents, flues and meter boxes;
 - f) details of all internal and external boundary treatments; and
 - g) the surfacing materials (and drainage details thereof) of all areas of hardstanding incl. driveways.

Reason: To maintain the character and appearance of the area to accord with Policy D7 of the TD Site Allocations and Development Plan.

7. The application(s) for approval of the reserved matters shall include details of the finished floor levels and resulting ridge heights of the buildings to be erected on the site. Reason: In the interests of the visual and residential amenity of the area to accord with Policy D7 of the TD Site Allocations and Development Plan.

8. A scheme for public art and its delivery shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the first dwelling. The public art shall be provided in accordance with the approved scheme prior to occupation of more than 80% of the approved dwellings and thereafter retained. Reason: To create a high-quality public realm to accord with Policies D7 and D13 of the TD Site Allocations and Development Plan.

9. No development shall be commenced until details of the sustainable surface water drainage scheme (SuDs) for the site, has been submitted to and approved in writing by the Local Planning Authority. Such scheme should aim to meet the four pillars of SuDs (water quantity, quality, biodiversity, and amenity) to meet wider sustainability aims as specified by The National Planning Policy Framework (December 2023) and the Flood and Water Management Act 2010. The development shall include measures to control and attenuate surface water and once approved the scheme shall be implemented in accordance with the approved details and maintained at all times thereafter unless agreed otherwise in writing by the Local Planning Authority. The submitted scheme shall include but not be limited to:
 - a) Drawing / plans illustrating the proposed surface water drainage scheme including the sustainable methods employed to delay and control surface water discharged from the site, sewers and manholes,

attenuation features, pumping stations (if required) and discharge locations. The current proposals may be treated as a minimum and further SuDS should be considered as part of a 'SuDS management train' approach to provide resilience within the design.

- i. Detailed, network level calculations demonstrating the performance of the proposed system are required and this should include:
 - ii. Details of design criteria etc and where relevant, justification of the approach / events / durations used within the calculations.
 - iii. Where relevant, calculations should consider the use of surcharged outfall conditions.
 - iv. Performance of the network including water level, surcharged depth, flooded volume, pipe flow, flow/overflow capacity, status of network and outfall details / discharge rates.
 - v. Results should be provided as a summary for each return period (as opposed to each individual storm event).
 - vi. Evidence may take the form of software simulation results and should be supported by a suitably labelled plan/schematic to allow cross checking between any calculations and the proposed network.
- a) Detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, pumping stations and outfall structures. These should be feature-specific.
 - b) Details for provision of temporary drainage during construction. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system. Suitable consideration should also be given to the surface water flood risk during construction such as not locating materials stores or other facilities within this flow route.
 - c) Further information regarding external levels and surface water exceedance routes and how these will be directed through the development without exposing properties to flood risk.

Reason: To ensure the development is properly drained in accordance with the National Planning Policy Framework, in particular paragraphs 173 and 175.

10. Prior to first occupation of any part of the development, information relating to the management responsibilities of the various components of the proposed surface water drainage network including private systems shall be submitted to and approved in writing by the Local Planning Authority. The information shall include typical maintenance schedules for all the proposed components and

details of how each party will be advised of their responsibility and maintenance obligations (including private systems). The development shall thereafter be carried out in accordance with the approved information. Reason: To prevent the increased risk of flooding to accord with the aims and objectives of the National Planning Policy Framework, in particular paragraphs 173 and 175.

11. No foundations of any building shall be laid until a foul drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include arrangements for the agreed points of connection to serve the proposed development. The approved scheme shall be implemented such that each dwelling and employment building is served by the approved scheme prior to occupation of that dwelling and shall thereafter be retained as such. Reason: To ensure the site is properly drained to accord with the aims and objectives of the National Planning Policy Framework.

12. No development shall commence on the elements listed below until the following details have been submitted to and approved in writing by the Local Planning Authority. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction, and a timetable for implementation, shall be submitted to the Local Planning Authority for the:
 - a) estate roads
 - b) footways
 - c) tactile paving
 - d) cycleways
 - e) sewers
 - f) retaining walls
 - g) service routes
 - h) vehicle overhang margins
 - i) embankments
 - j) visibility splays
 - k) carriageway gradients
 - l) drive gradients
 - m) car, motorcycle and cycle parking
 - n) electric vehicle charging points
 - o) hard and soft structural landscape areas
 - p) pedestrian and cycle routes and associated vehicular accesses and crossings
 - q) means of enclosure and boundary treatment
 - r) street lighting and street furniture
 - s) all new roundabouts and junctions

- t) proposed levels
- u) bus stops and lay-bys or alternative facilities
- v) highway drainage
- w) swept path analysis for a vehicle of 10.4m (3-axle) length
- x) central pedestrian reserves, bollards and lighting
- y) service corridors

No building or use hereby permitted shall be occupied or the use commenced until the elements of the development listed above have been constructed in accordance with the approved details and timetable for implementation and retained in perpetuity thereafter.

Reason: To ensure a co-ordinated approach to development and highway planning, and in the interests of highway safety to accord with Policy D9 of the TD Site Allocations and Development Plan and the aims and objectives of the National Planning Policy Framework.

13. No development shall commence (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway attributed to construction traffic related to the approved development has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken. The survey must consist of:

- a) A plan to a scale of 1:1000 showing the location of all defects identified;
- b) A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

No building or use hereby permitted shall be occupied or the use commenced until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.

Reason: In the interests of highway safety to accord with the aims and objectives of the National Planning Policy Framework.

14. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed in accordance with the approved details prior to construction of any building above damp-proof course level and thereafter maintained in perpetuity.

Reason: In the interests of highway safety to accord with the aims and objectives of the National Planning Policy Framework.

15. No development shall commence, including any demolition works, until a construction management plan or construction method statement (CEMP: Highways and Pollution Control) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP: Highways and Pollution Control shall be adhered to throughout the construction period and shall provide for:

- a) A construction programme including phasing of works
- b) 24-hour emergency contact number
- c) Hours of operation
- d) Expected number and type of vehicles accessing the site:
 - i. Deliveries, waste, cranes, equipment, plant, works, visitors
 - ii. Size of construction vehicles
- iii. The use of a consolidation operation or scheme for the delivery of materials and goods
- e) Means by which a reduction in the number of movements by construction workers can be achieved through travel planning and encouraging the use of public transport, active travel, car sharing, and the provision of on-site parking and welfare facilities for staff and visitors
- f) Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on the local highway network
- g) Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site
- h) Locations for storage of plant/waste/construction materials
- i) Arrangements for the turning of vehicles within the site
- j) Arrangements to receive abnormal loads or unusually large vehicles
- k) Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available
- l) Any necessary temporary traffic management measures
- m) Measures to protect vulnerable road users (cyclists and pedestrians)
- n) Method of preventing mud being carried onto the highway - 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,
- o) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of highway safety to accord with the aims and objectives of the National Planning Policy Framework.

16. Prior to the commencement of development an updated badger survey (conducted no more than six months prior to the planned commencement of development) shall be submitted to and approved by the Local Planning Authority. The survey shall be submitted to the Local Planning Authority and any recommendations shall be subject to a scheme of mitigation which the development shall be carried out in accordance with. Reason: In the interests of the strict protection of European protected species and in accordance with Policy CP8 of the TD Core Strategy as badgers periodically create new sett entrances within territories.
17. No works to any buildings shall commence unless the Local Planning Authority has been provided with either:
- a) a copy of a European protected species licence in the form of a district level licence for great crested newts (GCN), issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or
 - b) a statement in writing from the licensed bat ecologist to the effect that they do not consider that the specified development will require a licence.
- Reason: In the interests of the strict protection of European protected species and in accordance with Policy CP8 of the TD Core Strategy and to fulfil the legal duty of 'strict protection' of European protected species under the provisions of the Habitats Regulations 2017 and the Crime and Disorder Act 1998.
18. No works shall commence unless the Local Planning Authority has been provided with either:
- a) a copy of a European protected species licence for Dormice issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or
 - b) a statement in writing from the licensed bat ecologist to the effect that they do not consider that the specified development will require a licence.
- In the event that a European protected species licence from Natural England is required for the hedgerow section removal works, all the reserved matters must first be approved and the Method Statement which forms part of the licence application must detail measures to mitigate potential harm to dormice and provide compensatory habitat (e.g. new hedgerow planting/ enhancement of existing hedgerows/ installation of dormouse nest boxes). Suggested mitigation has been provided within the BMEP, Figure 17, Appendix A Halpin Robbins report (01/027/001/03_EcIA) (30th January 2023).

Reason: In the interests of the strict protection of European protected species and in accordance with policy CP8 of the TD Core Strategy and to fulfil the legal duty of 'strict protection' of European protected species under the provisions of the Habitats Regulations 2017 and the Crime and Disorder Act 1998.

19. No development shall commence (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones". both physical measures and sensitive working practices to avoid or reduce impacts during construction (may be provided as a set of method statements), including nesting birds habitat clearance measures, badgers buffer zones etc.
 - i. Mature trees along site boundaries which have potential to be impacted by construction activities will be demarcated with suitable root protection zones in accordance with British Standard BS5837 (2012).
 - ii. Any brash/log/rubble piles will be dismantled by hand and any common or widespread amphibians found will be left to disperse of their own accord. In the unlikely event that a great crested newt is found, works must cease immediately, and a competent ecologist will need to be contacted for further advice.
 - iii. A reptile translocation will be undertaken to relocate the population of slow worms and grass snake from the works area to a suitable receptor site. Land to the west of the site (measuring c.5.6ha), which currently forms a buffer around the identified barbastelle roost, comprises suitable habitat for the population of reptiles identified within the surveyed site, if the appropriate permissions can be sought.
 - iv. Works which have potential to impact nesting birds (i.e. hedgerow section removal) must be undertaken outside of the main bird nesting season (i.e. avoiding the period March to mid-September). If works cannot be timed sensitively, a check by an ecologist for nesting birds the day before works are due to commence will be required. Any active bird nests identified will be left in situ until the young have fully fledged.
 - v. Measures to protect the bat roost within T3 from disturbance during construction will be undertaken. This must include the installation of an appropriate buffer zone surrounding the tree and the retained hedgerows leading from the tree. If plans alter to include the removal/management which could result in of high levels of disturbance to this

- tree, a European Protected Species Licence (EPSL) from Natural England would be required to allow the works to be undertaken lawfully.
- vi. The storage of materials/waste will be restricted to areas of hard standing or bare ground. Waste should be stored in skips or removed off site as soon as possible and away from suitable retained or off-site habitat to avoid creating refuges which could be colonised by newts. Any mounds of soil should be compacted around the base to avoid creating refuges which newts could occupy.
- c) The location and timing of sensitive works to avoid harm to biodiversity features.
- i. A sensitive lighting plan must be incorporated into the construction and operational phases of the development to ensure there is a dark corridor within/ around the site that can be utilised by commuting barn owl. The BMEP, Figure 17, Appendix A shows the location of the proposed dark corridor.
 - ii. A sensitive lighting strategy will be implemented into the construction and operational phases of the development to avoid impacts to roosting bats arising from increases in artificial illumination. The strategy will include:
 - a. No illumination of tree T3 which comprises a bat roost.
 - b. No illumination of any bat roost provision within the development (i.e. bat boxes/tubes on buildings or trees, see Section 5 for further details).
 - c. No illumination above the current lux levels or above 0.5lux to all retained hedgerows and trees to provide dark corridors through and around the site.
- d) The times during construction when specialist ecologists need to be present on site to oversee works.
- e) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
- f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person [to include regular compliance site meetings with the Council Biodiversity Officer and Landscape Officer every 3 months during construction phases];
- i. All hedgerow works will be supervised by a suitably licensed ecologist, who will present a Toolbox Talk to all contractors at the start of works and undertake fingertip searches for dormouse nests within the hedgerow section to be impacted in accordance with the licence.

- ii. Prior to the commencement of the reptile translocation period, reptile barrier fencing will be erected along the entire perimeter of the site boundary by a suitably experienced contractor and under the supervision of an ECoW. This will prevent the relocated slow worms from re-entering the “works area” prior to and during site clearance.
 - iii. Practical measure period of translocation will be undertaken at a suitable time of year (i.e. April to October) and during suitable weather conditions (i.e. hazy sunshine, no heavy rain, daytime temperatures 10-20°C) for reptiles to be active and basking. Any reptiles found will be moved to the reptile receptor site to the west of the barrier fencing by a suitably experienced ecologist. Site visits to complete the translocation must continue until there are five consecutive visits with no reptiles found.
 - iv. On completion of the reptile translocation, remaining habitat suitable for reptiles within the site (i.e. grassland, hedgerows and scrub) that is to be removed as part of the works will be cut in two stages by hand and comprise a single cut to 200mm height followed by a second cut to ground level. An ECoW will be present to move any remaining reptiles found to the receptor site to the west.
- g) Use of protective fences, exclusion barriers and warning signs.
- i. Mature trees along site boundaries which have potential to be impacted by construction activities will be demarcated with suitable root protection zones in accordance with British Standard BS5837 (2012).
 - ii. Retained ponds must be protected during construction works with the use of Heras fencing.
 - iii. During construction works, any trenches (e.g. foundations or utility trenches) left exposed overnight should be provided with a means of escape, such as a shallow sloped edge or angled board (minimum 30cm width), positioned at a maximum angle of 30degrees.
 - iv. Heras fencing protecting hedgerows bordering the site should allow badgers to pass through. A gap of at least 25cm should be left between the ground and the base of fencing to allow access for badgers. Alternatively, holes of at least 30cm wide and 25cm high could be cut into the bottom sections of Heras panels at 20m intervals. If this option is chosen, then efforts to ensure no sharp edges are protruding from ends of cut mesh must be taken to ensure that mammals cannot be harmed.
 - v. Measures to protect the bat roost within T3 from damage during construction will be undertaken. This must include the installation of

Heras fencing demarcating the tree's root protection zone in accordance with British Standard guidance BS5837.

- vi. Measures to protect the bat roost within the tree to the west of the site boundary from disturbance during construction will be undertaken. A buffer of 125m will be established where no construction works will occur to minimise disturbance to bats unless otherwise agreed with the Local Planning Authority. Landscape planting is proposed in close proximity (i.e. <100m) to the tree roost; however, this will be scheduled over the winter period (prior to re-occupation of the roost). Once complete, the landscaped area will be fenced off with protection fencing along the western and southern boundaries to prevent public access into this area.
- vii. All work within a 125m – 200m buffer of the barbastelle roost will only be carried out between November and April when bats are absent from the roost. If works must commence outside of the winter months, then a suitably licenced ecologist will check the tree for bats presence prior to the commencement of works. Work further than 200m from the barbastelle roost will not be restricted.
- viii. Retained hedgerows must be protected during construction works with the use of Heras fencing. The fencing should be installed 3m from the centre of hedge/hedge banks.
 - a. Heras fencing will be installed 3m from the edge of retained hedgerows in order to protect dormouse habitat from damage during construction.
 - b. Retained hedgerows and ponds must be protected during construction works with the use of Heras fencing, which will also protect associated ground flora species. The fencing should be installed 3m from the centre of hedge/hedge banks/ponds edges. Retained hedgerows will be planted with native species, to fill any existing gaps and increase species diversity to improve habitat corridors within the Church Fields Park LNR. Species should include field maple, hazel, oak and guelder rose as well as climbing species such as dog rose and honeysuckle.
 - c. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works
 - d. Sensitive and phased clearance of vegetation will be undertaken under the presence of an Ecological Clerk of Works (ECoW). A first cut of vegetation will be made to a height of c.200mm with all arisings removed; 48hrs later the remaining

vegetation will be cut to ground level will all arising removed. This will be maintained up to the point of groundworks. In order to be effective vegetation clearance should be undertaken during the active season for newts, typically February to October inclusive when temperatures are >5°C degrees centigrade and should avoid prolonged periods of hot dry weather when newt activity is reduced.

- e. An ECoW will be present to move any remaining reptiles found to the receptor site to the west.
- h) Evidence (written statement and or photos) of meetings, toolbox talks, protection measures etc will be required upon completion of works ;
- i) Works relating to the new rising main/new hedgerow bank will remain localised and a site plan showing working areas submitted to the LPA for approval prior to works commencing in order to ensure compliance.
 - i. Construction operatives to be inducted by a licensed bat ecologist to make them aware of the possible presence of bats, their legal protection and of working practices to avoid harming bats. Written confirmation of the induction will be submitted to the Local Planning Authority by the licensed bat ecologist within one week of the toolbox talk
 - ii. No development, earth moving shall take place or material or machinery brought onto the site until protective fencing and warning signs have been erected on site in accordance with the approved construction method statement. All protective fencing and warning signs will be maintained during the construction period in accordance with the approved details.
 - iii. Retained hedgerows and trees shall be protected from mechanical damage, pollution incidents and compaction of roots in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction during site clearance works, groundworks and construction and to ensure materials are not stored at the base of trees, hedgerows and other sensitive habitats. Photographs of the measures shall be submitted to the Local Planning Authority prior to the commencement of any vegetative clearance or groundworks. The measures shall be maintained throughout the construction period.

The approved CEMP shall be strictly adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Policy CP8 of the TD Core Strategy.

20. The new hedgebank as indicated on Drawing No. 0740-1013 and forming the new western boundary to the Public Open Space area as indicated on the Framework Masterplan, Drawing No. 0740-V4-1005 RevG, shall be fully completed within 3 months of the commencement of development with the hedge planting to be completed within the first available planting season. For a period of ten years after the completion of the development the said hedgerow shall be protected and maintained and if any plants cease to grow, are removed or otherwise damaged, they shall be replaced by replacements of similar size and species or other appropriate hedging material as may be approved in writing by the Local Planning Authority. Reason: In the interests of safeguarding European protected species and in accordance with Policy CP8 of the TD Core Strategy.
21. Notwithstanding the Parameter Plan-Movement, Drawing No. 0740-V4-1011-1 RevD and Principles Plan-Routes and Movement, Drawing No. 0740-V4-1007-1 RevD there shall be no linkage created between the application site via the allotments to Lillebonne Way via the Public Open Space area. Reason: The route would bring pressure for lighting to maintain public safety. Lighting in this area is not desirable in the interests of safeguarding European protected species and in accordance with Policy CP8 of the TD Core Strategy.
22. Prior to the submission of the first reserved matters application for residential development a scheme shall be submitted detailing the replacement of T28 Oak (TDBC TPO 1999) on a ratio of 3 new trees for each felled tree. This should detail the species, size (minimum 14-16), planting specification, protection measures (permanent fencing), watering regime, predicted root protection zone for the tree at maturity and a timetable for planting. Should it prove impossible to retain T27 Oak (TDBC TPO 1999) then a similar replacement scheme for that tree shall be submitted. For a period of ten years after the completion of the development the replacement trees shall be protected and maintained and any trees cease to grow, it/they shall be replaced by a tree of similar size and species or other appropriate tree as may be approved in writing by the Local Planning Authority. Reason: The application seeks to fell a protect tree and so appropriate mitigation should be secured to ensure that the scheme maintains its ecological and landscape character in accordance with Policy CP8 of the TD Core Strategy and Policy ENV2 of the TD Site Allocations and Development Plan.

23. Prior to commencement of the development (or specified phase of development) a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following:

a) Description and evaluation of features to be managed:

- i. The westernmost field within the site, proposed as public open space within the plans, involves the planting of trees, species rich grassland and a new hedgerow. Beyond the site boundary to the west and north of the site it is also proposed to plant trees to enhance the wider area for wildlife. The planting of trees and hedgerows will provide additional habitat, similar to that which is lost from the local wildlife site and provide a new buffer habitat to the retained local wildlife site. The westernmost field within the site, proposed as public open space within the plans, involves the planting of trees, species rich grassland and a new hedgerow. Beyond the site boundary to the west and north of the site it is also proposed to plant trees to enhance the wider area for wildlife. The planting of trees and hedgerows will provide nesting opportunities for birds. The westernmost field within the site, proposed as public open space within the plans, involves the planting of trees, species rich grassland and a new hedgerow. Beyond the site boundary to the west and north of the site it is also proposed to plant trees to enhance the wider area for bats.
 - ii. A reptile refuge/hibernaculum will be constructed in two locations; within the land to the west of the development and one around the northern drainage ponds. The refuge/hibernaculum will comprise stone/ rock/ clean brick rubble (without cement residues), and split logs which can be placed in a pile, loosely filled with topsoil and covered with turf. See BMEP, Figure 17, Appendix A for locations. An example is shown at Appendix H.
 - iii. Permanent boundary fencing will be installed at the edge of proposed gardens which border the retained hedgerows at the boundaries of the site to discourage inappropriate future management, clearance and damage.
 - iv. Additional woodland planting will be created in the field to the west of the development, this will provide additional habitat for the dormice to breed, forage and commute through.
 - v. All garden boundary fencing installed within the site will allow hedgehogs to pass through by creating a gap at the base of each fence elevation measuring 150mm x 150mm to allow hedgehogs to navigate through the site and forage within new property gardens.
- b) Ecological trends and constraints on site that might influence management
 - c) Aims and objectives of management
 - d) Appropriate management options for achieving aims and objectives
 - e) Prescriptions for management actions

- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) Details of the body or organization responsible for implementation of the plan
- h) On-going monitoring and remedial measures
 - vi. The reptile receptor site will be managed sensitively for reptiles long-term, and its management must be adopted by any future owners of the site. Grassland cutting must be undertaken at a time of year when reptiles are least likely to be killed, during the winter period of inactivity (November to February).
 - vii. Retained hedgerows will be managed sensitively to avoid harm to dormice and enhance the existing habitat used by this species. Hedgerows will be trimmed only every three years and should be maintained at a height of at least 3-4m above the bank. Where sections of hedgerows become 'gappy', the hedgerow should be laid to encourage a dense hedgerow structure.
 - viii. Evidence (written statement and or photos) of meetings, toolbox talks, protection measures etc will be required upon completion of works;

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the LEMP will be secured by the developer with the management body(ies) responsible for its delivery. The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved LEMP will be implemented in accordance with the approved details. Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Policy CP8 of the TD Core Strategy.

24. Each application for Reserved Matters shall be accompanied by a Lighting Strategy. Such a strategy shall relate to the lighting of all public and private areas (courtyards) for public safety while safeguarding the landscape and evident biodiversity and be designed so as not to interfere with the operational railway. In terms of biodiversity the Lighting Strategy shall:

- a) identify those areas/features of the site within that phase or sub-phase that are particularly sensitive for bats, dormice and otters and that are vulnerable to light disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it

can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places, and;

- c) the design should accord with Step 5 of Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018), including submission of contour plans illustrating Lux levels, showing that lighting will be directed so as to avoid light spillage and pollution on habitats used by light sensitive species, and will demonstrate that light levels falling on wildlife habitats do not exceed an illumination level of 0.5 Lux and shields and other methods of reducing light spill will be used where necessary to achieve the required light levels.

Unless otherwise agreed in writing by the Local Planning Authority all external lighting shall be installed in accordance with the specifications and locations set out in the approved Lighting Strategy and shall be maintained thereafter in accordance with the said strategy with no additional lighting installed other than within the curtilages of individual private dwellings without the prior written consent of the Local Planning Authority.

Reason: To ensure public and private place are appropriately lit but safeguard ecological interests and so as not to interfere with the operational railway to accord with Policy CP8 of the TD Core Strategy and the operational comments of Network Rail.

25. Each application for Reserved Matters shall incorporate the following features into the site proposals with photographs of the installed features submitted to the Local Planning Authority prior to first occupation of any building:

- a) Enhancement measures should include planting of a diverse mix of native tree, shrub and other floral species as part of any proposed landscaping scheme.
- b) Bat roosting opportunities should be provided within a proportion of the buildings to be constructed. Bat roost boxes should be integrated into building elevations to provide permanent roosting spaces.
- c) A barn owl nest box should be installed on a suitable tree bordering the site to provide enhanced habitat for barn owl, a species of conservation concern.
- d) Bird nesting opportunities should be provided within a proportion of the buildings to be constructed. Bird boxes should be integrated into building elevations to provide permanent nesting opportunities as an enhancement.
- e) Woodland to the west of the site should be managed appropriately for wildlife to retain its functionality as part of the Ecological Network of

the local area. This woodland has potential to support suitable habitat for rare species including dormice and barbastelle bats.

- f) Measures to enhance the site and local area for biodiversity should include creating a green link between ecologically important areas that border the site and woodland to the north of the railway.
- g) A badger underpass should be constructed to allow badgers to continue to access foraging areas either side of the road.
- h) Bee bricks should be incorporated into buildings within the site, as an ecological enhancement.

A Biodiversity Mitigation and Enhancement Plan has also been produced showing the required measures, see Figure 17, Appendix A Halpin Robbins report (01/027/001/03_EcIA) (30th January 2023).

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 174(d) of the National Planning Policy Framework.

26. 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.

27. If at the time of commencement of any phase the Future Home Standard (FHS) has not been fully adopted and implemented, then a strategy, to the equivalent FHS standards as existed at the time of determination, to improve the energy efficiency of the homes in that phase shall be submitted to and approved by the Local Planning Authority and that phase shall be constructed in accordance with the approved strategy.

Reason: To improve the sustainability of the dwellings in accordance with the Policies DM5 and CP8 of the TD Core Strategy, the Supplemental Planning Document - Districtwide Design Guide and the aims and objectives of the National Planning Policy Framework. Costings for this have also been set aside in the financial viability appraisal.

28. No individual dwelling hereby approved shall be occupied until the optional requirement for potential consumption of wholesome water by persons occupying that dwelling in Part G of Schedule 1 and Regulation 36 of the Building Regulations 2010 of 110 litres per person per day has been complied with.

Reason: To improve the sustainability of the dwellings in accordance with the Building Regulations 2010 and the aims and objectives of the National Planning Policy Framework.

29. A scheme shall be submitted to and agreed by the Local Planning Authority detailing the provision and specification of electric vehicle charging points for each dwelling. Each dwelling shall thereafter only be occupied following its individual compliance with the agreed scheme. The submitted scheme shall also detail provision of electric vehicle charging points for visitor parking spaces and set out where and why it has not been possible to supply a particular dwelling, apartment or parking area with an electric vehicle charging point.

Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for various modes of transport to accord with Policies CP1, CP6, CP7 and CP8 of the Core Strategy and Policy A2 of the TD Site Allocations and Development Plan.

30. Prior to commencement of the development a programme of archaeological work shall be implemented in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Local Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved WSI.

Reason: To accord with paragraph 200 of the National Planning Policy Framework.

31. No building shall be occupied until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with approved Written Scheme of Investigation approved under Condition 30 and the financial provision made for analysis, dissemination of results and archive deposition has been secured.

Reason: To accord with paragraph 200 of the National Planning Policy Framework.

32. No development works shall commence unless a suitably qualified acoustics consultant has been appointed with a remit to examine the site and assess noise impacts to residential properties and other land and make appropriate recommendations for mitigating noise impacts. A report, detailing all measurements taken and results obtained, together with any sound reduction scheme and the calculations and reasoning upon which any scheme is based

shall be submitted to and approved in writing by the Local Planning Authority. Reference shall be made to any relevant guidance and Codes of Practice including BS 8233:2014 and the Professional Practice Guidance (ProPG) Planning and Noise-New Residential Development and BS4142:2014. Any approved scheme shall be implemented and maintained as part of the development. Reason: To prevent unacceptable harm from noise to public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment in accordance with Policy DM1 of the TD Core Strategy and I3 of the TD Site Allocations and Development Plan.

33. No dwelling hereby permitted shall be occupied unless a scheme to mitigate against rail and traffic noise and noise from the proposed railway station (Noise Mitigation Scheme), has been submitted to, and approved in writing by, the Local Planning Authority that demonstrates how the internal and external living spaces will not exceed the following maximum noise criteria:

Location	07.00 - 23.00		23.00 - 07.00
	Preferred	Upper Limit	
Living Room	n/a	35 dB $L_{Aeq,16hr}$	
Dining Room/Area	n/a	40 dB $L_{Aeq,16hr}$	
Bedroom	n/a	35 dB $L_{Aeq,16hr}$	30 dB $L_{Aeq,8hr}$ < 10 events >45 dB $L_{Amax,F}$
Private Amenity Areas and Gardens	50dB $L_{Aeq,16hr}$	55 dB $L_{Aeq,16hr}$	
Living Room	n/a	35 dB $L_{Aeq,16hr}$	

Dining Room/Area	n/a	40 dB $L_{Aeq,16hr}$	
Bedroom	n/a	35 dB $L_{Aeq,16hr}$	30 dB $L_{Aeq,8hr}$ < 10 events >45 dB $L_{Amax,F}$

The Noise Mitigation Scheme shall detail the necessary elements of the mitigation including: bunding, fencing, site layout, floor plan layout, building envelope construction, glazing and ventilation. The Noise Mitigation Scheme shall include calculations showing the source noise levels, the attenuation characteristics of the building element or barrier and the resultant noise levels in the relevant internal and external spaces. Sufficient details of the construction of bunds or fences on bunds shall be provided to demonstrate the

technical feasibility of the structure. The approved Noise Mitigation Scheme shall be implemented in full prior to occupation of any dwelling and the measures contained therein shall thereafter be retained in perpetuity.

Reason: To prevent unacceptable harm from noise to public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment in accordance with Policy DM1 of the TD Core Strategy.

34. In addition to the requirements of Conditions 32 and 33 any dwellings (measured from the nearest point of their curtilage) located within 90m of the fenced boundary to the railway shall be constructed so as to provide sound insulation against noise from the operational railway and the future railway station. Details of the said sound insulation and the evidenced need for the level of mitigation proposed shall be submitted to and approved by the Local Planning Authority prior to the laying of foundations for qualifying residential dwellings.

Reason: To prevent unacceptable harm from noise to public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment in accordance with Policy DM1 of the TD Core Strategy.

35. With regards to the proposed foul pumping station - no foundations of any residential buildings shall be laid until:

- a) An Odour Impact Assessment has been undertaken by a suitably qualified person, with particular reference to the impact on neighbouring residential properties has been submitted to and approved in writing by the Local Planning Authority.
- b) If the Odour Impact Assessment identifies that an Odour Management Plan is required then such plan, alongside the Odour Impact Assessment, shall be submitted to and approved in writing by the Local Planning Authority. The Odour Management Plan shall provide details of any mitigation methods to reduce the likely impact on the proposed residential property of odour also.

The development shall thereafter be carried out in accordance with the approved Odour Management Plan and the said mitigation measures retained in perpetuity.

Reason: To prevent unacceptable harm from odour to public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment in accordance with Policy DM1 and Policy CP1 of the TD Core Strategy and I3 of the TD Site Allocations and Development Plan.

36. Prior to commencement of any works, details of the fencing to be installed along the operational railway boundary to ensure that trespassing (before, during and after works) is not possible shall be submitted to and approved by the Local Planning Authority [in consultation with Network Rail]. The approved fencing shall be installed in accordance with the agreed details prior to the commencement of any works and maintained in perpetuity thereafter.

Reason: In the interests of public safety as required by Network Rail.

37. Application(s) for approval of the reserved matters within the employment area shall be accompanied by a glare assessment to ensure that any new structures do not pose a risk to the operational railway.

Reason: To safeguard the operation of the railway as required by Network Rail.

Notes to Applicant

1. In accordance with the National Planning Policy Framework the Council has worked in a constructive and creative way with the applicant to find solutions to problems in order to reach a positive recommendation and to enable the grant of planning permission.
2. The applicant is advised to refer to the 'SBD Homes 2019' design guide available on the Secured by Design website - www.securedbydesign.com - which provides further comprehensive guidance regarding designing out crime and the physical security of dwellings and the bespoke comments made by Avon and Somerset Police dated 10 July 2023. active
3. Reserved Matters proposals or the discharge of certain conditions for proposals in the vicinity of the operational railway should be informed with liaison with Network Rail and mindful of the comments received 10 July 2023. Construction work in the vicinity of the operational railway needs to be undertaken following engagement with NR Asset Protection to determine the interface with NR assets, buried or otherwise and by entering into a Basic Asset Protection Agreement, if required, with a minimum of 3 months notice before works start. Initially the developer should contact assetprotectionwestern@networkrail.co.uk
4. If evidence of a badger sett becomes available at any stage in the works, an ecologist should be contacted for advice.
5. To inform Condition 09 the applicant is reminded of the advice from the LLFA dated 07 July 2023 and
6. To inform Condition 10, with regards to maintenance, the following information will be required
 - Detailed information regarding the adoption of features by a relevant body. This may consider an appropriate public body or statutory

undertaker (such a water company through an agreed S104 application) or management company.

- A management and maintenance plan for the lifetime of the development which shall outline site specific maintenance information to secure the long-term operation of the drainage system throughout the lifetime of the development.

7. Somerset County Council is the Lead Local Flood Authority (LLFA) as defined by the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009.

Under section 23 of the Land Drainage Act there is a legal requirement to seek consent from the relevant authority before piping/culverting or obstructing a watercourse, whether permanent or temporary. This may also include repairs to certain existing structures and maintenance works. This requirement still applies even if planning permission has been granted.

8. Any systems provided for the purposes of draining the site shall be constructed and maintained privately until such time as the drainage is adopted. At no point will this Authority accept private infrastructure being connected into highway drainage systems. Consent from the riparian owner of any land drainage facilities affected, that are not within the developer's title, will be required for adoption.
9. Retrospectively seeking to address Electric Vehicle Charging Strategy requirements may impact upon the approved site layout making it unsuitable for adoption purposes. In cases that the proposed EVCP is on or adjacent to an area of highway or footway that is intended to become adopted, or where Advance Payment Code is applicable, to scale drawings are recommended to show the location of the EVCP in situ and specification details of the proposed range of EVCP options.
10. Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

Appendix 3 – Quality Review Panel Report November 2022

Appendix 4 – Viability Appraisal.

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FRAME PROJECTS

Somerset West and Taunton Quality Review Panel

Report of Chair's Review Meeting: Longforth Farm

Monday 7 November 2022

Via Zoom

Panel

Andrew Beharrell (chair)

Vivienne Ramsey

Attendees

Paul Bryan	Somerset West and Taunton Council
Sarah Povall	Somerset West and Taunton Council
Fiona Webb	Somerset West and Taunton Council
Karen Wray	Somerset West and Taunton Council
Alex Skidmore	Somerset County Council
Edward Bailey	Frame Projects
Deborah Denner	Frame Projects
Abigail Joseph	Frame Projects

Apologies / report copied to

Alison Blom-Cooper	Somerset West and Taunton Council
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Confidentiality

This is a pre-application review, and therefore confidential. As a public organisation Somerset West and Taunton Council is subject to the Freedom of Information Act (FOI) and, in the case of an FOI request, may be obliged to release project information submitted for review.

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1. Project name and site address

Longforth Farm, Nynehead Road, Wellington, Somerset

2. Presenting team

Chris Winter	West of England Developments
Darren Beer	Focus Design
Robin Upton	CarneySweeney
Louise Baugh	Swan Paul Partnership
Richard White	Miles White Transport

3. Planning authority briefing

The proposals are for a mixed-use development on land to the north-west of Taunton Road and west of Nynehead Road. It comprises a mix of residential, employment, care, new railway station, infrastructure, drainage, open space, and ecological mitigation uses.

The site is currently agricultural land on the eastern outskirts of Wellington. The site forms part of an allocation under Policy SS3 'Wellington Longforth' of the Taunton Deane Borough Council Core Strategy 2011-2028. This allocation identifies a large area, including the application site, for 'a new compact urban extension to the north of Wellington.'

Policy SS3 requires the following:

- a green wedge of 18 hectares between the residential and employment areas
- a new neighbourhood which reflects the existing landscape character
- easy access to the town centre and a connected street network
- well-designed public open space, including playing fields, a children's play area, allotments, and associated community facilities
- phased delivery of 900 new homes at an overall average of 35 to 40 dwellings per hectare

A mainline railway borders the northern boundary of the site. The proposals provide land for a new railway station/halt for Wellington. The Council understands that Network Rail would intend to complete the station by 2024.

Officers asked for the panel's views on:

- integration of the new neighbourhood with the town centre
- the development layout and vehicular and pedestrian routes through the site
- the provision of a local centre
- how successfully the scheme achieves sustainable and low carbon design
- any aspects of the scheme where the panel recommends further work.



5. Quality Review Panel's views

Summary

The panel supports the aspirations for a new neighbourhood for Wellington at Longforth Farm, but recommends more time to design before the outline applications are submitted. To give confidence to the planning authority about the quality of place that will be achieved, further work is needed to develop the illustrative masterplan, parameter plans and a design code. As part of this process, the panel asks the Council to reconsider its policy requirement for a green wedge. When this policy was established, employment uses were expected on the site, and now that a primarily residential development is proposed, the panel thinks integration with existing communities to the west should be a priority. It also recommends further thought about the setting that the scheme will create for the proposed new station. There is potential for a public square, framed by higher density mixed use development. More clarity is needed about the character of the route between the site access and the station. The panel questions whether this should be a curvy street, and whether it is intended to have an urban or suburban character? Cross sections would be helpful to explore this, and should be included in the design code. The masterplan should be designed to encouraging walking, cycling and public transport use. Considering how well routes are overlooked, and lighting, will be important to ensure they feel safe at night. The panel offers some comments on the masterplan layout, suggesting relocation of the care home, and a variety of residential densities in different areas of the site. The strategic approach to landscape design and environmental sustainability should also be included in the outline applications. These comments are expanded below.

Planning process

- The panel understands that two applications will be submitted for Longforth Farm: one covering the station carpark and employment areas; and the other for the residential area of the masterplan.
- The reason for splitting the application is that local phosphate issues may delay progress with the residential element of the scheme. Nevertheless, it is essential that a holistic masterplan for the whole site is produced as a basis for both applications.
- The panel would expect both applications to include parameter plans, accompanied by illustrative masterplans and design codes.
- The proposed boundary between the two applications is over-complex and constrains a holistic solution for the residential and mixed-use areas. The split urban block lying between the station square and green wedge is especially unresolved and should be revised to fall into one application or the other.



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- A density diagram would also be valuable to illustrate how the character and scale of development may vary across the site. For example, the panel would expect there to be higher density development around the station.
- Demonstrating how the scheme contributes to the Wellington Place Making Strategy would also be valuable as part of the planning submissions.
- The panel does not think the level of information included in the presentation would be sufficient to give confidence to the planning authority that high quality development will be achieved.
- Comments from a previous design review of the scheme were shared with the panel, and it notes the itemised response explaining those points taken on board, and those aspects unchanged. However, the focus of the session was on the design presented, and there was not time for a detailed discussion of the applicant's response to previous comments.

Green wedge

- The panel recommends that the planning policy requirement for a 'green wedge' should be reconsidered.
- It understands this was proposed in part because of plans to locate significant employment uses here. The scheme is now primarily residential, and it thinks integration with the Bloor Homes development should be a higher priority.
- Limited information was provided on the landscape design of the green wedge, but it would be disappointing if this was thought of simply as a green buffer.
- The panel suggests that more thought is given to the provision of green open space, and where this should be located. The aim should be to maximise its value for amenity, play and biodiversity, as well as creating an attractive setting for new and existing residents.

Development around the station

- The panel is pleased to see a mix of uses proposed in the area around the station, including residential above commercial uses.
- It would support higher density development in this part of the site.
- The green wedge does not seem the best use of land to the south of the station, which will have excellent transport accessibility. The panel feel residential development could extend into this part of the site.
- There is potential for the station square to create an attractive arrival point to the development, and it is disappointing that this is currently shown as a car park.



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- The panel would encourage a more aspirational approach to designing a civic space as a setting for the station, which should include a bus interchange and cycle hub.
- The buildings framing this space could be urban in scale, including shops and community space at ground level to generate activity, with residential or workspace above.
- Ideally buildings would wrap the square on three sides, as well as framing an entrance point from the access road to the south east.

Access to the station

- The route through the site to the station should be a fundamental driver for the scheme design – and will bring people from the surrounding area through the site.
- The outline application should set out the alignment of this route, and accompanying design codes should describe its cross section, and how carriageway, foot and cycle paths, tree planting and landscape design define its character.
- The curvy layout of this street suggests a suburban character, which the panel is not convinced is the right approach.
- Clarity is needed about whether this route has an urban feel, or is more of a greenway with buildings set back from it.
- It would also be helpful to explore the arrival of this route at the station. In the current drawings this faces the end wall of the mixed use building to the south of the station, with the route deflecting past this into the car park.
- The panel would encourage a more confident approach to the design of a station square, where people have priority rather than cars, and the way this meets the access route.

Walking, cycling and bus routes

- The panel recommends further work to encourage walking and cycling throughout the scheme.
- Considering how well routes are overlooked, and lighting, will be important to ensure they feel safe at night.
- The masterplan and related design codes should prioritise the creation of active frontages defining and enclosing each urban block and reinforcing the routes and other public realm.



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- The masterplan should also consider whether there are safe walking routes from this site to the town centre, and allow for upgrades to footpaths and street lighting if needed.
- It appears that currently the scheme would be served by bus stops on Taunton Road. The potential to bring bus routes into the site, and the experience of walking to and from bus stops should be given more thought.
- The bus stops currently shown are on a busy road adjacent to an existing caravan park, and the Lidl – which is unlikely to make catching a bus an enjoyable experience.
- A bus stop should be provided outside the station.
- Considering the quality of experience that walking and cycling to destinations such as the primary school should also be given more thought, to encourage sustainable transport in preference to driving.
- In general, the panel thinks the masterplan should do more to discourage car use, and make walking and cycling easy and enjoyable.

Care home

- In the current scheme, a care home is proposed at the entrance to the site, and the panel thinks its location should be reconsidered.
- Care homes have security and privacy requirements which mean they have limited potential to create active frontage.
- The current location would also not provide the best outlook for care home residents, with the Lidl carpark and caravan site in the foreground.
- A two to three storey care home may also not lend itself to creating a high quality marker building at the entrance to the site.
- It also thinks that the elderly residents would benefit from being at the heart of the scheme, with interest and activity around them.

Residential layout and character

- The housing mix and typologies should be discussed and agreed with Council, to reflect local need.
- Materiality should be described in the design codes and reflect local character of place. The panel is pleased to see reference to local mills, and agrees that this could inspire the architecture of larger buildings in the masterplan.



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- The illustrative masterplan shows an emerging residential layout, but the panel thinks more work would be needed to demonstrate the quality of place it will result in, if this is to be fixed through the outline application process.
- An alternative approach would be to allocate the land at outline stage, and resolve the residential layout as a reserved matter.
- The scheme currently proposes a density of around 45 homes per hectare, with part of the site being mixed use. The panel thinks that higher density could be appropriate in some parts of the site, especially around the new station.
- Parking will be a significant constraint, and the aim should be to minimise its visual impact, and incentivise walking, cycling and public transport use.
- The panel thinks there is scope to improve on the quality of recently completed developments in the area, and attract people willing to pay a premium for home here.

Landscape strategy

- Limited information was presented to describe the landscape strategy for the development.
- It will be essential that the outline applications gives confidence that the existing landscape assets will be protected and high quality green and open space will be created for the new neighbourhood.
- Clarity is needed about who will own, manage, and maintain the landscape. This will be essential to the quality of life for residents.

Sustainability

- The panel would expect clear targets for biodiversity net gain to be fixed through the planning process.
- Similarly, an energy strategy should form part of the outline applications, for example this could commit to Passivhaus standards for the new homes.
- A more detailed presentation on the sustainability strategy and targets would be welcomed at a future review.

Next steps

The panel would welcome a further opportunity to review the scheme, once parameter plans, an illustrative masterplan and design code are available.



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Report for Somerset Council and West of England Developments Ltd

Independent Financial Viability Assessment

Somerset Council and West of England Developments Ltd - Planning Reference 43/23/0056- amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”*

Status; Final Report

Prepared by Andrew Chamen of Belvedere Vantage Ltd

April 2024

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1. Introduction and Background
2. IFVA Status and Compliance
3. Viability Policy Context and Guidance
4. Financial Viability Assessment
5. Viability Modelling and Outcomes
6. Conclusions
7. Appendices

Executive Summary

- i. Belvedere Vantage Ltd ('BVL') is an experienced firm of Chartered Surveyors that provides specialist independent advice relating to development viability and affordable housing. BVL advises a range of public and private sector clients, including local authorities, developers, landowners, and others.
- ii. BVL has been jointly commissioned by Somerset Council ('the Council') and West of England Developments Ltd ('the Applicant' or 'WOED') to prepare an Independent Financial Viability Assessment ('IFVA') to provide an independent and objective opinion of development viability, to inform an outline planning application ('The Outline Application') reference 43/23/0056 relating to the above site ('the Application Site') which was received by the Council on 24/05/2023, and registered on 16/06/2023.
- iii. The application description at the time of submission¹ was as follows; *"Outline application with all matters reserved, except for access, for a mixed-use development of up to 220 No. dwellings, employment land (Use Class E & B8) a car park and internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington"*.
- iv. The application consultation process produced an extensive list of target s.106 Obligations. Amongst other things, these target s.106 Obligations include 25% affordable housing, health and education contributions, active travel, and highway improvements, plus land to facilitate a new railway Halt that is proposed for Wellington. In essence, it appears that the Council and the Statutory Consultees are looking for the development to address a wide range of issues. However, this extensive 'wish list' of target s.106 Obligations would, in the view of the Applicant, render the development unviable.
- v. Accordingly, the Council and the Applicant agreed to jointly commission BVL to undertake an independent and detailed assessment of viability, in order to establish the level of s.106 Obligations that the proposed development is able to support whilst remaining viable, and so that the Council can also make informed decisions as to the *balance* of the various obligations to be included within the development.
- vi. Following a number of ongoing changes to the development proposals and target

¹ The application description was subsequently amended – see below for details.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *"Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)"*.

s.106 Obligations during the course of the viability work being undertaken², the application was resubmitted in early March 2024, with the following amended description; *“Outline application with all matters reserved, except for access, for a mixed use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”*

- vii. From a viability perspective, the main amended land areas, (as per the resubmission of the Outline Application recorded on the Planning Portal as being on 7 March 2024) are as follows (based on FOD Dwg No -0740-V4-1006-1 Land Areas Plan – Feb 24 (Rev 0) and FOD Dwg No 0740-V4-1009 GA Employment and Residential NDA – Rev C. 2024-01-24 (updated to suit latest Illustrative Masterplan Plan Rev F).
 - i. The Residential net developable area remains at 4.778Ha (11.806 acres). However, the maximum number of dwellings has now reduced to ‘up to 200’ (previously³ this was ‘up to 220’).
 - ii. The employment land element is now 0.828Ha (2.046 acres). This was previously⁴ 0.96Ha (2.36 acres). The new coverage is envisaged to be; “general employment buildings (gf only) total gross internal areas 2,645.4m² (28,475 ft²). Note – under the new application description, the proposed employment uses have been amended from E and B8 to E and F.
 - iii. The ‘Mixed Use’ element of the proposals (previously comprising 0.71 Ha, or 1.76 acres - which was not present on the amended plans of 26 January 2024) also does not appear on the March 2024 plans.
 - iv. Additional item - Station square 0.127Ha (0.315 acres).
 - v. Additional item - Mobility hub with a net developable area of 0.012Ha (0.029 acres).
- viii. As the areas noted immediately above are the latest provided (as of 7 March 2024), these form the basis for the viability modelling that informs the IFVA.
- ix. Taking account of the documentation supporting the outline application, and the parameters set out above (i.e. land use/amount, density, building heights and the

² Between late November 2023 and March 2024.

³ As of 26 January amendments.

⁴ As of 26 January amendments.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”*.

affordable housing mix being sought) and also following discussions with FOD, an indicative housing mix for a maximum of 200 dwellings has been applied in the viability modelling.

- x. The Council's Affordable Housing Consultee Response of June 2023 provided a target mix that has been included in the viability modelling. note; there are no flats within the requested affordable mix, which means that any flats will be included within the open market element);
- xi. The IFVA modelling was initially undertaken based on the average of the sales estimates provided by estate agents GTH, Robert Cooney and Bradleys. However, taking an optimistic approach to the financial modelling in order to flex the parameters of the viability modelling as far as possible, the highest of the three agents' figures have now been applied.
- xii. Affordable housing sales are based on advice from Affordable Housing Experts CJH Land who advise that likely achievable sales premiums for the Council's target mix of 60% Social Rent and 40% Shared Ownership, are likely to attract a blended sales rate of up to £150 per ft2, with a 'safe' assumption of around £145 per ft2.
- xiii. Employment land - BVL approached commercial local commercial agents Chesters Harcourt, Hatfield White and GTH for comment. In summary because Class F generally comprises community type uses (which do not attract very much value) the value of serviced employment land in this location will essentially depend on the range of Use Class E uses that are allowed. If, for example, retail-type⁵ uses (or self-storage uses) were allowed, then serviced employment land in this location could potentially sell for up to £500k per acre. However, without these higher value uses, the serviced per-acre sale rate would reduce to between £200k and £300k per acre. However, taking an optimistic approach to the modelling, BVL has applied the maximum per acre rate of £500k x 2.046 acres = £1,023,000 within the viability modelling.
- xiv. Construction cost advice to inform the IFVA was provided by Chartered Quantity Surveyors, TCL, via an Infrastructure Cost Plan and a Standard Build Cost Plan.
- xv. BVL has produced a wide-ranging 'Schedule of Target s.106 Contributions and Other Costs' which has been continually updated over the last few months. This is intended to act as a single, comprehensive, easily updatable schedule of all target obligations/contributions/standards etc.

⁵ For example, a supermarket (unlikely with Lidl close by), Home Bargains, B&M, Screwfix etc.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

- xvi. Land value - In BVL's view, the Existing Use Value ('EUV') for viability modelling purposes is likely to be in the order of (say) £8,500 per acre per acre x 27.35 acres = £232,475. Agricultural land is acknowledged to have a low 'starting point' EUV, and therefore it is difficult to express a suitable landowner premium as a percentage of EUV. Rather, with agricultural land, the approach frequently taken (in respect of sites with varying degrees of abnormal development costs) is to express the premium based on a multiplier in the range of 10 to 20 over base agricultural land value. If, in this instance, a landowner premium of (say) 12 times over EUV is assumed, this would result in a notional benchmark land value of £232,475 x 12 = £2,789,700 equating to £102,000 per acre.
- xvii. However, in considering the appropriate landowner premium, it should be acknowledged that the gross developable area of the site (representing the residential & employment uses) is 12.53 acres + 2.36 acres = 14.89 acres, which represents around 54.62% of the total Application boundary area. This is because the 'other land', including green & blue infrastructure (6.48 acres), strategic green & blue infrastructure (4.49 acres) and other infrastructure (1.4 acres) total 12.37 acres, representing around 45.38% of the total Application boundary area.
- xviii. If the VBLV was to be based solely on the gross developable area, this would equate to around 14.89 acres x £102k per acre = £1,518,780. However, a reduced premium should also be applied to the remaining 'other areas.' Taking this into account, and to test the parameters of the current modelling, BVL has applied an indicative VBLV of £2m within the appraisals.
- xix. The outcomes of the scenarios modelled are as follows;
- xx. Appraisal Scenario 1 is based on a Target 'Fully Policy Compliant' scenario (i.e. full s.106 Obligations, 25% affordable housing⁶, full target s.106 Contributions, and full community infrastructure provision. The outcome of the initial Scenario 1 appraisal of 25 March⁷ was a loss of £12.56m. Following an engagement process with Council Officers, amended appraisal assumptions were applied (including reduced cost assumptions) which were reflected in updated Scenario 1a. The outcome of the Scenario 1a updated appraisal was a slightly less severe loss of £10.03m.
- xxi. Scenarios 1 and 1a demonstrate that the target 'full policy compliant' package of community infrastructure and s.106 Contributions being sought is neither viable,

⁶ The published consultation response requesting for 55 affordable dwellings actually represents 27.5% of the reduced residential total of 200 dwellings. This was amended pro-rata in Scenario 1a.

⁷ As submitted with the Draft IFVA of 25 March.

or deliverable. As noted above, this outcome highlights the inherent viability constraints associated with the approved development, and it demonstrates that that⁸, based on market-based, objective, viability modelling criteria, a reduction in affordable housing and s.106 Contributions will be required, on viability grounds, in order to ensure that the proposed development is deliverable.

- xxii. Appraisal Scenarios 2 and 2a are based on nil Affordable Housing, full Social Infrastructure and full s.106 Contributions. These apply identical appraisal parameters to those in Scenario 1, except that a maximum average open market sales rate of £310 per ft² is applied to all 200 dwellings (i.e. including affordable housing units). Scenario 2⁹ produces a reduced deficit of £3.25m, and updated Scenario 2a¹⁰ a forecast break-even profit of £93k (0.15% of GDV). Although these are an improvement on Scenario 1, they indicate that the removal of the target affordable housing element would not (in itself) be sufficient to return the Proposed Development to deliverability.
- xxiii. Appraisal Scenarios 3 and 3a are based on nil Affordable Housing, full Social Infrastructure, full s.106 Contributions. These apply identical appraisal parameters to those in Scenario 2, except that an assumption is made that the education contributions are reduced to nil. Scenario 3 produces a marginal developer return of £491k (0.82% of GDV) and Scenario 3a produces an improved forecast developer profit of £3.48m (5.95% of GDV). Although these outcomes are a further improvement on Scenario 2, they indicate that even the removal of the target affordable housing element (25%) and all education contributions and would not be sufficient to return the Proposed Development to normally accepted development viability parameters.
- xxiv. Scenarios 1a to 3a demonstrate that, from an objective viability perspective, the removal of affordable housing and all s.106 Contributions would be justified, in order to restore the scheme to viability.
- xxv. The Scenario 4 appraisal follows the engagement process with Council officers, and takes account of various reduced cost assumptions etc. Scenario 4 is presented in an attempt to provide a scenario that could be deliverable in the particular context of WOED and the Proposed Development. Accordingly, it is hoped that Scenario 4 that will form a basis for s.106 heads of terms in this case.

⁸ Unsurprisingly perhaps, given the level of community infrastructure and target s.106 Obligations being applied to the reduced development proposals.

⁹ As submitted with the BVL Draft IFVA of 25 March.

¹⁰ Which again includes amended appraisal assumptions agreed with Council Officers.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*".

- xxvi. Scenario 4 is essentially based on nil affordable housing and a reduced education contribution of £537k, alongside other s.106 Contributions. The total s.106 'package' included in the Scenario 4 appraisal is £1,820,320.
- xxvii. Scenario 4 produces a sub-optimal forecast developer return of 2.7m (4.58% of GDV). Given this marginal profit forecast and the 'inflated'¹¹ nature of the sales revenue assumptions, this appraisal does not even come close to normally accepted viability parameters. However, for the reasons discussed with officers during the engagement process, WOED has confirmed that it would be willing to proceed on this basis.

¹¹ See below for details.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*".

1. Introduction and Background

INTRODUCTION

- 1.1. Belvedere Vantage Ltd ('BVL') is an experienced firm of Chartered Surveyors that provides specialist independent advice relating to development viability and affordable housing. BVL advises a range of public and private sector clients, including local authorities, developers, landowners, and others.
- 1.2. BVL has been jointly commissioned by Somerset Council ('the Council') and West of England Developments Ltd ('the Applicant' or 'WOED') to prepare an Independent Financial Viability Assessment ('IFVA') to provide an independent and objective opinion of development viability, to inform an outline planning application ('The Outline Application') reference 43/23/0056 relating to the above site ('the Application Site') which was received by the Council on 24/05/2023, and registered on 16/06/2023.
- 1.3. The application description at the time of submission¹² was as follows; *"Outline application with all matters reserved, except for access, for a mixed-use development of up to 220 No. dwellings, employment land (Use Class E & B8) a car park and internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington"*.
- 1.4. The application consultation process produced an extensive list of target s.106 Obligations. Amongst other things, these target s.106 Obligations include 25% affordable housing, health and education contributions, active travel, and highway improvements, plus land to facilitate a new railway Halt that is proposed for Wellington. In essence, it appears that the Council and the Statutory Consultees are looking for the development to address a wide range of issues. However, this extensive 'wish list' of target s.106 Obligations would, in the view of the Applicant, render the development unviable.
- 1.5. Accordingly, the Council and the Applicant agreed to jointly commission BVL to undertake an independent and detailed assessment of viability, in order to establish the level of s.106 Obligations that the proposed development is able to support whilst remaining viable, and so that the Council can also make informed decisions as to the *balance* of the various obligations to be included within the development.
- 1.6. Following a number of ongoing changes to the development proposals and target

¹² The application description was subsequently amended – see below for details.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *"Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)"*.

s.106 Obligations during the course of the viability work being undertaken¹³, the application was resubmitted in early March 2024, with the following amended description; *“Outline application with all matters reserved, except for access, for a mixed use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”*

1.7. The various changes to the development proposals and to the target s.106 Obligations are considered in more detail below. However, the key changes from a viability point of view are;

1.7.1. A reduction in the maximum number of residential dwellings from 220 to 200.

1.7.2. A reduction in the area of employment land that is proposed, from 2.36 acres to 2.046 acres.

1.7.3. The deletion of a mixed-use element of the Proposed Development which removed some 2,285.1 m² (24,596 ft²) of ground floor employment space from the proposed development

1.7.4. A continued increase in community infrastructure requirements¹⁴ and also in the target s.106 contributions that are being sought by the Council and other statutory consultees.

1.8. In essence, the various changes noted above have inevitably led to a gradual worsening of the viability position over the last few months. This is considered in more detail below.

1.9. As further set out in Section 2 below, in terms of qualifications and experience to undertake the IFVA; Andrew Chamen ('AC') of BVL is a Chartered Surveyor with more than 35 years post qualification experience. AC specialises in providing independent viability advice for planning purposes, and acts for a range of parties including local planning authorities, developers, landowners, land promoters, and volume house builders. AC therefore able to demonstrate independence and objectivity, whereas many firms that undertake a wider range of work (including providing advice on land purchases and sales) can find more difficulty in demonstrating this independence and objectivity from a viability perspective. (For further information on this point, please also see Section 2 below).

¹³ Between late November 2023 and March 2024.

¹⁴ i.e. up-front provision of a spine road through the development to access a new railway Halt, land for the station car park and a station square and mobility hub etc.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”*.

1.10. In line with Government and RICS Guidance, the IFVA is also informed by expert advice from Jonathan White ('JW') of Chartered Quantity Surveyors and construction cost consultants Terrus Consulting Ltd ('TCL'). JW is a very experienced Chartered Quantity Surveyor that advises a wide range of parties in relation to construction and development costs. JW was commissioned to provide detailed construction cost advice relating to approved development. This consisted of two key reports;

1.10.1. An Infrastructure cost plan and report

1.10.2. A standard build cost plan and report.

1.11. As noted in detail in Section 4 below, TCL's baseline infrastructure budget was updated during a liaison process with Council officers, following their review of the Draft IFVA of 25 March. The detail of the updates is set out below;

1.11.1. Baseline – Infrastructure Cost Plan 1 - the original cost plan dated 20 March, that informed BVL's Draft IFVA of 25 March. This baseline cost plan assumes a target Full policy compliance ('FPC') position of 25% affordable housing.

1.11.2. Updated version – Infrastructure Cost Plan 2 dated 30 March – reflecting cost adjustments made following comments/observations made by Council officers during a meeting on 27 March 2024, and in subsequent emails. This updated Cost Plan 2 also assumes a target Full policy compliance ('FPC') position of 25% affordable housing.

1.11.3. Further updated – Infrastructure Cost Plan 3 – dated 3 April – as per Infrastructure Cost Plan 2, but assuming cost savings associated with nil affordable housing.

1.12. The detail of these three Infrastructure Cost Plans is set out at paragraph 4.2 of the TCL Infrastructure Cost Plan¹⁵, and also included in a letter from TCL dated 9 April 2024, which was issued to Council officers to confirm the cost adjustments that had been made in response to the liaison process following the issue of the Draft IFVA on 25 March¹⁶.

1.13. The main role of the IFVA is to consider viability objectively, and in line with Government Guidance and RICS requirements. As noted in more detail below, BVL

¹⁵ See Section 4 below for details.

¹⁶ Again, see Section 4 below for details.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

is required to undertake the IFVA in line with the viability requirements of the National Planning Policy Framework ("NPPF") and Planning Policy Guidance ('PPG') Viability, which are prescriptive as to how development viability (in the context of planning applications) must be approached and presented. These focus primarily on viability being a tool to ensure delivery of development rather than to preserve developer profits. The IFVA will also look to identify the minimum level of reductions to target s.106 Obligations that are necessary to ensure that the development is viable and deliverable.

1.14. BVL is also required to undertake the IFVA in accordance with the requirements of the Royal Institution of Chartered Surveyors ('RICS') Professional Statement entitled 'Financial Viability in Planning: Conduct and Reporting 1st Edition', (PSFVP) which came into force from 1 September 2019. This sets out prescriptive mandatory requirements for RICS members and RICS-regulated firms when preparing financial viability assessments (FVAs). The IFVA will also need to comply with the RICS Guidance document entitled 'Assessing Viability in Planning Under the National Planning Policy Framework 2019 for England RICS Guidance note, England 1st edition', which was issued by RICS in March 2021, effective from 1 July 2021.

1.15. As per BVL's joint viability instruction from the Council and the Applicant for Land West of Derham Close, Creech St Michael, Somerset (outline planning permission 14/21/0024 and reserved matters application reference 14/23/0017) BVL presented its draft IFVA report to the planning case officer for review and discussion and also to the Council's Housing Enabling Team, who provided the 'sense check' that the data contained within the report concurs with their local knowledge. This engagement took place via several Microsoft Teams meetings with additional points, clarifications and queries being raised in a number of subsequent emails. Further information on this IFVA review and engagement process is included throughout the IFVA report, as relevant. Amendments made to the financial modelling following this engagement process are also detailed in Section 5 below.

1.16. Generally, the approach taken by BVL to 'pin down' development costs for the purposes of the IFVA is to separate costs into 3 main areas;

1.16.1. Construction related costs (including all infrastructure and standard build costs) – included in TCL's cost plans.

1.16.2. Target s.106 Obligations/financial contributions and other costs – these are included in a 'Schedule of Target s.106 Contributions and Other Costs' which was produced by BVL to track the various changes to the target contributions that were requested/discussed during meetings between the Council and WOED

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

over the last few months (along with new contributions that have arisen during that period). The idea of BVL's schedule is to provide detailed background to the contributions that are being requested, whilst also acting as a 'live' record of the very latest s.106 obligations being sought in relation to the Outline Application.

1.16.3. Other Costs – land, and other costs and allowances – included in the IFVA generally.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”*.

2. IFVA Status and Compliance

2.1. This section sets out the status of the IFVA, and the RICS regulatory requirements that have been taken into account when preparing the IFVA.

RICS VIABILITY GUIDANCE AND REPORTING REQUIREMENTS

2.2. As required by the Royal Institution of Chartered Surveyors ('RICS') the IFVA complies with the principles of the RICS Professional Statement Financial Viability in Planning: Conduct and Reporting 1st edition, May 2019, ('PSFVP') active from 1 September 2019.

2.3. As required by the PSFVP, BVL hereby confirms that;

2.3.1. The IFVA has been undertaken by Andrew Chamen ('AC'), who is a Chartered Surveyor and a 'suitably qualified practitioner,' and therefore able to give an objective, impartial and reasonable viability judgement. AC has over 35 years of post-qualification experience and is very experienced in advising a wide range of parties, on the financial viability of development, understanding the application of inputs into the residual appraisal model from other professional disciplines and having appropriate and up-to-date knowledge of the planning system. AC provides specialist independent advice relating to development viability and affordable housing, and advises a range of public and private sector clients, including local authorities, developers, landowners, and others. (ref. PSFVP paragraph 1.2). AC is therefore able to demonstrate independence and objectivity, whereas some viability advisers that undertake a wider range of work (including providing advice on land purchases and sales) can find difficulty in demonstrating this independence and objectivity from a viability perspective.

2.3.2. The IFVA has been prepared with objectivity, impartially, without interference and with reference to all appropriate available sources of information (ref. PSFVP paragraph 1.2.)

2.3.3. AC has been engaged by the Applicant to provide an independent and objective opinion as to the viability of the development options being reviewed.

2.3.4. No conflict, or risk of conflict of interest exists. (ref. PSFVP Paragraph 2.2).

2.3.5. The Applicant has made no specific requests of AC, either at the start or during the process of preparing the IFVA, and that the Applicant has not made additional requests for testing the viability of the proposed scheme or counterfactual scenarios (ref. PSFVP Paragraph 2.2).

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- 2.3.6. That, in preparing the IFVA, no performance-related or contingent fees have been agreed (ref. PSFVP Paragraph 2.3).
- 2.3.7. That all inputs into appraisals have been reasonably justified (ref. PSVP Paragraph 2.6) and that where relevant, market evidence and other supporting information has been analysed and, as appropriate, adjusted to reflect existing or emerging planning policy and other relevant considerations (ref. PSFVP Paragraph 2.7).
- 2.3.8. Where appropriate, a sensitivity analysis of the results and an accompanying explanation and interpretation of respective calculations on viability, has been provided, having regard to risks and appropriate returns (ref. PSFVP Paragraph 2.9).
- 2.3.9. The IFVA includes an Executive Summary which provides a non-technical summary of the report, which includes key figures and issues that support the conclusions drawn from the assessment and which is also consistent with relevant guidance and good practice. (ref. PSFVP Paragraph 2.11).
- 2.3.10. The IFVA has been formally signed off and dated by the author, along with details of qualifications held (ref. PSFVP Paragraph 2.12).
- 2.3.11. That, where relevant, inputs to the IFVA supplied by other contributors and all contributions to reports relating to assessments of viability, comply with the PSFVP (ref. Paragraph 2.13);
- 2.3.12. In accordance with Section 4 of the PSFVP, BVL confirms that the advice provided in the IFVA represents 'the most effective and efficient way to deliver a reasonable development performance proportionate to the scheme being tested, and that, where relevant, these matters have been given full consideration in the IFVA.

2.4. The IFVA is first and foremost an independent document intended to inform the Application. As per Professional Standard 1 of the RICS Valuation – Global Standards 2019, advice prepared for such purposes does not form part of a formal 'Red Book' valuation and should not be relied upon as such.

RICS GUIDANCE; 'ASSESSING FINANCIAL VIABILITY IN PLANNING'

2.5. The RICS Guidance Note "Financial Viability in Planning" (1st edition, August 2012) ("the RICS 2012 Viability Guidance") is often referred to in viability assessments and

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viability reviews. However, following the Parkhurst Road High Court Decision¹⁷ in April 2018, the Judge recommended that RICS;

2.6. *".....consider revisiting the 2012 Guidance Note, perhaps in conjunction with MCHLG and the RTPJ, in order to address any misunderstandings about market valuation concepts and techniques, the "circularity" issue and any other problems encountered in practice over the last 6 years, so as to help avoid protracted disputes of the kind we have seen in the present case and achieve more efficient decision making".*

2.7. Following the Judge's recommendation above, and the subsequent issue of the Updated NPPF, updated draft guidance entitled 'Assessing Financial Viability in Planning under the National Planning Policy Framework for England, Guidance Note, 1st edition', was issued by RICS, for consultation, between 13 December 2019 and 9 February 2020.

2.8. The covering notes to the consultation document provide helpful background, as follows;

2.9. *"In July 2018, the government published its revised planning policy and practice guidance for England in the National Planning Policy Framework (NPPF) 2018 and the Planning Practice Guidance (PPG) 2018. Further revisions were made to the PPG in May 2019. One of the areas in which the government changed its policy and practice advice is in relation to the assessment of viability in planning. As a result, the RICS guidance note Financial viability in planning (2012) is no longer applicable.....The purpose of this draft guidance note is to enable practitioners to consistently apply the government's NPPF/PPG 2018/19 on viability. The purpose of this consultation is to obtain feedback from consultees on how well the draft guidance note gives effect to the provisions of the NPPF/PPG 2018/19. We are also seeking feedback on whether our guidance enables the assessment of viability to be conducted in a proportionate way, consistent with the delivery of effective public administration, in response to Mr J Holgate's High Court comments on this."*

2.10. the final RICS guidance note, entitled 'Assessing Viability in Planning Under the National Planning Policy Framework 2019 for England' 1st edition' (referred to below as 'the AVP GN 2021') was issued in March 2021, and was effective from 1 July 2021.

2.11. The AVP GN 2021 essentially seeks to provide updated guidance for RICS Members undertaking FVAs and reviews, that aligns with the NPPF and PPG, and which builds on the reporting and conduct requirements of the PSFVP May 2019. Accordingly, therefore, the IFVA also complies with the approach and principles set

¹⁷ Parkhurst Road Limited and Secretary of State for Communities and Local Government and The Council of the London Borough of Islington – case reference CO/3528/2017.

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out in the AVP GN 2021.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”*.

3. Viability Policy Context & Guidance

NATIONAL GUIDANCE - THE NPPF AND PPG VIABILITY

Viability Requirements for Financial Viability Assessments

- 3.1. The principle of maintaining development viability when setting policy targets and determining planning applications was originally set out at national level within Planning Policy Statement 3 'Housing' (PPS3). The PPS identified a number of specific requirements, but emphasised that policy should be applied flexibly.
- 3.2. The National Planning Policy Framework ('NPPF') was published by the Department for Communities and Local Government on 27 March 2012. The NPPF was an integral part of the Government's planning reforms in England and provided a single policy framework, which replaced and revoked the majority of PPS documents, including PPS3 and PPS12. The NPPF strengthened previous guidance on viability by making specific reference to both developer profit and landowner return.
- 3.3. The Government issued an updated version of the NPPF on 24 July 2018 (this has subsequently been updated several times, including on 20 July 2021 and on 5 September 2023). The Updated NPPF was accompanied by a Planning Practice Guidance ('PPG') document entitled 'Viability,' which has subsequently been updated on 9 May 2019 and 21 September 2019. The Updated NPPF, and 'PPG Viability' set out widespread and significant changes concerning the stages at which, viability should be included in the planning process, and how it must be presented and reviewed. The NPPF and PPG are very prescriptive as to how viability should be approached.
- 3.4. The Government requires that any financial viability assessments that are submitted in relation to planning applications follow the requirements set out in the Updated NPPF and PPG Viability. Paragraph 010 of the PPG say; *"Any viability assessment should follow the government's recommended approach to assessing viability as set out in this National Planning Guidance and be proportionate, simple, transparent and publicly available"*.
- 3.5. PPG Viability sets out a 'standardised inputs' approach that FVAs must follow. PPG paragraph 008 says; - Any viability assessment should reflect the government's recommended approach to defining key inputs as set out in National Planning Guidance.
- 3.6. This approach is adopted by the IFVA and is considered in more detail below.

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NPPF – Justification for Viability Assessment at Application Stage

3.7. Generally, the Updated NPPF and PPG Viability now put increased onus on the applicant to justify any viability case that is made at the planning application stage. PPG Viability paragraph 006 states as follows;

3.8. It is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks, and ensure that proposals for development are policy compliant. Policy compliant means development which fully complies with up to date plan policies. A decision maker can give appropriate weight to emerging policies. It is important for developers and other parties buying (or interested in buying) land to have regard to the total cumulative cost of all relevant policies when agreeing a price for the land. Under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan.....Where up-to-date policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. An illustrative list of circumstances where viability should be assessed in decision making is set out below¹⁸

3.9. NPPF paragraph 34 states; *“Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan”*

3.10. PPG paragraph 002, sets its requirements out in detail as follows;

3.11. “The role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan.....It is the responsibility of plan makers in collaboration with the local community, developers and other stakeholders, to create realistic, deliverable policies. Drafting of plan policies should be iterative and informed by engagement with developers, landowners, and infrastructure and affordable housing providers.....Policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessment

¹⁸ See PPG paragraph 007 below.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”*.

at the decision-making stage.”

3.12. PPG Viability paragraph 007; Should viability be assessed in decision taking?

3.13. *“Where up-to-date policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. Policy compliant in decision making means that the development fully complies with up to date plan policies. A decision maker can give appropriate weight to emerging policies.....Such circumstances could include, for example where development is proposed on unallocated sites of a wholly different type to those used in viability assessment that informed the plan; where further information on infrastructure or site costs is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people); or where a recession or similar significant economic changes have occurred since the plan was brought into force”.*

3.14. *57. Planning obligations must only be sought where they meet all of the following tests:*

3.15. *(a) necessary to make the development acceptable in planning terms;*

3.16. *(b) directly related to the development; and*

3.17. *(c) fairly and reasonably related in scale and kind to the development.*

3.18. Therefore, whilst the NPPF and PPG put the onus on the Applicant to justify any viability case made after the allocation stage, paragraphs 34 and 57 of the Updated NPPF and paragraphs 002 and 007 of the PPG also set out four main ‘starting point’ requirements for Local Planning Authorities (‘LPAs’), as follows;

- Requirement 1 – policies (and therefore the evidence that informs them) should be ‘up to date’.
- Requirement 2 - Plan makers should use viability assessment (primarily at the plan making stage), to ensure that their policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of their Development Plans.
- Requirement 3 – The LPA’s realistic, deliverable policies must be informed by engagement with developers, landowners, and infrastructure and affordable housing providers.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”.*

- Requirement 4 - Policy requirements, particularly for affordable housing, should be set at a level that..... allows for the planned types of sites and development to be deliverable.

3.19. In summary then, LPA policies (particularly in relation to affordable housing) should be; up to date, realistic, deliverable and fully informed by collaboration and engagement with stakeholders. These 'baseline' requirements set the context for consideration of an applicant's justification for the submission of a viability submission following the allocation stage.

3.20. In principle therefore¹⁹, the Updated NPPF expects developers and landowners to comply with what they have effectively 'signed up to' at the site allocation stage. However, the NPPF *does* allow viability to be considered at the application stage, having regard to the circumstances of the case, and any changes in site circumstances since the allocation stage.

3.21. NPPF paragraph 57 (Under Section 4 – Decision Making provides further details as follows;

3.22. *"Where up-to-date policies²⁰ have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available."*

3.23. PPG Viability paragraph 008 – 'How should a viability assessment be treated in decision making?' states as follows;

3.24. *"Where a viability assessment is submitted to accompany a planning application this should be based upon and refer back to the viability assessment that informed the plan; and the applicant should provide evidence of what has changed since then.....The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances of the case, including whether the plan and viability evidence underpinning the plan is up to date, any change in site circumstances since the plan was brought into force, and the transparency of*

¹⁹ Where appropriate.

²⁰ Emphasis added.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

assumptions behind evidence submitted as part of the viability assessment.....Any viability assessment should reflect the government's recommended approach to defining key inputs as set out in National Planning Guidance".

3.25. Given that the viability and deliverability of the proposed development (and in particular, the ability of the development to fund the various s.106 Contributions being sought) can only be determined via thorough and objective consideration of development viability, it is clearly essential that the Council's decision in this instance is informed by a current, comprehensive, and detailed, IFVA.

NPPF - Quality and Accountability

3.26. PPG Viability paragraph 020 is headed; *"How should a viability assessment be presented and published in order to ensure accountability"*. It goes on to state as follows;

3.27. *"Complexity and variance is inherent in viability assessment. In order to improve clarity and accountability it is an expectation that any viability assessment is prepared with professional integrity by a suitably qualified practitioner and presented in accordance with this National Planning Guidance. Practitioners should ensure that the findings of a viability assessment are presented clearly. An executive summary should be used to set out key findings of a viability assessment in a clear way.the inputs and findings of any viability assessment should be set out in a way that aids clear interpretation and interrogation by decision makers. Reports and findings should clearly state what assumptions have been made about costs and values (including gross development value, benchmark land value including the landowner premium, developer's return and costs). At the decision making stage, any deviation from the figures used in the viability assessment of the plan should be explained and supported by evidence."*

3.28. As noted above, BVL has extensive experience in this field and provides advice relating to viability, housing and development to a range of parties, including local planning authorities ("LPAs"), developers and landowners. BVL does not undertake site valuations, nor does it provide advice relating to site acquisition or disposal. BVL is therefore able to demonstrate experience, independence, and objectivity in its work.

NPPF - Confidentiality

3.29. Under the heading 'Accountability' (paragraph 021) – PPG Viability states as follows; -

3.30. *"Should a viability assessment be publicly available? - Any viability assessment*

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *"Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)"*.

should be prepared on the basis that it will be made publicly available other than in exceptional circumstances. Even in those circumstances, an executive summary should be made publicly available. Information used in viability assessments is not usually specific to that developer and thereby need not contain commercially sensitive data. In circumstances where it is deemed that specific details of an assessment are commercially sensitive, the information should be aggregated in published viability assessments and executive summaries, and included as part of total costs figures. Where an exemption from publication is sought, the planning authority must be satisfied that the information to be excluded is commercially sensitive. This might include information relating to negotiations, such as ongoing negotiations over land purchase, and information relating to compensation that may be due to individuals, such as right to light compensation. The aggregated information should be clearly set out to the satisfaction of the decision maker.

3.31. *“An executive summary prepared in accordance with the government’s data format published by government (draft available online²¹) will present the data and findings of a viability assessment more clearly so that the process and findings are accessible to affected communities. As a minimum, the government recommends that the executive summary sets out the gross development value, benchmark land value including landowner premium, costs, as set out in this guidance where applicable, and return to developer. Where a viability assessment is submitted to accompany a planning application, the executive summary should refer back to the viability assessment that informed the plan and summarise what has changed since then. It should also set out the proposed developer contributions and how this compares with policy requirements.”*

3.32. *See related policy: National Planning Policy Framework Paragraph 57*

3.33. Paragraph 010 of the PPG summarises the position as follows; *“Any viability assessment should follow the government’s recommended approach to assessing viability as set out in this National Planning Guidance and be proportionate, simple, transparent and publicly available”.*

3.34. In this instance, although some of the information within the IFVA may be considered to be commercially sensitive, the Applicant has confirmed that it is happy for the IFVA to be made publicly available.

LOCAL POLICIES AND VIABILITY POLICY REQUIREMENTS

²¹ This does not yet appear to be available on line. The link provided leads to a Developer Contributions CSV file.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”.*

- 3.35. The Planning Statement ('PS') provides helpful background in relation to Local and Neighbourhood Plans locally.
- 3.36. PS page 14 entitled 'Emerging Local Plan and Unitary Status' (paragraph 3.3.3) says; *"The Council were preparing a new Local Plan to the period 2040 and undertook an Issues and Options consultation at the beginning of 2020 alongside a Call for Sites exercise. However, the preparation of the plan has been put on hold pending the formation of the new Somerset Unitary Authority in April 2023. As such the emerging SWT plan has no weight for the consideration of the application."*
- 3.37. PS paragraph 3.2.9 says; "A Neighbourhood Plan Area was designated for Wellington in 2012 but there is currently no made or emerging NHP".
- 3.38. PS Section 3 'Planning Policy' (pages 9 & 10) provides further details of the extensive requirements of 'Policy SS3 Wellington Longforth', which is noted to allocate the Application Site *"for the following development"*:
- 3.39. *"1 - Around 900 new homes at an overall average of 35-40 dwellings per hectare.*
- 3.40. *2 - 25% of new homes to be affordable homes.*
- 3.41. *3 - New local centre with associated social infrastructure including a single form entry primary school, GP surgery, community hall, places of worship, sheltered housing, and local convenience shopping.*
- 3.42. *4 - 11 hectares of employment land for general industrial (B2) and storage and distribution (B8) at the eastern edge of the allocation. This area is designated for the relocation of the two biggest employers in Wellington;*
- 3.43. *5 - Land released by the relocation of the two biggest employers to be used for mixed use development including part of the new local centre, re-opening of Wellington railway station, new homes, and small business start-up units along the railway line;*
- 3.44. *6 - Developer contributions towards*
- 3.44.1. *(a) studies to establish the engineering, operational and commercial feasibility of a railway station for Wellington and,*
- 3.44.2. *(b) subject to approval by the rail industry, towards capital costs;*
- 3.45. *7 - Developer contributions for other infrastructure delivery.*

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- 3.46. 8 - Northern Relief Road in the initial phases of the development between Taunton Road and the existing employment area, alleviating HGV traffic in the town centre and residential areas;
- 3.47. 9 - A local bus loop to provide public transport access to the residential areas and link with the town centre, railway station and inter-urban bus services between Wellington and Taunton;
- 3.48. 10 - A green wedge of 18 hectares between the residential area and the employment area”.
- 3.49. The PS page 13 states (in relation to Community Infrastructure Levy – ‘CIL;) as follows at paragraph 3.2.7 and 3.2.8; *“The Council formally adopted CIL for the former Taunton Dean Borough Council Area in 2014”..... The site falls within the Wellington Charging Zone where the levy rate is £0*”. Given the general infrastructure burden being borne by the proposed development, it is helpful²² (from a viability perspective) that the CIL liability in this case will be nil.
- 3.50. On page 17 (paragraphs 3.3.11 to 3.3.13), the PS goes on to comment on ‘Phosphates in the Somerset Levels; *“In August 2020 Natural England sent a letter to all Somerset Authorities about high levels of phosphates in the Somerset Levels & Moors Special Protection Area (SPA). This effectively led to a moratorium on housing development with no residential (and in some cases commercial) development being able to progress until appropriate assessment and mitigation measures are in place.....To date the Council has produced a Natural England approved calculator to assesses the level of phosphates generated by proposed developments and a number of options for both on and off-site mitigation solutions have been identified. Outstanding issues to resolve relate to the development of strategic solutions and how mitigation can be secured, particularly where it involves an off-site option.....As the site falls within the Somerset Levels Catchment the development will need to assess and mitigate for phosphates”*
- 3.51. PS page 19 under Section 4, ‘Planning Considerations’ - Principle of Development, paragraph 4.1.1 says: *“The site is allocated as part of a mixed-use development, with a current shortfall of 470 homes remaining pursuant to the Core Strategy requirement for 900 homes. The proposed 220 homes would meet part of this shortfall, in a context where there is an overall housing land supply shortfall within the former SWT district area. The principle of developing the site is therefore firmly established.”*

²² And no doubt determined following the Council’s CIL viability testing for this area.

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- 3.52. Page 21 of the PS also confirms that; *"Any reasonable identified infrastructure contributions necessary to make the development acceptable will be considered"*.
- 3.53. PS 'Material Considerations' paragraph 4.1.7 continues; *".....the allocation is currently 470 dwellings short of its 900-dwelling target, and b) SWT cannot demonstrate a 5 year housing land supply, meaning that the 'tilted balance' of NPPF para 11, d, ii, is in play, whereby planning permission should be granted "unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole"*.
- 3.54. *On the latter point, there are no adverse impact arising from 'swapping' the mixed-use development to the eastern end of the site. The development can be accommodated without any adverse external impacts (discussed further below) and as the existing factories have no intention or need to relocate there is no risk to employment through developing the eastern end of the allocation.*
- 3.55. • *The scheme will facilitate the delivery of the railway HALT, therefore achieving significant sustainable transport benefits for the town.*
- 3.56. • *There will be important economic benefits arising from both the construction process and the additional employment uses that will be provided."*
- 3.57. PS Section 4.1 'Matters for Approval' states in relation to 'Access;' *"Access for both the residential and commercial developments will be via the approved and recently completed access for the Lidl foodstore off Nynhead Road. The Highway Authority has confirmed that the access provides sufficient capacity to serve the proposed development without any further physical alteration to the access. This initial access to the site is the only aspect of the development to be formally approved by the outline application."*
- 3.58. PS section 4.1 – 'Sustainability' states at paragraph 4.1.2; *"The site itself is located in a sustainable location that reduces reliance upon the car for travel. The development would provide access to a new rail HALT that has the potential to significantly reduce general levels of car based travel in and around Wellington."*
- 3.59. Housing - The Council's website refers to Policy CP 4 'Housing' of the 'Taunton Deane Borough Council Adopted Core Strategy 2011-2028 (which was adopted in circa August 2012)'. Page 36, paragraph 3.5 of the Core Strategy states as follows;
- 3.60. *"The Council will seek to maintain a flexible supply of housing by making provision for the delivery of at least 17,000 new homes over the period 2008 – 2028. This housing should be delivered consistent with the settlement hierarchy*

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established in Policy SP1 with the Taunton Urban Area acting as the primary focus.....New housing should help to contribute towards the creation of sustainable, mixed communities offering high quality homes providing for a mix of new housing types, sizes and tenures which meet the needs of the Borough. Proposals should aim to make efficient and effective use of land whilst acknowledging varying characteristics and development potential..... The plan will seek to deliver around 4,000 new affordable housing units. A target of 25% of new housing should therefore be in the form of affordable units over the Plan Period. Contributions will be sought on sites of 5 or more dwellings. The prescribed mix of affordable housing to be provided should reflect locally evidenced need in respect of type, size and tenure. In exceptional cases, where scheme viability may be affected, applicants will be expected to provide full development appraisals (at their own cost) demonstrating the level of affordable housing provision that is appropriate.”

3.61. Page 36, paragraphs 3.63 & 3.64 say; *“An Affordable Housing Viability Study has been undertaken to support the Council's affordable housing position. This Study, again, undertaken by Fordham Research, concludes that an affordable housing target of 25% would be viable and appropriate for adoption based upon current market conditions²³. In addition to this study, further viability testing has been undertaken for both the Infrastructure Delivery Plan and in order to demonstrate the deliverability of the Plan's proposed urban extensions. All three studies conclude that the 25% target is viable at present and can generally be achieved in combination with a package of developer contributions.....It should be noted that further, more detailed, viability testing will be required to justify the Council's emerging Community Infrastructure Levy (CIL). Such testing will be undertaken to identify the level of CIL which can be sought and whether or not the 25% affordable housing target should be amended”.*²⁴

3.62. Paragraph 3.65 states; *“The evidence of need drawn from the LBHP and the assessments of development viability indicate a very close match between the level of affordable housing required and that which is viable. This suggests that the Council does have the ability to meet affordable housing need over the plan period. It is however, acknowledged that any target may need to be revisited in the future in the context of the level of affordable housing delivered and what is viable at a particular point in time.”*

3.63. Paragraph 3.66 provides more detail; *“The viability of providing a certain level of affordable housing provision on sites is a ‘balancing act’ for the Core Strategy.*

²³ Emphasis added.

²⁴ Emphasis added.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”.*

The policy as drafted aims to set a challenging target²⁵ over the Plan Period which reflects the fact that in addition to contributions towards affordable housing, contributions will be sought towards essential infrastructure to foster and support sustainable communities. Over the lifespan of the Core Strategy, viability will change as values and costs may fluctuate.”

- 3.64. Of relevance also is the Council's 'Affordable Housing Supplementary Planning Document,' which was adopted in May 2014. Key extracts are as follows;
- 3.65. Page 2- paragraph 1.1 Introduction; *“The purpose of the proposed Supplementary Planning Document (SPD) is to provide greater detail on Policy CP4 Housing in the Council's Core Strategy 2011 - 2028. The guidance within the SPD is intended to be used in decision making relating to planning applications that include residential development, where an affordable housing contribution is to be sought. Policy CP4 aims to ensure that affordable housing is provided as part of all development schemes which provide five or more net additional dwellings. The policy states that 25% of all new housing should be in the form of affordable units.....The type and size of the affordable housing units to be provided should fully reflect the distribution of property types and sizes in the overall development”.*
- 3.66. Paragraph 1.4 Tenure; *“The Council will seek a tenure split of 60% social rented housing and 40% intermediate housing or Affordable Rented on affordable housing provision of 3 affordable dwellings or more. This tenure mix was identified in the evidence base which informed the adopted Core Strategy: Fordhams Locally Balanced Housing Projections (2010, 2011). The 40% can be intermediate housing or Affordable Rented accommodation, in line with the definitions in the NPPF (see Appendix 1)”.*
- 3.67. Page 3, paragraph 1.7 'Site Viability'; *“Policy CP 4 seeks 25% affordable housing provision and states that when assessing proposals the Council will have regard to the economics of provision. In instances where applicants claim that full or partial delivery of the affordable housing as required by CP4 is not possible on viability grounds, the Council, through the Housing Enabling Lead, will consider in the first instance a revised tenure split and unit types for the development. Consideration will also be given to additional costs attributable to meeting the Design, Quality and Sustainability Standards referred to in section 1.11.....*
- 3.68. *.....In the event that viability issues cannot be resolved through changes to the tenure and/or unit type, the applicant will be expected to submit a viability statement. Ideally this should be completed as part of the pre-application process*

²⁵ Emphasis added.

prior to the submission of the planning application. In such development proposals where the applicant considers that full or part delivery of affordable housing is not possible, the Local Planning Authority will expect the application for planning permission to include detailed calculations and submissions to enable an assessment of viability to be carried out. This will prevent delays to determination or the prospect of refusal of planning permission.

3.69. *.....Applicants should have their figures independently assessed using the services of the Council's preferred independent assessor prior to submitting them to the Council. This open book approach will enable any affordable housing contribution to be assessed and agreed prior to the submission of a formal planning application. In this way data which the applicant may regard as commercially sensitive will remain outside the public domain. Pursuit of this approach by applicants will assist in the efficient consideration of planning applications. The applicant will be expected to meet the costs of the Council's preferred independent assessor."*

3.70. As a joint instruction from the Council and the Applicant, the IFVA differs from the Council's standard policy/procedure set out above. Regardless, the spirit and approach of the Council's policies and requirements are respected within the IFVA.

3.71. Finally, it is worth noting that the Council's "challenging" policy targets for affordable housing and s.106 Contributions were put in place before the full implications (and costs) associated with achieving Nutrient Neutrality became apparent.

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4. Financial Viability Assessment

APPRAISAL APPROACH AND METHODOLOGY

- 4.1. Section 4 of the IFVA considers the key elements within the viability modelling, and sets out how the viability appraisal has arrived at an objective value for each of these elements, based on principles set out in the NPPF and the 'standardised inputs' approach required by PPG Viability. The key aim of the IFVA is to produce an overall appraisal that reflects a balanced approach to risk and return, reflecting a development proposal that is commercially fundable and deliverable.
- 4.2. The financial modelling uses the "residual" appraisal method, which is a well-established and widely accepted way of assessing the viability of development projects. In simple terms, the potential gross development value (GDV) of the scheme is determined first, before deducting likely costs, (including an appropriate 'Viability Benchmark Land Value' - 'VBLV'), to arrive at a residual outcome that reflects the forecast developer return for each scenario modelled. Various appraisals were constructed using 'Argus Developer' software, which is a widely used and accepted appraisal software package within the development industry.
- 4.3. In line with accepted good practice in viability modelling, no sales growth or construction cost inflation (beyond the current date) has been included in the appraisals.
- 4.4. Net to gross differential - this is based on gross internal area ("GIA"); The IFVA assumes a 1:1 relationship for houses/bungalows, and (based on advice from TCL), a gross to net deduction of 17.5% has been allowed for flats, to allow for circulation spaces etc.

MIX OF USES

- 4.5. The mix of uses to be included within the proposed development has been varied twice since the submission of the Outline Application. The main changes to the proposed mix over time are summarised below;

Mix of uses at the time of the Submission of the Outline Application (May 2023)

- 4.6. Focus On Design ('FOD') drawing 'GA Employment and residential NDA – 0740-V3-1009-Oct 22', stated that the scheme included;
 - 4.6.1. Up to 220 dwellings within a residential net developable area of 4.778ha (11.806 acres).

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

4.6.2. A mixed-use element with a gross internal area (ground floor only²⁶) of 2,285.1 m² (24,596 ft²).

4.6.3. General employment buildings (ground floor only) (Use Class E & B8) with total gross internal areas of 2,646.2 m² (28,484 ft²).

Amended Mix of Uses – 26 January 2024

4.7. As included in FOD 0740-v4-1006 C- 'Land Budget'-FOD 26 Jan 24, and FOD - 0740-V4-1009 C – 'NDA residential and GIA employment (GF', the amended areas were as follows;

4.7.1. Residential – 220 dwellings on a developable area of 5.07 Ha (12.53 acres) gross, 4.778Ha (11.806 acres) net - remaining unchanged from May 2023.

4.7.2. Employment on 0.96Ha/2.36 acres (this was previously 0.77 Ha, or 1.89 acres, reflecting a marginal increase of 0.19Ha/0.47 acres (Use Class E & B8). The FOD plans also note a marginal difference in the area of the general employment buildings (ground floor only) with an amended total gross internal area of 2,645.4m² (28,475 ft²).

4.7.3. The 'Mixed Use' element of the proposals (previously comprising 0.71Ha, or 1.76 acres) was not present on the amended plans of 26 January 2024.

Amended (Current) Mix of Uses (early March 2024)

4.8. From a viability perspective, the main amended land areas, (as per the resubmission of the Outline Application recorded on the Planning Portal as being on 7 March 2024) are as follows (based on FOD Dwg No -0740-V4-1006-1 Land Areas Plan – Feb 24 (Rev 0) and FOD Dwg No 0740-V4-1009 GA Employment and Residential NDA – Rev C. 2024-01-24 (updated to suit latest Illustrative Masterplan Plan Rev F).

4.8.1. The Residential net developable area remains at 4.778Ha (11.806 acres). However, the maximum number of dwellings has now reduced to 'up to 200' (previously²⁷ this was 'up to 220').

4.8.2. The employment land element is now 0.828Ha (2.046 acres). This was previously²⁸ 0.96Ha (2.36 acres). The new coverage is envisaged by FOD to be;

²⁶ BVL is informed by Focus on Desig

, that the upper floors of this accommodation were originally envisaged to provide for up to 20 residential units (flats).

²⁷ As of 26 January amendments.

²⁸ As of 26 January amendments.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

“general employment buildings (gf only) total gross internal areas 2,645.4m2 (28,475 ft2). **Note – under the new application description, the proposed employment uses have been amended from E and B8 to E and F.**

4.8.3. The ‘Mixed Use’ element of the proposals (previously comprising 0.71Ha, or 1.76 acres - which was not present on the amended plans of 26 January 2024) also does not appear on the March 2024 plans.

4.8.4. Additional item - Station square 0.127Ha (0.315 acres).

4.8.5. Additional item - Mobility hub with a net developable area of 0.012Ha (0.029 acres).

4.9. As the areas noted immediately above are the latest provided (as of 7 March 2024), these form the basis for the viability modelling that informs the IFVA.

DENSITY AND RESIDENTIAL UNIT MIX ASSUMPTIONS

4.10. As the proposal is currently in outline, there is no definitive site layout (or house types etc.) at this stage. Accordingly, BVL has reviewed the documentation associated with the Outline Application in order to comprehensive picture as possible, to inform the IFVA modelling, as follows;

Background

4.11. The site forms part of the Council’s ‘Policy SS3 Wellington Longforth’, which is noted to allocate the site “for the following development”:

4.12. 1. *“Around 900 new homes at an overall average of 35-40 dwellings per hectare”²⁹.*

Site Specific Proposals

4.13. The Design and Access Statement (‘DAS’) dated May 2023, prepared by the Applicant’s Architect ‘Focus on Design (‘FOD’) provides helpful information re the proposed development;

4.14. DAS page 5 says; *“This proposal is a mix-used development composed of up to 220 dwellings, and 0.77 hectares of employment to meet part of the residential shortfall, including rail halt and a car park”.*

4.15. Focusing specifically on the residential element of the proposals;

²⁹ Emphasis added.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description;“*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*”.

- 4.16. Land Use and Amount - DAS Section 5.3 notes as follows; *“Residential areas The scheme will deliver up to 220 residential dwellings distributed within the extent of the areas identified on the illustrative masterplan and land use plans. There will likely be a good mixture of building typologies and sizes ranging from 1 and 2 bed apartments through to 2, 3, 4 and 5 bedroom traditional dwellings.....All homes would comply with the nationally described space stands as a minimum. A percentage of the affordable dwellings would also comply with part M (4)3 of the building regulations”.*
- 4.17. Subsequently, (On 26 January 2024) FOD issued 0740-V4-1005F – Illustrative Masterplan v4, which provides a residential net developable area (NDA) of 4.778Ha, or 11.806Acres. This remains unchanged in the amended mix of uses submitted in early March 2024.
- 4.18. Density - Paragraph 5.6 on page 43 of the DAS notes as follows in relation to density; ‘Potential higher density at station area.’ p.81 *“Following feedback from the DRP and QRP higher density development is proposed on the halt / station approaches as well as around the station square. Similar to the approach to building heights, the density of the scheme has a specific hierarchy that is distributed throughout the development. The highest density is around the entrance gateway and to the station square, offering the opportunity for larger scale buildings (typically apartments) reinforcing these important nodes. Higher density supports the key transport links to the halt/station with medium density to the core residential areas and then lower density, to the registered park and garden edge. Cumulatively the average density of the scheme would be between 40- 45 dwellings per hectare”.*
- 4.19. On 26 January 2024, FOD issued 0740-V4-1007=2C – Principles Plan Density v4’ which has helped to inform the viability modelling.
- 4.20. Building Heights - DAS page 42 notes as follows; *“The plan here demonstrates how the proposed building heights are intended to be distributed. The key transport hub links as well as the employment and mixed-use areas have a flexible ‘up to’ 3 storeys available; to reinforce and strengthen their importance. The residential areas are varied with up to 2.5 storeys to the main core of the scheme, up to 2 storey in the north east responding to the registered park and garden setting. To help create a gateway into Wellington, up 4 storey in the south east is allowed to frame the site entrance and to benefit from the view to the Wellington monument”.*
- 4.21. On 26 January 2024, FOD issued 0740-V4-1007=3C – ‘Principles Plan Building Heights v4’ which has also helped to inform the viability modelling.

Indicative Housing Mix Applied in the Modelling

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”.*

4.22. Taking account of the documentation supporting the outline application, and the parameters set out above (i.e. land use/amount, density, building heights and the affordable housing mix being sought) and also following discussions with FOD, an indicative housing mix for a maximum of 200 dwellings has been applied in the viability modelling.

4.23. The limitations/parameters associated with the indicative housing mix are as follows;

4.24. FOD advised that the reduction to a maximum of 200 dwellings has been driven by the removal of the mixed-use area, which had generated circa 20 apartments on the first and second floors.

4.24.1. The indicative mix should include the affordable housing mix requested by the Council³⁰

4.24.2. The indicative mix needs to 'fit' within the parameters of the Outline Application, (which, given the layout, density and building height parameters above, means that it will not be a 'standard' volume housebuilder mix). Rather, it will necessarily include a much higher proportion of flats than would normally be sought by a volume housebuilder.

4.24.3. Furthermore, as no flats are included within the requested affordable mix, this means that 100% of the flats that are necessary (due to the parameters of the Outline Application) must be open market housing (something not recommended by local estate agents questioned³¹).

4.24.4. Based on advice from FOD, it is assumed that all apartments would be in 3-storey blocks, with the remaining dwellings being 2-storey houses (possibly with some 2.5 and 3-storey houses).

4.24.5. The unit numbers and sizes within the indicative housing mix are based on the documents supporting the Outline Application, the target affordable housing mix provided by the Council's Housing Enabling Team on 30 June 2023, and advice from FOD.

4.24.6. The indicative mix is in two parts (affordable housing and open market housing) as set out below.

Affordable Housing Mix

³⁰ See below for details .

³¹ See below for details.

4.24.7. The Council's Development Enabling Team made the following comments on the Outline Application in their response dated 30 June 23;

4.24.8. *"Policy CP4 Housing in the Taunton Deane Core Strategy 2011–2028, the Affordable Housing Supplementary Planning Document (May 2014) and TDBC Decision June 2016 aim to ensure that affordable housing is provided as part of all development schemes which provide eleven or more net additional dwellings. 25% of the new housing should be in the form of affordable homes, with a tenure split of.... 25% First Homes, 60% social rented and 15% intermediate housing in the form of shared ownership....."*

4.24.9. The response goes on to say; *"Affordability of the First Homes tenure is a concern given the rising house prices within the location of this scheme therefore flexibility of the 25% First Homes to change to Shared Ownership would be considered to provide a more affordable low-cost home ownership"⁸².*

4.24.10. The Council's response goes on to highlight further requirements associated with affordable housing provision; *"As the Affordable Housing Planning obligation includes 25 or more affordable homes, the scheme should provide 10% of the total affordable housing provision to be in the form of fully adapted disabled affordable homes in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010"*. (i.e. fully adapted, rather than being capable of being adapted at a later date).

4.25. The Council's Affordable Housing Consultee Response of June 2023 provided the following target mix; (as noted above, there are no flats within the requested affordable mix, which means that any flats will be included within the open market element);

4.26. Social³³ Rent (33 dwellings- 6 x 1b, 12 x 2b, 10 x 3b, 4 x 4b, 1 x 5b)

4.26.1. - 1 bed (6) - 3 x 1 bed house, 3 x 1 bed fully adapted disabled bungalow or house

4.26.2. - 2 bed (12) - 10 x 2 bed house, 2 x 2 bed fully adapted disabled bungalow or house

4.26.3. - 3 bed (10) - 9 x 3 bed house, 1 x 3 bed fully adapted disabled bungalow or

³² At present, the viability modelling has been undertaken on the basis of these units being shared ownership dwellings.

³³ As opposed to Affordable Rent, which attracts a higher purchase premium rate from a Registered Provider (RP).

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house

4.26.4. - 4 bed (4) - 4 x 4 bed house

4.26.5. - 5 bed (1) - 1 x 5 bed house

4.27. Shared Ownership (22 dwellings – 11 x 2b, 11 x 3b)

4.27.1. - 11 x 2 bed house

4.27.2. - 11 x 3 bed house

4.28. Note; the requested affordable mix above (55 dwellings) is based on the theoretical maximum of 220 dwellings within the original application description. As noted above, the application description was amended in early March to include a reduced maximum of 200 dwellings.

4.29. Given this relatively recent reduction in dwelling numbers, the starting point for the IFVA modelling in early 2024³⁴ had therefore been to model the impact of the current³⁵ (published) affordable housing (and other s.106 contributions/requests) on the viability of the development. However, the requested mix actually now represents an affordable element of 27.5% (rather than the target 25%) of the realistic maximum of 200 dwellings, which has the impact of reducing the open market element to 145 dwellings³⁶.

4.30. This matter was discussed with officers, and (given the very limited time frame available in which to complete the IFVA modelling before submission of the IFVA report), rather than delaying matters by seeking a formal revised (reduced) affordable housing request from the Council's Housing Enabling Team, a pro-rata approach was subsequently adopted within the modelling, to inform the IFVA.

4.31. However, initially, the affordable housing mix requested by the Housing Enabling Team on 30 June 2023 was incorporated into the viability modelling mix as follows;

4.32. Social Rent (33 dwellings- 6 x 1b, 12 x 2b, 10 x 3b, 4 x 4b, 1 x 5b);

³⁴ Up to early March.

³⁵ At that time – i.e. based on a maximum of 220 dwellings until the application resubmission of 7 March.

³⁶ As noted above, a pro-rata affordable mix (relating to 200 dwellings) has also been applied in the modelling for comparison purposes.

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4.32.1. - 1 bed (6) - 3 x 1 bed house @ 700 ft2, 3 x 1 bed fully adapted disabled bungalow or house @ 753 ft2.

4.32.2. - 2 bed (12) - 10 x 2 bed house @ 850 ft2, 2 x 2 bed fully adapted disabled bungalow or house @ 969 ft2.

4.32.3. - 3 bed (10) - 9 x 3 bed house @1001 ft2, 1 x 3 bed fully adapted disabled bungalow or house @ 1453 ft2.

4.32.4. - 4 bed (4) - 4 x 4 bed house @ 1152 ft2.

4.32.5. - 5 bed (1) - 1 x 5 bed house @ 1615 ft2.

4.33. Total Social Rent – 33 dwellings @ 31,485 ft2 GIA³⁷

4.34. Shared Ownership (22 dwellings – 11 x 2b, 11 x 3b), as follows;

4.34.1. 11 x 2 bed house @ 753 ft2.

4.34.2. 11 x 3 bed house @ 1001 ft2.

4.34.3. Total shared ownership – 22 dwellings @ 19,300 ft2.

4.35. Total AH – 55 dwellings @ 50,785 ft2.

4.36. Section 5.3 of the DAS states that; “All homes would comply with the nationally described space stands (‘NDSS’) as a minimum.” NDSS is defined as; *“NDSS sets out requirements for the Gross Internal (floor) Area (GIA) of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. Requirements may be exceeded but at the very least should be met.”*

OPEN MARKET SALES REVENUE

4.37. PPG Viability paragraph 011 states as follows;

4.38. *“How should gross development value be defined for the purpose of viability assessment?for residential development, this may be total sales and/or capitalised net rental income from developments. Grant and other external sources*

³⁷ No flats, so no GEA differentiation.

of funding should be considered.....For viability assessment of a specific site or development, market evidence (rather than average figures) from the actual site or from existing developments can be used. Any market evidence used should be adjusted to take account variations in use, form, scale, location, rents and yields, disregarding outliers. Under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan."

4.39. In this case, BVL is not aware of any grant or other external sources of funding that are, or may be, available for the proposed development and therefore, none have been included in the financial modelling.

Open Market Housing Mix:

4.40. Research into open market sales revenue included the following;

4.40.1. Statistical data including Land Registry ("LR") published house price statistics, sold house price data from the Land Registry, 'Rightmove' and 'Zoopla' websites and other internet-based research.

4.40.2. Discussions with Chartered Surveyors and estate agents, (including locally based Greenslade Taylor Hunt ('GTH'), Robert Cooney Estate Agents ('Robert Cooney') who are very experienced and very familiar with the Application Site and the local area), and Bradleys, who have both Wellington-specific knowledge and also a wider regional perspective.

4.40.3. Detailed estimated net achievable sales values provided by the above Chartered Surveyors/estate agents, whose sales figures are carefully considered and based on transactional & comparable evidence, and detailed market knowledge.

4.41. Based on the unit mix discussed with FOD, the following initial open market mix was modelled;

- 35 x 2b apartment @ 753 ft².
- 9 x 2b house @ 753 ft².
- 58 x 3 bed house @ 1001 ft².
- 43x 4 bed house @ 1184 ft².

4.41.2. Total OM – 145 dwellings @ 142,128 GIA (146,743 GEA assumed). As noted above, this was later adjusted to reflect the reduction from a maximum of 220

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dwellings to a maximum of 200 dwellings.

Open Market Sales Values Applied in BVL appraisals

4.42. The full detail of the estimated net achievable sales prices provided by GTH, Bradleys and Robert Cooney are set out in detail and analysed in various worksheets in the ADS at **Appendix 1**.

4.43. The agents' individual sales estimates for achievable sales values³⁸ are summarised below, in ascending order;

4.44. GTH

4.44.1. Gross Development Value (GDV) assuming target full policy compliant affordable housing - 50,082,683 (equating to £260 per ft²).

4.44.2. GDV assuming 100% open market housing = £57,760,000 equating to £299 per ft².

4.45. Bradleys

4.45.1. GDV assuming target full policy compliant affordable housing = 50,912,683 equating to £264 per ft².

4.45.2. GDV assuming 100% open market housing £58,935,000 equating to £306 per ft².

4.46. Robert Cooney

4.46.1. Gross Development Value (GDV) assuming target full policy compliant affordable housing³⁹ = 50,984,052 equating to £264 per ft².

4.46.2. GDV assuming 100% open market housing⁴⁰ = £59,803,697 equating to £310 per ft².

4.47. In applying the above sales figures, it is BVL's understanding that none of the open market dwellings within the scheme will be restricted in any way; i.e. via a principal residence restriction, or similar.

4.48. As set out in detail in Section 5 below, BVL's has undertaken a range of financial

³⁸ Based on 100% open market sales in the first instance, to allow a like for like comparison overall.

³⁹ As per the target mix provided by the Housing Enabling Team of June 2023

⁴⁰ i.e. also including the requested 55 affordable units as open market units.

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modelling that applies the above estimated sales values. The IFVA modelling was initially undertaken based on the average of the sales estimates provided by the agents. However, taking an optimistic approach to the financial modelling in order to flex the parameters of the viability modelling as far as possible, the highest of the three agents' figures have now been applied within the viability modelling⁴¹.

4.49. In addition to the above, (as also noted in Section 5 below), for completeness, the IFVA modelling also sensitises the baseline appraisal outcomes by applying an 'enhanced sales premium' (see below for full details). The background to this is as follows;

4.50. During the engagement process with Council officers following the issue of the Draft IFVA on 25 March 2024⁴², BVL was asked to speak to the estate agents that have previously contributed to the Draft IFVA, to ascertain whether the presence of a station next to the site would, in their view, add a premium over and above the sales values included in the Draft IFVA. (Officers noted that it will be helpful to capture the views of the agents and add commentary to the IFVA final report). Officers queried whether the existence of the station could perhaps be the unique selling point ('USP') for the flats on this development, for example.

4.51. Following the initial meeting with the Council on 25 March, BVL spoke with the three agents that contributed to the Draft IFVA, (Robert Cooney, GTH & Bradleys) on this point. As BVL had noted previously, generally, all three agents had previously expressed concern about selling flats in this location. Thoughts on the potential for a 'station premium' were as follows;

4.52. Agent 1 - does not believe that there will be a premium in this location – rather, he was worried that purchasers might have concerns about living very close to a railway line in this case. For flats particularly, railway stations tend to add value in more central location that are in close walking distance of many facilities (shops, bars, etc.)

4.53. Agent 2 - There may be a small premium arising from this factor, however, it is impossible to say how much this might be. Fundamentally however, the presence of a station would not change the purchaser demographic – i.e. prices will be very constrained by purchasers' budgets/affordability. Also, there is still a big issue around (the lack of) proximity to facilities - shops, bars etc. For example, if given the

⁴¹ (The maximum rate for open market OM dwellings in the target FPC mix actually equates to £305 per ft². However, taking an optimistic approach, a rate of £310 per ft² has been applied to the open market units for this scenario).

⁴² See below for details.

choice, most people would want a flat in central Taunton, close to facilities, even though it may not be adjacent to the station. Another issue is that this location would not attract retirees, again due to lack of facilities 'on the doorstep'. Strategically, a better premium uplift would likely be available if the dwellings were generally focussed towards family houses, where people would feel that they were getting 'more for their money' in this location.

4.54. Agent 3 - Not sure whether this location would generate a premium. Normally there *would* be a premium for a station (and there might be a minimal premium here), however, Wellington already has a strong commuter presence (due to the good road system and easy motoring access to Exeter and Taunton for example) and many people buy family houses here because they get 'more for their money' and can live in a greener and less built-up area. Accordingly, the presence of a station was unlikely to 'transform' Wellington as a commuter location by creating a commuter belt that was not there before. Some people may take advantage of the train (rather than driving), however, as the road journeys were straightforward, it was difficult to know how many commuters would decide to 'make the change.' It was therefore difficult to put any specific figure on this, but possibly a minimal premium of circa 1% or so?

4.55. The NPPF (and RICS guidance) requires that current sales revenue and costs are applied in the viability modelling. However, this is an interesting case because the provision of the station could potentially change the current 'baseline' position that is being assessed. BVL therefore tested a 'station premium' uplift to the sales revenue within the updated viability modelling following engagement with Council officers, once various amended cost assumptions arising from this process⁴³ had been bottomed out.

4.56. As noted in Section 5 below, in order to stretch the viability modelling parameters as far as possible, BVL included a very optimistic potential 'station premium' of 2% of Gross Development Value (GDV) in the updated modelling. However, as noted in Section 5 below, this is not evidence based, but based entirely on 'hope value', and it has been modelled purely to 'sensitise' the appraisals.

Current House Price Forecasts

4.57. To provide a broad picture to inform the IFVA, BVL reviewed a range of recent house price forecasts from the last few months. The main points from these forecasts are summarised below;

⁴³ See Section 5 below for details.

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Which? - What's happening to house prices? (updated 20 Sep 2023) by Joe Wright

4.58. Key extracts are as follows;

4.59. *"The average UK house price now stands at £289,824. Property prices have fallen from their peak levels - but predictions of a dramatic drop are yet to materialise. In fact, the latest official data from the Land Registry shows three month-on-month increases, with the average UK house price standing at £289,824 in July.....While that marks a 0.6% increase from the same time last year, annual house price growth is now running at a slower rate than before, and prices have decreased from an all-time high of £292,552 in November 2022. Here, Which? analyses what's happening to house prices according to other indices including Halifax and Rightmove, and explains what might come next."*

4.60. Under the heading 'How have house prices changed?'

4.61. *"House prices have risen considerably in the last couple of years, with the pandemic and previous stamp duty holiday bringing about a more volatile market..... The Land Registry's UK House Price Index is the most reliable barometer of what's happening to house prices, as it's based on actual property sales rather than asking prices. It works on a two-month lag, so the most recent figures are for June.The Land Registry says the average price of a property in the UK rose by 0.6% (around £2,000) between July 2022 and 2023. In the 12 months prior, house price growth soared by 14.2% - so there has been a marked slowdown in growth over the past year. That's not to say, however, that prices aren't still on the way up. July's average house price of £287,546 marked a £2,278 upturn from June"*

4.62. How do other house price indices compare?

4.63. *"As well as Land Registry data, there are several other property price indices. The portal Rightmove provides the most up-to-date figures, but they're based on asking prices set by sellers rather than confirmed sales. Nationwide and Halifax also publish their own monthly data, based on mortgage lending. All three indices are currently reporting annual price drops - albeit by varying amounts..... Nationwide's latest data reveals house prices dropped 5.3% in the year to August, representing a £14,600 loss on a typical home The high-street lender says rising interest rates threaten a 'significant drag' on the housing market.....Halifax's latest data also shows a £14,000 downturn, with the August fall of 1.9% being the biggest decrease since November 2022"*

4.64. How many homes are being sold?

4.65. *"The property market boomed in 2020-21 as buyers rushed to take advantage*

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of the temporary cut to stamp duty. This resulted in huge spikes in sales around the deadlines in June (when tax savings of up to £15,000 ended) and September (when savings of up to £2,500 ended). The number of purchases each month has since calmed, and there has been a marked drop-off in 2023. The most recent data from HMRC shows that an estimated 86,190 transactions went through in July - a huge drop of 22% compared to July 2022, and 9% lower than June 2023”.

4.66. Has the property market been slowing down?

4.67. *“Demand from buyers has fallen over the past 12 months, which has caused the housing market to cool off. Estate agent trade body Propertymark reports that, in July, 81% of property transactions were completed below the original asking price. But despite current economic conditions, demand has increased in recent months.....Propertymark CEO Nathan Emerson said: 'The sales market remains buoyant despite rising mortgage rates, with the number of sales agreed in July broadly in line with what was reported during the busy market period in July 2022. '.....Rightmove says sellers are taking an average of 57 days to secure a buyer. That's a significant increase from the 35 days recorded back in August last year”.*

4.68. What will happen to house prices?

4.69. *“This year, the cost of living crisis and high mortgage rates are affecting the number of homes being sold. Experts predict house prices will continue to fall from their peak, but there are varying forecasts when it comes to the extent of this fall. The estate agency Knight Frank forecasts that prices will drop by 5% in 2023, and the same amount in 2024. Analysts at Capital Economics predict house prices will fall by a total of 12% by mid-2024.....The Office for Budget Responsibility (OBR) expects a 9% decrease between now and autumn 2024, while Rightmove is only anticipating a 2% drop this year. Despite the forecasts, recent house price index figures suggest prices remain resilient, so we may not reach the predicted falls. However, house prices are due to be impacted by spiralling mortgage rates.....Kim Kinnaird, Halifax's director of mortgages, said: 'The continued affordability squeeze will mean constrained market activity persists, and we expect house prices to continue to fall into next year.....Based on our current economic assumptions, we anticipate that being a gradual rather than a precipitous decline.”*

Times Money Mentor 'Will house prices fall in 2023? - Article by Hannah Smith and Georgie Frost (Updated September 22, 2023).

4.70. This poses a number of questions, which are then addressed, as follows;

4.71. UK house prices latest: will they fall in 2023?

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4.72. *“UK house prices dropped by around 5% in the year to August, according to data from Halifax and Nationwide. It marks the steepest annual fall since 2009. We explore where they could head next.....The evidence that the UK property market is struggling amid rising mortgage rates and a cost of living crisis is mounting; Nationwide reported a drop in average house prices of 5.3% in the year to August. Halifax’s data for the same period observed a 4.6% decrease. Residential property transactions also fell by 22% in July 2023 compared to the same month in 2022, HMRC figures show.....Asking prices for homes in Britain witnessing the sharpest drop recorded for that month since 2018, according to the property website Rightmove.....The market’s downturn is being blamed on soaring mortgage rates affecting demand for homes, and forcing sellers to cut their prices to ensure a sale. The average two-year fixed mortgage rate has jumped from around 2.3% in 2021 to 6.56% today”.*

4.73. The article goes on to say;

4.74. *“Are house prices going down? The short answer is yes. The average house price fell by 5.3% in the year to August 2023, according to the latest data from Nationwide. This is the most substantial annual drop in house prices since the aftermath of the financial crisis in 2009.....Data from Halifax paints a similar picture; it says that prices had fallen 4.6% in a year, or 1.9% from the month prior.....Rightmove’s August data shows average asking prices for homes fell by 1.9% in the month. This means the average asking price has fallen by £7,000 to £364,895, marking the most significant decrease in asking prices in August since 2018.....Summer is traditionally a slow time for the housing market. But this August marked a larger drop in asking prices than is usual for the month. The fall is believed to be a reflection of sellers responding to the pressure on buyers as a result of soaring mortgage rates and the cost of living crisis.....The lower prices haven’t been enough to encourage people to buy. The number of sales agreed in August was also down compared to the same period four years ago.”*

4.75. However, the article also notes as follows;

4.76. *“It’s worth noting that while average house prices have generally fallen during the last year, they’re still almost 20% higher than they were before the pandemic four years ago. House prices are still very high by historical standards and have been rising much faster than wages. The average price of a UK home has nearly trebled since the turn of the century and increased by more than 60% over the last decade according to Nationwide building society.....A shortage of housing stock and high demand for properties has certainly inflated prices. But a significant factor has been the low interest rates since the financial crash. People were more able to afford mortgages because borrowing money was cheap. This is no longer the case.....Since*

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December 2021 the Bank of England has increased the base rate 14 times from its record low of 0.1%. The base interest rate now sits at 5.25%. As a result mortgage rates have shot up.”

4.77. The article then asks; How are mortgage rates affecting house prices?

4.78. *“Higher mortgage rates are making it more expensive to get a mortgage to buy a home. The extra financial pressure on buyers is forcing sellers to re-evaluate their asking prices if they want to make a sale.....Property prices have fallen for five months in a row, according to Halifax. The latest drop recorded by Rightmove was the biggest for the month of August in a half a decade. That figure would probably have been larger were it not for the limited number of available properties on the market, which is down by around 10% compared to 2019”.*

4.79. The article suggests that there are a number of factors that could see house prices fall:

4.79.1. Further rate rises are expected which could see mortgage repayments increase even further

4.79.2. While inflation has been falling, the cost of living crisis is still putting pressure on household budgets

4.79.3. First-time buyers are expected to hold off as they wait to see what happens

4.80. The article goes on to say;

4.81. *The Resolution Foundation think tank has said that if interest rates remain at the current high level then average house prices could plunge by 25%. This would take the average house price from £287,000 today to nearer £215,000.....House prices have increased almost 20% from their pre-pandemic levels, so this would represent around a 5% fall since 2019.....The Resolution Foundation believes the adverse effects of the successive rate rises have yet to be fully felt, particularly by mortgage holders whose fixed term deals come to an end over the coming months”.*

4.82. The article also asks *“How do prices differ for different types of property”?*

4.83. The article notes that the pandemic caused huge shifts in housing preferences and mortgage lenders have continued to see differences in price trends between property types. It also advises that, since the onset of the pandemic, prices of detached, family homes are growing much faster than flats. This is because many workers are continuing to work from home a few days a week, so there is still demand for larger properties with space for a home office. While this hybrid model for

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working continues, so will the trend for larger properties.

4.84. The article also asks if there a greater demand for rural locations;

4.85. *“With working from home a more permanent part of many people’s lives, demand for properties outside cities has jumped. Lockdowns highlighted the value of greenery and space, triggering a surge of interest in properties in rural and coastal areas, according to ONS statistics.....House prices in some hotspots have risen at three times the national rate.”*

4.86. And also *“Will house prices crash in 2023”?*

4.87. *“While we can’t say for sure what the future holds, recent rises in mortgage rates combined with the cost of living crisis have sparked fears that the market might crash. High fuel prices, energy costs and tax rises have put pressure on household budgets.....The Bank of England has raised the base interest rate 14 times in a row since December 2021, from 0.1% to 5.25% with more increases predicted. This is expected to reduce demand among potential buyers and could see people default on their mortgage repayments, causing house prices to fall. While annual house price growth has so far remained high across the board, house prices are now falling month on month. If demand slows down and people have smaller deposits, the rate of house price growth could fall further.....But that’s not to say property prices will crash as demand still tends to outstrip supply of homes in many areas across the UK. Mortgage rates are also falling, meaning buyers are returning to the market. High demand is likely to cushion the blow, meaning house prices could fall rather than crash.”*

The key points from an RICS press release dated 14 September 2023, were as follows:

4.87.1. *“House prices under pressure in face of high mortgage rates while immense tenant demand creates imbalance in the lettings market.....*

4.87.2. *Buyer demand along with agreed sales figures fall sharply with mortgage rates deemed the driving factor....*

4.87.3. *Survey respondents’ predictions for the next few months point to little prospect of a turnaround.....*

4.87.4. *Tenant demand continues to outweigh landlord instructions causing shortage of available rental properties....”*

4.88. The press release continues;

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4.88.1. *“The Royal Institution of Chartered Surveyors (RICS) UK Residential Survey for August 2023, portrays a market continuing to slow with house prices remaining on a downward spiral.....The survey indicator for house prices nationally, in terms of net balance, continued to fall from -55 in July, to -68, marking the most negative reading since 2009.....”*

4.88.2. *New buyer enquiries declined slightly from the -45 posted last time, to -47, with new sale instructions following a similar trend, slipping from -17 in July to -26 this time round.....Survey respondents reported a decline in newly agreed sales, falling from -45 to -47, which marks the weakest reading for this indicator since the pandemic.....”*

4.88.3. *Looking ahead, near-term sales expectations remain subdued, although the net balance has turned marginally less negative, at -38%, compared to last month’s reading of -45%. On a twelve-month view, the trend in home sales is anticipated to flatten out, evidenced by the net balance moving from -25% in July to -5% in August.....”*

4.88.4. *Looking across to the lettings market, conditions remain more positive than the sales market, with a net balance of +47 of survey respondents noting a rise in tenant demand (+59 in July). However, new landlord instructions fell slightly with a reading of -20 (-19 in July).....”*

4.88.5. *Given this mismatch between demand and supply, a net balance of +60% of contributors foresee rental prices being driven higher over the coming three months”.*

4.89. The press release concluded as follows;

4.90. *“RICS Chief Economist, Simon Rubinsohn, commented: The latest round of feedback from RICS members continues to point to a sluggish housing market with little sign of any relief in prospect.....Buyer enquiries remain under pressure against a backdrop of economic uncertainty and the high cost of mortgage finance. Meanwhile, prices are continuing to slip albeit that the relatively modest fall to date needs to be seen in the context of the substantial rise recorded during the pandemic period. Critically, affordability metrics still remain stretched in many parts of the country.”*

‘The Independent’ Newspaper - Article Dated 6 December 2023, by August Graham

4.91. This is entitled; *“Housebuilders facing one of toughest periods since 2009 crash, survey suggests”* and noted as follows;

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4.92. *"The UK's construction sector continued its decline last month and undershot expectations, according to a survey which is closely followed by economists. The housebuilding sector was particularly badly hit, slowing at one of its fastest paces since the global financial crisis 14 years ago. The S&P Global/CIPS construction purchasing managers' index (PMI) scored 45.5 in November. Residential construction activity has now decreased in each of the past 12 months and the latest reduction was still among the fastest seen since the global financial crisis in 2009 (based on information from Tim Moore, S&P Global Market Intelligence).*

4.93. *It continues months of difficulties for the UK's construction firms.....The PMI survey assigns a score to different sectors based on questions that companies answer. If that score is less than 50 it means the sector is likely to be shrinking. The further below 50 is scores, the faster it is shrinking.....Since September the construction sector has been shrinking fairly rapidly. September's 45.0 score was the lowest since May 2020, which was the early days of the Covid-19 pandemic.....Although the PMI has recovered a little since then, November's score is the second worst since 2020.....A slump in housebuilding has cast a long shadow over the UK construction sector and there were signs of weakness spreading to civil engineering and commercial work during November.*

4.94. *There were some bright spots in the survey, however; Companies revealed that their purchasing costs fell at the fastest rate since the summer of 2009, as raw material prices dropped. But the housebuilding sector was really in the doldrums. Its PMI score was 39.2 in November, with companies saying the unfavourable market had led to a slowdown in activity.*

4.95. *Tim Moore, economics director at S&P Global Market Intelligence is quoted as saying; "A slump in housebuilding has cast a long shadow over the UK construction sector and there were signs of weakness spreading to civil engineering and commercial work during November. "Residential construction activity has now decreased in each of the past 12 months and the latest reduction was still among the fastest seen since the global financial crisis in 2009".*

4.96. *The article continues; "Elevated mortgage costs and unfavourable market conditions were widely cited as leading to cutbacks on house building projects. There will be no quick fixes next year for the sector."*

4.97. *Dr John Glen, chief economist at the Chartered Institute of Procurement & Supply (CIPS), is quoted as saying; "Despite this, the sector has finally emerged from a period of intense supply chain pressure and prices are now falling across the board, especially for timber and steel. Projects are no longer being delayed due to unexpectedly high material costs, with November seeing the sharpest reduction in*

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purchasing prices since July 2009. There will be no quick fixes next year for the sector. Lower demand, elevated interest rates and the prospect of an election promise an uncertain start to 2024. This is a challenging moment for suppliers in the sector, who may have tough price negotiations ahead."

The RICS UK Residential Market Survey January 2024

4.98. The RICS 'UK Residential Market Survey January 2024' provides the following headlines;

- *"Sales volumes expected to recover further over the coming months*
- *Metrics on buyer demand, agreed sales and new instructions all move out of negative territory*
- *Sales expectations improve further at the three and twelve-month time horizons*
- *House price declines continue to ease, with London seeing a largely stable trend emerge"*

4.99. The body of the update notes as follows;

4.100. *"The January 2024 RICS UK Residential Survey results show another slight improvement across all sales market activity indicators. Moreover, sentiment regarding the outlook for sales volumes over the coming twelve months has turned increasingly positive, supported by expectation that interest rates will ease back to a certain degree as the year progresses.*

4.101. *At the national level, the new buyer enquiries series posted a net balance reading of +7% in January, up from a figure of -3% previously. As such, this is now consistent with a gradual recovery coming through for buyer demand. Although still relatively modest in a longer term context, the latest reading is in fact the most positive since February 2022. In conjunction with this, the agreed sales indicator also edged higher, returning a net balance reading of +5% compared to a value of -5% previously. ...*

4.102. *What's more, respondents foresee activity gaining further momentum over the coming three months, with the three-month sales expectations net balance rising to +14% compared to readings of +11% and +6% in December and November respectively. At the twelvemonth time horizon, a net balance of +44% of survey participants now envisage an improvement in sales volumes (up from an already solid reading of +34% last month). Looking at supply, this month saw a small pick-up in the*

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flow of new instructions being listed on the sales market, evidenced by a net balance reading of +11%. In fact, having been stuck in negative territory over much of the past few year, January's reading marks the most positive return for this measure since March 2021.

4.103. *At the same time, a net balance of +9% of respondents noted that the number of market appraisals undertaken during the month was above that of the previous year (marking the first occasion this series has been out of negative territory since early 2022).*

4.104. *With respect to house prices, the survey's headline gauge of price growth returned a net balance of -18% during January. While this remains below zero and is therefore still symptomatic of some downward pressure being visible, the readings for this metric have now turned less negative in five successive reports. Consequently, this suggests any falls in house prices are decelerating noticeably at the headline level.*⁴⁴

4.105. *.....Going forward, near-term price expectations have now turned more or less flat at the national level (with the net balance moving to -2% from -12% previously). On a twelve-month view, a net balance of +18% of respondents now anticipate a mild increase in house prices (the strongest reading since July 2022). When disaggregated, with the exception of East Anglia and the West Midlands (where net balances stand at -12% and -13%), all other parts of the UK are now expected to see some uplift in house prices over the year to come*⁴⁵.

Knight Frank UK Residential Outlook – (16 April 2024) 'Slow Recovery for UK Housing Market as it Awaits Political and Economic Clarity'

4.106. This states as follows;

4.107. *"It feels as though the UK housing market is waiting for something to happen.....The prevailing mood is one of anticipation with both a rate cut and a new Prime Minister on the horizon.....Even recent house price data suggests the current direction of travel is sideways. The monthly growth reported by Nationwide and Halifax in the first two months of the year went into reverse in March.....Frustratingly for buyers, the prospect of the first rate cut since March 2020 seems to move further into the distance with each release of economic data.....Figures from the US have recently caused concern due to a belief the Bank of England won't cut rates before the Federal Reserve.....Strong US inflation figures sent the UK five-year swap rate above 4.3% last week, which is clearly not good news for anyone hoping to agree a*

⁴⁴ Emphasis added.

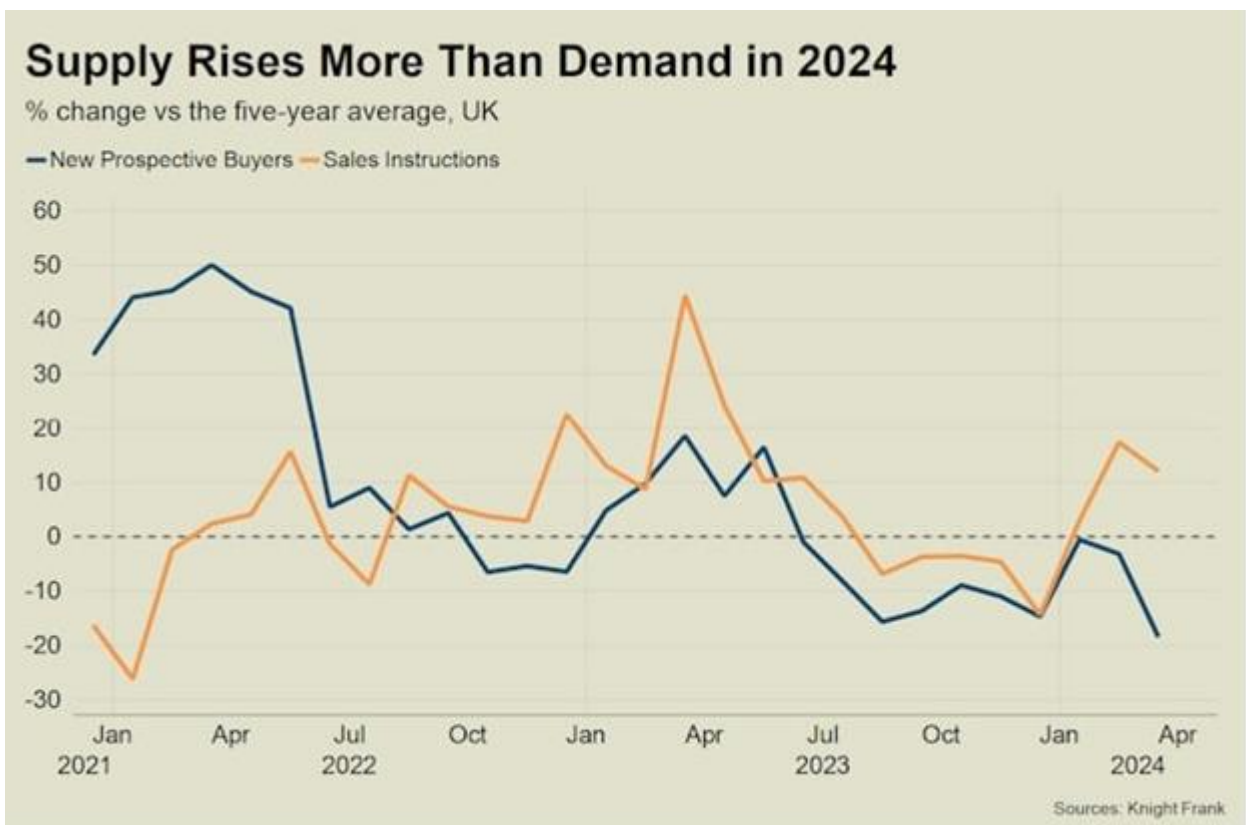
⁴⁵ Emphasis added.

mortgage starting with a '3' any time soon.

4.108. The article goes on to say;

4.109. *"The fact a wave of borrowers are rolling off sub-2% fixed-rate mortgages agreed at the start of 2022 is adding to the financial pressures in the system.....More relief for buyers will come when underlying inflation appears to be under control, so watch the UK numbers closely on Wednesday.....The other reason prices are dipping is rising supply. The positivity that infused the market in the early weeks of this year means more properties are now coming onto the market.*

4.110. The article concludes by saying; *"The latest RICS report shows that supply has risen for four consecutive months, which tallies with Knight Frank data - see graph (immediately below). A dip in demand in March is also visible due to mortgage rates creeping higher."*



RICS UK Residential Survey, March 2024 (press release dated 11 April 2024)

4.111. This is entitled; *'Marching ahead: Buyer demand puts spring in the step of the housing market'*

4.112. The 'headlines' are as follows;

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4.112.1. *“Survey results predicting further bounce in housing market in both the near and longer term.*

4.112.2. *New property listings increase for a fourth month with buyer demand also rising.*

4.112.3. *The battle between tenant demand and lack of available rental properties continues, with rental prices expected to rise in the coming months.*

4.112.4. *The latest RICS UK Residential Survey results (March 2024) show a steady improvement in sentiment, with buyer demand and sales expectations going forward seeing a rise in positivity. Meanwhile, stability in house prices has also been reported.*

4.112.5. *According to the survey, buyer demand has continued to rise, with a net balance of +8% of respondents citing an increase in new buyer enquiries during March, making this the most positive result since February 2022.*

4.112.6. *On the property supply front, the flow of new listings coming onto the sales market increased for a fourth successive month, with a net balance of +13% of respondents noticing a pick-up in new instructions in March.*

4.112.7. *Looking at expectations, respondents predict further improvement in activity over the coming months, with a net balance of +13% of respondents predicting sales volumes rising in the next three months, compared to a reading of +6% previously. Similarly, looking ahead to the next twelve-months, a net balance of +46% of respondents predict sales activity rising (up from +42% in February).*

4.112.8. *Interestingly, house price trends have grown less negative for the seventh month in a row, rising from a net balance of -67% in September 2023 to -4% in March. This suggests a stable picture is now in place for house prices across the UK.”*

4.113. The RICS press release concludes with comments from Tarrant Parsons, Senior Economist, at RICS;

4.114. *“Demand continues to recover gradually across the UK housing market, with new buyer enquiries rising for a third month in succession according to the latest survey feedback.....“With the inflation backdrop turning a little less difficult of late, this has led to expectations that the Bank of England will be able to start lowering interest rates later in the year. This should continue to support the market to a certain degree going forward.....“In keeping with this, near-term sales expectations point to*

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an improving outlook, albeit the scope for an acceleration in activity will still be relatively limited given mortgage rates are set to remain much higher than in 2020/21.

House Price Forecasts – Overall Conclusion

4.115. In summary, based on the above, current house price forecasts highlight a combination of circumstances that have led to the housing market stalling and then flattening. There is some variation between the forecasts in relation to the level of house price movement over the next year. However, they all agree that any recovery in the housing market will be gradual and any increases in house prices are likely to be very modest.

4.116. Accordingly, the current estimated house prices provided by the local Chartered Surveyors/Estate Agents, and emerging from the research undertaken by BVL are likely to be best case or ‘optimistic’ in terms of where prices will be heading in the medium term.

AFFORDABLE HOUSING SALES REVENUE

4.117. The Applicant has confirmed that it has not yet entered into any discussions with an RP. Therefore, to secure an objective view⁴⁶ of the market value of the affordable housing element of the proposed development, BVL approached affordable housing specialists CJH Land. CJH Land provides specialist advice to a range of parties on affordable housing issues and it undertakes a great deal of work in the locality. Accordingly, CJH is very well placed to provide specific and current advice as to the affordable housing premiums that would be achievable from the affordable housing element of the development.

4.118. The key points made by CJH Land are summarised below;

4.118.1. The world for Registered Providers (‘RPs’) has changed significantly in recent months;

4.118.2. Many RPs have no current capacity for development. This is very unusual; usually when open market development ‘dips,’ the RPs step in and are able to develop. Their inability to do so is due to a unique and previously unseen⁴⁷ set of circumstances, that ‘turned everything on its head’ at the start of 2023, & which has become worse and worse. This problem is being experienced everywhere in the South West and up to Bristol and beyond.

⁴⁶ For the purposes of the IFVA

⁴⁷ In thirty years of CJH’s experience in the sector.

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4.119. The factors that have led to this situation are as follows;

4.119.1. Firstly – RPs are experiencing greatly increased maintenance costs. It is costing RPs far more than they had planned to undertake their day to day & cyclical maintenance, due to BCIS cost inflation etc. This in itself reduces the financial resources remaining for new development.

4.119.2. Secondly, many RPs have a ‘full order book’ of existing development commitments, because a significant number of development projects were signed up to by most RPs before the Government’s Mini Budget of 23 September 2022⁴⁸. Many RPs had just signed up to large development programmes just before the impacts of the Mini Budget were fully felt by the financial markets.

4.120. Many RPs locally now say they are fully committed and cannot take on any more development. Also with increased costs of maintenance following the Mini Budget and the Covid 19 Pandemic, RPs need to make their finances go much further.

4.121. In addition to this, following the Mini Budget, the costs associated with refinancing are often prohibitive. Therefore, RPs are very reticent to refinance and in many cases, their business plans require them to stay within current agreed limits. The biggest issue is therefore the current (increased) cost of interest. Sadly, even when rates fall, some RPs will still not be able to develop because things have become so ‘tight.’

4.122. In summary then, CJH Land advise that there has been a ‘power shift’ with less and less cash being available now for RPs, who now need to make what they have go much further. As a result they are concentrating on their core business of managing and maintaining a stock of housing. This leaves significantly reduced capacity to raise funds for development and expansion.

4.123. CJH Land also advised that flats are not popular with RPs, even on large schemes. Unless a scheme includes a minimal number of flats, RPs simply will not bid, because they need an overwhelming number of houses in the mix. Taking account of the current (and foreseeable) market conditions for RPs, CJH Land strongly recommend that the composition of the affordable housing element of any development is agreed with an RP first to ensure that it will meet their requirements.

⁴⁸ Bing Search advises that; “Liz Truss's mini-budget was announced on September 23rd, 2022. The mini-budget included tens of billions of pounds of tax cuts, such as a cut in corporation tax from 25% to 19% and a cut in the basic rate of income tax from 20% to 19%¹. The announcement caused turmoil on the markets, a fall in the value of the pound, and rises in the cost of UK government borrowing and mortgage rates². Prime Minister Liz Truss subsequently sacked the then chancellor Kwasi Kwarteng and acknowledged that parts of the mini-budget went further and faster than markets were expect”).

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CJH Land suggest that there is no point in agreeing an affordable housing mix with an LPA, if this mix would not be acceptable to RPs. CJH Land underlined this advice by saying; *“It is fundamental for a developer to get the affordable mix right, because it is easier for RPs to say ‘no’ than ‘yes’ at the moment. Even in good locations, developers need to be offering affordable housing schemes that are as attractive as possible at the moment, otherwise RPs just will not take them.”*

4.124. CJH noted that the Housing Enabling Team’s request for a fully disabled adapted 3 bed bungalow is unusual, as this would have a very big footprint. However, in many ways it would be preferable to have a bungalow (rather than a house) in this case, as there would be no need for a lift.

4.125. In relation to Wellington specifically, CJH Land advise that the requested affordable housing mix would generally be attractive to a Registered Provider (RP) mainly because it consists of houses and bungalows (and not flats, for example). CJH advise that RPs would still be interested in new developments in Taunton/Wellington. However, CJH Land would advise that a developer tenders any affordable element. This is because, (with the market for RPs as described above), many have now significantly altered their bidding assumptions, meaning that the difference between two RP bids could be substantial (potentially up to £50 per ft²).

4.126. CJH Land advise that likely achievable sales premiums for the Council’s target mix of 60% Social Rent and 40% Shared Ownership will attract a blended sales rate of up to £150 per ft², with a ‘safe’ assumption of around £145 per ft². Ultimately, the achievable rate will depend on timing (i.e. when it will be delivered/available) especially as many RPs have full development programmes & no capacity for development.

4.127. By way of comparison (and in relation to the mix of affordable housing being requested by the Housing Enabling Team), BVL notes that the RP offer of £886,000 made to the Applicant in relation to the Creech St Michael development equated to an average of £184.10 per ft² over the 4812 ft² for these five affordable dwellings, which comprised 1 x shared ownership (20%) and 4 x **Affordable** Rent (80%). This rate broadly aligns with BVL’s normal expectations for a tenure mix of this type, in this area.

4.128. Whilst there will be a differential between Wellington and Taunton, this implies that (broadly speaking) the financial difference between 80:20 Affordable Rent/Shared Ownership and 60:40 Social Rent/Shared Ownership tenure mix is notionally in the region of) £184.10 per ft² - £145 per ft² = £39.1 per ft². If this is applied across the affordable element of the proposed development (50,785 ft²) the total difference between the two mixes could amount to circa £1,985,694 (say just

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under £2m).

- 4.129. BVL has not, at present, modelled the impact of the 40% element being First Homes, sold at a discount from open market value. This is because the stated preference of the Housing Enabling team is for these units to be Shared Ownership, and also because this would be unlikely to make any significant difference to the viability picture, given the outcomes of the viability modelling⁴⁹.
- 4.130. Taking an optimistic approach, the rate that has been applied in the modelling is the maximum rate of £150 per ft² (blended) provided by CJH Land for the Council's target 60:40 Social Rent/Shared Ownership tenure mix.
- 4.131. During the engagement process with the Council following the submission of the Draft IFVA on 25 March, officers asked about the basis of the advice provided by CJH Land and whether they had undertaken dialogue with local approved Registered Providers to ascertain the RP position, interest and current rates for Wellington.
- 4.132. BVL responded to this query as follows;
- 4.133. *"Re CJH Land; your colleagues' queries raised are noted, thank you. CJH were not formally commissioned to provide advice to inform the IFVA and therefore the advice that I obtained from them was of a general nature, mainly covering the economic constraints faced by most RPs in the Region. CJH Land also advise that it is very difficult to give a generalised view on likely RP interest/bids for a particular location, due to the 'heterogeneity' of approaches being taken by individual RPs;*
- 4.134. *I spoke with CJH Land again yesterday for an update, and they advise that, if anything, things have become worse, with RPs' programme capacity and approach to bidding now changing for individual RPs on a weekly basis, and with business plan assumptions needing to be amended regularly (for example very recently, apparently Aster had a scheme of circa £10m 'falling away' unexpectedly, meaning that they are now looking to bid for some April 2026 schemes - although they were 'full' (capacity-wise) prior to this happening). In summary, it is very difficult to generalise as to what type of RP would be able to bid in a particular location, and, if they were able to bid, whether this would be on a basis that would be acceptable to a developer.*
- 4.135. *Accordingly, the only way to definitively establish the interest in bidding, and level of bids that would be made, would be to tender the affordable housing element of the proposed development. However, not only would this take several weeks,*

⁴⁹ See below for details.

but, (in an RP market where a 'decline' is commonplace – it is easier to say no, rather than yes, for most RPs at the moment). Also, where a proposed development is the subject of a viability review, RPs are very unlikely to bid. CJH gave their general advice for Wellington based on their wider experience, and on the very few recent bids that have taken place in nearby locations, including;

4.136. *South Somerset, 15 dwellings, 70% Social Rent, 5% Shared Ownership – rate achieved - £127.84 per ft2.*

4.137. *Tiverton – 70 dwellings, 60% Affordable Rent, 40% Shared Ownership, bids awaited now, but numerous 'declines' have already been received from RPs.*

4.138. *As noted in the Draft IFVA, taking account of the location and their knowledge of RPs in the Region generally, CJH Land suggested that a figure of circa £145 per ft2 (up to £150 per ft2) could potentially be achievable for the proposed development, if an RP had the capacity to bid.*

4.139. *I mentioned the recent bid made by a local RP in relation to Creech St Michael, in my Draft IFVA Report. However, if your housing colleagues have any other local comparable bid results, or information that could help to inform the IFVA in this regard, this would be gratefully received.*

4.140. *However, I should say that, given the results of the Draft IFVA (i.e. that all of the target affordable housing element is likely to need to be foregone to create a deliverable scheme) an adjustment to the blended premium rate for affordable housing is unlikely to make a significant impact on viability. Also, as noted above (and discussed at our meeting), current economic conditions for Registered Providers (RPs) mean that it could be difficult to find an RP to take the affordable element of this development at the moment, in any event."*

4.141. *The Housing Enabling Team responded to BVL's comments by saying; "Note - CJH Land have had no dealings in the Former Somerset West and Taunton area for many years. Their commentary is not incorrect, however the RPs operating in the Wellington area have expressed an interest in bidding for affordable homes in Wellington and remain active in this area."*

4.142. *The Housing Enabling Team also noted that local RPs were also interested in pursuing land-led opportunities. This option was also discussed at the engagement meeting of 10 April. However, it was difficult to see how this could helpfully be applied in the case of the Application Site.*

EMPLOYMENT LAND

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4.143. As noted in more detail above, there have been various changes in the proposed commercial elements of the proposed development since the submission of the Outline Application. These can be summarised as follows;

Mix of commercial uses at the time of the Submission of the Outline Application (May 2023):

4.144. A mixed-use element with a gross internal area (ground floor only⁵⁰) of 2,285.1 m² (24,596 ft²).

4.145. General employment buildings (ground floor only) (Use Class E & B8) with total gross internal areas of 2,646.2 m² (28,484 ft²).

Amended Mix of Commercial Uses – 26 January 2024:

4.146. Employment on 0.96Ha/2.36 acres (this was previously 0.77 Ha, or 1.89 acres, reflecting a marginal increase of 0.19Ha/0.47 acres (Use Class E & B8). The FOD plans also note a marginal difference in the area of the general employment buildings (ground floor only) with a reduced total gross internal area of 2,645.4m² (28,475 ft²).

4.147. The 'Mixed Use' element of the proposals (previously comprising 0.71Ha, or 1.76 acres) was not present on the amended plans of 26 January 2024.

Current) Mix of Commercial Uses (early March 2024)

4.148. As noted above, the removal of the mixed-use element has not only removed some 2,285.1 m² (24,596 ft²) of ground floor GIA from the proposed development, it has also reduced the maximum number of residential units from 'up to 220' to 'up to 200'. (As noted above, around 20 residential dwellings were envisaged on the first and second floors of the mixed-use space).

4.149. The employment land is now 0.828Ha (2.046 acres). This was previously⁵¹ 0.96Ha (2.36 acres), reflecting a reduction of 0.314 acres. The new coverage is envisaged by FOD to be; *"general employment buildings (gf only) total gross internal areas 2,645.4m² (28,475 ft²)"*.

4.150. Note – under the new application description, the proposed employment uses have been amended from E and B8 to E and F. The Applicant's Planning Consultants, Carney Sweeney note that *"In reality this will probably just result in traditional former B1 uses coming forward (which are now included in the new Class E use class)"*.

⁵⁰ BVL is informed by Focus on Design, that the upper floors of this accommodation were originally envisaged to provide for up to 20 residential units (flats).

⁵¹ As of 26 January amendments.

4.151. For the purposes of the IFVA modelling, it is assumed that the 2.046 acres of employment land will be sold on a serviced basis.

4.152. BVL approached commercial local commercial agents Chesters Harcourt, Hatfield White and GTH for comment. The detail of the ongoing conversations currently being held will be included in the Final IFVA report. However, in summary because Class F generally comprises community type uses (which do not attract very much value) the value of serviced employment land in this location will essentially depend on the range of Use Class E uses that are allowed. If, for example, retail-type⁵² uses (or self-storage uses) were allowed, then serviced employment land in this location could potentially sell for up to £500k per acre. However, without these higher value uses, the serviced per-acre sale rate would reduce to between £200k and £300k per acre.

4.153. However, taking an optimistic approach to the modelling, BVL has applied the maximum per acre rate of £500k x 2.046 acres = £1,023,000 within the viability modelling.

DEVELOPMENT COSTS

4.154. PPG Viability paragraph 012 states as follows; *“How should costs be defined for the purpose of viability assessment?.....assessment of costs should be based on evidence which is reflective of local market conditions. As far as possible, costs should be identified at plan making stage.....Costs include;*

- *Build costs based on appropriate data, for example, that of the Build Cost Information Service.*
- *Abnormal costs, including those associated with treatment for contaminated sites or listed buildings, or costs associated with brownfield, phased or complex sites. These costs should be taken into account when defining benchmark land value.*
- *Site specific infrastructure costs, which might include access roads, sustainable drainage systems, green infrastructure connection to utilities and decentralised energy. These costs should be taken into account when defining benchmark land value.*
- *The total cost of all relevant policy requirements including contributions towards affordable housing and infrastructure, CIL charges and any other relevant policies or standards. These costs should be taken into account*

⁵² For example, a supermarket (unlikely with Lidl close by), Home Bargains, B&M, Screwfix etc.

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when defining benchmark land value.

- *General finance costs including those incurred through loans*
- *Professional project management, sales, marketing and legal costs incorporating organisational overheads associated with the site. Any professional site fees should also be taken into account when defining benchmark land value.*

4.155. *Explicit reference to project contingency costs should be included in circumstances where scheme specific assessment is deemed necessary, with a justification for contingency relative to project risk and developer's return."*

4.156. Considering these cost areas in turn;

Cost Areas 1-3 Build Costs, Abnormal Costs & Site-Specific Infrastructure Costs

4.157. As noted above, Chartered Quantity Surveyors, TCL were asked by BVL to provide independent construction cost advice and statistical information to inform the IFVA.

4.158. In accordance with RICS 'Red Book' requirements, TCL separates construction costs into two main areas;

4.158.1. Development Infrastructure Costs.

4.158.2. Standard Plot Build Costs.

4.159. Following its review of the information supporting the Application, TCL initially produced two draft reports on 7 February 2024. These were followed up by two further reports as follows;

4.159.1. Terrus Infrastructure Cost Plan (initially dated 20 March 2024 and subsequently updated on 12 April 2024 (see below for details). See **Appendix 2**.

4.159.2. Terrus Standard Build Cost Plan dated 20 March 2024. See **Appendix 3**.

4.160. These reports were subsequently updated to reflect viability modelling undertaken following a liaison process with Council officers - see below for further details).

4.161. For convenience, the key elements of TCL's reports are summarised below;

Terrus Infrastructure Cost Plan

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4.162. Paragraph 1.2 notes that; *“Terrus Consulting is commissioned to provide an objective construction cost report to inform an Independent Financial Viability Assessment (IFVA) being prepared by Belvedere Vantage Ltd (BVL) in relation to the above development which is being undertaken by West of England Developments Ltd.”*

4.163. And at paragraph 1.3;

4.164. *“The Infrastructure Cost Plan identifies the infrastructure and abnormal costs to service the site on a typical ‘Red Book’ basis. These costs include land preparation, S278 highways works, S38 primary routes, associated drainage, utilities, archaeology, ecology, and plot specific abnormalities”.*

4.165. TCL Para 1.5 says; *“This cost report considers the approved 200 dwelling application scheme, which comprises:*

4.165.1. *200 dwellings.*

4.165.2. *A network of open spaces including parkland and footpaths for informal recreation.*

4.165.3. *New roads, parking areas, accesses, and paths.*

4.165.4. *Provision within the scheme for the spine road and enabling infrastructure to support the development of a rail halt/station.*

4.165.5. *Other ancillary activities; Including engineering operations, site preparation, ground works, the installation or improvement of services and infrastructure; the creation of drainage attenuation basins, improvements/works to the highway network and other ancillary works and activities.*

4.165.6. TCL paragraph 1.8 states; *The Cost Plan contains the following:*

- *Vegetation clearance, protection, and management*
- *Earthworks*
- *General site clearance & enabling works.*
- *On-site highway infrastructure / Off-site highway works*
- *Foul and surface drainage along the development roads*
- *Foul water and Surface water / SuDs strategy*

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”.*

- *Service supply connections, diversions, and distribution.*
- *Landscaping*
- *Archaeological and ecological mitigation*
- *Fees & contingency*

4.166. Under Section 4 – ‘Infrastructure’ TCL advises as follows;

4.167. Paragraph 4.1 – “While standard plot build costs include the roads and services along the frontage of the individual properties together with all associated works within the curtilage of the property, it is necessary to include the other development costs in order to provide an accurate assessment of overall construction costs. Accordingly, this section of the report outlines infrastructure and abnormal costs for the proposed development. As such, this section includes costs that lie out with standard house building costs. When read in conjunction with the TCL Standard Build Cost report dated 20th March 2024, this report gives an indication of the costs associated with developing the site for viability purposes.

4.168. Paragraph 4.2⁵³ states; “During the viability review process there have been a number of iterations of the infrastructure cost plan as follows;

4.168.1. Baseline - The current baseline cost plan is dated 20th March 2024, this assumes 25% affordable housing, 200 new homes, new junction at Nynehead Road and all other infrastructure etc. as per the most recent planning application submission (registered on 7th March 2024)”.

4.168.2. Second cost plan update - The second update cost plan is dated 30th March 2024, still based on the full target provision of 25% affordable housing, This is an update following a Teams call with Council officers on 27th March and subsequent emails, which reduces the play area and ‘play on the way’ allowances, and removes the works associated with the Toucan crossing (as this was identified as a double counted item with the active travel contribution). The utilities diversions associated with these works were also removed. All other elements remain as the baseline cost plan. To ensure consistency with the third update (see below) an alternative version of the second update (Cost Update 2a) has been produced to reflect the reduced nutrient neutrality costs that WOED confirmed (on 3rd April) that they have been able to secure.

4.168.3. Third cost plan update - The third update dated 3rd April 2024, builds

⁵³ Together with sub paragraphs 4.2.1 – 4.2.3.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; “*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*”.

on the 30th March update but now assumes 0% affordable homes, and as such removes bike stores and the Cat 2 and 3 housing standards, this update now also reflects the reduced nutrient neutrality costs which WOED have now been able to secure.

Summary Sheet	Baseline (20/3/24)	2 nd Update (30/3/24)	3 rd Update (3/4/24)
Land Preparation and Enabling Works	£ 923,644	£ 923,644	£ 923,644
S106 requirements and works	£ Excluded	£ Excluded	£ Excluded
Highway Works	£ 4,262,462	£ 4,164,542	£ 4,164,542
Flood Risk and Drainage	£ 2,948,065	£ 2,948,065	£ 2,948,065
Utilities	£ 1,114,658	£ 1,089,658	£ 1,089,658
Landscaping	£ 1,782,713	£ 1,645.833	£ 1,645.833
Archaeology and Ecology	£ 1,718,550	£ 1,718,550	£ 1,336.600
Plot Abnormals	£ 3,171,402	£ 3,171,402	£ 2,889,402
Professional Fees	£ 1,754,622	£ 1,726,044	£1,653,009
Risk and Contingency	£ 1,624,724	£ 1,598,744	£ 1,532,349
Total	£ 19,300,840	£ 18,986,482	£ 18,183,102
Cost per dwelling	£ 96,504	£ 94,932	£90,916

4.169. TCL paragraph 4.4 – *“The final iteration of the total infrastructure and abnormal costs of £ 18,183,102 amounts to £ 90,916 per plot”.*

4.170. At paragraph 4.5, TCL say; *“At £ 90,916 per plot, the total of infrastructure works requirements and abnormal costs lie within the top end of the range typical for a development of this nature, given the additional infrastructure carried by each plot”.*

4.171. Paragraph 4.6 provides a summary of the Abnormal costs associated with the Application Site; *“The abnormal elements on this site which are over and above ‘typical abnormals’ include the site clearance, including demolition, earthworks, foul pumped rising main to the off-site Point of Connection (PoC), surface water system of attenuation basins and swales, deepened and piled foundations and beam and block flooring and working to the relevant Building Regulations standards. A further element above ‘typical abnormals’ is the high-quality palette of materials that are being used on both the dwellings themselves and also the street scene to meet the aspirations of the Local Planning Authority.”*

4.172. TCL Paragraph 4.7 headed ‘Cost Heading Commentary’ (items 1-94) provides detailed commentary on each of the various elements in TCL’s cost schedule at Appendix 1 to TCL’s report.

Terrus Standard Build Cost Plan

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”.*

- 4.173. This report is also dated 20 March 2024. As noted above, the full report is attached at **Appendix 3**, but key points are summarised below;
- 4.174. At paragraph 1.7 of its written report, TCL advises that its Build Cost Plan contains the following:
- 4.175. *Standard BCIS build cost plus allowance for plot externals, to be read in conjunction with the TCL Red Book cost plan for Abnormal Site Infrastructure.*
- 4.176. *Enhanced finishes.*
- 4.177. *Where relevant the above include contingency."*
- 4.178. Immediately below paragraph 1.7, TCL notes that *"Infrastructure and site-specific Abnormal Costs are covered in a separate report,"* and at paragraph 4.1, TCL states that; *"This report should be read in conjunction with the TCL Abnormal Infrastructure Cost Plan which has been prepared on an RICS Red Book basis."*
- 4.179. TCL paragraph 4.2 – *"This report covers the build cost of the dwelling itself, with an allowance for its own plot costs, such as private drives, paths, patios, fencing, plot drainage and landscaping. In addition, where appropriate, the plot cost will also cover the applicable costs of the estate road onto which the dwelling faces along with the relevant foul-, surface- water drainage and utilities distribution infrastructure associated with that fronted road."*
- 4.180. TCL paragraph 4.3 says– *"When read in conjunction with the TCL Abnormal Infrastructure Cost Plan this report gives an indication of the costs associated with developing the site for viability purposes."*
- 4.181. Under Section 4.4, Item 2, TCL deals with build costs, as follows;
- 4.182. *"Build Cost: BCIS build costs have been obtained for the locality of the development, Taunton Deane, and are based on 1st Quarter 2024, which is being taken as the valuation date for the purposes of this report. The BCIS output is included at Appendix 2..... The Median value has been taken from the BCIS schedule since this development being partially delivered by a regional SME housebuilder and is considered to an applicable base build cost for a development of this nature. However, the report also includes details of the BCIS 'Lower Quartile' value, for comparison purposes.*
- 4.183. TCL includes its build cost schedule, based on Median BCIS cost data, at Appendix 1 to its report. TCL also says; *"As noted above, Lower Quartile BCIS cost data is also included for comparison purposes."*

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *"Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".*

- 4.184. TCL then goes on to say; *“A 10% uplift⁵⁴ is then added to the BCIS base build cost to account for as private drives, paths, patios, fencing, plot drainage and landscaping. In addition, where appropriate, the plot cost will also cover the applicable costs of the estate road onto which the dwelling faces along with the relevant foul-, surface- water drainage and utilities distribution infrastructure associated with that fronted road.”*
- 4.185. TCL will then note that it has added a 5% contingency for unforeseen elements.
- 4.186. TCL’s initial Standard Build Cost Plan (dated 7 February 2024) provided the following ‘net’ figures for BCIS ‘Taunton Deane’ – 810 Housing-Mixed Developments for Q124;
- 4.186.1. Median rate (excluding garages - £136.94 per ft2.
- 4.186.2. Lower Quartile rate (excluding garages - £122.72 per ft2.
- 4.186.3. Garages (based on 50 x single and 17 x double for 220 residential dwellings) - £653,448.
- 4.187. The TCL cost plan of 20 March 2024 provides updated values for;
- 4.187.1. Lower Quartile rate – which has now reduced fractionally to £122.63 per ft2.
- 4.187.2. Garages –(based on 45 x single and 15 x double for 200 residential dwellings) - £565,756.
- 4.188. Generally, TCL’s standard build and development infrastructure cost assumptions form the basis for the construction cost assumptions in BVL’s appraisals. For clarity within the BVL appraisals, base plot costs, external and infrastructure costs are shown as separate items.
- 4.189. Given the poor viability outcomes of the current modelling, and to optimise the appraisal inputs as far as possible, BCIS Lower Quartile values⁵⁵ have been applied in the appraisals.

THE TOTAL COST OF ALL RELEVANT POLICY REQUIREMENTS.

Community Infrastructure Levy (CIL)

⁵⁴ TCL notes that a 15% uplift should be applied if the BCIS Lower Quartile is used.

⁵⁵ Plus a 15% allowance for external costs.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”.*

- 4.190. Background - in response to the following questions, the Council's website advises as follows;
- 4.191. What is the Community Infrastructure Levy (CIL)?
- 4.192. *"The CIL was introduced by the Planning Act 2008 and is a standard charge to help pay for the provision, improvement, replacement, operation and maintenance of infrastructure. It is charged at a set amount per square metre of additional floor area and increases each year on 1 January, using the value published by the Royal Institution of Chartered Surveyors. We will collect the charge, co-ordinate how funding is spent and report this to the community each year.*
- 4.193. Does CIL apply to my development and how much is it?
- 4.194. *"From 1 April 2023, Somerset Council became a CIL charging authority and administers the CIL for three geographical areas: the former Sedgemoor, South Somerset and Taunton Deane district areas. Somerset Council does not operate CIL in the former Mendip area or West Somerset area and mitigation required to support the needs of new development is secured through section 106 legal agreements.....CIL applies to new floor space and charges are based on the size, type and location of the new development. Charges are calculated on gross internal floor area of development. Developments under 100 sqm of additional floor space are not liable for CIL unless a new dwelling will be created. Payment of CIL is triggered by the start of development and can be made in cash, land or infrastructure subject to the Council's agreement. CIL is also payable on retrospective planning applications where any CIL liability is payable immediately once planning approval is given.*
- 4.195. The website goes on to comment on 'Taunton Deane CIL;'
- 4.196. *"This information only applies to development in the former Taunton Deane district. Charging of CIL in Taunton Deane commenced on new developments granted permission from 1 April 2014. CIL is liable on planning applications inside areas on the charging zones map, that.....create new homes (including rural workers homes, holiday lets and student accommodation)."*
- 4.197. Pages 2 to 3 of the 'Taunton Deane Borough Council Community Infrastructure Levy Charging Schedule April 2014' provide; - 'Evidence to support the proposed levels of CIL'.
- 4.198. *"The evidence to support this Charging Schedule is available on the Council's website at www.tauntondeane.gov.uk/corestrategy/cil. Other links are given at the*

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

end of this document. The viability appraisal to support the proposed charges was prepared on behalf of the Council by Three Dragons and Peter Brett Associates. The viability appraisal looks at notional and actual housing development sites in Taunton Deane, and also considers non-residential uses. It recommends rates of CIL that can be charged without putting the majority of development proposed at risk. The evidence indicates that for residential development, CIL would not render the majority of development unviable in most of Taunton Deane. For non-residential uses the only type of development which could support CIL and remain viable, at present, is retailing outside the town centres of Taunton and Wellington.”

4.199. The Charging Schedule goes on to say, in relation to the Levy;

4.200. *“The Charging Schedule attached has been prepared in accordance with Part 11 of the Town and Country Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended). The Council has sought to strike a balance between ensuring appropriate development comes forward and the impact of CIL on development viability. It has also sought to balance costs between aspects of site specific infrastructure which will continue to be secured through Section 106 planning obligations and those that will be funded through CIL.*

4.201. *The CIL rates proposed are set out in the Charging Schedule and are derived from the assessment of the viability of development in different parts of the Borough carried out by the Council's consultants. The Regulations recognise that the CIL charge may make some development unviable and that CIL should not be set at such a low rate as to ensure that every development remains viable. Viability evidence suggests that there is no scope to charge CIL on residential development within Taunton town centre and Wellington urban area, nor on retail development within Taunton and Wellington town centres in Taunton Deane. Employment development in the Borough is also not able to support CIL. The rates in the Charging Schedule will be indexed to account for inflation using a nationally recognised index (BCIS). They will be regularly reviewed to take account of changes in viability, and any proposed changes to the Charging Schedule will be submitted for further examination.”*

4.202. The Charging Schedule goes on to cover ‘CIL Relief’

4.203. *“The CIL Regulations provide for full relief from the CIL charge for any part of a development which is affordable housing (and includes social and affordable rent and shared ownership); for self-build housing, residential annexes and extensions.....*

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; “Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”.

4.204. *If a development is initially granted CIL relief and then circumstances change, there is a claw-back period within which the development will become liable for CIL. Relief can also be given in exceptional circumstances, subject to the Council publishing a policy to this effect. Such exceptional circumstances will only apply where there is a Section 106 planning obligation in place and where the addition of CIL would make the development unviable; additionally the amount of relief granted must not be sufficient to qualify as notifiable state aid under EU law.¹ The fact that an application may be unviable is unlikely, in itself, to constitute an exceptional circumstance in terms of the CIL Regulations. At the time of adopting its CIL proposals, the Council decided not to offer exceptional circumstances relief, although it will review the position from time to time.”*

4.205. The Charging Schedule goes to set out how CIL should be calculated and the amount of the levy;

4.206. *“How the CIL charge will be calculated In accordance with the Regulations; where applicable the Council will issue a Liability Notice that states the chargeable amount on grant of planning permission or as soon as possible after the grant of planning permission. The Council will calculate the amount of CIL chargeable using the formulae set out in the Regulations.”.....“How much is the levy? CIL will be charged at the rates shown on the Charging Schedule and in accordance with the Charging Zones:.....*

4.207. The Charging Schedule goes on to say;

4.208. *“Payment of Community Infrastructure Levy - CIL becomes payable on commencement of development, in accordance with our instalment policy.....
.....Community Infrastructure Levy Indexation; “CIL payments must be index linked from the year that CIL was introduced (2014) to the year that planning permission is granted. The index used up until December 2019 was the national All-in Tender Price Index published by the Build Cost Information Service (BCIS). From January 2020 the RICS CIL Index is used to calculate CIL liability in accordance with Schedule 1 of the CIL Regulations 2010 (as amended)”.*

4.209. The Charging Schedule then confirms the following indexation rates which should be applied

- RICS All-in Tender Price Index for 2014 (CIL implementation) was 235.
- The RICS CIL Index for 2020 was 334.
- The RICS CIL Index for 2021 was 333.

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- The RICS CIL Index for 2022 was 332.
- The RICS CIL Index for 2023 is 355.

4.210. As noted briefly above, PS page 13 states (in relation to Community Infrastructure Levy – ‘CIL;’) as follows at paragraph 3.2.7 and 3.2.8; *“The Council formally adopted CIL for the former Taunton Dean Borough Council Area in 2014”..... The site falls within the Wellington Charging Zone where the levy rate is £0*”. CIL is therefore not applicable to the Proposed Development, and therefore no allowance for CIL is made in the IFVA appraisals.

Target s.106 Obligations

4.211. As noted above, the application consultation process produced a wide range of consultation responses/requests with potential financial implications for the Outline Application.

4.212. It is fundamental that the IFVA takes account of the viability impacts of everything that is being sought, (in terms of different policy targets/aspirations/standards & contributions etc.) in order that decisions can be made in relation to a viable package of planning obligations for inclusion in the s.106 Agreement. However, as noted above, one of the key dilemmas is how to ‘pin down’ a comprehensive list of policy targets/aspirations/standards & target s.106 contributions etc.

4.213. This is because they are included in a wide range separate documents/sources, including, for example; -

- The Council’s policy documents.
- References in the Outline Application supporting documents.
- In the Council’s First Draft s.106 Heads of Terms (‘HOT’) of 2 November 2023.
- Various responses from statutory and other consultees.
- Arising from ongoing meetings/telephone calls & email correspondence etc. between WOED and Council etc.

4.214. In addition, target requests have been added/amended, and have generally evolved as the application has progressed so far, and may continue to do so.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”*.

4.215. Accordingly, BVL has produced the attached wide-ranging ‘Schedule of Target s.106 Contributions and Other Costs’ which has been continually updated over the last few months. This is intended to act as a single, comprehensive, easily updatable schedule of all target obligations/contributions/standards etc. There are a number of reasons for this approach;

- To ensure that BVL has ‘captured’ all target obligations/contributions/standards etc. & that nothing is missed.
- To maintain this as a central document, to keep up with any changing requests/contributions as matters progress.
- To form a central part of IFVA for modelling scenarios, to assist in decisions as to which targets/aspirations to remove or reduce etc.
- To ensure that development costs relating to required standards/target requests that are not included as financial contributions in the schedule are included in the TCL cost plans (and that such costs are not missed or included more than once).

4.216. The latest update to this schedule (dated 19 March 2024 is attached at **Appendix 4**⁵⁶

4.217. For convenience however, the main s.106 Obligations being sought⁵⁷ are summarised below;

- CIL – not applicable in the case of the proposed development⁵⁸.
- Additional land provided by landowner – allowance of £170,000.⁵⁹
- Land for station square and mobility hub (area) – see VBLV section below.
- Delivery of employment land (see above).
- Provision of Spine Road to new Halt (in TCL Cost Plan).

⁵⁶ Note – the contributions within BVL’s schedule (and listed immediately below) reflect the application consultation requests that have been formally issued to the Council. (and which are published on the Planning Portal). The liaison process with the Council following the issue of the Draft IFVA on 25 March 2024 resulted in amendments to some of the published contributions for viability modelling purposes - see below for details.

⁵⁷ And which are therefore included in the IFVA modelling.

⁵⁸ See above for details.

⁵⁹ See ‘Viability Benchmark Land Value’ (‘VBLV’) section below, for details.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; “*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*”.

- On site POS & play areas etc. (in TCL Cost Plan).
- Nutrient neutrality (in TCL Cost Plan).
- Cost implications of the Local labour agreement (in TCL Cost Plan).
- Affordable housing – considered separately above.
- Travel Plan - £5,000 (14 Feb 2024).
- Safeguard fee - £5,000 (14 Feb 2024).
- Active Travel £573,620 (updated 14 March 2024).
- Greenway contribution - £50,000 (12 February 2024).
- Public art/monument – Est. £7,000 (25 January 2024).
- Station square/mobility hub contribution £305k – 23 February 2024.
- Education £2,765,959⁶⁰ (response of 23 August 2023).
- NHS/ICB - £100,040 (21 June 2023).
- S.106 monitoring fee - £5,000 (est.)
- Offsite playing pitch & commuted sum £124,714 (1 February 2024).
- Allotments - £10,000 (1 February 2024).
- Council legal costs - £5,000 (estimate).

4.218. Total contributions in target s.106 Obligations schedule - £4,023,983.

4.219. The following section provides further background information relating to the main consultation responses received;

4.220. Education Contributions

4.221. The initial Education contribution request quoted by the Council on 28 July 2023 was as follows;

4.221.1. Early Years – £461,227.

⁶⁰ Potentially plus indexation from 2020?

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; “*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*”.

4.221.2. Primary – £1,637,355.

4.221.3. Secondary – £865,648.

4.221.4. SEND - £203,942.

4.222. This totaled £3,168,172, equating to £14,400.78 per dwelling, for the maximum 220 dwellings at that point (for 200 dwellings, this would equate to £15,840.86 per dwelling). It is not known whether the figures quoted include any exemption for affordable housing dwellings.

4.223. This request was challenged by the Applicant's Planning Consultant, Carney Sweeney by email on 1 August 23, as follows; *It is rather disappointing as at pre-app Education said that there was capacity at the adjacent primary school that was built to accommodate school children at the site (see below). They now say that the pupils from the site are not in their forecast the 'additional 220' homes were not planned for and request a primary contribution of £1,637,355. We know full well the Longforth allocation was for 900 dwellings and only 430 granted detailed approval on the Bloor development, leaving a shortfall of 470 homes pursuant to the allocation. Clearly this request does not meet the CIL Reg 122 tests.....They also request contributions of £203,942 for SEN places at the Selworthy, Taunton school, which I believe are centrally funded. They asked for this on a site in Street I am dealing with and have backed down when challenged.We therefore challenge the primary and SEN contributions that do not meet the CIL reg 122 test".*

4.224. The Council's response to this challenge was issued by email on 23 August, (under the heading 'new negotiation'), and included reduced figures, as follows;

4.224.1. Early Years - £385,236.

4.224.2. Primary - £1,367,589.

4.224.3. Secondary - £829,105.

4.224.4. SEND - £184,029.00

4.225. The above produces a reduced total of £2,765,959 (a reduction of £402,213 or around 13% on the Council's initial request). This equates to £12,573 per dwelling, for the maximum 220 dwellings (for 200 dwellings, this would equate to £13,830 per dwelling).

4.226. Planning Obligations, Including POS, Play and Affordable Housing

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

4.227. The Council's Development Enabling Team made the following comments on the Outline Application in their response of dated 30 June 23;

4.228. *"Policy CP4 Housing in the Taunton Deane Core Strategy 2011–2028, the Affordable Housing Supplementary Planning Document (May 2014) and TDBC Decision June 2016 aim to ensure that affordable housing is provided as part of all development schemes which provide eleven or more net additional dwellings. 25% of the new housing should be in the form of affordable homes, with a tenure split of... 25% First Homes, 60% social rented and 15% intermediate housing in the form of shared ownership....."*

4.229. The response goes on to say; *"Affordability of the First Homes tenure is a concern given the rising house prices within the location of this scheme therefore flexibility of the 25% First Homes to change to Shared Ownership would be considered to provide a more affordable low-cost home ownership option. The Application Form seeks permission to deliver 165 market houses and 55 social/affordable or intermediate rent dwellings⁶¹. This would be in line with policy requirement to deliver a 25% of the scheme in the form of affordable homes". The 25% affordable housing policy compliance is also confirmed within the Planning Statement under section 5.0 - 5.2.1".*

4.230. However, the response goes on to say; *"Furthermore, we note section 5.3.1 of the Design and Access Statement Part 1 outlines a desire 'that up to 30% of the dwellings will be delivered as 'affordable homes', with up to 70% of dwellings as market sale. This additionality of affordable homes above the policy requirement would be welcomed.⁶²*

4.231. The Council's response goes on to highlight further costs associated with affordable housing provision; *"As the Affordable Housing Planning obligation includes 25 or more affordable homes, the scheme should provide 10% of the total affordable housing provision to be in the form of fully adapted⁶³ disabled affordable homes in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010".*

4.232. The response also notes that; *"the Design and Access statement part 1 section 5.3.1 confirms the intent for a percentage of the affordable dwellings to 'comply with part M(4)3 of the building regulations".*

⁶¹ 55 affordable dwellings reflects 25% of the potential maximum of 220 dwellings.

⁶² As noted above in relation to the DAS, as the Council's policy target is 25% affordable housing. The IFVA would therefore note that any suggestion of exceeding this target would need to take account of viability, and the balance of remaining planning contributions.

⁶³ i.e. fully adapted, rather than being capable of being adapted at a later date.

4.233. It is also noted that planning obligations generally include significant proportions of public open space and on-site play provision.

4.234. Phosphate Neutrality in Perpetuity

4.235. The Council's Phosphates Team - consultation response from dated 29 June 2023 states as follows; *"The proposed application is an outline application with all matters reserved, except for access, for a mixed-use development of up to 220 No. dwellings, employment land (Use Class E & B8) a car park and internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure. The proposed development will increase phosphate loading into the catchment and subsequently the Somerset Levels and Moors Ramsar site, as a result phosphate mitigation is required so that the proposed development is phosphate neutral in perpetuity. Details of the proposed development and mitigation will need to be provided to the LPA in the form of a NNA or NNAMS report."*

4.236. Natural England - the consultation response dated 2 August 23 states; *"Further information needed to assess impacts on protected sites and species. As submitted the application documents do not provide enough information to demonstrate that harm to the Somerset Levels and Moors Ramsar Site, or to an important maternity colony for Barbastelle bats, can be avoided. Natural England therefore objects to the application as it stands pending further information being provided.....Somerset Levels and Moors Ramsar Site A nutrient neutrality assessment has been submitted for the application, however, there are a number of matters that need to be clarified before your Authority can complete an Appropriate Assessment. Specifically: The NNAMS states that there will be a "private treatment system, managed and operated by a registered water treatment provider." We assume that this means an Ofwat approved statutory sewage undertaker will run the private wastewater treatment facility, but this should be made clear. Such arrangements are a reliable means of reducing phosphorus concentrations in foul water discharge, though having said that, in our experience the provider typically commits to delivering a lower concentration level of 0.3mg/l, rather than the 0.9mg/l quoted in the NNAMS. Commitment to 0.3mg/l would significantly reduce the need for other measures to achieve nutrient neutrality. We are unclear about the approach used to calculate treatment of surface water run-off. The 2022 CIRIA guidance is designed to be used in conjunction with the Natural England methodology (i.e., a higher urban rate) rather than with the Somerset calculator, which already takes account of SuDs reductions in the 0.83kg/ha urban leaching rate. The NNAMS indicates that purchase of phosphorus credits will make up any shortfall in reaching neutrality. That is acceptable provided your Authority is satisfied that those credits have been secured."*

4.237. This issue has now been resolved and is detailed further in TCL's Cost Reports.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *"Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)"*.

4.238. NHS Somerset – Health Contributions

4.239. The consultation response from NHS Somerset dated 21 June 23 notes that; *“It is envisaged that the vast majority of the residents of the proposed development will register as patients with these practices. The current combined medical centres providing primary care are up to their capacity and will not be able to absorb the increased patients arising from the proposed development. The only way to mitigate the impact is to increase the physical capacity of the existing surgeries. The ICB has carefully calculated the space needed to mitigate the impact, drawing upon the document adopted in neighbouring authorities “Health Contributions Technical Note” which was jointly prepared with NHS England. **The detailed calculation is attached to this document as Appendix 1. - Total contribution required = £100,040”.***

4.240. Other Areas with Stated, or Potential, Impacts on Costs

4.241. Office of Rail and Road – the consultation response dated 15 August 23 notes that the proposed development will need to comply with the *“requirements relating to operational railway and Network Rail land.....”* The impacts of these requirements has been considered within TCL’s Cost Plans.

4.242. Taunton Area Cycling Campaign – the consultation response dated 9 August 23 notes that provision should be made for cycling & cycle links. If the involvement of this group leads to any changes in the submitted proposals, these will need to be taken into account in the IFVA.

4.243. Wessex Water - the consultation response dated 7 Aug 23 provides no objections, but notes that assets may clash with the Illustrative Masterplan. Any costs relating to working around these assets would need to be investigated and accounted for in the IFVA.

4.244. Somerset Ecology Services - the consultation response dated 3 August 23 states as follows; *“Please find attached an initial enhancement planning scheme for the above application, with particular emphasis in regards to the issues surrounding the nationally important Barbastelle bat roost. The potential mitigation strategy/enhancement of the site should seek to ensure longevity of the bat roost as well as answer various other ecological issues including: Ensuring appropriate onsite BNG net gain Providing sufficient and good quality space/habitat for species to thrive Ensuring all habitats and species are adequately considered.”*

4.245. The further Ecology response of 29 August 2023 – provides additional information;

4.246. *“The preliminary ecological appraisal (PEA) undertaken by Halpin Robbins (4th*

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”.*

May 2023) indicated a number of species and protected species on site that will require an impact assessment (EclA) in order to determine how the proposals will impact, these include: Great Crested Newts (GCN) (protected species) within ponds adjacent site,Dormice (protected species) within the hedgerows H1, H2, H7, H8.....a number of breeding bird species using the fields, hedgerows, margins, trees, woodland. Barn owl (schedule 1 species) shown to be foraging within the site but not nesting. No red listed species discovered.....Hopefully many species can be mitigated by way of the enhancement plan SES provided depending upon what Halpin Robbins EclA determines.

4.247.Barbastelle bat maternity roost the application site contains a Barbastelle maternity roost, thought to be focused on a single tree. As noted in the Somerset Bat Group's comments, the protection of the roost and associated habitat for commuting and foraging has been the subject of previous discussion with the Council's ecologist. We assume that this was one reason for the inclusion of the 'green wedge' identified in the local plan allocation. While the roost is potentially of national significance and should be considered for notification as a Site of Special Scientific Interest, Natural England does not intend to pursue that course of action in this case. Nevertheless, Barbastelles are one of the UK's rarest bat species and are afforded a high level of protection in policy and law. Your Authority will need to be satisfied that any planning approval will maintain the 'Favourable Conservation Status' of Barbastelle bats. Based on information available, Natural England considers that you will need further information to understand how Barbastelle bats are using the area and how an effective avoidance and mitigation strategy might be put in place.....The applicant's ecological report states that further work is needed, and it is not clear that any further assessment or survey is being carried out in the current season."

4.248. Environment Agency – the consultation response dated 27 July 23 provides no comment, as this is not an application that fits its criteria to comment upon.

4.249. Conservation Officer - the consultation response dated 25 July 23 says; – “The principle of the development in this location is acceptable. However, the initial outline proposals have the potential to cause less than substantial harm to the setting of Nynehead Court and the Nynehead Court Registered Park & Garden.”

4.250. Environmental Health – the consultation response dated 21 July 23 states that; “There is no noise assessment with the application to confirm that the mixed use and residential areas by the railway line will be suitable for residential use. It may be that noise mitigation is required (which is best done in the layout and design phase, rather than rely on putting in acoustic glazing and ventilation), or it could be that development should be restricted within a certain distance of the railway line and station. Without a noise report it is not possible to comment on this further. Noise

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description;“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”.

from commercial uses. *The application refers to class E and B8 uses. This could include some noisy activities (depots etc). It is recommended that the commercial uses close to residential properties are restricted to use classes that are not likely to cause disturbance to people in any neighbouring properties.....Odour from sewage treatment plant. The plan shows a Foul Water Treatment Plant to the north of the site, very close to proposed residential use. There is no odour assessment to show that this is a suitable location for a sewage treatment plant. The developer should carry out an assessment to determine whether a treatment plant would be able to be sited there, and it is recommended that they liaise with Wessex Water regarding this."*

4.251. Rights of Way - the consultation response dated 17 July 23 advises; *"Thank-you for consulting us on this planning application. After reviewing the application, we will be submitting a PROW response for the proposal in future."* Any PROW associated costs would need to be included in the IFVA.

4.252. South West Heritage Trust - the consultation response dated 13 July 23; *"The submitted Heritage Statement acknowledges that significant medieval archaeology in the form of a high status building complex with associated garden features was discovered to the west of this proposal site. The HS also recognises that there is potential for prehistoric and Roman period archaeology in this area. on and therefore the proposal is likely to impact on a heritage asset. However, there is currently insufficient information contained within the application on the nature of any archaeological remains to properly assess their interest. For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a field evaluation comprising geophysical survey and dependent on results, trial trenching as indicated in the National Planning Policy Framework (Paragraph 194).*

GENERAL FINANCE COSTS INCLUDING THOSE INCURRED THROUGH LOANS

4.253. The construction programme assumed within the financial modelling reflects the following;

4.254. Construction of the spine road in advance of the development – 26 weeks (say 7 months).

4.255. Residential development – parcel infrastructure provision (after provision of the spine road) assumed to be 12 weeks (3 months), followed by unit construction at an average of 3.33 units per month (based on an average of 40 units per year) = 60 months (5 years).

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- 4.256. Therefore, total construction programme is (spine road = 7 months, plus parcel infra, 3 months , plus unit build 60 months. Total 70 months (5.8 years).
- 4.257. Sales are assumed to commence 2 months after parcel infrastructure is completed, so therefore 7 + 3 + 2 (12 months after start on spine road infrastructure). and to be based on average sales of 2.75 per month. On this basis, the sales period is approximately 73 months (6 years).
- 4.258. Finance cost assumptions; whilst volume house builders have historically been able to attract relatively low basic interest rates, these have not reflected the true cost of finance, which will also include arrangement and other fees. The mechanism adopted by many large house builders is for funding to be sourced centrally and then 'lent out' to the various regions for specific projects. To cover arrangement and associated fees (including security and hedging costs for example). Historically, the *actual* borrowing cost over the last few years has been generally around 6%⁶⁴. However, with the significant recent interest rate increases, there would clearly be justification to increase this overall borrowing cost rate to potentially as high as 8%.⁶⁵ Furthermore, the Applicant in this case is not a volume housebuilder and therefore unlikely to be able to attract the same competitive finance costs commercially.
- 4.259. However, taking a conservative approach in this case, the IFVA modelling has assumed a modest debit rate of 6% and a credit rate of 2%.

OTHER DEVELOPMENT COSTS AND ALLOWANCES

- 4.260. Other costs and allowances have been included in BVL's financial modelling in line with good practice in viability modelling. These costs are summarised in the 'Viability Modelling and Outcomes' section below.

PROJECT MANAGEMENT, SALES, MARKETING AND LEGAL COSTS AND OVERHEADS.

- 4.261. Planning Application fees and costs; the cost of progressing any development through the planning stage has increased over the last few years, due to increasing requirements for reports/studies required to support any planning application. Most development schemes being considered by BVL at the current time (many of which are major applications at the outline planning stage) involve planning related fees and expenses well in excess of £200k. Given the size and scale of the Application Scheme, an allowance of £200k for planning-related fees and costs has been included in BVL's appraisals.

⁶⁴ However, arguably this would be higher now, given the current conditions in the financial markets etc.

⁶⁵ In discussion with the District Valuer Service ('DVS') recently, 8% was mooted by DVS as potentially being a realistic rate to apply in current appraisals.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*".

4.262. Construction-related professional fees; an allowance of around 10% is generally made in relation to the construction phase of the project. However, construction-related professional fees can be as high as 12% to 15% of the total construction budget. In this instance, a conservative assumption has been made that professional fees relating to Plot and External Costs will be carried at a reduced percentage of 7.5%. For infrastructure and Abnormal Costs, it is generally assumed that external professional services will be necessary. The percentage rate will depend on the size of the scheme, but can range from 12%-15% for smaller schemes to 10% for larger schemes. In this case, TCL has included an allowance of 10% for professional fees relating to Infrastructure Abnormals within their Infrastructure Cost Plan (see **Appendix 2**).

4.263. Sales, marketing, and legal costs; the IFVA applies a standard allowance of 3% of open market sales for marketing, sales, and agent's fees. Typically, this would include;

4.263.1. Provision of show-homes, marketing, brochures, signage, special promotions etc. circa 1.5% of open market sales.

4.263.2. Estate Agents fees @ circa 1.5% of open market sales.

4.264. In addition, an allowance of £600 per unit has been included for legal costs relating to the sale of open market units, with £400 per unit being allowed for affordable units.

PROJECT CONTINGENCY AND RISK ALLOWANCE

4.265. Generally, TCL recommends that, in the early stages of a project, a contingency of 5% is applied to plot-related costs, with 10% being applied to infrastructure costs. In this case, TCL has provided specific, 'graded' risk estimates within its Infrastructure Cost Plan, which have been applied in BVL's appraisals.

4.266. As noted above, PPG Viability asks for 'justification for contingency relative to project risk and developer's return.' Based on the wording of PPG Viability, the level of contingency applied in the IFVA should be taken into account when determining an appropriate developer return (see immediately below for further consideration of this point).

4.267. It should be noted that no overall project contingency allowance has been included within the BVL modelling.

DEVELOPER RETURN

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*".

4.268. PPG Viability paragraph 018 provides more detail on the issue of the level/amount of developer return that it is appropriate to include within an objective appraisal for viability modelling purposes;

4.269. *“How should a return to developers be defined for the purpose of viability assessment?.....Potential risk is accounted for in the assumed return for developers at the plan making stage. It is the role of developers, not plan makers or decision makers, to mitigate these risks. The cost of complying with policy requirements should be accounted for in benchmark land value. Under no circumstances will the price paid for land be relevant justification for failing to accord with relevant policies in the plan.....For the purpose of plan making, an assumption of 15-20%⁶⁶ of gross development value (GDV) may be considered a suitable return to developers in order to establish the viability of plan policies. Plan makers may choose to apply alternative figures where there is evidence to support this according to the type, scale and risk profile of the planned development. A lower figure may be more appropriate in consideration of delivery of affordable housing in circumstances where this guarantees an end sale at a known value and reduces risk. Alternative figures may also be appropriate for different development types.”⁶⁷*

4.270. Historically, there have been various different approaches to the quantification of an appropriate level of developer return. This is not a ‘one size fits all’ allowance and the correct level will depend on a range of factors, including risk, location, development logistics, timescale, the local market, and the level of ‘unknowns’ (for example). Generally, the over-riding consideration should be that amount/level of developer return applied is appropriate, both to satisfy the requirements of commercial funders, and also to take objective account of the risks of undertaking the development, so that development in general, is not stifled in the longer term.

4.271. In the national context, individual profit levels of 20% for open market housing and 6% for affordable housing, and blended (combined) rates, for development projects in the south of the UK, of around 18% of GDV⁶⁸, have been supported generally within viability modelling, at appeal and by the Secretary of State for Communities and Local Government⁶⁹. In contrast, there is evidence of lower profit levels having been found acceptable by Planning Inspectors, typically for development projects in the north of the country, which can experience very different market conditions.

⁶⁶ Nationally.

⁶⁷ Emphasis added.

⁶⁸ Depending on the level of affordable housing included within the mix.

⁶⁹ Title now updated, as noted above.

4.272. Generally speaking, when undertaking an IFVA, BVL would apply a profit benchmark/target in line with NPPG/RICS guidance at circa 20% of GDV in relation to open market OM dwellings, and 6% on cost for the affordable dwellings. However, the results of the financial modelling below produce significantly lower outcomes than this (see below for details).

4.273. A further consideration is that (in line with the NPPF methodology set out above) in setting the developer profit level, it is important to consider the level of construction contingency applied in the IFVA appraisals. As noted above, given the nature of the Application Site, the contingency/risk levels that have been applied are felt to be appropriate, when considered as a stand-alone allowance. Accordingly, in BVL's view, these levels of contingency should not, in this instance, impact on the developer profit benchmark/target that has been applied within the BVL modelling.

OTHER COSTS AND VAT ETC.

4.274. It should be noted that the IFVA does not include any costs relating to promotion of the site or other enabling/historic site infrastructure costs that are not specifically included within the BCL cost reports.

4.275. VAT was ignored for the purposes of the financial modelling.

LAND VALUE

4.276. The NPPF repeatedly makes it clear that the starting point for the land price to be included within viability assessment, is that it should take proper account of the LPA's policies, as far as possible;

4.277. PPG Viability Paragraph 001 – 'Viability and Plan Making'; states; *"Policy requirements should be clear so that they can be accurately accounted for in the price paid for land"*.

4.278. PPG Viability Paragraph 002 says; *"The price paid for land is not a relevant justification for failing to accord with relevant policies in the plan. Landowners and site purchasers should consider this when agreeing land transactions."*

4.279. PPG Paragraph 006 states;

4.280. *"It is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks, and ensure that proposals for development are policy compliant. Policy compliant means development which fully complies with up to date plan policies. A decision maker can give appropriate weight to emerging policies. It is important for developers and other*

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parties buying (or interested in buying) land to have regard to the total cumulative cost of all relevant policies when agreeing a price for the land. Under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan.”

4.281. The previous NPPF made reference to a ‘competitive return’ (which was judged against a range of benchmarks) but the Updated NPPF⁷⁰ splits ‘land value’ into two separate parts; firstly ‘Existing Use Value’ (‘EUV’) and secondly ‘Landowner Premium.’ This approach seeks to identify and measure the appropriate level of uplift to be granted to the landowner, over and above the site EUV.

4.282. PPG Viability paragraph 013 clarifies how this should operate;

4.283. *“To define land value for any viability assessment, a benchmark land value should be established on the basis of the existing use value (EUV) of the land, plus a premium for the landowner. The premium for the landowner should reflect the minimum return at which it is considered a reasonable landowner would be willing to sell their land. The premium should provide a reasonable incentive, in comparison with other options available, for the landowner to sell land for development while allowing a sufficient contribution to fully comply with policy requirements⁷¹. Landowners and site purchasers should consider policy requirements when agreeing land transactions. This approach is often called ‘existing use value plus’ (EUV+)..... In order to establish benchmark land value, plan makers, landowners, developers, infrastructure and affordable housing providers should engage and provide evidence to inform this iterative and collaborative process.”*

4.284. PPG Viability Paragraph 014;

4.285. *“What factors should be considered to establish benchmark land value?.....Benchmark land value should: be based upon existing use valueallow for a premium to landowners (including equity resulting from those building their own homes) reflect the implications of abnormal costs; site-specific infrastructure costs; and professional site fees.....Viability assessments should be undertaken using benchmark land values derived in accordance with this guidance. Existing use value should be informed by market evidence of current uses, costs and values. Market evidence can also be used as a cross-check of benchmark land value but should not be used in place of benchmark land value. There may be a divergence between benchmark land values and market evidence; and plan makers should be aware that*

⁷⁰ Since July 2018.

⁷¹ On the basis that those policy requirements also comply with the Updated NPPF, in that they are up to date, realistic and deliverable.

this could be due to different assumptions and methodologies used by individual developers, site promoters and landowners.....This evidence should be based on developments which are fully compliant with emerging or up to date plan policies, including affordable housing requirements at the relevant levels set out in the plan. Where this evidence is not available plan makers and applicants should identify and evidence any adjustments to reflect the cost of policy compliance. This is so that historic benchmark land values of non-policy compliant developments are not used to inflate values over time.....In plan making, the landowner premium should be tested and balanced against emerging policies. In decision making, the cost implications of all relevant policy requirements, including planning obligations and, where relevant, any Community Infrastructure Levy (CIL) charge should be taken into account.....Where viability assessment is used to inform decision making under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan. Local authorities can request data on the price paid for land (or the price expected to be paid through an option or promotion agreement)."

4.286. PPG Viability paragraph 016 provides further detail, as follows;

4.287. "How should the premium to the landowner be defined for viability assessment? The premium (or the 'plus' in EUV+) is the second component of benchmark land value. It is the amount above existing use value (EUV) that goes to the landowner. The premium should provide a reasonable incentive for a land owner to bring forward land for development while allowing a sufficient contribution to fully comply with policy requirements. Plan makers should establish a reasonable premium to the landowner for the purpose of assessing the viability of their plan. This will be an iterative process informed by professional judgement and must be based upon the best available evidence informed by cross sector collaboration. Market evidence can include benchmark land values from other viability assessments. Land transactions can be used but only as a cross check to the other evidence. Any data used should reasonably identify any adjustments necessary to reflect the cost of policy compliance (including for affordable housing), or differences in the quality of land, site scale, market performance of different building use types and reasonable expectations of local landowners. Policy compliance means that the development complies fully with up to date plan policies including any policy requirements for contributions towards affordable housing requirements at the relevant levels set out in the plan. A decision maker can give appropriate weight to emerging policies. Local authorities can request data on the price paid for land (or the price expected to be paid through an option or promotion agreement)."

4.288. Prior to the Updated NPPF, the EUV and Landowner Premium were implicit within the allowance made for the land purchase in a viability assessment. However,

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they were rarely 'split out' in the way required by the Updated NPPF. Based on the reference to an "iterative and collaborative process referred to in PPG Viability Paragraph 013⁷² it was clearly assumed that an appropriate benchmark (or range of benchmarks) would develop over time, following input from stakeholders in the development industry and that consideration of previous approaches to land value will usefully inform this process.

4.289. It is important to stress, that (whilst it should be properly investigated and justified) a reasonable Landowner Premium is an important allowance within viability assessment, because, over time, insufficient incentive for landowners to release land is likely to result in a reduction in land coming forward for development, (including affordable housing development), which would have the unintended effect of undermining the Council's policies for the delivery of housing.

4.290. The Updated NPPF goes on to provide more detail relating to the assessment of 'EUV;'

4.291. PPG Viability paragraph 015;

4.292. *"What is meant by existing use value in viability assessment? - Existing use value (EUV) is the first component of calculating benchmark land value. EUV is the value of the land in its existing use. Existing use value is not the price paid and should disregard hope value. Existing use values will vary depending on the type of site and development types. EUV can be established in collaboration between plan makers, developers and landowners by assessing the value of the specific site or type of site using published sources of information such as agricultural or industrial land values, or if appropriate capitalised rental levels at an appropriate yield (excluding any hope value for development).....Sources of data can include (but are not limited to): land registry records of transactions; real estate licensed software packages; real estate market reports; real estate research; estate agent websites; property auction results; valuation office agency data; public sector estate/property teams' locally held evidence*

4.293. PPG Viability paragraph 17 addresses the issue of alternative uses; *"Can alternative uses be used in establishing benchmark land value?"*.

4.294. The PPG goes on to say that plan makers can set out in which circumstances alternative uses can be used. This might include if there is evidence that the alternative use would fully comply with up to date development plan policies, if it can be demonstrated that the alternative use could be implemented on the site in

⁷² See immediately above.

question, if it can be demonstrated there is market demand for that use, and if there is an explanation as to why the alternative use has not been pursued. Where AUV is used this should be supported by evidence of the costs and values of the alternative use to justify the land value. Valuation based on AUV includes the premium to the landowner. If evidence of AUV is being considered the premium to the landowner must not be double counted

4.295. *“For the purpose of viability assessment alternative use value (AUV) refers to the value of land for uses other than its existing use. AUV of the land may be informative in establishing benchmark land value. If applying alternative uses when establishing benchmark land value these should be limited to those uses which would fully comply with up to date development plan policies, including any policy requirements for contributions towards affordable housing at the relevant levels set out in the plan. Where it is assumed that an existing use will be refurbished or redeveloped this will be considered as an AUV when establishing BLV.”⁷³*

4.296. *Plan makers can set out in which circumstances alternative uses can be used. This might include if there is evidence that the alternative use would fully comply with up to date development plan policies, if it can be demonstrated that the alternative use could be implemented on the site in question, if it can be demonstrated there is market demand for that use, and if there is an explanation as to why the alternative use has not been pursued. Where AUV is used this should be supported by evidence of the costs and values of the alternative use to justify the land value. Valuation based on AUV includes the premium to the landowner. If evidence of AUV is being considered the premium to the landowner must not be double counted.”*

4.297. In line with Government Guidance, the price paid (or agreed) for the Application Site has not been included as a cost within the BVL appraisals. Rather, an objective Benchmark Land Value (‘BLV’) has been established in line with requirements of the NPPF, and good practice.

Benchmark Land Value

4.298. As set out above, the VBLV is made up of two elements – Existing Use Value (‘EUV’) and the ‘Landowner Premium’. Considering these in turn;

Background Information to Inform the EUV

4.299. The various documents submitted in support of the Application are

⁷³ Note – during the liaison process with the Council, officers asked that the Application Site’s current allocation for employment use was considered in the context of establishing a VBLV. See Section 5 below for further details.

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informative, in terms of establishing the EUV of the site. BVL has reviewed these to determine the main points from a viability perspective. Key points from the various documents reviewed are noted below;

4.300. In this case, there are effectively two categories of land to take into account; firstly in relation to the Application Site itself, and secondly, additional land that is being provided by the Applicant to facilitate the Application Scheme and the community infrastructure that it is being asked to provide⁷⁴.

4.301. These two categories require separate approaches. Taking these in turn;

VBLV Category 1 – The Application Site

4.302. In terms of existing use, pages 4 & 5 of the Planning Application Form dated 5 June 2023 state that the ‘*measurement of site area*’ is 17.28 Ha and that the ‘*current use*’ is “*Agricultural Fields*”.

4.303. As noted above, the breakdown of the various proposed land areas included within the Application have changed several times since the original submission, which has complicated matters from a viability point of view. The key areas and changes are noted below, for completeness;

4.304. 26 January 2024 - FOD plan reference 0740-V4-1006C (Land Budget Plan V4 AOL) provided updated land areas as of 26 January 2024 as follows;

- The Application boundary is 11.07 Ha or 27.36 acres. (The area previously shown as ‘land under the Applicant’s control’ was 17.28Ha or 42.69 acres representing a decrease of 6.21 Ha or 15.33 acres).
- The residential gross area is 5.07 Ha or 12.53 acres (unchanged from May 2023).
- Employment land - 0.96Ha/2.36 acres. (This was previously 0.77 Ha or 1.89 acres, thus a marginal increase of 0.19Ha or 0.47 acres).
- The mixed-use area of 0.71Ha or 1.76 acres in the original proposals, has been removed.
- Green & blue infrastructure - 2.62Ha or 6.48 acres. (This was previously 2.61Ha or 6.44 acres – a marginal change).
- Strategic green & blue infrastructure - 1.82 Ha or 4.49 acres. (This was

⁷⁴ Land which the landowner will be committing in perpetuity.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; “*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*”.

6.61Ha or 16.34 acres, reflecting a decrease of 4.79 Ha or 11.85 acres).

- Other infrastructure - 0.57Ha or 1.4 acres. (This was 0.61Ha, or 1.50 acres, reflecting a marginal change).

4.305. Looking to summarise the above for VBLV purposes;

- The Application boundary is 27.26 acres.
- The gross area of the residential & employment uses is 12.53 acres + 2.36 acres = 14.89 acres (representing 54.62% of the total Application boundary area).
- 'Other land' (including green & blue infrastructure (6.48 acres), strategic green & blue infrastructure (4.49 acres) and other infrastructure (1.4 acres) totals 12.37 acres (representing 45.38% of the total Application boundary area).
- The combined areas above (residential and employment - 14.89 acres) and 'other land' - 12.37 acres) = 27.26 acres – as per the Application Boundary area.

4.306. 7 March 2024 - The above land areas were amended in the resubmitted Application of 7 March 2024. FOD drawing No -0740-V4-1006-1 Land Areas Plan – Feb 24 (Rev 0) provides the following updated areas;

4.307. Gross site area 11.071Ha or 27.35 Acres.

4.308. Wider land under the Applicant's control (shown in blue);

4.308.1. Informal space and public open space 1.949ha or 4.816 acres.

4.308.2. Additional open space (western field) 1.818Ha or 4.493 acres.

4.308.3. Attenuation area (basins and swales) 0.733Ha or 1.812 acres.

4.308.4. Woodland north of railway 4.437Ha or 10.963 acres.

4.308.5. Employment land 0.828Ha or 2.046 acres.

4.308.6. Station square 0.127Ha or 0.315 acres.

4.309. FOD drawing No 0740-V4-1009 'GA Employment and Residential NDA – Rev C'. 2024-01-24 (updated to suit latest Illustrative Masterplan Plan Rev F) provides further

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area details as follows;

4.309.1. General employment buildings (ground floor only) total gross internal areas 2,645.4m² or 28,475 ft².

4.309.2. Residential net developable area 4.778Ha or 11.806 acres.

4.309.3. Mobility hub net developable area 0.012Ha or 0.029 acres.

4.310. BVL has undertaken background research to inform the likely baseline EUV of the Application Site. As the value of land can be influenced by a number of long-term considerations, BVL's investigations included a wide range of historical research, which is set out below in chronological order.

Strutt and Parker - English Estates & Farmland Market Review Winter 2022/2023

4.311. Page 1 – paragraph 1 'Market Overview' says; *"Prices reach record levels in competitive farmland market"*. Strutt and Parker go on to provide more detail;

4.312. *"Our prediction that we would see the average value of arable land exceed £10,000/acre by the end of 2022 has proved correct. Farmland values in England have now reached record levels, with rising levels of demand from private and institutional investors proving the adage that at times of economic uncertainty and high inflation there tends to be renewed interest in land. Our Farmland Database, which records the details of all farms, estates and blocks of publicly marketed farmland in England over 100 acres in size, shows the average price of arable land in England rose by 12% in 2022 to reach £10,600/acre. This is £600/acre more than the previous peak of the market in 2014 / 2015. Meanwhile, the average price of pasture also rose by 13% to establish a new high of £8,500/acre.....What is even more startling is that two-thirds of arable land sold on the open market in 2022 exchanged hands for more than £10,000/acre, which is about double the amount of land that did in 2021. Demand has been particularly strong for larger blocks of commercial arable land, where competitive bidding has meant, in some instances, the price per acre achieved has been well in excess of the national average. Although the volume of land available has increased, much of this is to do with a small number of larger sales, rather than a jump in the number of farms and estates available. This means demand has continued to outstrip supply."*

4.313. On page 5, Strutt & Parker say; *"Average sales prices – page 5 - The average sale price paid for arable land increased by 12% to £10,600/acre, which is the highest it has ever been. In addition, **the average price for pasture land went up by 13% to a new record of £8,500/acre.** It is worth stressing that not all land which is sold reaches the national average price. The nature of averages inevitably means that some land*

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sells for far more and some for less.....the range in prices achieved is still wide. The land, farms and estates selling for the most money tend to be larger commercial units in attractive countryside.”

4.314. Strutt and Parker provide regional averages, including (on Page 7) for the South West, as follows;

4.314.1. Arable

- Bottom 25% - £7,800 (change⁷⁵ = nil).
- Top 25% - £11,500 (change = 5%).

4.314.2. Pasture

4.314.3. Bottom 25% - £6,000 (change = nil).

4.314.4. Top 25% - £9,250 (change = 3%).

Rural Land & Farm Values 2023 – by Richard Greasby of Butler Sherborn (23 March 2023)

4.315. The key points from this article are as follows;

4.316. *“A limited supply of farm land for sale appears to have strengthened values in many areas, driven also by an increasing pool of buyers. There continues to be healthy demand from those buyers driven to rollover money for tax purposes, and they certainly seem to lead the market for the big commercial farms and estates.....The average sales prices of arable and pasture farmland reveal healthy increases in values over the last decade. For arable land the prices have increased from £8,800 per acre in 2013 to £10,600 in 2022, and for pasture land from £6,500 per acre to £8,500 respectively.....However, this snapshot hides the very real, and occasionally, sharp fluctuations downward in the years 2016 and 2019. In 2019, arable land values dropped 2% on the previous year, and pasture land values fell to £6,900 per acre, down 10% on the £7,600 per acre average achieved in 2018.*

4.317. Going forward into 2023, Butler Sherborn forecast as follows; *“.....the initial evidence suggests a slightly increased supply with values holding firm, although there has been very little on the market so far this year.....Buyers will continue to come from those wishing to rollover for tax purposes, and in line with the past two years post the pandemic, lifestyle buyers are expected to continue to show interest in the smaller farms. In addition, amenity buyers will continue to drive the ever-present*

⁷⁵ Over the last year.

demand for smaller bare agricultural land parcels.....The majority of land available in 2023 is expected to come from smaller to medium sized farms, which are forced to divest themselves of small acreages or part of their holdings to reduce debts and borrowing.....In general terms, volumes of supply are expected to increase this year, and to exceed 2022 levels. Fuelling this increase in supply is undoubtedly the reduction in subsidies, whilst energy costs are likely to remain above average. A proportion of sales will take place privately and thus the volume of land sales is difficult to quantify exactly."

4.318. Butler Sherborn conclude as follows; *"Overall, values in 2023 are expect to increase slightly, depending upon location, size, quality and accessibility. It is anticipated that arable land values will increase steadily as a result of unsatisfied demand following a very restricted supply in recent years.....In certain areas, grassland values may remain buoyant as a result of demand from conservationists. Demand for space and investment returns will probably ensure strong values are maintained for amenity and smaller parcels of land."*

Farmers Weekly (Suzie Horne - 14 April 2023) Article entitled; - Farmland values continue to rise in early 2023

4.319. The key points in this article are as follows;

4.320. "Land values have continued to rise in the first quarter of 2023, with most agents expecting the slightly increased supply to continue through the year.....January to March saw values for bare land rise by between 1.6% and 2%, according to Savills and Knight Frank respectively.....More land was marketed in all English regions than their 10-year averages, except for the East Midlands, says Savills, whose figures now include tenanted acres.

4.321. *The first quarter of 2023 saw 16,700 acres launched across Britain, the most since 2016, and 30% more than in the same period of 2022.....Pasture leads the rise - The rise in in value for both grade 3 pasture land and poorer quality pasture continues, reflecting that nature-based solutions on these land types are still driving values, says Savills.....Compared with March 2022, poorer quality pasture in Great Britain was worth 12.9% more in March this year, the highest rise across all land types.*

4.322. The reasons for selling remain varied, said Strutt & Parker.....*"The high market level and further cuts in basic payments are factors, as is the opportunity to benefit from delinked basic payments after 2024, even after selling land.....A change in government and possible shift in capital tax policy is a driver for some....."Given this outlook, we expect prices for both arable and pasture land to remain at their current record levels, and possibly increase further," said Matt Sudlow, head of estates and*

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farm agency at Strutt & Parker.

4.323. The Farmers Weekly article continues...*"Knight Frank's Farmland Index shows a 2% January-to-March rise in the average value of bare land in England and Wales, to a record £8,728/acre. "Prices continue to vary significantly, even at a local level, and farms and blocks of land are regularly selling for over £12,000/acre," said head of rural research Andrew Shirley".*

4.324. The Farmers Weekly article then updates 2022 market values, as follows;

4.325. *"Strutt & Parker's Farmland Database records the sale of all farms, estates and blocks of publicly marketed land in England larger than 100 acres.....With reports from all 2022 sales now in, the revised data shows prices rose more than in the earlier analysis: Almost 70% of arable land in England sold for more than £10,000/acre in 2022, compared with 33% in 2021....the average value of arable land is currently £10,800/acre, which is £200/acre more than reported in the firm's January 2023 review and 15% higher than a year ago....."The average value of pasture land is £8,500/acre, up 13% on 12 months earlier".*

Knight Frank Farmland Index Q123 – (17 April 2023)

4.326. Page 1 of the article says; - *"While residential property markets in London and the countryside started to show some signs of stress in the first three months of 2023, agricultural land, often regarded as a safe haven during uncertain economic times and a good hedge against inflation, remained resilient".*

4.327. According to the Knight Frank Farmland Index, the average value of bare land in England and Wales rose 2% on the quarter and 11% on the year to hit another record high of £8,728/acre. Knight Frank report that *"prices continue to vary significantly, even at a local level, and farms and blocks of land are regularly selling for over £12,000/acre. Although supply is up on the year, the volume of land for sale is still at historically low levels while demand remains very firm..... Much of the interest is coming from environmentally focussed buyers, including natural capital investors and funds. However, despite much attention from the media, they are far from dominating the market and, more often than not, are being outbid by more 'traditional' tax-driven, farmer or amenity buyers.*

4.328. *"So far, the imbalance between supply and demand has meant that the increase in the cost of borrowing, falling agricultural support payments and sliding grain prices appear to have had little impact on the market. However, we do expect the volume of land for sale to continue rising as more farmers approaching retirement take advantage of current market conditions to exit the industry before*

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the next general election and a potential change of government. There are few signs though that the supply/demand equation will reverse drastically as the nascent environmental markets discussed above continue to build momentum and the tax treatment of land put into 'green' schemes is clarified."

4.329. Page 2 refers to the Knight Frank Farmland Index. This "tracks the average price of bare (no residential property or buildings) commercial (productive arable and pasture) agricultural land in England. The quarterly index is based on the opinions of Knight Frank's expert valuers and negotiators across the country, which take into account the results of actual sales conducted by both the firm and its competitors, local market knowledge and client and industry sentiment. When combined with UK government statistics, the index shows the performance of farmland since 1944".

4.330. KF Farmland Index confirms that the overall average price per acre as at March 2023 is £8,728, up 11% on the March 2022 figure of £7,875.

Knight Frank - Updated Position – October 2023

4.331. In their article dated 11 October 2023, entitled '*UK farmland values hit record high*', Knight Frank update the position as follows;

4.332. *"The price of bare agricultural land in England and Wales rose by 1% to hit another record high in the third quarter of 2023, according to the latest instalment of the Knight Frank Farmland Index.*

4.333. *On average, an acre of land is now worth £8,951. This represents an 8% rise on the year, just ahead of the latest inflation figures of 6.7%. Of the other asset classes we track, only the FTSE 100 index (+10%) has outperformed farmland over the past 12 months. Looking back five years, farmland values have risen by 27%, bested only by gold (+67%)*

4.334. In response to the question; *Will farmland values continue to rise?*, Knight Frank go on to say;

4.335. *"It does, however, appear as if the farmland market is at, or very close, to its near-term peak. Average values may hit £9,000/acre by the end of the year, but after that 2024 looks set to be a period of consolidation as supply and demand become more balanced. Property markets also generally tread water in a General Election year. The volume of publicly advertised farmland is up by a quarter so far this year to around 80,000 acres, but this is still well below historical levels and there are few signs of a vast increase over the next 12 months, despite ongoing reductions in the amount of direct support payments that farmers are receiving from the government.*

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4.336. Knight Frank conclude their article by saying;

4.337. *“Demand remains strong, particularly from farmers who have sold land or had it compulsorily purchased for housing developments and infrastructure projects like HS2 and need to “rollover” any capital gains into new investments. In localised cases, this has driven prices over £15,000/acre. Environmental buyers are still in the market but are reportedly becoming slightly less active due to a lack of clarity around the development of nature-based finance frameworks in the UK.”*

EUV Applied Within the Viability Modelling

4.338. Based on the above data and wider research (and in terms of establishing an indication of likely EUV for the Application Site for the purposes of the current modelling exercise), the IFVA appraisals assume that the EUV is in the order of (say) £8,500 per acre x 27.35 acres = £232,475.

Landowner Premium – VBLV 1 – Application Site

4.339. As noted above, the NPPF requires that a Viability Benchmark Land Value' ('VBLV') is established. This is achieved by uplifting the EUV by a Landowner Premium. The VBLV is intended to represent a minimum 'reasonable' land value for inclusion within the viability modelling.

4.340. PPG 'Viability' (paragraph 14) requires that VBLV should:

4.340.1. Be based upon existing use value.

4.340.2. Allow for a premium to landowners (including equity resulting from those building their own homes).

4.340.3. Reflect the implications of abnormal costs; site-specific infrastructure costs; and professional site fees.

4.341. The PPG also requires that; *“viability assessments should be undertaken using benchmark land values derived in accordance with this guidance.”*

4.342. The NPPF and PPG indicate that the appropriate level of landowner premium will be determined over time, by reference to other comparable transactions and following input from landowners, developers, and other stakeholders. In essence, the NPPF does not seek to 'dictate' the level of landowner premium, rather, it advocates the establishment of premiums that reflect the minimum return that a reasonable landowner would accept, taking into account other available options.

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4.343. As noted above, in BVL's view, the EUV for viability modelling purposes is likely to be in the order of (say) £8,500 per acre per acre x 27.35 acres = £232,475. Agricultural land is acknowledged to have a low 'starting point' EUV, and therefore it is difficult to express a suitable landowner premium as a percentage of EUV. Rather, with agricultural land, the approach frequently taken (in respect of sites with varying degrees of abnormal development costs) is to express the premium based on a multiplier in the range of 10 to 20 over base agricultural land value. If, in this instance a landowner premium of (say) 12 times over EUV is assumed, this would result in a notional benchmark land value of £232,475 x 12 = £2,789,700 equating to £102,000 per acre.

4.344. However, in considering the appropriate landowner premium, it should be acknowledged that the gross developable area of the site (representing the residential & employment uses) is 12.53 acres + 2.36 acres = 14.89 acres, which (as noted above), represents around 54.62% of the total Application boundary area. This is because the 'other land', including green & blue infrastructure (6.48 acres), strategic green & blue infrastructure (4.49 acres) and other infrastructure (1.4 acres) total 12.37 acres, representing around 45.38% of the total Application boundary area.

4.345. If the VBLV was to be based solely on the gross developable area, this would equate to around 14.89 acres x £102k per acre = £1,518,780. However, a reduced premium should also be applied to the remaining 'other areas.' Taking this into account, and to test the parameters of the current modelling, BVL has applied an indicative VBLV of £2m within the appraisals.

4.346. During the liaison process with Council officers following the issue of the Draft IFVA on 25 March, officers noted that the site is technically allocated for employment use, and asked that BVL consider the implications of the current allocation of the site as employment land when considering VBLV. .

4.347. Officers advised that it would be helpful if this issue was referred to in the land value comparisons in the IFVA. What would the site be worth as employment land, and what is the difference between the value of the allocated use and proposed residential use? Officers noted that, in principle, roads could still be provided to the station if the employment use was to be retained (i.e. what would the Council be gaining by granting a residential permission?) BVL responded to this query as follows;

4.348. *"Following our meeting, I have liaised again with local commercial agents John Read of Chesters Harcourt, and Nigel Hatfield of Hatfield White to discuss this particular issue. Key points from the discussions are noted below;*

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4.349. *Background – it is understood that the Application site was originally allocated for the relocation of two industrial businesses in the town, who ultimately decided not to relocate. As noted by Robin Upton at our meeting, I understand that this left a shortfall of some 400 residential dwellings in the Local Plan, of which the Application Site (which lies within the Wellington Development Boundary) can provide around 50% (200 dwellings). The agents' views on the likely existing use value (based on the employment use allocation) were as follows;*

4.350. *The starting point is the value of serviced employment land, which (depending on the precise uses permitted,) would be likely to be in the range of late £200k to early £300k per acre. In simple terms, the un-serviced value of this land would essentially be generated by way of a residual appraisal, by deducting the cost of servicing the land from the serviced land value. It was noted that, if the employment uses are restricted, then this can generate a low (or even nil) un-serviced residual land value (which is why many employment developments do not get off the ground, or can run into trouble if they do). However, for a good range of uses, a 'rule of thumb' figure would be circa £100k per acre un-serviced. This per-acre figure had previously been paid for a large Greenfield un-serviced site in the town.*

4.351. *A point noted by Chesters Harcourt was that (regardless of the outcomes of residual appraisals for employment developments) landowners had minimum expectations for land value, below which they would not sell. As it had previously been set as a 'benchmark', the figure of circa £100k per un-serviced acre was generally seen as an unofficial 'minimal expectation' for employment land. It was noted that there were frequently 'tensions' between the land figure produced by a residual appraisal, and landowner minimum expectations. A further factor is that employment-based developments do not include the same inherent value as residential developments, (to be able to subsidise affordable housing and s.106 Contributions, for example).*

4.352. *As noted during our meeting, the Viability Benchmark Land Value applied in the BVL appraisals is at circa £73k per gross acre, which at face value is actually lower than the inherent expectation for un-serviced employment land generally. Even taking account of gross : net adjustments and Abnormal Costs etc. it would appear that the residential BLV and the un-serviced employment land value are in broadly the same range."*

VBLV Category 2 - Additional Land

4.353. Based on the information provided to BVL, this is understood to comprise the following land to be provided by the landowner, in perpetuity, to support the proposed development;

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- 4.353.1. Land for the Railway Halt car park, amounting to some 2 acres.⁷⁶
- 4.353.2. Land for Station Square amounting to 0.127Ha or 0.315 acres.
- 4.353.3. Additional mitigation woodland planting for bat roost of between 15 and 20 acres⁷⁷.

4.354. It is understood that all of the above land (which totals (say) in the order of circa 20 acres) say is currently in agricultural use, with little prospect of being allocated for development. However, based on the analysis above, this land has a potential EUV of (say) £8.5k per acre x 20 = £170,000. For the purposes of the IFVA, a notional figure of £170,00 to reflect the indicative EUV of this additional land has been allowed in the appraisals.

VBLV - Conclusions

4.355. In testing the approach to the VBLV and premium applied; The RICS GN 'Assessing viability in planning under the National Planning Policy Framework 2019 for England' (effective 1 July 2021) sets out a five-step process for arriving at the VBLV, as follows.

4.356. **Step 1 - Existing Use Value (EUV)** - Step one is to undertake a valuation to determine EUV. The EUV in this case is deemed to be £232,475, based upon indicative agricultural land value.

4.357. **Step 2 - Alternative Use Value (AUV)** - Step two is the assessment, where appropriate, of the AUV. As noted above, the current allocation of the Application Site as employment land has been considered as part of the liaison with Council officers following the issue of the Draft IFVA on 25 March 2024.

4.358. **Step 3 - Cross Sector Collaboration Evidence of BLV and Premium** - The RICS GN explains that Step three is to assess a premium above EUV based on the evidence set out in PPG paragraph 016, which is 'the best available evidence informed by cross sector collaboration. which can include benchmark land values from other viability assessments' comparisons with existing premiums above EUV.' The conservative 'tone' of the VBLV and premium applied in this case align with equivalent VBLVs/premiums adopted recently by BVL for similar green field sites in the Region. BVLs approach to VBLV also reflects the widely recognised significant required premium over a low base agricultural value, in order to incentivise release of the land

⁷⁶ This now falls outside the resubmitted Application Red line).

⁷⁷ For the purposes of the IFVA, a mid-point position of 17.5 acres has been assumed.

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for development.

- 4.359. **Step 4 - Residual Land Value** - Step four is to determine the residual value of the site (or typology), assuming actual or emerging policy requirements, and this assessment of land value can be cross checked against the EUV+. Adopting the inputs set out in the IFVA. This is undertaken in Section 5 below. The reasonableness of this has also been considered compared to the existing use value and premium evidence reported above, and the additional evidence, reported below.
- 4.360. **Step 5 - Adjusted Land Transaction Evidence** - Step five is to cross-check the EUV+ approach to the determination of the BLV of the site by reference to (adjusted) land transaction evidence and can also include other VBLV of compliant schemes (or adjusted if not compliant). The VBLV above has not been derived by reference to market evidence because, due to the heterogeneity of development sites and consequent difficulty in direct comparison (as recognised by the RICS) BVL does not consider that such evidence is useful in this case. Rather, BVL's assessment is based on established and recommended determinants of VBLV in development viability testing.
- 4.361. **Purchase Price** - The NPPG on viability encourages the reporting of the purchase price to improve transparency and accountability, however it discourages the use of a purchase price as a barrier to viability, stating the price paid for land is not a relevant justification for failing to accord with relevant policies in the plan (and under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan). The PPG does not, however, invalidate the use and application of a purchase price, or a price secured under agreement, where the price enables the development to meet the policies in the plan. In this case, the purchase price has not been disclosed, nor has influenced BVL's assessment of the VBLV, as required by the NPPG.

Stamp Duty Land Tax (SDLT)

- 4.362. Stamp Duty Land Tax ('SDLT') within the appraisal was calculated based on standard current Land Registry rates (effective from 23 September 2022), as follows;
- Notional VBLV (as above) = £2,000,000.
 - Up to £250k – nil.
 - £250,001 to £925,000 (up to the next £675,000) @ 5% = £33,750
 - £925,001 to £1.5m – (the next £575,000) = £575,000 @ 10% = £57,500.

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- Above £1.5m @ 12% = £500,000 x 12% = £60,000.

4.363. Total SDLT assumed for the purposes of the viability modelling - £33,750 + £57,500 + £60,000 = £151,250.

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5. Viability Modelling and Outcomes

5.1. As noted above, the IFVA is required to consider viability objectively, and in line with the viability requirements of the NPPG and Planning PPG Viability and in accordance with RICS Guidance concerning viability testing for planning purposes. As also noted above, the focus of the above requirements/guidance is that viability testing should primarily be a tool to ensure delivery of development, rather than to preserve developer profits.

Initial Modelling – Issue of Draft IFVA of 25 March 2024 – Prior to liaison/Feedback from Council Officers

5.2. Based on the viability parameters set out in detail in Section 4 above, BVL modelled a range of scenarios to assess the viability of the proposed development, with forecast developer return being the residual element produced by the appraisal in each case. Where appropriate and necessary, the parameters of the appraisal inputs were moderated as required, to accord with good practice in objective viability modelling.

5.3. The key aim of the IFVA is to produce an overall appraisal that reflects a balanced approach to risk and return, reflecting a development proposal that is commercially fundable and deliverable. As noted above, this can be defined as follows; *“Generally speaking, when undertaking an IFVA, BVL would apply a profit benchmark/target in line with NPPG/RICS guidance at circa 20% of GDV in relation to open market OM dwellings, and 6% on cost for the affordable dwellings”*. However (as also noted above) the results of the financial modelling produce significantly lower outcomes than this (see below for details).

5.4. As required by the NPPG, BVL started by modelling a target ‘fully policy compliant’ (‘FPC’) scenario for the Approved Development - i.e. including the full target s.106 Obligations (affordable housing and s.106 Contributions in this case) along with the requested community infrastructure provision⁷⁸. Modelling the target FPC position in the first instance, helps to determine the extent to which the Proposed Development is made unviable by the target full policy compliant (FPC) requirements. This analysis allows for options with reduced s.106 Obligations to be modelled, to determine the level of reduction necessary to the FPC position, to return the Proposed Development to a point where it is deliverable.

⁷⁸ The spine road and associated infrastructure etc.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; *“Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)”*.

5.5. the key outcomes of the financial modelling undertaken to inform the IFVA are as follows;

Appraisal Scenario 1 – Full Target Policy Compliance

5.6. This is based on a Target ‘Fully Policy Compliant’ scenario (i.e. full s.106 Obligations, 25% affordable housing⁷⁹, full target s.106 Contributions community infrastructure provision. The key appraisal inputs were as follows;

- Open market sales are based on the maximum estimated sales provided by the local estate agents (an average of £310 per ft²).
- The affordable housing premium rate is based on advice from CJH Land (i.e. a blended rate of £150 per ft² for the target tenure split of 60% Social Rent and 40% Shared Ownership).
- The GIA for sales purposes is assumed to be 192,913 ft², based on the indicative mix discussed with FOD.
- The sale of serviced employment land is based on the maximum £500k per acre discussed with commercial agents, assuming a full range of Class E uses.
- A VBLV of £2m (see above for details).
- An allowance of £170k has been made for additional land being provided by Landowner to facilitate the Proposed Development.
- SDLT & other land costs are based on the VBLV of £2m.
- Planning related costs are assumed @ £200k.
- Construction costs are based on TCL cost plans of 20 March 2024 and an estimated GEA of 197,528⁸⁰.
- A standard build contingency @ 5% for plot costs, externals & garages.

⁷⁹ As noted above the initial request for 55 affordable dwellings actually now represents 27.5% of the recently reduced residential total of 200 dwellings. This is adjusted later to a notional 25% in Scenario 4 below.

⁸⁰ Larger than the GIA, due to the circulation space associated with the open market flats.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; “*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*”.

- An infrastructure contingency from the TCL Cost Plan of 20 March of £1,624,724.
- Other construction totals from the TCL Cost Plan of 20 March 2024, along with externals @ 15% plot costs & garages @ £565,756 (based on the TCL 20 March Standard Build Cost Plan update).
- Professional fees – for standard build – assumed @ 7.5% of plot costs, externals and garages.
- Professional fees for infrastructure - as per TCL Cost Plan of 20 March 2024 - £1,754,622.
- Marketing & sales @ 3% of open market and shared ownership sales.
- Legal fees for RP sale @ £400 per unit and OM sales @ £600 per unit.
- Latest target s.106 Contributions as per the Schedule of Target s.106 Contributions and Other Costs - total £4,023,985.

5.7. The appraisal produced the following totals;

- Sales revenue - £52,700,363
- Development costs - £64,121,191

5.8. The outcome of Scenario 1 is a loss of £12.56M (see Scenario 1 appraisal summary at **Appendix 5** for details).

5.9. This scenario demonstrates that the requested target full policy compliant package of community infrastructure and s.106 Contributions⁸¹ is not viable, or deliverable. This outcome also highlights the inherent viability constraints associated with the approved development, and it also indicates that⁸², based on market-based, objective, viability modelling criteria, a reduction in affordable housing and s.106 Contributions will be required, on viability grounds, in order to ensure that the proposed development is deliverable.

⁸¹ As published on the Planning Portal.

⁸² Unsurprisingly perhaps, given the level of community infrastructure and target s.106 Obligations being applied to the reduced development proposals

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; “*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*”.

5.10. As discussed above, further adjustments were made to the modelling parameters above to reflect discussions with Council officers following the issue of the Draft IFVA on 25 March 2024. These are considered in more detail below.

Appraisal Scenario 2 – Nil Affordable Housing, full Social Infrastructure and full s.106 Contributions.

5.11. This applies identical appraisal parameters to those in Scenario 1, except for the following;

- A maximum average open market sales rate of £310 per ft² is applied to all 200 dwellings (i.e. including affordable housing units).
- Marketing costs are increased to cover all units.

5.12. Scenario 2 produces a reduced loss of £3.25m (see Scenario 2 appraisal summary at **Appendix 6** for details. Although this is an improvement on Scenario 1, this scenario indicates that the removal of the target affordable housing element would not (in itself) be sufficient to return the Proposed Development to deliverability.

5.13. This scenario also highlights the indicative cost to the development of the target full affordable housing provision⁸³; In Scenario 2, the 'full' residential sales revenue total for the proposed maximum of 200 dwellings is £59,803,030. If we compare this with the Scenario 1 residential sales revenue figure of £51,677,363⁸⁴, the difference (i.e. the cost to the Proposed Development) is £8,125,667 equating to £147,739 per affordable dwelling being sought.⁸⁵

Appraisal Scenario 3 – Nil Affordable Housing, full Social Infrastructure, full s.106 Contributions, but assuming a nil contribution to Education.

5.14. This applies identical appraisal parameters to those in Scenario 2, except that an assumption is made that the education contributions are reduced to nil.

5.15. Scenario 3 produces a marginal 'break-even' developer return of £491K (or 0.82% of GDV). See Scenario 3 appraisal summary at **Appendix 7** for details.

⁸³ With the published consultation response actually representing 27.5% in this scenario (this is notionally adjusted to 25% later – see below for details).

⁸⁴ Which includes the target full affordable housing provision.

⁸⁵ Based on 55 affordable dwellings with 60% Social Rent and 40% Shared Ownership

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

Although a further improvement on Scenario 2, Scenario 3 indicates that even the removal of the education contributions and the target affordable housing element would not be sufficient to return the Proposed Development to normally accepted development viability parameters. However, this is significantly better than the losses shown by Scenarios 1 and 2, and potentially provides the Council with an opportunity to consider whether any further savings could be made to the current target s.106 Obligation requests. It also provides the Council and the Applicant with the opportunity to review the proposed development to see whether changes to the requested community infrastructure or value engineering generally can be undertaken to bring about construction cost savings.

5.16. A further possible area for consideration is whether improvements could be made to the approved scheme to improve the overall GDV⁸⁶. On a related point, during the engagement process with the Council (following the issue of the Draft IFVA on 25 March), officers queried the impact on viability, of reverting the southern part of the current employment land to residential use. However, in line with further discussions at the following MST meeting of 3 April (and given concerns about the proximity of residential uses to the railway, and the various knock-on impacts that this would inevitably have on a number of other proposed elements of the development, which would be impossible to assess at this stage), this was not felt to be an option that could be modelled with any real accuracy at present.

Further Viability Modelling Undertaken Following Liaison with Council Officers after the Issue of the Draft IFVA on 25 March 2024.

5.17. Microsoft Teams Meetings were held with officers on 27 March, 3 April and 10 April (at which the Council's Housing Enabling Team was also present).

5.18. During these meetings, and in two subsequent emails of 28 March (at 0952 & 1618) and a further email of 29 March at 1505, a number of points/queries were addressed. BVL has summarised these points, along with any responses provided throughout the IFVA, as appropriate. In addition, following the various discussions, a number of amendments were made to the cost assumptions in the IFVA, which were incorporated within the updated viability modelling. These are noted below;

Amended Appraisal parameters following the Engagement Process with the Council

⁸⁶ From a viability perspective, possibly by adding in some of the uses that have been removed, or increasing the number of dwellings back to a maximum of 220.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

5.18.1. Open Market Housing - in order to 'stretch' the viability modelling parameters as far as possible, BVL sensitised the appraisals by increasing the maximum residential sales rate from the three agents (an average of £310 per ft²) with a 'hope value' element to reflect a potential additional 'station premium' of 2% of the residential Gross Development Value (GDV). This increases the assumed maximum sales rate to a very optimistic £316 per ft². As noted above, this is not evidence based, but has been modelled purely to 'sensitise' the appraisal.

5.18.2. Employment Land - Once again, this is included in the appraisal at a very optimistic £500k per serviced acre (note; the latest feedback from the local commercial agents/Chartered Surveyors confirms that a more realistic value would be 'late £200k to early £300k' per serviced acre). There is therefore at least £400k of 'hope value' in this element of the appraisal as well.

5.18.3. Affordable housing - Following discussions with officers, BVL made the following pro-rata adjustment to the target FPC Appraisal (Scenario 1, now updated to Scenario 1a) to allow for the reduced total of 200 dwellings as set out below;

- Enabling Team request based on 220 units x 25% = 55 units (if 200 units, 25% would be 50 affordable units, comprising 30 x Social Rent, and 20 x Intermediate)
- Social Rent - 33 units - 31,485 ft² net, (same gross). Apportioned to reflect 30 units = $(31,485/33) \times 30 = 28,623$ ft².
- Intermediate. - 22 units - 19,300 ft² net (same gross). Apportioned to reflect 20 units = $(19,300/22) \times 20 = 17,545$ ft².
- Total net ft² is 192,913 ft², so OM dwellings (150) would comprise 192,913, less 28,623, less 17,545 = 146,745 ft².

5.18.4. As noted above, the initial viability outcomes to date (even based on optimistic assumptions) indicate that the target affordable housing element of the development (25%) will need to be foregone, and replaced with open market housing, to allow the proposed development to be deliverable by WOED (even though it is unlikely to reach normally accepted viability parameters). In this eventuality, officers noted that, if the affordable housing is foregone, this would reduce Lifetime Homes and Category 3 Requirements (and, as TCL noted), also associated bicycle stores. TCL has now included appropriate reductions in his updated cost plans to reflect these reductions.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

5.18.5. Education Contribution – As discussed with officers, the published education request sum is based on 220 dwellings, so as a pro-rata adjustment for 200 dwellings, it was agreed that 9% of that sum could be deducted, leaving £2.52m (rather than £2.766m). Clearly this is not as per the formal contribution response request as issued, however, this figure has been included for the purposes of updated viability modelling, as appropriate.

5.19. Construction costs – these have been updated by TCL to reflect the various queries/points raised at the MST meetings with officers of 27 March and 3 April, together with the points made in various emails following the 27 March meeting.

5.20. Aside from the points noted above, the adjustments also include the following, adjustments, as per commentary from TCL dated 9 April;

5.21. *I have set out below, some commentary on the cost areas that have been amended within the updated cost plans, in line with the observations from Simon Fox;*

5.22. *Reduction in Lifetime Homes and Category 3 Requirements and, associated bicycle stores*

5.23. *Bike stores; 140nr x £450 = £63,000 + risk £6,300 + fees £6,930 = **£76,230***

5.24. *Cat 2; 80nr x £1,800 = £144,000 + risk £14,400 + fees £15,840 = **£174,240***

5.25. *Cat 3; 5nr x £15,000 = £75,000 + risk £7,500 + fees £8,250 = **£90,750***

5.26. *Play areas – Simon Fox asked that we allow a reduced total of £200k for all play (central NEAP perhaps) which saves;*

5.27. *£110,000 + risk £11,000 + fees £12,100 = **£133,100***

5.28. *Reduction in toucan crossing as Simon Fox's email of 28 March noted; "Refs 14 New Toucan and cycleway modification of Taunton Road and 39 Off-site utility diversions for the above in the cost plan are double counted with the active travel contribution accounted for separately;*

5.29. *Item 14; £85,000 + risk £8,500 + fees £9,350 = £102,850*

5.30. *Item 39; £25,000 + risk £2,500 + fees £2,500 = £30,250*

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

5.31. *Nutrient Neutrality – Phosphates reduced from £1.45m (including risk) to £1.03m (including risk), because WOED have been able to secure credits at a rate of £37,500/kg for the 25kg of mitigation needed, rather than at the previous £52,788/kg rate”.*

5.32. NHS Contribution - During the engagement process, Council Officers advised that the NHS contribution request had dropped to £89,336. Accordingly, this figure has been included within the updated modelling.

5.33. Other appraisal assumptions remain generally as per the draft appraisals submitted with the Draft IFVA of 25 March.

Further Viability Modelling Undertaken Following Engagement with Council Officers

5.34. Based on the amended parameters above, BVL produced updated versions of all the appraisals submitted with the draft IFVA report of 25 April. (To differentiate these updated appraisals from the original versions, they are entitled 1a, 2a, and 3a). These updated appraisals now reflect the amended cost assumptions discussed with officers. As also noted above, they also include a significant element of ‘hope value’ in the GDV assumptions.

5.35. Outcomes of the Scenario 1a, 2a, and 3a Appraisals;

5.36. Scenario 1a – (Updated Full Target Policy Compliance) - The outcome of this updated scenario is a loss of £10.03m (see appraisal summary at **Appendix 8**).

5.37. Scenario 2a – (Updated Nil Affordable Housing, full Social Infrastructure and full s.106 Contributions) - The outcome of this updated scenario is a forecast break-even profit of £93k (0.15% of GDV). See appraisal summary at **Appendix 9**.

5.38. Scenario 3a – (Updated Nil Affordable Housing, full Social Infrastructure, full s.106 Contributions, but assuming a nil contribution to Education) - The outcome of this updated scenario is a forecast developer profit of £3.48m (5.95% of GDV). See appraisal summary at **Appendix 10**.

5.39. The above scenarios demonstrate that, from an objective viability perspective, (in all likelihood), the removal of affordable housing and all s.106 Contributions would likely be justified, in order to restore the scheme to viability.

Scenario 4 – ‘Hope Value Appraisal’ to Inform s.106 Heads of Terms

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; “*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*”.

5.40. Following the engagement process with Council officers, and taking account of various reduced cost assumptions etc. Scenario 4 is presented in an attempt to provide a scenario that could be deliverable in the particular context of WOED and the Proposed Development. Accordingly, it is hoped that Scenario 4 that will form a basis for s.106 heads of terms in this case.

5.41. Scenario 4 is essentially based on nil affordable housing and a reduced education contribution of £537k, alongside other s.106 Contributions. The total s.106 'package' included in the Scenario 4 appraisal is £1,820,320.

5.42. The headlines of the Scenario 4 appraisal are as follows;

- Open Market Housing – as noted above, in order to 'stretch' the viability modelling parameters as far as possible, BVL sensitised the appraisals by increasing the maximum residential sales rate from the three agents (an average of £310 per ft²) with a 'hope value' element to reflect a potential additional 'station premium' of 2% of the residential Gross Development Value (GDV). This increases the assumed maximum sales rate to a very optimistic £316 per ft². As noted above, this is not evidence based, but has been modelled purely to 'sensitise' the appraisal.
- Employment Land - Once again, this is included in the appraisal at a very optimistic £500k per serviced acre (note; the latest feedback from the local commercial agents/Chartered Surveyors confirms that a more realistic value would be 'late £200k to early £300k' per serviced acre). There is therefore at least £400k of 'hope value' in this element of the appraisal as well.
- Affordable housing – For the purposes of the appraisal, the target affordable element (25%) has been assumed to be full open market dwellings (also with an assumed 'hope value enhanced' average sales rate of £316 per ft²).
- Construction costs – these have been updated by TCL to reflect the various queries/points raised at the meetings with officers of 27 March, 3 April and 10 April, (together with picking up the points in the various emails following the 27 March meeting).
- Other appraisal assumptions These remain generally as per the draft appraisals submitted with the Draft IFVA of 25 March.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

5.43. The Scenario 4 Appraisal includes the following s.106 financial contributions/costs which total £1,820,320.

- Travel Plan - £5,000
- Safeguarding fee - £72,650
- Active Travel - £573,620
- Public art/monument – Est. £7,000
- Contribution towards station square/mobility hub contribution £305,000
- Education - £573,000 (to include all indexation to date etc.)
- NHS/ICB - £89,336
- S.106 monitoring fee - £5,000 (est.)
- Offsite playing pitch & commuted sum - £124,714
- Allotments - £10,000
- Greenway contribution - £50,000
- Council legal costs - £5,000
- **Total £1,820,320.**

5.44. The Scenario 4 appraisal produces a sub-optimal forecast developer return of 2.7m (4.58% of GDV). See Appraisal Summary at **Appendix 11**. Given this sub optimal profit forecast and the ‘hope value’ inflated nature of the sales revenue assumptions, this appraisal would not meet normally accepted viability parameters. However, for the reasons discussed with officers during the engagement process, WOED has confirmed that it would be willing to proceed on this basis. See Conclusions section below for further consideration of Scenario 4.

6. Conclusions

- 6.1. The Council's targets for affordable housing and s.106 Obligations are set based on 'norms' that were modelled within the viability evidence that supports the Council's policies. These norms cannot possibly cover all sites and circumstances. Accordingly, in line with Government Guidance, the Council's policies for affordable housing and s.106 Obligations are all subject to viability, in order to ensure that developments are deliverable.
- 6.2. Whilst the 'load' on the development⁸⁷ has been increasing during the course of the determination of the Outline Application, the revenue producing elements of the proposed development have been diminishing;
- 6.2.1. In particular, the deletion of the mixed-use element has not only removed some 2,285.1 m² (24,596 ft²) of ground floor GIA from the proposed development, it has also reduced the maximum number of residential units from 220 to 200 (around 20 residential dwellings were envisaged on the first and second floors of the mixed-use space).
- 6.2.2. The employment land is now 0.828Ha (2.046 acres). This was previously⁸⁸ 0.96Ha (2.36 acres), reflecting a reduction of 0.314 acres. The new coverage is envisaged by FOD to be; "general employment buildings (gf only) total gross internal areas 2,645.4m² (28,475 ft²).
- 6.3. Scenario 2 highlights the cost to the development of the target affordable housing provision; In Scenario 2, the full residential sales revenue total for the proposed maximum of 200 dwellings is £59,803,030. If we compare this with the Scenario 1 residential sales revenue figure of £51,677,363⁸⁹, the difference (i.e. the cost to the Proposed Development) is £8,125,667⁹⁰ equating to £147,739 per affordable dwelling being sought.⁹¹
- 6.4. The appraisals modelled in the IFVA are based on deliberately and demonstrably 'optimistic' assumptions, in order to test the appraisal parameters as far as possible (for example, the highest possible sales estimates from the local estate agents have

⁸⁷ In terms of community infrastructure, affordable housing and target s.106 Contributions.

⁸⁸ As of 26 January amendments.

⁸⁹ Which includes the target full affordable housing provision.

⁹⁰ Based on the highest of the agents' sales figures.

⁹¹ Based on 55 affordable dwellings with 60% Social Rent and 40% Shared Ownership.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

been applied, together with construction and other costs that are, if anything considered to be conservative. The outcomes of the scenarios modelled are as follows;

6.5. Appraisal Scenario 1 is based on a Target 'Fully Policy Compliant' scenario (i.e. full s.106 Obligations, 25% affordable housing⁹², full target s.106 Contributions, and full community infrastructure provision. The outcome of the initial Scenario 1 appraisal of 25 March⁹³ was a loss of £12.56m. Following an engagement process with Council Officers, amended appraisal assumptions were applied (including reduced cost assumptions as detailed in Section 5 above) which were reflected in updated Scenario 1a. The outcome of the Scenario 1a updated appraisal was a slightly less severe loss of £10.03m.

6.6. Scenarios 1 and 1a demonstrate that the target 'full policy compliant' package of community infrastructure and s.106 Contributions being sought is neither viable, or deliverable. As noted above, this outcome highlights the inherent viability constraints associated with the approved development, and it demonstrates that that⁹⁴, based on market-based, objective, viability modelling criteria, a reduction in affordable housing and s.106 Contributions will be required, on viability grounds, in order to ensure that the proposed development is deliverable.

6.7. Appraisal Scenarios 2 and 2a are based on nil Affordable Housing, full Social Infrastructure and full s.106 Contributions. These apply identical appraisal parameters to those in Scenario 1, except that a maximum average open market sales rate of £310 per ft² is applied to all 200 dwellings (i.e. including affordable housing units). Scenario 2⁹⁵ produces a reduced deficit of £3.25m, and updated Scenario 2a⁹⁶ a forecast break-even profit of £93k (0.15% of GDV). Although these are an improvement on Scenario 1, they indicate that the removal of the target affordable housing element would not (in itself) be sufficient to return the Proposed Development to deliverability.

6.8. Appraisal Scenarios 3 and 3a are based on nil Affordable Housing, full Social Infrastructure, full s.106 Contributions. These apply identical appraisal parameters to those in Scenario 2, except that an assumption is made that the education

⁹² As noted above, the published consultation response requesting for 55 affordable dwellings actually represents 27.5% of the reduced residential total of 200 dwellings. As noted above, this was amended pro-rata in Scenario 1a.

⁹³ As submitted with the Draft IFVA of 25 March.

⁹⁴ Unsurprisingly perhaps, given the level of community infrastructure and target s.106 Obligations being applied to the reduced development proposals.

⁹⁵ As submitted with the BVL Draft IFVA of 25 March.

⁹⁶ Which again includes amended appraisal assumptions agreed with Council Officers.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*".

contributions are reduced to nil. Scenario 3 produces a marginal developer return of £491k (0.82% of GDV) and Scenario 3a produces an improved forecast developer profit of £3.48m (5.95% of GDV). Although these outcomes are a further improvement on Scenario 2, they indicate that even the removal of the target affordable housing element (25%) and all education contributions and would not be sufficient to return the Proposed Development to normally accepted development viability parameters.

6.9. Scenarios 1a to 3a demonstrate that, from an objective viability perspective, the removal of affordable housing and all s.106 Contributions would be justified, in order to restore the scheme to viability.

6.10. As noted in Section 5 above, the Scenario 4 appraisal follows the engagement process with Council officers, and takes account of various reduced cost assumptions etc. Scenario 4 is presented in an attempt to provide a scenario that could be deliverable in the particular context of WOED and the Proposed Development. Accordingly, it is hoped that Scenario 4 that will form a basis for s.106 heads of terms in this case.

6.11. Scenario 4 is essentially based on nil affordable housing and a reduced education contribution of £537k, alongside other s.106 Contributions. The total s.106 'package' included in the Scenario 4 appraisal is £1,820,320.

6.12. Scenario 4 produces a sub-optimal forecast developer return of 2.7m (4.58% of GDV). Given this marginal profit forecast and the 'inflated'⁹⁷ nature of the sales revenue assumptions, this appraisal does not even come close to normally accepted viability parameters. However, for the reasons discussed with officers during the engagement process, WOED has confirmed that it would be willing to proceed on this basis.

6.13. However, as discussed with officers, it should be stressed that the Scenario 4 appraisal is based on an element of 'hope value' within the residential GDV and employment land assumptions (i.e. rather than being based on even the highest level of sales estimated by the local agents, this appraisal includes an inherent assumption that the current GDV will not only increase, but also that it will continue to 'outpace' any increase in development costs over time).

6.14. Whilst this approach is helpful in that it 'sensitises' the current market-based assumptions, it would not normally be a scenario that would be considered fair and

⁹⁷ See below for details.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; "Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)".

reasonable as a basis for s.106 Heads of Terms. This is because it is not based on current sales revenue and cost assumptions, as required by the NPPF. As a result, this scenario places significant additional stress on WOED, because it presents a more positive viability picture than is actually the case, thus requiring WOED to 'crystalise' future risk now, in order to proceed.

6.15. The risk being taken by the Applicant in relation to Scenario 4 is exacerbated further by a number of cost considerations, as explained by TCL on 9 April, as follows;

6.16. *"I have also been asked to comment on construction price trends – As has been extensively reported, there has been unprecedented inflationary pressure on all costs, not least in the construction industry since 2020. The increases in fuel prices due to the conflict in Ukraine, the loss of the red diesel duty exemption, increasing labour costs, increasing material costs and the impact on the use of foreign labour arising from Brexit have all had an adverse impact on costs.*

6.17. *In addition, we believe that the true inflationary impact has yet to be recognised in the BCIS indices, since they are essentially 'backwards looking' with the database only being updated when scheme cost plans are submitted for review by the BCIS and generally this occurs at final account stage. These schemes may be on fixed price or limited fluctuations clauses and could have been tendered 3-4 years ago. For this reason, the Regional BCIS indicates that from 1Q20 to 2Q23 (the latest date that indices are published) that inflation was 11.13%, the all-in national TPI for that period was 14.3% whereas RPI was 27.78%. According to the All-in TPI and RPI prices has continued to rise by a further 2.1% and 0.6% respectively to today's date.*

6.18. *Therefore, whilst the BCIS Indices show an increase of just over 14%, the actual increase is likely to be in the order of some 30%. BCIS will eventually 'catch up,' but not for some time.*

6.19. *Local Labour Agreement - I have reviewed the terms of the Draft LLA and can confirm that, at present, any costs associated with this are only partially⁹⁸ included since the costs used within the infrastructure cost plan are based on actual regional tendered and contracted rates. The schemes which these costs are based on are from regional contractors who take their labour from the local market, and while the labour force may not be derived from Taunton and East Deane it will be from the wider Somerset and North Devon catchment since the presence of larger developments such as Sherford in Plymouth and Cranbrook and Alphington in Exeter has essentially made the supply of labour more localised."*

⁹⁸ Emphasis added.

Community Infrastructure Benefits Offered by the Proposed Development

6.20. During the engagement process, officers asked BVL and TCL to assess the 'community infrastructure benefits' that are being funded by the Proposed Development. These represent direct costs that are being incurred solely to facilitate the access to the proposed new station and related infrastructure items, and total £1,626,029. See details and further comments from TCL (dated 9 April) below;

6.21. *In relation to the request from Simon Fox, I have reviewed the costs that are generated solely as a result of the proposed development facilitating the new railway station. These comprise both direct infrastructure costs, and also indirect costs relating to the layout of the development, which has been designed specifically to accommodate not only the station itself, but also the desired 'approach' to the station. I have summarised these two types of costs below;*

<i>Direct Costs</i>	<i>Value incl risk and fees</i>	<i>Comment</i>
<i>Land preparation and enabling works</i>	<i>£47,452</i>	<i>Palisade fencing to NR boundary</i>
<i>Alternative junction to Nynehead Road</i>	<i>£309,437⁹⁹</i>	
<i>Other highway works</i>	<i>£1,108,944</i>	<i>Reduction in boulevard typology Introduction of frontage onto spine road</i>
<i>Landscaping</i>	<i>£160,196</i>	<i>Reduction in area of bat mitigation</i>
<i>Total</i>	<i>£1,626,029</i>	

6.22. In addition to the above direct costs, TCL has identified indirect costs associated with this community infrastructure provision. TCL says;

6.23. *"Indirect Costs – as noted above, these are 'opportunity' costs associated with the layout/format of development dictated by the limitations associated with the design/aspirations behind the station access. These indirect costs relate to areas such as the wider 'boulevard' type spine road, wider verges and off-carriageway footpaths, separate cycle route through to the station all leading to smaller residential parcels than would normally be the case on a development of this nature.....However, it would only be possible to assess the true extent of these*

⁹⁹ If the alternative junction to Nynehead Road is removed from this list (see below for commentary), this net total reduces to £1,316,592).

costs if an alternative layout was produced, that effectively ignored the restrictions of the station infrastructure design, in order to maximise the efficiency of the design in terms of development density, housing numbers and developer returns”.

6.24. In other words, there are also a number of indirect costs associated with the layout/format of development that are dictated by the limitations created by the design/aspirations behind the station access. However, it would only be possible to assess the true extent of these costs if an alternative layout was produced, that effectively ignored the restrictions of the station infrastructure design, in order to maximise efficiency in terms of density and developer return etc. These indirect costs have not been included in the list above. Nevertheless, it should be borne in mind that there is an ‘opportunity cost’ to the proposed development, arising from these indirect costs.

6.25. In addition to the above, the Proposed Development also provides for an alternative junction to Nynehead Road, at a net cost of approximately £281,306¹⁰⁰. As noted during the meetings with Council Officers, this sum of money could be diverted to other priorities, should the Council decide to leave this junction unchanged.

6.26. This report has been prepared for the exclusive use of the clients and unless otherwise agreed in writing by BVL, no other party may use, make use of, or rely on the contents of the report. No liability is accepted by BVL for any use of this report, other than for the purposes for which it was originally prepared and provided. BVL has exercised due care in preparing this report. It has not, unless specifically stated, independently verified information provided by others. No other warranty, express or implied, is made in relation to the content of this report and BVL assumes no liability for any loss resulting from errors, omissions or misrepresentation made by others. Any recommendation, opinion or finding stated in this report is based on circumstances and facts as they existed at the time that BVL performed the work. Nothing in this report constitutes legal opinion. If legal opinion is required the advice of a qualified legal professional should be secured.

Andrew Chamen B.Sc. Hons MRICS

Director

Belvedere Vantage Ltd

April 2024

¹⁰⁰ As noted above.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; “*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*”.

7. Appendices

Appendix 1 – BVL Appraisal Data Spreadsheet (ADS).

Appendix 2 - Terrus updated Infrastructure Cost Plan updated 12 April 2024.

Appendix 3 - Terrus updated Standard Build Cost Plan dated 20 March 2024.

Appendix 4 – Schedule of Target s.106 Contributions and Other Costs.

Appendix 5 – Appraisal Scenario 1 - Target 'Fully Policy Compliant' scenario

Appendix 6 – Appraisal Scenario 2 - nil Affordable Housing, full Social Infrastructure, and full s.106 Contributions.

Appendix 7 – Appraisal Scenario 3 - Nil Affordable Housing, full Social Infrastructure, full s.106 Contributions, but assuming a nil contribution to Education.

Appendix 8 – Appraisal Scenario 1a – Updated Target 'Fully Policy Compliant' scenario

Appendix 9 – Appraisal Scenario 2a – Updated nil Affordable Housing, full Social Infrastructure, and full s.106 Contributions.

Appendix 10 – Appraisal Scenario 3a – Updated Nil Affordable Housing, full Social Infrastructure, full s.106 Contributions, but assuming a nil contribution to Education.

Appendix 11 – Appraisal Scenario 4 – Updated Nil Affordable Housing, full Social Infrastructure, full s.106 Contributions, but assuming a reduced Education contribution of £573,000.

19/04/2024 (SF) BVL IFVA-planning reference 43/23/0056; amended description; “*Outline application with all matters reserved, except for access, for a mixed-use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure on land north of Taunton Road, Longforth Park, Wellington (DEPARTURE FROM LOCAL PLAN)*”.

Appendix 1

Belvedere Vantage Ltd - Independent Financial Viability Assessment - Planning Reference 43/23/0056 - Longforth Farm Site Wellington
 Indicative residential mix - based on maximum realistic dwellings numbers and target affordable housing mix

17-Feb-24

Beds	Type	House Format	Designation -		Disabled Adapted or Standard	Unit Size (GIA) (SQM)	Unit Size Ft2	No.	Total Indicative GIA (Ft2)		Beds	Indicative sales revenue estimate per ft2	Indicative OM sales revenue estimate per Dwelling	Indicative OM GDV Per Unit	Per Ft2 Including Discounted AH Sales	Indicative GDV Including Discounted AH Sales	
			Tenure - Open Market or Affordable	Social Rent or Shared Ownership					Source	% provided							
1	House		Affordable	SR	AH Team Request	65	700	3	2,099	2%	1	292	204,301	612,902	150	314,847	
1	House or Bungalow	Detached	Affordable	SR	AH Team Request	70	753	3	2,260	2%	1	292	220,016	660,048	150	339,066	
2	Apartment	Apartment	Open Market			70	753	35	26,372	18%	2	292	220,016	7,700,566	292	7,700,566	
2	House		Open Market			70	753	9	6,781	5%	2	292	220,016	1,980,145	292	1,980,145	
2	House		Affordable	Shared ownership	AH Team Request	70	753	11	8,288	6%	2	292	220,016	2,420,178	150	1,243,242	
2	House		Affordable	SR	AH Team Request	79	850	10	8,504	5%	2	292	248,304	2,483,040	150	1,275,534	
2	House or Bungalow	Detached	Affordable	SR	AH Team Request	90	969	2	1,538	1%	2	292	282,878	565,756	150	288,628	
3	House		Open Market			93	1001	58	58,061	29%	3	335	335,352	19,450,440	335	19,450,440	
3	House		Affordable	Shared ownership	AH Team Request	93	1001	11	11,012	6%	3	335	335,352	3,688,877	150	1,651,736	
3	House		Affordable	SR	AH Team Request	93	1001	9	9,009	5%	3	335	335,352	3,018,172	150	1,351,420	
3	House or Bungalow		Affordable	SR	AH Team Request	135	1453	1	1,453	1%	3	335	486,802	486,802	150	217,971	
4	House		Affordable	SR	AH Team Request	107	1152	4	4,607	2%	4	308	354,738	1,418,954	150	691,049	
4	House		Open Market			110	1184	43	50,914	22%	4	308	364,684	15,681,426	308	15,681,426	
5	House		Affordable	SR	AH Team Request	150	1615	1	1,615	1%	5	308	497,297	497,297	150	242,190	
Total								200	192,912	100%		314	60,664,602	272	52,430,260		
Average size (ft2) per dwelling overall								965	Impact of AH on GDV								
Key site data								OM	145	72.5%	Impact of AH on GDV					-	8,234,342
Ha (net)								4.77	Impact of AH on GDV (Per AHU)					-	149,715		
Acres (net)								11.806	Total GIA OM (ft2)								142,128
Avg DPH per net Ha								41.93	Total indicative GDV (OM)								44,812,577
Avg DPH per net acre								16.94	Average OM sales per ft2								315
Avg ft2 per net acre								16,340	Average ft2 PD OM								933.42
									SR								83
									Total area SR (ft2)								31,485
									Total indicative GDV (SR)								4,722,705
									Average SR sales per ft2								150
									Average ft2 PD SR								954.08
									SO								22
									Total area SO (ft2)								19,300
									Total indicative GDV (SO)								2,894,978
									Average SO sales per ft2								150
									Average ft2 PD SR								877.27
									AH (All Types)								55
									Total area AH (ft2)								50,785
									Total indicative GDV (AH)								7,617,683
									Average AH sales per ft2								150
									Average ft2 AH overall								923.36
									Check Totals								
									No of dwellings overall								200
									Total GIA								192,912

Belvedere Vantage Ltd - Independent Financial Viability Assessment - Planning Reference 43/23/0056 - Longforth Farm Site Wellington
 Indicative residential mix - based on maximum realistic dwellings numbers and target affordable housing mix.
 Sales as per Robert Cooney 26 February 2024

Beds	Type	House Format	Tenure - Open Market or Affordable	Designation - Social Rent or Shared Ownership	Source	Disabled Adapted or Standard	Unit Size (GIA) (SQM)	Unit Size Ft2	No.	Total Indicative GIA		Beds	Indicative OM sales per Ft2 (assuming ALL units are open market)	Indicative OM sales revenue per dwelling	Indicative OM GDV per dwelling type	Per Ft2 Including Discounted AH Sales	Including Discounted AH Sales
										(Ft2)	% provided						
1	House		Affordable	SR	AH Team Request	Standard	65	700	3	2,099	2%	1	316	221,093	663,278	150	314,847
1	House of Bungalow	Detached	Affordable	SR	AH Team Request	Adapted	70	753	3	2,260	2%	1	375	282,555	847,665	150	339,066
2	Apartment	Apartment	Open Market			Standard	70	753	35	26,372	18%	2	240	180,835	6,329,232	240	6,329,232
2	House		Open Market			Standard	70	753	9	6,781	5%	2	316	238,100	2,142,897	316	2,142,897
2	House		Affordable	Shared ownership	AH Team Request	Standard	70	753	11	8,288	6%	2	316	238,100	2,619,096	150	1,243,242
2	House		Affordable	SR	AH Team Request	Standard	79	850	10	8,504	5%	2	316	268,712	2,687,125	150	1,275,534
2	House or Bungalow	Detached	Affordable	SR	AH Team Request	Adapted	90	969	2	1,938	1%	2	375	363,285	726,570	150	290,628
3	House		Open Market			Standard	93	1001	58	58,061	29%	3	316	316,332	18,347,281	316	18,347,281
3	House		Affordable	Shared ownership	AH Team Request	Standard	93	1001	11	11,012	6%	3	316	316,332	3,479,657	150	1,651,736
3	House		Affordable	SR	AH Team Request	Standard	93	1001	9	9,009	5%	3	316	316,332	2,846,992	150	1,351,420
3	House of Bungalow		Affordable	SR	AH Team Request	Adapted	135	1453.14	1	1,453	1%	3	375	544,928	544,928	150	217,971
4	House		Affordable	SR	AH Team Request	Standard	107	1152	4	4,607	2%	4	325	374,318	1,497,272	150	691,049
4	House		Open Market			Standard	110	1184	43	50,914	22%	4	325	384,813	16,546,959	325	16,546,959
5	House		Affordable	SR	AH Team Request	Standard	150	1615	1	1,615	1%	5	325	524,745	524,745	150	242,190
Total									200	192,912	100%		316	59,803,697	264.29	50,984,052	

Average size (ft2) per dwelling overall 965
 Impact of AH on GDV - 8,819,645
 Impact of AH on GDV (per AHU) 160,357

Key site data

Ha (net) 4.77
 Acres (net) 11.806
 Avg DPH per net Ha 41.93
 Avg DPH per net acre 16.94
 Avg ft2 per net acre 16,340

OM	145	72.5%
Total GIA OM (ft2)	142,128	
Potential total GE A OM (ft2)	146,743	
Total indicative GDV (OM)	43,366,369	50,785 AH
Average OM sales per ft2	305	
Average ft2 PD OM	933.42	
SR	33	16.5%
Total area SR (ft2)	31,485	
Total indicative GDV (SR)	10,338,574	
Average SR sales per ft2	328	
Average ft2 PD SR	954.08	
SO	22	11.0%
Total area SO (ft2)	19,300	
Total indicative GDV (SO)	6,098,753	
Average SO sales per ft2	316	
Average ft2 PD SO	877.27	
AH (All Types)	55	27.5%
Total area AH (ft2)	50,785	
Total indicative GDV (AH)	16,437,328	
Average AH sales per ft2	324	
Average ft2 AH overall	923.36	
Check Totals		
No of dwellings overall	200	
Total GIA	192,912	

Belvedere Vantage Ltd - Independent Financial Viability Assessment - Planning Reference 43/23/0056 - Longforth Farm Site Wellington
 Indicative residential mix - based on maximum realistic dwellings numbers and target affordable housing mix.

Sales as per Bradleys - 28 February 2024

Beds	Type	House Format	Tenure - Open Market or Affordable	Designation - Social Rent or Shared Ownership	Source	Disabled Adapted or Standard	Unit Size (GIA) (SQM)	Unit Size Ft2	No.	Price	Yield	Total Indicative GIA (Ft2)	Total (All OM)	Per Ft2 Including Discounted AH Sales	Indicative GDV Including Discounted AH Sales
1	House		Affordable	SR	AH Team Request	Standard	65	700	3	£205,000	£293	2,099	£615,000	150	314,847
1	Bungalow	Detached	Affordable	SR	AH Team Request	Adapted	70	753	3	£225,000	£299	2,260	£675,000	150	339,066
2	Apartment	Apartment	Open Market			Standard	70	753	35	£210,000	£279	26,372	£7,350,000	279	7,350,000
2	House		Open Market			Standard	70	753	9	£245,000	£325	6,781	£2,205,000	325	2,205,000
2	House		Affordable	Shared ownership	AH Team Request	Standard	70	753	11	£245,000	£325	8,288	£2,695,000	150	1,243,242
2	House		Affordable	SR	AH Team Request	Standard	79	850	10	£252,500	£297	8,504	£2,525,000	150	1,275,534
2	Bungalow	Detached	Affordable	SR	AH Team Request	Adapted	90	969	2	£345,000	£356	1,938	£690,000	150	290,628
3	House		Open Market				93	1001	58	£300,000	£300	58,061	£17,400,000	300	17,400,000
3	House		Affordable	Shared ownership	AH Team Request	Standard	93	1001	11	£300,000	£300	11,012	£3,300,000	150	1,651,736
3	House		Affordable	SR	AH Team Request	Standard	93	1001	9	£300,000	£300	9,009	£2,700,000	150	1,351,420
3	Bungalow		Affordable	SR	AH Team Request	Adapted	135	1453	1	£495,000	£341	1,453	£495,000	150	217,971
4	House		Affordable	SR	AH Team Request	Standard	107	1152	4	£370,000	£321	4,607	£1,480,000	150	691,049
4	House		Open Market			Standard	110	1184	43	£380,000	£321	50,914	£16,340,000	321	16,340,000
5	House		Affordable	SR	AH Team Request	Standard	150	1615	1	£465,000	£288	1,615	£465,000	150	242,190
							Total		200		£306	192,912	£58,935,000	263.92	50,912,683

* Please note, this is a Pricing Exercise. It has been produced as an informal document for illustration and discussion purposes only.

* It does not constitute a valuation or appraisal and must not be construed or relied upon as such.

* The prices/rents indicated, have been based upon certain General Assumptions (as listed), together with information provided at the time by third parties, e.g. architects plans/drawings, accommodation schedules, specification details etc.

General Assumptions

1. A freehold or long leasehold interest of not less than 125 years unexpired.
2. Reasonable Ground Rents and Service Charges, commensurate with the development and its location.
3. Internal specification and quality of finish in accordance with market expectations.
4. Continuation of current market conditions.
5. An appropriate marketing programme in accordance with current practice, relative to the development.

Impact of AH on GDV **£8,022,317**
 Impact of AH on GDV per AHU **£145,860**

Belvedere Vantage Ltd - Independent Financial Viability Assessment - Planning Reference 43/23/0056 - Longforth Farm Site Wellington
 Indicative residential mix - based on maximum realistic dwellings numbers and target affordable housing mix
 Sales as per GTH - 27 February 2024

Beds	Type	House Format	Tenure - Open Market or Affordable	Designation - Social Rent or Shared Ownership	Source	Disabled Adapted or Standard	Unit Size (GIA) (SQM)	Unit Size Ft2	No.	Total Indicative GIA		Beds	Indicative OM sales per Ft2 (assuming ALL units are open market)	Indicative OM sales revenue per dwelling	Indicative OM GDV per dwelling type	Per Ft2 Including Discounted AH Sales	Indicative GDV Including Discounted AH Sales	
										(Ft2)	% provided							
1	House		Affordable	SR	AH Team Request	Standard	65	700	3	2,099	2%	1	£286	£200,000	£600,000	150	314,847	
1	House or Bungalow	Detached	Affordable	SR	AH Team Request	Adapted	70	753	3	2,260	2%	1	£299	£225,000	£675,000	150	339,066	
2	Apartment	Apartment	Open Market			Standard	70	753	35	26,372	18%	2	£259	£195,000	£6,825,000	259	6,825,000	
2	House		Open Market			Standard	70	753	9	6,781	5%	2	£312	£235,000	£2,115,000	312	2,115,000	
2	House		Affordable	Shared ownership	AH Team Request	Standard	70	753	11	8,288	6%	2	£312	£235,000	£2,585,000	150	1,243,242	
2	House		Affordable	SR	AH Team Request	Standard	79	850	10	8,504	5%	2	£306	£260,000	£2,600,000	150	1,275,534	
2	House or Bungalow	Detached	Affordable	SR	AH Team Request	Adapted	90	969	2	1,938	1%	2	£310	£300,000	£600,000	150	290,628	
3	House		Open Market			Standard	93	1001	58	58,061	29%	3	£300	£300,000	£17,400,000	300	17,400,000	
3	House		Affordable	Shared ownership	AH Team Request	Standard	93	1001	11	11,012	6%	3	£300	£300,000	£3,300,000	150	1,651,736	
3	House		Affordable	SR	AH Team Request	Standard	93	1001	9	9,009	5%	3	£300	£300,000	£2,700,000	150	1,351,420	
3	House or Bungalow		Affordable	SR	AH Team Request	Adapted	135	1453.14	1	1,453	1%	3	£265	£385,000	£385,000	150	217,971	
4	House		Affordable	SR	AH Team Request	Standard	107	1152	4	4,607	2%	4	£304	£350,000	£1,400,000	150	691,049	
4	House		Open Market			Standard	110	1184	43	50,914	22%	4	£317	£375,000	£16,125,000	317	16,125,000	
5	House		Affordable	SR	AH Team Request	Standard	150	1615	1	1,615	1%	5	£279	£450,000	£450,000	150	242,190	
Total									200	192,912	100%		£299	£293,571	£57,760,000	260	50,082,683	
							<i>Average size (ft2) per dwelling overall</i>				965							
Key site data							OM		145	72.5%								
							<i>Total GIA OM (ft2)</i>		142,128									
							<i>Potential total GEA OM (ft2)</i>		146,743									
							<i>Total indicative GDV (OM)</i>		42,465,000									
							<i>Average OM sales per ft2</i>		299									
							<i>Average ft2 PD OM</i>		933.42									
							SR		33	16.5%								
							<i>Total area SR (ft2)</i>		31,485									
							<i>Total indicative GDV (SR)</i>		9,410,000									
							<i>Average SR sales per ft2</i>		299									
							<i>Average ft2 PD SR</i>		954.08									
							SO		22	11.0%								
							<i>Total area SO (ft2)</i>		19,300									
							<i>Total indicative GDV (SO)</i>		5,885,000									
							<i>Average SO sales per ft2</i>		305									
							<i>Average ft2 PD SR</i>		877.27									
							AH (All Types)		55	27.5%								
							<i>Total area AH (ft2)</i>		50,785									
							<i>Total indicative GDV (AH)</i>		15,295,000									
							<i>Average AH sales per ft2</i>		301									
							<i>Average ft2 AH overall</i>		923.36									
							Check Totals											
							<i>No of dwellings overall</i>		200									
							<i>Total GIA</i>		192,912									
							<i>Impact of AH on GDV</i>											
							<i>Impact of AH on GDV (Per AHU)</i>											

**Land North of Taunton Road,
Longforth Park, Wellington**

Infrastructure Cost Plan Report

Document Control Sheet

Document Title: Infrastructure Cost Plan Report
Document Ref: Cost Report 01
Project Name: Land North of Taunton Road, Longforth Park, Wellington
Document Prepared for: Belvedere Vantage Ltd
Date: 12th April 2024

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1 Introduction

Conduct

- 1.1 Where relevant and appropriate, the Terrus Cost Report complies with the principles of the RICS Professional Statement Financial Viability in Planning: Conduct and Reporting 1st edition, May 2019, ('PSFVP May 19') active from 1 September 2019. As required by the PSFVP May 19, Terrus hereby confirms that;
- 1.1.1 The Terrus Cost Report has been undertaken by Jonathan White ('JW'), who is a 'suitably qualified practitioner,' and therefore able to give an objective, impartial and reasonable viability judgement. JW has some 30 years of post-qualification experience and is very experienced in advising a wide range of parties, on the costs of development, understanding the costs of both infrastructure and residential development and inputs from other professional disciplines and having appropriate and up-to-date knowledge of the planning system". JW provides specialist independent advice relating to development costs and advises a range of public and private sector clients, including local authorities, developers, landowners, and others. (PSFVP paragraph 1.2).
- 1.1.2 The Terrus Cost Report has been prepared with objectivity, impartially, without interference and with reference to all appropriate available sources of information (PSFVP paragraph 1.2.)
- 1.1.3 JW has been engaged by the Applicant to provide an independent and objective opinion on the costs associated with the proposed development.
- 1.1.4 No conflict, or risk of conflict of interest exists. (PSFVP Paragraph 2.2)
- 1.1.5 The Applicant has made no specific requests of JW, either at the start or during the process of preparing the Terrus Cost Report (PSFVP Paragraph 2.2).
- 1.1.6 That, in preparing the Terrus Cost Report, no performance-related or contingent fees have been agreed (PSFVP Paragraph 2.3).
- 1.1.7 The Terrus Cost Report has been formally signed off and dated by the author, along with details of qualifications held (PSFVP Paragraph 2.12)
- 1.1.8 That, where relevant, inputs to the Terrus Cost Report supplied by other contributors and all contributions to reports relating to assessments of viability, comply with the PSFVP (Paragraph 2.13).
- 1.1.9 In accordance with Section 4 of the PSFVP May 2019, Terrus confirms that the advice provided in the Terrus Cost Report represents '*the most effective and efficient way to deliver a reasonable development performance proportionate to the scheme being tested*', and that, where relevant, these matters have been given full consideration in the Terrus Cost Report.

Introduction

- 1.2 Terrus Consulting is commissioned to provide an objective construction cost report for a proposed development at Land North of Taunton Road, Longforth Park, Wellington to inform an Independent Financial Viability Assessment ('IFVA') being prepared by Belvedere Vantage Ltd ('BVL') in relation to the above development which is being undertaken by West of England Developments Ltd.
- 1.3 The Infrastructure Cost Plan identifies the infrastructure and abnormal costs to service the site on a typical 'Red Book' basis. These costs include land preparation, S278 highways works, S38 primary routes, associated drainage, utilities, archaeology, ecology, and plot specific abnormal.

- 1.4 The site is subject to an outline planning application for 200 dwellings (reference 43/23/0056), which was submitted to Somerset Council on 24th May 2023 and registered on 16th June 2023. The costs of the proposed scheme, based on the approved planning application drawings, have been considered within this report.
- 1.5 This cost report considers the approved 200 dwelling application scheme, which comprises:
- 200 dwellings.
 - A network of open spaces including parkland and footpaths for informal recreation.
 - New roads, parking areas, accesses, and paths.
 - Provision within the scheme for the spine road and enabling infrastructure to support the development of a rail halt/station.
 - Other ancillary activities; Including engineering operations, site preparation, ground works, the installation or improvement of services and infrastructure; the creation of drainage attenuation basins, improvements/works to the highway network and other ancillary works and activities.
- 1.6 The proposed development lies to the east of Wellington, Somerset and is bounded by Taunton Road to the South, an existing development to the west, the Bristol to Exeter railway to the north and open land to the eastern boundaries.
- 1.7 The residential site covers a developable area of approximately 5.07ha and predominantly comprises agricultural land. The parcel will be accessed by a new junction from the existing Nynehead Road.
- 1.8 The Cost Plan contains the following:
- Vegetation clearance, protection, and management
 - Earthworks
 - General site clearance & enabling works.
 - On-site highway infrastructure / Off-site highway works
 - Foul and surface drainage along the development roads
 - Foul water and Surface water / SuDs strategy
 - Service supply connections, diversions, and distribution.
 - Landscaping
 - Archaeological and ecological mitigation
 - Fees & contingency
- 1.9 All rates within the cost plan include preliminaries, profits & overheads at a total of 19%.

2 Assumptions

Appraisal

- 2.1 Costs assume works are completed in a single phase, with free access to all working areas along a continuous work front.
- 2.2 Highways and drainage will be adopted as indicated in the approved plans.
- 2.3 All costs are at present day without indexation.

3 Cost Exclusions

- 3.1 VAT
- 3.2 Financing costs.
- 3.3 LPA Planning costs.

4 Infrastructure Costs

- 4.1 While standard plot build costs include the roads and services along the frontage of the individual properties together with all associated works within the curtilage of the property, it is necessary to include the other development costs in order to provide an accurate assessment of overall construction costs. Accordingly, this section of the report outlines infrastructure and abnormal costs for the proposed development. As such, this section includes costs that lie out with standard house building costs. When read in conjunction with the TCL Standard Build Cost report dated 20th March 2024, this report gives an indication of the costs associated with developing the site for viability purposes.
- 4.2 During the viability review process there have been a number of iterations of the infrastructure cost plan as follows;
 - 4.2.1 Baseline - The current baseline cost plan is dated 20th March 2024, this assumes 25% affordable housing, 200 new homes, new junction at Nynehead Road and all other infrastructure etc. as per the most recent planning application submission (registered on 7th March 2024).
 - 4.2.2 Second Cost plan update - The second update cost plan is dated 30th March 2024, still based on the full target provision of 25% affordable housing, This is an update following a Teams call with Council officers on 27th March and subsequent emails, which reduces the play area and 'play on the way' allowances, and removes the works associated with the Toucan crossing (as this was identified as a double counted item with the active travel contribution). The utilities diversions associated with these works were also removed. All other elements remain as the baseline cost plan. To ensure consistency with the third update (see below) an alternative version of the second update (Cost Update 2a) has been produced to reflect the reduced nutrient neutrality costs that WOED confirmed (on 3rd April) that they have been able to secure.
 - 4.2.3 Third Cost plan update - The third update dated 3rd April 2024, builds on the 30th March update but now assumes 0% affordable homes, and as such removes bike stores and the Cat 2 and 3 housing standards. This update now also reflects the reduced nutrient neutrality costs which WOED have now been able to secure.

4.3 The development infrastructure costs break down as follows:

Summary Sheet	Baseline (20/3/24)	2 nd Update (30/3/24)	3 rd Update (3/4/24)
Land Preparation and Enabling Works	£ 923,644	£ 923,644	£ 923,644
S106 requirements and works	£ Excluded	£ Excluded	£ Excluded
Highway Works	£ 4,262,462	£ 4,164,542	£ 4,164,542
Flood Risk and Drainage	£ 2,948,065	£ 2,948,065	£ 2,948,065
Utilities	£ 1,114,658	£ 1,089,658	£ 1,089,658
Landscaping	£ 1,782,713	£ 1,645,833	£ 1,645,833
Archaeology and Ecology	£ 1,718,550	£ 1,718,550	£ 1,336,600
Plot Abnormals	£ 3,171,402	£ 3,171,402	£ 2,889,402
Professional Fees	£ 1,754,622	£ 1,726,044	£1,653,009
Risk and Contingency	£ 1,624,724	£ 1,598,744	£ 1,532,349
Total	£ 19,300,840	£ 18,986,482	£ 18,183,102
Cost per dwelling	£ 96,504	£ 94,932	£90,916

4.4 The final iteration of the total infrastructure and abnormal costs of **£ 18,183,102** amounts to **£ 90,916 per plot**.

4.5 At **£ 90,916 per plot**, the total of infrastructure works requirements and abnormal costs lie within the top end of the range typical for a development of this nature, given the additional infrastructure carried by each plot.

4.6 The abnormal elements on this site which are over and above ‘*typical abnormalities*’ include the site clearance, including demolition, earthworks, foul pumped rising main to the off-site Point of Connection (PoC), surface water system of attenuation basins and swales, deepened and piled foundations and beam and block flooring and working to the relevant Building Regulations standards. A further element above ‘*typical abnormalities*’ is the high-quality palette of materials that are being used on both the dwellings themselves and also the street scene to meet the aspirations of the Local Planning Authority.

Cost Heading Commentary

4.7 The following paragraphs provide descriptions of the various elements in the cost schedule, with the paragraph numbers reflecting the cost plan reference numbers as contained in Appendix 1.

Item	Description
1 – 3	Hedgerow and shrubbery clearance, Tree Removal and Trimming of retained trees and hedgerows: Although the vast majority of existing hedgerows on site will be retained, there are some areas of hedgerows and small trees that will require clearance in order to undertake the development. These works must be undertaken outside of the bird nesting season in order to undertake the works efficiently.

Terrus has reviewed proposed illustrative masterplan, drawing 0740-V4-1005 Rev F and existing topographical survey drawings and assessed the required tree and hedgerow clearance consistent with the proposed Site Layout. The Site Layout plan identifies the hedgerows, trees, and shrubbery to be retained, with the remaining areas removed to facilitate the development proposals.

- 4 **Tree and hedgerow protection and management:** Any existing hedgerows and trees that are adjacent to proposed highways or residential development will need to be managed, maintained, and protected during construction. These costs allow for cutting / trimming and scaffold-supported Heras fencing to be erected adjacent to the hedgerows to the necessary standard of BS5837.

Terrus has reviewed the Location Plan drawing 0740-101-1 C and assessed the required tree and hedgerow clearance consistent with the proposed Site Layout.

- 5 **Cut & fill earthworks:** The site slopes relatively gently as detailed on the topographical surveys, falling from the south-west to the north east, on what appears to be around a 1:24 slope. It is therefore apparent that *the* roads and plots will need some levelling to create more suitable levels.

The earthworks strategy, once developed, is expected to be a mainly cut and fill earthworks, with an average cut and fill level of 0.25m across the site assumed for costing purposes to bring site slopes within the 10% limit that is considered suitable for a building parcel and a balanced cut and fill exercise to achieve this has been allowed.

- 6 **Earth bank and dog fence:** This requirement is shown as a section detailed on 'Typical Section Through Earth Bank' drawing 0740-1013, with the length measured from Illustrative Master Plan drawing 0740-V4-1005 Rev F.
-

- 7 **Palisade fencing to Network Rail boundary:** This requirement is noted in Network Rail's consultation response and the length has been taken from the redline perimeter adjacent to Network Rail's land shown on the Illustrative Master Plan drawing 0740-V4-1005 Rev F.
-

- 8 **General site clearance:** Due to the nature of the site, a cost allowance is provided for any unidentified mitigation that may arise between the site investigation being undertaken and the housebuilder mobilising to site. The allowance included will cover any costs of potential fly tipping and remediation of made ground (not identified in the site investigation).
-

- 9 **Section 106 contributions:** The specific financial requirements of the S106 agreement are being dealt with by BVL.
-

- 10 **CIL:** The Community Infrastructure Levy ("CIL") has been adopted by the local planning authority, and the specific financial requirements of the CIL are being dealt with by BVL.
-

- 11-15 **On-site Highway works:** (to access the development) Terrus has included the cost of the modified Lidl / Nynehead Road access junction off the existing Nynehead Road, in accordance with Miles White drawing "Proposed Access Arrangement 20017-SK01 Rev A", along with the lengths of abnormal Access Street & Shared Surface roads which would be necessary to gain access to the site. Terrus has measured these on-site lengths of road from the Principles Plan - Routes & Movement drawing "V3 0740-V3-1007-1".

The construction thickness has been assumed as follows:

- Capping 600mm
- Sub-base 150mm
- Base Course 150mm
- Binder Course 60mm
- Wearing Course 40mm

Total Construction Thickness 1000mm

In the absence of detailed design, allowances have been made for road gullies at an average 15m spacing on both sides of the road, gully connections, carriageway drainage, catch-pits at 30m spacing, excavation for construction of the road and footpaths, road and footpath construction including anti-skid surfacing at junctions, rumble strips, kerbing, street furniture, signage, road lighting and traffic management.

16, 17 **Off-site Highways:** The off-site highways works which are anticipated have been covered within the S106 contributions and therefore to include them within this infrastructure cost plan would be a duplication as noted by Simon Fox in his email of 28th March 2024.

18,19 **Bonds:** Local authorities require performance bonds to ensure the works are completed to a satisfactory standard. This is typically provided by the NHBC or similar bonding organisations. Terrus have included a rate of 3% for bond premiums based on the total capital costs of the associated site access costs (CP Ref: 11) and associated Section 38 roads (CP Ref 12-14).

20 **Committed sums:** Commuted sums are paid to local authorities and usually included within the S278 or S38 agreements. They are financial provisions for the maintenance of '*non-standard*' elements of roads inclusive of surface treatment, verges, street trees, lighting columns, pedestrian guard rails, kerbs, additional structures such as bridges, and the like.

Our view is that the road design proposed contains a number of '*non-standard*' elements and thus a commuted sum would be necessary.

21,22 **Pre-adoption maintenance and adoptions:** Pre-adoption maintenance and highway adoptions have been calculated as 2% and 10% of the total highway infrastructure costs, respectively.

At the end of the normal Contractor's maintenance period, it is normal that the house builder needs to maintain any common infrastructure highways for a period until they can be adopted by the authority. During this period, minor remedial works will be needed, winter gritting and the electricity for lighting paid by the developer.

Additionally, during the normal Contractor's maintenance period, damage often occurs that lies outside of the normal contractual obligations. This item covers the cost of these contingent liabilities.

23-27 **Foul drainage:** It is assumed that the foul network will follow the routes of the on-site highways and as such, costs have been included for drainage, in line with the highway cost calculations above. Allowances have been made for 150mm to 450mm sized pipes with 1,200mm to 1,500mm diameter manholes at an average spacing of 18m.

Under the updated Water Industry Act 1991 and Ofwat guidance, off-site reinforcement works are now recovered via the water infrastructure charges, and as such the developer will only be required to connect into the nearest suitably sized manhole, which has been identified.

This parcel has the specific need for an off-site pumped foul connection in order to connect into the suggested Point of Connection, which as stated in the Flood Risk Assessment (FRA) and the pumpstation, storage, rising main and abandonment of the exiting rising main crossing the site have been measured and costed separately.

28-34 **Surface drainage:** It is anticipated that the parcel surface network will follow the routes of the on-site highways flowing towards the proposed attenuation tank and as such, costs have been included for non-frontage drainage, in line with the highway cost calculations above. Allowances have been made for 300mm to 750mm sized pipes with 1,200mm to 2100mm diameter manholes at an average spacing of 18m.

In addition, there is a quantity of off-carriageway drainage to link the surface water drainage system into the two attenuation basins, and then to the discharge point.

The Flood Risk Assessment (FRA) details the required volume of attenuation via basins and swales, prior to discharge to the existing watercourse at the boundary of the site via the existing Network Rail culvert.

There have been remedial works noted as being required to the Network Rail culvert through the railway embankment in order to carry the additional flows from the development as identified by Network Rails correspondence in October 2023, and while the scope of the works has not yet been defined a suitable allowance has been made for these works.

35 **S104 Bonds:** Water authorities require performance bonds to ensure the works are completed to a satisfactory standard. This is typically provided by the NHBC or similar bonding organisations. Terrus have included a rate of 3% for bond premiums based on the total capital costs of the associated Foul drainage works (CP Ref: 23-27) and associated Surface drainage works (CP Ref 28-34).

36-38 **Pre-adoption maintenance and adoptions:** Pre-adoption maintenance and drainage adoptions have each been calculated as 2% for pre-adoption maintenance and 2.5% for drainage adoptions of the total drainage infrastructure costs, respectively.

At the end of the normal Contractor's maintenance period, it is normal that the house builder needs to maintain any common infrastructure drainage for a period until they can be adopted by the water authority.

Additionally, during the normal Contractor's maintenance period, damage often occurs that lies outside their normal contractual obligations. This item covers the cost of these contingent liabilities.

39-42 **Utility supplies:** A National grid budget quotation for the electrical supply to the site has been adopted in the cost plan. For the water supply, In the absence of detailed supply quotation, it has been assumed that the adjacent local area has sufficient capacity for serving this site and all that will be required would be connecting into the existing supplies. This assumption will be reviewed in the event that utility supply quotations are received.

BT Openreach will make payments to the developer for 11 or more plots. A rebate of £140/plot is therefore made to allow for this; however, it assumed that on a small development such as this the telecoms will be cost neutral once chambers and free-issue chamber lids, and ducting has been installed to facilitate the servicing of the site.

No gas supply has been allowed for the site since it assumed that following outline planning and the subsequent Reserved Matters approval the requirements of Future homes Standards will apply, with heating being provided by additional Photo-Voltaic (PV) panels or Air Source Heat Pumps (ASHP).

43-46 **Diversions:** From the topographical survey it has been identified that there are existing power lines crossing the site and allowance has been made for the diversion and undergrounding of these cables through the development.

In addition, there is a BT pole at the Nynehead Road junction that will require relocation or undergrounding of the telecom cables.

A further allowance has been made for diverting any affected underground utilities in the Nynehead Road junction affected by the construction of the S278 access.

47, 48 **Utility civils:** Given the likely start on site it is considered likely that the impending Future Homes Standards would be implemented on this site, and that the site will only be served by electricity.

However, given that all heating will now be provided by electricity and the adoption of EV charging, would mean that an enhanced level of electrical supply will be required to the site, and will require the provision of 4nr dedicated electrical substations on site.

49-54 **Landscaping:** The proposed landscape layout drawings detail a number of landscape typologies across the site and include extensive areas of ecological mitigation landscaping for bat mitigation and aquatic planting to the attenuation basins.

55-59 **Play areas:** In discussion with Somerset Council planning officers, it has been agreed that an enhanced NEAP and isolated areas of play on the way will be dispersed through the site and suitable allowances have been included within the cost plan.

60-63 **Footways:** Provision has been made for the off-carriageway footways shown in the landscape areas and a linking cycleway to the proposed train station as shown on the masterplan, along with bridges to cross the swales within the landscaping areas.

64 **General POS furniture:** In the absence of detailed design, a blended rate of £0.50/m² has been included for public open space furniture for items such as, but not limited to; bins, dog bins, lifebuoys, benches, picnic benches, signage, bike shelters, and so on.

65, 66 **Maintenance:** Prior to the transfer of the public open space (POS) to a Local Authority or handing over to a Management Company (“ManCo”), the developer will be required to maintain the POS areas, until the Local Authority or ManCo takes over responsibility for maintenance.

An allowance has also been made for the costs of voids to the Estate Rent charge and setup costs for the ManCo contract prior to full receipts flowing in from occupied properties.

67 **Archaeological investigations:** In the absence of detail archaeological requirements a provisional allowance has been made pending specialist advice.

68-75 **Ecological Mitigation:** The various elements of the Ecological mitigation measures have been priced and allowances made for each in the cost assessment.

A provisional allowance has been made for the provision of nutrient neutrality and Bio-diversity Net Gain (BNG) as required by the Local Planning Authority.

76-85 **Plot Abnormals:** The detailed housing designs have been reviewed and abnormal allowances made where necessary for;

- Abnormal foundations – the cut and fill activities, disturbed ground, and tree influence areas will necessitate non-standard foundations, in this case piled foundations and deepened foundations have been assumed in the absence of extensive Site Investigation or foundation designs.
 - Beam and block suspended slabs – arising from the need to have a piled foundation.
 - Elevational enhancements – the emerging design code indicates local vernacular features will be required to the properties.
-

86-93 **Renewable Energy and Sustainability:** It is anticipated that any future development will be required to adhere to the Future Homes Fabric requirements and has been allowed in the cost plan.

7KW car charging points are required to all individual properties with garages and communal / on-street charging areas to those properties without garages has been allowed.

94 **Fees:** Consultant fees are included as a percentage of the estimated infrastructure / abnormal works. Where third party cost advice included fees, these have been removed from this calculation.

Risk and Contingency: A view has been taken on the individual risk profiles of the elements within the cost plan and a banded risk/contingency applied from Band A to D, with Band A being the highest risk and Band D being the lowest.

Where third party cost advice included contingency allowances, these have been removed from this calculation.



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Appendix 1 - Infrastructure Cost Plans

Baseline Infrastructure Cost Plan

Summary Sheet

Development Criteria	
Number of residential units	200
Development gross area (ha)	17.280 As Planning Application Form dated 22/05/23
Development nett area (ha)	4.778 Residential only

Ref. No.	Land Preparation & Enabling Works	Measure	Unit	Rate	Sub-total
1	Hedgerow, hardstanding and shrubbery clearance	1	sum	£15,000	£15,000
2	Tree removal	0	nr	£470	£0
3	Trimming of retained trees & hedgerows	1	sum	£15,000	£15,000
4	Tree and hedgerow protection and management	1,648	m	£46	£75,812
5	Earthworks - site wide levelling	1	sum	£749,874	£749,874
6	Earth bank and dog fence	219	m	£90	£19,699
7	Palisade fencing to Network rail boundary	197	m	£190	£37,512
8	General site clearance	5	ha	£2,249	£10,748
SUB-TOTAL					£923,644

Risk Band	Contingency
B	£1,500
B	£0
B	£1,500
B	£7,581
B	£74,987
A	£2,955
A	£5,627
B	£1,075
£95,225	

Total
£16,500
£0
£16,500
£83,393
£824,861
£22,654
£43,138
£11,823
£1,018,869

Comments
Provisional Allowance
None noted , most hedgerows being retained within development
Provisional Allowance
As 0740-101-1 Rev C
Gently sloping site (c.1:24), cut and fill of 250mm across NDA assumed in absence of strategy
As drawing 0740-1013 dated October 2023, length as Masterplan Rev F
Redline perimeter to railway - 0740-V4-1005 Rev F - Illustrative M'plan as Consultation response
A function of the GDA

Ref. No.	Section 106 & CIL	Measure	Unit	Rate	Sub-total
9	Section 106 contributions	200	sum	£0	£0
10	CIL	0	m²	£0	£0
SUB-TOTAL					£0

Risk Band	Contingency
C	£0
D	£0
£0	

Total
£0
£0
£0

Comments
Included within BVL appraisal
Included within BVL appraisal

Ref. No.	Highway Works	Measure	Unit	Rate	Sub-total
On-Site Highway Works					
11	Proposed Site Access - from Nynehead Road	1	sum	£281,306	£281,306
12	Abnormal Primary highways	1	sum	£1,129,214	£1,129,214
13	Abnormal Secondary highways	1	sum	£735,770	£735,770
14	Abnormal Tertiary highways	1	sum	£1,043,075	£1,043,075
15	Amble strips / narrowings / tables	19	nr	£6,000	£114,000
Off-Site Highway Works					
16	Off-Site Highway Works - New Toucan and cycleway modification of Taunton Road	1	sum	£85,000	£85,000
17	Pedestrian / cycle access onto Taunton Road from POS (included in cycleways)	1	sum	£0	£0
Bonds					
18	Section 278 bonds	3%	%	£366,306	£10,989
19	Section 38 bonds	3%	%	£3,022,060	£90,662
Commutated Sums					
20	Commutated sums	1	sum	£359,065	£359,065
Highway Remedials					
21	Pre-adoption remedials	2%	%	£3,388,365	£67,767
Adoptions					
22	Highway adoptions	10%	%	£3,456,133	£345,613
SUB-TOTAL					£4,262,462

Risk Band	Contingency
B	£28,131
B	£112,921
B	£73,577
B	£104,308
B	£11,400
B	£8,500
B	£0
B	£1,099
B	£9,066
B	£35,906
B	£6,777
B	£34,561
£426,246	

Total
£309,437
£1,242,136
£809,347
£1,147,383
£125,400
£93,500
£0
£12,088
£99,728
£394,971
£74,544
£380,175
£4,688,708

Comments
As Miles White Proposed Access Arrangement 20017-SK01 Rev A
Hierarchy as set out in Principles Plan - Routes & Movement V3 0740-V3-1007-1
Hierarchy as set out in Principles Plan - Routes & Movement V3 0740-V3-1007-1
Hierarchy as set out in Principles Plan - Routes & Movement V3 0740-V3-1007-1
As Principles Plan - Routes & Movement V3 V3 0740-V3-1007-1
As Miles White Transport Assessment Plan dated 18th April 2023 / Rev F Masterplan / SK05 Rev A
As Miles White Transport Assessment Plan dated 18th April 2023
Bond premium of 3% assumed across the duration of which the bond is secured
Bond premium of 3% assumed across the duration of which the bond is secured
As schedule
Cost only associated with abnormal roads
Cost only associated with abnormal roads

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Ref. No.	Flood Risk & Drainage	Measure	Unit	Rate	Sub-total
Foul Drainage					
23	Abnormal foul drainage - Primary highways	1	sum	£218,807	£218,807
24	Abnormal foul drainage - Secondary highways	1	sum	£161,373	£161,373
25	Abnormal foul drainage - Tertiary highways	1	sum	£215,704	£215,704
26	Pump station and rising main to existing rising main	1	sum	£331,490	£331,490
27	Abandoning existing rising main	422	m	£45	£18,979
Surface Drainage					
28	Abnormal surface water drainage - Primary highways	1	sum	£252,919	£252,919
29	Abnormal surface water drainage - Secondary highways	1	sum	£184,100	£184,100
30	Abnormal surface water drainage - Tertiary highways	1	sum	£255,677	£255,677
31	Lined basin with associated infrastructure	1	sum	£776,917	£776,917
32	Works associated with Network Rail culvert	1	m	£150,000	£150,000
33	Bund / Silt fence	0	m	£30	£0
34	Swales	1	sum	£112,041	£112,041
Bonds					
35	Section 104 bonds	3%	%	£2,678,008	£80,340
Maintenance					
36	Maintenance prior to management company handover	1	sum	£67,868	£67,868
Drainage Remedials					
37	Pre-adoption remedials	2%	%	£2,678,008	£53,560
Adoptions					
38	Drainage adoptions	2.5%	%	£2,731,568	£68,289
SUB-TOTAL					£2,948,065

Risk Band	Contingency	Total	Comments		
B	£21,881	£240,688	Function of the abnormal Primary Road length		
B	£16,137	£177,510	Function of the abnormal Secondary Road length		
B	£21,570	£237,274	Function of the abnormal Tertiary Road length		
B	£33,149	£364,639	As 0740-C-P=0400-A Outline drainage strategy		
B	£1,898	£20,877	As 0740-C-P=0400-A Outline drainage strategy		
B	£25,292	£278,211	Function of the abnormal Primary Road length		
B	£18,410	£202,510	Function of the abnormal Secondary Road length		
B	£25,568	£281,245	Function of the abnormal Tertiary Road length		
B	£77,692	£854,609	As 0740-C-P=0400-A Outline drainage strategy		
A	£22,500	£172,500	Works currently undefined but NR correspondence 26/10/23		
A	£0	£0	Not applicable		
B	£11,204	£123,245	As 0740-C-P=0400-A Outline drainage strategy		
B	£8,034	£88,374	Bond premium of 3% assumed across the duration of which the bond is secured		
B	£6,787	£74,655	Value to maintain the SuD'S until handover to the appointed management company		
B	£5,356	£58,916	Cost only associated with abnormal drainage		
B	£6,829	£75,118	Cost only associated with abnormal drainage		
£302,307		£3,250,372			
Ref. No.	Utilities	Measure	Unit	Rate	Sub-total
Supply - To site boundary					
39	Electricity	1	sum	£632,781	£632,781
40	Gas	1	sum	£0	£0
41	Potable water	1	sum	£150,000	£150,000
42	Telecoms	0	sum	£0	£0
On-site diversions					
43	On site 11 / 33kv electricity cables	538	m	£140	£75,277
44	On-site telecoms	1	sum	£5,000	£5,000
Off-site diversions					
45	Site accesses	1	sum	£25,000	£25,000
46	Off-Site Highway Works - New Toucan and cycleway modification of Taunton Road	1	sum	£25,000	£25,000
Civils Works					
47	Gas - Governor	0	nr	£35,000	£0
48	Electricity - distribution sub-station - brick built	4	nr	£50,400	£201,600
SUB-TOTAL					£1,114,658

Risk Band	Contingency	Total	Comments
B	£63,278	£696,059	National Grid Budget Estimate dated 23rd August 2023
B	£0	£0	Assumed not required due to FHS
B	£15,000	£165,000	Provisional Allowance in the absence of utility supply quotation
B	£0	£0	Assumed nil cost after rebates
A	£11,291	£86,568	As topo 0740-100-1 Rev B and 100-2 Rev B
B	£500	£5,500	Telecoms pole on Nynhead Road
A	£3,750	£28,750	Provisional Allowance in the absence of C4 quotations
B	£2,500	£27,500	Provisional Allowance in the absence of C4 quotations
B	£0	£0	Assumed all Future Homes standard build out - therefore no gas
B	£20,160	£221,760	Increased loadings due to Future Homes - as National Grid budget estimate 23/08/23
£116,480		£1,231,137	

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Ref. No.	Landscaping	Measure	Unit	Rate	Sub-total
Open Space					
49	Strategic Green & Blue Infrastructure excl basins	21,153	m²	£12	£253,833
50	Green & Blue Infrastructure	18,200	m²	£9	£163,800
51	Aquatic planting	5,047	m²	£16	£80,756
52	Bat foraging area	44,131	m2	£6	£264,786
53	Trees	0	nr	£300	£0
54	Maintenance of existing green space	0	m²	£12	£0
Areas of Play					
55	Local Area of Play (LAP)	0	nr	£35,000	£0
56	LEAP	1	nr	£85,000	£85,000
57	Neighbourhood Area of Play (NEAP)	1	nr	£135,000	£135,000
58	Play on the Way	6	nr	£15,000	£90,000
59	Sports pitches	0	nr	£0	£0
Footway / Cycleways					
60	Woodland path	250	m	£30	£7,500
61	POS Footpath 2m	116	m	£80	£9,281
62	Cycleways 3m	624	m	£120	£74,843
63	Bridges over swales for above	3	nr	£30,000	£90,000
POS Furniture					
64	General POS furniture	39,353	m²	£0.50	£19,676
Maintenance					
65	Maintenance prior to management company handover	1	sum	£408,238	£408,238
66	Setting up and seed-funding ManCo prior to sufficient ER receipts	1	sum	£100,000	£100,000
SUB-TOTAL					£1,782,713

Risk Band	Contingency
B	£25,383
B	£16,380
B	£8,076
B	£26,479
B	£0
B	£0
B	£0
B	£8,500
B	£13,500
B	£9,000
B	£0
B	£750
B	£928
B	£7,484
B	£9,000
B	£1,968
B	£40,824
B	£10,000
£178,271	

Total
£279,216
£180,180
£88,832
£291,265
£0
£0
£0
£93,500
£148,500
£99,000
£0
£8,250
£10,209
£82,327
£99,000
£21,644
£449,062
£110,000
£1,960,984

Comments
Infrastructure only - plot landscaping within build costs as 0740-V4-1006 Rev C Land Budget Plan
As 0740-V4-1006 Rev C Land Budget Plan
As indicated on 0740-V4-1005 Rev F - Illustrative Masterplan
As indicated on 0740-V4-1005 Rev F - Illustrative Masterplan
Infrastructure only - plot trees within build costs
Included below
Provisional allowance in POS
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
None noted
Provisional allowance in POS
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
Allowance for dog bins, litter bins etc
Value to maintain the landscaping until handover to the appointed management company

Ref. No.	Archaeology and Ecology	Measure	Unit	Rate	Sub-total
67	Archaeological investigation	1	sum	£150,000	£150,000
68	Nutrient Neutrality	1	sum	£1,319,450	£1,319,450
69	General ecological mitigation	1	sum	£150,000	£150,000
70	Tree bricks - Green and Blue	0	nr	£48	£0
71	10% Bio-diversity net gain	1	sum	£75,000	£75,000
72	Bird boxes - Schwegler Type 1A	0	nr	£111	£0
73	Barn owl nesting box	1	nr	£300	£300
74	Bat tubes - Schwegler 1FR	100	nr	£183	£18,300
75	Hedgehog passes	220	nr	£25	£5,500
SUB-TOTAL					£1,718,550

Risk Band	Contingency
B	£15,000
B	£131,945
B	£15,000
B	£0
B	£7,500
B	£0
B	£30
B	£1,830
B	£550
£171,855	

Total
£165,000
£1,451,395
£165,000
£0
£82,500
£0
£330
£20,130
£6,050
£1,890,405

Comments
Provisional allowance - "Low archaeological significance" as AC Heritage statement dated April '23
As conclusion of Halpin Robbins report 01.027.001.04 dated 16th May 2023 (without wetland)
Provisional allowance - Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
None noted
As Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
None noted
As Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
Assumed one per two dwellings - Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
As Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023

Ref. No.	Plot Abnormals	Measure	Unit	Rate	Sub-total
Abnormal Foundations / Retaining Structures					
76	Retaining walls - av 2m high	0	m	£450	£0
77	Underbuild	0	m	£100	£0
78	Raised DPC / tanking	0	m	£60	£0
79	Plot draining to Soakaways	0	nr	£2,500	£0
80	Drives draining via smart gullies	0	nr	£500	£0
81	Abnormal foundations - trench fill	50	nr	£2,800	£140,000
82	Abnormal foundations - piled foundations	20	nr	£9,000	£180,000
83	Beam and block suspended slab	20	nr	£1,200	£24,000
84	Radon Protection - Basic	0	nr	£600	£0
Elevation Uplifts / Design code					
85	General Enhancements	192,913	ft2	£4	£771,652
86	7kW car charge points	175	nr	£950	£166,250
87	Infrastructure provision for on-street / courtyard car charging	6	nr	£1,200	£7,500
Sustainability / Renewables					
88	2020 Part L & F update building regs - Option 1 - 'Future Homes Fabric'	0	nr	£2,557	£0
89	2020 Part L & F update building regs - Option 2 - 'Fabric plus technology'	0	nr	£4,847	£0
90	Future Homes Standard	200	nr	£8,000	£1,600,000
91	Bike stores	140	nr	£450	£63,000
92	Category 2 standard equivalent to lifetime homes standards	80	nr	£1,800	£144,000
93	Wheelchair accessible Category 3 properties	5	nr	£15,000	£75,000
SUB-TOTAL					£3,171,402

Ref. No.	Professional fees / Payments	Measure	Unit	Rate	Sub-total
94	Professional fees	10%	%	£17,546,218	£1,754,622
SUB-TOTAL					£1,754,622

95	Total				£17,676,116
96	Total per dwelling		200 Dwellings		

Ref. No.	Risk and Contingency Summary	Measure	Unit	Sum	Total
97	Band A	15%	%	£651,488	£97,723
98	Band B	10%	%	£15,270,007	£1,527,001
99	Band C	5%	%	£0	£0
100	Band D	0%	%	£1,754,622	£0
101		9%		£17,676,116	£1,624,724

Risk Band	Contingency	Total	Comments
A	£0	£0	None anticipated, gently sloping site and cut and fill works mitigate
A	£0	£0	None anticipated, gently sloping site and cut and fill works mitigate
A	£0	£0	None anticipated, gently sloping site and cut and fill works mitigate
A	£0	£0	None noted
A	£0	£0	None noted
A	£21,000	£161,000	Allowance in absence of SI - In the vicinity of existing and removed hedgerows / areas of cut and fill
A	£27,000	£207,000	Allowance in absence of SI - In the vicinity of existing and removed hedgerows / areas of cut and fill
A	£3,600	£27,600	As piled foundations
B	£0	£0	No details on radon in area
B	£77,165	£848,817	As accommodation assumptions and requirements of DAS Issued 3 dated May '23
B	£16,625	£182,875	Assumed to all open market and shared points per affordable
B	£750	£8,250	Assumed to 25% of balance
B	£0	£0	
B	£0	£0	
B	£160,000	£1,760,000	As latest BCIS notes
B	£6,300	£69,300	Assumed to all affordable and to market with no garage
B	£14,400	£158,400	Assumed 25% of units
B	£7,500	£82,500	10% of affordable to be M4/3 wheelchair user dwelling as Affordable Consultee response June '23
£334,340		£3,505,742	

Risk Band	Contingency	Total	Comments
D	£0	£1,754,622	
£0		£1,754,622	

9%	£1,624,724	£19,300,840	
£0		£96,504	

£0			
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Second Cost plan update

Summary Sheet

Development Criteria	
Number of residential units	200
Development gross area (ha)	17.280 As Planning Application Form dated 22/05/23
Development nett area (ha)	4.778 Residential only

Ref. No.	Land Preparation & Enabling Works	Measure	Unit	Rate	Sub-total
1	Hedgerow, hardstanding and shrubbery clearance	1	sum	£15,000	£15,000
2	Tree removal	0	nr	£470	£0
3	Trimming of retained trees & hedgerows	1	sum	£15,000	£15,000
4	Tree and hedgerow protection and management	1,648	m	£46	£75,812
5	Earthworks - site wide levelling	1	sum	£749,874	£749,874
6	Earth bank and dog fence	219	m	£90	£19,699
7	Palisade fencing to Network rail boundary	197	m	£190	£37,512
8	General site clearance	5	ha	£2,249	£10,748
SUB-TOTAL					£923,644
Ref. No.	Section 106 & CIL	Measure	Unit	Rate	Sub-total
9	Section 106 contributions	200	sum	£0	£0
10	CIL	0	m²	£0	£0
SUB-TOTAL					£0
Ref. No.	Highway Works	Measure	Unit	Rate	Sub-total
On-Site Highway Works					
11	Proposed Site Access - from Nynehead Road	1	sum	£281,306	£281,306
12	Abnormal Primary highways	1	sum	£1,129,214	£1,129,214
13	Abnormal Secondary highways	1	sum	£735,770	£735,770
14	Abnormal Tertiary highways	1	sum	£1,043,075	£1,043,075
15	Rumble strips / narrowings / tables	19	nr	£6,000	£114,000
Off-Site Highway Works					
16	Off-Site Highway Works - New Toucan and cycleway modification of Taunton Road	0	sum	£85,000	£0
17	Pedestrian / cycle access onto Taunton Road from POS (included in cycleways)	1	sum	£0	£0
Bonds					
18	Section 278 bonds	3%	%	£281,306	£8,439
19	Section 38 bonds	3%	%	£3,022,060	£90,662
Commutated Sums					
20	Commutated sums	1	sum	£359,065	£359,065
Highway Remedials					
21	Pre-adoption remedials	2%	%	£3,303,365	£66,067
Adoptions					
22	Highway adoptions	10%	%	£3,369,433	£336,943
SUB-TOTAL					£4,164,542

Risk Band	Contingency
B	£1,500
B	£0
B	£1,500
B	£7,581
B	£74,987
A	£2,955
A	£5,627
B	£1,075
£95,225	
Risk Band	Contingency
C	£0
D	£0
£0	
Risk Band	Contingency
B	£28,131
B	£112,921
B	£73,577
B	£104,308
B	£11,400
B	£0
B	£0
B	£844
B	£9,066
B	£35,906
B	£6,607
B	£33,694
£416,454	

Total	
£16,500	
£0	
£16,500	
£83,393	
£824,861	
£22,654	
£43,138	
£11,823	
£1,018,869	
Total	
£0	
£0	
£0	
Total	
£309,437	
£1,242,136	
£809,347	
£1,147,383	
£125,400	
£0	
£0	
£9,283	
£99,728	
£394,971	
£72,674	
£370,638	
£4,580,996	

Comments
Provisional Allowance
None noted , most hedgerows being retained within development
Provisional Allowance
As 0740-101-1 Rev C
Gently sloping site (c.1:24), cut and fill of 250mm across NDA assumed in absence of strategy
As drawing 0740-1013 dated October 2023, length as Masterplan Rev F
Redline perimeter to railway - 0740-V4-1005 Rev F - Illustrative M'plan as Consultation response
A function of the GDA
Comments
Included within BVL appraisal
Included within BVL appraisal
Comments
As Miles White Proposed Access Arrangement 20017-SK01 Rev A
Hierarchy as set out in Principles Plan - Routes & Movement V3 0740-V3-1007-1
Hierarchy as set out in Principles Plan - Routes & Movement V3 0740-V3-1007-1
Hierarchy as set out in Principles Plan - Routes & Movement V3 0740-V3-1007-1
As Principles Plan - Routes & Movement V3 V3 0740-V3-1007-1
Removed as SF email 280324
As Miles White Transport Assessment Plan dated 18th April 2023
Bond premium of 3% assumed across the duration of which the bond is secured
Bond premium of 3% assumed across the duration of which the bond is secured
As schedule
Cost only associated with abnormal roads
Cost only associated with abnormal roads

Ref. No.	Flood Risk & Drainage	Measure	Unit	Rate	Sub-total
Foul Drainage					
23	Abnormal foul drainage - Primary highways	1	sum	£218,807	£218,807
24	Abnormal foul drainage - Secondary highways	1	sum	£161,373	£161,373
25	Abnormal foul drainage - Tertiary highways	1	sum	£215,704	£215,704
26	Pump station and rising main to existing rising main	1	sum	£331,490	£331,490
27	Abandoning existing rising main	422	m	£45	£18,979
Surface Drainage					
28	Abnormal surface water drainage - Primary highways	1	sum	£252,919	£252,919
29	Abnormal surface water drainage - Secondary highways	1	sum	£184,100	£184,100
30	Abnormal surface water drainage - Tertiary highways	1	sum	£255,677	£255,677
31	Lined basin with associated infrastructure	1	sum	£776,917	£776,917
32	Works associated with Network Rail culvert	1	m	£150,000	£150,000
33	Bund / Silt fence	0	m	£30	£0
34	Swales	1	sum	£112,041	£112,041
Bonds					
35	Section 104 bonds	3%	%	£2,678,008	£80,340
Maintenance					
36	Maintenance prior to management company handover	1	sum	£67,868	£67,868
Drainage Remedials					
37	Pre-adoption remedials	2%	%	£2,678,008	£53,560
Adoptions					
38	Drainage adoptions	2.5%	%	£2,731,568	£68,289
SUB-TOTAL					£2,948,065

Risk Band	Contingency	Total	Comments
B	£21,881	£240,688	Function of the abnormal Primary Road length
B	£16,137	£177,510	Function of the abnormal Secondary Road length
B	£21,570	£237,274	Function of the abnormal Tertiary Road length
B	£33,149	£364,639	As 0740-C-P=0400-A Outline drainage strategy
B	£1,898	£20,877	As 0740-C-P=0400-A Outline drainage strategy
B	£25,292	£278,211	Function of the abnormal Primary Road length
B	£18,410	£202,510	Function of the abnormal Secondary Road length
B	£25,568	£281,245	Function of the abnormal Tertiary Road length
B	£77,692	£854,609	As 0740-C-P=0400-A Outline drainage strategy
A	£22,500	£172,500	Works currently undefined but NR correspondence 26/10/23
A	£0	£0	Not applicable
B	£11,204	£123,245	As 0740-C-P=0400-A Outline drainage strategy
B	£8,034	£88,374	Bond premium of 3% assumed across the duration of which the bond is secured
B	£6,787	£74,655	Value to maintain the SuD'S until handover to the appointed management company
B	£5,356	£58,916	Cost only associated with abnormal drainage
B	£6,829	£75,118	Cost only associated with abnormal drainage
SUB-TOTAL		£3,250,372	

Ref. No.	Utilities	Measure	Unit	Rate	Sub-total
Supply - To site boundary					
39	Electricity	1	sum	£632,781	£632,781
40	Gas	1	sum	£0	£0
41	Drinking water	1	sum	£150,000	£150,000
42	Telecoms	0	sum	£0	£0
On-site diversions					
43	On site 11 / 33kv electricity cables	538	m	£140	£75,277
44	On-site telecoms	1	sum	£5,000	£5,000
Off-site diversions					
45	Site accesses	1	sum	£25,000	£25,000
46	Off-Site Highway Works - New Toucan and cycleway modification of Taunton Road	0	sum	£25,000	£0
Civils Works					
47	Gas - Governor	0	nr	£35,000	£0
48	Electricity - distribution sub-station - brick built	4	nr	£50,400	£201,600
SUB-TOTAL					£1,089,658

Risk Band	Contingency	Total	Comments
B	£63,278	£696,059	National Grid Budget Estimate dated 23rd August 2023
B	£0	£0	Assumed not required due to FHS
B	£15,000	£165,000	Provisional Allowance in the absence of utility supply quotation
B	£0	£0	Assumed nil cost after rebates
A	£11,291	£86,568	As topo 0740-100-1 Rev B and 100-2 Rev B
B	£500	£5,500	Telecoms pole on Nynhead Road
A	£3,750	£28,750	Provisional Allowance in the absence of C4 quotations
B	£0	£0	Removed as SF email 280324
B	£0	£0	Assumed all Future Homes standard build out - therefore no gas
B	£20,160	£221,760	Increased loadings due to Future Homes - as National Grid budget estimate 23/08/23
SUB-TOTAL		£1,203,637	

Ref. No.	Landscaping	Measure	Unit	Rate	Sub-total
Open Space					
49	Strategic Green & Blue Infrastructure excl basins	21,153	m²	£12	£253,833
50	Green & Blue Infrastructure	18,200	m²	£9	£163,800
51	Aquatic planting	5,047	m²	£16	£80,756
52	Bat foraging area	44,131	m2	£6	£264,786
53	Trees	0	nr	£300	£0
54	Maintenance of existing green space	0	m²	£12	£0
Areas of Play					
55	Local Area of Play (LAP)	0	nr	£35,000	£0
56	LEAP	0	nr	£85,000	£0
57	Neighbourhood Area of Play (NEAP)	1	nr	£150,000	£150,000
58	Play on the Way	1	sum	£50,000	£50,000
59	Sports pitches	0	nr	£0	£0
Footway / Cycleways					
60	Woodland path	250	m	£30	£7,500
61	POS Footpath 2m	116	m	£80	£9,281
62	Cycleways 3m	624	m	£120	£74,843
63	Bridges over swales for above	3	nr	£30,000	£90,000
POS Furniture					
64	General POS furniture	39,353	m²	£0.50	£19,676
Maintenance					
65	Maintenance prior to management company handover	1	sum	£381,358	£381,358
66	Setting up and seed-funding ManCo prior to sufficient ER receipts	1	sum	£100,000	£100,000
SUB-TOTAL					£1,645,833

Risk Band	Contingency
B	£25,383
B	£16,380
B	£8,076
B	£26,479
B	£0
B	£0
B	£0
B	£0
B	£15,000
B	£5,000
B	£0
B	£750
B	£928
B	£7,484
B	£9,000
B	£1,968
B	£38,136
B	£10,000
£164,583	

Total
£279,216
£180,180
£88,832
£291,265
£0
£0
£0
£0
£165,000
£55,000
£0
£8,250
£10,209
£82,327
£99,000
£21,644
£419,494
£110,000
£1,810,416

Comments
Infrastructure only - plot landscaping within build costs as 0740-V4-1006 Rev C Land Budget Plan
As 0740-V4-1006 Rev C Land Budget Plan
As indicated on 0740-V4-1005 Rev F - Illustrative Masterplan
As indicated on 0740-V4-1005 Rev F - Illustrative Masterplan
Infrastructure only - plot trees within build costs
Included below
Provisional allowance in POS
Replaced by below
Super NEAP' - as suggested by SF 270324
Play pot' as suggested by SF 270324
None noted
Provisional allowance in POS
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
Allowance for dog bins, litter bins etc
Value to maintain the landscaping until handover to the appointed management company

Ref. No.	Archaeology and Ecology	Measure	Unit	Rate	Sub-total
67	Archaeological investigation	1	sum	£150,000	£150,000
68	Nutrient Neutrality	1	sum	£937,500	£937,500
69	General ecological mitigation	1	sum	£150,000	£150,000
70	Tree bricks - Green and Blue	0	nr	£48	£0
71	10% Bio-diversity net gain	1	sum	£75,000	£75,000
72	Bird boxes - Schwegler Type 1A	0	nr	£111	£0
73	Barn owl nesting box	1	nr	£300	£300
74	Bat tubes - Schwegler 1FR	100	nr	£183	£18,300
75	Hedgehog passes	220	nr	£25	£5,500
SUB-TOTAL					£1,336,600

Risk Band	Contingency
B	£15,000
B	£93,750
B	£15,000
B	£0
B	£7,500
B	£0
B	£30
B	£1,830
B	£550
£133,660	

Total
£165,000
£1,031,250
£165,000
£0
£82,500
£0
£330
£20,130
£6,050
£1,470,260

Comments
Provisional allowance - "Low archaeological significance" as AC Heritage statement dated April '23
As conclusion of Halpin Robbins report 01.027.001.04 dated 16th May 2023 (without wetland)
Provisional allowance - Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
None noted
As Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
None noted
As Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
Assumed one per two dwellings - Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
As Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023

082960280

Third Cost plan update

Summary Sheet

Development Criteria	
Number of residential units	200
Development gross area (ha)	17.280 As Planning Application Form dated 22/05/23
Development nett area (ha)	4.778 Residential only

Ref. No.	Land Preparation & Enabling Works	Measure	Unit	Rate	Sub-total	Risk Band	Contingency	Total	Comments
1	Hedgerow, hardstanding and shrubbery clearance	1	sum	£15,000	£15,000	B	£1,500	£16,500	Provisional Allowance
2	Tree removal	0	nr	£470	£0	B	£0	£0	None noted , most hedgerows being retained within development
3	Trimming of retained trees & hedgerows	1	sum	£15,000	£15,000	B	£1,500	£16,500	Provisional Allowance
4	Tree and hedgerow protection and management	1,648	m	£46	£75,812	B	£7,581	£83,393	As 0740-101-1 Rev C
5	Earthworks - site wide levelling	1	sum	£749,874	£749,874	B	£74,987	£824,861	Gently sloping site (c.1:24), cut and fill of 250mm across NDA assumed in absence of strategy
6	Earth bank and dog fence	219	m	£90	£19,699	A	£2,955	£22,654	As drawing 0740-1013 dated October 2023, length as Masterplan Rev F
7	Palisade fencing to Network rail boundary	197	m	£190	£37,512	A	£5,627	£43,138	Redline perimeter to railway - 0740-V4-1005 Rev F - Illustrative M'plan as Consultation response
8	General site clearance	5	ha	£2,249	£10,748	B	£1,075	£11,823	A function of the GDA
SUB-TOTAL					£923,644		£95,225	£1,018,869	
Ref. No.	Section 106 & CIL	Measure	Unit	Rate	Sub-total	Risk Band	Contingency	Total	Comments
9	Section 106 contributions	200	sum	£0	£0	C	£0	£0	Included within BVL appraisal
10	CIL	0	m²	£0	£0	D	£0	£0	Included within BVL appraisal
SUB-TOTAL					£0		£0	£0	
Ref. No.	Highway Works	Measure	Unit	Rate	Sub-total	Risk Band	Contingency	Total	Comments
On-Site Highway Works									
11	Proposed Site Access - from Nynehead Road	1	sum	£281,306	£281,306	B	£28,131	£309,437	As Miles White Proposed Access Arrangement 20017-SK01 Rev A
12	Abnormal Primary highways	1	sum	£1,129,214	£1,129,214	B	£112,921	£1,242,136	Hierarchy as set out in Principles Plan - Routes & Movement V3 0740-V3-1007-1
13	Abnormal Secondary highways	1	sum	£735,770	£735,770	B	£73,577	£809,347	Hierarchy as set out in Principles Plan - Routes & Movement V3 0740-V3-1007-1
14	Abnormal Tertiary highways	1	sum	£1,043,075	£1,043,075	B	£104,308	£1,147,383	Hierarchy as set out in Principles Plan - Routes & Movement V3 0740-V3-1007-1
15	Double strips / narrowings / tables	19	nr	£6,000	£114,000	B	£11,400	£125,400	As Principles Plan - Routes & Movement V3 V3 0740-V3-1007-1
Off-Site Highway Works									
16	Off-Site Highway Works - New Toucan and cycleway modification of Taunton Road	0	sum	£85,000	£0	B	£0	£0	Removed as SF email 280324
17	Pedestrian / cycle access onto Taunton Road from POS (included in cycleways)	1	sum	£0	£0	B	£0	£0	As Miles White Transport Assessment Plan dated 18th April 2023
Bonds									
18	Section 278 bonds	3%	%	£281,306	£8,439	B	£844	£9,283	Bond premium of 3% assumed across the duration of which the bond is secured
19	Section 38 bonds	3%	%	£3,022,060	£90,662	B	£9,066	£99,728	Bond premium of 3% assumed across the duration of which the bond is secured
Commutated Sums									
20	Commutated sums	1	sum	£359,065	£359,065	B	£35,906	£394,971	As schedule
Highway Remedials									
21	Pre-adoption remedials	2%	%	£3,303,365	£66,067	B	£6,607	£72,674	Cost only associated with abnormal roads
Adoptions									
22	Highway adoptions	10%	%	£3,369,433	£336,943	B	£33,694	£370,638	Cost only associated with abnormal roads
SUB-TOTAL					£4,164,542		£416,454	£4,580,996	

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Ref. No.	Flood Risk & Drainage	Measure	Unit	Rate	Sub-total	Risk Band	Contingency	Total	Comments	
Foul Drainage										
23	Abnormal foul drainage - Primary highways	1	sum	£218,807	£218,807	R	B	£21,881	£240,688	Function of the abnormal Primary Road length
24	Abnormal foul drainage - Secondary highways	1	sum	£161,373	£161,373	R	B	£16,137	£177,510	Function of the abnormal Secondary Road length
25	Abnormal foul drainage - Tertiary highways	1	sum	£215,704	£215,704		B	£21,570	£237,274	Function of the abnormal Tertiary Road length
26	Pump station and rising main to existing rising main	1	sum	£331,490	£331,490	*	B	£33,149	£364,639	As 0740-C-P=0400-A Outline drainage strategy
27	Abandoning existing rising main	422	m	£45	£18,979		B	£1,898	£20,877	As 0740-C-P=0400-A Outline drainage strategy
Surface Drainage										
28	Abnormal surface water drainage - Primary highways	1	sum	£252,919	£252,919	R	B	£25,292	£278,211	Function of the abnormal Primary Road length
29	Abnormal surface water drainage - Secondary highways	1	sum	£184,100	£184,100	R	B	£18,410	£202,510	Function of the abnormal Secondary Road length
30	Abnormal surface water drainage - Tertiary highways	1	sum	£255,677	£255,677		B	£25,568	£281,245	Function of the abnormal Tertiary Road length
31	Lined basin with associated infrastructure	1	sum	£776,917	£776,917	*	B	£77,692	£854,609	As 0740-C-P=0400-A Outline drainage strategy
32	Works associated with Network Rail culvert	1	m	£150,000	£150,000	*	A	£22,500	£172,500	Works currently undefined but NR correspondence 26/10/23
33	Bund / Silt fence	0	m	£30	£0		A	£0	£0	Not applicable
34	Swales	1	sum	£112,041	£112,041		B	£11,204	£123,245	As 0740-C-P=0400-A Outline drainage strategy
Bonds										
35	Section 104 bonds	3%	%	£2,678,008	£80,340		B	£8,034	£88,374	Bond premium of 3% assumed across the duration of which the bond is secured
Maintenance										
36	Maintenance prior to management company handover	1	sum	£67,868	£67,868		B	£6,787	£74,655	Value to maintain the SuD'S until handover to the appointed management company
Drainage Remedials										
37	Pre-adoption remedials	2%	%	£2,678,008	£53,560		B	£5,356	£58,916	Cost only associated with abnormal drainage
Adoptions										
38	Drainage adoptions	2.5%	%	£2,731,568	£68,289		B	£6,829	£75,118	Cost only associated with abnormal drainage
SUB-TOTAL					£2,948,065			£302,307	£3,250,372	
Utilities										
Supply - To site boundary										
39	Electricity	1	sum	£632,781	£632,781	*	B	£63,278	£696,059	National Grid Budget Estimate dated 23rd August 2023
40	Gas	1	sum	£0	£0		B	£0	£0	Assumed not required due to FHS
41	Potable water	1	sum	£150,000	£150,000		B	£15,000	£165,000	Provisional Allowance in the absence of utility supply quotation
42	Telecoms	0	sum	£0	£0		B	£0	£0	Assumed nil cost after rebates
On-site diversions										
43	On site 11 / 33kv electricity cables	538	m	£140	£75,277		A	£11,291	£86,568	As topo 0740-100-1 Rev B and 100-2 Rev B
44	On-site telecoms	1	sum	£5,000	£5,000		B	£500	£5,500	Telecoms pole on Nynhead Road
Off-site diversions										
45	Site accesses	1	sum	£25,000	£25,000		A	£3,750	£28,750	Provisional Allowance in the absence of C4 quotations
46	Off-Site Highway Works - New Toucan and cycleway modification of Taunton Road	0	sum	£25,000	£0		B	£0	£0	Removed as SF email 280324
Civils Works										
47	Gas - Governor	0	nr	£35,000	£0		B	£0	£0	Assumed all Future Homes standard build out - therefore no gas
48	Electricity - distribution sub-station - brick built	4	nr	£50,400	£201,600		B	£20,160	£221,760	Increased loadings due to Future Homes - as National Grid budget estimate 23/08/23
SUB-TOTAL					£1,089,658			£113,980	£1,203,637	

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Ref. No.	Landscaping	Measure	Unit	Rate	Sub-total
Open Space					
49	Strategic Green & Blue Infrastructure excl basins	21,153	m²	£12	£253,833
50	Green & Blue Infrastructure	18,200	m²	£9	£163,800
51	Aquatic planting	5,047	m²	£16	£80,756
52	Bat foraging area	44,131	m2	£6	£264,786
53	Trees	0	nr	£300	£0
54	Maintenance of existing green space	0	m²	£12	£0
Areas of Play					
55	Local Area of Play (LAP)	0	nr	£35,000	£0
56	LEAP	0	nr	£85,000	£0
57	Neighbourhood Area of Play (NEAP)	1	nr	£150,000	£150,000
58	Play on the Way	1	sum	£50,000	£50,000
59	Sports pitches	0	nr	£0	£0
Footway / Cycleways					
60	Woodland path	250	m	£30	£7,500
61	POS Footpath 2m	116	m	£80	£9,281
62	Cycleways 3m	624	m	£120	£74,843
63	Bridges over swales for above	3	nr	£30,000	£90,000
POS Furniture					
64	General POS furniture	39,353	m²	£0.50	£19,676
Maintenance					
65	Maintenance prior to management company handover	1	sum	£381,358	£381,358
66	Setting up and seed-funding ManCo prior to sufficient ER receipts	1	sum	£100,000	£100,000
SUB-TOTAL					£1,645,833

Risk Band	Contingency
B	£25,383
B	£16,380
B	£8,076
B	£26,479
B	£0
B	£0
B	£0
B	£0
B	£15,000
B	£5,000
B	£0
B	£750
B	£928
B	£7,484
B	£9,000
B	£1,968
B	£38,136
B	£10,000
£164,583	

Total	
£279,216	
£180,180	
£88,832	
£291,265	
£0	
£0	
£0	
£0	
£165,000	
£55,000	
£0	
£8,250	
£10,209	
£82,327	
£99,000	
£21,644	
£419,494	
£110,000	
£1,810,416	

Comments
Infrastructure only - plot landscaping within build costs as 0740-V4-1006 Rev C Land Budget Plan
As 0740-V4-1006 Rev C Land Budget Plan
As indicated on 0740-V4-1005 Rev F - Illustrative Masterplan
As indicated on 0740-V4-1005 Rev F - Illustrative Masterplan
Infrastructure only - plot trees within build costs
Included below
Provisional allowance in POS
Replaced by below
Super NEAP' - as suggested by SF 270324
Play pot' as suggested by SF 270324
None noted
Provisional allowance in POS
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
As noted on 0740-V4-1005 Rev F - Illustrative Masterplan
Allowance for dog bins, litter bins etc
Value to maintain the landscaping until handover to the appointed management company

Ref. No.	Archaeology and Ecology	Measure	Unit	Rate	Sub-total
67	Archaeological investigation	1	sum	£150,000	£150,000
68	Nutrient Neutrality	1	sum	£937,500	£937,500
69	General ecological mitigation	1	sum	£150,000	£150,000
70	Tree bricks - Green and Blue	0	nr	£48	£0
71	10% Bio-diversity net gain	1	sum	£75,000	£75,000
72	Bird boxes - Schwegler Type 1A	0	nr	£111	£0
73	Barn owl nesting box	1	nr	£300	£300
74	Wool tubes - Schwegler 1FR	100	nr	£183	£18,300
75	Badgerhog passes	220	nr	£25	£5,500
SUB-TOTAL					£1,336,600

Risk Band	Contingency
B	£15,000
B	£93,750
B	£15,000
B	£0
B	£7,500
B	£0
B	£30
B	£1,830
B	£550
£133,660	

Total	
£165,000	
£1,031,250	
£165,000	
£0	
£82,500	
£0	
£330	
£20,130	
£6,050	
£1,470,260	

Comments
Provisional allowance - "Low archaeological significance" as AC Heritage statement dated April '23
Revised costs as confirmed by Chris Winter on 5th March 2024
Provisional allowance - Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
None noted
As Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
None noted
As Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
Assumed one per two dwellings - Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023
As Halpin Robbins report 01.027.001.02_v2 dated 4th May 2023

Ref. No.	Plot Abnormals	Measure	Unit	Rate	Sub-total
Abnormal Foundations / Retaining Structures					
76	Retaining walls - av 2m high	0	m	£450	£0
77	Underbuild	0	m	£100	£0
78	Raised DPC / tanking	0	m	£60	£0
79	Plot draining to Soakaways	0	nr	£2,500	£0
80	Drives draining via smart gullies	0	nr	£500	£0
81	Abnormal foundations - trench fill	50	nr	£2,800	£140,000
82	Abnormal foundations - piled foundations	20	nr	£9,000	£180,000
83	Beam and block suspended slab	20	nr	£1,200	£24,000
84	Radon Protection - Basic	0	nr	£600	£0
Elevation Uplifts / Design code					
85	General Enhancements	192,913	ft2	£4	£771,652
86	7kW car charge points	175	nr	£950	£166,250
87	Infrastructure provision for on-street / courtyard car charging	6	nr	£1,200	£7,500
Sustainability / Renewables					
88	2020 Part L & F update building regs - Option 1 - 'Future Homes Fabric'	0	nr	£2,557	£0
89	2020 Part L & F update building regs - Option 2 - 'Fabric plus technology'	0	nr	£4,847	£0
90	Future Homes Standard	200	nr	£8,000	£1,600,000
91	Bike stores	0	nr	£450	£0
92	Category 2 standard equivalent to lifetime homes standards	0	nr	£1,800	£0
93	Wheelchair accessible Category 3 properties	0	nr	£15,000	£0
SUB-TOTAL					£2,889,402

Ref. No.	Professional fees / Payments	Measure	Unit	Rate	Sub-total
94	Professional fees	10%	%	£16,530,093	£1,653,009
SUB-TOTAL					£1,653,009

95	Total				£16,650,753
96	Total per dwelling	200 Dwellings			

Ref. No.	Risk and Contingency Summary	Measure	Unit	Sum	Total
97	Band A	15%	%	£651,488	£97,723
98	Band B	10%	%	£14,346,257	£1,434,626
99	Band C	5%	%	£0	£0
100	Band D	0%	%	£1,653,009	£0
101		9%		£16,650,753	£1,532,349

Risk Band	Contingency	Total	Comments
A	£0	£0	None anticipated, gently sloping site and cut and fill works mitigate
A	£0	£0	None anticipated, gently sloping site and cut and fill works mitigate
A	£0	£0	None anticipated, gently sloping site and cut and fill works mitigate
A	£0	£0	None noted
A	£0	£0	None noted
A	£21,000	£161,000	Allowance in absence of SI - In the vicinity of existing and removed hedgerows / areas of cut and fill
A	£27,000	£207,000	Allowance in absence of SI - In the vicinity of existing and removed hedgerows / areas of cut and fill
A	£3,600	£27,600	As piled foundations
B	£0	£0	No details on radon in area
B	£77,165	£848,817	As accommodation assumptions and requirements of DAS Issued 3 dated May '23
B	£16,625	£182,875	Assumed to all open market and shared points per affordable
B	£750	£8,250	Assumed to 25% of balance
B	£0	£0	
B	£0	£0	
B	£160,000	£1,760,000	As latest BCIS notes
B	£0	£0	Assumed to all affordable and to market with no garage
B	£0	£0	Assumed 25% of units
B	£0	£0	10% of affordable to be M4/3 wheelchair user dwelling as Affordable Consultee response June '23
SUB-TOTAL		£306,140	
		£3,195,542	

Risk Band	Contingency	Total	Comments
D	£0	£1,653,009	
SUB-TOTAL		£0	
		£1,653,009	





9%	£1,532,349	£18,183,102	
		£90,916	

£0

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Appendix 2 – Proposed Site Layout



-  APPLICATION BOUNDARY
-  LAND UNDER APPLICANTS CONTROL
-  SITE ACCESS
-  PEDESTRIAN & CYCLE CONNECTION
-  POTENTIAL FUTURE PEDESTRIAN/ CYCLE CONNECTION TO HALT/ STATION, ONWARD CONNECTION(S) BY OTHERS
-  PROPOSED TOUCAN CROSSING
-  EMERGENCY ACCESS
-  EXISTING VEGETATION / MATURE TREES / HEDGEROW
-  INDICATIVE LANDSCAPING
-  POTENTIAL LOCATION FOR FORMER TOP OF WELLINGTON MONUMENT
-  SECOND POTENTIAL LOCATION FOR FORMER MONUMENT
-  AREA OF PLAY IN HEART OF DEVELOPMENT, SUBJECT TO DETAILED DESIGN/RESERVED MATTERS/FURTHER NEGOTIATION FOR LEAP (400m²)/ NEAP (1000m²)
-  POTENTIAL FEATURE BUILDING
-  POTENTIAL RESIDENTIAL USE
-  POTENTIAL EMPLOYMENT USE
-  POTENTIAL MOBILITY HUB
-  MARKER BUILDINGS / BUILDING GROUPS / WAY-FINDERS
-  POTENTIAL SWALE
-  POTENTIAL ATTENUATION FEATURE
-  POTENTIAL FOUL WATER PUMPING STATION
-  RAIL LINK: BRISTOL - EXETER
-  TRANSPORT CONNECTIONS OFF STREET (BUS STOPS)
-  POTENTIAL PLAY ON THE WAY ACTIVITY
-  POTENTIAL WAY POINT / REST & PUBLIC ART / INTERPRETATION BOARD LOCATION
-  NEW NATIVE HEDGEROW/ THICKET/TREE PLANTING AND DOG PROOF FENCE
-  POTENTIAL BAT MITIGATION ZONE WITH STRUCTURED PLANTING (WITHIN LAND UNDER APPLICANTS CONTROL)
-  LAND RESERVED FOR PEDESTRIAN REFUGE FOR FUTURE HALT/ STATION

REVISIONS:

A. 2023-08-08. Red outline the boundaries related to features a revised revised open space, as per UPA comments. JPD

B. 2023-08-16. Western open space blue line strategy refined following agreement on ecological mitigation strategy. JPD

C. 2023-08-24. Station square and nearby bus stop, red and blue line boundaries, subject to agreement. NEAP and LEAP locations adjusted and final location for the former top of the Wellington monument adjusted following UPA discussion/feedback. JPD

D. 2024-01-12. Bat mitigation, pedestrian refuge area added to the north of the site, with associated strategy line treatment identified as UPA request. JPD

E. 2024-01-12. Further mitigation line identified to the north west (within the site), as UPA request. JPD

F. 2024-01-12. New strategy updated following UPA request. JPD



**Land North of Taunton Road,
Longforth Park, Wellington**

Standard Build Cost Report

Document Control Sheet

Document Title: Standard Build Cost Report
Document Ref: Build Cost Report 01
Project Name: Land North of Taunton Road, Longforth Park, Wellington
Document Prepared for: Belvedere Vantage Ltd
Document Status: Rev 0
Date: 20th March 2024

Contents

1	Introduction	1
2	Assumptions	3
3	Cost Exclusions	3
4	Build Cost Review	3

Appendices

Build Cost Schedule – Median (with Lower Quartile for Comparison)	Appendix 1
BCIS Build Cost Data	Appendix 2

1 Introduction

Conduct

- 1.1 Where relevant and appropriate, the Terrus Cost Report complies with the principles of the RICS Professional Statement Financial Viability in Planning: Conduct and Reporting 1st edition, May 2019, ('PSFVP May 19') active from 1 September 2019. As required by the PSFVP May 19, Terrus hereby confirms that;
- 1.1.1 The Terrus Build Cost Report has been undertaken by Jonathan White ('JW'), who is a '*suitably qualified practitioner*', and therefore able to give an objective, impartial and reasonable viability judgement. JW has some 28 years of post-qualification experience and is very experienced in advising a wide range of parties, on the costs of development, understanding the costs of both infrastructure and residential development and inputs from other professional disciplines and having appropriate and up-to-date knowledge of the planning system". JW provides specialist independent advice relating to development costs and advises a range of public and private sector clients, including local authorities, developers, landowners, and others. (PSFVP paragraph 1.2).
- 1.1.2 The Terrus Build Cost Report has been prepared with objectivity, impartially, without interference and with reference to all appropriate available sources of information (PSFVP paragraph 1.2.)
- 1.1.3 JW has been engaged by the Applicant to provide an independent and objective opinion on the costs associated with the proposed development.
- 1.1.4 No conflict, or risk of conflict of interest exists. (PSFVP Paragraph 2.2)
- 1.1.5 The Applicant has made no specific requests of JW, either at the start or during the process of preparing the Terrus Build Cost Report (PSFVP Paragraph 2.2).
- 1.1.6 That, in preparing the Terrus Build Cost Report, no performance-related or contingent fees have been agreed (PSFVP Paragraph 2.3).
- 1.1.7 The Terrus Build Cost Report has been formally signed off and dated by the author, along with details of qualifications held (PSFVP Paragraph 2.12).
- 1.1.8 That, where relevant, inputs to the Terrus Build Cost Report supplied by other contributors and all contributions to reports relating to assessments of viability, comply with the PSFVP (Paragraph 2.13);
- 1.1.9 In accordance with Section 4 of the PSFVP May 2019, Terrus confirms that the advice provided in the Terrus Build Cost Report represents 'the most effective and efficient way to deliver a reasonable development performance proportionate to the scheme being tested, and that, where relevant, these matters have been given full consideration in the Terrus Build Cost Report.

Introduction

- 1.2 Terrus Consulting is commissioned to provide an objective construction build cost report, for a development at Land North of Taunton Road, Longforth Park, Wellington to inform an Independent Financial Viability Assessment ('IFVA') being prepared by Belvedere Vantage Ltd ('BVL') in relation to a viability review relating to the above development which is being undertaken by West of England Developments Ltd.
- 1.3 The site is subject to an outline planning application for 200 dwellings (reference 43/23/0056), which was submitted to Somerset Council on 24th May 2023 and registered on 16th June 2023. The costs of the proposed scheme, based on the outline planning application drawings, have been considered within this report.

- 1.4 This build cost report considers the outlined 200 dwelling application scheme, which comprises:
- 200 dwellings.
 - A network of open spaces including parkland and footpaths for informal recreation.
 - New roads, parking areas, accesses, and paths.
 - Provision within the scheme for the spine road and enabling infrastructure to support the development of a rail halt/station.
 - Other ancillary activities; Including engineering operations, site preparation, ground works, the installation or improvement of services and infrastructure; the creation of drainage attenuation basins, improvements/works to the highway network and other ancillary works and activities.
- 1.5 The proposed development lies to the east of Wellington, Somerset and is bounded by Taunton Road to the South, an existing development to the west, the Bristol to Exeter railway to the north and open land to the eastern boundaries.
- 1.6 The residential site covers a developable area of approximately 5.07ha and predominantly comprises agricultural land. The parcel will be accessed by a new junction from the existing Nynehead Road.
- 1.7 The Build Cost Plan contains the following:
- Standard BCIS build cost plus allowance for plot externals, to be read in conjunction with the TCL Red Book cost plan for Abnormal Site Infrastructure.
 - Enhanced finishes.
 - Where relevant the above include contingency.

Infrastructure and site-specific Abnormal Costs are covered in a separate report.

2 Assumptions

Appraisal

- 2.1 Costs assume works are completed in a single phase, with free access to all working areas along a continuous work front.
- 2.2 All costs are at present day without indexation.

3 Cost Exclusions

- 3.1 VAT
- 3.2 Financing costs.
- 3.3 LPA Planning costs.

4 Build Costs

- 4.1 This report should be read in conjunction with the TCL Abnormal Infrastructure Cost Plan which has been prepared on an RICS Red Book basis.

- 4.2 This report covers the build cost of the dwelling itself, with an allowance for its own plot costs, such as private drives, paths, patios, fencing, plot drainage and landscaping. In addition, where appropriate, the plot cost will also cover the applicable costs of the estate road onto which the dwelling faces along with the relevant foul-, surface- water drainage and utilities distribution infrastructure associated with that fronted road.
- 4.3 When read in conjunction with the TCL Abnormal Infrastructure Cost Plan this report gives an indication of the costs associated with developing the site for viability purposes.

Cost Heading Commentary

- 4.4 The following paragraphs provide descriptions of the various elements in the build cost schedule.

Item	Description
1	Garages: The notional site accommodation schedule has assumed a number of garages will be delivered on the site.
2	Build Cost: BCIS build costs have been obtained for the locality of the development, Taunton Deane, and are based on 1 st Quarter 2024, which is being taken as the valuation date for the purposes of this report. The BCIS output is included at Appendix 2.

The Median value has been taken from the BCIS schedule since this development is being partially delivered by a regional SME housebuilder, and is not located in a major population centre, it is therefore considered an applicable base build cost for a development of this nature. However, the report also includes details of the BCIS 'Lower Quartile' value, for comparison purposes.

A 10% uplift is then added to the BCIS base build cost to account for as private drives, paths, patios, fencing, plot drainage and landscaping. In addition, where appropriate, the plot cost will also cover the applicable costs of the estate road onto which the dwelling faces along with the relevant foul-, surface- water drainage and utilities distribution infrastructure associated with that fronted road.

If the BCIS Lower Quartile rates were adopted a 15% uplift would be added the base build costs.

A 5% contingency has been added for unforeseen elements.

The Build Cost Schedule based on Median BCIS cost data is included at Appendix 1. As noted above, Lower Quartile BCIS cost data is also included for comparison purposes.



Jonathan White
BSc (Hons) MRICS

Appendix 1 – 200 Dwelling Scheme Build Cost Schedule – Median / Lower Quartile

GARAGES		nos.	sqft				
Market - Single	45			Assumed at 30% across Open market with 25% Affordable			
avg. size sqft		194					
Market - Double	15			Assumed at 10% across Open market with 25% Affordable			
avg. size sqft		362	all in rate				
			£40	£565,756	+ 5% Contingency	£594,044	
						Single each	£8,138
						Double each	£15,190
total							£42
	total	14,144					

Standard Build - Median				BCIS rates applied Q12024				
Private Market				GIA at 117.5% re apartments	BCIS Median rate RATE £/sqft GIA excludes garages	add externals 10%	plus 5% contingency	rate/sqft saleable area incl. contingency
Unit type	sqft av size	No	total sqft					
Flat rate assumed in absence of prescribed mix								
Open Market (75%)	144,685	1	144,685	148,146	£136.94	£150.63	£22,883,821	£158.16
Sub Totals	144,685	1	144,685	148,146		Sub total	£22,883,821	£158.16
								average all in rate
			Saleable area	GIA sqft		grand total (incl. garages)	£23,477,864	£162.27
Totals		1	144,685	148,146		avg build cost/unit	£177,863	based on saleable area

Build BCIS - 1Q2024		
Median - Taunton Deane	£/sqm	£/sqft
810. Housing mixed developments	1,474	136.94
340. Mixed commercial developments	1,192	110.74

Standard Build - Median				BCIS rates applied Q12024				
Affordable				GIA at 117.5% re apartments	BCIS Median rate RATE £/sqft GIA excludes garages	add externals 10%	plus 5% contingency	rate/sqft saleable area incl. contingency
Unit type	sqft av size	No	total sqft					
Flat rate assumed in absence of prescribed mix								
Affordable (25%)	48,228	1	48,228	49,382	£136.94	£150.63	£7,627,940	£158.16
Sub Totals	48,228	1	48,228	49,382		Sub total	£7,627,940	£158.16
								average all in rate
			Saleable area	GIA sqft		grand total (No garages)	£7,627,940	£158.16
						avg build cost/unit	£86,681	based on saleable area
Total			ft2 192,913	197,528				
			m2 17,922	18,351				

Build BCIS - 1Q2024		
Lower Quartile - Taunton Deane	£/sqm	£/sqft
810. Housing mixed developments	1,320	122.63
340. Mixed commercial developments	-	-

* 9th March BCIS update

Standard Build - Lower Quartile				BCIS rates applied Q12024				
Private Market				GIA at 117.5% re apartments	BCIS LQ rate RATE £/sqft GIA excludes garages	add externals 15%	plus 5% contingency	rate/sqft saleable area incl. contingency
Unit type	sqft av size	No	total sqft					
Flat rate assumed in absence of prescribed mix								
Open Market (75%)	144,685	1	144,685	148,146	£122.63	£141.03	£21,937,004	£151.62
Sub Totals	144,685	1	144,685	148,146		Sub total	£21,937,004	£151.62
								average all in rate
			Saleable area sqft	GIA sqft		grand total (incl. garages)	£22,531,047	£155.73
Totals		1	144,685	148,146		avg build cost/unit	£170,690	based on saleable area

Standard Build - Lower Quartile				BCIS rates applied Q12024				
Affordable				GIA at 117.5% re apartments	BCIS LQ rate RATE £/sqft GIA excludes garages	add externals 15%	plus 5% contingency	rate/sqft saleable area incl. contingency
Unit type	sqft av size	No	total sqft					
Flat rate assumed in absence of prescribed mix								
Affordable (25%)	48,228	1	48,228	49,382	£122.63	£141.03	£7,312,335	£151.62
Sub Totals	48,228	1	48,228	49,382		Sub total	£7,312,335	£151.62
								average all in rate
			Saleable area sqft	GIA sqft		grand total (No garages)	£7,312,335	£151.62
						avg build cost/unit	£83,095	based on saleable area
Total			ft2 192,913	197,528				
			m2 17,922	18,351				

Appendix 2 – BCIS Build cost data – Taunton Deane 1Q 2024.

£/M2 STUDY

Description: Rate per m2 gross internal floor area for the building Cost including prelims.

Last updated: 27-Jan-2024 07:28

Rebased to Taunton Deane (100; sample 22)

MAXIMUM AGE OF RESULTS: DEFAULT PERIOD

Building function (Maximum age of projects)	£/m ² gross internal floor area						Sample
	Mean	Lowest	Lower quartiles	Median	Upper quartiles	Highest	
New build							
340. Mixed commercial developments (15)	1,497	947	1,169	1,192	1,913	2,265	5
810. Housing, mixed developments (15)	1,524	823	1,321	1,474	1,665	3,754	1275
810.1 Estate housing							
Generally (15)	1,510	732	1,285	1,452	1,649	5,199	1410
Single storey (15)	1,718	1,025	1,454	1,646	1,894	5,199	234
2-storey (15)	1,452	732	1,260	1,410	1,593	3,137	1093
3-storey (15)	1,593	932	1,323	1,517	1,810	3,098	78
4-storey or above (15)	3,157	1,528	2,528	2,823	4,203	4,702	5
810.11 Estate housing detached (15)	1,966	1,119	1,465	1,686	2,096	5,199	21
810.12 Estate housing semi detached							
Generally (15)	1,523	889	1,298	1,495	1,657	3,360	354
Single storey (15)	1,700	1,098	1,455	1,661	1,851	3,360	81
2-storey (15)	1,470	889	1,286	1,429	1,618	2,579	261
3-storey (15)	1,493	1,112	1,206	1,430	1,772	2,154	12

Building function (Maximum age of projects)	£/m ² gross internal floor area						Sample	
	Mean	Lowest	Lower quartiles	Median	Upper quartiles	Highest		
810.13 Estate housing terraced								
Generally (15)	1,538	895	1,261	1,451	1,679	4,702	231	
Single storey (15)	1,764	1,149	1,465	1,737	2,106	2,512	18	
2-storey (15)	1,466	895	1,246	1,405	1,613	3,137	178	
3-storey (15)	1,630	932	1,323	1,495	1,830	3,098	33	
4-storey or above (10)	4,452	4,203	-	-	-	4,702	2	
816. Flats (apartments)								
Generally (15)	1,784	882	1,481	1,679	2,016	6,045	828	
1-2 storey (15)	1,683	1,027	1,414	1,593	1,880	3,489	173	
3-5 storey (15)	1,760	882	1,472	1,672	1,983	3,690	554	
6 storey or above (15)	2,099	1,281	1,701	1,974	2,277	6,045	98	

Appendix 4

BVL Independent Financial Viability Assessment ('IFVA') Longforth Farm Phase 2 - Somerset Council Planning Reference - 43/23/0056

7 March 2024 - Amended description - "Outline application with all matters reserved, except for access, for a mixed use development of up to 200 No. dwellings, employment land (Use Classes E & F), an internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure"
 DRAFT - BVL schedule of current; uses in the proposed development, target planning obligations, contributions/standards and other costs etc. that may impact on viability

Date of Update	19 March 2024	Areas Updated			Cost to be included in TCL Cost Plans or IFVA	Source & Date of Request	Notes	Comments
Type	Area	Target Provision/Requirement	Specific Cost (if Stated)					
	KEY: Target Section 106 Obligations Other possible costs/viability implications Costs to be included in TCL Cost Plans WOED Actions as noted in the Council's Initial Draft s.106 terms of 2 November 2023							
CIL	Community Infrastructure Levy (CIL)	"The application is for residential development within the settlement limit of Wellington where the Community Infrastructure Levy (CIL) is £0 per square metre. Based on current rates, there would not be a CIL receipt for this development".				Council Initial (Draft 106) Overview - SiF - 2 November 2023		Based on the Council's current rates, no CIL is payable on this development, and CIL is therefore ignored for the purposes of the IFVA
SECTION 106 OBLIGATIONS								
	Affordable Housing							
		Up to a policy compliant level of 25% provision of the overall scheme with a tenure split of 60% affordable rented, 15% intermediate housing (shared ownership) and 25% First Homes		IFVA		Council Initial (Draft 106) Overview - SiF - 2 November 2023		The Council's Development Enabling Team made the following comments on the Outline Application in their response of dated 30 June 23; "Policy CP4 Housing in the Taunton Deane Core Strategy 2011-2028, the Affordable Housing Supplementary Planning Document (May 2014) and TDBC Decision June 2016 aim to ensure that affordable housing is provided as part of all development schemes which provide eleven or more net additional dwellings. 25% of the new housing should be in the form of affordable homes, with a tenure split of... 25% First Homes, 60% social rented and 15% intermediate housing in the form of shared ownership....."
		55 homes - Upon assessing the local housing need evidence (June-23) suggested affordable housing mix is :-		IFVA		Council Initial (Draft 106) Overview - SiF - 2 November 2023	Full comments online from Affordable Housing Enabler 29/06/2023	The response goes on to say; "Affordability of the First Homes tenure is a concern given the rising house prices within the location of this scheme therefore flexibility of the 25% First Homes to change to Shared Ownership would be considered to provide a more affordable low-cost home ownership option.
		Social Rent (33 dwellings) 3 x 1 bed house		IFVA			Also note adapted disabled units and assume these may mean bungalows.	The Council's response goes on to highlight further costs associated with affordable housing provision; "As the Affordable Housing Planning obligation includes 25 or more affordable homes, the scheme should provide 10% of the total affordable housing provision to be in the form of fully adapted disabled affordable homes in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010". (i.e. fully adapted, rather than being capable of being adapted at a later date).
		3 x 1 bed fully adapted disabled house		IFVA			Triggers TBA	Note - AH team request is for 22 SO dwellings - modelling undertaken on this basis (SO)
				IFVA				Update - 7 March 2024 - the 55 affordable dwellings requested by the Council reflects 25% of the original application description of 'up to 200 dwellings'. However, as this has recently changed (7 March) to 'up to 200 dwellings', the 55 dwellings now reflects 27.5% of the proposed development. For completeness, it would be helpful to have an updated target FPC request for 200 dwellings from AH team.
		10 x 2 bed house 2 x 2 bed fully adapted disabled house		IFVA IFVA				In the s.106 Agreement, any agreed affordable provision should be stated as a percentage of the total number of dwellings, in case this is less than 200.
		9 x 3 bed house		IFVA				
		1 x 3 bed fully adapted disabled house		IFVA				
		4 x 4 bed house		IFVA				
		1 x 5 bed house		IFVA				
		Shared Ownership (22 dwellings) 11 x 2 bed house 11 x 3 bed house						
		All dwellings should have their own front door and private garden As the Affordable Housing Planning obligation includes 25 or more affordable homes, the scheme should provide 10% of the total affordable housing provision to be in the form of fully adapted disabled affordable homes in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010.		TCL				
				TCL				

		WOED Action - Detail comment at 5.3.1 of D&A that an extra 5% is proposed.	IFVA	Is this an action from SC HOT 2 Nov 24?		DAS para 5.3 states as follows; "It is envisaged that up to 30% of the dwellings will be delivered as 'affordable homes', with up to 70% of dwellings as market sale". The Council's policy target is 25% affordable housing, and that any aspiration to exceed this would need to take account of viability, and the balance of remaining planning contributions.
	Transport and Highway Infrastructure	Improvement and mitigation works and / or contributions to the local road network. It has now been agreed that WOED will provide the proposed spine road through development, therefore this element will be included in TCL's Cost Plans. Provision of / contributions towards sustainable transport links and enhancements to public transport services Travel Plan & safeguarding sum DAS (page 37) under the heading 'Off Site Connectivity' says; "A key part of the access credentials is the delivery of a 'Toucan' pedestrian crossing to Taunton Road, that is directly connected to the proposed footway/ cycleway to the transport hub. The plan shown here demonstrates the proposal, which also enhances beyond the crossing, improvements to the existing foot/cycleway connectivity."	TCL	Council Initial (Draft 106) Overview - SiF - 2 November 2023 Council Initial (Draft 106) Overview - SiF - 2 November 2023 Council Initial (Draft 106) Overview - SiF - 2 November 2023	Triggers TBA	No cost included in this schedule, as this area is covered in TCL cost plan Original cost of proposed Active Travel contribution - £431,120, as per schedule dated 13 December 2023 from CW (In email of 18 December 2023); "Active Travel / Highways – We have made an offer to make a financial contribution rather than undertaking the work as Somerset Council have wider more strategic plans. Schedule attached". Update 14 February 2024; Simon Fox provided an updated TA contribution (working estimate) of double the previous figure - i.e. £840k, PLUS (after liaison with John Fellingham - a Travel Plan fee of £5k, and Safeguard fee of £72,650 were also requested. Included in the WOED 'Active Travel' offer referred to above.
		Active Travel Contribution	573,620	IFVA		Further update 14 March 2024 - following feedback and discussions with SC Highways, CW provided an updated (agreed) Active Travel schedule totalling £573,620. Is there any indexation to date to add to this schedule?
	Future Access	To not stymie potential future access opportunities to the site to the east (The Lodge) for the purposes of future residential development and/or pedestrian and cycle access. WOED Action – Comments welcome.	IFVA	Council Initial (Draft 106) Overview - SiF - 2 November 2023 Council Initial (Draft 106) Overview - SiF - 2 November 2023	None	WEOD to comment on future access issue. Any costs associated with this?
	Green Infrastructure and Ecology plus Play Areas/Community Facilities and Public Art	WOED Action – Detailed comment required as to the quantum of POS proposed, and the nature, size and location of play areas (with buffers). Ecology to be informed by final Halpin Robbins report. Further details can be found in the Recreational Open Space & Community Halls: Guidance Note. A specific comment on BNG is also required.	TCL	Council Initial (Draft 106) Overview - SiF - 2 November 2023 Council Initial (Draft 106) Overview - SiF - 2 November 2023 Council Initial (Draft 106) Overview - SiF - 2 November 2023 Council Initial (Draft 106) Overview - SiF - 2 November 2023 Council Initial (Draft 106) Overview - SiF - 2 November 2023	Comments online from Community Engagement Officer 30/06/2023 For allotments the requirement is 15.4sqm per dwelling, with infrastructure such as water supply, cycle and car parking, a meeting room, store and ideally toilets. Informal POS – 1ha per 173 dwellings or part thereof – need to be careful about doubling up and counting the use of land used for surface water attenuation. All play areas, POS and community facilities to be considered for adoption with commuted sums.	CL / Community Engagement Officer response of 30 June 2023 "details of the size, location and layout of open spaces must be submitted for approval by the Council". UPDATE - DB email 15 Feb 24 @ 1641 - difference between issued plans of 26 Jan 24 & final confirmed pack issue of 15 Feb 24 (subject to consultation) "Essentially it was the.....the changing of the play strategy." CIL / Community Engagement Officer response of 30 June 2023 - "Children's Play CP5 of the Core Strategy along with Policy C2 and Appendix D of Taunton Deane Adopted Site Allocations and Development Management Plan (Dec 2016) stipulates the provision requirement for new open space. Provision of 0.8 hectare of children and teenager play space is required per 1000 persons. This constitutes a mixture of both informal play space and formal equipped play space. For new developments children's play should provide a minimum of 20sq meters of equipped children's playing area for all dwellings of 2 or more beds in the form of Local Equipped Play Areas (LEAP) and/or Neighbourhood Equipped Play Areas (NEAP)". BVL Note; Costs associated with BNG to be included in TCL Cost Plan Somerset Ecology Services consultation response dated 3 August 23 states as follows; "Please find attached an initial enhancement planning scheme for the above application, with particular emphasis in regards to the issues surrounding the nationally important Barbastelle bat roost. The potential mitigation strategy/enhancement of the site should seek to ensure longevity of the bat roost as well as answer various other ecological issues including: Ensuring appropriate onsite BNG net gain Providing sufficient and good quality space/habitat for species to thrive Ensuring all habitats and species are adequately considered."

			TCL				CW email of 18 December 2023; "Additional mitigation woodland planting for bat roost between 15 and 20 acres. Land is agricultural.
	Provision of Public Art (Monument top)		7000 IFVA		Council Initial (Draft 106) Overview - SiF - 2 November 2023	Triggers TBA	CW advised by email on 25 Jan 24 @ 1444 that cost to date was £2,000, with a further £5,000 anticipated
Ecology Field specifically	Specific provisions for the ecology field to be informed by Halpin Robbins/SC Ecology. Planting, boundary treatments and management regime. WOED Action – To comment on detail. To be retained by landowner. It is unlikely WTC or SC will adopt the Ecology Field nor will SC agree to this being part of a Man Co, chargeable to local residents.		TCL TCL IFVA		Council Initial (Draft 106) Overview - SiF - 2 November 2023		IFVA to note long-term costs associated with donating, retaining and managing the ecology field in perpetuity?
Employment Land	Safeguarding of land for employment uses across E, B2 and B8 Use Classes Provision of services by agreed trigger point. Agreement to the delivery of a certain amount of floorspace by a certain trigger. WOED Action – To comment on delivery.		IFVA IFVA IFVA IFVA		Council Initial (Draft 106) Overview - SiF - 2 November 2023	Triggers TBA	CW email of 18 December 2023; "Approximately 2 acres of employment land". DAS May 2023 - (Part 1 - page 36) – Gross Areas? Employment – 0.77 Ha, 1.89 acres. 26 Jan 2024 - 0740-v4-1006 C-Land Budget-FOD 26 Jan 24, areas are; Employment 0.96Ha/2.36 acres Employment (was 0.77 Ha, 1.89 acres) - marginal increase of 0.19Ha/0.47 acres. Updated or new drawings as of 7 Mar 23 - Dwg No -0740-V4-1006-1 Land Areas Plan – Feb 24 (Rev 0). Employment land 0.828Ha or 2.046Ac. Dwg No 0740-V4-1009 GA Employment and Residential NDA – Rev C, 2024-01-24 (updated to suit latest Illustrative Masterplan Plan Rev F (JHD)). General employment buildings (gf only) total gross internal areas 2,645.4m2 / 28,475sq.ft
Local Centre/Mixed Use Area	Safeguarding of land for local centre uses across Use Class E Provision of services by agreed trigger point. Agreement to the delivery of a certain amount of floorspace by a certain trigger. WOED Action – To comment on delivery.		IFVA IFVA IFVA IFVA		Council Initial (Draft 106) Overview - SiF - 2 November 2023	Triggers TBA	DAS May 2023 - (Part 1 - page 36) – Gross Areas - Mixed use – 0.71Ha, 1.76 acres 26 Jan 2024 - 0740-v4-1006 C-Land Budget-FOD 26 Jan 24; mixed use area removed.
Spine Road	To submit a Reserved Matters application for the spine road from Point A (Nynehead Rd) to Point B (Station Car Park boundary)(plan to be created) associated land reprofiling, surface water drainage and required services for the road and train station (incl. car park) by March 2024. To also include a clause whereby if the Spine Road has not been constructed from Point A (Nynehead Rd) to Point B (Station Car Park boundary) to adoptable standards by February 2025 then the Council is granted step-in rights to deliver or complete the road, associated land reprofiling, surface water drainage and required services for the road and train station (incl. car park) pursuant to s278/s38 anywhere across the application site, subject to first having sought and received Reserved Matters approval. WOED Action – To comment on delivery.		IFVA TCL IFVA IFVA		Council Initial (Draft 106) Overview - SiF - 2 November 2023	SJF - "I have made up the dates to instigate discussion!"	BVL Note: based on his site inspection, JW advises that there may be abnormal/additional costs relating to the linking of the existing Lidl infrastructure with the proposed new spine road infrastructure (i.e. this may not be as straightforward as anticipated, thus attracting additional time and cost) JW to comment further in the context of his infrastructure cost report
Train Station Car Park/Mobility Hub Land	To transfer said land, as set out on plan X, with services. Additional land for Mobility Hub Potential mobility hub works in addition to land?		IFVA IFVA TCL IFVA		Council Initial (Draft 106) Overview - SiF - 2 November 2023	Trigger TBA	CW advises that discussions have been ongoing between WOED and Network Rail over a proposed obligation for landowner to provide land (free of charge) for a new railway station car park, and associated land for running the new station. The landowner is being asked to gift land, in perpetuity, for the car park to serve the proposed new station/halt. The financial implications of this will need to be taken into account within the IFVA. Related to this point, are the detailed/extensive requirements of Network Rail, with whom WOED have been liaising extensively, over the last two years or so. JW has raised the cost of Network Rail specific requirement for fencing & standards/requirements generally, which need to be included in the TCL Cost Plan. CW email of 19 December 2023 (1152) said "One other item arose at a meeting this morning, the council would like us to donate an additional ¼ acre for an additional element of the station car park, their mobility hub. BVL to include land cost implications in land section of IFVA Notional allowance included for now
	Creation of 'Station Square' feature area, and mobility hub				Added by CW by email on 12/2/24 following meeting with SF earlier that day		CW email of 12/2/24 - We have little information about this, but this will involve a land transaction, design and construction of a paved area with planters, services, cycle secure storage, the monument structure and foundations etc.

15 Feb 24 @ 1641 - UPDATE - DB email - difference between issued plans of 26 Jan 24 & final confirmed pack issue of 15 Feb 24 (subject to consultation) "Essentially it was the removal of the building and monument in the mobility hub"

Notional figure for now. Assumes donation of land for Station Square & mobility hub, plus £300k contribution from WOED towards this element + £5k design (CW 23/2 @ 1146)

13 Feb 24 (1355) - CW forwarded email from SF which provided details of indicative spec for station square & mobility hub. 7 March 24 - Update - FOD Dwg No -0740-V4-1006-1 Land Areas Plan – Feb 24 (Rev 0). Station square 0.127Ha or 0.315Ac, Mobility hub net developable area 0.012Ha / 0.029Ac.

Station square and mobility hub

305,000 IFVA

Education

Financial Contributions totalling £2,765,959
Early Years £385,236

IFVA
385,236 IFVA

Council Initial (Draft 106)
Overview - SJF - 2 November 2023

Email from Education to Carney Sweeney 23/08/2023

BVL Note; These figures produce a reduced total of £2,765,959 (a reduction of £402,213 or around 13% on the initial request). This equates to £12,573 per dwelling, for the maximum 220 dwellings (for 200 dwellings, this would equate to £13,830 per dwelling). Again, it is not known whether the totals quoted include any exemption for affordable housing dwellings.

Primary £3,367,589* (see BVL Note opposite)
Secondary £829,105
SEND £184,029

1,367,589 IFVA
829,105 IFVA
184,029 IFVA

BVL Note - based on the Council's response of 23 August 2023 (to the Carney Sweeney challenge of 1 August 2023) the Primary contribution being sought should be **£1,367,589**, rather than the £3,367,589 shown in the Council's Initial S106 overview of 2 November 2023.

Triggers TBA

NHS/ICB

Financial contribution of £100,040

100,040 IFVA

Council Initial (Draft 106)
Overview - SJF - 2 November 2023

Comments online from NHS Engagement 21/06/2023

NHS Somerset – Health Contributions

The consultation response from NHS Somerset dated 21 June 23 notes that; "It is envisaged that the vast majority of the residents of the proposed development will register as patients with these practices. The current combined medical centres providing primary care are up to their capacity and will not be able to absorb the increased patients arising from the proposed development. The only way to mitigate the impact is to increase the physical capacity of the existing surgeries. The ICB has carefully calculated the space needed to mitigate the impact, drawing upon the document adopted in neighbouring authorities "Health Contributions Technical Note" which was jointly prepared with NHS England. The detailed calculation is attached to this document as Appendix 1 - Total contribution required = £100,040".

IFVA

Economic Development

Local Labour Agreement
See Local Labour Agreements in Sedgemoor (somerset.gov.uk)
This refers to Sedgemoor but has now been rolled out across Somerset Council.

TCL

Council Initial (Draft 106)
Overview - SJF - 2 November 2023

Further information can be sought from Hattie Winter (ED)

BVL Note - need to understand, and account for, the cost and other implications of the LLAs within the IFVA

TCL

Nutrient Neutrality

Link to Phosphate Mitigation Plan/Strategy and phasing plan

TCL

Council Initial (Draft 106)
Overview - SJF - 2 November 2023

Triggers TBC

BVL Note; See Haplin Robbins 'Nutrient Neutrality Assessment Multiple use Development at Longfirth Farm, north of Taunton Road, Wellington, Somerset' (13 February 2023). JW to include costs in Infrastructure Cost Plan

WOED Action – To comment on detail and delivery.

TCL

CW email of 18 December 2023; "Phosphate mitigation – on site treatment plant estimate £450,000 actual figure being worked on, plus additional mitigation required for 14.92 kg of phosphates @ say £55,000 per kg equals £820,600, plus additional works to attenuation lagoons to create SUD's wetland say £125,000".

Additional mitigation

TCL

The Council's Phosphates Team - consultation response from dated 29 June 2023 states as follows; "The proposed application is an outline application with all matters reserved, except for access, for a mixed-use development of up to 220 No. dwellings, employment land (Use Class E & B8) a car park and internal spine road to facilitate a rail halt/station, public open space, drainage & associated infrastructure. The proposed development will increase phosphate loading into the catchment and subsequently the Somerset Levels and Moors Ramsar site, as a result phosphate mitigation is required so that the proposed development is phosphate neutral in perpetuity. Details of the proposed development and mitigation will need to be provided to the LPA in the form of a NNA or NNAMS report."

				TCL		Natural England consultation response dated 2 August 23 states; "Further information needed to assess impacts on protected sites and species. As submitted the application documents do not provide enough information to demonstrate that harm to the Somerset Levels and Moors Ramsar Site, or to an important maternity colony for Barbastelle bats, can be avoided. Natural England therefore objects to the application as it stands pending further information being provided.....Somerset Levels and Moors Ramsar Site A nutrient neutrality assessment has been submitted for the application, however, there are a number of matters that need to be clarified before your Authority can complete an Appropriate Assessment. Specifically: The NNAMS states that there will be a "private treatment system, managed and operated by a registered water treatment provider." We assume that this means an Ofwat approved statutory sewage undertaker will run the private wastewater treatment facility, but this should be made clear. Such arrangements are a reliable means of reducing phosphorus concentrations in foul water discharge, though having said that, in our experience the provider typically commits to delivering a lower concentration level of 0.3mg/l, rather than the 0.9mg/l quoted in the NNAMS. Commitment to 0.3mg/l would significantly reduce the need for other measures to achieve nutrient neutrality. We are unclear about the approach used to calculate treatment of surface water run-off. The 2022 CIRIA guidance is designed to be used in conjunction with the Natural England methodology (i.e., a higher urban rate) rather than with the Somerset calculator, which already takes account of SuDs reductions in the 0.83kg/ha urban leaching rate. The NNAMS indicates that purchase of phosphorus credits will make up any shortfall in reaching neutrality. That is acceptable provided your Authority is satisfied that those credits have been secured.
					CW email of 19 December 2023	
	Monitoring Fee	"In accordance with Somerset Council Planning Fees and Charges 1 April 2023 - 31 March 2024, a monitoring fee of £300 per obligation (per trigger point) plus £300 per Agreement is payable and will be included within the S106 Agreement as payable on completion of the Agreement. Where a site has abnormally low costs, or where little monitoring is required, a reduction in fees will be considered".	5000	IPVA	CIL / Community Engagement Officer response of 30 June 2023	BVL Note; Stated monitoring fee is £300 per obligation (per trigger point) plus £300 per Agreement. Working estimate £5,000
OTHER COSTS/POSSIBLE COST IMPLICATIONS	Office of Rail and Road	The consultation response dated 15 August 23 notes that the proposed development will need to comply with the "requirements relating to operational railway and Network Rail land....." The impacts of these requirements will need to be investigated further.		TCL		TCL is aware of these requirements and will include them in its infrastructure cost plan
	Taunton Area Cycling Campaign	The consultation response dated 9 August 23 notes that provision should be made for cycling & cycle links. If the involvement of this group leads to any changes in the submitted proposals, these will need to be taken into account in the IPVA.		TCL		Note
	Wessex Water	The consultation response dated 7 Aug 23 provides no objections, but notes that assets may clash with the illustrative Masterplan.		TCL		Any likely costs relating to working around Wessex Water assets to be accounted for in the TCL Cost Plan. CW 25 Jan 1444 - Focus High Level Drainage Strategy Plan provided, possible need for rising main diversion?
	Conservation Officer	The consultation response dated 25 July 23 says; – "The principle of the development in this location is acceptable. However, the initial outline proposals have the potential to cause less than substantial harm to the setting of Nynehead Court and the Nynehead Court Registered Park & Garden."		IPVA		Possible costs associated with any mitigation measures that are required? CW advised on 25 Jan 24 @ 1444 - assessment of this being undertaken - believed that no action will be required.
	Environmental Health - NOISE	The consultation response dated 21 July 23 states that; "There is no noise assessment with the application to confirm that the mixed use and residential areas by the railway line will be suitable for residential use. It may be that noise mitigation is required (which is best done in the layout and design phase, rather than rely on putting in acoustic glazing and ventilation), or it could be that development should be restricted within a certain distance of the railway line and station. Without a noise report it is not possible to comment on this further. Noise from commercial uses. The application refers to class E and B8 uses. This could include some noisy activities (depots etc). It is recommended that the commercial uses close to residential properties are restricted to use classes that are not likely to cause disturbance to people in any neighbouring properties".		TCL TCL		Under 'Other Technical Matters,' Planning Statement ('PS'), paragraph 4.8.2, identifies the following potential noise sources, (both existing and proposed): "· Lidl foodstore - plant and delivery activities. · Road noise - Nynehead Road and the B3187. · Employment uses – plant, on site activities, deliveries. · Railway Line. Paragraph 4.8.3 says; "The Technical Note does not identify any prohibitive noise conditions either affecting the site or resulting from the proposed development but does identify that consideration would need to be given to a number of noise mitigation measures. These include consideration of the layout and orientation of plots and gardens, the provision of appropriate buffers between noise sources and more noise sensitive uses, acoustic glazing, mechanical ventilation, and acoustic screening." BVL Notes; noise assessment provided (CW email 25 Jan 24 @ 1444).

	<p>Environmental Health - SEWAGE TREATMENT</p>	<p>The consultation response dated 21 July 23 also states that; "Odour from sewage treatment plant. The plan shows a Foul Water Treatment Plant to the north of the site, very close to proposed residential use. There is no odour assessment to show that this is a suitable location for a sewage treatment plant. The developer should carry out an assessment to determine whether a treatment plant would be able to be sited there, and it is recommended that they liaise with Wessex Water regarding this."</p>	<p>TCL</p>	<p>Costs included in TCL Cost Plan</p>
	<p>Rights of Way</p>	<p>Consultation response dated 17 July 23 advises; "Thank-you for consulting us on this planning application. After reviewing the application, we will be submitting a PROW response for the proposal in future."</p>	<p>TCL</p>	<p>Any PROW associated costs would need to be included in the IFVA.</p>
	<p>South West Heritage Trust</p>	<p>Consultation response dated 13 July 23; "The submitted Heritage Statement acknowledges that significant medieval archaeology in the form of a high status building complex with associated garden features was discovered to the west of this proposal site. The HS also recognises that there is potential for prehistoric and Roman period archaeology in this area. on and therefore the proposal is likely to impact on a heritage asset. However, there is currently insufficient information contained within the application on the nature of any archaeological remains to properly assess their interest. For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a field evaluation comprising geophysical survey and dependent on results, trial trenching as indicated in the National Planning Policy Framework (Paragraph 194)" .</p>	<p>TCL</p>	<p>Archaeological costs (as per Archaeological report) included in TCL Infrastructure Cost Plan</p>
	<p>Basis of TCL Cost Plans</p>	<p>Given that all matters are reserved apart from access, the PS explains that (at paragraph 2.3.4); "The application is accompanied by a masterplan to demonstrate how the proposed uses can be successfully accommodated at the application site. A series of parameter plans are provided to fix elements to the scheme in relation to movement, urban design, and land use. A series of principles plans are provided to indicate how further elements of the scheme could potentially be delivered. Future Reserved Matters applications will then fix the detailed layout, appearance of the buildings, landscaping, and scale."</p> <p>Page 21 of the PS also confirms that; "Any reasonable identified infrastructure contributions necessary to make the development acceptable will be considered"</p>	<p>TCL</p>	<p>TCL Infrastructure Cost Plan to be based on all available information, including Masterplan and principles/parameter plans, along with reference to existing elements adjacent to the proposed development</p> <p>No other infrastructure contributions "necessary to make the development acceptable" have been indicated/requested.</p>
	<p>Surface Water Drainage</p>	<p>Paragraph 4.6.7 of the PS 'Drainage Strategy Surface Water' notes as follows; "The underlying geology means that is highly unlikely that the site will be suitable for infiltration methods. Therefore, the drainage strategy proposes the storage and controlled release of surface water from two above ground detention basins into the railway toe ditch (ditch 3) along the northern boundary. Surface water will be conveyed to the basins via swales and the retained drainage ditches. These features will manage the surface water of the development and will also provide opportunities for water quality, amenity, and biodiversity enhancements."</p>	<p>TCL</p>	<p>Costs included in TCL Infrastructure Cost Plan</p>
	<p>Foul Drainage</p>	<p>Paragraphs 4.6.11 to 4.6.13 of the PS state, in relation to Foul Drainage; "Foul flows from the proposed development will drain via gravity to a new pumping station located along the northern boundary, ideally adjacent to Basin 1.....All foul water sewers and the pumping station will be offered for adoption via a Section 104 agreement" .</p>	<p>TCL</p>	<p>Costs included in TCL Infrastructure Cost Plan</p>
	<p>Grants/subsidy to support development</p>	<p>DAS paragraph 4.10 onwards refers to the 'Devon & Somerset Metro-Board' and states as follows; "Focus on Design, on behalf of the applicant, attended the regular meeting with the Devon & Somerset Metro board on 24.02.23, to provide the forum with an update as to where the planning application and design stage process was at that point. The meeting commenced on site where a guided tour narrated by Focus on Design was held to provide context of the master plan and how the access to the new station would be accommodated naturally into the scheme and landscape. The responses were positive and approach to how the access was being formulated was agreed, subject to detailed design; with the only area for discussion being how the access infrastructure would be funded? This is to be discussed further as part of wider negotiations with all parties involved, however at this stage it is assumed that the developer who would secure approval of reserved matters would fund/deliver this. Since the event the Local Planning Authority are pursuing other funding streams, to aid delivery."</p>	<p>IFVA</p>	<p>CW confirmed on 25 Jan 2024 @ 1444 that no actual, or potential, sources of infrastructure funding have been identified. The IFVA therefore assumes that no external (additional) funding will be available to support the proposed development.</p>

Care will need to be taken to ensure that any cost impacts on the Application Scheme, arising from this study, are included in the IFVA.

IFVA

Other Standards/Aspirations with Cost Implications

Page 55 of the DAS notes some further potential areas that will have cost implications within the IFVA, under the heading 'Construction' including:

- "Responsible Sourcing*
- Sourcing timber – ensuring through sustainability managed forests*
- Electric Vehicle Charging*
- Management of construction waste & Air Quality*
- More detailed work on sustainability strategies (to be investigated further)*
-
- Implementation of the 'New Homes' standard."*

TCL
TCL
TCL
TCL
TCL

TCL
TCL

All Included in TCL Cost Plan

Wellington Place Principles

Page 61 of the DAS 'Conclusion' says; "A vital factor of the development is the embracing of the Wellington Place Plan principles and the incorporation of the rail halt / station as a key transport hub for the town"

TCL

Will "embracing the Wellington Place principles" involve any additional requirements/potential costs (over and above those noted elsewhere in this schedule) that should be taken into account in the IFVA?

Policy SS3 Longforth

PS Section 3 'Planning Policy' (pages 9 & 10) provides further details of the extensive requirements of 'Policy SS3 Wellington Longforth', which is noted to allocate the site "for the following development":

- "1. Around 900 new homes at an overall average of 35-40 dwellings per hectare.*
- 2. 25% of new homes to be affordable homes.*
- 3. New local centre with associated social infrastructure including a single farm entry primary school, GP surgery, community hall, places of worship, sheltered housing, and local convenience shopping.*
- 4. 11 hectares of employment land for general industrial (B2) and storage and distribution (B8) at the eastern edge of the allocation. This area is designated for the relocation of the two biggest employers in Wellington;*
- 5. Land released by the relocation of the two biggest employers to be used for mixed use development including part of the new local centre, re-opening of Wellington railway station, new homes, and small business start-up units along the railway line;*
- 6. Developer contributions towards*
- (a) studies to establish the engineering, operational and commercial feasibility of a railway station for Wellington and,*
- (b) subject to approval by the rail industry, towards capital costs;*
- 7. Developer contributions for other infrastructure delivery.*
- 8. Northern Relief Road in the initial phases of the development between Taunton Road and the existing employment area, alleviating HGV traffic in the town centre and residential areas;*
- 9. A local bus loop to provide public transport access to the residential areas and link with the town centre, railway station and inter-urban bus services between Wellington and Taunton;*
- 10. A green wedge of 18 hectares between the residential area and the employment area".*

The IFVA assumes that there are no elements associated with the wider Longforth development (under 'Policy SS3 Wellington Longforth') that will impact here, and that should be taken into account, even though they are not specifically mentioned in the Council's draft Heads of Terms of 2 November 23? (confirmed by CW on 25 Jan 24 @ 1444).

SUBSEQUENT CONTRIBUTION REQUESTS

We met with Simon Fox yesterday and two things were raised regarding financial contributions.

Added by CW by email on 1/2/24 following meeting with SF

Sports/playing fields

One, sports/playing fields. Robin Upton has looked into the council calculations for this see his email below.....RU; On the playing pitches contribution, based on a scheme of 10 1-beds and 190 houses of 2-beds or more, the Council's POS calculator (below) comes to a value of £77,597 capital cost to provide the playing pitches and £47,116 commuted sum. That is a total off-site contribution of £124,714 or £624 per dwelling. The calculator doesn't look at allotments, so I will look elsewhere.

124,714 IFVA

Added by CW by email on 1/2/24 following meeting with SF

Base contribution of £77,597, plus commuted sum of £47,116
Email from RU 8 Feb 23 - We have proposed £10,000 for the following; site area about 65m x 45m, Digger to clear site, mix in imported soil, peg out plots, When we hear from the Council that it is confirmed we will let you know. I don't think it will change considerably.

Allotments

The second is allotments - as they don't need any more here they are seeking a contribution to help create improvements to existing allotments. Robin is looking into this.

10,000 IFVA

Added by CW by email on 1/2/24 following meeting with SF

Removal of overhead cables	One thing that has raised its head relating to the site at Wellington, is the removal of overhead cables. I have asked National Grid for copies of the relevant wayleaves. There will be a cost attributable to moving these. At best it will involve us excavating trenches for NG to relocate their cables so say perhaps £25,000 at worst it would be meeting the cost of the full diversion. We wont know which way for some time. On a previous, but more complicated site they want to charge £140,000 to remove the cables. Here it is more simple but it could be £100,000.	TCL	Added by CW by email on 1/2/24 following meeting with SF	Estimate only (from CW) To be included in JW Cost Plan
Contribution to 'Green way'	"Green way " cycle and footway project - contribution of £50k sought towards feasibility studies for work to the railway tunnel and associated accessibility linkage works.	50,000	Added by CW by email on 12/2/24 following meeting with SF earlier that day	Additional separate contribution to Active Travel but relating to SC "Green way " cycle and footway project they want a contribution of £50,000 towards feasibility studies for work to the railway tunnel and associated accessibility linkage works.
Changing room contribution				
Council legal costs		5000		Raised & queried with RU by CW by email on 11 March 24. SF email 8 Mar 24 @ 1459 also refers; "Could you also clarify the answer to the ask regarding a changing room contribution further to your email of 02/02 illustrating such is required?"
Check - TCL Cost Plan additions;.				
	CW email 18 Dec 23 @ 1641 - Public open space etc. Report attached (from SC CL. Includes A minimum of 6.8Sha per 1000 population of open space provision and LEAPs/NEAPs – plus monitoring fee; (In accordance with Somerset Council Planning Fees and Charges 1 April 2023 - 31 March 2024, a monitoring fee of £300 per obligation (per trigger point) plus £300 per Agreement is payable and will be included within the S106 Agreement as payable on completion of the Agreement).	TCL		
	9 Feb 24 - Have queries raised by JW on @ 0743 been answered?	TCL		
	14 Feb 0951 - (CW email).Somerset Ecology Services (SES) ecology conditions agreed by WOED	TCL		
	16 Feb 24 – 0759 - Mobility hub. – pricing the design and costs associated with the station square. CW circulates WSP (acting for SC re mobility hubs) Technical Note dated 22 Sept 23, which FOD use for design fee proposal.	TCL		
	CW 5 Mar 0746 - As we are not using an on-site package treatment plant for the foul sewage treatment, there are unforeseen consequences that mean we need a further 10kgs of phosphate credits. That means a total of 25 kgs for the development. 25 kgs at £37,500 per kg give a revised total cost of £937,500 (plus legal costs?).	TCL		
	15 Mar 24 Draft legal pack provided by SF on . Implications of LLA to be noted in TCL Cost Plan.	TCL		
Overall Total - Target Obligations (Excluding cost of affordable housing, and any costs included in TCL Cost Plans)		4,023,983		
Cost per dwelling (based on 200 dwellings max.)		20,120		

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240325- Draft IFVA Appendix -Scen 1 Target FPC-Upd CP-BCIS LQ+15%-Max Agents Sales, 27.5% AH, Full Target WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

Summary Appraisal for Phase 1**REVENUE**

Sales Valuation	Units	ft²	Rate ft²	Unit Price	Gross Sales
Social Rent	33	31,485	£150.00	£143,112	4,722,705
Shared Ownership	22	19,300	£150.00	£131,590	2,894,978
Open Market Sale	<u>145</u>	<u>142,128</u>	<u>£310.00</u>	<u>£303,860</u>	<u>44,059,680</u>
Totals	200	192,913			51,677,363

Additional Revenue

2.046 ac employ. land @ max £500k/a	1,023,000			1,023,000	
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NET REALISATION**52,700,363****OUTLAY****ACQUISITION COSTS**

Fixed Price (27.35 Acres £73,126.14 pAcre)	2,000,000				
Stamp Duty	151,250				
Agent Fee	1.00%	20,000			
Legal Fee	0.75%	15,000			
Planning Application Costs	200,000				
					2,386,250

Other Acquisition

Other facilitating land	170,000				
					170,000

CONSTRUCTION COSTS

Construction	ft²	Rate ft²	Cost		
Social Rent	31,485	£122.63	3,861,006		
Shared Ownership	19,300	£122.63	2,366,759		
Open Market Sale	146,743	£122.63	17,995,094		
Totals	<u>197,528</u>		<u>24,222,859</u>		24,222,859

Contingency - standard build	5.00%	1,421,102			
Infra risk (TCL)		1,624,724			
					3,045,826

Other Construction

Land preparation/Enabling (TCL)			923,644		
Highway works (TCL)			4,262,462		
Flood risk/drainage (TCL)			2,948,065		
Utilities (TCL)			1,114,658		
Landscaping (TCL)			1,782,713		
Archaeology & ecology (TCL)			1,718,550		
Plot Abnormals (TCL)			3,171,402		
Plot Externals @ 15% Plot (TCL)		15.00%	3,633,429		
Garages(TCL Est.)			565,756		
					20,120,679

PROFESSIONAL FEES

Prof fees - Standard Build Costs	7.50%	2,131,653			
Prof fees- Infrastructure (TCL)		1,754,622			
					3,886,275

MARKETING & LETTING

Mkting & sales	3.00%	1,408,640			
					1,408,640

DISPOSAL FEES

Legal fees for RP sale	55 un	400.00 /un	22,000		
OM legal fees	145 un	600.00 /un	87,000		

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240325- Draft IFVA Appendix -Scen 1 Target FPC-Upd CP-BCIS LQ+15%-Max Agents Sales, 27.5% AH, Full Target
WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

109,000

Additional Costs

CIL	1	
Travel Plan	5,000	
Safeguarding sum	72,650	
Active Travel £	573,620	
Pub.Art (Monmt)	7,000	
Station SQ & Mob Hub £	305,000	
Education £	2,765,959	
NHS/ICB £	100,040	
s.106 monitoring fee?	5,000	
POS offsite £ & CS	124,714	
Allotments £	10,000	
Greenway £	50,000	
Council legal costs?	5,000	
Changing room contribution	1	
		4,023,985

FINANCE

Debit Rate 6.000% Credit Rate 2.000% (Nominal)		
Land	1,205,944	
Construction	4,681,853	
Total Finance Cost		5,887,798

TOTAL COSTS

65,261,311

PROFIT

(12,560,948)

Performance Measures

Profit on Cost%	(19.25)%
Profit on GDV%	(24.31)%

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240325- Draft IFVA Appendix -Scen 2-Upd CP-BCIS LQ+15%-Max Agents Sales, Nil AH, Full Target S106, No CIL
WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

Summary Appraisal for Phase 1**REVENUE**

Sales Valuation	Units	ft²	Rate ft²	Unit Price	Gross Sales
Social Rent	33	31,485	£310.00	£295,768	9,760,350
Shared Ownership	22	19,300	£310.00	£271,955	5,983,000
Open Market Sale	<u>145</u>	<u>142,128</u>	£310.00	£303,860	<u>44,059,680</u>
Totals	200	192,913			59,803,030

Additional Revenue

2.046 ac employ. land @ max £500k/a	1,023,000			1,023,000
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NET REALISATION**60,826,030****OUTLAY****ACQUISITION COSTS**

Fixed Price (27.35 Acres £73,126.14 pAcre)	2,000,000			
Stamp Duty	151,250			
Agent Fee	1.00%	20,000		
Legal Fee	0.75%	15,000		
Planning Application Costs	200,000			
				2,386,250

Other Acquisition

Other facilitating land	170,000			170,000
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CONSTRUCTION COSTS

Construction	ft²	Rate ft²	Cost	
Social Rent	31,485	£122.63	3,861,006	
Shared Ownership	19,300	£122.63	2,366,759	
Open Market Sale	146,743	£122.63	17,995,094	
Totals	<u>197,528</u>		<u>24,222,859</u>	24,222,859

Contingency - standard build	5.00%	1,421,102		
Infra risk (TCL)		1,624,724		
				3,045,826

Other Construction

Land preparation/Enabling (TCL)			923,644	
Highway works (TCL)			4,262,462	
Flood risk/drainage (TCL)			2,948,065	
Utilities (TCL)			1,114,658	
Landscaping (TCL)			1,782,713	
Archaeology & ecology (TCL)			1,718,550	
Plot Abnormals (TCL)			3,171,402	
Plot Externals @ 15% Plot (TCL)		15.00%	3,633,429	
Garages(TCL Est.)			565,756	
				20,120,679

PROFESSIONAL FEES

Prof fees - Standard Build Costs	7.50%	2,131,653		
Prof fees- Infrastructure (TCL)		1,754,622		
				3,886,275

MARKETING & LETTING

Mkting & sales	3.00%	1,794,091		1,794,091
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DISPOSAL FEES

Legal fees for RP sale	55 un	400.00 /un	22,000	
OM legal fees	145 un	600.00 /un	87,000	

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240325- Draft IFVA Appendix -Scen 2-Upd CP-BCIS LQ+15%-Max Agents Sales, Nil AH, Full Target S106, No CIL
WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

109,000

Additional Costs

CIL	1	
Travel Plan	5,000	
Safeguarding sum	72,650	
Active Travel £	573,620	
Pub.Art (Monmt)	7,000	
Station SQ & Mob Hub £	305,000	
Education £	2,765,959	
NHS/ICB £	100,040	
s.106 monitoring fee?	5,000	
POS offsite £ & CS	124,714	
Allotments £	10,000	
Greenway £	50,000	
Council legal costs?	5,000	
Changing room contribution	1	
		4,023,985

FINANCE

Debit Rate 6.000% Credit Rate 2.000% (Nominal)		
Land	1,205,944	
Construction	3,114,399	
Total Finance Cost		4,320,343

TOTAL COSTS

64,079,308

PROFIT

(3,253,278)

Performance Measures

Profit on Cost%	(5.08)%
Profit on GDV%	(5.44)%

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240325- Draft IFVA Appendix -Scen 3-Upd CP-BCIS LQ+15%-Max Agents Sales, Nil AH, Nil Education, No CIL
WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

Summary Appraisal for Phase 1**REVENUE**

Sales Valuation	Units	ft²	Rate ft²	Unit Price	Gross Sales
Social Rent	33	31,485	£310.00	£295,768	9,760,350
Shared Ownership	22	19,300	£310.00	£271,955	5,983,000
Open Market Sale	<u>145</u>	<u>142,128</u>	£310.00	£303,860	<u>44,059,680</u>
Totals	200	192,913			59,803,030

Additional Revenue

2.046 ac employ. land @ max £500k/a	1,023,000			1,023,000
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NET REALISATION**60,826,030****OUTLAY****ACQUISITION COSTS**

Fixed Price (27.35 Acres £73,126.14 pAcre)	2,000,000			
Stamp Duty	151,250			
Agent Fee	1.00%	20,000		
Legal Fee	0.75%	15,000		
Planning Application Costs	200,000			
				2,386,250

Other Acquisition

Other facilitating land	170,000			170,000
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CONSTRUCTION COSTS

Construction	ft²	Rate ft²	Cost	
Social Rent	31,485	£122.63	3,861,006	
Shared Ownership	19,300	£122.63	2,366,759	
Open Market Sale	146,743	£122.63	17,995,094	
Totals	<u>197,528</u>		<u>24,222,859</u>	24,222,859

Contingency - standard build	5.00%	1,421,102		
Infra risk (TCL)		1,624,724		
				3,045,826

Other Construction

Land preparation/Enabling (TCL)			923,644	
Highway works (TCL)			4,262,462	
Flood risk/drainage (TCL)			2,948,065	
Utilities (TCL)			1,114,658	
Landscaping (TCL)			1,782,713	
Archaeology & ecology (TCL)			1,718,550	
Plot Abnormals (TCL)			3,171,402	
Plot Externals @ 15% Plot (TCL)	15.00%	3,633,429		
Garages(TCL Est.)			565,756	
				20,120,679

PROFESSIONAL FEES

Prof fees - Standard Build Costs	7.50%	2,131,653		
Prof fees- Infrastructure (TCL)		1,754,622		
				3,886,275

MARKETING & LETTING

Mkting & sales	3.00%	1,794,091		1,794,091
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DISPOSAL FEES

Legal fees for RP sale	55 un	400.00 /un	22,000	
OM legal fees	145 un	600.00 /un	87,000	

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240325- Draft IFVA Appendix -Scen 3-Upd CP-BCIS LQ+15%-Max Agents Sales, Nil AH, Nil Education, No CIL
WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

109,000

Additional Costs

CIL	1	
Travel Plan	5,000	
Safeguarding sum	72,650	
Active Travel £	573,620	
Pub.Art (Monmt)	7,000	
Station SQ & Mob Hub £	305,000	
Education £	1	
NHS/ICB £	100,040	
s.106 monitoring fee?	5,000	
POS offsite £ & CS	124,714	
Allotments £	10,000	
Greenway £	50,000	
Council legal costs?	5,000	
Changing room contribution	1	
		1,258,027

FINANCE

Debit Rate 6.000% Credit Rate 2.000% (Nominal)		
Land	1,178,293	
Construction	2,163,945	
Total Finance Cost		3,342,238

TOTAL COSTS

60,335,245

PROFIT

490,785

Performance Measures

Profit on Cost%	0.81%
Profit on GDV%	0.82%

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240417- IFVA Appendix -Scen 1a Target FPC-Upd CP-BCIS LQ+15%-Max Agents Sales, 25% AH, Full Target S106, WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

Summary Appraisal for Phase 1**REVENUE**

Sales Valuation	Units	ft²	Rate ft²	Unit Price	Gross Sales
Social Rent	30	28,623	£150.00	£143,112	4,293,368
Shared Ownership	20	17,545	£150.00	£131,590	2,631,798
Open Market Sale	<u>150</u>	<u>146,745</u>	<u>£316.00</u>	<u>£309,143</u>	<u>46,371,420</u>
Totals	200	192,913			53,296,586

Additional Revenue

2.046 ac employ. land @ max £500k/a	1,023,000			1,023,000
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NET REALISATION**54,319,586****OUTLAY****ACQUISITION COSTS**

Fixed Price (27.35 Acres £73,126.14 pAcre)	2,000,000			
Stamp Duty	151,250			
Agent Fee	1.00%	20,000		
Legal Fee	0.75%	15,000		
Planning Application Costs	200,000			
				2,386,250

Other Acquisition

Other facilitating land	170,000			170,000
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CONSTRUCTION COSTS

Construction	ft²	Rate ft²	Cost	
Social Rent	28,623	£122.63	3,510,005	
Shared Ownership	17,545	£122.63	2,151,599	
Open Market Sale	151,803	£122.63	18,615,615	
Totals	<u>197,971</u>		<u>24,277,219</u>	24,277,219

Contingency - standard build	5.00%	1,424,228		
Infra risk (TCL)		1,598,744		
				3,022,972

Other Construction

Land preparation/Enabling (TCL)			923,644	
Highway works (TCL)			4,164,542	
Flood risk/drainage (TCL)			2,948,065	
Utilities (TCL)			1,089,658	
Landscaping (TCL)			1,645,833	
Archaeology & ecology (TCL)			1,718,550	
Plot Abnormals (TCL)			3,171,402	
Plot Externals @ 15% Plot (TCL)	15.00%	3,641,583		
Garages(TCL Est.)			565,756	
				19,869,033

PROFESSIONAL FEES

Prof fees - Standard Build Costs	7.50%	2,136,342		
Prof fees- Infrastructure (TCL)		1,726,044		
				3,862,386

MARKETING & LETTING

Mkting & sales	3.00%	1,470,097		1,470,097
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DISPOSAL FEES

Legal fees for RP sale	50 un	400.00 /un	20,000	
OM legal fees	150 un	600.00 /un	90,000	

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240417- IFVA Appendix -Scen 1a Target FPC-Upd CP-BCIS LQ+15%-Max Agents Sales, 25% AH, Full Target S106,
WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

110,000

Additional Costs

CIL	1	
Travel Plan	5,000	
Safeguarding sum	72,650	
Active Travel £	573,620	
Pub.Art (Monmt)	7,000	
Station SQ & Mob Hub £	305,000	
Education £	2,520,000	
NHS/ICB £	89,336	
s.106 monitoring fee?	5,000	
POS offsite £ & CS	124,714	
Allotments £	10,000	
Greenway £	50,000	
Council legal costs?	5,000	
Changing room contribution	1	
		3,767,322

FINANCE

Debit Rate 6.000% Credit Rate 2.000% (Nominal)		
Land	1,205,944	
Construction	4,211,361	
Total Finance Cost		5,417,305

TOTAL COSTS

64,352,583

PROFIT

(10,032,996)

Performance Measures

Profit on Cost%	(15.59)%
Profit on GDV%	(18.82)%

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240417- IFVA Appendix -Scen 2a Target FPC-Upd CP-BCIS LQ+15%-Max Agents Sales, nil AH, Full Target S106, N
WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

Summary Appraisal for Phase 1**REVENUE**

Sales Valuation	Units	ft²	Rate ft²	Unit Price	Gross Sales
Social Rent	30	28,623	£316.00	£301,493	9,044,782
Shared Ownership	20	17,545	£316.00	£277,218	5,544,364
Open Market Sale	<u>150</u>	<u>146,745</u>	£316.00	£309,143	<u>46,371,420</u>
Totals	200	192,913			60,960,565

Additional Revenue

2.046 ac employ. land @ max £500k/a	1,023,000			1,023,000
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NET REALISATION**61,983,565****OUTLAY****ACQUISITION COSTS**

Fixed Price (27.35 Acres £73,126.14 pAcre)	2,000,000			
Stamp Duty	151,250			
Agent Fee	1.00%	20,000		
Legal Fee	0.75%	15,000		
Planning Application Costs	200,000			
				2,386,250

Other Acquisition

Other facilitating land	170,000			
				170,000

CONSTRUCTION COSTS

Construction	ft²	Rate ft²	Cost	
Social Rent	28,623	£122.63	3,510,005	
Shared Ownership	17,545	£122.63	2,151,599	
Open Market Sale	151,803	£122.63	18,615,615	
Totals	<u>197,971</u>		<u>24,277,219</u>	24,277,219

Contingency - standard build	5.00%	1,424,228		
Infra risk (TCL)		1,532,349		
				2,956,577

Other Construction

Land preparation/Enabling (TCL)			923,644	
Highway works (TCL)			4,164,542	
Flood risk/drainage (TCL)			2,948,065	
Utilities (TCL)			1,089,658	
Landscaping (TCL)			1,645,833	
Archaeology & ecology (TCL)			1,336,600	
Plot Abnormals (TCL)			2,889,402	
Plot Externals @ 15% Plot (TCL)		15.00%	3,641,583	
Garages(TCL Est.)			565,756	
				19,205,083

PROFESSIONAL FEES

Prof fees - Standard Build Costs	7.50%	2,136,342		
Prof fees- Infrastructure (TCL)		1,653,009		
				3,789,351

MARKETING & LETTING

Mkting & sales	3.00%	1,557,474		
				1,557,474

DISPOSAL FEES

Legal fees for RP sale	50 un	400.00 /un	20,000	
OM legal fees	150 un	600.00 /un	90,000	

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240417- IFVA Appendix -Scen 2a Target FPC-Upd CP-BCIS LQ+15%-Max Agents Sales, nil AH, Full Target S106, N
WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

110,000

Additional Costs

CIL	1	
Travel Plan	5,000	
Safeguarding sum	72,650	
Active Travel £	573,620	
Pub.Art (Monmt)	7,000	
Station SQ & Mob Hub £	305,000	
Education £	2,520,000	
NHS/ICB £	89,336	
s.106 monitoring fee?	5,000	
POS offsite £ & CS	124,714	
Allotments £	10,000	
Greenway £	50,000	
Council legal costs?	5,000	
Changing room contribution	1	
		3,767,322

FINANCE

Debit Rate 6.000% Credit Rate 2.000% (Nominal)		
Land	1,184,396	
Construction	2,487,002	
Total Finance Cost		3,671,397

TOTAL COSTS

61,890,672

PROFIT

92,893

Performance Measures

Profit on Cost%	0.15%
Profit on GDV%	0.15%

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240417- IFVA Appendix -Scen 3a Target FPC-Upd CP-BCIS LQ+15%-Max Agents Sales, nil AH, nil educ, No CIL
WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

Summary Appraisal for Phase 1**REVENUE**

Sales Valuation	Units	ft ²	Rate ft ²	Unit Price	Gross Sales
Social Rent	30	28,623	£316.00	£301,493	9,044,782
Shared Ownership	20	17,545	£316.00	£277,218	5,544,364
Open Market Sale	150	146,745	£316.00	£309,143	46,371,420
Totals	200	192,913			60,960,565

Additional Revenue

2.046 ac employ. land @ max £500k/a	1,023,000			1,023,000
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NET REALISATION**61,983,565****OUTLAY****ACQUISITION COSTS**

Fixed Price (27.35 Acres £73,126.14 pAcre)	2,000,000			
Stamp Duty	151,250			
Agent Fee	1.00%	20,000		
Legal Fee	0.75%	15,000		
Planning Application Costs	200,000			
				2,386,250

Other Acquisition

Other facilitating land	170,000			
				170,000

CONSTRUCTION COSTS

Construction	ft ²	Rate ft ²	Cost	
Social Rent	28,623	£122.63	3,510,005	
Shared Ownership	17,545	£122.63	2,151,599	
Open Market Sale	151,803	£122.63	18,615,615	
Totals	197,971		24,277,219	24,277,219

Contingency - standard build	5.00%	1,424,228		
Infra risk (TCL)		1,532,349		
				2,956,577

Other Construction

Land preparation/Enabling (TCL)			923,644	
Highway works (TCL)			4,164,542	
Flood risk/drainage (TCL)			2,948,065	
Utilities (TCL)			1,089,658	
Landscaping (TCL)			1,645,833	
Archaeology & ecology (TCL)			1,336,600	
Plot Abnormals (TCL)			2,889,402	
Plot Externals @ 15% Plot (TCL)	15.00%	3,641,583		
Garages(TCL Est.)			565,756	
				19,205,083

PROFESSIONAL FEES

Prof fees - Standard Build Costs	7.50%	2,136,342		
Prof fees- Infrastructure (TCL)		1,653,009		
				3,789,351

MARKETING & LETTING

Mkting & sales	3.00%	1,557,474		
				1,557,474

DISPOSAL FEES

Legal fees for RP sale	50 un	400.00 /un	20,000	
OM legal fees	150 un	600.00 /un	90,000	

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240417- IFVA Appendix -Scen 3a Target FPC-Upd CP-BCIS LQ+15%-Max Agents Sales, nil AH, nil educ, No CIL
WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

110,000

Additional Costs

CIL	1	
Travel Plan	5,000	
Safeguarding sum	72,650	
Active Travel £	573,620	
Pub.Art (Monmt)	7,000	
Station SQ & Mob Hub £	305,000	
Education £	1	
NHS/ICB £	89,336	
s.106 monitoring fee?	5,000	
POS offsite £ & CS	124,714	
Allotments £	10,000	
Greenway £	50,000	
Council legal costs?	5,000	
Changing room contribution	1	
		1,247,323

FINANCE

Debit Rate 6.000% Credit Rate 2.000% (Nominal)		
Land	1,136,782	
Construction	1,663,053	
Total Finance Cost		2,799,835

TOTAL COSTS

58,499,111

PROFIT

3,484,455

Performance Measures

Profit on Cost%	5.96%
Profit on GDV%	5.72%

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240417- IFVA Appendix -Scen 4 Target FPC-Upd CP-BCIS LQ+15%-Max Agents Sales, nil AH, Re Ed, No CIL
WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

Summary Appraisal for Phase 1**REVENUE**

Sales Valuation	Units	ft²	Rate ft²	Unit Price	Gross Sales
Social Rent	30	28,623	£316.00	£301,493	9,044,782
Shared Ownership	20	17,545	£316.00	£277,218	5,544,364
Open Market Sale	<u>150</u>	<u>146,745</u>	<u>£316.00</u>	<u>£309,143</u>	<u>46,371,420</u>
Totals	200	192,913			60,960,565

Additional Revenue

2.046 ac employ. land @ max £500k/a	1,023,000			1,023,000
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NET REALISATION**61,983,565****OUTLAY****ACQUISITION COSTS**

Fixed Price (27.35 Acres £73,126.14 pAcre)	2,000,000			
Stamp Duty	151,250			
Agent Fee	1.00%	20,000		
Legal Fee	0.75%	15,000		
Planning Application Costs	200,000			
				2,386,250

Other Acquisition

Other facilitating land	170,000			170,000
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CONSTRUCTION COSTS

Construction	ft²	Rate ft²	Cost	
Social Rent	28,623	£122.63	3,510,005	
Shared Ownership	17,545	£122.63	2,151,599	
Open Market Sale	151,803	£122.63	18,615,615	
Totals	<u>197,971</u>		<u>24,277,219</u>	24,277,219

Contingency - standard build	5.00%	1,424,228		
Infra risk (TCL)		1,532,349		
				2,956,577

Other Construction

Land preparation/Enabling (TCL)			923,644	
Highway works (TCL)			4,164,542	
Flood risk/drainage (TCL)			2,948,065	
Utilities (TCL)			1,089,658	
Landscaping (TCL)			1,645,833	
Archaeology & ecology (TCL)			1,336,600	
Plot Abnormals (TCL)			2,889,402	
Plot Externals @ 15% Plot (TCL)		15.00%	3,641,583	
Garages(TCL Est.)			565,756	
				19,205,083

PROFESSIONAL FEES

Prof fees - Standard Build Costs	7.50%	2,136,342		
Prof fees- Infrastructure (TCL)		1,653,009		
				3,789,351

MARKETING & LETTING

Mkting & sales	3.00%	1,557,474		
				1,557,474

DISPOSAL FEES

Legal fees for RP sale	50 un	400.00 /un	20,000	
OM legal fees	150 un	600.00 /un	90,000	

APPRAISAL SUMMARY**BELVEDERE VANTAGE LTD**

240417- IFVA Appendix -Scen 4 Target FPC-Upd CP-BCIS LQ+15%-Max Agents Sales, nil AH, Re Ed, No CIL
 WOED & Somerset Council - Land North of Taunton Rd, Longforth Park, Wellington, Somerset

110,000

Additional Costs

CIL	1	
Travel Plan	5,000	
Safeguarding sum	72,650	
Active Travel £	573,620	
Pub.Art (Monmt)	7,000	
Station SQ & Mob Hub £	305,000	
Education £	573,000	
NHS/ICB £	89,336	
s.106 monitoring fee?	5,000	
POS offsite £ & CS	124,714	
Allotments £	10,000	
Greenway £	50,000	
Council legal costs?	5,000	
Changing room contribution	1	
		1,820,322

FINANCE

Debit Rate 6.000% Credit Rate 2.000% (Nominal)		
Land	1,147,533	
Construction	1,846,461	
Total Finance Cost		2,993,994

TOTAL COSTS

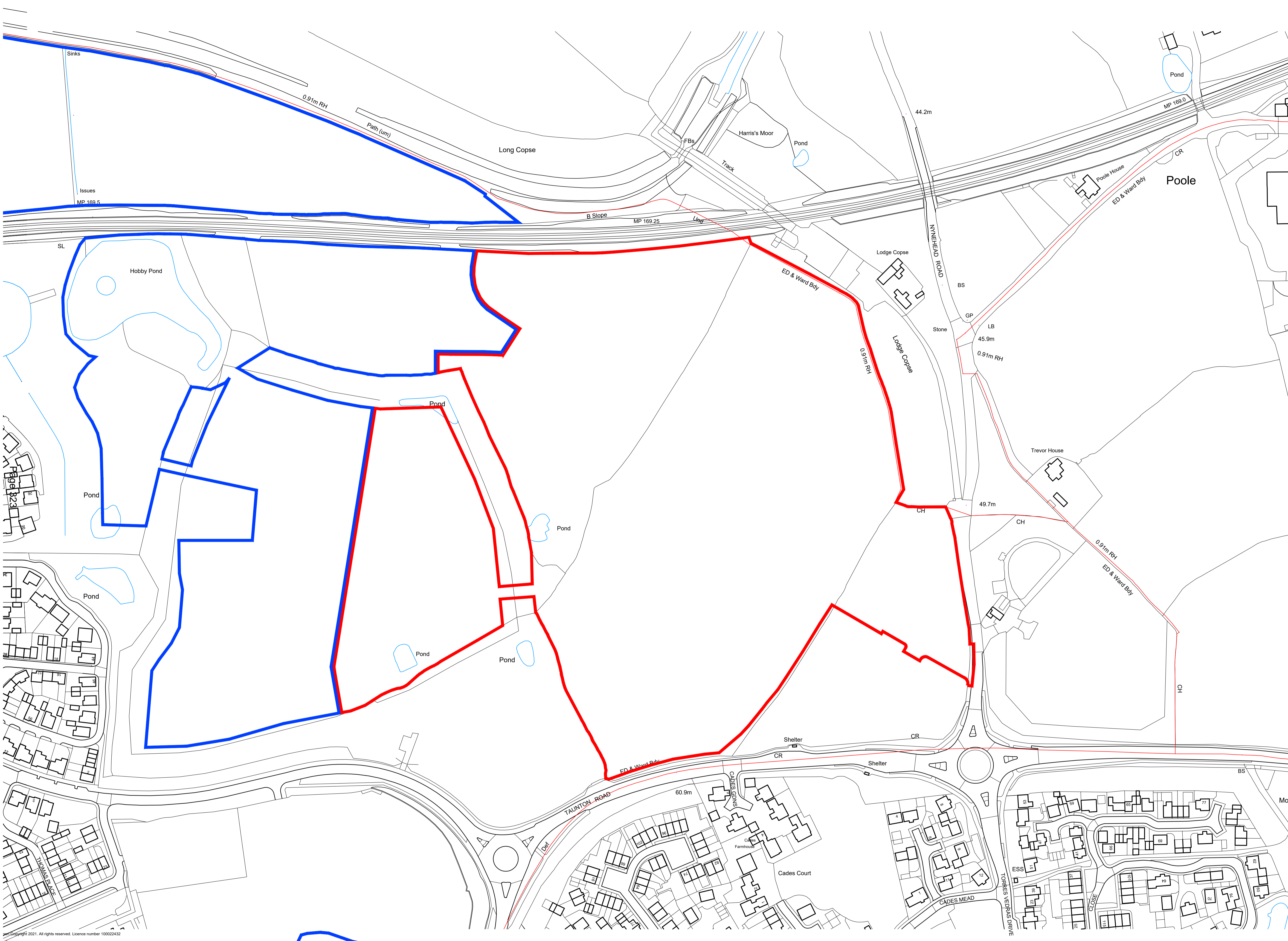
59,266,269

PROFIT

2,717,296

Performance Measures

Profit on Cost%	4.58%
Profit on GDV%	4.46%

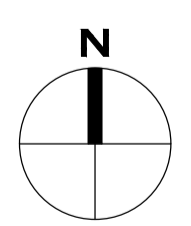


- REVISION/S:
- A. 2023-09-25. Red and blue lines amended following removal of the habitation and a proportion of the western open spaces. JHD
 - B. 2023-10-09. Red and blue line boundaries updated to facilitate a revised retained open space, as per LPA comments. JHD
 - C. 2023-12-06. Red and blue line boundaries updated, as per LPA discussions/comments. JHD

LONGFORTH FARM, WELLINGTON
SITE LOCATION PLAN (OS)

DATE : JANUARY 2023
DRAWN : JHD
DRAWING TITLE : SITE LOCATION PLAN (OS)
DRAWING NO : 0740-101-1
SCALE : 1:1250 @ A1

The Distillery, The Old Brewery Office Park,
7-11 Ludlow, Pk, Bristol BS20 2DN
T: 01275 813300 E: admin@focusdp.com
www.focusdp.com



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Application Details	
Application Reference Number:	14/21/0047
Application Type:	Full Application
Application Validation date:	17 December 2021
Description:	Application for outline planning permission with all matters reserved, except for access, comprising up to 1,450 dwellings, up to 4.91 hectares of land for strategic employment uses, up to 8 hectares of land for a through school, mixed use district centre including mobility hub, community facilities, green infrastructure, drainage works, and associated works, on land at Walford Cross, Monkton Heathfield.
Site Address:	LAND EAST OF THE A38, SOUTH OF WALFORD CROSS, MONKTON HEATHFIELD
Parish:	Creech St Michael PC and West Monkton PC
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment Area:	Yes
AONB:	No
Case Officer:	Simon Fox, Major Projects Officer (Planning)
Agent:	One Eleven Property
Applicant:	REDROW HOMES/PERSIMMON HOMES SOUTH LTD

Update Report

- 1.1 Members will recall the above stated application was presented to the former Somerset West and Taunton Planning Committee on Thursday 15 September 2022 with a recommendation of refusal for 14 stated reasons, see Appendix 1.
- 1.2 After representations from the applicant the committee resolved to defer the application.
- 1.3 Reasons for the deferment given by the committee were:
 - i. That the application be deferred to allow opportunity for significant revisions to address the recommended reasons for refusal and in accordance with a timeline agreed through a Planning Performance Agreement and informed by the use of the Quality Review Panel.
 - ii. That had the application proceeded to determination at this stage, Planning Committee would have been minded to refuse permission in accordance with the recommended reasons for refusal. If sufficient progress is not made within 6 months towards a revised scheme officers in consultation with the Chair and Vice Chair have delegated authority to refuse the application.
- 1.4 Reports were brought back to the SWT/Area West Planning Committees in March 2023 and October 2023 to update Members regarding progress in

addressing the reasons for refusal and other matters which had emerged, see Appendix 2.

- 1.5 At each update the Committee resolved to not enact part ii) of the original resolution to refuse the application because in the view of Officers significant progress had been made but maintaining the option to delegate a refusal in consultation with the Chair and Vice Chair should progress not continue in the way required by the LPA.
- 1.6 This report seeks, 20 months after the original resolution, to further update Planning Committee Members. By their nature large sites take time given their complexity, and in this case we have frontloaded a significant amount of work that would otherwise be undertaken post resolution to inform the s106. This is for two reasons, so we can be clear with the committee and the community as to the agreed set of planning obligations and secondly to ensure those planning obligations are affordable and deliverable with development viability as big a problem now to reconcile as it was post the 2008 economic crash.
- 1.7 Members may recall the site has been named Langaller Park for marketing purposes.
- 1.8 A notable milestone was reached in January 2024 when the applicants resubmitted a substantially amended scheme. This has resulted in the Hybrid part of the proposal being omitted and this now comprising an outline consent with all matters reserved except access.
- 1.9 The Council undertook further consultation on the amended scheme in February. During March and April those consultation responses have been assessed and further meetings with consultees undertaken (and are still being undertaken) to ensure all matters are addressed satisfactorily.
- 1.10 The overall sense from the recent consultation period is positive with many technical issues having been resolved or being on the cusp of being resolved.
- 1.11 Given the size of the site there are still several highways issues being assessed with meetings planned to reach an agreement. West Monkton PC has objected to the omission of the relief road for example.
- 1.12 This is the first of the allocated Urban Extensions, or part thereof (Comeytrove, Staplegrove, Monkton Heathfield) to be progressed as an outline to determination since the adoption of the Garden Town Vision. As such many policy initiatives are being tested at scale for the first time, mobility hubs being one such example and as such some of the detail is being worked up by the Council in parallel and this has caused delays. The Core Strategy dates back to 2011 and so the Council has had to refresh what policy criteria should still apply rather than slavishly just follow out of date requirements, which may be easier to progress matters but not result in the right outcome. The site will also accommodate a phosphate mitigation wetland on-site and a through-school (nursery/primary/secondary) and so these unusual aspects need thorough consideration.

- 1.13 With a 99% finalised masterplan and set of planning obligation requirements attention has turned to financial viability, i.e.: how does the site pay for everything asked for? The asks of a site like this are significant and the way in which the allocation was set out has not helped. This relates to the imbalance between infrastructure requirements between sites. The whole allocation is for 4500 homes and this site proposes 1450, so 33%, and yet it carries a significant quantum of infrastructure compared to others approved and other sites yet to come forward. This presents an equalisation issue and one of fairness between developers. This may mean that some obligations cannot be afforded on this site in lieu of say providing the circa 7.7ha school site, the district centre and certain highway works which are strategically required to serve the whole allocation.
- 1.14 Allied to the matter of s106 is CIL. Current estimates suggest this site will generate circa £16m of CIL, 25% of which will be paid to West Monkton PC and Creech St Michael PC due to the presence of Neighbourhood Plans. At present there is no indication that Somerset Council will utilise any of its CIL receipts to fund infrastructure at Langaller Park and thereby offset the necessity for in effect everything needed to be funded by s106 which raises the viability issue and the consequential reduction in what the site can deliver in terms of affordable housing, community facilities etc. The picture across Somerset is mixed with some CIL regimes exempting major sites so they are not double charged for certain infrastructure that CIL was supposed to finance by pooling funds more fairly from small schemes that wouldn't provide such infrastructure via s106.
- 1.15 This means it is imperative the circa £4m to be paid to the parishes remains available to provide some of the infrastructure necessary to make a successful Garden Community. This includes mechanisms whereby the parishes fund the construction of the Community Hall for example and discussions with the parishes continue.
- 1.16 Working this through will take more time and is a direct consequence of how Somerset Council now administers and allocates CIL.
- 1.17 By investing in that work now we will be able to present a comprehensive list of affordable planning obligations to the committee and shorten the time between committee and issuing a decision. This is because it will shorten the overall time for determination as legal agreements can take a significant period of time to agree post committee.
- 1.18 Whilst there are still matters to resolve the quality of the proposal has been much aided by the time given to discuss matters thoroughly and engage with consultees. All parties are working proactively to achieve the best outcome.
- 1.19 Subject to the resolution of outstanding issues and notably viability matters a Planning Committee is being targeted towards the late Autumn. The applicant has offered to join with the LPA to provide a Members Briefing in the lead up to the Planning Committee meeting should that be desired.

Recommendation

- 1.20 Officers seek agreement from the Planning Committee to continue working with the applicant towards a committee date of Autumn 2024. The original reasons for refusal largely would not be defensible by the Council given the amendments made to the application and the work in progress and it would be perverse to refuse now just because of the passage of time with both parties working closely and proactively with each other and the parishes.

Appendices

Appendix 1 - Officer Report from September 2022

Appendix 2 - Officer update reports presented on Thursday 30 March 2023
and Tuesday 17 October 2023

Application Details	
Application Reference Number:	<u>14/21/0047/HYB</u>
Application Type:	<u>Hybrid Application</u>
Earliest decision date:	18 March 2022
Expiry Date	<u>18 March 2022</u>
Extension of time	30 September 2022
Decision Level	Committee
Description:	Application for a Hybrid Planning application for Outline planning permission with all matters reserved, except for access related to the A38, for the second phase of the Monkton Heathfield development comprising of a residential and mixed use Garden Neighbourhood including up to 1210 No. dwellings, up to 4.83 hectares of land for strategic employment uses, 8 hectares of land for a through school, mixed use district centre, community facilities, green infrastructure, drainage works, land for a 600 No. space 'Bus and Ride' facility, relief road (EER2) and associated works and for Full planning permission for the erection of 240 No. dwellings with access, including temporary access arrangements, and associated infrastructure works on land east of the A38, south of Walford Cross, Monkton Heathfield
Site Address:	<u>LAND EAST OF THE A38, SOUTH OF WALFORD CROSS, MONKTON HEATHFIELD</u>
Parish:	14
Conservation Area:	None
Somerset Levels and Moors RAMSAR Catchment Area:	Yes
AONB:	No
Case Officer:	<u>Darren Roberts</u>
Agent:	One Eleven
Applicant:	REDROW HOMES/PERSIMMON HOMES SOUTH LTD
Committee Date:	15 September 2022
Reason for reporting application to Committee	Major application, EIA

1. Recommendation

1.1 That planning permission be REFUSED for the reasons set out in the report.

2. Executive Summary of key reasons for recommendation

2.1 The proposal would deliver a significant area of the Monkton Heathfield development allocation with new 1450 dwellings, including affordable dwellings,

land for the delivery of community uses and facilities and employment which is the subject of strategic policies SP1, SP2 and SS1. The current situation in respect of the Council's requirement to provide a five-year housing land supply (5YLS) is challenging, but applying reasonable assumptions, the Council considers that it can demonstrate this requirement. Whilst granting permission for dwellings would assist in the delivery of housing, in this instance a phosphate solution would be required, and to date this has not been proposed. This is a significant issue that weighs against the grant of planning permission. It is unlikely that delivery of these parcels of development would make a meaningful contribution to the 5 year housing land supply of deliverable sites.

- 2.2 In favour of the development is that it would include the creation of construction jobs during the development phase, and thereafter jobs in employment estimated in supporting material as an additional 751 full time equivalent (FTE) jobs on the site together with a further 338 FTE jobs in the south west of which 188 will be in the Somerset West and Taunton area, within the proposed education, employment and commercial areas and will add to economic activity in the area. There would also be financial contributions towards infrastructure and the provision of facilities although these matters are primarily intended to address the impact of the development itself. The development will also generate CIL receipts towards infrastructure and New Homes Bonus.
- 2.3 However, as the report demonstrates there are a range of significant and fundamental policy conflicts arising from the proposed development and substantial harm would arise were planning permission to be granted. This harm is in respect of serious impacts upon an irreplaceable habitat of European significance (contrary to policies CP8, SS1 and DM1c of the adopted Taunton Deane Core Strategy together with paragraphs 180-182 of the NPPF). The application will also result in a place that is not well designed, poor in quality, unsustainable, car and road dominated with poor coordination and connectivity, a dormitory development that is not attractive, locally distinctive, healthy or with a sense of place and has insufficient provision for sustainable transport, walking and cycling.
- 2.4 An inadequate approach to the District centre will mean that it will not fulfil its intended function or meet the needs of the development in order to deliver a mixed, sustainable community. Critical infrastructure such as the bus and ride facility is not secured by the development in accordance with policy requirements. Phasing proposals would deliver key facilities and infrastructure intended to serve not only this application area but also the wider allocation after the delivery of further phases of residential development. This would leave existing and future residents without these facilities for an unacceptable period. As presented the application is not considered to comply with affordable housing requirements, meet need and the extent of affordable housing provision across the wider site is uncertain. In combination this would result in an unacceptable place, living conditions, amenities for residents that do not meet the quality standards or housing needs expected for a Garden Town or the Vision as set out by this Council. (Contrary to policies CP3, CP4, CP5, CP6, SP2, SS1, DM1, DM4 (Taunton Deane Core Strategy); A1, A3, A5, D7 and D9 (Taunton Deane Site Allocations and Development Management Plan); CSM1, CSM4 and CSM6 (Creech St Michael Neighbourhood Plan); Policy T1 (West Monkton and Cheddon Fitzpaine Neighbourhood Plan); is contrary to the Districtwide Design Guide SPD, Garden Town Public Realm Design Guide SPD

and the Vision for Taunton Garden Town. It is also considered contrary to the National Planning Policy Framework paragraph 125 and sections 2, 8, 9 and 12 and national design guidance including the National Design Guide and National Model Design Code, the Ministerial Statement of 24 May 2021 and Planning Policy Guidance 2021).

- 2.5 Policy conflict has been identified in that the application does not demonstrate an acceptable approach to sport and recreation to meet the demand arising from the development. This results in harm to health and well-being considerations. (Contrary to policy SS1 of the Core Strategy and Policies C2 and C5 of the Adopted Site Allocations and Development Management Plan).
- 2.6 Policy conflict and harm has also been identified due to failure to demonstrate that it will sufficiently incorporate sustainable design features to reduce its impact on the environment, mitigate and adapt to climate change, and particularly help deliver reduction in CO2 and other greenhouse gas emissions. It fails to demonstrate that it will result in a development which minimises the use of energy, or to holistically consider the energy strategy for the site as a whole (which might include use of an energy centre to provide locally generated electricity to the new development), or how the development can realistically meet current or future national standards likely to apply within the development's lifetime. (Contrary to policies SS1, CP1 and DM5 of the Core Strategy and provisions within the Districtwide Design Guide SPD, and provisions within the National Planning Policy Framework sections 2 and 14).
- 2.7 Policy conflict has also been identified in relation to significant transport matters due to insufficient information having been submitted to fully understand the impact of the development on the strategic highway network; specifically, the safe and efficient operation of the M5 motorway and its assets. Furthermore, the transport assessment is not considered in accordance with published guidance and a range of possible outcomes have not been evaluated. It is therefore not possible to determine the impact of the development upon the local highway network, the range of transport interventions that may be required in order to address those transport impacts, their triggers for provision in relation to the phases of development and their delivery has not been secured. This results in the potential for significant harm to highway safety. In respect of the strategic highway network this is demonstrated by the current holding objection issued by National Highways with the effect of preventing the grant of planning permission. (Contrary to policies CP6 and DM1b of the Taunton Deane Core Strategy and provisions within the National Planning Policy Framework section 9).
- 2.8 Policy conflict arises from no suitable means for securing the delivery of the proposed park and ride site required by SS1, and it has not been proven that this is the optimum location for this facility in order to maximise its use and effectiveness. No bus strategy has been put forward within the planning submission, and the application is not considered to comprehensively plan for public transport. This results an unsustainable approach to transport planning to the detriment of the occupiers of the development and the environment. (Contrary to policies SP2, SS1, CP6 and CP7 of the Taunton Deane Core Strategy; A5 of the Taunton Deane Adopted Site Allocations and Development Management Plan and policy CA1 of the West Monkton and Cheddon Fitzpaine Neighbourhood Plan and the National Planning Policy Framework sections 9

and 12).

- 2.9 The proposal will result in dwellings subject to significant levels of road transport noise, necessitating suitable mitigation measures. It has not been demonstrated that the amenity of the occupiers of these proposed dwellings has been safeguarded from noise arising from the development nor the suitability of proposed mitigation measures. This results in potential harm to the amenity of occupiers. The application does not demonstrate that the requirements of policy DM1e of Taunton Deane Core Strategy nor paragraphs 174 and 185 of the National Planning Policy Framework have been met.
- 2.10 Potential harm to heritage assets and policy conflict have been identified in that insufficient information has been submitted to understand the site's archaeological value or significance and the likely effects of the development upon it; together with the absence of comprehensive assessment of the impact of the development upon the setting of Monkton Elm, a grade II heritage asset. (Contrary to policies CP8 and D9 Taunton Deane Core Strategy, ENV4 Taunton Deane Site Allocations and Development Management Plan and the National Planning Policy Framework section 16 including paragraphs 199-204 and 206).
- 2.11 Insufficient information has also been submitted to demonstrate the adequacy of the proposed approach to water management and drainage of the site and therefore compliance with requirements within policies CP1, SS1 and I4 of the Taunton Deane Core Strategy and paragraph 169 of the National Planning Policy Framework. There is therefore potential associated harm to the occupiers of the development and the environment arising from inadequate water management.
- 2.12 In the absence of a signed S106 agreement a range of other policy conflicts have been identified. Whilst the provision of signed S106 agreement would secure and thereby resolve many of these issues, in its absence policy conflict arises in respect of the delivery, timing and funding of a range of critical facilities and infrastructure required to meet the needs of the development or to mitigate for its impact including affordable housing, education, community facilities, employment, open space and sports provision, highway improvements including sustainable transport and the park and ride site, ecological enhancement, public rights of way and the phasing of development. Policies CP4, CP5, CP7, CP8, SP1, SP2, SS1, DM1 of the Taunton Deane Core Strategy, policies A2, I4, C2 and C5 of the Taunton Deane Site Allocations and Development Management Plan and provisions within the National Planning Policy Framework apply, at present are not satisfied and currently weigh against the application. The lack of appropriate resolution of these key facilities and infrastructure raises the potential for significant harm if they remain unresolved.
- 2.13 The presumption in favour of sustainable development in paragraph 11 of the Framework is a material consideration. For decision taking this means approving development that accords with an up to date development plan without delay or, where a five year housing land supply cannot be demonstrated, Paragraph 11d, tilts the balance in favour of the grant of permission unless
- i. "The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the*

development; or

- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”*

Although the position is challenging, this Council considers that applying reasonable assumptions, it is able to demonstrate a 5 year supply of deliverable housing sites. Accordingly, the Paragraph 11d tilted balance is not considered to be engaged.

- 2.14 However, even if it were, the lack of an agreed phosphate budget and mitigation means that the development is likely to lead to a significant adverse effect on the Somerset Levels and Moors Ramsar site. As such, the Council cannot ascertain beyond reasonable scientific doubt that the development would not affect the integrity of the Ramsar site, which provides a clear reason for refusing the application. The application is also not considered to accord with the development plan taken as a whole and the benefits of the application, whilst substantial, do not outweigh this conflict. The overall adverse impacts and substantial harm that would arise if planning permission were granted are also identified in this report and are considered to significantly and demonstrably outweigh the benefits of the proposal, when assessed against the development plan policies, the National Planning Policy Framework and other material considerations. There are no other material considerations that are considered to outweigh that.

Having regard to all the matters raised, it is therefore recommended that planning permission is **refused**.

3. Planning Reasons for Refusal

3.1 Reasons (full text in Appendix 1)

- 1) The development will add to phosphate levels and is likely to have a significant effect on the Somerset Levels and Moors Ramsar site. No information has been submitted to enable the Council to undertake an appropriate assessment and without mitigation measures the Council cannot be sure that the development will not lead to a significant adverse effect on the Somerset Levels and Moors Ramsar site to the detriment of its integrity.
- 2) The development is not well designed in that it is an unsustainable, car dominated, uncoordinated and unconnected, dormitory development that is not attractive, healthy, locally distinctive or with a sense of place. Furthermore, its car-based approach to placemaking results in road, car and parking domination that does not prioritise active travel and public transport. It has poor connectivity to the surrounding area.
- 3) The development does not secure affordable housing in accordance with policy requirements.
- 4) In the absence of a S106 agreement the application does not secure contributions towards education and health care and the provision of other critical and necessary aspects arising from the development in order to mitigate its impact.
- 5) The District Centre is considerably reduced from that set out in policy SS1 to the detriment of it successfully fulfilling its function, its contribution to successful

placemaking and meeting the needs of the wider Monkton Heathfield development.

- 6) The development does not deliver the park and ride or provide a bus strategy with inadequate planning for public transport.
- 7) The development fails to comprehensively address the need to respond to climate change, reduce carbon and promote energy efficiency measures.
- 8) Insufficient information has been submitted in respect of archaeology in the absence of trial trenching.
- 9) Insufficient information has been submitted in order to fully understand the impact of the development on the strategic highway network; specifically, the safe and efficient operation of the M5 motorway and its assets.
- 10) The transport assessment is not considered in accordance with published guidance and a range of possible outcomes have not been evaluated. It is therefore not possible to determine the impact of the development upon the local highway network, the range of transport interventions that may be required in order to address those transport impacts, their triggers for provision in relation to the phases of development and their delivery has not been secured.
- 11) The application does not demonstrate an acceptable approach to the provision of on-site and off-site sport facilities including built sports provision to meet the demand arising from the development.
- 12) Insufficient information has been submitted in respect of sustainable urban drainage systems.
- 13) The proposal will result in dwellings subject to significant levels of road transport noise. The application does not demonstrate that the requirements and the amenity of the occupiers of the proposed dwellings has been safeguarded from noise arising from the development and demonstrated the suitability of proposed mitigation measures.
- 14) The impact of the development upon the setting of Monkton Elm, a grade II heritage asset has not been comprehensively assessed, such as to understand the effect of the development upon its significance and setting, nor considered ways to enhance, better reveal or preserve the setting of that heritage asset.

3.2 Informatives

Proactive Statement

4. Proposed development, site and surroundings

4.1 Details of proposal

4.1.1 The application has been submitted in hybrid form. Firstly, as an outline application for the majority of the site with all matters reserved (except for access) for a new garden neighbourhood including up to 1210 dwellings, up to 4.83 ha of employment land, 8 ha of land for a through school, district centre, community uses, a bus and ride facility, new eastern relief road, and landscaping and infrastructure required for the development.

4.1.2 The dwellings are proposed in several blocks, accessed via the Central Boulevard or minor access roads. All housing is proposed to the west and north of the relief road and is shown in the indicative masterplan as being interspersed with areas of play. The proposed employment area is situated in the eastern portion of the site, adjacent to the M5 motorway, accessed via the spine road. In the same portion of the site is the proposed bus and ride facility;

this borders existing housing and farm buildings to the North and East at Walford Cross.

- 4.1.3 Directly off the main roundabout is the proposed mixed use district centre. This includes health and community facilities as well as the retail units for the Monkton Heathfield development. It is intended to act as the focal point for the community. The proposed central boulevard runs through the district centre to the through school, which sits in grounds which extend to the existing A38 to the north. This includes land proposed to be used as playing fields.
- 4.1.4 Finally, the east and south of the proposed new relief road (known as the Eastern Relief Road, or ERR) is an area of green infrastructure, comprising tree planting, open space, allotments, and attenuation features. In policy SS1 this area is referred to as a green necklace.
- 4.1.5. The application seeks full planning permission within the area in the south and west of the site, in two distinct areas which are adjacent to the existing A38 and opposite the Monkton Elm Garden Centre. 240 homes are proposed in these two land parcels and together they are referred to as phase 1 of the development.
- 4.1.6 The houses in the detailed application are shown generally arranged in a series of cul-de-sacs, either with garages or parking to the front of properties. There are also some apartment buildings with rear parking courts. Affordable housing is also shown, within parts of the site. Attenuation ponds are shown facing the existing A38 in the southern portion.

4.2 Site and surroundings

- 4.2.1 The site covers approximately 100 hectares and is located to the northeast of Taunton and north of the existing recent housing development, known as 'Monkton Heathfield 1'. Most of the site is situated to the north and east of the existing A38 which runs between Taunton and Bridgwater. It comprises of agricultural fields, which contains hedgerows and woodlands. A small brook runs across the site from north to south and two main footpaths traverse the fields. It slopes gently from north to south. Apart from the A38, the site is bordered by buildings in the small hamlet of Langaller to the south, the M5 to the east, with industrial and agricultural buildings at Walford Cross to the north.
- 4.2.2 A further part of the site is situated opposite the Monkton Elm Garden Centre. This is also agricultural land bordered by roads, other agricultural land and the rear gardens of houses.
- 4.2.3 Whilst the site is not within any statutory designations, it is close to the Hestercombe House Special Area of Conservation, is within the Bat Consultation Zone and contains trees protected by a Tree Preservation Order.

5. Planning history

- 5.1 There is no planning history within the site itself, however residentially-led development has been delivered on land to the east under earlier phases of development within the SS1 Monkton Heathfield allocation area. This existing

development to the east comprises Monkton Heathfield phase 1 (MH1), together with residential development at Hartnells Farm and Aginhills Farm.

- 5.2 Outline planning permission was granted on appeal in March 2009 for a mixed-use urban extension comprising 900 dwellings, employment development, a local centre, primary school, A38 relief road and public open space, under ref 48/05/0072. Subsequent reserved matters approvals were granted for just under 900 new units together with the first section of the eastern relief road under application references 48/10/0036, 48/13/0081, 48/14/0007, 48/14/0009, 48/14/0016, 48/14/0028, 48/15/0018 and 48/15/0030.
- 5.3 A further full permission for a local centre including 5 retail units, 18 apartments and 69 dwelling units within this 'Phase 1' was approved in August 2016 (48/15/0053) with approval for a new 420 place primary school given in December 2015 (48/15/0027).
- 5.4 Further permissions have been granted at Aginhills (48/10/0072, full permission for 136 dwellings) and Hartnells Farm (48/16/0033, outline permission for 320 dwellings together with subsequent grant of reserved matters).

6. Environmental Impact Assessment

- 6.1 The application is accompanied by an Environmental Statement. The proposal constitutes Schedule 2 development under the Environmental Impact Assessment (EIA) Regulations. It is an urban development infrastructure project due to its size and number of dwellings.
- 6.2 Two EIA scoping opinions have previously been issued by the Council for the application site, under references 48/17/0013/SCO and 48/19/0003/SCO.
- 6.3 Both opinions were sought on a similar basis to the submitted application, i.e., as a mixed-use new neighbourhood, although the amount of housing at 2100 homes was in excess of that proposed in the current application. The comments of the Local Planning Authority (LPA) included that the proposed numbers of housing would result in an excessive density and was not likely to be achievable within the policy requirements of the local plan. The LPA confirmed the scope of the future application and the subjects that would be required to be included within an environmental statement. These are specifically, ecology/biodiversity, historic environment, transport and highways, flood risk and drainage, landscape and visual impact, air, noise and vibration, ground conditions and contamination, and socio-economic impacts. The applicant has also included a chapter on climate change within the Environmental Statement, reflecting the declaration of a climate change emergency by the Council. In the opinion of the case officer, the submitted Environmental Statement has met the requirements set out in the scoping report.

7. Habitats Regulations Assessment

- 7.1 Natural England has advised the Council that in determining planning applications which may give rise to additional phosphates within the catchment of the River Tone they must, as a competent authority, undertake a Habitats Regulations Assessment and an appropriate assessment where a likely significant effect cannot be ruled out. Natural England identify certain forms of

development affected including residential development, commercial development, infrastructure supporting the intensification of agricultural use and anaerobic digesters.

- 7.2 The proposed development will result in additional phosphate output and the foul water discharge and surface water in combination from the development will add to the phosphate levels within the Somerset Levels and Moors Ramsar Site ('the Ramsar Site'). The foul water pathway is via the Taunton wastewater treatment works. Therefore, the surplus in the phosphate output would need to be mitigated in order to demonstrate phosphate neutrality and ensure no significant adverse impact on the affected designated area. The consultation response from Natural England indicates that appropriate assessment should demonstrate through an agreed phosphorus budget that the proposals can achieve phosphorus neutrality through the implementation of appropriate permanent offsetting measures. The consultation response requests a phosphorus budget for the scheme together with details of the permanent mitigation measures that will be applied to secure phosphorus neutrality. No such budget or permanent mitigation measures to this issue have been put forward within the application.
- 7.3 This Monkton Heathfield application also has potential effects on the lesser horseshoe bat colony at Hestercombe House Special Area of Conservation. The development boundary is bordered with the Hestercombe House Ecological Zone of Influence. Policy SS1 of the Core Strategy requires off-site woodland habitat to be provided in accordance with the recommendations of the Hestercombe House SAC Appropriate Assessment to compensate for the loss of habitat and for this to be functional prior to the commencement of any development north of the A3259.
- 7.4 The Hestercombe House SAC Appropriate Assessment recommended mitigation is embedded into policy SS1. Mitigation and screening of the site are required, including woodland buffer planting and specification of directional street lighting. The submitted Environmental Impact Assessment (EIA) identifies an equivalent of at least 5.24 ha of accessible habitat suitable for lesser horseshoe bats would be provided at appropriate light levels to function as alternative habitat for at the appropriate stage of development. It predicts that there would be no long-term loss of habitat available for lesser horseshoe bats associated with Hestercombe House SAC and concludes that there would be no likely significant effect on the favourable conservation status of the SAC bat population, with the effect of the application development being neutral.
- 7.5 At time of writing this report, no advice has been received from the Somerset County Ecologist, nor does the consultation response from Natural England refer to the Hestercombe SAC, in the context of the application. The Council as competent authority therefore cannot formally conclude at this time on the significance of the effect, nor the effectiveness of the proposed mitigation. Similarly, no advice has to date been received over the contents of the EIA on other European protected sites in screening them in or out, the extent and significance of any other impacts of the development and the need (or otherwise) for mitigation.
- 7.6 In the absence of information on phosphates and wider advice, there is no certainty that the integrity of the international site(s) will not be affected, and it

is not possible for the Local Planning Authority as competent authority to conclude a favourable Habitats Regulations Assessment and fulfil its statutory duty under Regulation 63 the Conservation of Habitats and Species Regulations 2017.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 24/12/2021

8.2 Press Date: 03/01/2022

8.3 Site Notice Date: 03 January 2022

8.4 **Statutory Consultees** the following were consulted:

Consultee	Comment	Officer comment
WEST MONKTON PARISH COUNCIL	Objects. District Centre insufficient, phasing issues, community facilities, design of estates, crossing points needed	See Section 18
Consultee	Comment	Officer comment
CREECH ST MICHAEL PARISH COUNCIL	Objection. Inadequate consultation, lack of infrastructure, impact on CSM village, phasing.	Consultation was undertaken in line with guidance. Period for comments was extended at request of residents
Consultee	Comment	Officer comment
HOUSING ENABLING	The proposed tenure mix for the Outline and the Full Planning permission should be amended to reflect the affordable housing policy tenure requirement of 25% First Homes, 60% Social Rent and 15% Intermediate housing in the form of shared ownership. The type and size of the affordable housing units to be provided should fully reflect the distribution of property types and sizes in the overall development and the housing need requirements. To reflect this the overall affordable housing mix for both the Outline and Full Planning permission should be amended to: • 10-15% 1b2p	See Section 15

	<ul style="list-style-type: none"> • 40% 2b4p • 35-40% 3b 5/6p • 10% 4b6p <p>1b2p dwellings should be in the form of maisonette style properties with their own access and garden area and should be for social rent.</p> <p>Any low-cost home ownership housing including First Homes and intermediate housing should be in the form of 2b4p and 3b5p houses.</p> <p>As the Planning Application triggers over 25 affordable housing requirements, the scheme should provide 10% of the total affordable housing provision to be in the form of fully adapted disabled units in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010.</p> <p>For the Full Planning Permission being sought on 240 dwellings, including 60 affordable homes this would equate to a requirement of 6 fully adapted disabled units in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010</p> <p>To reflect local housing need the requirement is for the fully adapted units to be in the form of 2b4p and 3b5p dwellings for social rent.</p> <p>The disabled specification requirements are to be submitted and agreed in writing.</p> <p>Whilst no indication of the location of the affordable units has been provided at this stage for the Outline provision it should be noted the affordable housing should be an integral part of the development and should not be visually distinguishable from the market housing on site.</p> <p>In addition, the affordable housing is to be evenly</p>	
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	<p>distributed across the site with the practicalities of managing and maintaining units being considered when agreeing the appropriate spatial distribution of affordable housing on site. Service charges should reflect the necessity to keep these properties affordable. It is also recommended that any service charges should be calculated on a per metre square basis rather than per unit.</p> <p>The affordable housing scheme for each parcel /phase must be submitted to and approved in writing. Continuing engagement to agree the affordable housing provision is recommended.</p> <p>It is noted two layouts have been submitted for the 240 dwelling Full Planning Application including the tenure mix and location of the affordable homes. These plans will need to be updated to incorporate the comments above regarding the proposed affordable housing tenure and unit sizes.</p> <p>The developer should seek to provide the Housing Association tied units from the Councils preferred affordable housing development partners list.</p>	
Consultee	Comment	Officer comment
LANDSCAPE	A number of concerns raised regarding location of school, connections to the district centre, demand for employment units, car dependency, lack of crossings and integration of SuDs schemes, width of boulevard, connections to public rights of way, links to green necklace, biodiversity, location of allotments	See Sections 13 and 14
Consultee	Comment	Officer comment
HERITAGE	The heritage assessment submitted identifying the change in significance of	See Section 19

	Monkton Elm a Grade II heritage asset is <u>barely perceptible</u> as a result of the design and layout of Phase 2, fails to fully address the impact of the development on the setting. In addition, the adopted layout and design detail for Phase 2, needs further considering regarding the local and distinctive character of Somerset's vernacular.	
Consultee	Comment	Officer comment
LEISURE DEVELOPMENT	No response	-
Consultee	Comment	Officer comment
ARTS TAUNTON	Poor design. Too many parking spaces, poor parking layout, road widths too large, materials should be specified, permeable materials should be used, employment land is poorly connected, lack of connection between walking and cycling routes, roundabout should not be enlarged, poor district centre	See Sections 11, 12, 14, 18
Consultee	Comment	Officer comment
TAUNTON AREA CYCLING CAMPAIGN	Active travel proposals are inadequate; roundabouts are too large and not compliant with guidance; lack of cycle provision on new road	See Sections 12 and 14
Consultee	Comment	Officer comment
ARBORICULTURAL OFFICER	The concept layout generally has regard to high category protected trees. Concern is expressed over the extent of hedgerow removal with amendment requested to allow for greater retention. A detailed Arboricultural Method Statement will be required to show how the retained trees and hedgerows will be protected.	See section 13

	Recommendations are made over the approach to landscaping and planting, but recognition that these can be addressed by condition.	
Consultee	Comment	Officer comment
ENVIRONMENTAL HEALTH	<p>Noise and vibration- the proposed layout and configuration is subject to significant levels of road transport noise. The application does not sufficiently demonstrate good acoustic design approach in accordance with standards. Given the layout and configuration of the site is a key and fundamental element of the design process, object to the application.</p> <p>Contamination- additional detailed risk assessment should be submitted to the Local Planning Authority for approval. Where contaminants have been encountered, the applicant needs to provide a detailed option appraisal, remediation strategy and verification plan prior to commencement of the development.</p>	See section 21
Consultee	Comment	Officer comment
NATIONAL HIGHWAYS	Recommend that planning permission not be granted-further information required on the impact of the development on the M5	See Sections 10 and 11
Consultee	Comment	Officer comment
NATURAL ENGLAND	Further information required on phosphorous budget for the scheme, and proposed mitigation	See Sections 7 and 10
Consultee	Comment	Officer comment

BRITISH TELECOM	No response	-
Consultee	Comment	Officer comment
CHIEF FIRE OFFICER - DEVON & SOMERSET FIRE RESCUE	No response	-
Consultee	Comment	Officer comment
ENVIRONMENT AGENCY	No objection subject to conditions	See section 17
Consultee	Comment	Officer comment
NHS SOMERSET, SOMERSET PRIMARY CARE TRUST	The CCG's concern is that the combined surgeries of Creech Medical Centre, Lyngford Park Surgery and Crown Medical Centre, a community facility, are already over capacity within their existing footprint therefore it follows that to have a sustainable development in human health terms the whole local healthcare provision will require review. The surgeries already have 21,063 patients registered and this new development will increase the local population by a further 3,377 persons. Total contribution required = £838,912 a. Total space (m2) required x premises cost = final contribution calculation b. 262.16m2 x £3,200 = £838,912 (£579 per dwelling).	See Section 23
Consultee	Comment	Officer comment
PLACEMAKING TEAM MANAGER	Extensive comments on design and placemaking matters with particular reference to context and character, movement, built form, layout, parking, density and the district centre. A series of deficiencies of the application approach are identified.	See sections 12, 14 and 18

Consultee	Comment	Officer comment
POLICE ARCHITECTURAL LIAISON OFFICER	Difficult to make comments at this outline stage. Observations on layout of roads and footpaths, communal spaces, orientation of dwellings, rear access footpaths and vehicle parking, landscaping, climbing aids, street lighting and security.	See Section 22
Consultee	Comment	Officer comment
THE RAMBLERS ASSOCIATION	No comments	-
Consultee	Comment	Officer comment
LEAD LOCAL FLOOD AUTHORITY	Further information needed – drainage plan, details of sustainable drainage system. Details for the full application area may be conditioned.	See Section 17
Consultee	Comment	Officer comment
SCC - ECOLOGY	No comments received	
Consultee	Comment	Officer comment
SCC - COUNTY ARCHIVIST	Further information required on any archaeological remains.	See Section 20
Consultee	Comment	Officer comment
SCC - CHIEF EDUCATION OFFICER	Requires education contributions for early years, primary, secondary and SEN.	See Section 18.1
Consultee	Comment	Officer comment
SCC - RIGHTS OF WAY	No objection, but applicant must apply for a diversion order	See Section 24
Consultee	Comment	Officer comment
SCC - TRANSPORT DEVELOPMENT GROUP	This response is an update to the those made by Highways Development Management on 4 th February and on 10 th June 2022. No further information has been provided in support of the planning application at this time, and the planning authority has now confirmed their intention to make a planning decision and that the scheme will be considered at Planning Committee in due course. Given the current	See Sections 10.1, 11, 12 and 14

	<p>planning position, and due to the issues detailed in the earlier highway consultation responses, the highway authority objects to the application and recommends the following reasons for refusal.</p> <ul style="list-style-type: none">•• Sustainable connections. The proposal is contrary to policy since the planning submission presents no suitable analysis or details of the required pedestrian and cycle connections, including to a standard that fulfils the requirements of LTN 1/20 guidance and the Somerset County Council Local Cycling and Walking Infrastructure Plan, through the areas surrounding and connecting to the application site.•• Bus access. The proposal is contrary to policy since the planning submission does not present a viable public transport strategy for the application scheme.•• Phase 1 layout. The layout of the proposed development layout is unacceptable in terms of the pedestrian and cycle access•• Phase 1 access. The proposal is contrary (to policy) since the formation of an access together with the introduction of conflicting traffic movements onto and from the Monkton Heathfield Road would be prejudicial to highway safety.•• Highway impact. The proposal is contrary to policy since insufficient information is provided to demonstrate that the impacts of development would not have a severe impact on the wider operation of the highway network.•• Parking. The proposed parking layout would be likely to result in parking on the	
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	<p>highway, with consequent additional hazard to all users of the road and interference with the free flow of traffic</p> <ul style="list-style-type: none"> •• Travel Plan. The proposal is contrary to policy since the planning submission does not present a suitable Travel Plan in support of the application scheme. • 	
Consultee	Comment	Officer comment
SOUTH WESTERN AMBULANCE SERVICE	No response received	-
Consultee	Comment	Officer comment
SPORT ENGLAND SOUTH WEST	<p>Sport England has no objection in principle to housing growth but we OBJECT regarding the lack of planning for sport on-site and/or financial contribution off-site to create new sports facilities including built sports provision. The proposal does not deliver for sport and recreation what the policy SS1 and other development plan policies require, including planning policies C2 & C5. And this proposal is inadequate in terms of sport and recreation in line with adopted neighbourhood plans. We have highlighted a number of issues in this response including the lack of dedicated community sport playing fields, a sports hub with multiple playing pitches to meet the future needs or a number of sports. We recommend that further discussions and amendments are made to the proposals to take on board the comments above before the application is determined. We can then confirm Sport England's position if the sporting needs can be addressed, either through on-site provision, and/or off-site contributions for outdoor and</p>	See Section 18

	indoor sport and recreation. And the principles of Active Design can be demonstrated/use of the checklist proven	
Consultee	Comment	Officer comment
SOMERSET WASTE PARTNERSHIP	No comments	-
Consultee	Comment	Officer comment
WESTERN POWER DISTRIBUTION (BRISTOL)	No comments	-
Consultee	Comment	Officer comment
SOMERSET WILDLIFE TRUST	No comment	
Consultee	Comment	Officer comment
SCC - GYPSY LIAISON OFFICER	No comment	-
Consultee	Comment	Officer comment
SCC - MINERAL & WASTE	No comment	-
Consultee	Comment	Officer comment
SEDGEMOOR DISTRICT COUNCIL	No comment	-

8.6 Local representations

Neighbour notification letters were sent in accordance with the Council's Statement of Community Involvement.

13 letters have been received (12 objections, one making general comments) making the following comments (summarised):

Material Planning Considerations	
Objections	Officer Comment
Does not make sufficient provision for ecology	See Sections 7 and 13.
Risk of rat running	See Section 11
Right turn onto A3259 should be banned	See Section 11
Opposed to a bus gate	See 11
Landscaping not up to standard	See Section 13.2
Risk of flooding	EA has not objected. See Section 17
Impact on heritage assets	See Sections 19 and 20
Density not in keeping with village	See Sections 10.1, 14
Impacts on bat roost in centre	See Section 13

Concern over relationship with housing on Phase 1	See Sections 12, 14 and 15
Loss of wildlife	See Section 13
Not local vernacular	See Section 14
Insufficient infrastructure	See Section 18
Application proposes bat roosts and ecological mitigation on land outside of their control	See Section 13
Should use the existing road not a new relief road- existing relief road a racetrack	See Sections 10.1, 11 and 12
Langaller should not be used as access	This is not part of the proposals
Doctor's surgery should be provided	See Section 23
Increased light pollution would disturb protected species	See Section 13
Insufficient parking	See Sections 11, 12 and 14
Should use new energy technology	See Section 16
New roundabout at Walford is unsafe	See Section 11
Moving of gas main is not acceptable	No comments have been received from the energy company
Location of park and ride not acceptable	See Section 10.1, 11 and 14
No details of phosphate mitigation	See Section 7 and 13
Needs a noise bund between existing development	See Section 21
Need to connect to existing facilities, e.g. retail parks and health centres – could a new railway station be built	See Sections 12, 14 and 18 A railway station has not been identified in the Policy SS1. Site lies some distance from the railway line making this not realistic
No confidence that PV panels, grey water recycling, heat pumps etc. will be installed	This would be made a condition of any planning permission See section 16
New homes not needed	See Section 10.1
Support	Officer comment
Allotments and mini farm have been dropped from scheme	Noted. Allotments are proposed within the green infrastructure area
General Comments	
Relief Road must be built before any residential development	See Section 18.5
Materials should fit in with the village	See Section 14
MH1 has not been delivered	See Section 18
ERR should have no street lighting	This would be a matter for the Highway Authority at adoption

8.7 Summary of objections - non planning matters

- Application driven by profit
- Consultation period too short

- Plan does not include all new houses
- Links to documents do not work

8.8 Summary of support - non planning matters- NONE

9. Relevant planning policies and guidance

- 9.1 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Deane Site Allocations and Development Management Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013) together with made Neighbourhood Plans for West Monkton and Cheddon Fitzpaine (2017) and Creech St Michael (2019).
- 9.2 Whilst the Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013) form part of the development plan, they are not considered to be primary plans against which the application will be determined.
- 9.3 Both the Taunton Deane Core Strategy and the West Somerset Local Plan to 2032 were subject to review and the Council undertook public consultation in January 2020 on the Council's issues and options for a new Local Plan covering the whole District. Since then the Government has agreed proposals for local government reorganisation and a Structural Change Order agreed with a new unitary authority for Somerset to be created from 1 April 2023. The Structural Change Order requires the new Somerset authority to prepare a local plan within 5 years of vesting day.
- 9.4 Relevant policies of the Development Plan in the assessment of this application are listed below:

Taunton Deane Core Strategy

SD1 -	Presumption in favour of sustainable development,
CP1 -	Climate change,
CP2 -	Economy,
CP3 -	Town and other centres,
CP4 -	Housing,
CP5 -	Inclusive communities,
CP6 -	Transport and accessibility,
CP7 -	Infrastructure,
CP8 -	Environment
SP1 -	Sustainable development locations,
SP2 -	Realising the vision for Taunton,
SS1 -	Monkton Heathfield,
DM1 -	General requirements,

- DM4 - Design,
- DM5 - Use of resources and sustainable design,

Taunton Deane Site Allocations and Development Management Plan Policies

- C2 - Provision of recreational open space,
- C5 - Provision of Community Facilities,
- A1 - Parking Requirements,
- A2 - Travel Planning,
- A3 - Cycle network,
- A5 - Accessibility of development,
- I1 - Powerlines,
- I4 - Water infrastructure,
- ENV1 - Protection of trees, woodland, orchards and hedgerows,
- ENV2 - Tree planting within new developments,
- ENV4 - Archaeology
- D2 - Approach routes to Taunton and Wellington,
- D7 - Design quality,
- D8 - Safety,
- D9 - A Co-Ordinated Approach to Dev and Highway Plan,
- D10 - Dwelling Sizes,
- D12 - Amenity space,
- D13 - Public Art,
- TC3 - Local shopping

9.5 Neighbourhood plans

– **Creech St Michael 2019**

The majority of the application site (outline area) is located within the area covered by the Creech St Michael Neighbourhood Plan which was made in 2019. Section 4 of the Plan deals with the Monkton Heathfield urban extension and at 4.1.5 and 4.1.6 confirms that due to the requirement that the neighbourhood plan be in conformity with Somerset West and Taunton Council's Development Plan (including allocation policy SS1), the neighbourhood plan does not propose any specific policies for the Monkton Heathfield site.

The plan contains a series of relevant general policies including

- CSM1 – Cycle and Footpath Network
- CSM2 – Parish Traffic Management Plan
- CSM3 – Housing to meet local needs
- CSM4 – Quality of Design
- CSM5 – Employment
- CSM6 – Community Cohesion

– **West Monkton and Cheddon Fitzpaine 2017**

The neighbourhood plan was made in 2017 and relates to the part of the site

north of Monkton Heathfield Road between Blundell's Lane and Doster's Lane and the further parcel on the western corner with the A38. These parts of the site form the full application elements (phase 1) of the proposal.

This contains the following policies relevant to the application:

- H1 Housing Suitable for Older People
- H2 External Materials for Residential Development
- H3 Refuse Bin Storage for Residential Development
- H4 Affordable Housing
- T1 Development a Comprehensive and high-quality footpath and cycle network
- E1 Starter Workshop Units
- E5 Wider Rollout of Broadband Connectivity
- R1 Dark Skies
- R2 Green Space and Wildlife
- R3 Flood Alleviation
- R4 Recreation and Community Facilities
- CA1 Developing high quality bus infrastructure

The Neighbourhood Plan for West Monkton and Cheddon Fitzpaine is in the process of being updated, with a revised Plan due to go to referendum on 22 September 2022 following the independent examination. If more than 50% of those voting are in favour of the plan it will then go forward to full Council to be made (i.e adopted). Due to its advanced stage, this revised plan is a material planning consideration and weight should therefore be given to it.

9.6 Supplementary Planning Documents

- Public Realm Design Guide for the Garden Town, December 2021
- District Wide Design Guide, December 2021
- Affordable Housing 2014

9.7 Other relevant policy documents and guidance

- Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022) and the SWT Net Zero Carbon Toolkit
- Somerset Climate Emergency Strategy
- SWT Carbon Neutrality and Climate Resilience Action Plan
- Taunton Design Charter and Checklist
- Taunton: The Vision for Our Garden Town (2019)
- Connecting our Garden Communities (consultation draft, 2022)
- Guidance notes on First Homes, recreational open space and community halls

9.8 National Planning Policy Framework

Although read as a whole, relevant sections and in some instances, paragraphs are cited in relation to the key issues.

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

- Policy framework, the principle of development and land supply
- Strategic and local highway network

- Sustainable transport
- Natural Environment and Green Infrastructure
- Design and placemaking
- Housing and Residential Amenity
- Climate Change
- Ecology and Biodiversity
- Sustainable Drainage and flood risk
- Infrastructure Requirements
- Phasing
- Heritage
- Archaeology
- Air quality, noise and contamination
- Safety and crime
- Health and wellbeing
- Public rights of way
- Local finance considerations

These are dealt with in the following sections

10.1 Policy framework, the principle of development and land supply

10.1.1 The spatial policy for the District, outlined in Policy SP1 of the Core Strategy, is to focus development on the most sustainable locations, notably Taunton and Wellington. As a result, several strategic locations have been identified for growth as new sustainable communities. The Vision for Taunton within the Core Strategy confirms that the major new neighbourhoods are to be well connected to Taunton and known as exemplars of quality placemaking, mixed use where people can meet their daily needs locally and an environment in which people are proud to live. Monkton Heathfield has specific mention as one of those major new neighbourhoods.

10.1.2 Policy SS1 of the Core Strategy identifies Monkton Heathfield as one of these strategic communities. The land which is the subject of this application is included within this allocation. The principle of development is therefore established by this policy.

10.1.3 In respect of housing provision across the District, the Council published a snapshot of the situation most recently in May 2022. This demonstrated that the former Taunton Deane area has 4.04 years of supply within its five-year housing land supply (5YHLS) target, calculated using the standard method. However, following the resolutions of the Phosphates Planning Sub-Committee on the 21 July 2022, which approved a scheme of phosphates credits in connection with interim measures in the catchment area, it is expected that more development schemes are deliverable and can be included in the 5YHLS. It is expected that between 150 – 780 homes within the catchment will be able to be released. Accordingly, although still a challenging position, it is now estimated that the 5YHLS within the former Taunton Deane area is at the upper end of a range between 4.25-5.13 years

and the Council is able to meet requirements applying reasonable assumptions over the number of homes likely to be released. Further guidance is expected shortly following the July 2022 Written Ministerial Statement over how development held up by phosphates may in some circumstances still be counted as deliverable. This can only improve the Council's supply position.

10.1.4 Delivery of housing at this site is dependent firstly upon achieving a solution in terms of phosphate mitigation, and in any case is unlikely to be completed within five years, due to the requirements to sign legal agreements, comply with any imposed conditions, and timescales for the construction of infrastructure. Due to the scale of the proposal, it is also expected that it would take more than five years to build out. The latest published position in May 2022 did not include any dwellings within this Monkton Heathfield phase 2 application site as being occupied within 5 years. Even if permission were granted and the 240 dwellings within the full part of the application were included, this would only contribute 0.33 years to the 5YHLS calculation.

10.1.5 Policy SS1 identifies a series of criteria which need to be considered for this policy to be met. A number of these criteria do not apply to this application – either they have already been delivered or addressed elsewhere (for example West Monkton cricket club and the first part of the relief road) or they do not relate to this part of the application (for example the provision of a country park within the green wedge between Monkton Heathfield and Priorswood/Nerrols).

10.1.6 There are several criteria which are relevant to this application and therefore are required to be met in order to satisfy the policy requirements of the Core Strategy. These are either addressed below or within subsequent sections of this report by material consideration topic. First, is the requirement for phased delivery of around 4,500 new homes at an overall average of 35-40 dwellings per hectare. The application site forms a significant part (Phase 2) of this allocation. Earlier phases at Monkton Heathfield also incorporate land at Hartnells Farm and Aginhills Farm which together provide 1,356 dwellings, most of which have been delivered. The applications submitted to date indicate a significant under-provision in housing numbers against the allocation. If granted, this application for 1,450 (of which 200 are in full detail) together with those granted to date would total 2,806. This is 1,694 houses less than the allocation with approximately 27.2 hectares yet to be subject to an application. Even with future applications on the remaining land parcels, this indicates an expected under delivery of housing on the allocation. Given this is a greenfield allocation it is particularly important that proposals make best use of land.

10.1.7 The issue of the amount of development coming forward on the Monkton Heathfield SS1 allocation site was considered at the meeting of SWT Executive on 15 September 2021. The report identified that the allocation will not deliver the 4500 originally envisaged, due to lower density development than was anticipated when the policy was adopted. This was at a time when national minimum density standards were in place. The report includes the consideration of the implications of this by the former TDBC Scrutiny Committee in January 2019. In order to address this likely shortfall in housing delivery at Monkton Heathfield, and delivery issues around employment land, TDBC resolved to release some of the employment land, south of Manor Farm, Langaller for residential use including affordable housing and the delivery of significant areas for green infrastructure. The September 2021 report goes on to identify land south of Manor Farm at Langaller as offering

opportunity to deliver additional housing within the SS1 Policy area, whilst securing the delivery of the employment land and that TDBC Scrutiny Committee resolved in January 2019 to support these principles. This previous consideration and Committee resolution on the amount of development in policy SS1 is relevant to the assessment of the quantum of development. No objection is raised to the number of dwellings proposed by this application.

- 10.1.8 There is a SS1 policy requirement for 25% of new homes to be affordable homes in line with policy CP4. This is addressed further within section 15 on housing.
- 10.1.9 Policy SS1 provides for a mixed-use district centre to support the development, specified as comprising a food store, convenience and comparison retail, financial and professional services, restaurants and cafes, drinking establishments, hot food takeaways and offices together with multi-functional community facilities. Floorspace figures are provided within the policy. The response of the application to this requirement is considered within section 18.4.
- 10.1.10 Policy CP2 of the Core Strategy sets out the employment strategy for the District. This includes 36.5 hectares of general employment space within the wider Taunton urban area, and at Wellington. Policy SS1 requires 10 hectares to be reserved for employment purposes for longer term release around Walford Cross. The outline part of this application provides 4.83 hectares of land for strategic employment adjacent to existing employment at Walford Cross. This is considered further in section 18.2 below.
- 10.1.11 Across the whole development allocation area, the policy sets out the need for 3 new primary schools and a new secondary school. Section 18.1 considers this in more detail.
- 10.1.12 Policy SS1 states that the development should include a suitably located energy centre to provide locally generated electricity to the new development. This does not form part of the application proposal. An energy report has been submitted to support the application and covers the first phase (full application) of the development rather than the wider site area of the whole application. It is stated that further energy assessments will be submitted at reserved matters stage for the remainder of the development. This approach compartmentalises the site and does not consider whether there is opportunity for a site wide approach to energy generation via a range of technologies. There is no comprehensive assessment of suitability for a district heating network. Instead, combined heat and power use for the full application area of the site only is considered and discounted due to insufficient scale and inconsistent load requirements for residential development. The report acknowledges that combined heat and power could be suitable for some of the commercial elements, but that these are all in the outline part of the site, thereby to be addressed at a later stage. The energy report states that a previous update on the project removes the need for district heating. This is not correct. The update on policy SS1 considered at the meeting of former TDBC Scrutiny Committee on 15 January 2019, whilst acknowledging that the experience of other Local Authorities suggests that the provision of energy centres or so called district heating may not deliver the carbon reductions anticipated when the Core Strategy was adopted; states that it will be for

developers to demonstrate that such provision within the Policy area is not viable and, to ensure carbon emissions can be reduced in line with National Guidance as an alternative.

The energy statement discounts the use of a biomass boiler due to the need to have a district heating network, it does not say why this is not possible. District heating networks have successfully been used on similar developments (e.g. at Cranbrook in Devon) and given the climate emergency this should be considered in this instance. A holistic review of options and opportunities is lacking and the proposal fails to fully assess and address this requirement of policy SS1 across the application area. Further assessment of the proposal in terms of sustainability and climate change is included in section 16 of this report.

10.1.13 Policy SS1 contains criterion requiring a range of highway matters be addressed across the whole allocation area of which this application forms a significant part. These include:

- i) The provision of a park and ride site south of the A38 west of Walford Cross;
- ii) The implementation of a A3259 corridor strategy
- iii) A new western development spine to connect the A38 and the A3259 t south-west of Monkton Heathfield;
- iv) Improvements to the A38 to transform it into an urban street;
- v) A new eastern development spine to the south and parallel to the A38;
- vi) Infrastructure for bus rapid transit

10.1.14 As submitted, the application proposes land for a 600 parking space bus and ride site at Walford Cross, but the laying out and delivery of the facility itself does not form part of the application with no assurance that the site can be delivered or accessed. Accordingly, the application does not meet the requirements of this policy criterion. The location for this facility also requires further consideration in order to maximise its use and effectiveness. At present residents from the SS1 allocation are required to travel in the opposite direction to their destination to access the facility, reducing its attractiveness. The site proposed is also behind existing employment development at Walford Cross with no presence on or close association with the A38. The policy refers to the site as being to the west of Walford Cross and the policy key diagram shows this, indicating an area more closely related to the residential development.

10.1.15 The western development spine connecting the A38 and the A3259 to the south-west Monkton Heathfield referred to in the policy criterion has been delivered in connection with earlier development phases and is not a matter for this application. No off-site highway works are proposed through this application save those required in connection with access to the site. The extent to which the application assesses and addresses its off-site highway and transport impacts upon both the strategic and local highway network is considered in the highway section below (section 11).

10.1.16 The policy requires a new eastern development spine road to the south and parallel to the A38. This is proposed to be delivered at a late phase of the development (but it is not clear precisely when). The eastern relief road is

proposed to form a new eastern edge to most of the development in the application, thereby separating it from the 'green necklace' green infrastructure area. The need and appropriateness of providing a new eastern spine road in addition to the existing A38 (dual carriageway as it abuts the north of the main area of the application site) is questioned due to reinforcement of a car based and car dominated approach to the development rather than the prioritisation of active travel and public transport. The scheme has been planned around the eastern spine road, its presence and location predating decisions on the wider layout, inhibiting a low carbon approach, connectivity and permeability. The need for this new road is questioned within the Transport Assessment, but without resolution from a technical assessment perspective and this questioning is not reflective in the rest of the submission. Further assessment is required to determine the need for the relief road, and other highway interventions that may be required in its absence. Quality placemaking considerations strongly suggest that this eastern spine road should be revisited.

- 10.1.17 The application references bus service provision through the scheme, but does not sufficiently consider service provision, connections or prioritisation. No bus strategy has been promoted as part of the submission and it is therefore unclear how the site can be adequately served by public transport. This is considered further in section 12 below.
- 10.1.18 Policy SS1 also states that the development should deliver Strategic sustainable urban drainage system (SuDS) infrastructure. The Lead Local Flood Authority sums up the proposed approach as 'pipe to pond' and recommends a sustainable drainage assessment due to a variety of SuDS types and techniques not being included. Further information is also recommended for drainage proposals relating to the full application area. Although some additional information has been provided, the applicant has therefore not currently demonstrated the adequacy of the proposed approach to water management to the satisfaction of the Lead Local Flood Authority and therefore compliance with these policy requirements.
- 10.1.19 A key tenet of Policy SS1 is the requirement for a multi-purpose green necklace of landscape and open space surrounding the settlement providing allotments, outdoor recreation and wildlife habitat. The policy also requires the green necklace to fulfil i) woodland planting requirements in connection with lesser horseshoe bat activity from Hestercombe House Special Areas of Conservation (SAC) together; ii) the provision of functional off-site offset woodland habitat to compensate for habitat loss prior to the commencement of any development north of the A3259 and iii) a landscaping belt between the motorway and the development areas. The Design and Access Statement identifies the provision of 43.6ha of green infrastructure of which 30.87ha is to be public open space. 20.76ha of this is to be provided as part of the green necklace which is described as informal recreation, linear country park/semi-natural parkland. Indicative proposals for the green necklace are referred to as informal kickabout, woodland, wildflower meadows, allotments, sustainable urban drainage attenuation ponds, public footpaths for recreation, habitat creation and community orchards.
- 10.1.20 Although shown within the indicative layout plan, there is a general lack of information over what is to be provided, where and how much within the 'green

necklace' green infrastructure area. The application refers to this area as subject to further discussion and no land budget for the green infrastructure has been provided. This uncertainty is further added to due to the absence of an agreed phosphate budget and phosphate mitigation. The applicants are known to be considering the potential for on-site phosphate mitigation within the green necklace area thereby raising further questions over how the area will be utilised and what types of green infrastructure will be provided. The green necklace and its facilities/green infrastructure types is considered vital to quality, healthy, biodiverse and sustainable place making.

- 10.1.21 In advance of national mandatory requirements coming into force, existing development plan policies including SS1 do not explicitly require biodiversity net gain. However, the Council will seek to negotiate to secure a 10% net gain in biodiversity from development proposals where possible through a combination of existing policies, the NPPF, the declaration of an Ecological Emergency and clear intent from the Environment Act including the incoming upgraded Natural Environment and Rural Communities Act duty for local authorities to conserve and enhance biodiversity. The National Planning Policy Framework refers to providing net gains for biodiversity through planning decisions (paragraphs 174 and 180). The application does not currently follow this approach.
- 10.1.22 The submitted phasing parameter plan indicates the delivery of the 20.76 hectare green necklace public open space in three tranches. The first section of green necklace is proposed with phase 3 housing with the second and third phases of the green infrastructure aligned with the delivery of the final two phases of residential development. Accordingly, a significant portion of the residential development (phases 1 and 2 and potentially much of phase 3) would be delivered in advance of any meaningful part of the green necklace. This is considered to the detriment of both the health, wellbeing and amenity of the residents and creation of a high quality, sustainable place.
- 10.1.23 Formal sport provision in the form of sports pitches is not indicated within the green necklace area. Instead, there is reference to 6.3ha of dual use sports pitches on the school site. There is no indication of the detail of this provision at this stage of the application and this would be the subject of further discussion. However, it is clear that the principle of dual use of the formal sports provision is sought given the lack of accommodation within other areas of public open space. An objection has been received from Sport England based on the lack of separate, adequate sports provision with reference to the lack of a community sports hub (or financial provision to deliver one) to meet the needs of the future population and that dual use playing fields are not supported. The need to achieve active design principles is also highlighted in the consultation response.
- 10.1.24 Two senior football pitches with changing facilities and parking were secured via the S106 agreement as part of the earlier outline permission for the first phase on land to the south of the western relief road (new A38) under application 48/05/0072. However, although the trigger for the provision was prior to the occupation of the 500th dwelling, the pitches are yet to be delivered. It is considered important that the current application comprehensively plan for sports pitch provision. Dual use of facilities between a school and the community is generally seen as sub-optimal, due to the limitations it places on

the availability of the pitches to different users and pressure of use on the facilities and may also raise issues of security and safeguarding for a school site. There is therefore a clear preference in pitch planning for separate provision and this should be sought in this instance in order to meet the needs of the future population. Local and national pitch standards together with an understanding of local provision and deficits will inform the number and type of pitches required. There are therefore concerns raised over the current approach of the application to the provision of sports pitches, coupled with a lack of clarity over what is to be provided. This is also considered in section 18.4.

10.1.25 Finally, in terms of SS1, the policy sets specific requirements for the form and layout for the Monkton Heathfield allocation in terms of design and placemaking with specific reference to variety of character areas reflective of existing landscape character and natural features to create a distinctive and memorable place; an accessible district centre with a mix of facilities and uses; a connected street network which accommodates pedestrians, cyclists and vehicles and promotes a viable public transport system; well-designed public open spaces enclosed and overlooked by new development; a positive relationship between new housing and existing communities; a well-defined green edge to the urban area protecting views from Hestercombe House and the Quantock Hills. Design and placemaking matters are addressed in section 14 of this report.

10.1.26 Whilst the proposal would result in the delivery of significant numbers of housing, employment and community uses within an allocated site identified as a focus for development, the application has not demonstrated that it meets the requirements of policy SS1. These are highlighted above and further through this report.

10.2 Other Core Strategy Policies

10.2.1 Core policies CP1 – CP8 set out strategic policies reflective of the plan's strategic objectives. They set out the strategic approach to mitigating and adapting to climate change (CP1); the allocation approach to meet economic forecast need (CP2); that the district centre at Monkton Heathfield is to provide a complementary secondary focus for main town centre uses, functioning as an important service centre to meet localised catchment needs (CP3); strategic housing policy to maintain the supply of housing over the plan period (CP4); the promotion of socially inclusive, cohesive communities with accessibility to opportunities, facilities and services and inclusive housing. CP6 emphasises reducing the need travel, improved accessibility, mitigation and adaptation to climate change. It emphasises accessibility by public transport, cycling and walking to key destinations, using smarter choices measures to achieve modal shift and manage parking to encourage sustainable travel modes. Ensuring infrastructure is in place at the right time to meet need and support growth is recognised in policy CP7. CP8 sets out a strategic policy for the environment and addresses key issues. Together these policies articulate the high-level approach to core plan objectives. Assessment of the application against these policies is included in the context of the material considerations that follow within this report.

10.2.2 Policy DM1 sets out general development management requirements through

wide ranging criteria that all proposals are expected to meet and is used alongside other more detailed policies. Accordingly, it is referred to across several of the material consideration below. Policy DM4 (Design) encourages a sense of place by addressing design at a range of spatial scales via the use of planning documents appropriate to each scale (see section 14). No masterplan or design code has been adopted for the Monkton Heathfield site. Policy DM5 is also relevant to the determination of this application and deals with the use of resource and sustainable design, requiring *'all development, including extensions and conversions, to incorporate sustainable design features to reduce their impact on the environment, mitigate and adapt to climate change, and particularly help deliver reduction in CO2 and other greenhouse gas emissions'*. This is considered in section 16.

10.3 Taunton Deane Site Allocations and Development Management Plan (SADMP) Policies

10.3.1 Policy TC3 sets out expectations for local shopping including within the allocation district centre, including generating footfall and being of general public interest or service with active ground floor frontages. Accordingly, the more strategic role of the proposed district centre is recognised. There are concerns over the application's approach to the district centre which are addressed within section 18.3.

10.3.2 Community policies address recreational open space and community facilities. Policy C2 requires recreational open space arising from new development meets relevant standards and subject to viability demonstrate how they are responding to them. In this instance the formal recreation proposals incorporate 6.3ha of sports pitches to be located at the school site for dual use. This is considered further in sections 10.1.23, 10.1.24 and 18.4. Policy C5 relates to community facilities and seeks to ensure increased demand for community halls is met in line with standards. Material supporting the application identifies the need to provide additional facilities to serve as a community hall/hub within the development to meet need, recommending a 1,000 sq m facility within the district centre. The application indicates an intent to provide up to 2,000sq m including a 1,000 sq m community hall and 500 sq m health centre, Creche/nursery facilities are also referred to.

10.3.3 Policy A1 sets out car and cycle parking requirements which are normally in accordance with Appendix E standards. However, the policy also recognises that in order to promote sustainable travel and make efficient use of land, car parking need will also be considered against the impact on urban design, accessibility of the development, proximity to employment and services and, the type and mix of proposed dwellings. There is therefore the opportunity to comprehensively assess parking in the wider context of planning for movement and sustainable transport, thereby reducing the current car-led approach and designing the scheme to achieve modal shift to move active and sustainable travel. A reassessment of car parking would need to be accompanied by a comprehensive approach to public transport provision and walking/cycle route planning. A comprehensive approach to travel planning is the subject of Policy A2. Both are considered with the highway and transport at section 11.

- 10.3.4 Policies A3 and A5 set out the need to plan for cyclists and accessibility via walking or public transport to employment, convenience and comparison shopping, primary and secondary education, primary and secondary health care, leisure and essential facilities specifying maximum travel time by public transport and acceptable walking distances. Assessment within sections 11, 12 and 14 indicate a lack of comprehensive consideration of accessibility and connectivity both within and without the development, in terms of the relationship with earlier phase and to wider facilities and services in the area. There are no offsite pedestrian and cycle improvements promoted as part of the development proposals.
- 10.3.5 Policy I4 requires adequate water infrastructure with surface water disposal via SUDS (sustainable drainage systems). The Lead Local Flood Authority has commented and at section 17 it is noted to have requested further information on the proposed drainage within the detailed area of the application.
- 10.3.6 SADMAP contains a range of relevant environment related policies. Policy ENV1 seeks to conserve and enhance biodiversity through the protection of existing site trees and hedgerows. Such features need to be recognised and safeguarded as part of the layout and design process and make a valuable contribution to the sense of place, legibility and quality of the resultant scheme in addition to biodiversity benefits. Policy ENV2 also seeks tree planting in communal areas, along streets, between buildings and on highway verges. Whilst some of this requirement would be expected to be addressed via a detailed landscaping scheme that could be conditioned, there are also layout implications meaning compliance with this policy needs to be addressed in the layout and design at the application stage. Although tree planting is proposed within the development, it is primarily within open space areas rather than genuinely and comprehensively incorporated within the design of the scheme.
- 10.3.7 Policy ENV4 relates to archaeology. The application does not to date demonstrate compliance with this policy, as based on the work undertaken to date, the extent of archaeological impact arising from the development remains uncertain in the absence of the recommended trial trenching. This is assessed further in section 20.
- 10.3.8 Policy D7 requires a high standard of design quality and sense of place and is referred to in more detail in section 14. The consultation response of the Placemaking Officer is relevant and raises serious concerns over the quality of the design response set out within this application. Policy D9 is also relevant to design considerations in respect of highway planning. Many of the design concerns raised relate to highway planning matters: legibility, accessibility, permeability, walking and cycling provision. This too is addressed within subsequent report sections where deficiencies in the approach of the application are identified.
- 10.3.9 Policies D10 and D12 set out requirements for dwelling size and amenity space that the application will need to meet and in the context of this application is of greatest relevance to the detailed planning of the first phase which has been submitted in full. The housing and residential amenity section 15 relates.

10.4 Neighbourhood plans

Creech St Michael Neighbourhood Plan 2019

- 10.4.1 The majority of the application site (outline area) is located within the area covered by the Creech St Michael Neighbourhood Plan which was made in 2019. Section 4 of the Plan deals with the Monkton Heathfield urban extension and at 4.1.5 and 4.1.6 confirms that due to the requirement that the neighbourhood plan be in conformity with Somerset West and Taunton Council's Development Plan (including allocation policy SS1), the neighbourhood plan does not propose any specific policies for the Monkton Heathfield site.
- 10.4.2 Section 4 of the Plan makes reference to garden town principles and that Parish residents existing and future will have high expectations of the new development with reference to criterion within Core Strategy policy SS1 and the following statement 'Creech St Michael Parish calls on all interested parties to work collaboratively to deliver a high quality development for Monkton Heathfield that reflects the Garden Town Principles'.
- 10.4.3 Nevertheless, the plan contains a series of relevant general policies dealing with the walking and cycling network; effects of the highway network and highway safety; delivery of housing that will help meet the local need; a high standard of design quality that complements and enhance the local character and rural context of the area; demonstrate how the new community will be positively integrated with the existing community in the Parish.

West Monkton and Cheddon Fitzpaine Neighbourhood plan 2017

- 10.4.4 The neighbourhood plan was made in 2017 and relates to the part of the site north of Monkton Heathfield Road between Blundell's Lane and Doster's Lane and the further parcel on the western corner with the A38. These parts of the site form the full application elements (phase 1) of the proposal. The plan sets out a vision to successfully accommodate the significant growth planning and to ensure high quality design with the creation of sustainable places with excellent community facilities for local people to enjoy. The plan further articulates housing, transport, employment, recreation and environment objectives. Relevant to this application are a range of policies relating to older persons accommodation; materials; refuse bin storage; local housing need; footpath and cycle network and connections; employment starter units and social care employment; the protection of dark skies; green spaces and wildlife areas with specific reference to mitigating the impact upon bat foraging areas north of Monkton Heathfield Road; flood attenuation; recreation and community facilities and improving bus services and bus infrastructure. Many of these policy objectives are picked up within other parts of the development plan and are considered in the relevant section of this report.
- 10.4.5 The neighbourhood Plan for West Monkton and Cheddon Fitzpaine is in the process of being updated, with a revised plan having recently been at examination. It is due to be considered at referendum on 22 September 2022. Due to its advanced stage, this revised plan is considered to be a material planning consideration. Whilst most changes are considered minor, there are several material modifications to the plan that are yet to be examined: A new policy H5 Building and Climate and Change has been added requiring building styles and materials that address the climate change emergency to be included

in all new builds and highly energy efficient building development proposals should demonstrate a net emission rate of zero or below when performance monitored or are certified by a quality regime. Measures to reduce carbon emissions are supported (with reference to Part L of the Building Regulations). Policy T5 is amended to include a timing requirement for the provision of walking and cycling routes on major development such that they are delivered before or soonest after first occupancy.

Relevant local guidance

10.3 Supplementary Planning Documents

10.3.1 The Council adopted a Public Realm Design Guide for the Garden Town and a District Wide Design Guide as SPDs in December 2021. Both are relevant to the application and are material planning considerations. The assessment of the application against these documents is included in section 14.

10.4 Other local guidance

10.4.1 Following the declaration of a climate and ecological emergencies, Somerset Climate Emergency Strategy and the Somerset West and Taunton Carbon Neutrality and Climate Resilience (CNCR) Action Plan were produced. In addition Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (February 2021) is relevant and provides specific interim guidance on how the climate emergency is to be addressed through the planning system and the relevance of existing policies. It was updated in March 2022. Climate Positive Planning sets out that the Sustainability Checklist and Energy Statement will be the means by which the Council considers how policy requirements (the majority of which remain valid) are met by proposals. It is further accompanied by the Somerset Climate Emergency Strategy, the Somerset West and Taunton Carbon Neutrality and Climate Resilience (CNCR) Action Plan and the Net Zero Carbon Toolkit. An assessment of the approach of the application on these matters is contained within sections 10.1.12 and 16.

10.5 Relevant national guidance

10.5.1 A range of national design and placemaking guidance is considered relevant to the consideration of this application. These include (but are not limited to) the National Design Guide and National Model Design Code; Manual for Streets 1 and 2. In addition, technical guidance such as LTN1/20 sets out the standards expected of cycle infrastructure. These contribute to setting out the design process, standards required and all need to inform the development.

10.6 Taunton Garden Town

10.6.1 The Monkton Heathfield allocation under policy SS1 and this application site forms part of the Taunton Urban Area designated as a Garden Town by the Government in 2017. The Government's Garden Communities Prospectus refers to the setting of clear expectation for the quality of development, how this can be maintained ('such as by following Garden City Principles'), to see vibrant, mixed-use, communities where people can live work, and play for generations to come. It sets an expectation of exemplar large new development

with high quality placemaking, embedding a series of key qualities: clear identity, sustainable scale, well-designed places, great homes, strong local vision and engagement, transport, healthy places, green space, legacy and stewardship arrangements and future proofed.

- 10.6.2 Somerset West and Taunton Council adopted a Vision for Taunton as a Garden Town in 2019 and has gone on to develop a Taunton Design Charter, Design Checklist, Taunton Garden Town public realm design guide SPD and Districtwide Design guide SPD. All these together with the garden town designation are considered material planning considerations, collectively setting out the vision, approach and high standards expected of development.

Detailed considerations and assessment

11. Strategic and Local Highway Network

- 11.1 It is proposed to access the site directly from the existing A38. This road was historically the main route between Exeter and Bristol but now forms a secondary, but still important link between Taunton and Bridgwater via North Petherton. The A38 extends from the Creech Castle junction into Bathpool and has in the past 10 years been diverted around the new development at Monkton Heathfield- here it is a single carriageway road linked by several large roundabouts, which form estate roads into the Monkton Heathfield Phase 1 (MH1) development. It is also linked to Creech St Michael via Langaller Lane to the north-east of the bypassed road. The A38 converges with Monkton Heathfield Road, the latter previously being the A3259 which connected to the northern part of Taunton and to Minehead. At this point the A38 becomes a short section of dual carriageway to the area known as Walford Cross, which is the junction with the A361 Taunton to Wells and Shepton Mallet road.
- 11.2 Part of the strategic highway network and a critical national highway asset is the M5 motorway which forms the eastern boundary to the site. The closest access to the M5 is at Junction 25 to the south, achieved via the Creech Castle junction and the A358 Toneway via the Hankridge Retail Park. National Highways is the statutory body with responsibilities for the strategic road network and has commented in some detail on this application. The review of the transport assessment (TA) submitted with the application by National Highways concludes that there are a number of key omissions that need to be addressed before the impact on M5 Junction 25 can be fully understood and accepted. The specific transport matters that need to be addressed are identified in some detail within the response and relate to traffic modelling methodology, assumptions and sensitivity testing in respect of predicting travel through M5 junction 25. National Highways recommends that the application not be granted and has issued and updated a holding direction to that effect (the most recent issue of this being July 2022). This is intended to provide time for the applicant to provide necessary details relating to the proposed development to enable Highways England to fully understand the impact of the development on the safe and efficient operation of the M5 motorway and its assets, and thereby provide the Local Planning Authority with fully informed advice. First raised in January 2022, to date the outstanding highway issues have not been addressed and in the face of the National Highways holding objection, the application cannot currently be granted. In relation to Junction 25 of the M5, and lack of information, the proposal is considered contrary to

policies CP6 and DM1b (Taunton Deane Core Strategy) and the National Planning Policy Framework.

- 11.3 Several references to the local highway network are made in Policy SS1. This includes the implementation of the A3259 corridor strategy, improvements to the A38 to transform it into an urban street, a new eastern development spine to the south and parallel to the A38, a connected street network which accommodates pedestrians, cyclists and vehicles and promotes a viable public transport system. The concept plan to this policy in the core strategy does indicate a new relief road to the east, although it retains the existing A38 as a 'primary route'.
- 11.4 Policy A1 sets out car and cycle parking requirements which are normally in accordance with Appendix E standards. However, the policy also recognises that in order to promote sustainable travel and make efficient use of land, car parking need will also be considered against the impact on urban design, accessibility of the development, proximity to employment and services and, the type and mix of proposed dwellings. There is therefore the opportunity to comprehensively assess parking in the wider context of planning for movement and sustainable transport, thereby reducing the current car-led approach and designing the scheme to prioritise sustainable transport and achieve model shift to more active and sustainable travel including public transport. A reassessment of car parking would need to be accompanied by a comprehensive, priority approach to public transport provision and walking/cycle route planning. A comprehensive approach to travel planning is the subject of policy A2.
- 11.5 A transport assessment (TA) has been submitted with the application. It is stated that the intention is to consider the transport and access issues in order to comply with Policy SS1 of the Core Strategy, NPPF paragraph 111, and the results of pre-application engagement with key stakeholders and residents. This included the need to provide a bespoke assessment of the traffic impact of the proposals. This includes the need to consider the impact on the wider transport network, such as the A358 Toneway and M5 Junction 25, and to consider the impact of new roads such as the MH1 relief road and the recently constructed link at Aginhills between the A38 and the A3259.
- 11.6 As set out in the consultation response, the Highway Authority has significant concerns relating to the traffic model approach, and the reliance on a manual assignment model. The Highway Authority requires that scenarios developed within the existing Toneway Traffic Model are used to assess the potential impacts of the application scheme. Given the assessment approach, multiple scenarios may be required. Furthermore, the submission states a reliance on a "decide and provide" approach to the transport assessment. The Highway Authority does not consider the assessment to be in accordance with the published guidance and a range of possible outcomes have not been evaluated. It is therefore not possible to determine the range of transport interventions that may be required, nor their triggers. It is therefore not known whether further transport interventions are required on the A3259 corridor, A38 or other parts of the local highway network (policy SS1 relates).
- 11.7 The approach within the TA has been described as 'decide and provide' by the Highway Authority. They are critical of this approach as it lacks a number of

scenarios which might be expected to be included in such analysis. The Highway Authority states that the scenarios should include a range of trip generation assumptions, and by using a dynamic traffic model, this may also influence the distribution of traffic across the highway network. In addition, the proposal lacks a monitoring and evaluation plan which would identify how the development impacts match the assessment scenarios presented within the planning application. The possible impact of the Park and Ride facility has also not been modelled within the calculations.

- 11.8 The TA acknowledges that the highway proposals which have already been delivered as part of the MH1 allocation is based on an outdated approach to road investment. The further diversion of the A38 (the Eastern Relief Road) is questioned within this document, stating that 'it should not be the intention to construct this to afford unnecessary additional road capacity that will inevitable attract traffic to the area rather than manage it'. An alternative strategy which retains the existing A38 is put forward.
- 11.9 Despite these concerns stated in the TA, the submitted proposal is to provide a new 'Eastern Relief Road' connecting and enlarging the existing roundabout which goes to Creech St Michael with a new roundabout which would emerge to the southwest of Walford Cross. It is proposed then to downgrade the existing A38 between these points, and to install a bus gate to prevent through traffic on this road. The enlarged roundabout would also provide access into the site. However, without the presentation of a viable public transport strategy the proposal is contrary to policies D9 and SS1, as it does not explain the purpose of the bus gate or indicate the movement of traffic displaced by it.
- 11.10 The proposed Boulevard crosses the development from east to west and splits the development into two areas. The section at the design statement document shows a 7.3m wide carriageway which is very wide. To prioritize pedestrians and cyclists, the width should be narrowed to a minimum and add measures to calm the traffic.
- 11.11 The Highway Authority response also considers the two parcels for which full planning approval is sought and comments that the northern land parcel is dominated by an internal access road which is routed along the southern boundary of the site. The Highway Authority raises significant concerns relating to the junction spacing, with the main junction with Monkton Heathfield Road being immediately adjacent. The alignment also raises significant concerns regarding headlight overspill into adjacent highway carriageways. In summary, their view is that the positioning of the access junction to the site, and the subsequent impact on the internal highway arrangements raises highway safety concerns. In general, the proposed layouts appear to be highway dominated and there would appear to be significant opportunities to reduce the areas of formal adopted highway. This should include better use of private drives and shared space, and turning spaces can be designed to ensure that they do not dominate the urban form and surrounding landscape areas.
- 11.12 The Highway Authority also considers that the approach to parking on these full application areas does not work, with a lack of clarity over whether unallocated spaces are associated with dwellings or provided as visitor only spaces and there are significant parts of the site where no spaces are shown which requires correction. The internal dimensions of all garages should be at least 6m x 3m,

and the applicant should clarify that this is the case for all garages to be provided. It is unclear from the submission how electric vehicle charging will be accommodated at each of the residential dwellings, and this needs to be clarified by the applicant. There are a number of spaces which are remote from the curtilage of the dwellings, and the charging provision at these locations needs particular attention. The submitted Persimmon Homes parking layout shows a rear parking area for Units 30 to 37, with several of these being affordable dwellings. The proposed parking layout is unworkable (the spaces could not be accessed) and this part of the site would need to be comprehensively reviewed. The proposed layout includes highway links that are shown to connect through the second phase of the future development. There is a concern that depending on how the adjacent land parcels are developed, and phased, the highway routes could become important access roads to the school and the proposed district centre. Whilst the submitted Access and Movement plan shows a hierarchy of green streets and shared spaces, the characteristics of the route are not clear, and the shared spaces need to be clearly defined.

- 11.13 Policy CSM2 of the Creech St Michael NP requires all proposals include measures to ensure any effects of the highway network are acceptable and will not adversely affect highway safety and demonstrate compliance with the Parish Traffic Management Plan.
- 11.14 In respect of highway and transport matters, the application has been identified as providing insufficient information to fully understand the impact of the development on the strategic highway network; specifically, the safe and efficient operation of the M5 motorway and its assets; the transport assessment is not considered in accordance with published guidance and a range of possible outcomes have not been evaluated. It is therefore not possible to determine the impact of the development upon the local highway network, the range of transport interventions that may be required in order to address those transport impacts, their triggers for provision in relation to the phases of development and their delivery has not been secured. Conflict has been identified with policies CP6 and DM1b of the Taunton Deane Core Strategy and provisions within the National Planning Policy Framework section 9.

12 Sustainable Transport – Bus and Active Travel

- 12.1 In addition to the Transport Assessment, a Travel Plan has been submitted with the application. This is due to a requirement within the Local Plan Policy A2 which states that all development proposals which require a significant amount of movement require one. Action points identified within the travel plan include the appointment of a travel plan co-ordinator for residential development; provision of cycle parking; promotion of the health benefits of walking and cycling; incorporating pedestrian links through the site; providing bus timetable information; construction of a toucan crossing, and segregating pedestrians and cycle provision.
- 12.2 Taunton presents a major opportunity for tackling transport related emissions through a range of means, including prioritising public transport and active travel. Developments on the perimeter of the town such as Monkton Heathfield also present opportunities for better integrating external communities with active travel links. Active travel forms a key part of the Somerset West and

Taunton Council's Carbon Neutrality and Climate Resilience Action Plan, with a series of actions dedicated to it. In addition to this, enabling active travel provides numerous co-benefits of action including in relation to health and wellbeing through increased activity levels and reduced air pollution and the creation of more integrated and viable communities, not segregated by barriers to active movement or the necessity to travel by car. Targeting carbon neutrality and active travel are key aspects of the Garden Town Vision.

- 12.3 Amongst other things, Climate Positive Planning includes commentary and guidance in relation to the relevance of existing planning policies including Policy SS1 of the Core Strategy (which allocates this site for development) and policies A3, A5 and D9 of the SADMP in relation to active travel linkages. These policies, together with CP6, SP2 of the Core Strategy promote reducing the need to travel, improved accessibility by public transport, walking and cycling as part of a coordinated approach to transport planning.
- 12.4 The consultation response from the Highway Authority also references the publication of the Somerset Bus Service Improvement Plan in 2021. This details the service and infrastructure improvements that will be made across the county to improve bus patronage. There are a number of targets, including mode shift from the car to the bus for commuter trips. No bus strategy has been promoted as part of the planning submission, there is no detail of bus routing, the enhancement of services nor how the different phases of the site can be appropriately served by public transport as the development is delivered over time. The application is not considered to comprehensively plan for public transport. In addition to the policies referred to above, policy CA1 of the West Monkton Neighbourhood Plan supports measures to improve bus services and bus infrastructure.
- 12.5 Policy A3 of the SADMP requires that new development should not conflict with, and where relevant should provide for: five criteria around provision of a cycling network. Policy A5 states that provision should be made for cycling "between residential development and non-residential facilities, or between a non-residential development and its catchment area, where these lie within 5km of the development".
- 12.6 Policy T1 seeks the development of a comprehensive and high-quality cycle and footpath network proving safe and convenient connections both within the neighbourhood planning area and to wider adjoining networks, particularly the urban extension and associated green space areas, existing and proposed schools and local centres. Concerns have already been identified under other policies over the approach and missed opportunities within the application over walking and cycling connections.
- 12.7 Policy CSM1 of the Creech St Michael NP requires that major developments enhance the safety, legibility and capability of the walking and cycling network and /or deliver a network of new dedicated walking and cycling connections; Policy CSM6 of this NP requires major residential development proposals to demonstrate how the new community will be positively integrated with the existing community in the Parish addressing high quality walking/cycling links and facilities, accessibly to existing residents and addressing the economic, environmental, social and cultural impact of the new community of the existing community.

- 12.8 Paragraph 104 of the NPPF promotes sustainable transport through walking, cycling and public transport together with wider transport aspects of high quality places with reference to patterns of movement, streets, parking and other transport considerations being integral to the design of schemes and contributing to that quality. Applications are specifically required to give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use (paragraph 112).
- 12.9 There is no comprehensive audit of the pedestrian and cycle routes to and from the site, and these are not reviewed in the context of the latest design requirements. There are no offsite pedestrian and cycle improvements promoted as part of the development proposals and neither is it considered that sufficient connections and prioritisation is given to walking and cycling within the proposed scheme. Given the policy requirements, suggested approach to the transport assessment the Taunton Local Cycling and Walking Infrastructure Plan (LTN1/20) 2021, plus the recent publication of Local Transport Note 1/20 Cycle Infrastructure Design which provides guidance to local authorities on delivering high quality, cycle infrastructure (Department for Transport) and the concept of a connected network being fundamental to transport planning for all modes, this is not considered to be acceptable.
- 12.10 The Highway Authority has also raised concerns relating to the proposed layout of the phase 1, full scheme, in particular the lack of prioritisation of pedestrian and cycle connectivity. Pedestrian and cycle routes are designed around the highway layout, rather than the key desire lines with the purpose of shared routes unclear as is how they connect to adjacent communities and future development parcels. These concerns are compounded by the lack of connectivity at the end of the proposed cul-de-sacs and private drives. There are areas within the design where the need for pedestrian and cycle connectivity has been ignored and where proposed is not in accord with design guidance in LTN1/20. Additionally, there are very few connections to the route as it passes through the site and many users would have to make long detours on the road to reach the connection. This needs to be addressed. Finally, the Highway Authority comments that the alignment towards the proposed Toucan crossing, and also on the other side of the carriageway, does not support a busy and direct cycle route. There are also concerns relating to the future phasing of the development, and how the proposed access routes would serve adjacent development plots.
- 12.11 The RTP1 research paper “Net Zero Transport” co-authored by Vectos (transport consultants for the applicant), amongst other consultancies, highlights the key role played by planning in reducing the need to travel through 15-minute neighbourhoods and ensuring active travel infrastructure connections are delivered as a genuinely connected network. These aspirations are picked up through Climate Positive Planning and the Districtwide Design Guide SPD. Transport for New Homes recently published their “Building Car Dependency” report. Within the report, they identify Monkton Heathfield phase 1 as a “cowpat” development referring to the fact that it is “a new area of housing dropped on fields built separate from the existing urban area, to which it is not

connected by continuous streets”. Their previous report “Garden Villages and Garden Towns: Visions and Reality” made numerous references to the Garden Town Vision around walking and cycling not being reflected on the ground, and instead ring-road development being the approach.

- 12.12 The site vision within the submitted Travel Plan talks of maximising local living to reduce the need to travel, creating a place where travel undertaken is in line with a sustainable travel hierarchy, and ensuring the development is connected beyond the local area. It describes using a “vision and validate” approach over the traditional “predict and provide” approach in order to avoid assessment of traffic impacts dictating design. However, the resulting proposals appear to fall significantly short in this regard. Instead, the proposals centre around an out-dated external ring-road, and an illegible internal development design which fails to integrate with the existing communities or provide the necessary within site and off-site connection improvements to live up to this vision.
- 12.13 The Travel Plan identifies several key local facilities and their distance from the site and suggests which facilities would be accessible within a 20-minute walk or cycle. However, this assessment fails to consider whether the routes for accessing these facilities are coherent, direct, safe, comfortable or attractive – the core design principles of LTN1/20 which provide accessibility for all. In many cases, existing routes will not meet these core design principles at present. In addition to this, the assessment fails to consider several wider key connections associated with development of the site. The travel plan is not considered to sufficiently support the application scheme and is contrary to Policy A2 of the SADMP and the NPPF.
- 12.14 The section of proposals most worked up relates to the parcels submitted in outline. These parcels relate most closely to the existing developed areas of Monkton Heathfield Phase 1. However, the proposals appear to rely upon the provision of a single toucan crossing of the A38, linking into the existing basic segregated foot/cycleway running along the western edge of the road, and utilising the green lane link up to the A3259. This fails to tie the new development areas into the existing communities, ignores clear desire lines and neglects to consider what the appropriate infrastructure design needs to be. The Access and Movement Parameter Plan suggests that a second pedestrian/cycle crossing point may be delivered on the A38 Bridgwater Rd south of the temporary/secondary access point to the outline parcel. This would improve performance against the desire line for some trips, to an extent, though not entirely, and as proposed, the A38 would continue to be a major barrier to movement and community integration. Whilst the Indicative Masterplan hints at traffic calming measures along the A38, there is no detail on these.
- 12.15 The submitted documentation appears to make no reference to the adopted Taunton Local Cycling and Walking Infrastructure Plan (LCWIP). The LCWIP identifies several core walking and cycling routes to be delivered across the town, including the “blue” route which extends from the edge of the Comeytrove development in the south-west, through the town centre, and on the Monkton Heathfield via the UK Hydrographic Office and Creech Castle.
- 12.16 One of the main aims of the LCWIP is to provide a comfortable cycling connection between the existing town, key employment sites areas and the surrounding garden communities, including Monkton Heathfield. By providing a

comfortable and high-quality cycling network, sustainable travel modes are promoted and the need to travel by car is reduced.

- 12.17 The A38, which splits Monkton Heathfield phases one and two, might cause a significant barrier for journeys from Monkton Heathfield, particularly for young people. The new development needs to ensure that cycle routes are safe and connected to the cycle network to encourage shifting in travel behaviour. A shared cycleway is shown within the boulevard, which is not good practice; pedestrians and cyclists should be separated for safety.
- 12.18 There is a significant concern that pedestrian and cycle routes are designed around the highway layout, rather than key design lines helping to inform how the site should respond to people moving through the space. The purpose of the shared routes which skirt the edge of the development is not clear; they also need to be connected to the ends of cul-de-sacs and private drives in order to increase connectivity.
- 12.19 It is noted that the sustainability assessment and climate emergency checklist submitted with the application reference the prioritisation of sustainable transport, connectivity and the park and ride facility. However, the park and ride facility is not delivered through the development- only the land offered and the proposed layout, lack of connectivity and incorporation of aspects such as the spine road and levels of parking provision lead to a car led and car dominated development approach with the segregation of phases within the schemes, separation from the green necklace and the lack of wider connections beyond the site.
- 12.20 The proposed application therefore falls considerably short of meeting its vision, local and national policy or wider ambitions on transport and movement matters. The applicant must fundamentally re-consider the internal design of their development and how it links with existing areas. Utilising a “vision and validate” or “decide and provide” approach, the applicant needs to demonstrate how the proposals will deliver the significant improvements to active travel infrastructure off-site for residents to access key destinations and enable surrounding communities to access destination facilities within the site.
- 12.21 The application therefore fails to achieve several key policy criteria related to sustainable transport, its role in placemaking and the aims of delivering a mixed, sustainable community that priorities public transport, walking and cycling, including policies SS1, SP2, CP6, CP7 of the Core Strategy, A3, A5 and D9 of the SADMP and provisions of the neighbourhood plans (policies CSM1 and CSM6 of the Creech St Michael Neighbourhood Plan) and T1 and CA1 for the Monkton Heathfield and Cheddon Fitzpaine Neighbourhood Plan) and the National Planning Policy Framework sections 9 and 12.

13. Natural Environment and green infrastructure

13.1 Biodiversity Net Gain

- 13.1.1 Biodiversity net gain (BNG) delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. BNG has been introduced in recent Government legislation, notably the 2020 Environment Bill. Whilst the final legislation has not been passed which requires

developments to achieve a minimum 10 per cent BNG, it is likely that this will be implemented in 2023, and therefore before construction is likely to begin. Paragraph 174 of the National Planning Policy Framework seeks to minimise impacts on and provide net gains for biodiversity with a clear approach in paragraph 180 that permission should be refused if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated or compensated for.

13.1.2. Policy CP1 of the Local Plan states that measures should be incorporated which promote and enhance the resilience of ecosystems and biodiversity within and beyond the site. Policy R2 seeks new green space and wildlife areas from major development to meet local needs / minimise impacts upon biodiversity, providing net gain wherever possible. Policy ENV1 seeks to conserve and enhance biodiversity through the protection of existing site trees and hedgerows. Such features need to be recognised and safeguarded as part of the layout and design process and make a valuable contribution to the sense of place, legibility and quality of the resultant scheme in addition to biodiversity benefits.

13.1.4 Whilst the application talks about increases in biodiversity, it is unclear how or where these gains will take place, and no baseline assessment has been made in order to establish the level of improvement needed. Some biodiversity will be removed by the proposal, for example hedgerows will be punctuated and areas of farmland removed and replaced by tarmac and concrete, without a comprehensive plan which shows increases in biodiversity, and therefore the proposal fails to achieve the policy requirements stated in Taunton Deane Core Strategy policies CP1 and ENV1 in this regard.

13.2 Impact on landscape character and arboriculture

13.2.1 Policy ENV1 seeks to conserve and enhance biodiversity through the protection of existing site trees and hedgerows. Such features need to be recognised and safeguarded as part of the layout and design process and make a valuable contribution to the sense of place, legibility and quality of the resultant scheme in addition to biodiversity benefits.

13.2.2 The site is part of local Character Area 1C of the Landscape Character Assessment and is described as Creech Farmed and Settled Low Vale. According to the document there is no significant woodland cover although there are small copses and larger groups of hedgerow trees in the area. The dominant trees of the area are ash, oak, poplar and willow. The following are the main points that need to be considered in relation to the existing landscape character:

- A tract of pylons runs across the western half of the area, dominating views
- With an elevation of 10m – 45m AOD, this is a medium scale landscape defined by a flat to gently undulating topography
- The M5 cuts through the area and, in conjunction with the A38, generates considerable traffic noise across much of the landscape.
- Views across to the prominent wooded landscapes of the Blackdown Hills AONB and to the Enclosed Combes of the Quantock Hills AONB. Views are also possible to the North Curry Ridge.

- 13.2.3 The proposal is to plant a significant amount of green infrastructure to the east of the eastern relief road, and further buffers of woodland planting and shrubs around the boundaries. Detailed proposals have not been submitted, but it is likely that views from the landscapes of the AONBs into the site will be limited. There is some concern that the topography of the site will mean that the employment area and park and ride sites, which are located east of the main area of green infrastructure, will be visible from the residential areas and outside of the site, although this is not a matter that can be determined at the outline stage.
- 13.2.4 A consultation response has also been received from the Council's Arboricultural Officer which addresses the outline and full parts of the application in turn. The most significant trees are protected by a Tree Preservation Order. The Arboricultural Officer comments that the indicative layout seems to take these into account with few losses. Although a section of woodland needs to be removed for the access road to the south, he considers this could be mitigated by inclusion of more woodland copse planting in the 'green necklace'. He considers the lower category tree removals are acceptable. He recommends that the route of the eastern relief road be amended to avoid a category A tree and that the layout be designed to reduce future problems due to proximity to trees, referencing the proximity of the sports pitches to two protected trees. A detailed Arboricultural Method Statement will be required to show how the retained trees and hedgerows will be protected, including details of any tree management works. This can be the subject of a condition. Concern is expressed in the consultation response over the extent of hedgerow removal due to their landscape, historic, cultural and wildlife value, many dating back to pre-Enclosures field systems. They have great value for wildlife and biodiversity, and if currently in poor condition they could be improved with better management and infill-planting where necessary. More efforts are requested to retain the majority of these hedgerows, within public space
- 13.2.5 In respect of the full application area of the site, the Officer considers that whilst unfortunate, the loss of a significant section of hedgerow can be compensated by new planting and so is acceptable, subject to ecological appraisal. The TPO trees along the hedgerow to the southeast have been given a reasonable amount of space, although there are slight incursions into their root protection areas. A detailed Arboricultural Method Statement will be required to explain how the retained trees and hedgerows will be protected during the construction process, and how these areas of conflict are resolved using 'no-dig cellular confinement' systems. The turning areas and through-road are shown close to the root protection areas. Any proposed level changes, excavation or embankments that realistically may affect these areas should be foreseen and shown clearly on plans. The scheme should aim to retain and protect as much of the current roadside hedgerow and trees as possible, as much of this is well-established planting. Although a number of new trees are shown scattered throughout the site plan, these will inevitably be small species due to their location in close proximity to houses, car parking or in small gardens, where trees are likely to require regular pruning. He would like to see some larger specimen trees incorporated within public spaces. These matters are capable of being addressed via condition and subject to these being added, the proposal is considered acceptable in relation to policy ENV1.

13.3 The impact on ecology and biodiversity and the Somerset Levels and Moors Ramsar Site, and phosphate solution, and protected species including bats.

13.3.1 As stated in the Habitats Regulations Assessment section, the application site is within the fluvial catchment of the Somerset Levels and Moors Ramsar Site. The Somerset Levels and Moors is also designated as a Site of Special Scientific Interest under the Wildlife and Countryside Act 1981 (as amended). Relevant to the phosphates issue, paragraph 182 of the NPPF makes it clear that the presumption in favour of sustainable development does not apply where the project is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that it will not adversely affect the integrity of the habitats site.

13.3.2 The proposed development will result in an additional phosphate output in that the wastewater from it will add to the phosphate levels within the Ramsar Site. The pathway is via the Taunton wastewater treatment works. Therefore, the surplus in the phosphate output would need to be mitigated in order to demonstrate phosphate neutrality and ensure no significant adverse impact on the affected designated area.

13.3.3 The ecology and biodiversity section of the Environmental Statement acknowledges that the delivery of phosphate neutrality is required. There is no agreed phosphates budget and the application has not indicated how it expects to achieve phosphate neutrality via a suitable solution. Without this information there is no certainty that the integrity of the international site will not be affected and planning permission for the application cannot be granted.

13.3.4 The designated site is in an unfavourable condition and at risk due to high levels of phosphorus. If a development is identified as likely to add additional phosphorus to the catchment, planning permission should not be granted until it has been demonstrated through an agreed phosphorus budget that the proposals can achieve phosphorus neutrality through the implementation of appropriate permanent offsetting measures. There is no certainty that the integrity of the international site will not be affected, and the Local Planning Authority is unable to conclude beyond all reasonable scientific doubt that the proposed development would not have an adverse effect on the integrity of the Ramsar site. It is therefore not possible for the Local Planning Authority to conclude a favourable Habitat Regulations Assessment and fulfil its statutory duty under Regulation 63 the Conservation of Habitats and Species Regulations 2017. As such the proposal is contrary to Policies CP8 (Environment), SS1 and DM1c (General requirements) of the Taunton Deane Core Strategy and paragraphs 180-182 of the National Planning Policy Framework.

13.3.5 In relation to protected species, the site lies within the consultation zone for the Hestercombe House SAC, which has special status regarding the presence of lesser horseshoe bats. The land north of the A381 lies within Band B of the Bat Consultation Zone for the Hestercombe House SAC, whereas the land south of the A381 lies within Band C. The ecology chapter of the Environmental Statement has recognised the need for the delivery of a minimum of equivalent of 5.24ha of optimal lesser horseshoe bat habitat, together with detailed lighting

specifications to maintain functional commuting and foraging habitats across the site. At time of writing this report, no advice has been received from the Somerset County Ecologist, nor does the consultation response from Natural England refer to the Hestercombe SAC, in the context of the application. The Council as competent authority therefore cannot formally conclude at this time on the significance of the effect, nor the effectiveness of the proposed mitigation. There is a likelihood that some of the compensatory habitat will overlap with land proposed for phosphate mitigation. Any implications of this are currently unknown.

13.3.6 Overall, insufficient information has been submitted to satisfy the Local Planning Authority that the ecology impacts from the development have been sufficiently considered and, as such, satisfactory mitigation measures have not been provided, in line with Taunton Deane Core Strategy 2011 -2028: Policies CP8, SS1 and DM1c.

14 Design and placemaking

14.1 Policies DM4 of the Taunton Deane Core Strategy and D7 of the Taunton Deane SADMP are the core development plan policies for the area which aim to produce high quality design in the District. Policy DM4 encourages a sense of place by addressing design at a range of spatial scales via the use of planning documents appropriate to each scale. No masterplan or design code has been adopted for the Monkton Heathfield site. Whilst the Council engaged consultants to develop a framework plan, concept plan and design principles for phase 2 to which this application relates, SWT Executive on 15 September 2021 resolved to not proceed to adopt them as a material planning consideration in the determination of planning proposals. Accordingly, they are considered to carry no decision-making weight. At that meeting it was considered that adopting the draft Phase 2 Concept Plan and draft Design Principles document could hinder the development management planning application process and may prejudice the quality and outcomes the scheme may otherwise be held to deliver. Many of the newer pieces of policy/guidance such as the Garden Town documents, design charter and checklist, and declaration of a climate emergency had overtaken the then emerging masterplan in terms of design approach and setting out expectations of a higher standard. Policy DM 4 refers to the use of design policies in the SADMP of which D7 is relevant.

14.2 Policy D7 requires a high standard of design quality and sense of place by:

- *A. Creating places with locally inspired or otherwise distinctive characteristics and materials;*
- *B. Reflecting the site and its context, including existing topography, landscape features and the historic environment;*
- *C. Integrating into their surroundings through the reinforcement of existing connections and the creation of new ones, and creating legible, connected street networks; and*
- *D. Ensuring that buildings define and enhance the streets and spaces, and that buildings turn street corners well.*

Supporting text with Policy D7 also encourages the use of design panels when assessing proposals.

- 14.3 Policy SS1 of the Taunton Deane Core Strategy provides particular principles that the design for the Monkton Heathfield urban extension should meet. Policy SS1 states:

The development form and layout for Monkton Heathfield should provide;

- *A variety of character areas which reflect the existing landscape character and the opportunities and constraints provided by natural features to create a place that is distinctive and memorable;*
- *An accessible district centre with a mix of uses and facilities;*
- *A connected street network which accommodates pedestrians, cyclists and vehicles and promotes a viable public transport system;*
- *Well designed public open spaces which are enclosed and overlooked by new development;*
- *A positive relationship between new housing and existing communities; and*
- *A well defined green edge to the urban area that protects views from Hestercombe House and the Quantock Hills.*

The preparation and adoption of SPD will be required to further guide development, incorporating a masterplan and design codes to ensure a coordinated approach to the delivery of this site.

- 14.4 The Council has an adopted Districtwide Design Guide SPD and a Taunton Garden Town Public Realm Design Guide SPD which are also material planning considerations for the consideration of this planning application. The Districtwide Design Guide SPD (December 2021) illustrates how the Council's aspirations for maintaining and improving the quality of design can be achieved. It highlights the key principle of integrating placemaking with sustainability and explains the recommended design process, learning from context and distinctiveness, site structuring, designing house types which make streets and places, streets places and parking and designing towards zero carbon design and construction. The aims of the Design Guide complement the aims of the National Design Guide within the local context. In achieving quality design, the Design Guide particularly highlights the importance of new developments improving the quality of life through achieving the following outcomes:

- Contributing to a sense of place – appropriate quantum, scale, form, layout, landscape; responds to a site and context cues sensitively and beautifully; achieves active frontages.
- Neighbourly – fosters conviviality; respects privacy; boundaries; contexts and habitats.
- Zero/low carbon – maximum use of renewables; super insulated buildings; zero/low emissions.
- Healthy – low toxin materials; maximum natural daylight and ventilation; food growing; outdoor amenity space.
- Efficient use of the site – natural drainage; good layout; achieving biodiversity.
- Resilient – long life; low maintenance materials; robust details.
- Adaptable – to changes in age and abilities; lifestyles; home working.
- Spacious – appropriate internal storage space, including bikes, recycling

and activities.

- Safe and secure – well defined ‘fronts and backs’; natural surveillance.
- Well connected – easy walkable links to local facilities, play and public spaces; mixed uses and public transport; digitally connected.

14.5 The Taunton Garden Town Public Realm Design Guide SPD (December 2021) illustrates how the Council wishes to raise the standard of the public realm and streetworks consistently across Taunton Garden Town. The objective is to create ‘Healthy & Well, Quiet & Slow and Green & Clean’ streets, particularly having a people first approach and encouraging active travel. The design guide sets area standards across the town for paving, signage, street furniture, street planting, lighting and explains its application to different places such as gateways and neighbourhood centres.

14.6 Since being designated as a Garden Town in 2017, the Council has also approved The Vision for Taunton Garden Town (July 2019). The Vision Statement states *‘Taunton, the County Town of Somerset, will be flourishing, distinctive, and healthy – and the country’s benchmark Garden Town. We will be proud to live and work in a place where the outstanding natural environment, diverse and thriving economy and inspiring cultural offer, contribute to an exceptional quality of life and well-being’*.

The Vision has four main themes:

1. Growing our town Greener - quality of our environment: Give our town a green makeover, joining up our green spaces, waterways, parks and play spaces, planting more street trees and woodlands and managing our water more imaginatively with wetlands and rain gardens to improve it for recreation, tourism and wildlife.
2. Branching Out – quality of our movement: We will integrate our transport network so that it serves Taunton with much improved bus and appropriate vehicle links to our main destinations and make much better prioritised provision for walkers and cyclists encouraging healthier and more sustainable journey choices as attractive alternatives to travelling by car.
3. Growing Quality Places – quality of our places and neighbourhoods: We will deliver an outstanding built environment focused on places and spaces with high quality neighbourhoods, green streets and public spaces and with homes and buildings that are distinctly local in appearance. Our houses, offices, employment areas, public services and road infrastructure will embrace innovation, will be energy efficient and will exploit the latest sustainable technologies.
4. New Shoots and Blossom – quality of opportunity: We will responsibly nourish partnership, prosperity and growth in social value, through our strengths in knowledge, education, culture and business. We will germinate and grow sustainable arts and cultural venues as hubs that foster excellence in the region. We will pursue low carbon and digital infrastructure to make a town that connects businesses and markets well, drawing on our University Centre and growth industries in digital, land, marine informatics, health and nuclear.

14.7 Of particular relevance to this planning application are key aspects of Themes 1, 2 and 3:

Key design aspects from Theme 1 relevant to this planning application are:

- i. Locating local parks on the door step to promote opportunities for the local community to socialise, play, grow food, and support the localised management of stormwater and local ecosystems;
- ii. The design of each new neighbourhood, its streets, parks and buildings should consider how water can be managed intelligently to minimise flooding, facilitate irrigation, and promote habitats resilient to flooding and climate change;
- iii. Punctuating routes with green features. Adding to green links both small street side events like copses of street trees or rain gardens, and new green facilities like pocket parks or 'wassail' gardens with clumps of Somerset apple trees, where new neighbourhoods are formed.

Key design aspects from Theme 2 relevant to this planning application are:

- i. Prioritisation to the early delivery, integrated design and sustainable maintenance of Taunton's walking and cycling networks to ensure they provide door to door connectivity, reducing the need to travel by car and improving everybody's health and well-being.
- ii. Making Taunton more legible with major routes and junctions/nodes within the town being given a distinctive character.
- iii. Enlightened highway design prioritising pedestrians and cyclists and raising quality by making streets into places and integrating parking elegantly and providing edge streets that positively relate buildings and landscape and promoting activity and healthy exercise around the periphery.

Key design aspects from Theme 3 relevant to this planning application are those key principles for creating new garden neighbourhoods:

- i. Clear identity - A distinctive local identity as a new garden community, including at its heart an attractive and functioning centre and public realm. Landmarks, key groupings and character areas are an important element of identity and legibility.
- ii. Well-designed places - with vibrant mixed-use communities that support a range of local employment types and premises, retail opportunities, recreational and community facilities – within 'walkable neighbourhoods' that follow good urban design principles and include greater greenspaces and trees.
- iii. Great homes Offering a wide range of high quality, distinctive homes. This includes affordable housing and a mix of tenures for all stages of life. Legacy and stewardship arrangements: should be in place for the care of community assets, infrastructure and public realm, for the benefit of the whole community.
- iv. Future proofed - Designed to be resilient places that allow for changing demographics, future growth, and the impacts of climate change including food risk and water availability, with durable landscape and building design planned for generations to come. This should include anticipation of the opportunities presented by technological change such as driverless cars and renewable energy measures.

It should also be noted that this theme advocates the greater and more effective use of national 'design quality' benchmarks and processes. It also states that design criteria and standards such as 'Building for Life 12' and 'Lifetime Homes' should be systematically encouraged and pursued through planning policy and development management processes for all new development. In addition, that National Guidance for highway design in the form of 'Manual for Streets 1 + 2' should be comprehensively applied and implemented. The use of Design Review is also emphasised.

14.8 Following the Taunton Garden Town Vision, the Council also approved the Taunton Garden Town Charter and Checklist (October 2019). This document sets the Council's expectations in terms of design of key sites within the Garden Town and provides a framework against which prospective developers, communities and the Council as planning authority will assess relevant planning applications. The checklist is largely based on the Building for Life 12 framework, which is enhanced in scope to include a new section which covers the 'Climate and Planet Positive' topics. The four main themes of the Checklist are set out below together with key questions for assessing the design quality of a development:

- Integrating into the Neighbourhood
 - Connections - Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones whilst also respecting existing buildings and land uses along the boundaries of the development site?
 - Facilities and Services - Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?
 - Public transport - Does the scheme have good access to public transport to help reduce car dependency?
 - Meeting local housing requirements - Does the development have a mix of housing types and tenures that suit local requirements?
- Creating a Place
 - Character - Does the scheme create a place with a locally-inspired or otherwise distinctive character?
 - Working with the Site and its Context Does the scheme take advantage of existing topography, landscape features (including water courses), trees and plants, wildlife habitats, existing buildings, site orientation and microclimate?
 - Creating well-defined Streets and Spaces Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?
 - Easy to find your way around Is the scheme designed to make it easy to find your way around?
- Street and Home
 - Streets for All - Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?
 - Car parking Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?
 - Public and Private Spaces - Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?

- External Storage and Amenity Space - Is there adequate external storage space for bins and recycling as well as vehicles and cycles?
- Climate and Planet Positive
- Building with Nature - Have the Wellbeing Standards, Water Standards and Wildlife Standards been met?
- Energy Conservation & Carbon Reduction - Is energy demand minimised across the development? Does the development achieve a carbon reduction improvement of at least 19% over Part L of the Building Regulations 2013? Is energy demand minimised within the buildings?
- Renewable Energy - Are opportunities for site-wide energy solutions being effectively harnessed? Does the development maximise opportunities to meet energy demands from renewable or low carbon sources?
- Resources & Resilience - Is there evidence of recycled/locally-sourced materials being used? Can rainwater be actively conserved? Has whole life-cycle material performance influenced the specification? Are systems in place to minimise landfill waste during construction?

Together, these policies, Supplementary Planning Guidance and other design guidance form a comprehensive approach to the delivery of high quality, well designed places that apply national design guidance at the more local level.

14.9 The National Planning Policy Framework has a presumption in favour of sustainable development and specifically refers to the importance of good design and significantly, that development that is not well designed should be refused. Key paragraphs in respect of design are:

126 – ‘The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’.

130 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

134 – ‘Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on

design52, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings’.

14.10 The National Design Guide and National Model Design Code are also relevant to the consideration of this application. The National Design Guide sets out the characteristics of well-designed places and demonstrates what good design means in practice. The national design guide identifies 10 characteristics of a well-designed place which help to create character, nurture and sustain a sense of community and work to positively address climate issues.

The ten characteristics are:

- Context – enhances the surroundings.
- Identity – attractive and distinctive.
- Built form – a coherent pattern of development.
- Movement – accessible and easy to move around.
- Nature – enhanced and optimised.
- Public spaces – safe, social and inclusive.
- Uses – mixed and integrated.
- Homes and buildings – functional, healthy and sustainable.
- Resources – efficient and resilient.
- Lifespan – made to last.

14.11 The National Model Design Code provides detailed guidance on the production of design codes, guides and policies to promote successful design. The National Model Design Code sets a baseline standard of quality and practice which local planning authorities are expected to take into account when developing local design codes and guides and when determining planning applications, including;

- How the design of new development should enhance the health and wellbeing of local communities and create safe, inclusive, accessible and active environments;
- How landscape, green infrastructure and biodiversity should be approached including the importance of streets being tree-lined;
- The environmental performance of place and buildings ensuring they contribute to net zero targets;
- The layout of new development, including infrastructure and street pattern;
- The factors to be considered when determining whether façades of buildings are of sufficiently high quality and;
- That developments should take account of local vernacular, character, heritage, architecture and materials

14.12 It is to be noted that the applicant has declined to take the proposal to the Council’s independent Quality Review Panel. Although at earlier stages the proposals were taken to design review (2016, 2018 and March 2020), there have been relevant changes to national and local circumstances and guidance

since. For example, the adoption of the Council's Garden Town Public Realm Design Guide and District-wide Design Guide SPDs, the National Model Design Guide and Design Code, the declaration of the climate and ecological emergencies and associated strategies/guidance, changes to the National Planning Policy Framework to reflect design aspirations, the implications of the pandemic on placemaking and transport.

14.13 In assessing the application in design and placemaking matters, the consultation response of the Placemaking Team Manager is relevant. Her comments relate to issues of context and distinctiveness, identity, built form, movement, use, and the district centre. In respect of the detail of the proposed development for Phase 1 she also raises issues of identity, built form, movement and parking, street trees, sustainable urban drainage and sustainability. Her comments and the assessment of these are considered in turn.

14.14 Context and Distinctiveness

14.14.1 The characterisation work set out in the application Design and Access Statement, considers settlement form, figure ground diagrams of street patterns and layouts, house types etc. However there appears little resemblance between these character generators as shown in the local context and the proposed development. This characterisation work should be understood and be the starting point for informing the form and layout of the development. None of the precedents shown (apart from that shown for Monkton Heathfield Phase 1) are dominated by an outer spine road, an inward looking layout dominated by cul-de-sacs and a neighbourhood centre comprising large unconnected blocks. This is contrary to the local and national policy and guidance set out above which emphasises the need for the siting and design of a development to relate and be influenced by its context, history and character of an area.

14.14.2 The need for detailed context and site appraisal work is shown in the SWT Design Guide SPD as a key part of the design process. This is also emphasised in the National Design Guide and the National Model Design Code (NMDC). The level of appraisal work shown as carried out for this development proposal in the Design and Access Statement, falls well short of the comprehensive nature of context study work and site study work as set out as necessary in the NMDC. The NMDC states 'It is necessary to undertake a context study of the area surrounding the site and the wider area for a full understanding of the place in order to respond positively to its distinctive features.' The NMDC goes on to list the topics that a Context Study and Site Study should appraise.

14.15 Identity

14.15.1 The masterplan layout is not considered to engender a sense of place or legibility to create a quality development. There should be a series of area types showing different characteristics - The NMDC states that these area types need to be based on a) an analysis of the existing character of these areas and b) a visioning exercise.

14.15.2 The NMDC states that masterplans should create a strong sense of place and identity through defining:

- Well proportioned streets – the width of the street and the height of the

- buildings relate to its place in the street hierarchy
- Marking corners – using architectural features for emphasis on corners
- Neighbourhood character – using colour, materials or details to create a distinctive character for different neighbourhoods
- Street design – creating a unified pallet of materials and street furniture to be used in different area types
- Vista ends – using taller buildings and architectural expression on buildings that close vistas along a street or square
- Public art – encouraging the use of public art in the design of buildings and spaces as well as free standing pieces
- Planting – diversity of street tree

It is not considered that the application submission sufficiently has regard to these aspects, furthermore, there does not appear to be a clear wayfinding strategy for aiding legibility.

14.16 Built Form

14.16.1 The built form does not have a compact form of development. Density is one indicator for how compact a development or place will be and how intensively it will be developed. The density ranges across the scheme are monotonous and would create a mono-form of place. Higher density should be associated with the central spine road and district centre in order to create a more urban form and a critical mass of population to support the bus route. Although some density differentiation is indicated, particularly in the area of the district centre, the majority of the site is of broadly uniform density that is not considered to aid the structuring of a complete, compact place that aids living locally and the supporting of facilities and services vital to sustainable placemaking and community.

14.16.2 Buildings along the spine road should also be a higher storey height to create better enclosure to the street and more of a high street urban character and reinforce the legibility of the route. Building set-backs from the spine road should be minimal and front on plot parking should be avoided.

14.17 Movement

14.17.1 A well-designed place should be accessible and easy to move around with a) a connected network for all modes of transport; b) active travel and c) well-considered parking, servicing, and utilities infrastructure for all modes and users. In contrast, the overall design of the proposed development is dominated by an outer distributor road with roundabouts with few access points and crossings which will create a car-based environment and effectively one large cu-de-sac. The self-contained nature of the urban extension is reinforced by a lack of permeability in the road network. The whole site should have a permeable network of streets which are better connected in order to encourage movement. Perimeter blocks should be used on a hierarchy of streets. Cul-de-sacs should be avoided, whereas currently these dominate the layout.

14.17.2 There is considered to be a lack of connectivity between Phases 1 and 2 of this development. The development is also severed from the green necklace by the proposed eastern relief road and has few crossing points. This will result

in a segregated scheme with areas of the site compartmentalised from each other to the detriment of sustainable travel and community building.

14.17.3 There are also placemaking concerns regarding the nature of the highway design, that it would not sufficiently control traffic speed and would encourage rather than reduce movements by vehicles in preference to other, more sustainable modes. Road junctions currently have large, splayed radii and should be much tighter with smaller radii to slow vehicular speeds and reinforce that the place is for people and is a neighbourhood. The highway layout proposed includes several large roundabouts which emphasise a car-led approach to placemaking, have a high land take and detract from the creation of a high quality place that is locally distinctive. The road widths are extensive with a 7.3m spine road carriageway, where 6m would be adequate. Routes should conform to Manual for Streets including natural traffic calming features including variable street widths, change in surface materials and parallel on street parking.

14.17.4 Walking and cycling as active travel is not prioritised in the current proposals. This is hindered by lack of connections outside of the site and a permeable clear and direct pedestrian and cycle network of routes to key locations within the development.

14.18 Uses

14.18.1 Sustainable places need a mix of uses that support everyday activities, including to live, work and play. The layout has a zoned approach to land uses with employment uses largely segregated rather than integrated into the district centre; this has the potential to undermine the viability of the centre rather than reinforce vitality. It should be strongly encouraged that as much employment uses (non-industrial) are located within the district centre, this should include offices, studios and workshops as well as live work accommodation.

14.18.2 The park and ride site is located behind existing employment users at Walford Cross to the north east of the site. It is isolated from the wider development that it is intended to serve and has not been designed to achieve any natural surveillance. It is not considered to relate well to the development and accordingly its function, use and future effectiveness at delivering modal shift with a higher proportion of movements by public transport is compromised. A key issue is also that the application does not provide the park and ride facility, but rather would secure only the land for its provision. This is dealt with elsewhere within this report.

14.19 District Centre

14.19.1 The placement of the district centre is not considered to have been comprehensively addressed within the wider framework layout of the site and the overall allocation area which it is intended to serve. Placemaking Team Manager considers it randomly planned with no sense of place or focus as currently proposed. She considers that the gateway to the district centre should be accessed via a normal junction, not a roundabout as this approach reinforces

a car focussed, more suburban approach to this key community facility, with insufficient regard to connectivity and placement with regard to the phases of the allocation to the east which have already been delivered. It is currently separated from this earlier residential area by the busy A38, with few crossing points proposed. The design concept for the district centre is not considered to align with a traditional townscape approach where centres are based on either a High Street or Market Square. The position of the buildings in the centre are ad hoc and as currently proposed would not provide the level of enclosure important to the creation of a successful place.

14.19.2 The layout of the district centre shown suggests large buildings with large areas of parking. A finer grain of buildings with narrower frontages would better promote lively streets, enclosure to the streets and mixed use buildings. Wider pavement should also allow for seating and activities that will support vibrancy such as pop-up markets.

14.19.3 The school is separated from the district centre. It is considered that a closer, more comprehensively approached relationship between these core placemaking uses would reinforce the central public realm via use of the school and the relationship to the community use of the space. This would also assist with shared trips and school drop offs/pick ups, again adding to vitality and the creation of a successful place at the heart of the community.

14.19.4 The Placemaking Team Manager is of the view that significant further design consideration is needed about the location and design of the district centre and central community space. It is unclear whether the full range of local facilities that should be accessible in all neighbourhoods could be accommodated (community uses, local shops, pubs/cafes, medical facilities, places of worship homeworking hubs) and how the community space would function. At present the proposals for the district centre are therefore not sufficiently resolved and if granted, would be to the detriment of its effective function as critical to placemaking and the community.

14.20 Detailed Proposed Development for Phase 1

14.20.1 There are a number of placemaking and sustainability concerns resulting in the view that as currently proposed, the detailed scheme for this area will result in a poor quality environment. These are set out below:

14.21 Identity

14.21.1 The Placemaking Team Manager considers that as proposed, the layout is lacking variety, is monotonous and would not create a sense of place. Insufficient regard has been had to local character, vernacular and the local context of the site with the result that the scheme does not reflect local characteristics, appears 'anywhere development' and is a continuation of the approach taken in the first phase of Monkton Heathfield phase 1 development. Permissions for this earlier phase predated designation of the Garden Town, the production of detailed design guidance and recent updates to national guidance. The quality to be achieved to meet these requirements is not

reflected in the detailed scheme as submitted. The proposed layout is considered poor as it does not create a legible, structured layout through the use of linked buildings, groupings around focal spaces or key buildings. Far greater structuring is required in the layout to show primary frontages, key corners and terminating vistas. Continuity in the built form should be created using frontage buildings that create curvature. This should be created using house types which make streets and places rather than standard, individual house types that do not effectively link together – see Districtwide Design Guide section 4.3. The layout is also not tenure blind and this is unacceptable. Affordable housing is readily distinguishable and dominated by large banks of frontage parking and terraced building forms.

14.22 Built Form

14.22.1 The house types reflect standard national house types and do not relate to the local Somerset vernacular. A character study of traditional local building types, associated architectural detailing, materials and boundary treatment is required as advocated in the National Model Design Code and Districtwide Design Guide SPD. The use of standard, anywhere house types does not address the need for local distinctiveness and the creation of quality new neighbourhoods in the Garden Town. The Taunton Garden Town Charter and Checklist approved by Full Council 3 December 2019 sets out the Council's expectations in terms of design of key sites within the Garden Town and provides a framework against which prospective developers, communities and the Council as planning authority will assess relevant planning applications. Under section 5 – Character, it states that 'Anonymous national house types and standard palette of materials are not supported'.

14.22.2 The proposed broad uniformity of building storey heights would further add to the lack of variety and monotonous form of the proposed development. Consideration should be given to the use of character areas to better define different areas of the site. A greater range of densities would help with legibility and reinforcing principal routes as well as supporting the provision of a local bus route along the spine road. Overall, the built form of this neighbourhood character does not create a distinctive character for this neighbourhood or create a coherent pattern of development. The building form would not be distinctive and legible and the individual house types would not fit together to create quality townscape or streetscape. The built form would not achieve the balance between variety, (creating a range of different house types, scales, materials and density creating a sense of character and aesthetic satisfaction) and unity, (providing structure and hierarchy of streets, spaces, building forms, creating a sense of coherence and legibility). The proposed built form is lacking as it does not add curvature to the built form, corner turning buildings which use architectural features for emphasis on corners or vista ends that use taller buildings and architectural expression on buildings that close vistas along a street or square.

14.23 Movement and Parking

14.23.1 The layout is considered to be highways led, over engineered and suburban. This will result in a car dominated environment and will encourage car-based movements. From a placemaking perspective it is not considered to accord with Manual for Streets in that the layout is dominated by cul-de-sacs rather than a network of permeable streets. Road width is considered excessive, is not used as a design tool to control speed or contribute to a high quality, local character of place. There is no evidence of trying to create entry places, nodes or focal spaces through the creation of squares or provide natural traffic calming through the use of pinch points, change in surfacing materials or parallel on street parking. The road junctions are overly wide and corner radii need to be significantly tightened to reduce speed. Overall, the layout lacks permeability and the use of perimeter blocks to create connectivity using a hierarchy of movement. Desire lines for pedestrian and cycle movement are unclear. – see Districtwide Design Guide section 4.4 for guidance on creating streets and places. The streets are not well proportioned and the width of the street and the height of the buildings do not relate to its place in the street hierarchy.

14.23.2 The parking space ratio seems excessive and way over that required in the Local Plan and Districtwide Design Guide. This needs to be significantly reduced since at the current time the public realm and streetscenes would be dominated by parked cars – see Districtwide Design Guide SPD section 4.4. Parking provision is also too dominant in the street scenes and there is an excessive amount of parking to the front of plots, rather than to the side of units of parallel parking. Terminating street views with large double garages is also unacceptable in the townscape as it lacks visual interest and creates poor street enclosure. – see Districtwide Design Guide section 4.4.

14.24 Street Trees and Sustainable Urban Drainage

14.24.1 The attenuation ponds shown in the development are large and are the focus for the development's approach to water management. More emphasis should be given to a range of other SUDS techniques that can reinforce character, successful placemaking and fulfil multiple functions. The integration of rain gardens may reduce the need for large, over engineered swales.

14.24.2 Policy ENV2 requires new streets to be tree-lined in order to contribute to character and quality of urban environment as well as helping to mitigate for climate change. The National Planning policy framework also requires tree lined streets. Little consideration has currently been given to this requirement, nor the contribution that street trees can give to the creation of attractive places. There does not appear to be any provision for EV charging, including on street charging.

14.25 Climate emergency

14.25.1 The approach of the application to sustainable placemaking and working towards carbon neutrality is not clear or comprehensive and does not currently meet the latest requirements of the Building Regulations. This is considered in more detail in section 16. At present the sustainability measures are unclear, seeming to take a fabric first approach. None of the houses have PV's, there

does not appear to be recycling storage and electric vehicle charging points are not shown (including on street charging). Bicycle storage is not integrated into house designs (in particular to the front of houses to encourage the use of cycling as the preferred mode of travel), sedum roof or slate PV's could also be considered. These are shown as requirements for Garden Town developments both in the approved Garden Town Vision and the Districtwide Design Guide SPD.

- 14.26 These considerations raise serious concerns over the quality of the design response set out within this application and the poor quality environment that would be created. The bar for development in terms of design quality is high with a clear steer that development not meeting these requirements should be refused (NPPF). Paragraphs 130 and 131 of the NPPF also set out requirements for development which are echoed within aspects of the National Design Guide and National Model Design Code. These require consideration of function and quality over the lifetime of the development; visual attractiveness, sympathetic and local character and history, establishing a strong sense of place and optimising the potential of the site to accommodate appropriate development and support local facilities and transport networks and create safe, inclusive and accessible places promoting health and well-being, with a high standard of amenity.
- 14.27 If granted the development would result in a place that is not well designed. It is considered to be an unsustainable, car and road dominated, uncoordinated and unconnected, dormitory development that is not attractive, locally distinctive, healthy or with a sense of place. In addition, it is considered not well designed in that:
- i. The development will not function comprehensively as a sustainable neighbourhood, that is complete, connected and a comprehensive place allowing for living locally.
 - ii. The development has been designed around the provision of an eastern relief road and associated roundabouts. The car-based, approach to placemaking results in road, car and parking domination that does not prioritise active travel and public transport. It has poor connectivity to the surrounding area and results in an unconnected place.
 - iii. As proposed, the development does not reduce need to travel, deliver a walkable neighbourhood, nor achieve health and well-being objectives associated with the prioritisation of active travel and living locally.
 - iv. Within the site the development lacks integration and permeability with a poor network of connected streets designed primarily for cars, that do not integrate the walking and cycling network, nor make streets into places. As designed, there is segregation between uses and parts of the site.
 - v. As proposed, the district centre is not considered to result in a coherent, attractive, vibrant, mixed use centre functioning as a high quality place at the heart of the community.
 - vi. Density is considered too uniform and not sufficiently structured to support the use and vitality of public transport or facilities and services within the

site.

- vii. The development is located in Taunton Garden Town. It has not been designed as a new garden neighbourhood that meets the quality of design expected within a designated Garden Town and is not in accordance with the Vision for the Garden Town or Garden Town Principles.

Additionally, in respect of the full application proposals:

- i. The development's streets and places lack legibility, attractive and distinctive character and clear identity. There is poor use of street hierarchy and domination by cars.
- ii. The proposed dwellings do not deliver adaptable, flexible lifetime homes.
- iii. The proposed buildings do not define and enhance the streets and spaces, nor turn corners well.

Accordingly, the application is considered contrary to development plan policies CP5, CP6, SP2, SS1, DM1, DM4 (Taunton Deane Core Strategy); A1, A3, A5, D7 and D9 (Taunton Deane Site Allocations and Development Management Plan); CSM1, CSM4 and CSM6 (Creech St Michael Neighbourhood Plan) ; Policy T1 (West Monkton and Cheddon Fitzpaine Neighbourhood Plan); is contrary to the Districtwide Design Guide SPD, Garden Town Public Realm Design Guide SPD and the Vision for Taunton Garden Town. It is also considered contrary to the National Planning Policy Framework paragraph 125 and sections 2, 8, 9 and 12 and national design guidance including the National Design Guide and National Model Design Code.

15. Housing and residential amenity

- 15.1 Policies SS1 and CP4 of the Core Strategy require 25% of new homes to be affordable. Within the 240 full part of the application, 25% affordable homes are proposed split 60% affordable rent / 40% intermediate (shared). However, whilst the outline application is for up to 1210 dwellings, the application expresses a target of 25% affordable dwellings, subject to viability. No viability assessment has to date been submitted to support the application and accordingly the percentage of affordable housing being provided in this part of the application is not currently able to be confirmed. In the absence of this, 25% affordable housing compliance is therefore not currently demonstrated over the greater part of the site.
- 15.2 The consultation response from the Lead Specialist Place on affordable housing makes specific reference to policy CP4 and the Affordable Housing Supplementary Planning Document and sets out the required tenure mix as 25% First Homes, 60% social rent and 15% intermediate housing in the form of shared ownership together with i) the type and size of affordable housing units required and ii) 10% affordable to be fully adapted disabled units in accordance with Part M4, Category 3: Wheelchair user dwellings of the Building Regulations 2010. In addition, the Ministerial Statement of 24th May 2021 and Planning Practice Guidance now requires 25% of affordable housing to be secured as First Homes and this is not currently included within the application. Within the full area of the application, the proposed affordable dwellings are grouped in certain areas of the layout rather than achieving a more genuine mix through

the scheme. The application as presented does not comply with these affordable housing requirements under policies SS1, CP4, the Ministerial Statement of 24th May 2021 or Planning Practice Guidance 2021.

- 15.3 Turning to dwelling size and amenity space, requirements for these are set out in policies D10 and D12. The part of the application submitted in detail (phase 1) may be assessed against these policy requirements as it includes details of this for each dwelling. In general, the proposed plans are considered to meet the minimum requirements on space standards for internal size and amenity space. Houses and their gardens, as shown in the submitted layout plan, are located sufficiently distant from existing housing to not impact on existing properties. Houses are laid out with rear gardens facing each other, separated by close boarded fencing, exceeding back-to-back distances between habitable rooms at first floor level. Accordingly, it is not considered that there is an objection in terms of the residential amenity of the detailed scheme.

16. Climate Change including energy centre

- 16.1 Existing planning policies of relevance include Policy SS1 of the Core Strategy (which allocates this site for development), together with DM5 and policies A3, A5 and D9 of the SADMP in relation to active travel linkages.
- 16.2 Policy DM5 is relevant to the determination of this application and deals with the use of resource and sustainable design, requiring *'all development, including extensions and conversions, to incorporate sustainable design features to reduce their impact on the environment, mitigate and adapt to climate change, and particularly help deliver reduction in CO2 and other greenhouse gas emissions'*.
- 16.3 There is extensive reference within the National Planning Policy Framework to climate change and sustainability issues, key being paragraphs 7 (achieving sustainable development being a core purpose of the planning system), 8 (the economic, social and environmental objectives of sustainable development) and 152 (that the planning system should support the transition to a low carbon future...shaping places in ways to contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. Specific reference is made to expecting new development to comply with any development plan policies on local requirements for decentralise energy supply unless the applicant can demonstrate that this is not feasible or viable).
- 16.4 The Council has declared a Climate Emergency and expresses commitment to working towards carbon neutrality by 2030. This is a material planning consideration. The Somerset Climate Emergency Strategy and the Council's own Carbon Neutrality and Climate Resilience (CNCR) Action Plan set a clear context of carbon emissions in the county and district, with transport being the main source, significantly in excess of the national average. Taunton is a major urban area and as such, development at Taunton presents a major opportunity for tackling transport related emissions through a range of means, including active travel. Developments on the perimeter of the town such as Monkton

Heathfield also present opportunities for better integrating external communities with active travel links. Active travel forms a key part of the CNCR Action Plan, with a series of actions dedicated to it. In addition to this, enabling active travel provides numerous co-benefits of action including in relation to health and wellbeing through increased activity levels and reduced air pollution and the creation of more integrated and viable communities, not segregated by barriers to active movement or the necessity to travel by car. Targeting carbon neutrality and active travel are key aspects of the Garden Town Vision.

- 16.5 Climate Positive Planning (the Council's interim guidance on planning for the climate and ecological emergency) sets out that the Sustainability Checklist and Energy Statement required by policy DM5 will be the means by which the Council considers how policy requirements (the majority of which remain valid) are met by proposals and includes commentary and guidance in relation to the relevance of existing planning policies.
- 16.6 The scale of the development within the application is such that if granted, most homes would be delivered after 2025 and therefore will need to meet the Future Homes Standard. Although this standard is yet to be precisely defined, it is likely to lead to a reduction in carbon emissions significantly in excess of both Part L 2013 and 2021, and involve a no gas approach. The applicants should therefore be planning to meet these requirements now.
- 16.7 The application is supported by energy and sustainability statements together with a sustainability checklist. A detailed energy strategy has been submitted for the full application (phase 1) area only. As submitted, the application seeks a 20% reduction in emissions compared to Building Regulations Part L 2013 utilising passive design, building fabric, 'high efficiency gas boilers', with roof mounted photovoltaic array recommended within the energy statement. The energy statement rules out a number of measures which have been introduced on other schemes. It is of note that Building Regulations Part L 2013 is referenced. Parts L, F, O and S have recently been updated. As a result, the changes:
- amount to an improvement reduction over Part L 2013 of 31% for residential and 27% for non-residential;
 - provide a new way of measuring energy efficiency and regulating on-site electricity generation systems;
 - introduce regulation on overheating mitigation;
 - make provision about ventilation standards when work to which Part L (conservation of fuel and power) applies;
 - require electric vehicle charge points or cabling for charge points to be installed in new residential, non-residential and mixed-use buildings, certain buildings undergoing a material change of use, or undergoing major renovation work.
- 16.8 Within Climate Positive Planning, it is established that the Council will limit its requirements in relation to new dwellings to requiring the energy performance of dwellings to achieve a 20% carbon reduction improvement over Part L of the 2013 Building Regulations (equivalent to Code Level 4), and seek to uplift this requirement further through the Local Plan Review. However, once in force (after June 2022), compliance with Part L 2021 will supersede the specific carbon reduction requirements of policy DM5. Part L 2021 therefore applies to

this development necessitating a review of the approach to reducing carbon. As it stands, fabric thermal properties, air tightness and thermal bridging within the energy statement submitted with the application do not universally meet the base standard illustrative of policy compliance set out in the 2021 District wide design guide, (which Part L 2021 would require exceedance of) and utilise gas boilers (which the Government has indicated an intention to phase out by 2025, and which compliance with the Future Homes Standard is likely to require avoidance of). Furthermore, Climate Positive Planning explains how whilst references to the Code for Sustainable Homes are out of date, the vast majority of policy DM5 requirements remain valid. Climate Positive Planning provides useful guidance on the applicability of the various component parts of DM5 and other adopted policies. The Districtwide Design Guide SPD together with the SWT Net Zero Carbon Toolkit provide further guidance on how these policy requirements can be implemented as well as setting out aspirational standards for developments to respond to. Whilst there is no direct policy requirement for zero carbon development here, there is an expectation through policies DM5 and D7 for high quality, energy efficient, low carbon development. The Districtwide Design Guide SPD sets out a series of aspirational standards and applications are expected to respond to these, setting out how they compare with these standards. The application site has also not been considered comprehensively in respect of climate change mitigation with only the full application phase 1 development being considered for combined heat and power. Policy SS1 requires provision of a suitably located energy centre to provide locally generated electricity to the new development- this policy requirement is not comprehensively addressed. Climate Positive Planning explains that “as part of meeting this requirement, development here should identify potential opportunities to generate renewable energy and harness site-wide energy opportunities to uplift carbon reduction beyond the minimum levels required by policy DM5.” A holistic review of options and opportunities is lacking. Therefore, this policy requirement cannot be said to have been effectively responded to.

- 16.9 The application includes a Sustainability Statement and an Energy Statement. Measures proposed within the Sustainability Statement include the minimising of construction waste, using a site waste management plan, segregation of recycling, including home composting, use of materials which have a lesser environmental impact, including sustainable timber, limiting water to a no more than 100 litres per person per day, provision of allotments, and setting aside land for green infrastructure. However, commitments made are high level and not supported by detailed information of how they will be met (e.g. inventory of the provenance of materials to be used). More detail would be expected on this for the detailed design aspects of the proposal, with higher level commitments informing conditions for submission of information at a later date for the outline aspects.
- 16.10 The Energy Statement proposes a reduction of CO2 emissions by 20% over Building Regulations Part L (2013). It states that this would be achieved by passive orientation of dwellings, high insulation values, natural ventilation, use of low energy fittings, and installation of Solar PV on roofs. However, it has ruled out several measures which have been introduced on other schemes. This includes ground and air source heat pumps, biomass heating, solar thermal, a CHP system and micro wind turbines. Critically the Statement says that gas fired boilers will be required within the development. As stated above, the scale

of development and development time involved here mean that the vast majority of buildings on the site will need to meet the Future Homes Standard. It is not clear how the need to meet this future standard has been considered.

- 16.11 Whilst it is acknowledged that the proposed energy efficiency measures to be installed within the individual buildings and the installation of Solar PV will result in a reduction on Part L 2013, the proposals within the Energy and Sustainability Statements will not meet the new Part L 2021, are not futureproofed to meet the Future Homes Standard and the energy strategy for the site as a whole has not been holistically thought through. Policy SS1, specifically refers to the need for a 'suitably located energy centre to provide locally generated electricity to the new development'. Taking a holistically considered site-wide approach may present an opportunity to achieve improved carbon emissions reductions at a lower cost, and with greater benefits, than taking a unit-by unit approach, but the application has failed to consider this. The proposal has failed to demonstrate that it will sufficiently incorporate sustainable design features to reduce its impact on the environment, mitigate and adapt to climate change, and particularly help deliver reduction in CO₂ and other greenhouse gas emissions. It fails to demonstrate that it will result in a development which minimises the use of energy, or to holistically consider the energy strategy for the site as a whole, or how the development can realistically meet current or future national standards likely to apply within the development's lifetime. The Council's Climate and Ecological Emergency is an important material consideration relevant to the determination of this planning application and the proposal fails to demonstrate how it sufficiently and effectively responds to this. The proposal is therefore considered to be contrary to policies SS1, CP1 and DM5 of the Core Strategy and provisions within the Districtwide Design Guide SPD, and the National Planning Policy Framework.

17. Sustainable Drainage and flood risk

- 17.1 Policy I4 of the Local Plan requires adequate water infrastructure with surface water disposal via SUDS (sustainable urban drainage systems) and Policy R3 of the WMCFNP seeks flood attenuation measures with specific reference to flood reduction features.
- 17.2 The scheme drainage strategy relies on attenuation ponds within each catchment area with the proposed approach able to be summed up as 'pipe to pond'. The Lead Local Flood Authority (LLFA) in its initial consultation response recommended the submission of a sustainable drainage assessment due to a variety of SUDS not being included and commented on the potential for further sustainable drainage features such as tree pits as part of below ground attenuation, bioretention areas, permeable paving and swales, which would result in multiple benefits such as amenity, biodiversity and water quality. It would be preferable for the scheme to integrate a sustainable drainage system within the street layout and design a system that mimics natural drainage and encourages passive infiltration and attenuation. The applicants have indicated an intent to utilise SUDS drainage features such as rain gardens, permeable paving and bioretention areas in addition to pipes, basins and swales. Consideration of the potential cumulative impact of the multiple developments in the area with this application is also sought to ensure that any surface water drainage and potential flood risks are adequately evaluated.

- 17.3 The LLFA has commented on the application requesting further information on both the outline and full elements. In respect of the outline area, the LLFA has recently updated their advice such that full details of the proposed pipe network can now follow at the detailed design stage in response to the use of a suitably worded condition requiring the submission of the detailed design of the drainage strategy and including demonstration that the system does not surcharge up to the 1 in 2 year event and that there is no flooding up to the 1 in 30 year event. The LLFA confirms no further comment of the outline element of the application. However, it is the expectation of the Local Planning Authority that the detailed design consider and respond to a wider placemaking approach as referred to above.
- 17.4 In respect of the full part of the application, in June 2022 the LLFA requested plans of a proposed surface water drainage strategy, including indicative levels of all drainage features, consistent with those used in the network calculations; a plan detailing overland flow paths in exceedance events (greater than the 1 in 100 year return period plus climate change) and details of the party responsible for the maintenance of all drainage features within the communal areas. It is understood that this information is in the process of being prepared, but to date has not been submitted. Although it is likely that this information will be forthcoming, at present in its absence the application has not currently demonstrated the adequacy of the proposed approach to water management and therefore compliance with requirements within policies CP1, SS1 and I4 of the Taunton Deane Core Strategy.
- 17.5 The majority of the application site is located in flood zone 1, at low risk of flooding with the exception of the section along Dyer's Brook. Comments have been received from the Environment Agency in relation to flood risk. Provided the Local Planning Authority is satisfied the requirements of the Sequential Test under the National Planning Policy Framework are met, the Environment Agency now withdraws its earlier objection in principle, to the proposed development. This is subject to the inclusion of conditions relating to the development being carried out in accordance with the submitted phase 2 flood risk assessment and its mitigation measures; particularly that all houses and drainage features be located outside of areas of higher flood risk (zones 2 and 3) and that the mitigation measures be fully implemented prior to occupation and subsequently in accordance with timing /phasing arrangements. Further conditions are also sought in respect of contamination during the construction phase with remediation requirements, that any oil or chemical storage facilities be sited in bunded areas and that there be no discharge of foul or contamination drainage to groundwater or surface water. In the event planning permission were to be granted, these conditions would be required to appropriately address flood risk arising from the development.
- 17.6 In respect of the sequential test, as an allocated site, the location of development has been the subject of strategic flood risk assessment (in 2007 and 2011 and informing the Core Strategy) at plan making stage which considered a sequential approach. In such circumstances it is not then required at planning application stage.
- 17.7 With the application of conditions as recommended by the Environment Agency, the approach to mitigating flood risk is considered to comply with the requirements of policies CP1f and CP8 Taunton Deane Core Strategy and

policy I4 Taunton Deane SADMP.

18. Infrastructure

18.1 School and education requirements

18.1.1 Across the whole development allocation area, policy SS1 sets out the need for 3 new primary schools and a new secondary school. To date a new primary school and nursery have been delivered on Bridgwater Road (West Monkton CEVE Primary School and Little Herons Nursery). The current application proposes land for a through school incorporating early years, primary and secondary education provision. The principal of the proposed education provision on site is accepted and the delivery of the through school will make a significant contribution towards education needs arising from the development. It is to be noted that the Education Authority response of 1st February 2022 sets out per dwelling financial contributions required to support early years, primary, secondary and special education needs arising from the development. These are currently unsecured.

18.1.2. Indicated to be provided in phases 1 and 2, the school proposals will require further discussion with the Education Authority over the delivery body and delivery mechanism. Therefore, at present there remain both unsecured financial contributions and delivery details for both the land and construction of the school. These would be capable of being resolved through S106 agreement discussions, but due to other application issues have not to date taken place but would be required in order to safeguard the provision of this important on-site infrastructure and in order to meet the education's needs arising from the development in accordance with policies SS1 and CP7.

18.1.3 The school site is proposed to be located south of the A38 with a relatively narrow buffer between it and that road. The proximity to the A38 busy road might cause a high level of air and noise pollution unless addressed via treatment of the A38 corridor, and reserved matters school siting and design details, neither of which form part of the application proposal. As sited, the school divides two residential areas to its east and west, thereby reducing connectivity between different areas of the proposed neighbourhood and creating longer and less convenient east/west walking/cycling routes. Improving east-west connectivity in relation to the proposed school would be of benefit. Routes to the school should be safe and convenient for children. There is concern that the proposed boulevard may create a physical barrier for children and an unsafe route to school for those who will live to its south. Connections and linkages in relation to school routes need further consideration. Locating a public square between the school and the district centre may help to mitigate traffic, create a safer crossing to the school and benefit wider placemaking. Further details are therefore required to show how the school will connect to residential areas and provide safety and security for students.

18.2 Employment Allocation

18.2.1 Policy CP2 of the Core Strategy sets out the employment strategy for the District. This includes 36.5 hectares of general employment space within the wider Taunton urban area, and at Wellington. Policy SS1 requires 10 hectares to be reserved for employment purposes for longer term release around Walford

Cross. The outline part of this application provides 4.83 hectares of land (12,000 sq m) for strategic employment adjacent to existing employment at Walford Cross. A further 1,000 sq m office floorspace is proposed within the district centre. The provision of 4.83 hectares of strategic employment land is an under provision of the amount required as stated within Policy SS1. However, there are other areas of land at Walford Cross which are shown within the allocation within the Core Strategy, but do not form part of this application and includes existing employment land. In addition, there is an area of land north of the A38 and east of the junction with Monkton Heathfield Road which has not yet come forward. This area could in theory form a further area of employment. It is therefore concluded that given the other employment land within the allocation, the provision of 4.83 hectares of employment land in this application is not at odds with this requirement of Policy SS1.

18.2.2 The proposed mix of employment uses is not specified. The employment sector is changing rapidly post-Covid, with changes to office working patterns and online retail provision in particularly driving the need for increased distribution warehouses in preference to new purpose-built office blocks, however the Economic Development Needs Assessment (Hardisty Jones Associates, May 2021) concluded that there remains a need for further office, industrial and warehousing between 2020 and 2040 although this need is not compared with land availability/supply which will be part of the Local Plan process at the appropriate time. Coupled with the extension to Permitted Development Rights; the changes to the Use Classes Order; Brexit and now, since the 2021 report was published, the war in Ukraine; cost of living crisis; and inflation rises make employment forecasting even more uncertain. It is therefore important that flexibility is built into the proposed employment area uses, with a need to submit up-to-date employment trend data with any subsequent application.

18.2.3 The Council will be reviewing its employment sites through the Local Plan review process considering them for their sustainability, appropriateness, deliverability, attractiveness as employment sites, infrastructure requirements and other local benefits that could be delivered. The Council will also consider where employment development and allocations should be retained for placemaking reasons to deliver sustainable communities including the new communities that deliver Taunton's Garden Town of which Monkton Heathfield is one.

18.2.4 There is under delivery of employment floorspace across the other parts of the allocation which lie outside this application area. This increases the significance of the employment aspect of this application in terms of sustainable placemaking, particularly in terms of the need to create a mixed-use development incorporating a range of employment opportunities in proximity to homes, thereby reducing the need to travel or rely upon private vehicle movements. The employment area on the east side of the development, adjacent to the M5 is far from the neighbourhood with the risk that its design is based on (and promotes) car dependence unless convenient quality connectivity and access for pedestrians, cyclists and public transport is provided. This is considered elsewhere in this report. Maximising opportunities for types of employment generating floorspace within upper floors of the district centre can also make a denser, more liveable and vibrant neighbourhood centre and increase the sustainability of the development. This is considered further in the placemaking and district centre sections.

18.4 District Centre

18.4.1 Policy SS1 provides for a mixed-use district centre to support the development, specified as comprising a food store, convenience and comparison retail, financial and professional services, restaurants and cafes, drinking establishments, hot food takeaways and offices together with multi-functional community facilities and residential accommodation for the elderly. Floorspace figures are provided within the policy. These are set out below, together with the floorspace figures proposed within this application:

DISTRICT CENTRE	Core Strategy SS1	Current application:
		Design & access statement
Food store	4,400m2 (gross)	Up to 2,500 sq m
Convenience & comparison retail, financial & professional services, restaurants & cafes, drinking establishments, hot food takeaways	8,000m2 (gross)	
Offices	1,000m2 (gross)	Up to 1,000 sq m
Multi-functional community facilities (including places of worship, community hall, health facilities, care and residential accommodation for the elderly)		Up to 2,000sq m (1,000 sq m community hall, 500 sq m health centre, Creche/day nursery, 100 apartments- occupation not limited to the elderly)

Retail and economic need reports have been submitted to support the application and specify 2,853 m2 gross floorspace, derived as follows: convenience goods retail 685m2 gross, comparison goods retail 1,239m2 gross, food and drink floorspace 562m2 gross and retails sales/financial and professional services 373m2. As set out in the Design and Access Statement, provision for these uses is proposed as up to 2,000 sq m.

18.4.2 Policy TC3 of the SADMP sets out expectations for local shopping including within the allocation district centre, including generating footfall and being of general public interest or service with active ground floor frontages. Accordingly, the more strategic role of the proposed district centre is recognised. Policy C5 SADMAP relates to community facilities and seeks to ensure increased demand for community halls is met in line with standards. Material supporting the application identifies the need to provide additional facilities to serve as a community hall/hub within the development to meet need, recommending a 1,000 sq m facility within the district centre. The application indicates an intent to provide up to 1,500 m2 community hub/hall with

crèche/nursery/day centre. The Community Halls Strategy (2015-2020) defines a policy for the provision of community halls, which informed Policy C5 of the Taunton Deane Adopted Site Allocations and Development Management Plan (2016) and the standards in Appendix D. For developments of over 2,150 people this requires the one main hall, two meeting rooms or activity room, storage, toilets and a kitchen. Assuming an average household size of 2.22, the proposed 1,450 dwelling development would result in an additional population of 3,220 people. The details within the Design and Access Statement broadly align with the list of facilities within the community hall/hub with additional mention of the main hall acting as a church sanctuary and the provision of a 115 sqm library.

18.4.3 In assessing the district centre proposals within the application, it is important to place it in the wider context of the allocation as a whole, which it is proposed to serve. Retail floorspace within the phase 1 local centre at Furs Close off Bridgwater Road is currently undelivered with either empty ground floor units or vacant site awaiting delivery. In contrast the residential development in phase 1 with which it is associated has come forward and is occupied. Although there is a live planning application for a local centre at Nerrols, this is at some distance from this site and intended to serve that development. Existing facilities in proximity to the site that the district centre is intended to address are limited. Brittons Ash Community Centre was provided in connection with earlier phases of development, but further community hall / hub is required in connection with the current application. Whilst planning permission has been granted at the former car showroom site on Bridgwater Road for a convenience store, children's nursery and pharmacy (application 48/21/0054), this has not yet been delivered.

18.4.4 The application seeks to provide a significantly scaled down district centre within phase 2. Bespoke assessments by way of retail, social and community infrastructure studies have been submitted to support the proposal and seek to justify the approach to the district centre against the predicted needs of the Monkton Heathfield allocation and the estimated additional 3,220 residents arising from this application. However, there is little evidence that these predictions have been undertaken in the context of reducing the need to travel in order to reduce carbon and the latest thinking in place making around 15/20-minute neighbourhoods which results in planning for compact, complete places that enable living locally. The role and function of the district centre on this site in relation to sustainable and quality placemaking for this phase and the adjacent area of earlier development to the west is therefore even more critical and there is considerable concern that this would be compromised by the scaled down proposal within the application. Although there is reference to phase 1 provision (yet to be delivered) and an application for a local centre at Nerrols, the current proposal does not take a wider allocation, coordinated approach to such facilities and floorspace required, nor the relationship between them. The phasing proposals submitted with the application also indicate that the district centre is to be provided in stages across phases 1 to 6. This would see much of the district centre provided towards the latter part of the development when many of the housing phases are complete. It also indicates the last area of the district centre is the closest to existing development (part of Phase 1 of the overall allocation area) to the west. The A38 also separates this Phase 1 development from the current application site and its district centre. Acting as a significant physical barrier for pedestrians

and cyclists, the scheme does not sufficiently address the need for safe and convenient crossing over the A38 to enable access to the district centre from earlier development phases to the east. There is therefore also concern over adequacy of the district centre proposal as set out within the application which is intended to serve the whole allocation area, with the earlier phases nearing completion. Further consideration is required in order to plan comprehensively for the district centre in terms of floorspace, uses, phasing, relationship with earlier phase 1 development and the needs of the allocation as a whole. The proposal therefore fails this aspect of Policy SS1.

18.4.5 The NPPF at paragraph 92 sets out the aim to achieve healthy, inclusive and safe places with strong neighbourhood centres, with positive planning for local services and community facilities is reference in paragraph 93.

18.4.6 The application's approach to the district centre is therefore considered contrary to policies SS1, CP3 and SP2 of Taunton Deane Core Strategy and policies C5 and TC3 Taunton Deane Site Allocations and Development Management Plan.

18.4.7 Policy R4 of the West Monkton NP requires new major development to provide recreation and/or community facilities to meet demonstrated local needs. Located in the part of the application site outside of this neighbourhood plan area, concern has been expressed under other policies over the proposed district centre facilities, lack of certainty over facilities to be provided within the green necklace and the approach to sports pitch provision. It is noted that the neighbourhood plan includes proposals on land south of phase 1 of Monkton Heathfield for two new football pitches and a club house. These are in connection with the earlier phase of development.

18.5 Recreational Open Space

18.5.1 Policy C2 requires recreational open space arising from new development to meets relevant standards and subject to viability demonstrate how they are responding to them. The approach of the application to formal sports pitch provision is for delivery on site but combining use between the proposed through school and the community 6.3ha of sports pitches are proposed at the school site. There is no indication in the submission of the number and type of pitches to be provided. This would be the subject of further discussion taking into account the relevant local and national standards. No provision towards sports built facilities is currently proposed.

18.5.2 The Sport England consultation response applies and identifies conflict with this policy in sports facility provision, with a lack of adequate planning and provision, particularly in respect of formal sports pitches (on site) and/or lack of additional capacity provision off site. Sport England comments as follows:

'We are surprised to note in a development of this scale no land allocated within the layout for a community sports hub including multiple playing pitches for various sports to meet the needs of the future population. The dual use of playing pitches for education and community use will provide a high level of risk and significant challenge for community use as the schools priority will be to protect any use for education purposes. e.g. community sports teams being denied access in unfavourable weather. We do not support the provision of dual

use playing fields in this development'.

18.5.3 A particular demand in relation to mini soccer and youth football is identified in the response, together with constrained capacity for rugby at the Taunton RFC and regarding cricket (West Monkton Cricket Club), the need for artificial grass practice nets and an artificial pitch. There is also a need to enhance the existing off site artificial grass pitch at Heathfield School for hockey and under-provision locally of tennis. These are all referenced in the Sport England consultation response as are the need to consider opportunity for other physical activity for an indoor multi-purpose space and wider principles of active design in placemaking. Accordingly, the approach to and quantum of on and off site sport and recreation provision is not sufficiently considered and as the application stands, the needs arising from the development are not fully addressed. This is contrary to policies SS1 of the Core Strategy and Policies C2 and C5 of the Adopted Site Allocations and Development Management Plan.

18.5.4 West Monkton and Cheddon Fitzpaine Neighbourhood Plan contains Recreation and Environment Policy R4: Recreation and Community Facilities which requires that new major residential development include recreation and community facilities to cater for the demonstrable local need and sets out a range of what such facilities could include. As this neighbourhood plan does not apply to the majority of the application site, this assessment places greater reliance on policies within other parts of the development plan.

18.6 Phasing

18.6.1 The application has been submitted with one residential parcel (phase 1) in detail, with the remaining parcels, commercial areas and landscaping in outline. A phasing parameter plan has been submitted as part of the Design and Access Statement, showing up to 5 additional phases, not including the landscaping, park and ride which is stated as being 'subject to further discussion'. The phasing shown is broadly from west to east across the site, starting in the west.

18.6.2 Following the delivery of the phase 1 housing, the school site is proposed to come forward between residential phases 1 and 2, as will the first part of the district centre, furthest to the north. Phase 2 residential is proposed next in sequence and is before any of the green necklace green infrastructure is to be provided. The first of three phases of the green necklace are proposed at phase 3 of the residential development with the second part of the district centre at residential phase 3/ phase 4. The remaining areas of the green necklace are to be delivered with residential phases 4 and 6. The final phase of the district centre is proposed at phase 5 / phase 6 of the residential areas.

18.6.3 The phases described above have the net effect that much of the residential development will be delivered in advance of significant delivery of the facilities and strategic scale green space. The phasing does not recognise the wider role of site facilities across the whole allocation and that early allocation phases and either complete, or nearly complete. There is also considerable uncertainty over the park and ride site for which no phasing is indicated. Although the detail of phasing will need to be agreed as part of a Section 106 agreement, as currently set out the provision of community facilities and strategic open space in relation to the residential phases is not considered acceptable and if granted, would mean that the facilities that the residents of earlier phases and parts of the wider

site depend upon will not be available until late in the development contrary to policy CP7 of the Core Strategy and to the detriment of high quality, sustainable placemaking.

19. Heritage impact

19.1 A Historic Environment Assessment identifies that there are currently no built designated heritage assets within the application area that would be directly impacted upon by the development. Within the vicinity of the application area there are several listed buildings to which the proposed development (outline/full application elements) would have a direct or indirect impact on their setting, these assets are identified in the supporting information as being.

- Grade II* Listed Walford House and associated Grade II Listed outbuilding at Walford Court – Outline proposal
- Grade II Listed Monkton Elm – Full part of application
- Grade II Listed Langaller House and associated Grade II Listed Langaller Cottage and Outbuilding adjoining Northwest – Outline proposal
- Grade II Listed the Manor House – Outline proposal
- Grade II Listed Manor Farmhouse – Outline proposal
- Grade II Listed Heathfield Farmhouse; and – Outline proposal
- Grade II Listed Blundell’s Farmhouse. – Outline proposal

19.2 In this respect an assessment of these identified heritage assets was undertaken by AC in accordance with *Historic England’s Historic Environment Good Practice Advice set out in Planning Note 3*, which is a staged approach ranging from Step 1 – Step 5. Having reviewed this assessment, the Council’s Conservation officer has commented that the heritage assessment does not undertake all the required steps of the staged approach to the setting of the heritage assets, concluding that the steps relating to.

Step 3 - ‘assessing the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it’ and

Step 4 - ‘explore ways to maximise enhancement and avoid or minimise harm to the impact of the proposed development upon the setting and significance’ would need to be considered at the design and layout stage.

19.3 The Conservation Officer considers that the approach in not undertaking Steps 3 and 4 at this time is considered acceptable in relation to the outline proposals only. The submitted application includes in full, the design and layout of the development within the immediate setting of Monkton Elm a Grade II heritage asset.

19.4 In this respect the submitted assessment conclusion on the impact on the setting as resulting in ‘*negligible adverse change*’ is considered misleading as it has not considered Steps 3 and 4 of the adopted setting guidance and therefore has not fully addressed the potential harm of the proposed design and layout as presented through the full part of the application, would have on the on the setting and its contribution to the significance of Monkton Elm. **Negligible adverse change** equates a ‘change in significance of the resource is barely perceptible.’

19.5 The context in which Monkton Elm is experienced is ‘agricultural landscape’,

the open and rural character of which provides historic setting that enables the heritage asset to be interpreted as a rural dwelling. The Conservation Officer advises that whilst this has been subject to some erosion through road improvements and street lighting, the inherent character and appearance of this historic setting remains a prominent feature that terminates the built envelope of Monkton Heathfield to the north and south of the listed building, providing a gateway to the village when approached from the north-east. Any proposal for development to the north and south of the listed building would result in a level of harm to this open agricultural landscape. Whilst she does not consider this to make the principle of development unacceptable, however the considered layout, scale, use of materials and design should enhance or better reveal the identified significance or at a minimum preserve the character and appearance of the surrounding area (paragraph 206 National Planning Policy Framework).

- 19.6 The design details of the full application area propose a suburban layout (including boundary treatment), built scale ranging from 1 – 2.5 storey and standard residential design. The Conservation Officer considers this approach to introduce a prominent and conspicuous urban environment that would visually compete with and distract from the rural context of the setting and in turn significance of Monkton Elm as a heritage asset. She recommends that more consideration is given to the local vernacular character in terms of layout, building type and architectural detailing in relation to local distinctiveness, which includes boundary treatment that encloses and defines the built form.
- 19.7 In summary, the heritage assessment submitted identifying the change in significance of Monkton Elm, a Grade II heritage asset as barely perceptible as a result of the design and layout of the full application area, fails to fully address the impact of the development on its setting. The application has not assessed the effect of the development upon the significance of Monkton Elm, a grade II heritage asset, nor considered ways to enhance, better reveal or preserve the setting of that heritage asset. The proposal is therefore considered contrary to policies CP8 and D9 of the Taunton Deane Core Strategy and paragraphs 199-204 and 206 of the National Planning Policy Framework.

20. Archaeology

- 20.1 Policy ENV4 relates to archaeology. There is archaeological potential within the site. The heritage assessment identifies a number of features, dating from the Neolithic and iron age within the study areas. These include ring ditches, enclosures and a potential settlement. The Environment topic paper mentions that Monkton Heathfield has a high potential to reveal archaeological information as it is set within a complex of prehistoric and Roman sites.
- 20.2 The document states that developers will be expected to demonstrate that they have assessed the 'significance' of archaeological deposits and remains within the wider landscape value and that this will inform the design and layout of any planning proposal. The consultation response from South West Heritage Trust advises that there is currently insufficient information contained within the application on the nature, date and significance of the archaeological remains to properly assess their interest and recommends that applicant be asked to provide further information on any archaeological remains on the site prior to the determination of the application. The response goes on to state that this will require trial trench evaluation as indicated in the National Planning Policy

Framework (Paragraph 194).

- 20.3 To date, trial trench evaluation has not been carried out and no further information has been submitted. Based on the work undertaken to date, the evaluation of the archaeological value of the site is insufficient and the extent of archaeological impact arising from the development remains uncertain. The application is therefore contrary to policies CP8, ENV4 and the National Planning Policy Framework.

21. Air quality, noise and contamination

- 21.1 Policy DM1 of the Core Strategy sets out a number of criteria that development proposals must meet. This includes the requirement that all forms of pollution must not unacceptably harm public health or safety, the amenity of individual dwellings or the wider environment. The definition of pollution includes air pollution, water, noise, dust, lighting, glare heat and vibration.
- 21.2 The site is not located within an air quality management area and the focus of the relevant chapter of the Environmental Statement submitted with the application focusses on dust, noise and emissions during the construction phase, and vehicular emissions during the operational phase.
- 21.3 With the site currently being arable fields, emissions at the present time are minimal, and relate to agricultural machinery movements and chemical spraying of crops. Clearly a proposal for a new community will significantly add to these emissions. There will be a release of dust and particulates during site construction, however these are deemed to be limited given the area of the site. Mitigation is possible through good construction practices and careful management of construction traffic. Future occupants of the site would not be exposed to concentrations of pollutants above the relevant air quality objectives and therefore the impact of the proposed development with regards to new exposure to air quality is considered to be negligible.
- 21.4 The site abuts the M5 which has the potential to be a noise source. The proposed layout of the scheme does not propose dwellings close to the M5, instead it proposes a green necklace which will provide recreational opportunities and landscape planting. In considering noise and vibration, comments from Environmental Health query whether sufficient account has been taken of the existing noise at the industrial site to the northeast (at Walford Cross), in particular in the event that the configuration of development is adjusted.
- 21.5 The noise assessment submitted with the application indicates ambient noise levels in certain amenity areas would exceed the upper guideline value of BS8233:2014 (Guidance on sound insulation and noise reduction in buildings). Although the assessment suggests that measures such as close boarded solid timber fencing can provide mitigation up to 10dB, Environmental Health comments that barriers may not provide sufficient attenuation to outside areas and that further information on mitigation for external areas should be provided to justify the proposed layout and configuration of and within the residential areas. In addition, the current proposal is recognised in the technical submission material to require all properties overlooking the A38 or proposed link road to incorporate façade reduction of up to 41dB to ensure the internal

maximum noise would not exceed 45dB World Health Organisation criterion. Properties within 20m and with a direct line of sight to a road noise source should ensure suitable façade design to ensure suitable internal noise conditions. Adequate detail of such design is likely to require suitable, acoustically-treated arrangements for forced ventilation. Given the potential flexibility of overall design and layout of this site, Environmental Health comments that the suitability of such arrangements being necessary requires further justification. Furthermore, technical submissions on noise criteria for residential buildings reference the wrong noise level for sleeping (30dB LAeq,8hour instead of 35dB LAeq,8hour between 2300-0700). Any assessments based on the inaccurate figure need to be revisited.

21.6 Environmental Health comments that the proposal is likely to require acoustically treated arrangements for forced ventilation to some dwellings, but that given the overall potential flexibility of overall design and layout, the necessity of such arrangements requires further justification. In summary, the position of Environmental Health on noise matters is that it is necessary that the approach outlined in 'ProPG (Professional Practice Guidance on Planning and Noise): Planning and Noise, New Residential Development' (May 2017) is followed, not least the detail within Stage 2, Element 1 – Good Acoustic Design Process. It is the view of Environmental Health that the application does not sufficiently demonstrate this approach. Given that the layout and configuration of the site is a key and fundamental element of the design process, in the above circumstances Environmental Health objects to the application as submitted.

21.7 In respect of land contamination matters, Environmental Health has referenced the application site as being in an area of diverse uses- agricultural, infill material and building structure. The submitted report relies on a preliminary risk assessment and ground investigation from 2016 and identified made ground and potential for contamination concerns. Although some sampling and trial pits were carried out, it cannot currently be determined whether the locations are representative of the site as a whole. Whilst the assessment recorded no elevated contamination, it is considered important to carry out further risk assessment for the site to determine the extent of made ground, gassing regime and infill material with additional potential contaminants tested for. The extant preliminary risk assessment is not considered to have provided a robust conceptual site model and there is potential for contaminative material being encountered which was not considered in the 2016 report. Additional monitoring in respect of off-sight sources of contamination, especially infill pond and gassing regime and ground water monitoring will be required. Taking the above into consideration, Environmental Health has requested that additional detailed risk assessment should be submitted to the Local Planning Authority for approval. Where contaminants have been encountered, the applicant needs to provide a detailed option appraisal, remediation strategy and verification plan prior to commencement of the development. These further requirements in respect of contamination could be conditioned in the event that planning permission were granted.

21.7 The consultation response from Environmental Health has therefore raised several issues in respect of the technical assessments submitted to support the application. Those relating to noise assessment and its mitigation indicate that

there are deficiencies in the technical assessment information submitted to support the information with the result that it has not been sufficiently demonstrated that the requirements of policy DM1e of Taunton Deane Core Strategy have been met in terms of the potential impact of noise and any required mitigation measures upon the amenity of the residents of the proposed dwellings.

22. Safety and Crime

22.1 Policy D8 of the Site Allocations and Development Management Plan requires new developments to incorporate measures to reduce the likelihood of crime which are compatible with the need to create an attractive and sustainable layout and lays out a series of relevant criterion. In order to provide safe places and ensure communities minimise the fear of crime and anti-social behaviour, it is also necessary to assess the application against the NPPF, which requires that places are safe, inclusive and accessible.

22.2 The Police Crime Prevention Design Advisor has commented on the application and confirms that reported crime and antisocial behaviour levels for the area of the proposed development are average. As a hybrid application, many of the parts of the scheme have been submitted in outline, with only means of access included. Accordingly, for much of the site only general comments are made on reducing crime and antisocial behaviour by design which are summarised as follows:

- Vehicular and pedestrian routes appear to be visually open and direct and are likely to be well used enabling good resident surveillance of the street. The use of physical or psychological features helps reinforce defensible space.
- Communal Areas and Play Space should be designed to allow natural surveillance from nearby dwellings with safe and accessible routes for users. Boundaries between public and private space must be clearly defined.
- Dwelling Boundaries – boundaries between public and private space must be clearly defined and dwelling frontages are kept open to view to assist resident surveillance of the street and public areas. Exposed side and rear gardens need more robust defensive measures such as 1.8m high walls, fences or hedges.
- Potential climbing aids such as walls, street furniture, balconies, trees etc. should be suitably designed so as not to allow unlawful access to dwellings.
- Vehicles should either be parked in locked garages or on a hard standing within the dwelling boundary. Where communal parking areas are necessary, bays should be sited in small groups, close and adjacent to homes, be within view of 'active' rooms and allocated to individual properties.
- Landscaping/planting should not impede opportunities for natural surveillance and wayfinding and must avoid creating potential hiding places.
- All street lighting for adopted highways and footpaths, private estate roads and footpaths and car parking areas should comply with BS 5489:2020.

22.3 However, the proposed Phase 1 does need to demonstrate these features as

this is submitted in full as part of this application. Comments from the Police over the full parts of the application are as follows:

- The local area for play proposed in Phase 1 appears to be well overlooked by dwellings on three sides.
- Dwellings in Phase 1 appear to be positioned overlooking the street and public open spaces which allows neighbours to easily view their surroundings and makes the potential criminal more vulnerable to detection.
- The majority of the dwellings are also 'back to back', which has advantages from a crime prevention perspective, in that it helps restrict unauthorised access to the rear of dwellings. Dwelling boundaries- The site layout plan indicates that these recommendations will be complied with.
- Rear Access Footpaths – the development incorporates a number of rear access footpaths which should be ideally removed to reduce risk of burglary. If they are essential to provide rear access, they must be gated at the entrance to the footpath, as near to the front building line as possible, so that unlawful attempts to access them are in full view of the street
- Parking- Overall, the Phase 1 parking proposals appear to comply with recommendations. However, the proposed parking arrangements for Plots 30-37 (Persimmon) which are at the rear of the dwellings they serve, with two vehicular access points enabling easy unauthorised access to both the rear of these dwellings and parked vehicles. As is the case with the majority of communal parking in this development, it is recommended these parking spaces be relocated to the front of the dwellings they serve where there would be much improved surveillance opportunities.
- Apartment Blocks – are basically 'L' shaped with no deep recessed areas which could be used for concealment and good sight lines around them. If possible, areas of defensible space should be incorporated around these blocks externally to deter crime and anti-social behaviour. The blocks incorporate two communal entrances, front and rear, which should have installed suitable access control systems. The blocks incorporate integral Cycle and Bin Stores, which is recommended, and which should be lockable to prevent theft of cycles and misuse of wheelie bins for climbing or arson. Communal mailboxes in the 'air lock' type arrangements in the lobbies are also recommended. Car parking for residents in adjacent rear courtyards appears to be well overlooked from all Apartment Blocks.

22.4 As a result of these comments some changes to the design are needed in respect of the Phase 1 development. There are no significant concerns with the outline element of the application at this stage as these matters will be considered in detail at a subsequent reserved matters stage. In conclusion, whilst a few issues have been raised, in general the proposal is considered to accord with policy D8 of the Site Allocations and Development Management Plan.

23. Health - Health Centre and wellbeing Issues

23.1 Policy SS1 specifically references the provision of health facilities within the district centre. However, the views of the NHS Clinical Commissioning Group (CCG) in this respect need to be taken into account. Within the consultation response they state that the combined existing surgeries at Creech Medical

Centre, Lyngford Park and Crown, are already over capacity. There are 21,063 patients registered at these three surgeries and the proposal is estimated to increase the population by a further 3,277 patients. The CCG has requested a contribution of £838,912 towards further infrastructure, without specifying whether this equates to a new purpose-built facility, space within the district centre, or as an extension to either of the existing centres. Separate recent discussions with the NHS CCG for the Taunton Garden Town Infrastructure Delivery Plan indicate a clear preference to address additional demand arising from development by expanding existing surgeries where possible rather than creating a new medical centre on site.

- 23.2 Were permission to be granted, it is considered appropriate to request this contribution by way of a Section 106 agreement. No such agreement has to date been entered into and therefore this is currently unsecured.
- 23.3 As part of wider wellbeing, the design of the scheme is required to adopt principles of healthy living, active travel, cycle and footways, green spaces and by reducing car use. It is not considered that the scheme as currently presented accords with these principles and more detail on this is set out elsewhere within this report. Therefore the application is contrary to policy A5 of the SADMP, the principles set out within the Garden Town public realm design guide and the Districtwide design guide. This is covered in more detail under the design and placemaking and sustainable transport sections of this report.
- 23.4 Allotments have been proposed within the green necklace on the east edge of the development, providing an opportunity for local food production. However, its distant location and the eastern relief road running between the neighbourhood and the green necklace reduces the accessibility of the green necklace and its facilities including allotments. It would be preferable to place the allotments closer to the dwellings and allow for better connections. The placemaking and design section addresses the masterplanning of the site, the relationship between applications features and accessibility in more detail.

24. Public rights of way

- 24.1 Four public footpaths T 32/14, T 10/21, T 10/22 and T 10/29 run through the site with further public rights of way located adjacent. These footpaths run broadly north-south through the site in two locations, with the final on-site footpaths being located towards the south of the site and running broadly east-west. As submitted, the proposal will obstruct footpaths T 10/21 and T 10/22 necessitating either revision of the proposal to prevent obstruction or a diversion order applied for.
- 24.2 The County Council Rights of Way Officer has commented on the application and does not raise objection subject to the applicant being informed that the grant of planning permission does not entitle them to obstruct a public right of way and the addition of a Grampian style condition as follows:

No development hereby approved which shall interfere with or compromise the use of footpath T 10/21 and T 10/22 shall take place until a path diversion order has been made and confirmed and the diverted route made available to the satisfaction of the Local Planning Authority.

In addition, an informative note is requested that seeks to alert the applicants that development, insofar as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary (diversion/stopping up) Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

- 24.3 The Rights of Way Officer also requests suitable pedestrian crossings and link should be provided from the northern end of path T 32/14 to the smaller site located to the north of the garden centre and between the northern edge of the site and the footpath T 32/27. It is requested that these connections be incorporated into revised layout plans and secured through a s106 agreement. The applicant will need to demonstrate that the crossing points and upgrades of existing public footpaths over the proposed access roads, are safe for the public to use and constructed appropriately through the technical approval process as part of a relevant legal agreement. Surface improvements to public footpaths to cope with an increase in future use is also sought to be secured through a s106 agreement. and can be technically approved under a s38 adoption agreement. To support local improvements and changes to the surrounding public right of way network, a financial contribution of £30,000 is requested and would be secured through a s106 agreement.
- 24.4 The construction phase of the development may also give rise to impact upon the rights of way through the site. In the event of less convenience or the creation of a hazard for users, a temporary closure order may be needed, and a suitable alternative provided. These and other general comments may be brought to the attention of the applicants and due to the presence of other legislation, is not considered to require further conditions.
- 24.5 With the addition of the condition in 24.2 and the securing of the requested financial contribution via S106 agreement, the Rights of Way Officer raises no objection to the application. Although no policies are specific to public rights of way, those relating to accessibility by walking are considered relevant including policies CP6, SP2 Taunton Deane Core Strategy and policy D9 Taunton Deane SADMP.

25. Local Finance Considerations

25.1 Community Infrastructure Levy

25.1.1 The creation of dwellings and retail development is CIL liable.

Outline element:

1210 dwellings. No detailed plans. Design and Access Statement states 39.9dph.

Using Residential Testing Assumptions, the proposed dwellings total approx. 110,760sqm

The application is for residential development in Taunton where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £7,753,250.00. With index linking this increases to approximately £11,010,000.00.

Proposed retail development (A1-A5 incl) outlined in Design and Access Statement is approx. 2495sqm.

The application is for retail development outside of Taunton and Wellington town centres where the Community Infrastructure Levy (CIL) is £140 per square metre. Based on current rates, the CIL receipt for this development is approximately £349,500.00. With index linking this increases to approximately £496,000.00.

Full Planning element:

Proposed development of 240 dwellings measures approx. 12,120sqm.

The application is for residential development in Taunton where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £848,500.00. With index linking this increase to approximately £1,205,000.00.

25.1.2 Any CIL phasing plan must be approved as part of the planning process and cannot be agreed once the planning decision has been made.

25.2 New Homes Bonus

25.2.1 The application if granted would also generate New Homes Bonus. Assuming 25% affordable housing (each affordable dwelling attracts an additional £350 New Homes Bonus), and an average of Band D Council Tax, 1450 homes could generate approximately £2,251,794 for one year. At present payments are made over a period of four years.

25. Planning balance and conclusion

25.1 This is an application forming a major part of an allocation within the Council's local plan. There is currently a prediction that housing delivery, whilst difficult, does meet with requirement, being at the upper end of a 4.25 - 5.13 year supply range of deliverable housing. Nevertheless, this application if granted would deliver 1450 homes, a significant number. These new homes would incorporate a percentage of affordable housing (25% in the first phase), helping to meet existing need, be of social benefit and through additional population inject more money into the local economy. In addition, the application will generate significant CIL receipts and New Homes Bonus. The application also includes employment development within the district centre and by way of strategic reserve, creating jobs and economic activity. It is acknowledged that the construction phase would also create economic and employment benefits. These factors weigh in favour of the application.

25.2 In addition, the application makes provision for a range of community facilities and infrastructure including a through school, land for the proposed park and ride, a district centre incorporating community facilities and commercial floorspace. A total of circa 30ha of public open space together with wider green infrastructure are proposed. Whilst many of these currently lack detail, their delivery and phasing could be secured through the use of conditions and entering into a signed S106 agreement with detail being established through reserved matters submissions. These too weigh in favour of the application. In combination, the benefits of the application would be substantial.

- 25.3 However, there are substantial adverse impacts and harm arising from the proposal with this application assessment having found significant and multiple areas where the application conflicts with adopted development plan policies. Significantly, the development is likely to adversely affect the integrity of the Somerset Levels and Moors Ramsar site by adding to the concentration of phosphates in an area where they are already excessive. There is no technical information evidencing the level of phosphates generated by the development, nor mitigation measures to demonstrate that phosphate neutrality can be achieved. The Local Planning Authority is unable to conclude a favourable Habitat Regulations Assessment and fulfil its statutory duty under Regulation 63 the Conservation of Habitats and Species Regulations 2017. As such conflict is found with policies CP8, SS1 and DM1c of the adopted Taunton Deane Core Strategy together with paragraphs 180-182 of the NPPF.
- 25.4 The proposal has also been found to conflict with relevant policies in terms of the quality of placemaking and design: policies CP5, CP6, SP2, SS1, DM1, DM4 (Taunton Deane Core Strategy); A1, A3, A5, D7 and D9 (Taunton Deane Site Allocations and Development Management Plan); CSM1, CSM4 and CSM6 (Creech St Michael Neighbourhood Plan) ; Policy T1 (West Monkton and Cheddon Fitzpaine Neighbourhood Plan); is contrary to the Districtwide Design Guide SPD, Garden Town Public Realm Design Guide SPD and the Vision for Taunton Garden Town. It is also considered contrary to the National Planning Policy Framework paragraph 125 and sections 2, 8, 9 and 12 and national design guidance including the National Design Guide and National Model Design Code.
- 25.5 The proposal has failed to demonstrate that it will sufficiently incorporate sustainable design features to reduce its impact on the environment, mitigate and adapt to climate change and fails to demonstrate that it will result in a development which minimises the use of energy, or to holistically consider the energy strategy for the site as a or how the development can realistically meet current or future national standards likely to apply within the development's lifetime. Conflict is identified with policies SS1, CP1 and DM5 of the Core Strategy and provisions within the Districtwide Design Guide SPD, and provisions within the National Planning Policy Framework sections 2 and 14.
- 25.6 Policy conflict has also been identified in respect of the proposals for the district centre and its phasing in relation to development in respect of policies CP3, SS1 and SP2 of Taunton Deane Core Strategy, policies C5 and TC3 Taunton Deane Site Allocations and Development Management Plan and the provisions within the National Policy Framework sections 2, 8, and 12.
- 25.7 Insufficient information has been submitted to understand the site's archaeological value or significance and the likely effects of the development upon it, raising conflict with policies CP8 (Taunton Deane Core Strategy) ENV4 (Taunton Deane Site Allocations and Development Management Plan) and the National Planning Policy Framework section 16. In addition, other aspects of the historic environment raise policy conflict in the absence of comprehensive assessment of the impact of the development upon the setting of Monkton Elm, a grade II heritage asset contrary to policies CP8 and D9 of the Taunton Deane Core Strategy and paragraphs 199-204 and 206 of the National Planning Policy Framework.

- 25.8 Whilst the development will deliver affordable housing, policy conflict has been identified with policies SS1, CP4 Taunton Deane Core Strategy, the Ministerial Statement of 24th May 2021 and Planning Practice Guidance 2021.
- 25.9 In respect of highway and transport matters, the application has been identified as providing insufficient information to fully understand the impact of the development on the strategic highway network; specifically, the safe and efficient operation of the M5 motorway and its assets. In respect of the strategic highway network, the current holding objection issued by National Highways has the effect of preventing the grant of planning permission. This is a substantial matter weighing against the application. The transport assessment is not considered in accordance with published guidance and a range of possible outcomes have not been evaluated. It is therefore not possible to determine the impact of the development upon the local highway network, the range of transport interventions that may be required in order to address those transport impacts, their triggers for provision in relation to the phases of development and their delivery has not been secured. Conflict has been identified with policies CP6 and DM1b of the Taunton Deane Core Strategy and provisions within the National Planning Policy Framework section 9.
- 25.10 The application does not provide a suitable means for securing the delivery of the proposed park and ride site, and it has not been proven that this is the optimum location for this facility in order to maximise its use and effectiveness. No bus strategy has been put forward within the planning submission, and the application is not considered to comprehensively plan for public transport. Accordingly conflict has been identified with policies SP2, SS1, CP6 and CP7 of the Taunton Deane Core Strategy; A5 of the Taunton Deane Adopted Site Allocations and Development Management Plan and policy CA1 of the West Monkton and Cheddon Fitzpaine Neighbourhood Plan and the National Planning Policy Framework sections 9 and 12.
- 25.11 The proposal will result in dwellings subject to significant levels of road transport noise, necessitating suitable mitigation measures. It has not been demonstrated that the amenity of the occupiers of these proposed dwellings has been safeguarded from noise arising from the development nor the suitability of proposed mitigation measures. The application does not demonstrate that the requirements of policy DM1e of Taunton Deane Core Strategy nor paragraphs 174 and 185 of the National Planning Policy Framework have been met.
- 25.12 Policy conflict has also been identified in that insufficient information has been submitted to demonstrate the adequacy of the proposed approach to water management and drainage of the site and therefore compliance with requirements within policies CP1, SS1 and I4 of the Taunton Deane Core Strategy and paragraph 169 of the National Planning Policy Framework.
- 25.13 Policy conflict has been identified in that the application does not demonstrate an acceptable approach to sport and recreation to meet the demand arising from the development contrary to policy SS1 of the Core Strategy and Policies C2 and C5 of the Adopted Site Allocations and Development Management Plan.
- 25.14 In the absence of a signed S106 agreement a range of other policy conflicts

have been identified. Whilst the provision of signed S106 agreement would secure and thereby resolve many of these issues, in its absence policy conflict arises in respect of the delivery, timing and funding of a range of critical facilities and infrastructure required to meet the needs of the development or to mitigate for its impact including affordable housing, education, community facilities, employment, open space and sports provision, highway improvements including sustainable transport and the park and ride site, ecological enhancement, public rights of way and the phasing of development. Policies CP4, CP5, CP7, CP8, SP1, SP2, SS1, DM1 of the Taunton Deane Core Strategy, policies A2, I4, C2 and C5 of the Taunton Deane Site Allocations and Development Management Plan and provisions within the National Planning Policy Framework apply, at present are not satisfied and currently weigh against the application.

- 25.15 Although the position is challenging, this Council considers that applying reasonable assumptions, it is able to demonstrate a 5 year supply of deliverable housing sites. Accordingly, the Paragraph 11d tilted balance is not considered to be engaged. However, even if it were, the lack of an agreed phosphate budget and mitigation means that the development is likely to lead to a significant adverse effect on the Somerset Levels and Moors Ramsar site. As such, the Council cannot ascertain beyond reasonable scientific doubt that the development would not affect the integrity of the Ramsar site provides a clear reason for refusing the application. In addition, the application is not considered to accord with the development plan taken as a whole for the reasons set out in the report and the benefits of the application, whilst substantial, do not outweigh this conflict. This report has also identified that this application conflicts with supplementary planning guidance, the NPPF and national guidance including the National Design Guide and National Model Design Code. The overall adverse impacts and substantial harm that would arise if planning permission were granted are also identified in this report and are considered to significantly and demonstrably outweigh the benefits of the proposal, when assessed against the development plan policies, the National Planning Policy Framework taken as a whole and other material considerations. Having regard to all the matters raised, it is therefore recommended that planning permission is refused.
- 25.9 In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Reasons for refusal

1. The proposed development has the potential to adversely affect the integrity of the Somerset Levels and Moors Ramsar site by adding to the concentration of phosphates in an area where they are already excessive. In the absence of technical information evidencing the level of phosphates generated by the development, and mitigation measures to demonstrate that phosphate neutrality can be achieved, the Local Planning Authority is unable to ascertain beyond all reasonable scientific doubt that the proposed development would not adversely affect the integrity of the Ramsar site as required by Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017. It is therefore not possible for the Local Planning Authority to conclude a favourable Habitat Regulations Assessment and fulfil its statutory duty under Regulation 63(1) of the said Regulations 2017. As such the proposal is contrary to Policies CP8 (Environment) SS1 and DM1c (General requirements) of the adopted Taunton Deane Core Strategy and Paras. 180-182 of the NPPF.

2. If granted the development would result in a place that is not well designed. It is considered to be an unsustainable, car and road dominated, uncoordinated and unconnected, dormitory development that is not attractive, locally distinctive, healthy or with a sense of place. Specifically, the development is considered not well designed in that:

- i. The development will not function comprehensively as a sustainable neighbourhood, that is complete, connected and a comprehensive place allowing for living locally.
- ii. The development has been designed around the provision of an eastern relief road and associated roundabouts. The car-based, approach to placemaking results in road, car and parking domination that does not prioritise active travel and public transport. It has poor connectivity to the surrounding area and results in an unconnected place.
- iii. As proposed, the development does not reduce need to travel, deliver a walkable neighbourhood, nor achieve health and well-being objectives associated with the prioritisation of active travel and living locally.
- iv. Within the site the development lacks integration and permeability with a poor network of connected streets designed primarily for cars, that do not integrate the walking and cycling network, nor make streets into places. As designed, there is segregation between uses and parts of the site.
- v. As proposed, the district centre is not considered to result in a coherent, attractive, vibrant, mixed use centre functioning as a high quality place at the heart of the community.
- vi. Density is considered too uniform and not sufficiently structured to support the use and vitality of public transport or facilities and services within the site.

- vii. The development is located in Taunton Garden Town. It has not been designed as a new garden neighbourhood that meets the quality of design expected within a designated Garden Town and is not in accordance with the Vision for the Garden Town or Garden Town Principles.

Additionally, in respect of the full application proposals:

- i. The development's streets and places lack legibility, attractive and distinctive character and clear identity. There is poor use of street hierarchy and domination by cars.
- ii. The proposed dwellings do not deliver adaptable, flexible lifetime homes.
- iii. The proposed buildings do not define and enhance the streets and spaces, nor turn corners well.

Accordingly, the application is considered contrary to development plan policies CP5, CP6, SP2, SS1, DM1, DM4 (Taunton Deane Core Strategy); A1, A3, A5, D7 and D9 (Taunton Deane Site Allocations and Development Management Plan); CSM1, CSM4 and CSM6 (Creech St Michael Neighbourhood Plan) ; Policy T1 (West Monkton and Cheddon Fitzpaine Neighbourhood Plan); is contrary to the Districtwide Design Guide SPD, Garden Town Public Realm Design Guide SPD and the Vision for Taunton Garden Town. It is also considered contrary to the National Planning Policy Framework paragraph 125 and sections 2, 8, 9 and 12 and national design guidance including the National Design Guide and National Model Design Code.

3. The proposal has failed to demonstrate that it will sufficiently incorporate sustainable design features to reduce its impact on the environment, mitigate and adapt to climate change, and particularly help deliver reduction in CO2 and other greenhouse gas emissions. It fails to demonstrate that it will result in a development which minimises the use of energy, or to holistically consider the energy strategy for the site as a whole (which might include use of an energy centre to provide locally generated electricity to the new development), or how the development can realistically meet current or future national standards likely to apply within the development's lifetime. The proposal is therefore considered to be contrary to policy SS1, CP1 and DM5 of the Core Strategy and provisions within the Districtwide Design Guide SPD, and provisions within the National Planning Policy Framework sections 2 and 14.

4. The proposed District Centre is insufficient to fulfil its function and meet the needs of the Monkton Heathfield development, in order to deliver a mixed sustainable community, as set out in Policy SS1. Furthermore, there is concern over the phasing of its provision in relation to development and the relationship with the completed phases within Monkton Heathfield. The proposal is therefore contrary to Policies CP3, SS1 and SP2 of Taunton Deane Core Strategy, policies C5 and TC3 Taunton Deane Site Allocations and Development Management Plan and the provisions within the National Policy Framework sections 2, 8, and 12

5. Although the site is of known archaeological potential and the development

could affect archaeological remains, trial trench evaluation has not been carried out and insufficient information has been submitted to understand the site's archaeological value or significance and the likely effects of the development upon it. The application is therefore contrary to policies CP8 (Taunton Deane Core Strategy) ENV4 (Taunton Deane Site Allocations and Development Management Plan) and the National Planning Policy Framework section 16

6. The impact of the development upon the setting of Monkton Elm, a grade II heritage asset has not been assessed such as to understand the effect of the development upon its significance and setting, nor considered ways to enhance, better reveal or preserve the setting of that heritage asset. The proposal is therefore considered contrary to policies CP8 and D9 of the Taunton Deane Core Strategy and paragraphs 199-204 and 206 of the National Planning Policy Framework.

7. The application as presented is not considered to comply with affordable housing requirements under policies SS1, CP4 Taunton Deane Core Strategy, the Ministerial Statement of 24 May 2021 and Planning Practice Guidance 2021.

8. Insufficient information has been submitted in order to fully understand the impact of the development on the strategic highway network; specifically, the safe and efficient operation of the M5 motorway and its assets. The proposal is therefore contrary to policies CP6 and DM1b of the Taunton Deane Core Strategy and provisions within the National Planning Policy Framework section 9.

9. The transport assessment is not considered in accordance with published guidance and a range of possible outcomes have not been evaluated. It is therefore not possible to determine the impact of the development upon the local highway network, the range of transport interventions that may be required in order to address those transport impacts, their triggers for provision in relation to the phases of development and their delivery has not been secured. The proposal is therefore contrary to policies CP6 and DM1b of the Taunton Deane Core Strategy and provisions within the National Planning Policy Framework section 9.

10. The proposal does not provide a suitable means for securing the delivery of the proposed park and ride site, and it has not been proven that this is the optimum location for this facility in order to maximise its use and effectiveness. No bus strategy has been put forward within the planning submission, there is not detail of bus routing, the enhancement of services nor how the separate phases of the site can be appropriately served by public transport as the development is delivered over time. The application is not considered to comprehensively plan for public transport. The proposal would therefore be contrary to policies SP2, SS1, CP6 and CP7 of the Taunton Deane Core Strategy; A5 of the Taunton Deane Adopted Site Allocations and Development Management Plan and policy CA1 of the West Monkton and Cheddon Fitzpaine Neighbourhood Plan and the National Planning Policy Framework sections 9 and 12.

11. The proposal will result in dwellings subject to significant levels of road

transport noise, necessitating suitable mitigation measures to ensure acceptable internal and external noise conditions in order to safeguard residential amenity of the occupiers. There are deficiencies in the technical assessment information and justification submitted to support the application and proposed mitigation. The application does not demonstrate that the requirements of policy DM1e of Taunton Deane Core Strategy nor paragraphs 174 and 185 of the National Planning Policy Framework have been met and the amenity of the occupiers of the proposed dwellings has been safeguarded from noise arising from the development and demonstrated the suitability of proposed mitigation measures

12. Insufficient information has been submitted to demonstrate the adequacy of the proposed approach to water management and drainage of the site and therefore compliance with requirements within policies CP1, SS1 and I4 of the Taunton Deane Core Strategy and paragraph 169 of the National Planning Policy Framework.

13. The application does not demonstrate an acceptable approach to the provision of on site and off site sport facilities including built sports provision to meet the demand arising from the development. The proposal therefore does not acceptably deliver for sport and recreation, contrary to policy SS1 of the Core Strategy and Policies C2 and C5 of the Adopted Site Allocations and Development Management Plan.

14. In the absence of a signed S106 agreement, the proposal does not provide a means for securing the delivery, timing and funding of infrastructure requirements and facilities required in connection with the development or that are necessary to mitigate its impact:

- a) Affordable housing
- b) Education land and contributions
- c) Health care provision contributions
- d) District centre together with associated community facilities
- e) Employment
- f) Provision, adoption, management, maintenance and long-term stewardship of open space and community assets
- g) Provision of sport, recreation, play and green infrastructure
- h) Phasing of the development
- i) On and off-site highway improvements as required by the development
- j) Delivery of the park and ride facility and contributions towards sustainable transport
- k) A travel plan for residential and non-residential land uses
- l) Ecological enhancement and habitat creation
- m) Water management and drainage, management and maintenance
- n) Public rights of way contribution

and therefore, would be contrary to policies CP4, CP5, CP7, CP8, SP1, SP2, SS1, DM1 of the Taunton Deane Core Strategy, policies A2, I4, C2 and C5 of the Taunton Deane Site Allocations and Development Management Plan and provisions within the National Planning Policy Framework.

Notes to applicant.

1. In accordance with paragraph 38 of the National Planning Policy Framework

2021 the Council has worked in a positive and creative way with the applicant and has looked for solutions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application has been refused.

Appendix 2 – March 2023

Application Details	
Application Reference Number:	14/21/0047/HYB
Application Type:	Hybrid Application
Application Validation date:	17 December 2021
Description:	Application for a Hybrid Planning application for Outline planning permission with all matters reserved, except for access related to the A38, for the second phase of the Monkton Heathfield development comprising of a residential and mixed use Garden Neighbourhood including up to 1210 No. dwellings, up to 4.83 hectares of land for strategic employment uses, 8 hectares of land for a through school, mixed use district centre, community facilities, green infrastructure, drainage works, land for a 600 No. space 'Bus and Ride' facility, relief road (EER2) and associated works and for Full planning permission for the erection of 240 No. dwellings with access, including temporary access arrangements, and associated infrastructure works on land east of the A38, south of Walford Cross, Monkton Heathfield
Site Address:	LAND EAST OF THE A38, SOUTH OF WALFORD CROSS, MONKTON HEATHFIELD
Parish:	Creech St Michael PC and West Monkton PC
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment Area:	Yes
AONB:	No
Case Officer:	Simon Fox, Major Projects Officer (Planning)
Agent:	One Eleven Property
Applicant:	REDROW HOMES/PERSIMMON HOMES SOUTH LTD

Update Report

- 1.1 Members will recall the above stated application was presented on Thursday 15 September 2022 with a recommendation of refusal for 14 stated reasons, see Appendix 1.
- 1.2 After representations from the applicant the committee resolved to defer the application.
- 1.3 Reasons for the deferment given by the committee were:
 - i. That the application be deferred to allow opportunity for significant revisions to address the recommended reasons for refusal and in

- accordance with a timeline agreed through a Planning Performance Agreement and informed by the use of the Quality Review Panel.
- ii. That had the application proceeded to determination at this stage, Planning Committee would have been minded to refuse permission in accordance with the recommended reasons for refusal. If sufficient progress is not made within 6 months towards a revised scheme officers in consultation with the Chair and Vice Chair have delegated authority to refuse the application.
- 1.4 This report seeks to update Members 6 months later regarding progress with the agreed actions.
 - 1.5 Following the September Committee meeting the applicant and the LPA commenced discussions regarding a Planning Performance Agreement (PPA). A PPA acts as a project management tool to set out a framework to achieve an objective. Importantly for the LPA it also secures the financial resources to support this process. This not only covers recharges for the LPA, but also Highways, Ecology and the LLFA to create capacity to engage in the process.
 - 1.6 The applicant has instructed a new planning agent and master planning firm whilst the LPA has changed its Planning Case Officer.
 - 1.7 A summary meeting to establish the position of both parties was held in early October. The LPA reiterated the reasons for refusal but advised which matters needed immediate and significant revision, notably the omission of the proposed relief road and the need to embed Garden Town principles was suggested.
 - 1.8 The LPA then instructed Create Streets, at its own cost, to act as critical friend to assist in the master planning process. Create Streets is a social enterprise with expertise in research and championing the creation of beautiful, sustainable and popular places. Create Streets has previously advised Arts Taunton and West Monkton Parish Council and are also working with the LPA on the Staplegrove Garden Community.
 - 1.9 The developers and the LPA created a structure of regular meetings (every Friday) and a monthly Steering Group meeting.
 - 1.10 Specific technical meetings have also taken place regarding highways, sustainability, phosphates, the school, noise (from the A38 and M5) and sport/recreation. Presentations have also been given to the applicant by the Council on its work regarding mobility hubs and stewardship.
 - 1.11 Supported by the wider LPA team and Create Streets a Design Workshop was held in mid-November where a draft emerging revised masterplan was discussed. It was evident within the 2 months since the Planning Committee that significant and positive changes had already been made following previous discussion, including the omission of the relief road.

- 1.12 Following feedback and advice given at the first Design Workshop a progress workshop was held in mid-December. Again, it was evident the masterplan was evolving to better reflect the requirements of the LPA.
- 1.13 After the Christmas break the emerging draft masterplan was presented to SWT's Quality Review Panel on January 23. The report from Frame Projects, who administer the QRP, is attached as Appendix 2. Please note the report refers to the session as a pre-application review, this isn't strictly true as it was in application amended proposal review.
- 1.14 Importantly the LPA and planning agent for the applicant have sought to update the two relevant parish councils (Creech St Michael PC and West Monkton PC) and an in-person workshop took place in Creech St Michael on 09 March 2023 where the emerging masterplan was presented and discussed.
- 1.15 Whilst significant progress has been made there are still areas requiring further discussion which necessitates more time before the LPA would be content to receive a modified/revised application. These topics will be subject to further meetings and workshops over the coming months as part of a work programme agreed with the applicant –
- Phosphates, inclusive of drainage,
 - The design and composition of the District Centre,
 - Highways – strategic approach to modal shift (including a proposed Mobility Hub) and the site approach to estate road design,
 - Sustainability,
 - S106 obligation requirements (health, education, affordable housing sport, play etc) and to include Stewardship and delivery, plus the use of CIL;
 - Noise (from the A38 and M5) and
 - Heritage.
- 1.16 It would seem appropriate therefore to allow time for these discussions to continue. The LPA is not minded to seek refusal of the application at this point and the timescale suggested at Para 1.17 is not a hard deadline for the applicant to have resolved all of these issues, but more like a milestone whereby the new Somerset West Planning Committee would be updated of progress akin to this report.

Recommendation

- 1.17 Officers seek agreement from the Planning Committee to not enact part ii) of the previous resolution to refuse the application because in the view of Officers significant progress has been made but it is requested Members further resolve to give a further 6 months for the LPA and applicant to continue working towards an agreed masterplan and revised submission with Environment Statement addendum, but maintaining the option to delegate a refusal in consultation with the Chair and Vice Chair of the Somerset West Planning Committee of Somerset Council should progress not continue in the way required by the LPA.

Appendices

Appendix 1 - Officer Report presented on Thursday 15 September 2022

Appendix 2 - QRP report from 23 January 2023

Appendix 2 - October 2023

Application Details	
Application Reference Number:	14/21/0047/HYB
Application Type:	Hybrid Application
Application Validation date:	17 December 2021
Description:	Application for a Hybrid Planning application for Outline planning permission with all matters reserved, except for access related to the A38, for the second phase of the Monkton Heathfield development comprising of a residential and mixed use Garden Neighbourhood including up to 1210 No. dwellings, up to 4.83 hectares of land for strategic employment uses, 8 hectares of land for a through school, mixed use district centre, community facilities, green infrastructure, drainage works, land for a 600 No. space 'Bus and Ride' facility, relief road (EER2) and associated works and for Full planning permission for the erection of 240 No. dwellings with access, including temporary access arrangements, and associated infrastructure works on land east of the A38, south of Walford Cross, Monkton Heathfield
Site Address:	LAND EAST OF THE A38, SOUTH OF WALFORD CROSS, MONKTON HEATHFIELD
Parish:	Creech St Michael PC and West Monkton PC
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment Area:	Yes
AONB:	No
Case Officer:	Simon Fox, Major Projects Officer (Planning)
Agent:	One Eleven Property
Applicant:	REDROW HOMES/PERSIMMON HOMES SOUTH LTD

Update Report

- 1.1 Members will recall the above stated application was presented to the former Somerset West and Taunton Planning Committee on Thursday 15 September 2022 with a recommendation of refusal for 14 stated reasons, see Appendix 1.
- 1.2 After representations from the applicant the committee resolved to defer the application.
- 1.3 Reasons for the deferment given by the committee were:
 - i. That the application be deferred to allow opportunity for significant revisions to address the recommended reasons for refusal and in

- accordance with a timeline agreed through a Planning Performance Agreement and informed by the use of the Quality Review Panel.
- ii. That had the application proceeded to determination at this stage, Planning Committee would have been minded to refuse permission in accordance with the recommended reasons for refusal. If sufficient progress is not made within 6 months towards a revised scheme officers in consultation with the Chair and Vice Chair have delegated authority to refuse the application.
- 1.4 A report was brought back to the final meeting of the Somerset West and Taunton Planning Committee in March 2023 to update Members regarding progress with the agreed actions, see Appendix 1.
 - 1.5 The Committee resolved to not enact part ii) of the previous resolution to refuse the application because in the view of Officers significant progress had been made but it was requested Members further resolve to give a further 6 months for the LPA and applicant to continue working towards an agreed masterplan and revised submission with Environment Statement addendum, but maintaining the option to delegate a refusal in consultation with the Chair and Vice Chair of the Somerset West Planning Committee of Somerset Council should progress not continue in the way required by the LPA.
 - 1.6 This report seeks to update the new Somerset West Planning Committee Members 6 months later and 12 months from the original Somerset West and Taunton planning Committee resolution to defer regarding progress with the agreed actions. The site is now known as Langaller Park for marketing purposes.
 - 1.7 Following the March Committee work has continued clarifying and refining consultation requests and working through spatial impacts on the Masterplan.
 - 1.8 The LPA has continued its working relationship with Create Streets, at its own cost, to act as critical friend to assist in the master planning process. Create Streets is a social enterprise with expertise in research and championing the creation of beautiful, sustainable and popular places. Create Streets has previously advised Arts Taunton and West Monkton Parish Council and are also working with the LPA on the Staplegrove Garden Community.
 - 1.9 The developer's agent and the LPA Case Officer continue to meet every week (subject to availability) and a Steering Group meeting involving the Assistant Director and the developers is held monthly. These meetings help maintain communication, identify issues and continue the progress towards a resolved Masterplan and informed Environment Statement.
 - 1.10 Members are also reminded that a PPA (Planning Performance Agreement) acts as a project management tool to set out a framework to achieve an objective, i.e. to progress this application. Importantly for the LPA it also secures the financial resources from the developers to support this process. This not only covers recharges for the LPA, but also Highways, Ecology and the LLFA to create capacity to engage in the process.

- 1.11 Specific technical meetings also continue. These have included a focused meeting regarding the composition of the District Centre, regarding sport provision with the Football Foundation and Somerset FA and ongoing dialogue with the Highway Authority. The applicant's consultants have also met Natural England to progress plans for a wetland as phosphate mitigation.
- 1.12 In June 2023 the scheme, as it stood, at the time, was represented to the Quality Review Panel. The report from Frame Projects, who administer the QRP, is attached as Appendix 2. Generally the Panel welcomed the progress which had been made and made comment that detailed design should be informed by the production of design codes for the public realm and one to guide the design of buildings. It has been agreed with the applicant that an all-encompassing Design Code would be required via a planning condition to any outline/hybrid approval.
- 1.13 The scheme, as it stood, at the time, was also presented to the Garden Town Advisory Board in mid-July. Comments were received relating to transport, drainage, delivery and implementation, design and energy provision.
- 1.14 Importantly the LPA and planning agent for the applicant have continued to update the two relevant parish councils (Creech St Michael PC and West Monkton PC). A meeting was also held to outline the scheme to the management of the adjoining Monkton Elm Garden Centre.
- 1.15 Whilst there are still matters to resolve the position with the application has been much aided by the time given to discuss matters thoroughly and engage with consultees.
- 1.16 The LPA is not minded to seek refusal of the application at the expiration of this second 6-month period and this report is seeking a further extension to the time given to confirm the Masterplan and refresh the Environment Statement. It is likely a revised submission will be submitted before Christmas whereby the matter will revert to established timescales such as the formal revised plans consultation period and thereon the democratic path to Planning Committee to determine the application.
- 1.17 The applicant has indicated a willingness to join with the LPA to undertake a Members Briefing once the submission is made and out for consultation should that be desired.

Recommendation


- 1.18 Officers seek agreement from the Planning Committee to not enact part ii) of the original resolution to refuse the application because in the view of Officers significant progress has been made but it is requested Members further resolve to give a further 6 months for the LPA and applicant to continue working towards an agreed masterplan and revised submission with Environment Statement addendum, but maintaining the option to delegate a

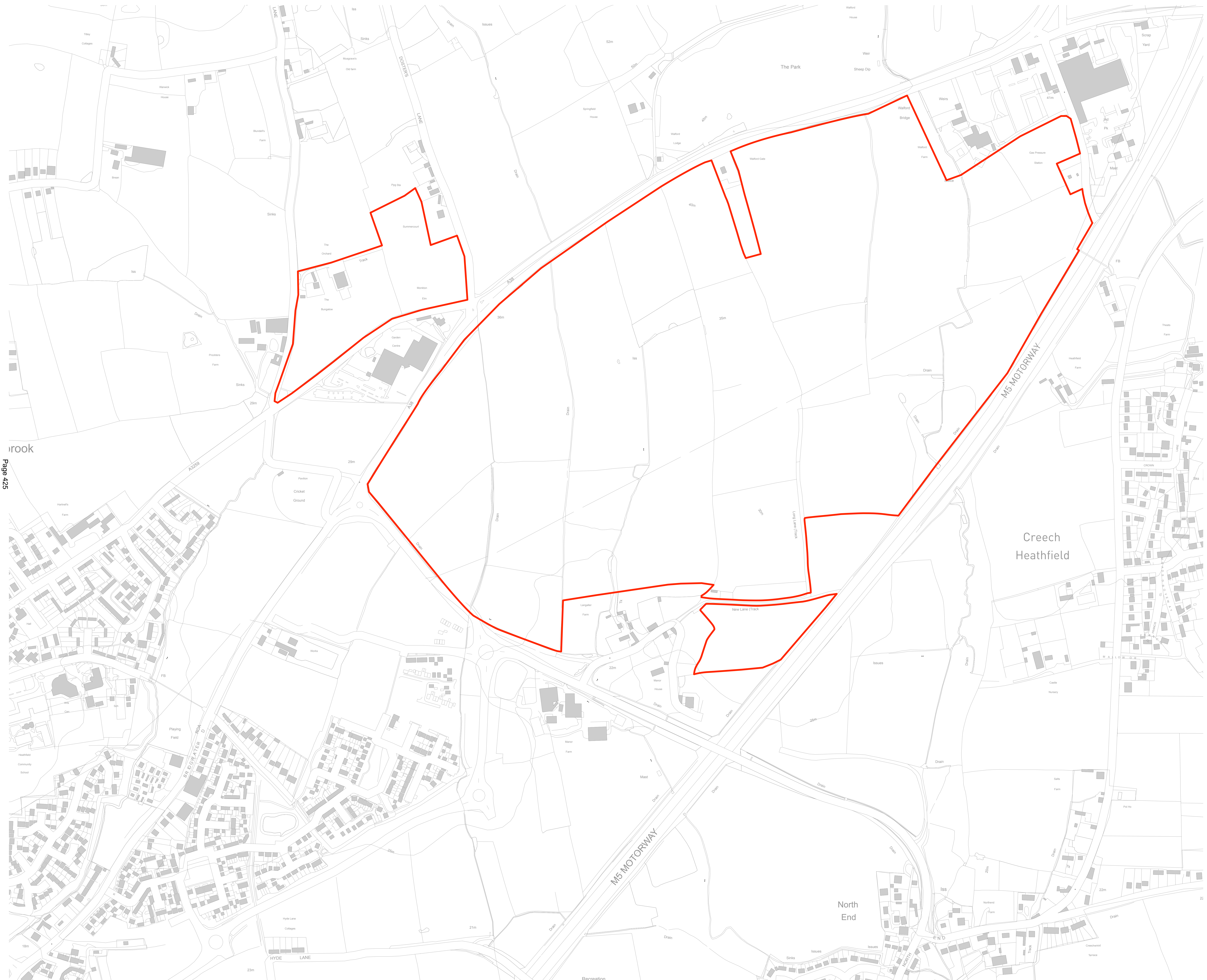
refusal in consultation with the Chair and Vice Chair of the Somerset West Planning Committee of Somerset Council should progress not continue in the way required by the LPA.

Appendices

Appendix 1 - Officer Report presented on Thursday 30 March 2023

Appendix 2 - QRP report from 26 June 2023

KEY
 SITE BOUNDARY - 112.5Ha



brook
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SITE LOCATION PLAN
Monkton Heathfield, Phase 2

Client: Persimmon Homes SW and Redrow Homes
 DRWG No: **P16-1020_32** Sheet No: 00 REV: _
 Drawn by: JW/CJH/KP Approved by: JW
 Date: 15/11/2018
 Scale: 1:2,500 @ A0
 Scale: 1:5,000 @ A2



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Agenda Item 7

Application Details	
Application Reference Number:	49/20/0034
Application Type:	Reserved Matters
Earliest decision date:	02 November 2023
Expiry Date	22 September 2020
Extension of time	
Decision Level	Committee
Description:	Application for approval of reserved matters following Outline Application 49/17/0060 to determine layout, scale, appearance and landscaping for the erection of 71 No. dwellings with the detail required to confirm access as required by Condition No. 03 on land north of Burges Lane, Wiveliscombe
Site Address:	LAND TO THE NORTH OF BURGES LANE WIVELISCOMBE
Parish:	49
Conservation Area:	NA
Somerset Levels and Moors RAMSAR Catchment Area:	WITHIN
National Landscape (AONB):	NA
Case Officer:	Russell Williams
Agent:	Chapman Lily Planning
Applicant:	LOVELL HOMES
Committee Date:	
Reason for reporting application to Committee	NA

1. Recommendation

1.1 That permission be GRANTED subject to conditions and a S106 agreement to secure phosphate mitigation.

2. Executive Summary of key reasons for recommendation

2.1 The application has been subject to considerable revisions and public consultation from its first presentation to the LPA and the amendments have shown notable improvement over earlier designs. The development now provides

appropriate Phosphate mitigation measures and will deliver 71no. dwellings with affordable housing, play space and reasonable landscaping such that it will not give rise to any significant level of harm to the area as a whole and, therefore, the application is recommended for approval subject to conditions and a s106 Agreement to secure phosphate mitigation measures.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

1. Plan numbers
2. Materials
3. LEMP
4. Lighting for bats
5. Drainage
6. Visibility
7. Visibility
8. Visibility
9. Visibility
10. Visibility
11. Access
12. Parking/turning
13. Cycle and bin storage
14. CEMP
15. Water consumption
16. Landscaping
17. Post AMP7 occupation

3.2 Informatives (bullet point only)

- Badger
- Nesting bird informative
- EV Charging
- Design & needs of the disabled
- Positive working

3.3 Obligations

Secure s106 Agreement for the delivery of off-site phosphate mitigation proposals.

4. Proposed development, site and surroundings

4.1 Details of proposal

The application seeks Reserved Matters approval for the erection of 71 dwellings on land north of Burges Lane, Wiveliscombe. The Reserved Matters to be considered are layout, appearance, scale and landscaping.

The proposal would result in 71 new dwellings be constructed, comprising of 53 open market (74.7%) and 18 (25.3%) affordable dwellings.

The market element would comprise:

- 6 x 2 bed bungalows
- 5 x 2 bed dwellings
- 21 x 3 bed dwellings
- 8 x 3 bed bungalows
- 14 x 4 bed dwellings

The affordable homes would comprise

- 4 x 1 bed apartments
- 7 x 2 bed dwellings
- 5 x 3 bed dwellings
- 2 x 2 bed Flats Over Garages (FOG)

The proposed development will comprise of a range of house types with a varied mixture set out within the style and size of units. The development proposed apartments, FOGs, detached, semi detached and terraced properties together with bungalows.

The proposals include the provision of 1,850sqm of allotments within the narrow strip of land to the northwest corner of the development, which extends northwards towards the Wessex Water sewage treatment works. 12 allotments will be provided based on traditional allotment size of 250sqm.

The proposal would provide a total of 227 car parking spaces with the majority provided within courtyards and on plot serving the 71 dwellinghouses. In addition to residential parking provision, the development provides 6 allocated for the new allotments, 14 spaces provided for visitors and 14 spaces allocated for residents of Burges Lane.

4.2 Sites and surroundings

The site lies to the north of Wiveliscombe and currently comprises two agricultural fields (approximately 2.6 hectares). The site is generally flat at its' western extent but rises sharply to the northeast.

Burges Lane lies to the south, which has dwellings facing the site along most of its' length, with some side-on running back from the road to the south. At its eastern end, Burges Lane appears to have been 'cut-in such that it is significantly below the level of the site, which is currently retained by a grass bank. Towards the western end of the site, the boundary sits level with the highway, with the eastern most extent being a stone boundary wall. The hedgerow which did border Burges Lane and the lower part of Heathstock Hill has now been removed and the new highway layout delivered.

The eastern site boundary with Heathstock Hill is formed by a grass bank which rises steeply towards the north of the site. Four dwellings sit on the opposite side of Heathstock Hill, accessed by private drives directly from the highway and all are set back, with the exception of Tor cottage which is built up to the highway edge.

The northern site boundary at its eastern end is defined by a hedgerow separating the site from an agricultural field beyond. The application site comprises only part of the western field, so the northern boundary is open at this point. The western site boundary is formed by a stone wall that separates the site from a public footpath and adjoining then the adjoining new housing built under phase 1 and 2.

Land to the west was allocated for development in the Taunton Deane Local Plan, under Policy WV1. This site has now been completed following a grant of planning permission for 52 dwelling in two phases – applications 49/12/0052 and 49/13/0001. As part of Phase 2 a link road has now been constructed from the adjoining estate through the current application site to Burges Lane, bypassing a narrow section of Style Road to the west of Golden Hill. Burges Lane has also been widened and the junction with Ford Road altered to improve visibility in the form also detailed in the current application. The former hedgerow boundary to Burges Lane has now been removed along with part of the hedgerow along Heathstock Hill. A public footpath separated from the site by a stone wall runs along the western boundary of the site. Approximately 120 metres to the north west of the residential site lies a sewage treatment works.

5. Planning (and enforcement) history

Ref. 49/17/0060 Outline application for erection of up to 71 dwellings with associated access and infrastructure on land off Burges Lane, Wiveliscombe. Approved subject to conditions and S.106 Agreement 08/04/2020
The Section 106 legal agreement provided for: 25% affordable housing; Children's play space equipment contribution £19k; and Travel Plan Obligations.

Ref.49/15/0051_Application for approval of reserved matters following outline application 49/13/0015 for associated layout, scale and appearance (Phase 3) on land to the north of Burges Hill, Wiveliscombe Conditional Approval 07/04/2016

Ref.49/13/0015 Outline application for the erection of up to 71 dwellings with associated access and infrastructure on land off Burges Lane, Wiveliscombe Approved subject to conditions and S.106 Agreement 27/02/2014

Ref.49/13/0001 Residential development comprising of 32 dwellings with associated works and landscaping and construction of a link road to Heathstock Hill at north of Style Road, Wiveliscombe Conditional Approval 19/08/2013

Ref.49/12/0052 Erection of 20 dwellings on land to the north of Style Road, Wiveliscombe, as amended. Granted conditional permission subject to a Section 106 legal agreement 30/05/2013

6. Environmental Impact Assessment

NA

7. Habitats Regulations Assessment

7.1 Since the granting of outline planning permission in August 2019 there has been a material change in circumstances which has required the Council, as the competent authority, to reassess a matter in relation to the Conservation of Habitats and Species Regulations 2017 (as amended) ('the Habitats Regulations') and the lawful approach to the determination of planning applications in light of recent advice from Natural England ('NE').

7.2 In a letter, dated 17 August 2020, NE advised the Council that whilst the Somerset Levels and Moors Special Protection Area ('SPA') could accommodate increased nutrient loading arising from new development within its hydrological catchment that the Somerset Levels and Moors Ramsar Site ('the Ramsar Site') could not. The difference, NE state, is that whilst such increased nutrient deposition is "...unlikely, either alone or in combination, to have a likely significant effect on the internationally important bird communities for which the site is designated" as regards the SPA such a conclusion cannot be drawn in relation to the Ramsar Site.

7.3 The typical consequence of such excessive phosphate levels in lowland ditch systems is "the excessive growth of filamentous algae forming large mats on the water surface and massive proliferation of certain species of Lemna" NB: (Lemna refers to aquatic plants such as duckweed).

7.4 This excessive growth "adversely affects the ditch invertebrate and plant communities through... shading, smothering and anoxia (absence of oxygen)" which in turn allows those species better able to cope with such conditions to dominate.

The result is a decline in habitat quality and structure. NE state that “The vast majority of the ditches within the Ramsar Site and the underpinning SSSIs are classified as being in an unfavourable condition due to excessive phosphate (P) and the resultant ecological response, or at risk from this process”.

7.5 NE identify the sources of the excessive phosphates as diffuse water pollution (agricultural leaching) and point discharges (including from Waste Water Treatment Works ('WWTWs')) within the catchment noting that P levels are often 2-3 times higher than the total P target set out in the conservation objectives underpinning the Ramsar Site. In addition, NE note that many of the water bodies within the Ramsar Site have a phosphate level classed as significantly less than 'Good' by reference to the Environment Agency's Water Framework Directive and that the river catchments within the wider Somerset Levels are classed as having a “Poor Ecological Status”.

7.6 At the time of the letter the issue in terms of the Ramsar Site was that the conservation status of the designated site was 'unfavourable' but in a recent SSSI Condition Change Briefing Note for the Somerset Levels and Moors dated May 2021 the overall condition across all Somerset level and Moors SSSI's is 'Unfavourable Declining' due to evidence of failing water quality, most notably high Phosphate levels.

7.7 NE have advised the Council that in determining planning applications which may give rise to additional phosphates within the catchment they must, as competent authorities, undertake a Habitats Regulations assessment and undertake an appropriate assessment where a likely significant effect cannot be ruled out. NE identify certain forms of development affected including residential development, commercial development, infrastructure supporting the intensification of agricultural use and anaerobic digesters.

7.8 In response to this matter, a Habitat Regulation Assessment and Nutrient Neutrality Assessment have been submitted, which sets out a proposed mitigation strategy for offsetting the increased phosphate output associated with the development. The mitigation takes the form of new orchard planting within the catchment area, which would be managed and maintained in perpetuity.

7.9 The proposed mitigation strategy and associated reports have been scrutinised by the Council's Phosphates Team and Natural England, both of whom confirm that the proposed mitigation measures are acceptable.

7.10 In summary a Likely Significant Effect on Somerset Levels and Moors Ramsar has been identified as a result of water quality (phosphate) impacts, in isolation and in combination with other plans and projects. Mitigation in the form of orchard planting, secured through delivery of a Management Plan and s106 Agreement, would

ensure that phosphates generated by this Reserved Matters Site would be mitigated. It is considered that the Council can conclude that there would be no adverse effect on the integrity of the Conservation Objectives of the Somerset Levels and Moors Ramsar Site, either in in-isolation or in combination.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation:

8.2 Date of revised consultation (if applicable):

8.3 Press Date:

8.4 Site Notice Date:

8.5 **Consultees** the following were consulted:

Consultee	Comment	Officer Comment
WIVELISCOMBE TOWN COUNCIL	<p>Object to the proposals.</p> <p>Original objection:</p> <p>Congestion, potential danger and reduced flow of traffic along a main feeder road for north Wiveliscombe - The layout creates 27 additional driveways or parking spaces directly onto Burges Lane and Luxton Way. This is over and above the 2 vehicular access points to the main development and 1 from Burges Lane to the triangular plot that were approved at outline stage. There is no</p>	<p>Objections noted and issue discussed within the report.</p>

	<p>ability for on site turning of vehicles – meaning that vehicles will either have to access or leave driveways in reverse gear.</p> <p>This is coupled with the fact that the parking provided is potentially up to 3 vehicles back to back, which will lead to additional vehicle movements. The resulting congestion along this route is unacceptable</p> <p>Parking – we note that with regard to the outline consent SCC Highways raised these points:</p> <p>‘The applicant states in the submitted TA that 227 car parking spaces are to be provided, on the assumption that all 71 dwellings will be three-bed. In addition, there is an intention to provide a 14 space car park as part of the development, to provide extra facilities for existing residents. The Highway Authority is aware that parking is at a premium in this location, and would not wish to see this made worse as a result of the proposed development. Therefore while the parking provision is above the optimum</p>	
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	<p>level set within the SPS the Highway Authority would not raise an objection on this basis.</p> <p>However, while additional car parking facilities are proposed to address the existing parking issues on Burgess Lane, which it is understood may be causing particular concern at the junction with Heathstock Hill, waiting restrictions may also be required to encourage use of the proposed parking areas instead of the highway. It is recommended that a condition be applied to any planning consent requiring the applicant to apply for the necessary TRO as part of the off-site works for this development, should the Local Planning Authority determine this is required.'</p> <p>The additional 27 driveways and parking spaces will have a direct impact on the on road parking for existing properties. 14 parking spaces have been provided onsite to mitigate any impact, but this is not an acceptable solution for the potential loss of parking along Burges Lane. The developers have stated</p>	
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	<p>that this design is due to the fact that people like to park directly outside their front doors. And yet they do not show this consideration to existing residents who will be forced to park some distance from their properties. The developer has provided some vehicle tracking plans that indicate manoeuvring with cars parked along the south side of Burges Lane will be very tight. It's therefore highly likely that the developer will apply for a TRO (Traffic Regulation Order) to limit the parking along the southern side of Burges Lane – an in particular on the corner of Burges lane and Heathstock Hill Design – Properties along Burges Lane and Durhams Cottages are mainly in blocks of terraces. This should be reflected on the north side of Burges Lane. Consideration should also be given to whether render is the best finish in this location. Climate mitigation – we cannot see any measures relating to use of renewable energy sources or supply of</p>	
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	<p>Electric Vehicle Charging Points mentioned in the application. This is contrary to the Core Strategy to mitigate climate change as well as all tiers of government declaring a climate emergency. SCC Highways response to the outline application stated 'It is stated that electric vehicle charging facilities will be provided as deemed necessary by the Local Planning Authority, and in accordance with the SPS each dwelling should have access to such a charging point to encourage the ownership and use of such vehicles.' Inability for large vehicles to enter or exit the main access road to the site without crossing the central line of Luxton Way - The tracking plan provided indicates that turning a large vehicle into main site access road is only possible if the vehicle swings to the opposite side of the highway. This is will cause a hazard for other road users. Clearly the access road needs to be widened where it joins Luxton Way.</p>	
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	<p>A TRO to extend the 30 mph zone further up Heathstock Hill (as indicated on the plans) should be in place prior to occupation of any properties directly accessing Heathstock Hill.</p> <p>We would also like to see more parking provided for existing residents. There is room for a parking bay along Luxton Way and on the grass area to the north of Durhams Cottages. We assume that both these sites are jointly owned by the developer and SCC. We would like to see this provided as part of the reserved matters</p> <p>We see a potential issue with potential Overlooking and certainly Overbearing as the north eastern end of Burges lane rises above the level of the existing properties in Wellington Terrace. New dwellings could adversely impact on the quality of life for existing residents. The properties will feel overbearing to the street scene.</p> <p>We do welcome the inclusion of parking for residents of Burges Lane, the single storey</p>	
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	<p>properties to the rear of the site, the provision of allotments, the element of affordable housing and potential for mixed tenure.</p> <p><u>Secondary Objection:</u></p> <p>Wiveliscombe Town Council continue to strongly object to this application for reserved matters. We are extremely disappointed to see that the majority of our previous objections (attached once again) have not been addressed by the amended plans.</p> <p>We welcome some attempt to address the issue of reversing onto the highway from the multiple additional driveways, compared to the outline application. However we do not see these as practical or enforceable solutions. It's highly likely that in practice residents will simply either reverse in or reverse out onto the highway.</p> <p>2 properties close to the junction with Heathstock Hill now have driveways and garages to the rear accessed from an access road within the site. We note that the corner house appears to also have a driveway to the front and</p>	
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	<p>this could prove problematic. Parking to the rear would be a sensible solution for all the houses fronting Burgess Lane. And would make it possible to better reflect the existing street scene. This would also make it possible for the existing properties to retain on street parking – Wellington Terrace have no off-street parking available to them and the replacement parking is some distance away. Design issues do not appear to have been addressed at all. We fully support and endorse the comments about design submitted by Wiveliscombe Civic Society.</p>	
<p>SCC - TRANSPORT DEVELOPMENT GROUP</p>	<p>Objection raised</p> <p><u>Original detailed comments:</u></p> <p>Access The Highway Authority do not accept the current proposed access arrangements as detailed in supporting document Proposed Site Layout (190902 L 02 01), highlighting a number of concerns including (but not necessarily limited to):</p> <ul style="list-style-type: none"> • No visibility splays and dimension details have been provided from the 	<p>Comments noted and addressed by updated submission and discussed in report.</p>

	<p>accesses proposed within the TA at outline stage to demonstrate safe access can be achieved. This was requested by the Highway Authority at outline stage.</p> <ul style="list-style-type: none"> • The multiplicity of access points along Luxton Way/Burges Lane, that also do not afford vehicles to safely park and turn and enter the public highway in a forward gear. • No swept path analysis for the proposed parking arrangements off Heathstock Hill have been provided, where the parking appears contrived. • The addition of another dwelling being served by another access onto Heathstock Hill in close proximity to the blind bend north of the site. • The close proximity of the proposed accesses on the Burges Lane/Heathstock Hill junction in relation to plots 1&2. • The provision of pedestrian access to/from the allocated parking for vehicles associated with dwellings along Burges Lane is unclear. <p>Parking With reference to the</p>	
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	<p>proposed Parking Layout, the applicant has proposed a total of 229 vehicle parking spaces, however 7 of these are to accommodate motorbikes.</p> <p>Whilst the supporting Design and Access Statement denotes the types of dwellings and number of bedrooms to be provided it is unclear how this will be reflected in the proposed parking layout.</p> <p>There does not appear to be a supporting parking matrix detailing the level of vehicle parking to each dwelling and the associated number of bedrooms. A clear parking matrix needs to be provided in the next submission whilst being mindful of our previous comments at outline stage, given the sensitive nature of parking arrangements in the nearby area. The applicant should consider the detail in Manual For Streets, regarding the proposal of garages as a parking space with the sensitivity of parking for this scheme in mind.</p> <p>The commitment to providing EVCs for all dwellings and cycle parking at a rate of 1</p>	
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	<p>space per bedroom is expected and can be appropriately conditioned, should consent be granted.</p> <p>Estate Road</p> <p>The current layout is not suitable for adoption and therefore APC will apply to this development. The applicant should be mindful of the following going forward should the site be offered up for adoption through the S38 process (subject to planning consent being granted).</p> <ul style="list-style-type: none">• A S278 legal agreement is required for the works on the existing highway. Any proposed Section 38 agreement will encompass the internal works only however the extent of the S278 would need to be looked at in more detail however, it currently bisects the proposed tactile crossing and would need to be moved further into the site so that it includes the entirety of the tactile crossing to be included as part of the S278.• Drawing 1002 P01 indicates that the road serving plots 44-54 will be a bituminous road with no footways and a central drainage channel. This is not suitable for adoption,	
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	<p>and if a shared surface road is proposed, it will need to be constructed using block paving and incorporate a 1.0 metre hard surfaced margin on either side. The same comment as above also applies for the proposed road serving plots 21-41.</p> <ul style="list-style-type: none">• The proposed footway provision adjacent to plot 56 will need to be reconsidered. One 2.0 metre footway in lieu of what has been shown would be more appropriate. Some private parking bays in this location seem to be shown as included within land to be dedicated as Highway land- they will need to be taken out of the proposed adopted limits.• Provision may need to be made at the proposed footway serving plots 11-18 so that vehicles are unable to utilise it. The small parcel of land in front of plots 11 and 12 should not be included within proposed highway limits.• Private parking bays shown at Plot 44 will not be part of the proposed highway limits.• The Highway Authority need to ascertain what detail is shown on the footway stub opposite plot 41.• Parking bays adjacent	
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	<p>plot 35 to be removed.</p> <ul style="list-style-type: none">• Drawing 1006 P01 indicates that SCC will be asked to adopt gullies and connections only, with Wessex Water taking the main carrier system?• The current layout is not suitable for adoption. APC will apply to this development. <p>Drainage</p> <p>Previous Highway Authority comments detailed at outline stage dated 17 January 2018 remain relevant and our reiterated below, however it is to our understanding that the landowner is currently negotiating the removal of the Deed of Easement referred to in the associated paragraph below.</p> <p>Substantial alterations will be required to the kerb drainage system along the northern channel line of Burges Lane to accommodate the new access road junction and the shared/individual driveway/parking area entrance points. This kerb drainage system was installed to overcome the extremely slack longitudinal channel line gradients resulting from the road widening exercise</p>	
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	<p>and any amendment to this element of the infrastructure could result in ponding. Further, as this kerb drainage system is constructed from one-piece units then the introduction of dropped kerbs will impact upon its performance and capacity. To reduce the potential for ponding it is advisable to design the junction of the new access road onto Burges Lane such that it falls northwards (back into the site) for at least 6 metres. This will help to encourage surface water run-off to discharge to the new channel lines as opposed to across the mouth of the junction. The highway authority would have no objection to the proposal to remove the existing highway drain crossing the development land (to discharge into the watercourse running along the northern land boundary) provided it can be proven by survey that it serves to convey surface water run-off from Burges Lane only.</p> <p>It is important to note however that this existing drainage run has the benefit of a Deed of Easement and as such Somerset County Council (SCC), as highway</p>	
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	<p>authority, has a legal interest over a defined strip of the application site. Whilst the applicant has applied for planning consent, such consent if granted will not extinguish the rights SCC has over the land. SCC can expressly agree to release these rights/interests by entering into a Deed of Release with the owner(s) of the servient land. This will then formally terminate SCC's interest in that land and any related entries on their registered title can be removed. Therefore, should consent be granted the applicant is advised to make an initial enquiry with Somerset County Council's estates manager, Corporate Property.</p> <p>Travel Plan The Travel Plan and the associated obligations have been secured through the signed the S106 as detailed in the outline consented application 49/17/0060 which will need to be fulfilled as per the trigger points within the signed legal document.</p> <p>Conclusion With the above in mind, it is the view of the Highway Authority that the supporting detail in</p>	
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	<p>insufficient for the Highway Authority to assess. The proposed accesses onto the existing public highway are materially different in terms of their proximity and volume, which based on the latest detail the Highway Authority do not accept.</p> <p>Should this not be appropriately amended, the Highway Authority would have no alternative but to recommend refusal for the following reasons.</p> <ul style="list-style-type: none">• The proposal in terms of its accesses is contrary to Section 9 of the National Planning Policy Framework (NPPF) and DM1 of the Taunton Deane District Core Strategy (adopted 2011-2028).• The submitted information is not of sufficient quality and accuracy to enable the Local Planning Authority to make a full assessment of the proposal. <p><u>Secondary comments:</u></p> <p>Access Having assessed the amended layout as detailed in Drawing No: 190902 L 02 01 Rev T improvements have been made. Notwithstanding, there are still a number of</p>	
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	<p>queries that need to be established in order to move the application forward:</p> <ul style="list-style-type: none">• Visibility splays and any supporting information have not been provided to ascertain what visibility splays are to be proposed. (Including from the points of access on the classified highway – Heathstock Hill, which needs to be supported with robust speed surveys). This was raised in our previous comments dated 6 August 2020 and at outline stage. Furthermore, the Highway Authority need to understand if/what TROs are to be proposed to support the scheme (aside from the proposed TROs pursuant to condition 9 for outline application 49/17/0060). It should be noted that in cannot be assumed that such TRO applications will be successful and therefore the applicant would need to justify the visibility splays put forward through evidence based supporting information.• There would appear to be a proposed raised table at the Burges Lane/Luxton Road intersection. This would need to be confirmed.• The Highway Authority	
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	<p>retains concerns over the proposed parking arrangement along the frontage between plots 15-18 and the additional risk of vehicles parking in between of vehicle parking spaces 15 & 16 and the existing highway. There would appear scope to revisit this element of vehicle parking and, ideally relocate the parking within the private parking courtyard to the rear of the plots that would also remove the potentially hazardous footway that fronts the proposed parking spaces for plots 15-18.</p> <p>Offsite works</p> <p>For avoidance of doubt, the proposed access points, and associated footpath as denoted on the aforementioned supporting drawing shall not result in the narrowing of the carriageway on Heathstock Hill.</p> <p>Furthermore, the footpath in its current format is likely to remain under private maintenance responsibility. If the footpath is to be offered up as part of the adoption package, it will need to be designed, built, lit, and drained to an appropriate adoptable</p>	
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	<p>standard.</p> <p>Across each respective access at this location tactile paving areas should be provided at the proposed development accesses to clearly indicate to visually impaired pedestrians that vehicles have priority movements and not pedestrians.</p> <p>Parking</p> <p>To reiterate, the Highway Authority require a clear parking matrix (which does not appear to have been provided), denoting vehicle parking levels for each respective dwelling and visitor parking spaces (e.g. - a tabled spreadsheet clearly denoting the plot number, number of bedrooms and number of vehicle parking associated to the plot, with a summary/total number of vehicle spaces) for the Highway Authority to appropriately assess. The Highway Authority are aware of the existing parking issues in the immediate area, as raised in previous dialogue during outline stage. There is an existing TRO obligation pursuant condition 9 for consented outline application 49/17/0060. The extent of which will need careful consideration</p>	
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	<p>with the proposed parking areas in mind</p> <p>Estate Road</p> <p>The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC).</p> <p>Further to our initial comments, the applicant should be mindful of the following going forward should the site be offered up for adoption through the S38 process (subject to planning consent being granted).</p> <ul style="list-style-type: none">• Appropriate adoptable forward visibility splays will be required throughout the inside of all carriageway bends and should be plotted on a drawing at a scale of 1:200 for consideration.• A 2m overhang is required at the termination of the turning heads, however this is not being provided for some turning heads within the site. <p>Visitor parking spaces 13 and 14 could be appropriately relocated in order to provide this at this turning head.</p> <ul style="list-style-type: none">• The width of the footway	
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	<p>appears inconsistent throughout and below standard requirements for adoptability.</p> <ul style="list-style-type: none">• Parking bays to be a minimum of 5.0m long, when in front of a boundary wall 5.5m, or 6.0m when an 'up and over' garage door. Where 2 longitudinal parking spaces are used these will need to be a combined length of 10.5m.• It is advised vehicle parking space 58, closest to the bell mouth is relocated to accommodate pedestrian visibility at the adjacent crossing point. <p>Drainage Please refer to our previous comments dated 6 August 2020.</p> <p>Travel Plan Please refer to our previous comments dated 6 August 2020.</p> <p>Conclusion On balance based on the revised supporting information, the Highway Authority need to further information regarding the points raised above prior to moving the application forward and being in a position to provide a recommendation to the LPA.</p>	
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	<p><u>Final details comments:</u></p> <p>Previously the Highway Authority raised a number of concerns over the layout and arrangements proposed, which have largely been addressed by this latest submission as commented below:</p> <p>It is noted that the parking spaces to the front of plots 15-18 have been removed and relocated elsewhere which is a better arrangement and one to be endorsed.</p> <p>Other amendments to the general parking layout have been made, most notably the parking spaces located along the main estate road with the removal of the parallel parking spaces, again this is a better arrangement to that previously proposed.</p> <p>Swept path drawings have been provided demonstrating the manoeuvrings of a large refuse vehicle around the development. In general this is acceptable, however, it is noted that the tracking overrides the kerb close to visitor space 8, this will need to be</p>	
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	<p>addressed at technical design stage. Some visibility splays have now been provided, albeit without supporting speed surveys as previously requested. It is accepted however that sufficient details have been provided to reassure that adequate visibility splays can be achieved and secured for the accesses leading on to Heathstock Hill and Burgess Lane. As part of the outline permission the need for a TRO to extend the 30mph along Heathstock Hill was secured. The applicant should note that the 30mph limit will need to be extended beyond the point suggested on the Highway Strategy drawing (ref. 1001 P06).</p> <p>It is essential that the Plots with accesses leading on to Heathstock Hill have adequate space for turning so that vehicles can enter and leave the public highway in forward gear. The space available for turning for Plots 31-32 is limited and it appears that they will be dependent on utilising each other's driveways. A diagram to demonstrate that vehicles will be able to enter, park and turn for each of these</p>	
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	<p>plots should be provided in the interests of highway safety so that this arrangement can be secured by condition.</p> <p>Other comments that the applicant should be made aware of include:</p> <ul style="list-style-type: none">• The extent of the S278 works and S38 works have been shown however I would recommend that this is reviewed, in particular it is suggested that the extent of the S38 works are set further back into the estate road access and at the back of the tactile paving slabs (adjacent to Plot 18).• Some parking bays have been shown coloured for adoption, they will not be adopted by SC.• All of the visitor spaces that are parallel to the kerb should measure a minimum of 6.0m long by 2.0m wide, the ones provided are too short and as such should be amended. Visitor spaces 13 and 14 in particular are likely to be difficult to use given the limited space for manoeuvring. The applicant is advised to check that all parking spaces provided accord with the space requirements set out within the SC's Parking Strategy.• Careful consideration	
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	<p>needs to be given to how the levels are going to work at the ramped area, in conjunction with the adjacent parking bays.</p> <ul style="list-style-type: none">• It is recommended that the shared surface areas are surfaced with coloured block pavers, including the service margins to either side. There should be no upstands within the shared surface areas, the surfacing needs to be laid at a grade so that pedestrians are able to use the full width of the carriageway without obstruction. Further details on shared surface design can be found within the Somerset Design Guide on the SC website.• There are two sets of pedestrian crossovers proposed in very close proximity to each other at the development junction with Luxton Way (adjacent to Plot 18). A single pedestrian crossover positioned between the those currently proposed would suffice. Additional crossovers over Luxton Way either side of the development access should be included.• For S38 submissions, all tactile pavers should be coloured as yellow/buff on S38 drawings.• The applicant should be	
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	<p>aware that the internal layout of the site, including private drives, will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980 the Advance Payments Code (APC) will apply.</p> <ul style="list-style-type: none"> • Comments relating to drainage remain unchanged from that provided in our response dated 6 August 2020. <p>Further to the above comments, should the LPA be minded to approve the application the Highway Authority recommends conditions</p>	
<p>LEAD LOCAL FLOOD AUTHORITY</p>	<p>Original comments:</p> <p>Additional information required:</p> <p>Drawings have been provided but are not accompanied by relevant calculations to demonstrate that the current pond has been designed to accept the additional flows from this development – there is a discrepancy between the FRS which suggests that the pond has sufficient capacity and the drawing which suggests it and the flow control requires upsizing.</p> <p>The FRS states that infiltration testing has been done and is not</p>	<p>Noted</p>

	<p>viaible but no report has been provided for review. This may have been submitted under the previous application. The predominant treatment and storage is within the existing pond, with silt and pollution being managed using smart gullies. The site is not aspirational in terms of SuDS - it has no source control features and relies on a single end-of-pipe solution.</p> <p>Exceedance plan shown which should be confirmed as flows over and above the 1 in 100 year plus 40% climate change event</p> <p>Point of discharge - It is not clear if this was done as part of the design of the existing outfall.</p> <p>Some further clarity on the specific maintenance required for the pond and managed drainage features as well as construction phasing.</p> <p><u>Secondary comments:</u></p> <p>I would like to highlight that the applications for Phase 1 and 2 have limited details on the total capacity of the basin being able to accommodate the Phase 3 development. Furthermore, as part of the DOC for 49/12/0052, the response</p>	
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	<p>dated 18/09/13 states “Of more concern is that it appears that the pond has only been sized to take attenuation storage from phase 1. What this means is that if flows from any subsequent phases are to be directed to the pond it will need to be made larger than currently proposed.”</p> <p>Whilst I am able to find a Masterplan under 49/13/0001 ((A1) DrNo 2013/200 Engineering Masterplan Phases 1-3), which includes Phase 3 in the proposals, and the Lone Star letter advises that the as-built confirms an available storage capacity of 1800m3. I am unable to find the background calculations and details to confirm that the area from Phase 3 has been accounted for in the detailed design of the basin.</p> <p>Therefore, I would advise that the applicant clarifies when the changes to the attenuation were proposed, and models the entire system incorporating the asbuilts of the remediated basin, and receiving pipework to demonstrate capacity within the system. If any</p>	
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	<p>flooding is shown within the 100 year+ 40% climate change event, this must be retained on the site boundary within designed exceedance routes, as it is suggested that the sewers have been designed to accommodate the 1 in 30 year Return Period.</p> <p>It would also be useful for the applicant to advise that the discharge rate has been based on the most up to date plans and impermeable area.</p> <p>However, due to the letter from Lone Star, and assurances provided by the applicant, the above could be secured via an appropriately worded condition.</p> <p>However, listed below are details we would expect to see at this stage.</p> <p>Calculations for Phase 3 drainage network only.</p> <p>Key provided on remediation plan</p> <p>Clarification that appropriate pollution control measures are to be in place using Chapter 26 of the CIRIA SuDS Manual</p> <p>Consideration of any flood risk in the area, ensure that the site will not be at risk or increase flood risk elsewhere (as incident report sent through to the consultant) Volumes:</p> <p>clarification on the total</p>	
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	<p>volume required for this phase, and how this relates to spare capacity within the attenuation, and clarification how much is already being used by Phase 1 and 2.</p> <p>Clarification that the receiving pipework has been designed to take flow from the site.</p> <p><u>Third round of comments:</u></p> <p>Previous correspondence has been undertaken with the LLFA, dated 22/12/2020, in which the following information was requested:</p> <ol style="list-style-type: none">1. Calculations for Phase 3 drainage network only;2. Key provided on remediation plan;3. Clarification that appropriate pollution control measures are to be in place using Chapter 26 of the CIRIA SuDS Manual;4. Consideration of any flood risk in the area, ensure that the site will not be at risk or increase flood risk elsewhere (as incident report sent through to the consultant);5. Volumes: clarification on the total volume required for this phase, and how this relates to spare capacity within the attenuation, and	
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	<p>clarification how much is already being used by Phase 1 and 2; and</p> <p>6. Clarification that the receiving pipework has been designed to take flow from the site.</p> <p>Correspondence has been provided with the LLFA that confirms that the updated Flood Risk Statement clarifies points 3 and 4 above.</p> <p>Previously, it was requested that a key was provided for the remediation plan, however now an as-built plan has been provided, following the completion of remedial works, outlining the remediation that has been undertaken.</p> <p>Additionally, calculations for Phase 3 drainage network only were requested showing that any flooding within the 100year + 40% climate change event, is retained in the site boundary within designed exceedance routes, as it is suggested that the sewers have been designed to accommodate the 1 in 30 year Return Period. The calculations have been run up to the 100year + 30% climate change event and show multiple instances of</p>	
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	<p>flooding in this event.</p> <p>Therefore, in line with the above, it is requested that calculations are run up to the 100year + 40% climate change event and any instances of flooding in this event are identified and demonstrated to be managed within the proposed system.</p> <p>The previously provided drainage strategy plan, available on the planning portal dated May 2020, does not contain any pipe or manhole details and therefore cannot be checked against the provided calculations for Phase 3. The proposed drainage strategy plan should be updated to provide details, cross-referenceable with the provided calculations. The calculations also fail to clarify the total volume required for this phase; how this relates to spare capacity within the attenuation; and clarify how much is already being used by Phase 1 and 2. The calculations should demonstrate the existing water depth and volume within the basin from the current Phase 1 and 2</p> <p>Somerset County Council as the LLFA advises the Local Planning Authority (LPA) that the application</p>	
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	<p>documents as submitted are insufficient for the LLFA to provide a substantive response at this stage. In order to provide a substantive response, the following information is required:</p> <ol style="list-style-type: none"> 1. Calculations for the Phase 3 drainage network only, cross-referenceable with plan(s); 2. Volumes: clarification on the total volume required for this phase, and how this relates to spare capacity within the attenuation, and clarification how much is already being used by Phase 1 and 2; and 3. Clarification that the receiving pipework has been designed to take flow from the site. <p><u>Fourth and final round of comments:</u></p> <p>The submission of further information is acceptable and no objection raised subject to conditions.</p>	
<p>SCC - ECOLOGY</p>	<p>Initial comments:</p> <p>The application site is likely provided access to the wider countryside for commuting lesser horseshoe bats from a moderately sized maternity and hibernation colony and minor greater horseshoe</p>	

	<p>bat roost located within Wiveliscombe. The masterplan would entirely block access to foraging resources for these horseshoe bats. An Ecological Appraisal carried out by Sunflower International Ecological Consultants was carried out in April 2020. Unfortunately this does not contain bat activity surveys which would have helped determine the importance on the application for this colony.</p> <p>The letter referred to in Condition 13 (which appears to have been ignored in designing the masterplan) also states:</p> <p>Draft wording for the condition is given below:</p> <p>“Condition: No development or phase of development hereby permitted, including any site clearance or vegetation removal, shall commence until a bat and dormouse mitigation and enhancement strategy has been submitted to and agreed in writing by the local planning authority. The strategy is to be informed by the surveys set out in the email from GS Ecology to Larry Burrows</p>	
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	<p>dated 19 January 2017. The measures in the strategy shall thereafter be implemented in full accordance with the submitted details unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: To ensure that bats and dormouse, which are protected species and a material consideration in the planning process, are not adversely affected by the proposals and that their favourable conservation status is not compromised as a result of the development.”</p> <p>As discussed, the following surveys will be carried out to inform the bat and dormouse mitigation and enhancement strategy:</p> <p>Dormouse surveys of the hedgerows within the development site and fields to the north – tubes (a minimum of 50) and nest boxes (a minimum of 5) to be installed in February or March 2018. Tubes and boxes to be checked for dormouse once per month from April until September.</p> <p>Bat surveys – A minimum of two static bat detectors to be set within the</p>	
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	<p>development site and, if access can be arranged, a comparison site such as the land to the west of the application site. The detectors are to be set once per month from April until October and are to record for a minimum of 5 nights per period. Three dusk transect surveys, one in spring, one in summer and one in autumn, will also be carried out, one of these will be a dusk and dawn transect survey.</p> <p>Therefore, I have a <u>holding objection</u> to the application pending bat activity and dormouse surveys, an appropriately amended masterplan in accordance with Condition 13 and lighting strategy.</p> <p>I also need to add that following meetings with Natural England this application will require a Habitats Regulations Assessment (HRA) due to recent case law. This is because the application site falls within the catchment flowing into the Somerset Levels and Moors Ramsar, designated for its rare aquatic invertebrates. There is a major issue with nutrients entering</p>	
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	<p>watercourses which adversely changes environmental conditions for these species. New housing will result in an increase in phosphates contained within foul water discharge. As the designated site is in 'unfavourable' condition any increase, including from single dwellings is seen as significant, either alone or in combination with other developments. To carry out the HRA I shall need information from the applicant initially on whether the development is to be linked to the main foul water sewer or then how otherwise it would be treated. In the latter case there can still be discharge to ditches within the catchment. In the former case it would also be helpful if details of the Sewage Treatment Works (STW) and its current rate of phosphate discharge were also obtained.</p> <p>If required mitigation is likely to consist of habitat enhancement downstream of the STW. Natural England will be producing guidelines on the process in due course.</p> <p>The HRA will need to be submitted and commented on by Natural England prior</p>	
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	to a decision being made on the application.	
SCC - CHIEF EDUCATION OFFICER	No comments received.	Noted. Education dealt with at Outline stage.
SCC - COUNTY ARCHIVIST	As far as we are aware there are limited or no archaeological implications to this reserved matters proposal and we therefore have no objections on archaeological grounds.	Noted.
WESSEX WATER	No comments received.	Noted
LANDSCAPE	<p>Concerns raised:</p> <p>In a lot of cases the choice of tree species are inappropriate – see David Galley’s earlier comments - given their proximity to dwellings and their ultimate size. Smaller growing trees such as Field Maple and Birch should be no closer than 5-8m to a dwelling and larger growing trees should be no closer than 10-12m from dwellings. A re-think of the tree planting proposals is required.</p> <p>The choice of infill planting is not robust enough for the locations within the very dense housing mix and it is not sufficient to show the planting as part of a general mix. The planting needs to be more specific in terms of locations within each planting bed.</p> <p>There is too much</p>	Noted

	<p>macadam throughout the scheme. It's use should be limited to road surfaces and access drives but not used for paving</p>	
<p>TREE OFFICER</p>	<p>With regards to arboricultural part of the soft landscaping, the choice of species is very lacklustre, and the locations of some of the trees such as <i>Fagus sylvatica</i> (beech) and <i>Tilia cordata</i> (small leaf lime) are inappropriate due to the ultimate size of these trees and their proposed proximity to new dwellings. The layout seems very dense and there's very little open space where these larger species, which I would normally encourage, can be accommodated and managed by management company (or adopted by us). Can these points be addressed?</p> <p>You asked me to look at the effect of plot 64 on the adjacent ash trees to the west.</p> <p>I note that these ash trees were shown as category U trees on the tree survey at outline stage, with a recommendation that they were removed. They are multi-stemmed trees, and at a glance appear to be reasonably healthy,</p>	<p>Noted.</p>

	<p>although the predictions are that there is a 95% chance that they will succumb to Ash Dieback over the next few years.</p> <p>The theoretical Root Protection Zone of these trees, as given by BS5837, would have a radius of about 4.5 metres by my calculation, although there is a wall along the boundary of the footpath that may have discouraged the growth of roots to the east slightly due to depth of foundations. The current spread of the trees is about 6 metres to the east. Plot 64 looks to be about 7 metres from the trees, so although I doubt whether the root systems would be significantly damaged by the new house (unless by service trenches), the canopies will be close and would probably need to be pruned back to facilitate the build. They are still relatively young trees that, if they survive Ash Dieback, will continue to grow considerably bigger than they are at present, so they will cast evening shade over 64, and may cause some concern to the new residents due to their</p>	
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	<p>increasing size and proximity. The new house to the west of these ash trees appears to have been given more clearance from the trees.</p>	
HOUSING ENABLING	<p>The affordable housing (shown on drawing number (A1) 190902 L 02 01 Proposed Site Layout) is all clustered together in the south west corner of the site. This is contrary to the guidance provided in the Supplementary Planning Document that the affordable housing should be an integral part of the development in order to encourage a socially inclusive community. The location of the affordable housing in one block will make it easily distinguishable from the market housing on site. A pepper potted layout is advised.</p> <p>The type and size of the affordable housing units to be provided broadly reflect the distribution of property types and sizes in the overall development and the housing need requirements. The number of households registered for Wiveliscombe on</p>	<p>Developer contributions cannot be sought in relation to application for the approval of reserved matters. Contributions were secured at the Outline application stage. The proposals deliver affordable housing and the developer has appointed an RP partner to bring forward the affordable housing, as planned.</p>

	<p>Homefinder Somerset in June 2020 is a total of 57 with 28 of these having a 2 bed or 3 bed housing need. The affordable homes on this development will help to meet this local housing need. It is unusual to see 2 bed 2 person apartments and it might be advisable to increase the sizes to 2 bed 3 person.</p>	
<p>POLICE ARCHITECTURAL LIAISON OFFICER</p>	<p>No objection.</p> <p>Design & Access Statement – the ADS at Section 5.9 under the heading ‘Secured by Design’ states that this development has been considered with Secured by Design principles in mind. It refers to:- perimeter block layout enhancing surveillance; no blank gable ends (except where necessary to avoid overlooking); appropriate boundary treatments being used to improve surveillance, including the allotments; some plot orientation aiding surveillance and appropriate fenestration being used along western boundary to aid</p>	<p>Noted.</p>

	<p>surveillance of public footpath. This indicates to me that the applicant is aware of this police approved initiative and has borne in mind certain designing out crime principles in developing this proposal.</p> <p>Layout of Roads & Footpaths - vehicular and pedestrian routes appear to be visually open and direct and are likely to be well used enabling good resident surveillance of the street.</p> <p>The use of physical or psychological features i.e. surface changes by colour or texture, rumble strips and similar features within the development would help reinforce defensible space giving the impression that the area is private and deterring unauthorised access. The proposed pedestrian route linking the development to the existing PROW increases the permeability of the development and consequently the potential for crime to affect nearby dwellings.</p> <p>Orientation of Dwellings - all the dwellings appear to overlook the street and public open spaces which</p>	
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	<p>allows neighbours to easily view their surroundings and also makes the potential criminal more vulnerable to detection. A proportion of the dwellings also appear to be 'back to back', which is advantageous in that this can help restrict unlawful access to the rear of dwellings, which is where the majority of burglaries occur.</p> <p>Dwelling Boundaries – it is important that all boundaries between public and private space are clearly defined and it is desirable that dwelling frontages are kept open to view to assist resident surveillance of the street and public areas, so walls, fences, hedges at the front of dwellings should be kept low, maximum height 1 metre, to assist this. More vulnerable areas such as exposed side and rear gardens need more robust defensive measures such as walls, fences or hedges to a minimum height of 1.8 metres. Gates providing access to rear gardens should be the same height as adjacent fencing and lockable. The Boundary Treatment plan indicates that these recommendations will be</p>	
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	<p>complied with. Communal Areas –have the potential to generate crime, the fear of crime and ASB and should be designed to allow surveillance from nearby dwellings with safe routes for users to come and go. The only POS appears to be the allotments, which are adjacent to a PROW and potentially more vulnerable. Plot 48 appears to back onto the allotments which potentially makes this plot more vulnerable to burglary from the rear and also restricts surveillance of the allotments and the associated parking spaces. The DAS makes reference to the rear of this plot being heavily glazed to assist surveillance and consideration being given to the rear boundary treatment but does not appear to say what form this might take. Allotments are regularly targeted by thieves for tools contained in sheds, produce or both. In view of this, I recommend the rear boundary treatment for Plot 48 enables an element of surveillance through it by using 1.5 metre closeboard fencing topped by 300 mm trellis or ‘hit & miss’fencing or</p>	
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	<p>similar. The gates at the entrance to the Allotments should also be lockable.</p> <p>Car Parking - appears to be a mix of on-plot garages and parking spaces, which is the recommended option, communal on-street parking spaces and two parking courtyards. The communal on-street parking spaces appear to be few in number, close to and overlooked from homes, which is also recommended. Rear parking courtyards are discouraged as they enable easy access by the potential criminal to the rear of dwellings and vehicles parked in the courtyards. A FOG has been included to screen the Burges Lane residents' parking courtyard, which does enable some surveillance of it. However, I have some concerns as to whether this courtyard will be used by existing residents, as vehicles parked in it will be out of sight of owners which could lead to neighbour disputes concerning parking.</p> <p>Landscaping/Planting - should not impede opportunities for natural surveillance and must avoid potential hiding</p>	
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	<p>places. As a general rule, where good visibility is needed, shrubs should be selected which have a mature growth height of no more than 1 metre and trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision. This is particularly relevant in respect of the allotments.</p> <p>Street Lighting – all street lighting for adopted highways and footpaths, private estate roads and footpaths and car parking areas should comply with BS 5489:2013.</p> <p>Physical Security of Dwellings – in order to comply with Approved Document Q: Security – Dwellings, of Building Regulations, all external doorsets providing a means of access into a dwelling and ground floor or easily accessible windows and rooflights must be tested to PAS 24:2016 security standard or equivalent.</p>	
LEISURE DEVELOPMENT	No comments received.	Noted. Leisure contributions not triggered by RM applications.
ENVIRONMENT AGENCY	No comments received.	Noted. Site not at risk of flooding.
SOUTH WESTERN AMBULANCE SERVICE	No comments received.	Noted.
NHS SOMERSET,	No comments received.	Noted.

SOMERSET PRIMARY CARE TRUST		
NATURAL ENGLAND	<p><u>Initial comments:</u></p> <p>Objection</p> <p>Somerset Levels and Moors Ramsar Site The Somerset Levels & Moors Ramsar Site is in unfavourable condition due to excessive phosphate loading within its catchment. Natural England advises that this proposal has the potential to add to nutrient loads (phosphorous) within the catchment of the Ramsar Site, and therefore it may require mitigation and be subject to a Habitats Regulations Assessment (HRA).</p> <p>Insufficient Information Provided – Habitats Regulations Assessment We have reviewed the submitted Phosphorous Budget Calculator and note that the calculations are based on the wastewater being handled by a Package Treatment Plant. However, and as pointed out in the application, there is a viable connection to a Wastewater Treatment Works. The calculations need to be undertaken again, this time selecting</p>	Noted Phosphate mitigation strategy to be secured by s106 Agreement

	<p>2a (sewage to be handled by Wastewater Treatment Works) in Stage 1. A Nutrient Management Plan will also be required in order for the County Ecologists to carry out an HRA.</p> <p><u>Secondary comments:</u></p> <p>No objection</p> <p>Please see below for our advice, based on SES adoption of the sHRA. Thank you for confirming that you have chosen to adopt the sHRA, produced for this development.</p> <p>Habitats Regulations Assessment Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. We note that in this case your authority, in consultation with Somerset Ecology Services, has chosen to adopt this HRA to fulfil your duty as the Competent Authority.</p> <p>An appropriate assessment of the proposal has been undertaken, in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England</p>	
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	<p>is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.</p> <p>Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question.</p> <p>Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that we concur with the conclusion of the HRA, provided all mitigation measures are adequately secured with any permission.</p>	
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8.6 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

45 number of letters have been received making the following comments (summarised):

Environmental Impact and Sustainability:

- Development will not preserve biodiversity and habitats.
- Impact on existing wildlife corridors.
- Destruction of ancient hedges and trees will occur.
- Lack of sustainability measures like solar panels and electric car chargers.
- Need for building materials and designs that are eco-friendly and energy-

efficient to address the climate emergency.

- The Council should be pushing for carbon neutral housing.
- Concerns about climate change and carbon emissions not addressed by design.
- Suggestions for habitat creation and permeable paving to mitigate environmental impact.
- Specific wildlife concerns, including endangered species like bats and owls raised.

Transportation and Infrastructure:

- Concern about the lack of parking provision for the existing and new residents, and the potential impact on traffic safety and congestion on Burges Lane, Ford Road, and Heathstock Hill.
- Parking provision needed for existing residents of Burges Lane.
- Insufficient provision for parking, leading to congestion and safety concerns.
- Strain on local infrastructure and services like schools and medical facilities.
- Need for improved transportation infrastructure, including safer cycling routes and public transport options.
- Loss of parking spaces along Burgess Lane and potential congestion due to increased traffic.
- Concerns about road safety, particularly regarding blind corners and narrow roads, exacerbated by additional vehicle access points.
- Residents of Golden Hill frequently park in Burges Lane, the proposed development will mean that there will be even less parking spaces available for residents.
- Double yellow lines will be required.
- Demand for more community facilities like allotments and recreational spaces, particularly for older children.

Design and Community Impact:

- Disagreement with the proposed layout of houses and their impact on traffic flow and safety.
- Design and layout of the development as poor, dull, and uninspiring, and not reflecting the local character and distinctiveness of Wiveliscombe.
- The development is too dense and cramped and would reduce the privacy and light of the existing residents.
- Loss of privacy for existing residents due to overlooking.
- Impact on personal property, such as loss of privacy and disturbance from

construction activities.

- Requests received for reassurance regarding safety and quality of life for current residents.
- Concerns about the character of the area and maintaining low-density housing.
- Calls for more innovative and sustainable urban design approach, which is not addressed by the proposed design.
- There is a lack of wheelchair accessible dwellings in the development, and the council should make a calculation of how many such dwellings should be constructed according to the policy DM10 of the SADMP.
- The lovely rural setting of the town is being destroyed by developers who do not listen to the people who live here.
- Importance of community consultation and involvement in the planning process not addressed.
- More green space is needed. Unfair that residents should pay for the public open space available to all comers. Residents of Willow Mead were supposed to contribute yearly, but are in dispute.
- The local authority should adopt the green space. The issue should be resolved before any development takes place. Suggest parking and allotments on the triangle with more landscaping.

Infrastructure Management and Maintenance:

- Lack of communication and verification from the Local Flood Authority (LLFA) regarding the capacity of the attenuation pond.
- Questions whether the main drains will be large enough to cope with the runoff from excess rainwater.
- Houses will link into the water retention pond owned by Willow Mead residents. Question whether they will be liable for the maintenance costs. We pay as service charge and own it.
- Responsibility for the retention pond should be taken over by the council and not down to the existing residents of Willow Mead.
- Absence of a suitable management program and Section 106 agreement to ensure equitable distribution of costs and responsibilities for maintenance of attenuation pond and play area.
- Issues regarding the adoption of sewers and highways without defined time scales or conditions.
- Comments expressed doubts about the capacity and quality of the local services and infrastructure, such as the schools, the medical centre, the bus

service, and the recycling centre.

Willow Mead Residents Association - Object to the proposals for the following reasons (summarised)

Transport:

- There is not enough parking for local residents' - as evidenced by regular ticketing for dangerously parked vehicles
- The access onto Healthstock Hill will be dangerous
- Bus services are inadequate therefore everyone needs a car
- The proposal reduces the potential for on-street car parking and makes insufficient space for visitors
- Concern about access for emergency and utility vehicles
- The junction of Luxton Way and Burges Lane looks dangerous with additional housing
- Parking is a big issue on Willow Mead estate and surrounding areas. Further development without adequate car parking will make matters worse
- Currently many people travel down Ford Road in excess of the 30mph speed limit
- The triangle of land near Style Road should be used for parking
- New plans must include parking for those on-street parking displaced

Amenity:

- Detrimental noise impacts to existing residents' that front onto the play area that was never accounted for in the earlier applications
- If there is a need for additional play equipment above what has previously agreed then it makes more sense to have this entirely in phase 3
- The proposal would reduce light and impinge on the privacy of residents on the whole of Burges Lane
- The potential for burning of waste on Allotments a concern

Drainage

- The planning statement explains incorrectly that the connection Phase 3 is to the public sewer
- Houses will link into the water retention pond owned by Willow Mead residents. Questions whether they will be liable for the maintenance costs. We pay as service charge and own it. Responsibility for the retention pond should be taken over by the council and not down to the existing residents' of Willow Mead.
- Question whether the attenuation basin can accommodate Phase 3 flows
- As this residents' association, we must stress that there is no suitable programme of management, as there is no Section 106 agreement submitted

at both this reserved matters or outline planning application that binds Phase 3 owners to the management of their surface water

- Furthermore, preexisting SUDS arrangements for Phases 1 and 2 were based on a much smaller attenuation basin (600 compared to 1800m³) with therefore increased costs regarding maintenance. Whilst there is an existing management company, we are only obliged to contribute towards maintenance of the smaller volume. This means the surface water drainage scheme cannot be considered as adequate without an additional agreement reached with the developer at Phase 3 that will bind future owners / occupiers in shared maintenance for this asset.
- We have also made enquires with the freeholder of the land where the attenuation basin is located that we do not agree to any easement being granted regarding access or drainage into the pond unless there are adequate arrangements made on maintenance that extends also to the owners/occupiers at Phase 3.

Biodiversity

- Disputes the claim that no survey is needed for the presence of bats
- The land is an important feeding ground for a healthy population of swifts
- There should be a biodiversity net gain according to national planning policy
- Species rich hedgerows will be destroyed by development
- Lesser horseshoe bats use the site flight path between roosts and feeding sites .

Design

- This sort of unimaginative , dormitory style housing estate isn't what future developments should be. Too many houses for Wiveliscombe
- Communal areas needed for people to grow things workshops for people to play and socialise
- The most people crammed into the smallest space for the maximum profit of the developer , with no consideration for the real needs in a living space of either the average family or those in need of social housing
- Suggest houses set further back and gardens reconfigured to be south facing

Developer Contributions

- Phase 3 are not being asked to contribute to the management costs which fall only to Phases 1 -2
- Would like to see a greater proportion of social housing in the scheme
- Compliments the developers on the inclusion of allotments
- Will local people be able to afford to purchase affordable homes
- Sorry to see that only a quarter of the housing is deemed affordable

- Phases 1 and 2 of the Willow Mead development of 52 dwellings is subject to a management company to look after the attenuation pond, public open space and children's play equipment.
- Maintenance of the pond forms the largest proportion of the management fees. For this reason, this Residents Association would expect that there is a contribution from Phase-3 towards the management company who look after these shared assets.

Sustainability

- The absence of solar panels or any attempt to encourage a reduction in carbon emissions is disappointing
- In the context of the Council's decision to declare a climate Emergency, questions how this development will help achieve carbon neutrality
- It is essential that the development is a flagship for sustainability
- Services and infrastructure in Wiveliscombe are not prepared for such an influx of population and cars
- The Declaration of a Climate Emergency should mean more efforts should be made towards zero carbon emissions.
- Solar powered charging stations for electric cars needed throughout
- Solar panels should be added
- No information regarding in the sustainability of building materials or the use of renewable's

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations strongly indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.

Relevant policies of the development plan in the assessment of this application are listed below:

SD1 - Presumption in favour of sustainable development,
SP1 - Sustainable development locations,
SP4 - Realising the vision for rural areas,
CP1 - Climate change,
CP4 - Housing,
CP5 - Inclusive communities,
CP6 - Transport and accessibility,
CP7 - Infrastructure,
CP8 - Environment,
DM1 - General requirements,
DM4 - Design,
A1 - Parking Requirements,
C2 - Provision of recreational open space,
C5 - Provision of Community Facilities,
D7 - Design quality,
D10 - Dwelling Sizes,
I4 - Water infrastructure,
MAJ1 - Style Road / Burges Lane, Wiveliscombe,

Supplementary Planning Documents

Public Realm Design Guide for the Garden Town, December 2021

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022).

Neighbourhood plans:

No NHP

National Planning Policy Framework

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

10.1.1 The principle of development

Outline permission has been granted for 71 dwellings under permission 49/17/0060. Along with the principle of development this approved the means of access only. This permission therefore seeks matters of scale, appearance, landscaping and layout.

The principle of development was considered under the outline application, and permission for 71 dwellings approved on that basis. The permission placed a number of conditions which are required to be approved before development can commence.

A section 106 Agreement was also secured to deliver the required infrastructure for the site, including drainage, off site highway works, affordable housing and play area. Objections raised regarding the need for the developer to contribute towards SuDs and the play area are noted but these arrangements fall outside the scope of the application and were secured by the s106 Agreement at the Outline stage. Various rights and agreements were then put in place when the various parcels were sold and it would not, therefore, be reasonable or necessary for this application to impose further requirements or to seek additional financial contributions.

The application makes provision of the required affordable housing stock and the developer has a Registered Provider working alongside them to deliver the affordable units.

The principle of development is established and this application must focus attention on the Reserved Matters only, being layout, appearance, scale and landscaping.

10.1.2 Heritage

The application site is not within a conservation area and is not considered to affect any heritage assets

10.1.3 Design of the proposal

Whilst the principle of 71 dwellings in this location and within the limitations of the application site was established by the outline application, details of layout and appearance are required to be submitted with this application.

The submitted layout is based broadly upon the concept masterplan submitted in support of the Outline application, though that was indicative only and does not differ significantly from the approved design pursuant to Reserved Matters application 49/15/0051. The evolution of the design strategy is described within the supporting Design & Access Statement and this follows the general approach recommended within the District Design Guide.

The primary change since the Outline stage is the repositioning of the site access further west off Luxton Way as opposed to Burges Lane. Within the site, the layout comprises of a clear hierarchy to the streets, with the principal spine road providing opportunities to create small cul-de-sacs and courtyard style grouping to dwellings. These cul-de-sacs form secondary streets with urban frontages and are landscape lined to present a softened edge to the street scene.

Upon the triangulated site located to the south west corner of the development, a small terrace forms provides a key frontage to Luxton Road, whilst the corner plot would front in 3 directions, responding to the junction of Burges Lane, Luxton Road and the extended lane leading to Golden Hill.

Dwellings have been orientated to front the principal highway along Burges Lane and Luxton Way, which creates an active street scene that reflects the linear form established by historical development in the area.

Elsewhere, bungalows have been located to the rear (northern) part of the site, where the development interacts with the open agricultural landscape to the edge of the settlement. Such is an appropriate approach and will reduce visual dominance of built form to the rural fringe of the development.

Ordinarily it might be seen as appropriate to have a focal building at the end of the main spine road, visible along the street scene upon entering the site off Luxton Way. However, in this instance, the development creates a central avenue that terminates with a view into the adjoining agricultural field, thereby retaining a visual link between the development and the open landscape and rural setting of the site, to the north east.

The proposals represent a low density development (25-30 per hectare) with 27.3 dwellings per hectare, approximately. Such is suitable and reflects the edge of settlement location.

Plots vary across the site with a strong mix of terraced, semi-detached and detached dwellings; the latter of which are generally located to the edge of the site, reducing the overall massing of built form to the rural edge.

All properties have gardens to the rear with a mix of close boarded fences and brick walls; plot frontages are to be enclosed by sections of low walling finished in stone or render, grassed banks and railings.

Materials are a mixture of render and brick elevations with sections of local stone, with tiled and slate roofs, similar to the existing housing along Burges Lane and

within the new development to the west.

Overall, the design strategy for the proposed development is considered to reflect local character and distinctiveness, with a modern approach to house building. The development on the whole represents high quality design and complies with Core Strategy Policies DM1, CP8, SADMP Policy D7 and the District Design Guide.

10.1.4 Quality of Accommodation

The size of the dwellings ranges from 50 square metres for the smallest 1 bed apartment to 138 square metres for the largest 4 bedroom property. These properties are above the minimum floor space standards set out in Policy D10 of the SADMP.

All dwellings have a rear garden, with an acceptable degree of separation between the rear of dwellings in order to maintain a suitable level of privacy, light and outlook for future occupiers. Properties have level access and would have access to nearby open space within the previously built out phase of housing to the west.

It is considered that the design reflects the immediate area, as proposed within the Design Guide, whilst the grouping of dwellings around the centre of the site seeks to establish a sense of place. The proposal therefore accords with policies DM1 and DM4 of the Core Strategy, and D7, D10 and D12 of the SADMP.

10.1.5 Access, Highway Safety and Parking Provision

The outline permission requires further details of the proposed access, highway engineering, and construction management to be submitted in order to discharge conditions and in most instances for the details to be agreed prior to commencement of works.

The application proposes to access the site from the new section of highway known as Luxton Way, which in turn links directly into Burges Lane where a new junction with Ford Road has been created. The development also proposes 3 private points of access directly from Heathstock Hill serving private dwellings.

Site access was approved as a detailed matter as part of the Outline planning consent. The objections raised on grounds of highway safety are acknowledged, however the Highway Authority do not object and given the previous acceptance of the new highway network and site access, these objections cannot be sustained. As such, the detail to be considered at this stage is the level and arrangement of parking provision together with the impact of the layout upon highway safety. The

amended access location is considered to be acceptable.

A total of 230 parking spaces are proposed across the development, which offer off road parking for future occupiers of the development, 14 visitors spaces, 6 allotment holders spaces and 14 spaces for residents of Burges Lane.

All plots generally have between 2 and 4 parking spaces, either in parking courtyards, individual spaces on plot or roadside or within a single or double garage.

The level of parking provision is in keeping with the parking standards shown in Appendix E of the SADMP and the proposals therefore accord with Policy A1 of the SADMP.

Concern has been raised by objectors in regard to the reduction in parking along Burges Lane, which will impact upon existing residents who have historically relied upon the highway for resident parking provision. These concerns were also raised at the Outline stage and it is acknowledged that the formation of private/shared access points off Burges Lane, as proposed, will reduce the ability of residents to park along the northern carriageway edge of Burges Lane.

In response to this issue, the application proposes to provide replacement parking provision for existing residents within the application site. The detailed site layout makes provision for a 14 bay resident parking area to the southern side of the development and with pedestrian access directly onto Burges Lane. The applicant has confirmed that these spaces will be reserved explicitly for existing residents of Burges Lane.

The applicants have sought to engage with the local community and Parish Council on several occasions in order to deliver a viable solution to this issue, but the application continues to receive opposition to the loss of parking on Burges Lane. Whilst it is acknowledged that this will likely cause some inconvenience for residents, the provision of the 14 bays being offered by the applicant goes beyond what might reasonably be provided by any other house builder. The alternative parking provision is considered to provide a suitable and deliverable solution to the loss of parking and whilst it may not offer a 1 for 1 replacement in regard to the number of spaces, the impact upon parking availability for existing residents is considered to be mitigated in a satisfactory manner.

Overall, the means of access, highway layout and level of parking provision are considered to be acceptable and would comply with CS Policies CP6 and DM1 together with SADMP Policy A1. Furthermore, the development would not give rise to any severe adverse impact upon highway safety and the proposals therefore comply with paragraph 115 of the NPPF.

10.1.6 The impact on the character and appearance of the locality

The application site is allocated for residential development and has Outline permission for the erection of 71 dwellings. It is therefore accepted that subject to detailed matters, the site will be developed and that the design should be suitable for this edge of settlement location.

As discussed at 10.1.3 above, the proposed houses and garages are designed to reflect the existing local distinctiveness. Given that the development will be on the edge of the village, and visible across views from the north and west, a soft approach has been shown to the edge of the development, by the placing of bungalows with hedgerow retained and soft planting between groups of buildings.

Phases 1 and 2 have been built out to the west and the design approach for this application is not dissimilar. The adjoining residential development provides a strong link between the application site and contiguous built-up area of the settlement, and building out of this development will provide a continuation of built form along the northern side of Burges Lane.

It is considered that the proposed development conforms with policies DM1 and CP8 of the Core Strategy and the development will not give rise to any significant harm to the character and appearance of the landscape or built environment.

10.1.7 The impact on neighbouring residential amenity

There are a number of plots which front on to the proposed development along the southern side of Burges Lane and to the edge of Luxton Way. However, there is sufficient separation distance between windows within existing and proposed dwellings to ensure that privacy protected.

Concerns raised over the construction phase are noted, however, the Outline consent requires a construction management plan to be agreed and this will be used to control impacts from the development phase.

The development, once constructed, is not considered to give rise to other unacceptable impacts upon residential amenity, either for existing residents or occupiers of the 71 dwellings proposed. The development will not generate unacceptable impacts through noise, odour, vibration or other forms of potential nuisance; the proposals are considered to conform to CS Policy DM1 in relation to the impact on residential amenity.

10.1.8 The impact on trees and landscaping

The existing boundary hedges to be retained, though the removal of the hedgerow within the site is proposed. Landscape buffers are proposed, with considerable tree planting proposed along street frontages together with green spaces at key focal points along Burges Lane and Luxton Way. Other areas of low planting within the site are also proposed.

Whilst approval of landscaping is sought, concern over the species of trees to be planted has been raised along with some other minor issues. Overall, the initial landscaping scheme identified on the soft works plan would make a positive contribution towards softening the impact of the development, though further work is required on the species. As no condition was placed on the outline permission for further details of landscaping to be agreed, one is now proposed to ensure this matter is appropriately dealt with.

Subject to the agreement of the planting schedule, the proposals will provide a suitable soft landscaping strategy for the residential development of the site. The proposals are considered to be in accordance with Policy CP8 of the Core Strategy.

10.1.9 The impact on ecology and biodiversity and the Somerset Levels and Moors Ramsar Site.

The County Ecologist and members of the public have objected to the proposal, raising concern with the impact of development upon biodiversity. The County Ecologist also objects on the basis that the design scheme does not accord with the requirements of condition 13 of the Outline consent. It is important to recognise that this application does not seek the approval of details required in relation to ecology conditions imposed on the Outline consent and that this matter is separate to the consideration of layout, scale, appearance and landscaping, which are the details for which the application seeks approval of.

Notwithstanding, on 2 April 2024 an application to discharge condition 13 was received by the local planning authority and is currently being assessed. This demonstrates the applicant's willingness to comply with conditions imposed on the Outline consent and to deliver suitable mitigation for bats and dormice within the development.

A condition is recommended now, seeking to deliver additional ecological enhancement measures across the development site, which will provide further benefits to bats, birds and other species within the area.

At Section 7.0 of this report, the proposed mitigation strategy for ensuring the development does not impact upon the Somerset Levels and Moors Ramsar site is

discussed. The applicants have entered into a private agreement to secure off-site mitigation downstream of the application site and within the same River Tone catchment at the Cothelstone Estate. The submitted HRA identifies that the calculated phosphate increase associated with the proposed development could be off-set by creating 15.47ha of woodland.

The site will be managed in-house by the Cothelstone Estate and a Section 106 agreement will be agreed between the LPA and the estate to secure the management of the orchard in perpetuity. A draft s106 Agreement is being reviewed by the Council's legal team at this time and subject to the agreement being entered into, and the imposition of a condition restricting occupation of any dwelling until the before 1 January 2025, which is the date by which the statutory undertaker must legally have completed the AMP7 upgrade works to the local sewage treatment works. This is tied into the proposed mitigation scheme, which bases its land take on the post AMP7 P-loading generated by the development.

Overall, it is considered that ecology is afforded suitable consideration by the proposals and that the need to comply with conditions imposed on the Outline consent ensure that a favourable conservation status will be maintained for protected species in the area. The development successfully mitigates the impact of the new homes upon the Somerset Levels and Moors Ramsar site such that a likely significant effect can be ruled out. The proposals comply with CS Policy CP8.

10.1.10 Flood risk and drainage

The application proposes to drain impermeable areas to a network of surface water drains and pipework, with a connection to an existing attenuation basin on land to the northwest, which provides a controlled outfall of water into a local watercourse. Foul drainage will connect into the adopted sewage network in the vicinity of the site.

The principle of delivering a sustainable urban drainage strategy for the site was accepted at the Outline application stage and conditions applied requiring the submission of detailed drainage, including engineering, for approval through the discharge of conditions. An application to discharge the relevant condition, condition 10, was made in October 2023 and following various amendments, the LLFA have confirmed that the condition can be discharged and that the surface water drainage strategy is acceptable.

It is the same surface water drainage strategy that has been submitted alongside the application and as noted in the report at Section 8.5, the LLFA have confirmed their acceptance of the proposed drainage strategy. It is noted that local objectors are concerned that the surface water from the application site will be discharged and managed through an attenuation basin within an earlier phase of the residential

allocation, to the west of the site. The concerns raised over management costs and the like are civil issues that were agreed by the previous landowner and the applicant and it is understood that rights were reserved for this phase to connect into the adjacent attenuation basin. This is not uncommon and it has been demonstrated that the drainage strategy meets the technical design standards of the LLFA, such that the development will not increase flood risk off site or downstream.

The application satisfies the necessary policy tests in demonstrating that the proposed development will not give rise to any adverse harm from flood risk or drainage matters either off site or downstream and the proposals are considered to comply with CS Policy DM1.

11 Local Finance Considerations

11.1 Community Infrastructure Levy

Creation of dwellings is CIL liable.

Proposed development measures approx. 7700sqm

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £962,500.00. With index linking this increases to approximately £1,366,750.00

12 Planning balance and conclusion

12.1 The general effect of paragraph 11 of the NPPF is that, in the absence of relevant or up-to-date development plan policies, the balance is tilted in favour of the grant of permission, except where the policies within the NPPF that protect areas or assets of particular importance provides a "*clear reason for refusing the development proposed*" or where the benefits of the proposed development are "*significantly and demonstrably*" outweighed by the adverse impacts when assessed against the policies in the NPPF taken as a whole.

12.2 For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning Conditions and Informatives

Conditions

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

DrNo 190902 D D 01 - Boundary Treatments Details 1
DrNo 190902 D D 02 - Boundary Treatments Details 2
DrNo 190902 D D 03 - Boundary Treatments Details 3
DrNo 190902 GT 01 01 B GT 01 Double Garage Elevations and Floor Plans
DrNo 190902 GT 02 01 A GT 02 Twin Garage Elevations and Floor Plans
DrNo 190902 GT 03 01 A GT 03 Single Garage Elevations and Floor Plans
DrNo 190902 GT 04 01 A GT 04 Twin Garage Elevations and Floor Plans
DrNo 190902 HT 01 01 B HT A Floor Plans
DrNo 190902 HT 01 02 B HT A Elevations
DrNo 190902 HT 02 01 B HT B Floor Plans
DrNo 190902 HT 02 02 B HT B Elevations
DrNo 190902 HT 03 01 B HT C Floor Plans
DrNo 190902 HT 03 02 B HT C Elevations
DrNo 190902 HT 04 01 B HT D Floor Plans
DrNo 190902 HT 04 02 B HT D Elevations
DrNo 190902 HT 05 01 A HT E Floor Plans
DrNo 190902 HT 05 02 A HT E Elevations
DrNo 190902 HT 06 01 C HT F Floor Plans
DrNo 190902 HT 06 02 B HT F Elevations
DrNo 190902 HT 06 03 C HT F Elevations
DrNo 190902 HT 06 04 C HT F Elevations
DrNo 190902 HT 06 05 A HT F Elevations
DrNo 190902 HT 07 01 C HT G Floor Plans
DrNo 190902 HT 07 02 C HT G Elevations
DrNo 190902 HT 07 03 HT G Floor Plans
DrNo 190902 HT 07 04 HT G Elevations
DrNo 190902 HT 08 01 B HT H Floor Plans
DrNo 190902 HT 08 02 B HT H Elevations
DrNo 190902 HT 10 01 C HT J Floor Plans
DrNo 190902 HT 10 02 C HT J Floor Plans
DrNo 190902 HT 10 03 C HT J Elevations
DrNo 190902 HT 10 04 C HT J Elevations
DrNo 190902 HT 10 05 HT J Floor Plans
DrNo 190902 HT 10 06 HT J Elevations
DrNo 190902 HT 11 01 B HT L Floor Plans
DrNo 190902 HT 11 02 B HT L Elevations

DrNo 190902 HT 12 01 B HT K Floor Plans
DrNo 190902 HT 12 02 B HT L Elevations
DrNo 190902 HT 12 03 B HT L Elevations
DrNo 190902 HT 13 01 HT M Floor Plans
DrNo 190902 HT 13 02 HT M Elevations
DrNo 190902 L 01 01 A Location Plan
DrNo 190902 L 01 02 A Existing Site Plan
DrNo 190902 L 02 01 V Proposed Site Layout
DrNo 190902 L 02 02 D House Type Layout
DrNo 190902 L 02 03 E Boundary Treatments
DrNo 190902 L 02 05 D Parking Layout
DrNo 190902 L 02 06 D Bin Storage Strategy
DrNo 190902 E 02 01 C Proposed Street Elevations 1 of 3
DrNo 190902 E 02 02 B Proposed Street Elevations 2 of 3
DrNo 190902 E 02 03 B Proposed Street Elevations 3 of 3
DrNo 190902 R 01 - - Design and Access Statement
DrNo 190902 S 02 - G Register of drawings
DrNo 190902 LAN 03 01 - F Softworks Proposals
DrNo 190902 LAN 04 01 - F Hardworks Proposal

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

2. Prior to the construction of any dwelling above damp proof course, 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

3. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of development hereby permitted. The content of the LEMP shall be based on the details provided within the PEA report and an up to date bat and dormice survey report and shall include the following:

- a) Provision of bird and bat boxes on at least 50% of all buildings and the establishment of vegetated dark corridors
- b) Description and evaluation of features to be retained/ created and their management
- c) Ecological trends and constraints on site that might influence

management.

- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- h) Details of the body or organization responsible for implementation of the plan.

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

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with policy CP8 of the Taunton Deane Core Strategy 2011 -2028.

4. Where external lighting is to be installed, prior to the first occupation of any dwelling hereby permitted, a lighting design for bats, following Guidance Note 08/23 Bats and artificial lighting in the UK (ILP and BCT 2023), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed. Lux levels should be below 0.5 Lux on key and supporting features or habitats. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Taunton Deane Core Strategy 2011 -2028: Policy CP 8 Environment.

5. No works shall be undertaken on site above foundations level (other than those required to fulfil this condition) unless there has been full implementation for the approved surface water drainage works. The works shall be carried out in

accordance with the approved details and shall be thereafter be retained in that form.

Reason: To ensure the adequate provision of drainage infrastructure.

Reason for pre-commencement: To ensure the development does not cause surface water to be displaced off site and to ensure the provision of drainage infrastructure

6. For the estate road access leading on to Luxton Way, there shall be no obstruction to visibility greater than 300mm above adjoining road level in advance of lines drawn 2.4metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the associated dwelling is occupied and shall thereafter be maintained at all times.

Reason: To ensure suitable access to the site is provided and retained.

7. There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of lines drawn 2.4metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres to either side of the accesses serving Plots 05, 06, 07, 08, 09, 11, 12, 31, 32, 33, 59, 60, 61, 62, 63. Such visibility shall be fully provided before the associated dwelling is occupied and shall thereafter be maintained at all times.

Reason: To ensure suitable visibility is provided and retained at the site access, in the interests of highway safety.

8. There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of lines drawn 2.4metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres to the south side of the access and 56 metres to the north side of the access serving Plot 34. Such visibility shall be fully provided before the associated dwelling is occupied and shall thereafter be maintained at all times.

Reason: To ensure suitable visibility is provided and retained at the site access, in the interests of highway safety.

9. There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of lines drawn 2.4metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres to the west of the access and 36 metres to the east of the access serving Plots 03 and 04. Such visibility shall be fully provided before the associated dwelling is occupied and shall thereafter be maintained at all times.

Reason: To ensure suitable visibility is provided and retained at the site access, in the interests of highway safety.

10. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level forward of the front elevation of Plot 64 across the entire plot frontage. Such visibility shall be fully provided before the associated dwelling is occupied and shall thereafter be maintained at all times.

Reason: To ensure suitable visibility is provided and retained at the site access, in the interests of highway safety.

11. Prior to construction of Plots 31 and 32 above damp proof course, plans showing the parking and turning areas for the Plots shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the approved parking and turning areas have been laid out and properly consolidated in accordance with the approved details and thereafter such areas shall not be used other for the parking and turning of motor vehicles.

Reason: To ensure suitable parking and turning is provided in the interest of highway safety.

12. No dwellinghouse hereby approved shall be occupied until space has been laid out, drained and surfaced within the site in accordance with the approved plans and parking matrix for the parking and turning of vehicles, and such areas shall not thereafter be used for any purpose other than the parking and turning of vehicles associated with the development.

Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway, in the interests of highway safety.

13. The bin and cycle storage facilities shown on the approved plans shall be constructed and fully provided prior to the first occupation of any dwellinghouse, and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities are included for the storage of bins and cycles, in the interests of good design and sustainable transport.

14. 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;
- Protection of retained features and surface water bodies on or adjacent to the site, including control of surface run-off;
- Details of waste management and offsite disposal.

The approved Construction Environmental Management Plan shall be implemented throughout the period of work on site including any preparatory works.

Reason: In the interests of highway safety, environmental protection and residential amenity, and in accordance with Policies SD1 and CP1 of the Taunton Deane Core Strategy.

Reason for pre-commencement: To ensure the development does not cause unacceptable impacts upon the local environment and amenity during the construction phase.

15. No individual dwelling hereby approved shall be occupied until the optional requirement for potential consumption of wholesome water by persons

occupying that dwelling in Part G of Schedule 1 and Regulation 36 of the Building Regulations 2010 of 110 litres per person per day has been complied with.

Reason: To improve the sustainability of the dwellings in accordance with the Taunton Deane: Core Strategy Policies DM5 (the Supplemental Planning Document – Districtwide Design Guide) and Paragraphs 134, 154 and 180 of the National Planning Policy Framework (Sept 2023).

16. 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 (1 October to 31 March) from the date of commencement of the development. Written confirmation of the completion of the landscaping scheme shall be submitted to the Local Planning Authority.

(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 or are uprooted 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.

17. No dwelling hereby permitted shall be first occupied before 1st January 2025.

Reason

The proposed development site falls within the catchment flowing into the Somerset Levels and Moors Ramsar site. The Ramsar site is classified as being in 'unfavourable' condition and new developments which could lead to an increase in phosphates would further contribute to the poor status of this important designation, and therefore Likely Significant Effects, cannot be ruled out.

A Habitats Regulations Assessment (HRA) has been provided to establish whether the proposed development is likely to lead to adverse effects on the interest features of the Somerset Levels and Moors Ramsar site as a result of potential increases in phosphates arising from the proposals. It is possible to

mitigate the effect of increased phosphate load through appropriate land use change and habitat creation at an off-site location, providing it is within the same water catchment.

The Somerset West and Taunton (SWT) Phosphate Calculator indicates that the proposed development will produce an additional phosphate load of 8.35kg/yr (after AMP7) that will be mitigated by the creation of a high-quality habitat that is a mosaic of traditional orchard and shrubby woodland. This will be protected in perpetuity through a S106 agreement with the Local Planning Authority. Given the above, it can be concluded that, with the mitigation in place, post AMP7 there will be no significant effect on the integrity of the Somerset Levels and Moors Ramsar site. The water authority are required to complete the AMP7 upgrade works by December 2024. Therefore to ensure nutrient neutrality on the site is preserved, first occupation of each dwelling hereby permitted should not take place before 1st January 2025.

Notes to applicant.

1. The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
2. The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
3. The applicant is advised to make provision for facilities to charge electric vehicles within the curtilage in order to promote sustainability and mitigate against climate change.
4. Your attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations.

5. In accordance with paragraph 38 of the National Planning Policy Framework 23 the Council has worked in a positive and creative way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.



NOTES

Application boundary



A	Street and road names added	JH/MC	23.06.2020
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REV	NOTES	DATE
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Land at Burges Lane, Wiveliscombe	A
Location Plan	JH / MC

190902 L 01 01	1:2500 @ A3	June 2020
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CliftonEmerydesign

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DRAWING—STATUS PLANNING

CONTRACTORS MUST CHECK ALL DIMENSIONS ON SITE. ONLY FIGURED DIMENSIONS ARE TO BE WORKED FROM. THIS DRAWING IS COPYRIGHT.

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Application Details	
Application Reference Number:	3/37/23/001
Application Type:	Reserved matters
Earliest decision date:	08 November 2023
Expiry Date	06 April 2023
Extension of Time Date	06 February 2024
Decision Level	9 April 2024
Description:	Application for the approval of reserved matters following outline application 3/37/17/019 for the access, appearance, landscaping, layout and scale for the erection of up to 139 No. dwellings and associated works.
Site Address:	Land to the south of Doniford Road and Normandy Avenue, Watchet
Parish:	37
Conservation Area:	NA
Somerset Levels and Moors RAMSAR Catchment Area:	NA
National Landscape (AONB):	NA
Case Officer:	Russell Williams
Agent:	Mr Matthew Kendrick,
Applicant:	Mrs Katie Peters
Committee Date:	
Reason for reporting application to Committee	NA

1. Recommendation

1.1 That permission be GRANTED subject to conditions

2. Executive Summary of key reasons for recommendation

2.1 The application has been subject to considerable revisions compared to its first presentation to the LPA and the amendments have shown notable improvement over

earlier designs. The development now and acceptable design scheme that will deliver 139no. dwellings with affordable housing, play space and extensive open space and landscaping such that it will not give rise to any significant level of harm to the area as a whole. The application is therefore recommended for approval subject to conditions.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

1. Approved plans
2. Materials
3. Landscaping
4. Access - Doniford Road visibility
5. Access - timing
6. Parking and turning
7. Cycle storage
8. Drainage - Management and adoption
9. Bin storage
10. Water Consumption

3.2 Informatives (full text in appendix 1)

1. Proactive Statement
2. EV Chargers
3. RoW
4. Highways
5. Part M Building Regulations

3.3 Obligations

NA

4. Proposed development, site and surroundings

4.1 Details of proposal

The application seeks approval of Reserved Matters in relation to the development of 139 dwellings and associated works on Land south of Doniford Road and Normandy Avenue, Watchet.

The Reserved Matters for which approval is sought are layout, scale, appearance and landscaping, with access having been approved in detail at the Outline planning stage.

Access is approved for the development and is to be formed solely from the southern part of Doniford Road, south of Alamein Road.

During the course of the application, amended drawings have been submitted in order to address comments raised by consultees.

The development comprises of 90 open market dwellinghouses and 49 affordable homes, with a tenure split of 17no. 2 and 3 bedroom shared ownership homes and 32 no. 1, 2, 3 and 4 bedroom social rented properties, combining a range of flats, apartments, bungalows and two storey dwellings. The scale of development varies from single storey bungalows to two storey dwellinghouses.

Access will be derived via the approved access route established at the Outline stage. The submitted layout utilises the same spine road approach as that adopted as part of the Outline application with the adjacent private roads including Cherry Tree Way and Normandy Avenue linking into this. Pedestrian connectivity is provided across the site and link into existing local networks.

The application is supported by detailed landscaping plans, and a management plan to ensure its long-term delivery and maintenance. Strategic landscape planting is proposed to the periphery of the site, including the hilltop park to the northern end of the site. Other areas of informal open space with landscape planting are also proposed throughout the development, with tree planting along key highway corridors within the site.

In regard to drainage, foul water will be pumped to a local foul drainage system providing a connection into the adopted infrastructure. For surface water drainage, the proposals include SUDs basins and swales which reflect the approach set out at the outline stage, and the proposed features remain broadly in the locations that were put forward previously. Drainage mitigation measures have been sized appropriately to deal with the detailed design as proposed. It is proposed to connect the new features to existing ditches with flows restricted to green field run off rates, plus a 45% allowance for climate change.

The application is supported by the following details:

- Travel Plan prepared by Hydrock

- Drainage Strategy prepared by Hydrock
- Archaeological Written Scheme of Investigation prepared by Cotswold Archaeology
- Landscape and Ecological Management Plan (LEMP) prepared by Pegasus
- Construction Management Plan prepared by Edenstone/Grass Roots Planning
- Construction Ecological Management Plan
- Landscaping details
- Play Area Design
- Detailed design drawings

4.2 Sites and surroundings

The site lies on the eastern edge of Watchet, to the south of Doniford Road, between Normandy Avenue and Cherry Tree Way/Alamein Road. It comprises 4 irregularly shaped fields that provide approximately 3.45 hectares of agricultural land.

Existing residential development lies within close proximity to the north and west on Doniford Road. Houses at Admirals Close and Cherry Tree Way abut the application area along the western boundary.

Residential properties at Normandy Avenue and Alamein Road lie immediately adjacent to the site to the east with vehicular and pedestrian access gained to Cherry Tree Way, via Normandy Avenue.

The site and immediate surrounding area was previously used by the MOD and accommodated prefabricated structures to house army personnel and other related uses. These buildings have since been removed from the site and the use of the land reverted to agriculture. Albeit this use is primarily equestrian as the site accommodates pony paddocks.

5. Planning (and enforcement) history

Reference	Description	Decision	Date
3/37/17/019	Outline Planning Application with all matters reserved, except for means of access, for the erection of up to 139 dwellings and associated works at Land south of Doniford Road and Normandy Avenue, Watchet, Taunton	Approved	15/06/2021

6. Environmental Impact Assessment

Not EIA development.

7. Habitats Regulations Assessment

Not applicable.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 25 October 2023

8.2 Date of revised consultation (if applicable):

8.3 Press Date: 12 January 2023

8.4 Site Notice Date:

8.5 Consultees the following were consulted:

Consultee	Comment	Officer Comment
Watchet Town Council	Object to the application. Watchet TC support the comments made by Williton Town Council and the Committee support the comments made by the Affordable Housing Group, including; The unit types for affordable housing should reflect the mix of the overall development; Apartment blocks are not acceptable owing to the communal entrances and	Noted and comments addressed within the report.

	<p>the lack of private outdoor space. These should be replaced with self-contained 1 and 2-bed homes with sole entrances and private outdoor space; Affordable units in the form of flats over garage are discouraged due to the complications of maintenance where space is utilised by multiple residents on a fairly frequent basis; there should be better distribution of Shared Ownership properties and The affordable housing should not be visually distinguishable from the market housing on site. The Committee would also support comments made by a Cherry Tree resident regarding the amendment to footpath away from Cherry tree.</p>	
Highways Development Control	<p>No objection subject to conditions:</p> <p>Access Under the outline permission the proposed access arrangements initially included two vehicular access, one at the northern end of the site and one at the southern end of the site. During the course of the application the northern access was</p>	Noted. Amendments have addressed points.

	<p>removed from the scheme and the application was approved on the basis of being served by a single vehicular access at the southern end of the site. When the application was determined however the approved plans condition included plans for the northern access in error. Whilst access was included as a detailed matter at outline stage it has been listed as a reserved matter for consideration as part of the current reserved matters submission, presumably to address the aforementioned anomaly. The current submission reflects the access arrangements, including in terms of pedestrian / cycle connectivity, accepted by the Highway Authority as part of the outline permission and as such this aspect of the scheme is considered to be acceptable.</p> <p>Layout</p> <p>Our Estate Roads team have reviewed the layout and made the following observations:</p> <ul style="list-style-type: none">• Advanced Payment Codes - The applicant should be aware that in the	
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	<p>instance of any laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC). A section 50 licence will be required for sewer connections within or adjacent to the highway, the application form for which is available from the Traffic and Transport Development Group, Somerset Council: Tel – 01823 357521</p> <ul style="list-style-type: none"> • Visibility - Appropriate adoptable forward visibility splays will be required throughout the inside of all carriageway bends and should be plotted on a drawing at a scale of 1:200 for consideration. • Turning Heads - Swept path drawings have been provided based on the largest FTA Design Vehicle expected to manoeuvre within the turning heads. These would appear to indicate that such vehicles will be able to access and turn within the site, some slight over-running of the verges are shown in areas, this will need to be resolved at technical approval stage. • Carriageways and Footways - Any shared 	
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	<p>surfaces proposed on the site to be constructed in block paving. The area of footway behind plots 107 and 106 should ideally be flush against the carriageway, and the driveway for the parking areas should extend out to the carriageway edge, to avoid kerb overrun. This can be reviewed at technical approval stage.</p> <ul style="list-style-type: none">• Garages and Gates - No doors, gates, or low level windows/utility boxes/down pipes to obstruct footways/shared surfaces. The highway limits should be limited to that area of footway/carriageway clear of all private service boxes, inspection chambers, rainwater pipes, vent pipes, meter boxes (including wall mounted), steps etc.• Tactile Paving - Tactile paved crossings are to be laid out in accordance with DfTs "Guidance on the use of Tactile Paving Surfaces". Dropped kerbing should have an upstand of 0-6mm and gullies must be provided immediately upstream in drained channels.• Landscaping - A comprehensive planting schedule for all proposed planting within or adjacent	
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	<p>to the highway should be submitted for checking and approval at technical approval stage. Planting within adopted areas will require a commuted sum.</p> <ul style="list-style-type: none">• Drainage - It should not be assumed that any new highway drainage can connect into the existing highway drainage system as the existing system may not be suitable/have the capacity to carry the additional water. Where it is acceptable that a connection can be made, this must not be done without a signed and bonded legal agreement in place. The developer should establish at an early stage that a suitable outfall could be provided to discharge surface water run-off from the development (permission must be sought for the outfall). Private drainage should not be located within the prospective public highway areas.• Private surface water from driveways is to be intercepted by positive drainage systems. Gully pots or similar should be used where drives fall towards garages. Channels / drains etc must be connected into the private	
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	<p>surface water system.</p> <ul style="list-style-type: none"> • Attenuation Tanks - Any attenuation tanks proposed on the site need to be sited at least 5 metres from the proposed highway. Details of who the attenuation tanks will be maintained by to be submitted to Somerset Council. • Areas for Adoption - If there are areas which the Developer would like to put forward for adoption this will need to be discussed at the technical detail stage and no presumption should be made that all areas would be adopted. If the Local Planning Authority should grant approval, the estate layout is not quite suitable for adoption in its current form. If there are areas that are to remain private we would require details of future maintenance arrangements. <p>Parking</p> <p>The proposal would see the erection of 139 dwellings on the site, these vary between 1 and 4 bedroom properties.</p> <p>The site is located within Zone B of Somerset Council's adopted Parking</p>	
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	<p>Strategy (SPS). As part of the submission a parking plan has been provided which appears to generally accord with the level of parking recommended for Zone B. The submitted details raise no particular concerns in terms of layout and size however it should be noted that parking bays are expected to be a minimum of 5.0m long, when in front of a boundary wall 5.5m, or 6.0m when an 'up and over' garage door. Where 2 longitudinal parking spaces are used these will need to be a combined length of 10.5m. No details have been provided in relation to cycle parking or EV charging facilities. Under the SPS it is expected that secure, covered cycle parking equivalent to 1 space per bedroom should be provided for each property. There is also a requirement for all properties to be provided with EV charging facilities. It is accepted that these details can be secured by condition.</p> <p>Drainage</p> <p>No objection is raised to the principle of the</p>	
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	<p>proposed surface water management strategy, which relates to both the existing public highway fronting the development and the proposed access roads serving the development, however the following observations are made to inform any subsequent detailed design:</p> <ol style="list-style-type: none">1. As the site falls towards Doniford Road then it is critical that all surface water run-off up to the exceedance event is prevented from discharging onto the public highway. High-capacity gullies will therefore be required at the junction of the new access road onto Doniford Road to achieve this.2. The site survey information would indicate the presence of potentially both a foul and surface water drainage system within Normandy Avenue which could potentially be severed by the new residential access road. Further intrusive investigations should be undertaken to determine the extent of any such drainage systems and to what extent they may need to be lowered, protected, or	
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	<p>diverted to accommodate the construction of the new residential access road.</p> <p>3. Further surface water drainage provision will be required within Normandy Avenue to prevent the discharge of surface water run-off from this private road out onto the new residential access road.</p> <p>4. It is noted that the attenuation ponds are located in close proximity to both new residential access roads and the retained access track serving Liddymore Farm and as such the designer will therefore need to assess the safety and structural stability implications of that proposal. These ponds should be offset as much as is possible from the roads/access tracks to minimise these implications.</p> <p>Conditions recommended.</p>	
Landscape	<p>Original Objection:</p> <p>SUMMARY</p> <p>These landscape comments are in addition to comments made by the Council's Placemaking Officer, which identify issues that are also landscape concerns. These</p>	<p>The comments and queries have been addressed by the applicant and matters are discussed in the assessment.</p>

	<p>comments aim to expand on landscape concerns, and hopefully don't repeat too much of what has already been said in terms of placemaking.</p> <p>11. Design Approach / Constraints</p> <p>1. The proposed layout is rather strange. It doesn't follow what would generally be considered to be a good approach to design and placemaking, as it seems to jar with the existing neighbouring development to the east – having no regard to its form and concept. I can only think that there are reasons that have led to the outcome that have not been explained fully in the Design and Access Statement. I was not involved at outline stage and so I am afraid that I am assessing the proposals based on the information in front of me. Unfortunately, the Design and Access Statement doesn't justify the design. This needs to be addressed and is probably dealt</p>	
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	<p>with best via a meeting.</p> <p>12. Concept</p> <p>2. The design lacks a concept that makes sense of residential development in what is an outer extreme limb of Watchet. The design adopts very urban solutions that are inappropriate for such a settlement edge location.</p> <p>13. Access</p> <p>3. With regard to the site entrance, it is noted that the entrance from Doniford Lane was approved at outline stage, however, it makes no sense, in landscape and placemaking terms, to create a new point of access rather than using the existing entrance into Alamein Avenue which serves the existing residential development to the east. Using this entrance would avoid the need to remove a large section of the roadside boundary hedge in order to create a visibility splay, as well as introducing a second entrance of Doniford Lane that</p>	
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	<p>would add to the urbanising of its generally rural character. If there is no justifiable reason for the need for an independent access then the site should be accessed via Alamein Avenue.</p> <p>14. Layout / Design</p> <ul style="list-style-type: none"> • The positioning of the built development within the redline area makes sense – avoiding higher ground, however, the layout is: overly regimented series of cul-de-sacs; that lacks a sense of there being a “place”, point of arrival, or focus for the development; is overly dominated by the highway; and has a grain, scale, density, and building typology that is overly even throughout the site. • The development is clearly not tenure blind. • There are no concessions to the site being in a settlement edge location and as such 	
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	<p>it does not adhere to the guidance as set out on page 27 / 28 of the district wide design guide SPD.</p> <p>https://www.somers-etwestandtaunton.gov.uk/media/3285/districtwide-design-guide-adopted-dec2021.pdf</p> <p>4. It is recommended that the layout not only looks at Watchet Town for reference but also, particularly at the edges and key spaces, takes cues from the West Somerset village character and reflects a <u>contemporary interpretation of settlement /building/ spatial typologies</u> found in a rural context. Such typologies include: terraced cottages directly abutting the street with private hidden domestic curtilages, Edwardian villas, farmsteads, (with traditional and contemporary barns). See the district wide design guide SPD. Regard should be given in particular to spatial arrangement,</p>	
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	<p>the juxtaposition of blocks to create spaces, and informal layout for highways and parking. Boundary treatment is also of key consideration and provides a useful linking feature to the surrounding context.</p> <p>5. The precedent building typologies and characteristics referenced in the Design and Access Statement that supports the application, do not reflect what could be considered to be the best or the most distinctive character of the context, and instead reflect stereotypical building materials and details that suit volume house building, whereas the precedents suggested in the outline Design and Access Statement – shown in figure 1 - and include forms, patterns and materials that reflect what is good and characteristic of the context. This pallet of building types needs to be revisited, but also expanded upon by looking at West</p>	
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	<p>Somerset villages and not just Watchet.</p> <p>6. It is noted that stone elevations are shown. This is welcomed on the understanding that the stone is natural local stone and not reconstituted. Small amounts of local stone and render would be preferable to large amounts of reconstituted stone.</p> <p>15. Connectivity</p> <p>7. Although it is noted that there are routes to the shops and school etc, these routes do not “drive” the layout and place emphasis on active travel as it should.</p> <p>8. There are no connections with Donniford Road, where a connection would be of benefit, not only accessing the coast and coast path from the site, but also providing access for residents living off Mariners Way and Helwell Street to the hilltop park. A 4m wide tarmac surfaced path should be provided to serve mixed uses and a gentle gradient should be achieved.</p>	
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	<p>9. The paths shown within the public open space are shown as being gravel. Whereas this would be acceptable for some paths, the major circuit connections should be smooth and provide a dry path surface in all weathers. A 4m wide mixed-use path is recommended.</p> <p>10. There is too much reliance on grass paths. The grass paths shown should be gravel, and the gravel paths shown should be bituminous macadam.</p> <p>16. Landscape proposals</p> <p>11. The character of the proposed park reads as being too urban. The public open spaces should aim to provide lots of paths and routes of different lengths for recreation, as well as places to sit at a minimum of 200m distance, but this should be in a country park character.</p> <p>12. The character of the proposed tree planting is too urban. Tree and shrub planting should be established through forestry techniques – planting 90-120cm</p>	
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	<p>size transplants at 2m centres, in clumps, rather than using standard trees dotted about. The proposals need to give an indication of the spatial character that will be created by the tree and shrub planting by demarcating (in the graphics) vegetation that will have a raised canopy and which bits are mass at eye level.</p> <p>13. The plan also needs to include contours.</p> <p>14. Consideration needs to be given as to how the area will be used by people exercising their dogs, secure fencing needs to be provided, with areas where dogs can be allowed to exercise freely.</p> <p>15. The orchard is not an orchard but a group of trees. The incorporation of a traditional orchard would be positive for landscape character; however, the trees would need to cover a much larger area, with trees on standard (M25) rootstock, planted on a regular 10m grid.</p> <p>16. With regard to the</p>	
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	<p>ecological area, it may be more appropriate to manage the land as a traditional orchard. Access should be prohibited, otherwise the resultant character is that of undervalued, waste land, that results in its abuse.</p> <p>17. SUDS needs to be designed with input from a landscape architect. There is a need to see a more detailed plan with contours that shows how planting and topography will work to create a place that is attractive, safe, and usable. Details (in the form of elevations) need to be provided of the water entry and exit points. Structures need to avoid being too engineered/ urban in their solution. Cross sections need to be provided that demonstrate that the slope is safe and usable and makes use of vegetation on steep sections and is also used to assimilates water entry and exit points. It is noted that the there is an intention for the</p>	
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	<p>attenuation areas to hold water at all times, this is positive, however there is concern that the attenuation areas are at the edge of the site and do not appear to provide any recreational enjoyment /engagement.</p> <p>18. Planting in general</p> <ul style="list-style-type: none"> • There is no sense that planting throughout the scheme has been considered as a positive green infrastructure corridor, and instead the planting has been fitted around a development layout filling in left over space. There are trees dotted through the residential areas but they do not provide the connectivity tor network that is desired. Although it is clear that there has been some professional landscape input in some areas, strategic landscape input is lacking. • Information is needed on the approach being taken to tree planting – it is recommended that all trees are container grown specimens, 	
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	<p>planted at smaller sizes so as to achieve better establishment.</p> <ul style="list-style-type: none">• Species should help reinforce a rural character suited to the more rural context and not urbanise the site with overly exotic species and street tree forms.• Ideally, street trees should be avoided in favour of occasional individual trees or clumps. Trees would be best established in hedges. Hedges should be used widely.• The landscape proposals envisage an approach that delivers a finished landscape with feature trees. This is unrealistic, instead planting needs to be achieved through management as well as planting. Feature trees need to be achieved through a large number of trees being planted and then thinned. The need for staked, over large, heavy standard trees should be avoided because invariably events lead to some becoming out of plum which gives rise to a shabby appearance.	
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	<p>17. Construction methods / soil management Assurance needs to be provided that the development of the site will result in the least amount of disturbance to the soil, and that there is limited need to dispose of material off site. To this end, it is recommended that a plan is provided that sets out: which areas will be disturbed, the existing and proposed ground levels, where retaining walls will be situated, and evidence that's sets out the cut and fill is in balance.</p> <p>18. More specific comments that relate to the Landscape Masterplan. (Should be read in conjunction with the marked-up plans below and not withstanding earlier comments.)</p> <p>19. The location of the pumpstation requires that the structure is concealed and detailed in a way that is sympathetic to the rural context to the south and east. This may be better accessed from the site rather than the</p>	
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	<p>entrance from Doniford Lane. Security fencing should be avoided in favour of stone walls.</p> <p>20. The Doniford Lane boundary should be formed from a large hedge bank planted with native hedge species. The bank should be to a minimum of 1.2m high and 1.2m wide. The hedge should comprise a double staggered row of mixed native species including a minimum of 15% holly and should be managed to form an effective screen by being flailed twice per year. The hedge should be established through being allowed to grow in 25cm stages until it is 3m above ground level. The hedge bank should sweep into the site - see below. Where the hedge bank nears built development or ends, it should morph into a stone-faced hedge bank and then stone wall. Again, the stone should be natural local stone. Hedgerow trees (oaks) should be set within the hedge at 10m</p>	
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	<p>centres.</p> <p>21. Tree planting along the main highway is overly tight to hard surfaces and will require to be planted in crates or the design modified to provide more space – the latter would be preferable. Street trees are best avoided in what is a rural context.</p> <p>22. The development is tight to the boundary and leaves very little room between built development and neighbouring property, as well as being oddly juxtaposed to it.</p> <p>23. Contours need to be shown on the layout and it would be helpful if any retaining wall could be indicated.</p> <p>19. Plot boundary treatment – further information needs to be provided on the boundary materials – apologies if these have been overlooked.</p> <p>Secondary comments confirmed some matters addressed and requested further clarification.</p> <p>Further comments:</p> <p>We continue to ask for a</p>	
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	<p>path/cycle route to be provided to connect with Doniford Road (north of site) through the hilltop park. There appears to be an existing cut through on the arial photo, figure 1 and there would appear to be room between the last unit see figure 2. Some provision for a connection needs to be made on the land in control of the developer to allow possible future connection even if the council needs to serve a CPO to make the final connection.</p> <p>The amendments to the layout are noted, and in so far as we are being asked to judge the scheme in plan form only and with no details, the issues raised appear to have been addressed.</p> <p>Where are the key buildings and key groupings?</p> <p>Where is unit 81?</p> <p>There is a lack of information with regard to landscape treatment, however it is appreciated that the detail can come later. However, further reassurance needs to be given as to the scope and quality of the landscape proposals and it is recommended that this</p>	
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	<p>could be provided in the form of a landscape strategy, setting out: the purpose for the planting (assimilation of dev, screening from road, softening of SUD's, etc); including information on the approach to planting; and information on long term management (it might be better to work backwards from a vision of the site after 50 years, and what works are being carried out to deliver this. It is recommended that, other than in regard to tree planting in close proximity to built development where standard trees will be acceptable, and other minor exceptions, that tree planting should aim to be achieved through planting of 90 -120cm tall transplants or small feathered trees using forestry techniques of planting at 2m centres and then thinning over time, rather than using amenity landscape techniques and that standard trees should be avoided. In this way the planting will look less urban. Species mix should aim at being rural in character. Although this does not mean all native.</p>	
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	<p>With regard to the park. it would be preferable for the whole area to be a traditional orchard, made up of standard (form) trees, planting on a 10m grid pattern in the manner illustrated in marked up plan figure 3 below. With the paths and play areas inserted and with trees removed from the grid where necessary. In this way the orchard will truly be a positive bold element and help reinforce positive landscape characteristics, whilst also being beautiful and a great place for play and with a large recreational user carrying capacity.</p> <p>Greater info on boundary treatments, including all areas seen from public realm to be walling not close-boarded fencing. The treatment of the frontage onto Doniford Road (east of the site) is accepted, although greater use of chimneys to frontage and along main road is required.</p> <p>Does Normandy Avenue link to Alamein Avenue, what is the treatment?</p> <p>There is a lack of reassurance regarding the character of the suds.</p> <p>These areas should read as</p>	
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	<p>natural and not just long linear forms. Further information is required, such as contours showing banks with varying slopes; planting, with planting extending into wet areas and aquatics. Also need to be shown with scenarios of different water levels</p> <p>Boundary treatments plan needed.</p> <p>Is the stream running across the road?</p>	
Housing Enabling Officer	<p>No objection following revised proposals:</p> <p>The developer is required to deliver 35% affordable homes on this site under the signed S106 Agreement (dated 9th June 2021), with 60% of the units to be social rent and 40% shared ownership.</p> <p>We note the Reserved Matters application confirms No.49 of the total No.139 homes being proposed will be affordable housing units. This meets the required 35%.</p> <p>Affordable Layout drawing, reference (A0) DRNO 104 REV B, (uploaded to the planning portal on 2nd</p>	<p>NOTed. the AH provision is to be controlled through the s106 Agreement and further dialogue with the Council to satisfy the applicants legal obligations in this regard.</p>

	<p>January 2024) includes the revised accommodation schedule.</p> <p>The overall tenure mix proposed is:</p> <p>Social Rent</p> <p>4 x 4-bed houses 4 x 3-bed houses 3 x 3-bed bungalows 6 x 2-bed houses 1 x 2-bed flat over garage 4 x 2-bed apartments 2 x 1-bed apartments 8 x 1-bed Monnow type apartments</p> <p>The affordable units are integrated across the development with a mix of property types and sizes reflecting the housing need requirements. The affordable housing is not considered to be visually distinguishable from the market housing on site. The dwelling sizes have been assessed and plans show the affordable houses either meet or exceed the minimum internal floor space requirements. All affordable homes have at least 2 parking spaces, the exception being those homes with 1-bedroom. The distribution of visitor parking spaces could be improved as the majority are located in the top third the development. Service charges should</p>	
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	<p>reflect the necessity to keep these properties affordable. It is recommended that any service charges should be calculated on a per metre square basis rather than per unit.</p> <p>In accordance with the S106 agreement, the affordable housing scheme must be submitted to and approved in writing by the Development Enabling Specialist at Somerset Council – West. Active engagement with the Development Enabling Specialist to agree the affordable housing provision is recommended.</p> <p>All affordable homes are required to be let or sold in accordance with the terms of the S106 Planning Agreement dated 17 March 2020.</p> <p>The developer should seek to provide the Housing Association tied units from Somerset Council – West's preferred affordable housing development partners list</p>	
Avon & Somerset Police	<p>No objection.</p> <p>Crime Statistics – reported crime for the area of this proposed development (within</p>	<p>Comments noted and addressed where possible in the design.</p>

	<p>500 metre radius of the grid reference) during the last 12 months is as follows: -</p> <p>Arson & Criminal Damage - 1 Offence Theft - 1 Offence Violence Against the Person - 3 Offences Total - 5 Offences</p> <p>ASB reports for the same area and period total 3.</p> <p>Compliance Statement - at para.3.2 headed 'Community Safety' states that the design incorporates the principles of 'Secured by Design' and lists several bullet points in this regard which I agree with and support. This indicates to me that the applicant has taken some account of designing out crime in respect of this development. I comment further on these bullet points and other aspects of designing out crime below.</p> <p>Layout of Roads & Footpaths - vehicular and pedestrian routes appear to be visually open and direct and are likely to be well used enabling good resident surveillance of the street and public open spaces. The use of physical or psychological features i.e., surface changes by colour</p>	
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	<p>or texture, rumble strips and similar features within the development helps reinforce defensible space giving the impression that the area is private and deterring unauthorised access. The single primary vehicular entrance/exit to the development, has advantages over through roads in that this can disrupt the search and escape patterns of the potential criminal.</p> <p>Orientation of Dwellings – all dwellings should be positioned facing one another, which allows neighbours to easily view their surroundings and makes the potential criminal more vulnerable to detection. A large proportion of the dwellings are also oriented back-to-back, which is also advantageous, as this helps restrict unlawful access to the rear of dwellings which is where most burglaries occur.</p> <p>Bullet point 3.2.2 in the DCS states that this advice will be complied with.</p> <p>Dwelling Boundaries – it is important that all boundaries between public</p>	
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	<p>and private space are clearly defined, and it is desirable that dwelling frontages are kept open to view to assist resident surveillance of the street and public areas, so walls, fences, hedges at the front of dwellings should be kept low, maximum height 1 metre, to assist this. More vulnerable areas such as exposed side and rear gardens need more robust defensive measures such as walls, fences, or hedges to a minimum height of 1.8 metres. Gates providing access to rear gardens should be the same height as adjacent fencing and lockable. Bullet points 3.2.4 & 5 in the DCS states that this advice will be complied with.</p> <p>Rear Access Footpaths – the development incorporates some rear access footpaths and, where essential for access and refuse disposal purposes, the footpath should be gated at the front building line of the dwellings to deter unauthorised access e.g., between Plots 28 & 29.</p> <p>Vehicle Parking – is a mixture of on-plot garages and parking spaces, which</p>	
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	<p>is the recommended option, communal on-street parking spaces and small rear mews courts. The communal on street parking spaces are limited in number, close and adjacent to homes they serve, well overlooked from dwellings with allocated parking spaces, which is also recommended. Rear parking courts are discouraged as they introduce access to the vulnerable rear elevations of dwellings. Such courtyards can also be left unlit and encourage anti-social behaviour affecting the rear of dwellings and parked vehicles. However, some of the rear parking courts appear to be overlooked from dwellings within them e.g., Plots 54-58 which is recommended for this type of parking. Communal Areas - have the potential to generate crime, the fear of crime and antisocial behaviour and should be designed to allow supervision from nearby dwellings with safe routes for users to come and go. In this regard, I have some</p>	
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	<p>concerns regarding the location of the proposed LEAP at the northern edge of the development adjacent to Hilltop Park. It is visible from several dwellings to the south but children using it are potentially vulnerable from any offender in the vicinity of Hilltop Park. From a safeguarding children perspective, I recommend relocating the LEAP to a more central location with good all-round surveillance from dwellings.</p> <p>Landscaping/Planting – should not impede opportunities for natural surveillance and wayfinding and must avoid creating potential hiding places. As a general recommendation, where good visibility is needed, shrubs should be selected which have a mature growth height of no more than 1 metre and trees should be of the open-branched columnar variety devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision. This is particularly relevant in respect of the LEAP, Formal Seating Area, Orchard Area, and any other areas of POS.</p>	
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	<p>Street Lighting – all street lighting for adopted highways and footpaths, private estate roads and footpaths and car parking areas should comply with BS 5489:2020.</p> <p>Physical Security of Dwellings – to comply with Approved Document Q: Security – Dwellings, of Building Regulations, all external doorsets providing a means of access into a dwelling (including communal and flat entrance doorsets) and ground floor or easily accessible windows and rooflights must be tested to PAS24 security standard or equivalent.</p> <p>Secured by Design (SBD) – if planning permission is granted, the applicant is advised to refer to the ‘SBD Homes 2019’ design guide available on the Secured by Design website – www.securedbydesign.com – which provides further comprehensive guidance regarding designing out crime and the physical security of dwellings.</p> <p>Further comments:</p> <p>Access Control (Apartment</p>	
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	<p>Block) – the block incorporates front and rear communal entrances into a communal lobby and the security of the development is enhanced by deterring casual entry by non-residents, so an appropriate form of access control and visitor door entry system connected to each flat should be installed for use by residents and visitors e.g proximity fob, swipe card or similar. A tradesman button should be excluded as these have been shown to result in ASB and enable unlawful access to the building. The block incorporates substantial internal Bike and Bin Stores, which is recommended, and which should be lockable to deter theft of pedal cycles and misuse of wheelie bins for climbing or arson. Communal areas of the block i.e. lobby, stairs, landing should have 24-hour lighting.</p> <p>Frome Unit (Type 1) – these units comprise a flat over a drive-through, which enables access to an internal ground floor Bin & Bike Store. Bearing in mind the flat above, the double door access to this store</p>	
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	<p>should be of substantial construction and lockable to prevent any risk of theft of cycles and misuse of wheelie bins for climbing or arson.</p> <p>Doorsets complying with PAS 24 security standard are recommended for this store.</p> <p>Frome Unit (Type 2) - I have some concerns regarding the security of these units which comprise a flat over carport which are open to the front and rear, meaning that parked vehicles in the carports are out of sight of owners and potentially vulnerable to theft and vandalism. I am also aware of incidents where other property stored in undercroft carports has been set on fire causing serious risk to the occupants of the flat above. I recommend any such carports be fully enclosed and secured at the front by a suitable garage door.</p> <p>Frome Unit (Type 3) - Similar to Type 2, although these carports are enclosed at the rear, they are also open at the front and for the same reasons should also be secured by a</p>	
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	garage door.	
SCC - Ecologist	Requested that further information be submitted to address conditions on Outline application.	The discharge of Condition 9 and requirement to submit further information is a separate process to the considerations of the Reserved Matters. The applicant will submit the required information in order to address the ecology conditions on the Outline separately.
Somerset County Council - flooding & drainage	No objection subject to conditions following submission of further information. Conditions required to confirm details of future Management Company and to address connections to WSessex Water infrastructure.	Noted. Conditions also applied to Outline permission that will control drainage engineering and flood risk impacts. Additional conditions regarding will be added.
Rights of Way Protection Officer	No objection: We can confirm that there is a public right of way (PROW) recorded on the Definitive Map that runs through the site (public footpath WL 28/21) at the present time. I have attached a plan for your information. I have not visited the site. The Definitive Map and Statement are legally conclusive of the existence and status of those public rights of way that they show. However,	Noted. Advisory note to be added as requested.

	<p>they are not conclusive as to what they omit. Therefore, the fact that a right does not appear either on the Map and Statement, does not necessarily mean that it does not exist.</p> <p>1. Specific Comments Surface improvements to and the crossing point of path WL 28/21 over the proposed access road should be secured through a s106 agreement and can be technically approved under a s38 adoption agreement. In the event that there is not a s38 agreement, then a separate s278 agreement will be required.</p> <p>2. General Comments Any proposed works must not encroach onto the width of the PROW. The following bold text must be included as an informative note on any permission granted: Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary 2 closure/stopping up/diversion) or other authorisation has come</p>	
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	<p>into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with. The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.</p> <p>If it is considered that the development would result in any of the outcomes listed below, then authorisation for these</p>	
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	<p>works must be sought from Somerset County Council Rights of Way Group:</p> <ul style="list-style-type: none"> • A PROW being made less convenient for continued public use. • New furniture being needed along a PROW. • Installing any apparatus within or across the PROW. • Changes to the surface of a PROW being needed. • Changes to the existing drainage arrangements associated with the PROW. <p>If the work involved in carrying out this proposed development would:</p> <ul style="list-style-type: none"> • make a PROW less convenient for continued public use; or • create a hazard to users of a PROW, <p>then a temporary closure order will be necessary and a suitable alternative route must be provided.</p>	
Placemaking Officer	<p>The site, situated to the south and east of Doniford Road which abuts two parts of the site, consists of approximately 10 hectares of agricultural land which comprises 5 irregular shaped fields crossing Normandy Avenue and abutting the defined urban edge of Watchet. The southern boundary of the</p>	<p>Noted. As discussed within the report, the applicant's have engaged with the QRP design process and made numerous changes following consultation with Council Officer's. The final design scheme is considered to be a significant improvement upon the original and acceptable to Plannign</p>

	<p>site partly adjoins Doniford Road as it sweeps from north to south along the eastern edge of the site. The reserved matters application proposes to locate the 139 dwellings that the outline application intended (Ref: 3/37/17/019), alongside supporting infrastructure that includes large areas of public open space that also accommodates a Local Equipped Area of Play, drainage features, access roads and landscaping.</p> <p>The proposed scheme fails to follow the advocated Design Process set out in the Council's adopted Districtwide Design Guide SPD, namely that a proposal should as part of their application carry out a Context Appraisal, Site Appraisal and Design Concept in order to demonstrate the thought process for arriving at their proposed scheme. This logical process does not appear to have taken place and the design principles of the overall layout are fundamentally wrong and lacking in placemaking quality.</p> <p>The layout is a one long</p>	<p>Officers as discussed within the report.</p>
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	<p>snaking cul-de-sac with a series of spur cul-de-sacs. This lacks perimeter blocks and vehicular and pedestrian/cycle connections with adjacent development. The proposed highway is standard estate road with one width of carriageway, standard pavements and sweeping corner radii that would merely encourage vehicular speeds. No effort has been made to consider the hierarchy of streets and places as set out in the Design Guide (Section 4.2) and this highways dominated scheme fails to provide any positive placemaking with an entry place, main place, parking squares, lanes etc. This layout would encourage car based movements and not active travel.</p> <p>The layout does not work with the existing road pattern and positively works against the grain of existing development with proposed housing not addressing existing road frontages or providing enclosure to create streetscape. The layout bisects Normandy drive which abruptly stops with an awkward space between the existing and proposed</p>	
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	<p>road, which is likely to become an informal crossover due to the need for connectivity. There are large areas of parking courts which would be anonymous and visually dominated by the parked car.</p> <p>The layout lacks any identity through clear identification of character areas, key groupings, key building, gateways, key frontages, termination of vistas etc.</p> <p>Overall it lacks any placemaking imagination and an identity.</p> <p>Buildings don't link together to provide any curvature and enclosure to the streetscenes and buildings are often awkwardly angled, in particular those on Alamein Avenue. The house types have no relevance to local vernacular forms which are more cottage rather than Georgian town house. The house types would greatly benefit from a local character study to inform both their form, plan form, architectural detailing and materials. Indeed, roofscape interest is entirely missed from the proposed house</p>	
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	<p>types and none of the house houses effectively turn corners.</p> <p>The layout and buildings appear to have no vision for creating an identity for the place and this could easily pick up on some of the 'garden town' cues shown</p> <p>locally with groups of buildings set around green spaces etc. Equally buildings could be set around an informal village square with tight knit lanes enclosed by built form.</p> <p>The suburban anywhere layout and building types is also lacking in variation of density across the site which would be very repetitive. Affordable housing units are also not tenure blind and are associated with the large parking courts. No integrated play space appears to be provided within the scheme; peripheral play space would not provide adequate natural surveillance or easy walk distances.</p> <p>The proposed attenuation ponds are standard engineered forms and could be more integrated into the layout with rain</p>	
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	<p>gardens and more naturalised features.</p> <p>The established mature hedgerow to the front of the site would be removed the full width of the development parcel. This hedgerow is an important feature of the site and would benefit from being retained to better assimilate the development into the wider landscape.</p> <p>Far greater consideration also needs to be given to sustainable features such as PV's, EV charging, rainwater gardens, street trees, bike storage and recycling storage etc.</p> <p>In conclusion, this scheme fails to meet the standard of design required by the SWT Districtwide Design Guide and the requirements of section 12 of the NPPF which states at Para 126 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development</p>	
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	<p>acceptable to communities’.</p> <p>The size of this proposal (above 50 housing units) triggers the need for this development to be considered by the SWT Quality Review Panel.</p>	
Wessex Water Authority	<p>No objection.</p> <p>Original comments:</p> <p>Please find attached an extract from our records showing the approximate location of our apparatus in the vicinity of the site. The applicant has indicated:</p> <p>“The northern foul water catchment flows generated from the site will be drained via gravity to the west of the site, connecting into the existing foul sewer. The existing sewer in the northern catchment will require diversion to suit the new proposed foul sewer layout. Other areas of the existing sewer will require to be abandoned as they cannot be diverted to suit the new proposed foul sewer layout.</p> <p>The southern foul water catchment flows generated from the site will be drained towards</p>	<p>Noted. The outstanding matters and technical design will be dealt with through the discharge of the drainage condition applied at the Outline planning stage and through detailed discussions with Wessex Water following the approval of Reserved Matters and the agent/applicant understand this requirement.</p>

	<p>a foul pumping station located to the southwest of the site. The pump station will then discharge and connect into to the gravity foul water system and discharge into the existing foul sewer.”</p> <p>Drainage Strategy Sheet 1 shows the northern section of the residential area and sewers draining to an existing sewer crossing the site from west to east. The drawing shows a sewer diversion which has yet to be agreed by Wessex Water. The sewer serves dwellings in Cherry Tree Way. The current design will reduce the capacity of this sewer by abandoning a significant length due to diversion into the new on site sewers. The downstream on site sewers may require upsizing at the developer’s cost to accommodate these additional flows.</p> <p>Drainage Strategy Sheet 2 shows the southern section of the site. The existing sewer serving properties in Normandy Avenue is not shown on either drawing. This sewer cannot be abandoned: the drawing must be amended to show how sewerage services to</p>	
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	<p>customers in Normandy Avenue can be maintained. It is not clear from Sheet 2 if all of this southern portion is to be served by the pumping station. Sewers must be added to the drawing to show how southernmost area is served.</p> <p>It is unclear how the pumping station is to be accessed by maintenance vehicles. Any access from the roundabout looks less than ideal. The applicant must supply a swept path analysis to prove safe access and exit from the pumping station by a 4000 Gallon Tanker. Grasscrete is not appropriate for use within the pumping station compound.</p> <p>The applicant must also prove safe access and exit from the roundabout into the pumping station. It must also be proven that there is access for fence maintenance between the compound and the swale. As the rising main is more than 50 metres in length septicity controls may be required.</p> <p>Where chemical dosing is required there are further pumping station</p>	
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	<p>requirements to accommodate and secure additional equipment. Further details here https://www.wessexwater.co.uk/services/building-and-developing/connecting-to-the-public-sewerage-system/sewer-adoption</p> <p>There must be no significant tree planting close to sewers or water mains. Details can be found on page 17 of the Design and Construction guide found here https://www.water.org.uk/sewerage-sector-guidance-approved-documents/</p> <p>The applicant has indicated surface water discharge to local land drainage. Elements of the on-site network can be offered to Wessex Water for adoption, further details can be found here https://www.wessexwater.co.uk/-/media/files/wessexwater/services/building-and-developing/suds-and-surface-water.pdf</p> <p>The applicant should give due attention to access arrangement to SuDs features for maintenance. We would encourage the installation of water butts or at the very</p>	
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	<p>least ensuring down pipes are positioned for future easy installation. There must be no surface water connections to the foul sewer network.</p> <p>The point of connection for water supply is at the corner of Culvercliff Road and Doniford Road. The applicant will need to incorporate a 6 metre corridor (construction easements will be greater) through the site and landscaping area with no significant planting and 24 hour access to ensure this connection can be achieved.</p> <p>Subject to agreement of detail we are able to facilitate an initial point of connection to the 90mm main crossing the site. There must be no more than 20 properties from the application area connecting to this water supply network at the very maximum. Any more could cause a drop in levels of service for existing customers.</p> <p>The existing 90mm main must be marked on drawings. There must be no building or planting within 3 metres of this</p>	
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	<p>main and the layout must show this main to be in public areas for unfettered access for maintenance and repair.</p> <p>Any damage to our assets by third parties will result in a claim for damages.</p> <p>Wessex Water do not object to the application but invite the applicant to contact the undersigned to work through these issues to agree amendments before the application is determined. This should avoid future issues with protecting existing assets and connection / adoption applications.</p> <p>Final comments raised regarding access, distance between the pumping station and swale and distance of 15m required from wet well pumping station and habitable buildings.</p>	
SCC - Historic Environment	No comments received.	Noted.
Williton Parish Council	<p>Objection:</p> <p>First comments:</p> <p>Access:</p> <ul style="list-style-type: none"> • It is believed the poor road infrastructure will not be able to sustain the extra volume of traffic, both during the building stage 	<p>Noted. The matters are addressed within the design and supporting specialist reports and surveys.</p> <p>The matters raised are assessed within the report.</p>

	<p>and after completion for 139 dwellings, which could lead up to more than 500 additional car journeys on the roads per day.</p> <ul style="list-style-type: none"> • There is no direct link onto a main A or B road, only onto a minor road which pass local First (Primary) schools. • If approved, there is a need for a restriction on time of deliveries (not to clash with schools) and specific routes, taking into account environmental impact on increased pollution and noise. • No joined-up thinking regarding ALL the applications around West Somerset and the impact on roads. • No public transport • No pedestrian/cyclist connection along the Doniford Road (Williton). The majority are being built in the parish of Williton and requires pedestrian access for schools, shops etc. • Doniford Road (Williton) is a narrow unclassified road, with poor visibility and prone to flooding. <p>Appearance:</p> <ul style="list-style-type: none"> • The proposed town houses are not in keeping with the area. • Would prefer stone faced 	
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	<p> dwellings, using local stone.</p> <ul style="list-style-type: none"> • Chimneys would improve the character of the buildings and be more in keeping. • Solar panels should be incorporated on each dwelling. <p>Landscaping:</p> <ul style="list-style-type: none"> • Against the loss of ancient hedges. • Disturbing an area of historical value <p>Layout and Scale:</p> <ul style="list-style-type: none"> • The development is too large for the area, there is not the facilities or infrastructure to facilitate. • The houses are too tightly packed, the number of dwellings should be reduced. • Parking areas and electric car charging points – each dwelling should have sufficient supply for overnight charging for 2 cars. • The Play area is on a slope which may cause problems for toddlers/elderly/infirm. <p>Associated Works:</p> <ul style="list-style-type: none"> • Agree with Wessex Water comments regarding sewerage. • Has the requested meeting taken place? • Is there sufficient infrastructure to ensure 	
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	<p>each dwelling has enough power to charge two cars, on a fast, charge?</p> <p>In addition, we would like the committee to consider that the outline planning was granted before the problems now being seen regarding phosphates. Does the application still meet NPPF criteria?</p> <p>Consideration needs to be given regarding the impact on the hospitals, doctors, schools, employment, dentists etc.</p> <p>To reiterate previous comments, the proposed 35% affordable housing is welcome, some dwellings are in Williton Parish Council and the S106 should be amended so that Williton has priority for the houses in Williton parish.</p> <p>Conclusion: Williton Parish Council OBJECTS on the grounds listed above and previously submitted comments. This development is too large and would request if any building is granted, that the number of dwellings is greatly reduced.</p> <p>Secondary comments:</p> <p>Objection maintained</p> <p>The Proposed town houses</p>	
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	<p>are not in keeping with the area.</p> <p>Would prefer stone faced dwellings, using local stone.</p> <p>Chimneys would improve the character of the buildings and be more in keeping.</p> <p>Solar panels should be incorporated on each dwelling.</p> <p>The dwellings should be placed in a manner more suitable for solar panels the proposed layout does not support this.</p> <p>Disturbing an area of historical value</p> <p>Concern for the loss of the ancient hedge would there be a way to “push back” the existing hedge.</p> <p>Ensure there is sufficient infrastructure to ensure each dwelling has enough power to charge 2 cars on a fast charge because of the location residents will rely on their cars to transportation to work school etc.</p> <p>Foot paths to link the estates and Doniford to Williton this will need to be foot/cycle path, there is no public transport there will need to be access to shops and schools for residents.</p> <p>Restrict construction hours to Monday to Friday 8am-</p>	
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	<p>6pm Saturday 8am – 3pm no work to be carried out on a Sunday.</p> <p>There will also need to be a restriction on times of deliveries as to not clash with school.</p> <p>The new access point to the site floods frequently.</p>	
Devon & Somerset Fire & Rescue Service	<p>No objection.</p> <p>Whilst we acknowledge this is a planning application, we take the opportunity to comment on the access and facilities for the Fire & Rescue Service.</p> <p>Consideration should be given at the design stage for the provision of fire hydrants for this development.</p> <p>Please ensure that the requirement within ADB Volume 1: Dwellings Part 5 of the Building Regulations 2010 is complied with.</p> <p>The Fire and Rescue Authority is a statutory consultee under the current Building Regulations and will make detailed comments at that time when consulted by building control (or approved inspector).</p>	Noted.
Nutrient Neutrality Officer	Not within catchment.	Noted.
CIL/s106 Monitoring Officer	No objection.	Noted.

	<p>Overall, we are pleased with the details submitted, we feel that the design concept is good and have the following comments:</p> <ol style="list-style-type: none">1. As the play area is not centrally located, a safe road crossing needs to be provided to enable children to get from the dwellings on the opposite side of the road to the play area safely.2. The play equipment provided covers all the play disciplines and there is an inclusive pod swing.3. The play area doesn't appear to be fenced and therefore there are no gates required.4. The play equipment is wooden – Robinia wood (or similar) should be used and bases will need to have sufficient metal feet to prevent rotting.5. Natural colour safety surfacing and grass safety matting under the play equipment is acceptable.6. The use of gravel paths is acceptable but these paths will need to be maintained and topped up with gravel periodically.7. We like the picnic tables as this encourages a longer stay at the open space and provides more opportunity for socialising	
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	<p>by both adults and children, thereby fostering a sense of community and improved physical and mental health.</p> <p>8. We like the additional informal play opportunities proposed as these encourage exploration of the open space.</p> <p>9. It will be important that any trees proposed within the public open space areas are native species.</p> <p>10. The S106 Agreement dated 9 June 2021 attached to outline permission 3/37/17/019 contains children's play and public open space obligations that will need to be complied with.</p>	
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8.6 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

26 letters of objection and neutral comments have been received making the following comments (summarised):

Infrastructure Concerns:

- Many express worries about the lack of infrastructure to support additional housing developments, citing issues such as collapsing roads, inadequate pedestrian and cycle paths, and unadopted private roads in poor condition.
- Concerns are raised about the strain on existing services such as healthcare facilities, schools, and public transportation, which are already struggling to meet the needs of the current population.

- Concerns are raised about the strain on existing infrastructure, including roads, schools, healthcare facilities, and other amenities.
- Issues such as traffic congestion, lack of pedestrian access, and flooding are highlighted as existing problems that would be exacerbated by the development
- Worries about the capacity of local services to cope with an increased population, including GP surgeries, schools, and dental practices.
- Concerns about long waiting times for medical appointments and the inability of existing facilities to accommodate more patients.

Traffic and Safety Issues:

- Concerns about the condition of private roads (Alamein, Cassino, Normandy, and Rangoon) and their inability to handle heavy traffic, especially with an additional 139 homes. Questions raised about whether the council plans to adopt these roads and widen access to the main road.
- Safety concerns regarding the narrow main road between Williton and the Doniford estate, lack of pedestrian footpaths, and the potential increase in traffic accidents. No mention of how these issues will be addressed in the planning application.
- The proposed developments are expected to worsen traffic congestion on already narrow roads, posing risks to pedestrians, cyclists, and school children.
- Safety concerns are highlighted regarding the lack of footpaths and cycle paths, as well as dangers associated with increased vehicle traffic.
- Uncertainty about land ownership and future responsibility for road maintenance, prompting worries about potential neglect by the developer.
- Requests for changes to footpath routes to preserve privacy for residents and avoid increased foot traffic through private roads like Cherry Tree Way.
- Concerns about the impact of increased traffic on dangerous roads, such as Doniford Road, and the need for mitigation measures to ensure pedestrian and cyclist safety.
- Assertion that the applicant does not own Normandy Avenue and Alamein Road, raising questions about their authority to propose developments affecting these areas.
- Calls for better mitigation measures, such as improved access for pedestrians

and cyclists, and a reduction in single-occupancy vehicle use.

- Suggestions for active travel connections and improvements to existing infrastructure to support sustainable transportation options.
- Calls for reassurance that issues such as road safety, infrastructure, and service provision will be adequately addressed during and after construction.
- Concerns about increased traffic on already congested roads, with inadequate provisions for cycling and walking.

Environmental Impact:

- Concerns are voiced about the loss of green space and wildlife habitats due to development on greenfield sites.
- Residents express a desire to preserve the tranquility and natural beauty of the area, citing sightings of local wildlife and the importance of preserving these habitats.
- Request for the inclusion of swift nest boxes in the development to support biodiversity and comply with planning principles.
- Environmental impact, including increased pollution, loss of natural land, and threats to local wildlife and nature.

Community and Amenity Impact:

- Residents are concerned about the impact on local amenities and services, including healthcare, education, and access to shops and leisure facilities.
- Worries about the loss of community character and identity, as well as the potential for overcrowding and strain on existing resources.
- Questions about plans to expand local schools to accommodate the influx of children and handle the increase in patients at GP surgeries in Williton and Watchet.
- Opposition to the development due to concerns about insufficient local amenities, impact on an unclassified road, and disregard for the local community's needs.
- Concerns about revised plans affecting privacy and creating light nuisance for nearby residents, especially regarding footpaths and street lighting.
- Concerns about the impact of the development on the local community, including

changes to the character of the area and loss of individual village identities.

- Worries that the proposed development sets a precedent for further overdevelopment and loss of local facilities.

Active Travel Infrastructure:

- Calls for improve and safe pedestrian and cycle access to local amenities to reduce congestion and promote alternative, more sustainable modes of transportation.
- Suggestions include the need for footpaths and cycle paths along major roads and within the proposed developments to facilitate safer travel for residents and reduce reliance on cars.

Planning:

- Many objectors express concern about the number of developments in the local area and argue that there is no need for additional housing.
- The proposed development is seen as unnecessary and detrimental to the quiet rural character of the area.
- Concerns are raised about the adequacy of the proposed plans and their consideration of existing infrastructure and community needs.
- Residents seek clarity on issues such as road access, maintenance responsibilities, and the potential impacts of the developments on local services and amenities.

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations strongly indicate otherwise. The site lies in the former West Somerset area. The Development Plan comprises comprise the Adopted West Somerset Local Plan to 2032, Somerset Mineral Local Plan (2015), and Somerset Waste Core Strategy (2013).

As a result of local government reorganisation Somerset Council was established from

the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.

Relevant policies of the development plan in the assessment of this application are listed below:

SD1	Presumption in favour of sustainable development
SC1	Hierarchy of settlements
SC2	Housing Provision
SC4	Affordable Housing
SC5	Self containment of settlements
WA1	Watchet Development
EC1	Widening and strengthening the local economy
TR1	Access to and from West Somerset
TR2	Reducing reliance on the private car
CF1	Maximising access to recreational facilities
CF2	Planning for healthy communities
CC5	Water Efficiency
NH5	Landscape character protection
NH6	Nature conservation & biodiversity protection & enhancement
NH7	Green infrastructure
NH13	Securing high standards of design
ID1	Infrastructure delivery
R/12	Informal Recreation Facilities
T/8	Residential Car Parking
T/9	Existing Footpaths

Neighbourhood Plans:

No Neighbourhood Plan

Supplementary Planning Documents:

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022)

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

10.1.1 The principle of development

Outline permission has been granted for 139 dwellings under permission 3/37/17/019. Along with the principle of development this approved the means of access only. This application therefore seeks approval of the detailed design scheme, being the scale, appearance, landscaping and layout.

The application makes provision of the required affordable housing stock and the developer has a Registered Provider working alongside them to deliver the affordable units.

The principle of development is established and this application must focus attention on the Reserved Matters only, being layout, appearance, scale and landscaping.

10.1.2 Heritage

The application site is not within a Conservation Area and is having regard to the wider setting of the site. The development is not considered to affect the setting of any heritage assets within the immediate or wider area.

10.1.3 Design of the proposal

The proposed design scheme builds upon the Masterplan presented at the Outline stage and delivers a range of dwellings varying from 1 bedroom apartments to 4 bedroom detached dwellinghouses.

During the course of the application various amendments have been made to the design of the application scheme, which have resulted from the applicant's positive engagement with the design Quality Review Panel (QRP) process and further engagement with Officer's.

Following the QRP process the applicants submitted amended proposals that sought to strike a balance between the recommendations of the Panel and Council Officers and what was deliverable on the site, taking into account site constraints and

ensuring a viable development is brought forward. Certain matters that were requested, such as the creation of a foot/cycle link to the northern end of the site onto Doniford Road, simply aren't achievable as such an access was not part of the Outline consent and this would introduce safety concerns.

The main changes are summarised as follows:

- Plots 70-75 have been moved forward to directly face onto Alamein Av as requested;
- The orchard area on the hillock has been reconfigured to be more formal
- Access reconfigured front of Plots 123-128 to provide a larger green margin to the south of these plots by relocating visitor parking spaces elsewhere as requested;
- Plot 105 reconfigured to change the house type and allow the dwelling to be pulled further away from trees;
- Spine road units given a more uniform approach to materials, being almost all brick to reflect main spine roads elsewhere in the town, and then other roads will have a variety of materials used;
- The frontage to the south onto Doniford Road has been adapted to create a more diverse street scene, including a wider variety of roof forms to include hipped roofs, and the building line has been varied, so in general this frontage will be more diverse to reinforce its separate character.
- Other minor design details added such as chimneys..
- Updated landscape details.
- Amendments to boundary treatments, increasing walling where the boundaries will be highly visible from the public realm. In more visually enclosed areas rear boundaries will remain close boarded fence however they will not be particularly visible, such as within courtyard parking areas.

The amended scheme includes various amendments to the affordable housing provision, including:

- All carport FOGs have been removed (plots 81 & 82)
- 4 flats and 2 FOGs have been removed and replaced with houses and bungalows
- 3 accessible bungalows now provided (located in northern field to spread AH across the site)
- Private gardens for all the apartments and a shared seating area provided (plots 54 to 59)
- Plots 60/61 have been provided with a secure rear access to own parking spaces.
- Terraces have been grouped with single tenures.

The scale of the built form ranges from single storey to two storey buildings with traditional building heights across the site. All new properties meet or exceed the nationally prescribed minimum space standards and the scale of the development is therefore acceptable.

The layout of the proposed development has been amended on several occasions during the application process, both before and after the QRP review. It is considered that the layout before Members represents a significant improvement upon the originally submitted scheme and it has been confirmed to generally address the previous points and issues raised by the Council's landscape and urban design specialists.

In relation to layout, the site is broken down into three distinct parcels of land and it is commented on each as follows:

Northern parcel

The highway layout is generally circular providing ease of access around this part of the estate. A small number of cul-de-sacs are created but they avoid the use of large turning heads and terminate quickly to the edge of the built up area.

Visitor parking is now well distributed around the area and enhanced soft landscaping proposed along the frontage of Normandy Avenue, with houses set well back from the highway and intervening landscaping used to soften the street scene. Some houses have been removed and replaced with affordable bungalows which enhances the distribution of affordable homes across the wider site.

Central parcel

The amended layout is dominated by the strong road frontage design along the principle street, with dwellings benefitting from front at gardens of a size that sets units back from the highway and creates a soft green corridor effect. Tree planting is indicated within the street scene and together with the informal front garden areas will deliver a more spacious and open appearance to the street.

The eastern side of the central parcel of land delivers the greatest density of houses across the scheme, which is supported and allows for a low density and more diffused pattern of development to the site periphery. This area is more urban in its appearance and in areas dominated by parking provision, but the units have been arranged into terraces which improves the urban character compared to the original submission. Dwellings are sited as to provide greater road frontage interaction with Normandy Avenue to the east which is also welcomed.

In the middle of the parcel is an area of open space with houses arranged around the shared space creating a formal village green effect within the design.

Southern parcel

The amended layout and house typology now better reflects the rural edge location of the built form. Dwellings are orientated to the periphery of the site to be outward facing, creating a strong built form to the edge of the development, which is softened by planting and SUDs features between the dwellinghouses and open countryside. The estate road layout creates will encourage movement and has various links creating circular routes and will encourage movement and create an attractive environment.

House types are suitably distributed throughout the development site, with the more urban typologies and terraces being used to best effect along the street frontage of the spine road and predominantly within the central parcel and northwest section of the southern parcel of land. This creates more distinct character to individual residential areas than originally submitted and is considered to improve character of the site in general.

The affordable homes have been redistributed across the site and are no longer as condensed as originally proposed. This will encourage social integration and cohesion and offer a better opportunity of delivering tenure blind affordable homes within the scheme.

The appearance of the dwellings will utilise brick render and stone to the dwellinghouses with a mix of roof finishes. The palette of material is generally reflective of those located within the town and on nearby residential developments. The approach is considered to be reflective of local distinctiveness and the amended scheme is considered to have a suitable finished appearance within the detailed design.

Having regard to the above considerations, the design reflects the immediate area, as proposed within the Design Guide, and will provide a residential development that responds positively to the various site constraints whilst also reflecting local character and distinctiveness. The development will relate well to the existing built environment and the rural edge location, and its overall design, having regard to the layout, scale and appearance is considered to accord with policies WA1, CF2, TR2, NH5 and NH13 of the West Somerset Local Plan.

10.1.4 Quality of Accommodation

The size of the dwellings meet the requirements of the nationally prescribed space standards and some variations have been made during the application process to ensure this is the case.

All dwellings have access to private amenity space, which again has come through negotiations and the applicants have shown a willingness to improve the provision of private gardens/courtyards for flatted accommodation, which provides betterment to the living conditions of future occupants. All dwellings have access to rear garden, with an acceptable degree of separation between the rear of dwellings in order to maintain a suitable level of privacy, light and outlook for future occupiers. Properties have level access and would have access to a variety of publicly accessible areas of open space throughout the site.

The development now includes accessible dwellings for the disabled which further enhances the offering of suitably designed accommodation to meet an identified local need, which is welcomed by Officers.

It is considered that the quality of the accommodation and development as a whole is of a high standard and satisfies relevant design criteria, including Local Plan Policy NH13.

10.1.5 Access, Highway Safety and Parking Provision

The Outline planning permission approved details relating to the point of access to the site, with that being off Doniford Road, to the southern edge of the site. The principle of access is therefore established.

The Outline permission requires further details of the proposed access, highway engineering, and construction management to be submitted in order to discharge conditions and in most instances for the details to be agreed prior to commencement of works.

The submitted layout plan accords with the approved location of the site access and now indicates the internal estate road hierarchy and further connections for which approval is now sought.

The estate road layout creates connectivity between the proposed roads and footpaths in the site and with existing routes in the area. The layout is legible and provides good connection both through and around the site, which will encourage walking and cycling within the community.

The application is supported by a parking plan which indicates that 1 and 2 bed flats/apartments will benefit from 1 parking space per unit, 2 and smaller 3 bedroom dwellings will have 2 spaces each and larger 3 bedroom and 4 bedroom dwellings

will have 3 spaces per unit. 28 visitor parking spaces are proposed throughout the development, which equates to the required 20% provision for 139 dwellings.

The level of parking provision accords with retained West Somerset District Local Plan (to 2006) Policy T/8, the details of which are set out in the *Parking Provision Table 4: Residential Parking Guidelines*.

The application includes detailed highway engineering drawings that demonstrate how vehicle tracking standards will be complied with by domestic and service vehicles.

A bin and cycle storage plan is also submitted which demonstrates how each dwellinghouse will benefit from private or shared bin and cycle storage facilities, all of which are considered to be located in suitable and accessible locations across the development site.

The Highway Authority have reviewed the original submission and have not objected to the proposed development, subject to conditions. No comments have been received in relation to the amended development, though very little has changed with the design of the highway infrastructure and the point of access, as previously approved, remains unchanged.

It is pertinent to highlight that the applicants have applied to discharge conditions 6 and 12 of the Outline planning consent, which relate to the Construction Environmental Management Plan and Travel Plan.

Overall, the means of access, highway layout and level of parking provision are considered to be acceptable and would comply with retained Local Plan Policy T/8 and Local Plan Policy TR1 and TR2. Furthermore, the development would not give rise to any severe adverse impact upon highway safety and the proposals therefore comply with paragraph 115 of the NPPF.

10.1.6 Landscaping and the impact on the character and appearance of the locality

The application site benefits from an extant Outline planning permission which establishes the principle for residential development of 139 dwellings on the land, together with access and ecological enhancement areas. It is therefore accepted that subject to detailed matters, the site will be developed and that the design should be suitable for this edge of settlement location.

The site is not within a designated landscape and comprises a group of relatively

unremarkable parcels of agricultural land to the edge of Watchet town.

The key constrain in regard to landscape is the elevated nature of the land to the north of the site. To develop built form over this land would cause a significant impact upon the immediate and wider landscape setting of Watchet town, and therefore, the proposals have been designed to avoid new buildings over the higher parcel of land. Instead, built form is retained to the lower lying land which has a far more gentle topography to it, as well as a good relationship with existing residential development.

To the higher land to the north, it is proposed to create a country style park with public access around its area. This will include an element of new orchard planting and various other landscape features, together with a LEAP. A significant amount of hard and soft landscaping will be delivered to the Hilltop Park including planting of trees, hedges, and flowers, new footpaths, seating, picnic benches, dog bins and children play equipment. The design incorporates accessible pathways so not to restrict access to the disabled or infirm.

Concerns have been raised during the application process in regard to the planting schedule for the scheme. A significant amount of further information has now been submitted which provides for a varied landscaping scheme across the site. The proposed orchard within the Hilltop Park provides a suitable mix of native fruit trees and is set out in the grid pattern with paths intertwining between trees, as previously requested by the former Landscape Officer. This approach leads to a truly positive and bold element of landscaping and open space provision and helps reinforce positive landscape characteristics, whilst also being beautiful and an enjoyable place for play and with a large recreational user carrying capacity.

Further information has been clarified on the planting schedule which now provides suitable soft landscaping and traditional, native species across the site as a whole.

A details boundary plan has been submitted setting out the various types and positions of different boundary treatments across the scheme. Harsh enclosures can be created by high closed boarded fencing and so the use of such an enclosure has been restricted to rear gardens and courtyards where they are not directly visible within the area and softer estate railings, brick and stone walls are located along the more prominent street scenes and highways.

The concerns previously raised by the former Landscape Officer over the hard and soft landscaping scheme are considered to have been addressed and the amended scheme now represent a high quality development that will reflect the characteristics

of the local area and deliver an attractive and well considered scheme, in keeping with the area. The proposals will therefore comply with LP Policies NH5 and NH13.

10.1.7 The impact on neighbouring residential amenity

The site occupies an edge of town location with established residential properties on two sides: to the north and east. The development of houses in the open fields that adjoin the existing residential property will, inevitably, change their outlook and aspect. However, the proposed relationships are considered to be satisfactory. The houses in Doniford Road are across the highway from the site and will be separated by planting and their own front garden areas. Existing and proposed planting will screen and separate existing houses from the proposed new houses. The housing proposed is of a lower density than many other new estates and is set away from neighbouring properties in order to minimise impact upon amenity.

The separation between existing and proposed housing, the change in levels and limited height of houses is such that there will be no significant adverse impacts upon the amenity of neighbouring residential properties.

10.1.9 The impact on ecology and biodiversity

Matters relating to the ecological impact of residential development across the site were considered at the Outline stage and conditions applied to that permission, requiring the submission of an updated strategy for the protection and enhancement of ecological features and habitats across the site. The condition requires up to date surveys to be submitted when applying to discharge the condition as well as detailed relating to a Construction Environmental Management Plan and Landscape and Ecology Management Plan.

It is pertinent to highlight that the applicants have applied to discharge condition 9 of the Outline planning consent, which relates to the ecological impacts of the development and this is being considered at present.

Having regard to this matter, it is considered that a favourable status for wildlife can be maintained through the Outline planning condition and as such no further evidence is required at this time.

10.1.10 Waste/Recycling facilities

The application affords suitable provision for the storage and collection of waste and recycling for each property.

Storage and collection points have been indicated on submitted plans and a suitable plan showing refuge vehicle tracking demonstrates that each location is accessible to waste collection service providers.

10.1.11 Flood risk and energy efficiency

The application is supported by an updated drainage strategy and associated engineering designs for foul and surface water drainage.

Foul drainage will be disposed of via mains sewer and surface water drainage will be attenuated on site and then disposed of via a local watercourse.

Following discussions, the Lead Local Flood Authority have accepted the submitted details and confirmed that they do not object to the proposed detailed drainage scheme.

Condition 07 of the Outline planning permission requires the approval of a detailed surface water strategy prior to the commencement of development and so whilst the submitted design is acceptable to the LLFA, the applicant is still required to have their strategy assessed once more in detail.

It is pertinent to highlight that the applicants have applied to discharge condition 7 of the Outline planning consent, which relates to the detailed drainage strategy for the development. Those details correlate with the submitted detail supporting this application and, therefore, Officers are content that the drainage impacts of the development have and are being suitably assessed.

11 Local Finance Considerations

11.1 Developer contributions were secured by s106 Agreement as part of the Outline planning application.

12 Planning balance and conclusion

12.1 The general effect of paragraph 11 of the NPPF is that, in the absence of relevant or up-to-date development plan policies, the balance is tilted in favour of the grant of permission, except where the policies within the NPPF that protect areas or assets of particular importance provides a "clear reason for refusing the development proposed" or where the benefits of the proposed development are "significantly and

demonstrably" outweighed by the adverse impacts when assessed against the policies in the NPPF taken as a whole.

12.2 For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning Conditions and Informatives

Recommended Conditions

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

(A1) DrNo 100-1 Rev B Masterplan
(A0) DrNo 100-2 Rev B Proposed Site Layout - Sheet 1 of 2
(A0) DrNo 100-3 Rev B Proposed Site Layout - Sheet 2 of 2
(A1) DrNo 101 Site Location Plan
(A1) DrNo 102 Demolition Plan
(A0) DrNo 103 Rev B Materials Layout
(A0) DrNo 104 Rev B Storey Heights Layout
(A0) DrNo 104 Rev B Affordable Layout
(A0) DrNo 106 Rev B Site Sections
(A0) DrNo 107 Rev B Enclosures Layout
(A1) DrNo 108 Rev B Street Scenes
(A0) DrNo 109 Rev B Refuse & Cycle Strategy
(A0) DrNo 110 Rev B Energy Layout
(A0) DrNo 111 Rev A Parking Layout
(A3) DrNo 112 Rev A Key Areas Plan
(A3) DrNo 150 Rev A House Type- Budleigh Corner Floor Plans & Elevations
(A3) DrNo 152 Rev A House Type-Monmouth Floor Plans & Elevations
(A3) DrNo 153 Rev B House Type- Monmouth Corner Floor Plans & Elevations
(A3) DrNo 154 Rev A House Type- Tintern Floor Plans & Elevations
(A3) DrNo 155 Rev B House Type- Dartford-Stone Floor Plans & Elevations
(A3) DrNo 156 Rev B House Type-Chepstow-Brick Floor Plans & Elevations
(A3) DrNo 157 Rev B House Type- Idris Floor Plans & Elevations
(A3) DrNo 158 Rev B House Type- Wye-Brick Floor Plans & Elevations
(A3) DrNo 158-1 Rev B House Type- Wye-Render Floor Plans & Elevations
(A3) DrNo 159 Rev B House Type- Ogmores-Render- Floor Plans & Elevations
(A3) DrNo 159-1 Rev A House Type Ogmores-Brick- Floor Plans & Elevations
(A3) DrNo 161 Rev B House Type- Bournemouth-Brick Floor Plans & Elevations
(A3) DrNo 163 Rev B House Type- Farnham Floor Plans & Elevations
(A3) DrNo 163-1 Rev A Rev B House Type- Farnham-Stone Floor Plans & Elevations
(A3) DrNo 164 Rev B House Type- Farnham Corner - Stone Floor Plans & Elevations

(A3) DrNo 164-1 Rev A House Type- Farnham Corner -Render & Stone Floor Plans & Elevations

(A3) DrNo 165 Rev B House Type 1 Brick- Burford -Type 1 Brick Floor Plans & Elevations

(A3) DrNo 165-1 Rev A House Type - Burford -Type 1 Render Floor Plans & Elevations

(A3) DrNo 165-2 Rev A House Type - Burford -Type 2 Render Floor Plans & Elevations

(A3) DrNo 166 Rev B House Type - Stanton-Stone Floor Plans & Elevations

(A3) DrNo 166-1 Rev A House Type- Stanton-Brick Floor Plans & Elevations

(A3) DrNo 166-2 Rev A House Type- Stanton-Render Floor Plans & Elevations

(A3) DrNo 167 Rev B House Type- Carcroft-Render & Stone Floor Plans & Elevations

(A3) DrNo 167-1 Rev A House Type- Carcroft-Brick & Render Floor Plans & Elevations

(A3) DrNo 168 Rev B House Type- Alveston-Brick Floor Plans & Elevations

(A3) DrNo 168-1 Rev A House Type- Alveston-Render Floor Plans & Elevations

(A3) DrNo 169 Rev B House Type- Ashford Floor Plans & Elevations

(A3) DrNo 170-1 Rev A House Type - Monnow- Type 1-Render Floor Plans & Elevations

(A3) DrNo 170-2 House Type - Monnow- Type 2 - Brick Floor Plans & Elevations

(A3) DrNo 171 Rev B House Type- Frome-Type 1 Floor Plans & Elevations

(A3) DrNo 171-1 Rev A House Type- Frome-Type 2 Floor Plans & Elevations

(A3) DrNo 171-2 Rev A House Type- Frome-Type 3 Floor Plans & Elevations

(A2) DrNo 173 Rev B Tyne- Apartment Block

(A3) DrNo 174 Rev A House Type-Wye Corner-Brick Floor Plans & Elevations

(A3) DrNo 174-1 Rev A House Type-Wye Corner-Render Floor Plans & Elevations

(A3) DrNo 175 House Type-Clyne Floor Plans & Elevations

(A3) DrNo 180 Single Garage-Floor Plans & Elevations

(A3) DrNo 181 Twin Garage-Floor Plans & Elevations

(A0) DrNo 10381 - 100 - 01 Rev E Engineering Layout Sheet 1

(A0) DrNo 10381 - 100 - 02 Rev E Engineering Layout Sheet 2

(A0) DrNo 10381 - 100 - 03 Rev D Engineering Layout Sheet 3

(A0) DrNo 10381 - 101 - 01 Rev D Drainage Strategy Layout Sheet 1

(A0) DrNo 10381 - 101 - 02 Rev D Drainage Strategy Layout Sheet 2

(A0) DrNo 10381 - 101 - 03 Rev D Drainage Strategy Layout Sheet 3

(A0) DrNo 10381 - 1002 - Exceedance Route Plan

(A0) DrNo 10381 - 200 Rev A Refuse Vehicle Tracking

(A0) DrNo 10381 - 201 Rev A Fire Tender Tracking

(A1) DrNo 10381 - 202 Rev A Large Car Parking

(A2) DrNo 10381 - 203 Rev A Pumping Station Vehicle Tracking

(A3) DrNo P22-2431_EN_00_002-E Play Area Details

(A1) DrNo P22-2431_EN_005 Rev A Detailed Soft On-Plot Landscape Proposals
Sheet 1 of 6

(A1) DrNo P22-2431_EN_005 Rev A Detailed Soft On-Plot Landscape Proposals
Sheet 2 of 6

(A1) DrNo P22-2431_EN_005 Rev A Detailed Soft On-Plot Landscape Proposals
Sheet 3 of 6

(A1) DrNo P22-2431_EN_005 Rev A Detailed Soft On-Plot Landscape Proposals
Sheet 4 of 6

(A1) DrNo P22-2431_EN_005 Rev A Detailed Soft On-Plot Landscape Proposals
Sheet 5 of 6

(A1) DrNo P22-2431_EN_005 Rev A Detailed Soft On-Plot Landscape Proposals
Sheet 6 of 6

(A1) DrNo P22-2431_EN_00_006C-01C Detailed Public Open Space Landscape
Proposals

(A1) DrNo P22-2431_EN_00_006C-02C Detailed Public Open Space Landscape
Proposals

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

- 2 Prior to the construction of any dwelling above damp proof course, 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

- 3 (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development.

(ii) For a period of five years after the completion of the development, 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 or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

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

- 4 At the junction between the approved site access and Doniford Road, there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 4.5 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 70 metres either side of the access. Such visibility shall be fully provided prior to occupation of any dwelling hereby permitted and shall thereafter be maintained at all times.

Reason: To ensure suitable access to the site is provided and retained, in the interests of highway safety.

- 5 No dwellinghouse hereby permitted shall be occupied until the access to the site has been fully provided in accordance with the approved plans. The access shall thereafter be retained in the approved form.

Reason: To ensure suitable access to the site is provided and retained, in the interests of highway safety.

- 6 The development hereby approved shall not be occupied until spaces have been laid out, drained and properly surfaced within the site in accordance with the approved plans for the parking and turning of vehicles, and thereafter such areas shall not be used for any purpose other than the parking and turning of vehicles associated with the development.

Reason: To ensure that there is adequate space within the site for the parking and turning of vehicles clear of the highway, in the interests of highway safety.

- 7 A scheme showing precise details of the proposed cycle parking facilities for each dwelling (equivalent to one bicycle space per bedroom) shall be submitted to and approved in writing by the Planning Authority. No dwellinghouse shall be occupied until the approved cycle parking and storage scheme has been fully constructed in accordance with the approved details and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified in perpetuity.

Reason: To ensure that adequate facilities are included for the storage of cycles, in the interests of sustainable transport.

- 8 No dwellinghouse hereby permitted shall be occupied until the developer has submitted to the Local Planning Authority the following details:

- 1) A Surface Water Management Plan for the development site as a whole;
- 2) Details of the Management Company responsible for the future maintenance and management of site wide surface water drainage infrastructure.
- 3) Confirmation and evidence that the foul drainage infrastructure has been fully adopted by the Statutory Undertaker.

Reason: To ensure that suitable management and maintenance of the approved drainage infrastructure is secured.

- 9 The bin storage facilities shown on the submitted plans shall be constructed and fully provided prior to the first occupation of any dwelling hereby permitted, and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities exist for the future residents of the site and that the proposed development does not harm the character and appearance of the area.

- 10 No individual dwelling hereby approved shall be occupied until the optional requirement for potential consumption of wholesome water by persons occupying that dwelling in Part G of Schedule 1 and Regulation 36 of the Building Regulations 2010 of 110 litres per person per day has been complied with.

Reason: To improve the sustainability of the dwellings in accordance with the West Somerset: Local Plan to 2032 Policy CC5 and NH6 and the National Planning Policy Framework (Sept 2023).

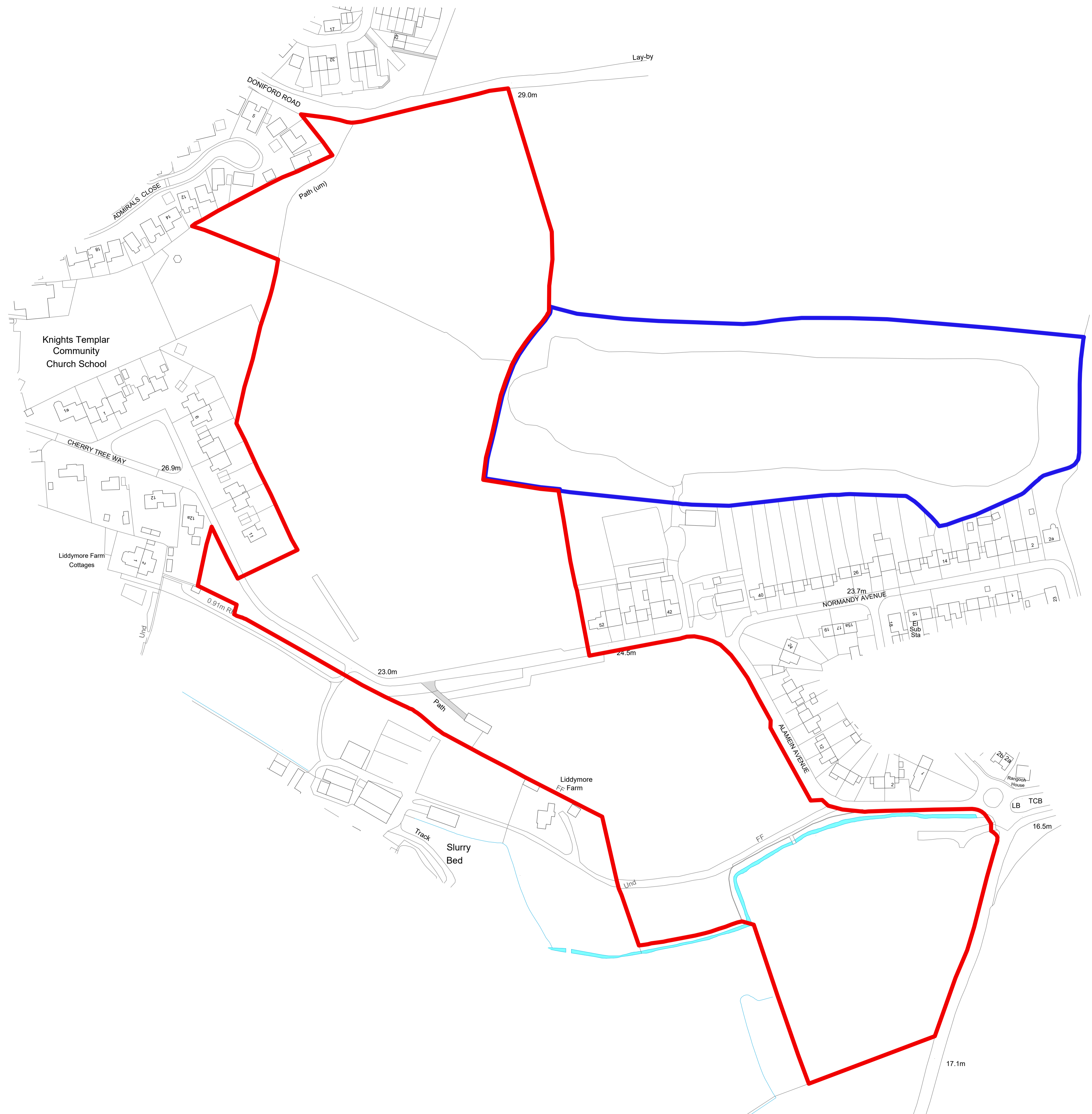
Notes to applicant.

- 1 In accordance with paragraph 38 of the National Planning Policy Framework 2023 the Council has worked in a positive and creative way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
- 2 The applicant is advised to make provision for facilities, in accordance with the Building Regulations, to charge electric vehicles within the curtilage in order to

promote sustainability and mitigate against climate change.


- 3 Development, insofar as it affects the right of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.
- 4 The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of any highway works necessary as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.
- 5 Your attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations.

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KEY:

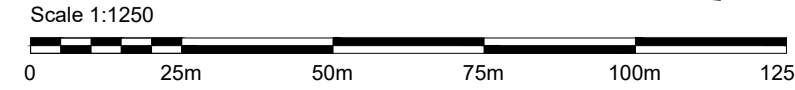

- Approved Outline Red line Boundary
- Retained Ecological Area



1st Floor
Building 102
Wales 1 Business Park
Magor
NP26 3DG
Tel - 01291674800

Project	Land South Of Doniford Rd & Normandy Ave, Watchet	Rev	Date	By	Description
Drawing	Site Location Plan				
Status	Reserved Matters Application				
Project No.	WT-RM	Drawn By	DA	Scale	1:1250 @A1
Drawing No.	101	Checked By		Date	Nov 2022
Revision		Page Size	A1		

Scale 1:1250

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Agenda Item 9

Application Details	
Application Reference Number:	05/23/0030
Application Type:	Full Planning Permission
Earliest decision date:	27 October 2023
Expiry Date	27 November 2023
Extension of time	8 May 2024
Decision Level	Planning Committee
Description:	Change of use of land from agricultural to residential for siting of 4 No. gypsy pitches with associated hardstanding and the erection of 2 No. Day room buildings and 4 No. bin & cycle stores at The Gables, Wellington Road, Bradford on Tone
Site Address:	THE GABLES, WELLINGTON ROAD, BRADFORD ON TONE, TAUNTON, TA4 1EN
Parish:	05
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment Area:	Yes
AONB:	No
Case Officer:	Anthony Pick
Agent:	N/A
Applicant:	MR K & MRS M JACKMAN-HUGHES
Committee Date:	1 May 2024
Reason for reporting application to Committee	Chair call in following Cllr request for the application to be referred to Planning Committee due to the number of objections made contrary to the officer recommendation.

1. Recommendation

1.1 That Officers be given delegated authority to grant conditional approval of the application subject to no objections raised by Natural England to the shadow Habitats Regulation Assessment (sHRA) and the applicant entering into a S106 to secure phosphate mitigation.

2. Executive Summary of key reasons for recommendation

2.1 The proposal will meet an unmet need for the provision of gypsy and traveller

pitches in the former Somerset West and Taunton area. Given the unmet need and lack of alternative sites, the proposal is considered to be compliant with Core Strategy Policy DM3. The proposed development will not give rise to any significant adverse impact upon highway safety. Whilst there will a modest impact on the landscape, a landscaping scheme will be secured by planning condition to provide screening and help assimilate the development into the landscape. Subject to minor updates to the sHRA, the phosphates solution in the form of a PTP is acceptable. The sHRA will be sent to Natural England for comment and phosphate mitigation will be secured by way of a legal agreement.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

1. Time limit
2. Schedule of plans
3. Occupancy (gypsy and traveller)
4. Restriction of number of caravans (4 static and 4 touring)
5. Landscaping scheme
6. Biodiversity enhancement
7. Plan to show consolidated access, parking, and drainage.
8. Entrance gates to open inwards
9. Cycle storage/EV Charging
10. Water consumption

3.2 Informatives (bullet point only)

1. Proactive statement
2. Visibility splays to be maintained
3. License for any works within or adjacent public highway

3.3 Obligations

S106 to secure phosphate mitigation.

4. Proposed development, site and surroundings

4.1 Details of proposal

Planning permission is sought for the change of use of agricultural land to provide four pitches for members of the Gypsy and Traveller community. Each pitch comprises 1 static caravan, 1 touring caravan, and one day room. The proposal also

includes additional tree planting and a new native hedgerow. The pitches will be sited on a permeable hard surface, which has been reduced in size to retain a grassed area within the site.

The proposed day room buildings feature external brick walls under a tiled roof. The bin and cycle store buildings will be timber clad.

A package treatment plan and reed bed are proposed in the northeast corner of the site.

4.2 Sites and surroundings

The application site is located to the rear (north) of the residential property known as the 'Gables', which is a large two storey dwelling with a commensurately sized curtilage. The Gables is under the ownership of the applicant. The applicant also operates a car sales and repair business from the site which was granted planning permission at appeal. Access to the site is from an existing access to the A38 that serves the Gables and the commercial business.

There are a range of uses in the immediate locality with access of the A38, including a residential park home development, known as Devonia Park; Tim Lang Classic Car Restoration; and Rumwell Farm shop. The site is located approximately 0.5 miles from the settlement boundary of Taunton and the residential development at Orchard Grove, located to the east.

The site is located approximately 70m from the nearest bus stop, which is served by the No. 22 bus that operates between Taunton and Wellington. The bus stop is accessible by a pedestrian footpath from the site on the north side of the A38. There is a dedicated bus layby on the south side of the A38.

5. Planning (and enforcement) history

Reference	Description	Decision	Date
E/0310/05/11	Vehicles for Sale and Operation of Car Maintenance and Repairs at The Gables, Wellington Road, Bradford on Tone, Taunton	Appeal Allowed	10 June 2013

6. Environmental Impact Assessment

N/A

7. Habitats Regulations Assessment

The site lies within the catchment for the Somerset Levels and Moors Ramsar site. Natural England have advised the Council that, in determining planning applications which may give rise to additional phosphates within the Ramsar catchment they must as competent authorities undertake a Habitat Regulations Assessment and undertake a project level appropriate assessment where a likely significant effect cannot be ruled out.

As the site is within the catchment area the advice from Natural England applies that any new development that would not achieve nutrient neutrality and would result in further phosphate reaching the ground and the watercourse is likely to be unacceptable because it would affect the integrity of the Somerset Levels and Moors Ramsar Site. Any proposal for new development that could impact on this ecology site must be subject to a project level Appropriate Assessment to establish if there would be a likely significant effect in combination with other plans and projects if the proposed development were to proceed.

The Council's Phosphate Team have reviewed the proposed mitigation and the sHRA will be sent to Natural England for review. Subject to the views of Natural England, the Council is satisfied that there will be no additional impact on the Ramsar site (either alone or in combination with other plans or projects) pursuant to Regulation 63(1) of the Habitats Regulations 2017. A legal agreement will be required to secure the Package Treatment Plant and ensure the development is nutrient neutral.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 05 October 2023

8.2 Date of revised consultation (if applicable): N/A

8.3 Press Date: Weekly list – 6 October 2023

8.4 Site Notice Date: 07 October 2023

8.5 **Consultees** the following were consulted:

Consultee	Comment	Officer Comment
BISHOPS HULL PARISH COUNCIL	No Comments.	Noted.
BRADFORD ON TONE PARISH COUNCIL	<p>Whilst the application site is not in the Bradford On Tone Parish it is immediately adjacent to the parish and will impact upon our parish residents.</p> <p>Discussion at the Council meeting included:</p> <ul style="list-style-type: none"> • Is it a commercial venture? • How long will people stay on the site? • People living close by or owning nearby land were not aware of the application • There are precedents of previous applications (the pub and chicken farm) being declined due to highway issues. <p>RESOLVED to object to the application on the following grounds:</p> <p>(i) highways grounds, specifically road safety due to the speed and volume of traffic on the main road that will make leaving the application site a dangerous manoeuvre especially for larger vehicles, the existing road layout means that visibility</p>	<p>The application is for four permanent gypsy pitches.</p> <p>The development will meet an unmet need for gypsy and traveller pitches.</p> <p>The application was advertised to all adjoining properties, and those in the immediate locality, and a site notice was displayed at site.</p> <p>See highways section of report for consideration of highway impacts.</p>

	<p>of the access is limited as is visibility of the main road for users leaving the site this is a particular problem for vehicles travelling from the Taunton direction towards Wellington and for vehicles turning from the application towards Wellington who will be going across the traffic flow.</p> <p>(ii) concerns about anything increasing the volume of traffic on the A38.</p>	
SOMERSET ECOLOGY	No objection, subject to securing biodiversity enhancement - including details of external lighting, bird and bat boxes, and supplementing hedgerow habitat.	Noted. Recommended planning conditions will secure biodiversity enhancement and require details of any external lighting.
PHOSPHATES TEAM	Minor changes sought to the sHRA. Once received, the sHRA is to be sent to Natural England.	Noted. Phosphate mitigation to be secured through S106.
SOMERSET HIGHWAY AUTHORITY	No objection, subject to conditions.	See report under highways section for further commentary.
WESSEX WATER	Unable to respond to minor applications at this time.	Noted.
LANDSCAPE	In principle, the proposal is acceptable from a landscape point of view, however, there are concerns that it will be visible from the surrounding fields and the environmental quality of	Planning condition recommended to secure ongoing landscape mitigation.

	<p>the land will be impacted by the development.</p> <p>As a result, the following mitigating measures should be taken:</p> <ol style="list-style-type: none"> 1. The new hedgerow should be 2m tall. 2. The hedge row should have indigenous species of trees interspersed along it, following the pattern of the surrounding hedgerows. 	
<p>PLANNING POLICY</p>	<p>Summary - The site is not within or adjacent to a sustainable settlement, and therefore resides in the open countryside.</p> <p>However, there appears to be no significant natural (ecological, flooding) or built heritage environmental designations on or near the site.</p> <p>There is a public transport route adjacent to the site providing access to a range of services and facilities in adjacent settlements.</p> <p>There is an unmet need identified through the GTAA, and the Council does not have a supply of deliverable sites to meet that need.</p>	<p>Noted. Further policy commentary is incorporated into the report.</p>

8.6 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

The Council received 5 individual letters of objection. Cllr. John Hunt lodged a submission on behalf of 38 local residents, who voted to object to the proposal on the basis of highway safety concerns. Those concerns and others raised are incorporated into the table of material considerations below (summarised):

Material Planning Considerations	
Objections	Officer comment
<p>Access and Highway Safety</p> <p>1) the proximity of the access to the bend on the A38;</p> <p>(2) vehicles queuing or moving slowly to enter the site could create hazards for approaching vehicles, particularly those traveling at or above the speed limit, which would be extenuated in poor weather; and</p> <p>(3) exiting the site, especially for long towing vehicle and caravan combinations. Turning left would require extra time and caution, while turning right could present challenges in terms of merging with fast-</p>	<p>Noted. See highways section of the report.</p>

moving traffic. This is especially concerning given the high traffic volume on the road. (4) Accidents on this section of road.	
Noise and Disturbance	There is no evidence that the day-to-day residential occupation of the site by gypsy families would cause undue disturbance. A planning condition will be imposed to secure details of any external lighting.
Odour/Waste Management	Residents of gypsy sites receive the same waste disposal arrangements as any other member of the community.
Proposal is not a permanent mobile home site and would not comply with the Mobile Home Act 2013	Separate legislation which provides for licensing arrangement of sites. The Council's Environmental Health department have confirmed that the applicant would need to apply for a caravan site licence issued under the Caravan Sites and Control of Development Act 1960.
Landscape Impact	Noted. See report under landscape impact section.
Ecology	The Council's Ecologist raises no objection, subject to biodiversity enhancement.
Inaccuracies with the plan	The applicant has confirmed that the land has been surveyed. Any dispute over boundaries would be a civil matter and is not material to the proposed development.

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that

planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.

Relevant policies of the development plan in the assessment of this application are listed below:

Taunton Deane Core Strategy 2011-2028 (September 2012) (CS)

- SD1 - Presumption in favour of sustainable development
- SP1 - Sustainable development locations
- SP2 - Realising the vision for Rural Areas
- DM1 - General requirements
- DM2 - Development in the Countryside
- DM3 - Gypsy & Traveller Sites
- CP1 - Climate change
- CP4 - Housing
- CP6 - Transport and accessibility
- CP8 - Environment

Taunton Deane adopted Site Allocations and Development Management Plan (December 2016) (SADMP)

- A1 - Parking Requirements
- A5 - Accessibility of development
- D7 - Design Quality
- D12 - Amenity space
- SB1 - Settlement Boundaries
- I4 - Water Infrastructure
- ENV1 - Protection of trees, woodland, orchards, and hedges
- ENV2 - Tree planting within new developments

National Planning Policy Framework (NPPF)

4. Achieving sustainable development
5. Decision-making
6. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport

12. Achieving well-design and beautiful places
15. Conserving and enhancing the natural environment

Other Relevant Considerations

The Gypsy and Traveller Accommodation Assessment (2013) (GTAA)

Planning Policy for Traveller Sites (Updated 2023), which sets out the government's planning policy for gypsy and traveller sites.

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022).

Supplementary Planning Documents

District Wide Design Guide, December 2021

Neighbourhood plans:

There is no Neighbourhood Plan in force for the area.

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

10.1.1 The principle of development

Paragraph 25 of the Planning policy for traveller sites (PPTS) states that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan.

CS Policy DM3 - Gypsy and Traveller Site Selection Criteria, sets out a sequential approach to the location of gypsy and traveller sites. The policy seeks that in the first instance consideration has been given to sites within existing settlement boundaries and, where not available, to sites adjoining or adjacent to existing settlement limits. The policy goes on to state that consideration of sites that do not fulfil this criterion will only be justified where alternative sites are not reasonably available to the applicant. It is accepted that there are no alternative sites available and the previous site identification projects have not been successful in bringing forward any sites for gypsy and travellers. The site is located 0.5 miles from the settlement boundary of

Taunton and does benefit from access to public transport. Given that the Council are unable to demonstrate an up to date 5-year supply of deliverable sites, this is a significant material consideration.

Policy DM3 further requires applicants to provide evidence that the occupants are members of the Gypsy or Travelling communities, including information about the intended occupants past travel and their link to work patterns where applicable. Officers are satisfied that the applicant and their family are members of the Gypsy community. The applicant has also provided additional information in respect of health conditions and education needs of family members. The additional pitches will enable family members to provide additional care and support. However, the application does not seek to restrict the use of the pitches to specified persons.

Policy DM3 states that applications for residential gypsy sites should satisfy the following criteria:

- a) The proposal will help to meet a clear and evidenced need as demonstrated through a GTTA or other evidence submitted alongside the application; and
- b) The site is well- related to local services and facilities including retailing opportunities, schools, and doctor surgeries as well as existing employment provision; and
- c) The environmental impacts of the proposal are minimised, this will include appropriate screening and siting of development taking into account landscape issues as well as any likely issues upon wildlife, built heritage and flood risk;
- d) The proposal would not unacceptably prejudice the amenity of adjoining adjacent occupiers; and
- e) The site can be adequately served by the appropriate infrastructure to support the development including foul and surface water drainage;
- f) The impacts of the proposal will not give rise to an unacceptable impact on traffic movements, noise and other potential disturbance arising out of the movement of vehicles onto and off of the site.

The following assessment is provided in response to the criterion above.

- a) Based on the most recent GTAA undertaken in 2013, the former Local Planning Authority areas of Taunton Deane Borough Council (TDBC) and West Somerset Council, identified an unmet demand for traveller pitches. In terms of numbers for the former TDBC area, there has only been 13 residential pitches granted permission since 2013 leaving a shortfall of 73 residential

pitches to the period 2032. Therefore, there is a significant unmet need for gypsy pitches and is a significant material consideration.

- b) The site is not located within or adjoining a settlement boundary; however, the site does benefit from public transport providing connections to Taunton and Wellington. These settlements have a range of services and facilities: primary schools, secondary school, retail, leisure, GP's, Pharmacy, hospitals, and employment. The site is within the timescales of acceptable travel by public transport set out in SADMP Policy A5: Accessibility of development. There is also a large farm shop nearby.
- c) The environmental impacts of the proposed development are minimised through additional landscaping measures and biodiversity enhancements that will be secured through condition. The site is located within Flood Zone 1 and not in a flood alert area in the SFRA Level 1 for the former TDBC district. The site is not located with a National Landscape (formerly known as AONB).
- d) Due to the proposed scale, siting, and separation distances, together with proposed additional screening, it is considered that there would be no significant adverse impact upon residential amenity.
- e) It is proposed to install a Package Treatment Plant, which has been assessed by the Council's phosphates team as acceptable and would ensure nutrient neutrality, subject to the applicant entering into a S106 agreement.
- f) The highway authority does not raise an objection to the proposed development on highway grounds. Given the siting of the access and existing separation distances, it is considered that there would be no significant noise impacts arising from vehicle movements on residential amenity.

10.1.2 Access, Highway Safety and Parking Provision

One of the key issues raised in the objections to the application relate to increased traffic movements and the suitability of the access in respect of highway safety and impacts on the local road network.

The Highway Authority note that the site was the subject of an enforcement appeal in 2013 relating to a change of use from residential use to the sale of motor vehicles and for repairs/maintenance. During the appeal, highway safety was raised an issue by the Highway Authority. However, the Inspector found that having regard to the

road characteristics the existing access was acceptable and allowed the appeal.

The Highway Authority provide the following comments to inform the assessment of the application.

'Whilst the proposed visibility which can be achieved is below standard, the Highway Authority recognises that the principle of access has been established already, and there would be no demonstrable harm from the proposal utilising the site, as the nature of the site already has a level of vehicular movement associated with it. As witnessed at multiple site visits, whilst the A38 is substantially trafficked, there are a number of accesses along this stretch of carriageway, namely Rumwell Farm Shop. Furthermore, recent accident and collision data shows one slight incident in the vicinity of the location.'

On the basis that the Highway Authority raise no objection it is considered that the proposed access and intended use is acceptable. There is sufficient area for parking and turning on site and the proposal is, therefore, consistent with Core Strategy Policy DM3 and SADMP Policy A1.

10.1.3 Design and Quality of the Accommodation

The proposed development relates to the siting of standard static and touring caravans. The amenity building is designed to enable the occupants of the site to come together to eat and to provide washroom facilities away from their caravans. This is a common practice for gypsy families and part of their cultural lifestyle. In addition, bin and cycle storage is proposed.

10.1.4 The impact on the character and appearance of the area

Policy CP8 seeks to strictly control development to conserve the open character of the countryside. To be permitted proposals must protect and conserve the landscape and be appropriate in terms of siting, amongst other matters. The site is viewable from the main road (A38), albeit set well back, and there is some existing screening. The site is also viewed in the context of other developments in the locality fronting the A38 (e.g., Rumwell Farm shop, Devonia Park etc.). The landscape officer considers that there will be no significant impact on views from PROWs (T3/21, T3/23 and 2/24) due to existing hedgerows. The scheme includes additional landscaping in the form of a new native hedgerow and tree planting to help assimilate the development and mitigate any moderate harm to the landscape.

10.1.5 Flood risk

The site is located within Flood Zone 1 and is, therefore, identified as the lowest risk

of flooding. The pitches will be sited on a permeable hardstanding. A planning condition is imposed to ensure that the existing access to the highway is appropriately laid out and that there are no impacts on highway drainage.

10.1.6 Waste/Recycling facilities

The amenity building provides adequate storage space for waste in accordance with SADMP policy D12. Waste disposal arrangements at the site would be the same as any other household with the Council providing collection.

Foul waste will be adequately disposed of via a package treatment plant.

11 Local Finance Considerations

11.1 Community Infrastructure Levy (CIL)

The CIL officer has confirmed that the development is not CIL liable.

12 Planning balance and conclusion

12.1 The general effect of paragraph 11 of the NPPF is that, in the absence of relevant or up-to-date development plan policies, the balance is tilted in favour of the grant of permission, except where the policies within the NPPF that protect areas or assets of particular importance provides a "*clear reason for refusing the development proposed*" or where the benefits of the proposed development are "*significantly and demonstrably*" outweighed by the adverse impacts when assessed against the policies in the NPPF taken as a whole.

12.2 The Council has an unmet need for gypsy and traveller sites. Therefore, significant weight is attached to the delivery of additional pitches, which would outweigh any moderate harm in relation to location and landscape impact. The proposal is considered acceptable on highway safety grounds in the absence of an objection from the Highway Authority. Given the modest scale and siting of the development, it is considered the proposal would have no adverse impact upon residential amenity or dominate the settled community. For the reasons set out in this report, having regard to all the matters raised, it is recommended that planning permission is granted.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning Conditions and Informatives

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:

(A4) Rev B Day Room Plan & Bins & Cycles

(A4) Site Location Plan

(A4) Site Layout Plan

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

3. The site shall not be occupied by any persons other than gypsies and travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Reason: The application has been assessed on the basis that the proposal is for gypsy pitches in accordance with Core Strategy Policy DM3.

4. There shall be no more than 4 pitches on the site. Each of the 4 pitches hereby approved shall have no more than two caravans stationed on the site at any time, of which only one caravan shall be a residential mobile home.

Reason: In the interests of highway safety and to protect the amenities of the surrounding area.

5. Prior to first occupation of the development, a landscaping scheme shall be submitted to and approved in writing by the local Planning Authority prior to

such a scheme being implemented and maintained in accordance with the approved landscaping scheme.

1. The scheme shall include details of the species, siting and numbers to be planted, which shall be based on locally native species.
2. The scheme shall be completely carried out within the first available planting season (1 October to 31 March) from the date of commencement of the development.
3. Written confirmation of the completion of the landscaping scheme shall be submitted to the Local Planning Authority. 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 or are uprooted shall be replaced by trees or shrubs of equivalent size and species.
4. The proposed hedgerows shall be established and allowed to grow to a height of at least 2m and thereafter maintained at a minimum height of 2m.

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

6. The following biodiversity mitigation and enhancement measures shall be incorporated into the site proposal with photographs of the installed features submitted to the Local Planning Authority prior to first occupation and thereafter retained and maintained:
 1. Details of any external lighting. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimise overspill and light pollution. The lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development.
 2. Erection of bird and bat boxes; e.g. 4x Schwegler multi-purpose bird and/or bat.
 3. Log and brash piles could be created within the existing hedgerow to provide habitat for invertebrates and reptiles.
 4. Hedgerow H1 to be restocked with native species to improve the structure of the hedgerow, creating suitable habitat for species such as dormice, amongst others.

Reason: In accordance with Government policy for the enhancement of

biodiversity within development as set out in paragraph 174(d) of the National Planning Policy Framework.

7. No part of the development shall be brought into use until the access, turning areas, parking and drainage has been provided/installed in accordance with details submitted to and approved in writing by the Local Planning Authority. The details shall include provision to prevent the unregulated discharge of surface water onto the public highway and the access between the carriageway and the entrance gates shall be properly consolidated and surfaced (e.g., not loose stone or gravel). Development shall be carried out in accordance with the approved details prior to the commencement of the approved use and retained thereafter.

Reason - In the interests of highway safety.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and re-enacting that Order, with or without modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 6m behind the highway boundary and hung so as to open inwards only.

Reason: To allow a vehicle to wait off the highway while the gates are opened or closed and thus prevent an obstruction to other vehicles using the highway, in the interests of highway safety.

9. Prior to first occupation of the development, provision for the charging of electric vehicles and cycle storage shall be provided on site. Details of the EV charging facilities shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Development shall thereafter be carried out and maintained thereafter in accordance with the approved details.

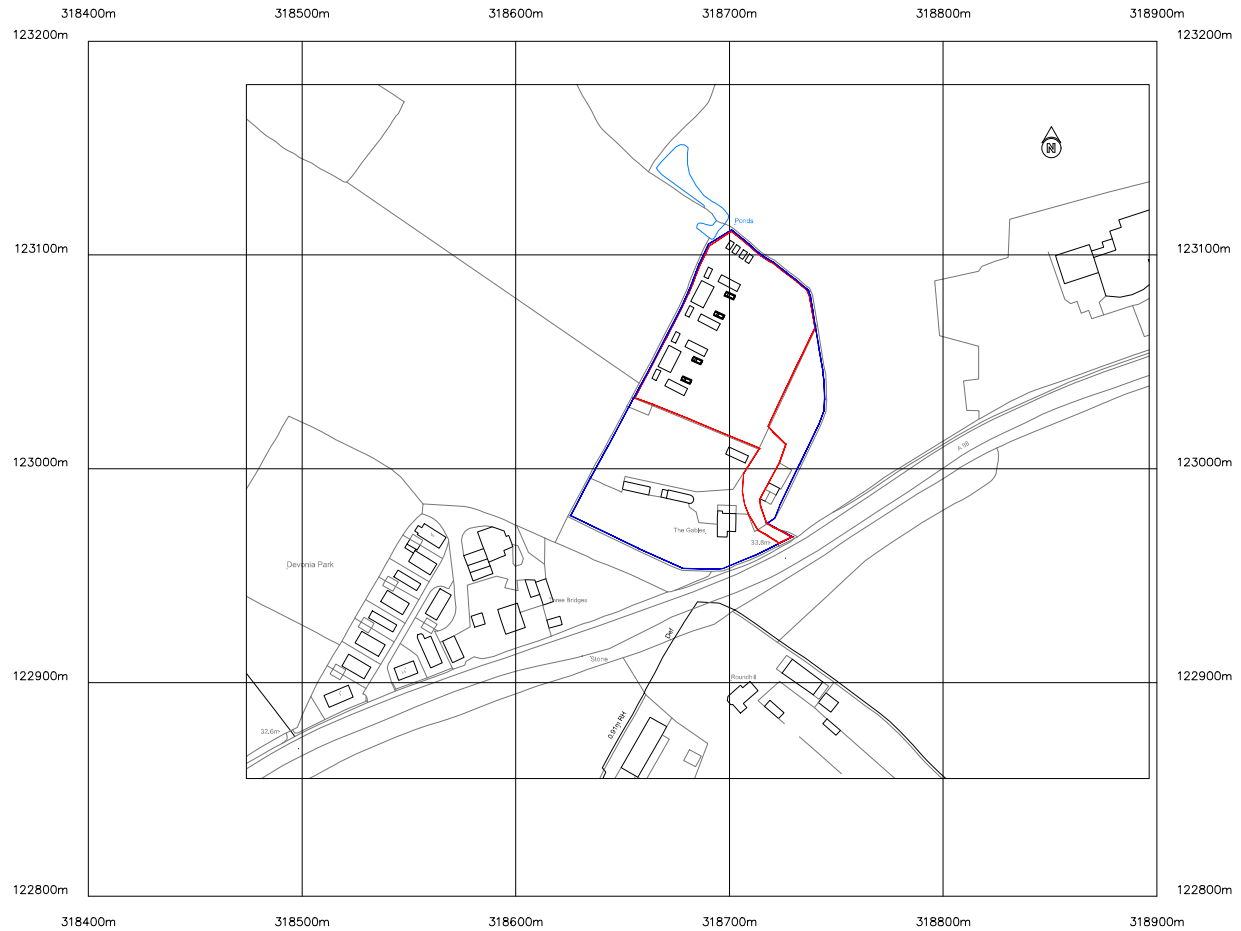
Reason: In the interests of securing sustainable development.

Notes to applicant.

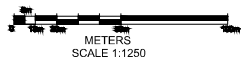
1. In accordance with paragraph 38 of the National Planning Policy Framework 23 the Council has worked in a positive and creative way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. The applicant is reminded that the existing visibility splay shall be kept

permanently clear of all obstructions to visibility greater than 900mm above the level of the adjoining carriageway, as per Planning Appeal APP/D3315/C/12/2183108.

3. The applicant will be required to secure an appropriate licence for any works within or adjacent to the public highway required as part of this development.



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Application Details	
Application Reference Number:	38/23/0406
Application Type:	Full Planning Permission
Earliest decision date:	04 January 2024
Expiry Date	26 January 2024
Extension of time	26 March 2024
Decision Level	Committee
Description:	Change of use of part residential (C3) and part community use (F2(B) to full residential use with demolition of 3 No. extensions with various repairs and restorations, erection of ground and first floor extensions and detached garage and installation of solar panels at 17 Trinity Street, Taunton
Site Address:	17 TRINITY STREET, TAUNTON, TA1 3JG
Parish:	38
Conservation Area:	n/a
Somerset Levels and Moors RAMSAR Catchment Area:	Within
National Landscape (AONB):	n/a
Case Officer:	Mrs A-M Galliot
Agent:	
Applicant:	A GREEN
Committee Date:	
Reason for reporting application to Committee	The applicant is a current employee of Somerset Council.

1. Recommendation

1.1 That planning permission be GRANTED subject to conditions.

2. Executive Summary of key reasons for recommendation

2.1 Though the loss of community use is regretted, it is considered that this would be outweighed by the benefit of bringing a vacant building back into use and securing the long term preservation of a listed building. The principle of the redevelopment of the

site is considered acceptable and there are no amenity concerns. The proposal has been screened out from requiring a Habitats Regulations Assessment.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

- 3.1.1 Time limit
- 3.1.2 Approved plans
- 3.1.3 Doors, windows and roof lights
- 3.1.4 Partitions
- 3.1.5 Details of new stairs joinery
- 3.1.6 Details of external paint
- 3.1.7 Details of any new RWG
- 3.1.8 Details of garage doors/windows/roof materials
- 3.1.9 Gates
- 3.20 Cycle storage

3.2 Informatives (bullet point only)

- 3.2.1 Proactive Statement

4. Proposed development, site and surroundings

4.1 Details of proposal

The proposal seeks planning permission to revert the entire property back to sole residential use as a single dwelling house together with restoration and refurbishment of the listed building and its grounds.

The proposed works consist of the following key elements;

Ground floor:

- Demolition of modern extensions which are not subject to the listing
- Demolition and rebuilding of a single storey extension to the rear of the property
- Demolition and rebuilding of a new porch to the south elevation
- New porch to be timber and glass with flat roof and parapet walls to match adjoining extension
- A new stairway up to the first floor –location will be more in keeping with the original layout
- Installation of PV panels on the south and west facing elevations, circa 16 panels.
- Removal of all modern stairs

First floor:

- Erection of an extension to an existing toilet to include a shower
- Installation of new Juliet style balcony to the West façade
- Installation of conservation roof lights to west elevation
- Removal of existing stairs and replacement of stairs to work more harmoniously with ground floor stairs
- Refurbish original windows where possible and replace for timber sliding sash windows to match existing where necessary.

Second floor:

- Installation of conservation roof light to west elevation
- Reinstatement of dormer to south elevation per original design
- Upgrade of existing windows, not deemed fit to restore

Grounds

- Erection of a coach house style double garage and turning circle to include electric charging point
- West area of site to be transformed into large garden area, lawn and paving with landscaping

Please refer to drawings for full details of proposed works. Revised plans have been submitted and re-consulted. The revised drawings align with the originally submitted design and access statement, which mentions PV solar panels on the parapet roof. These can now be seen on Rev B. Additionally, the originally submitted plan shows a velux window on the north elevation but this should be on the west elevation - the updated drawings reflect this.

The existing first floor layout has been amended to show the kitchen that was in place at point of the last occupancy. The proposed floor plan at second floor level has been revised by replacing one of the bedrooms with a dressing room as this is now what the applicants are envisaging.

4.2 Sites and surroundings

The application relates to the Grade II Listed No. 17 Trinity Street - National Heritage List for England (NHLE) List Entry Ref. 1276310, listed July 1975.

The following heritage assets are in proximity to the site:

Grade II Listed Church of the Holy Trinity (NHLE – 1059942), located immediately opposite the site to the north-east;

Grade II Listed No. 18 & 19 Trinity Street (NHLE – 1059943), located immediately to the north of the site and

Grade II Listed No. 20 & 21 Trinity Street (NHLE – 1059944), located c. 20m to the north.

Trinity House was built in 1847 as a primary residence. It comprises a 3-storey semi-detached house which has been converted and extensively extended at ground floor level, furthermore the first floor has likely changed dramatically from the original layout.

The main house is constructed in traditional solid masonry beneath a pitched hip ended slate roof incorporating side and rear projecting gables. The east elevation to the property has a more modern stucco rendered finish and a number of the window openings are infilled and rendered. A photo of the original house shows that the 2 infilled windows were open and this elevation was painted. The south elevation is ornamental with stone quoins and window reveals and forms the most attractive element of the building. The rear elevation is brick and painted render.

The extension attached to the south elevation was built circa 1946. Further significant extensions were added in C20. The modern side and rear additional buildings were constructed in the late 1970's consisting of a skittle alley running along the southern elevation and a hall and toilets to the rear of the site.

The property is currently rated part residential C3 usage and part F2(b) class usage. The lawful use of the ground and first floor of the building is a social club. There is a residential flat (currently empty) at second floor level. The existing ground floor layout comprises a bar area, two snooker rooms, skittle alley, hall, utility and a more recently constructed disabled toilet. The first floor layout comprises a snooker room, store and an office. The second floor accommodation comprises three bedrooms, kitchen, hallway and a bathroom. On the south elevation of the property runs a driveway providing access to the rear of the of the property which is tarmacked .This was a car park for the social club, this is overgrown and has been used more recently as a dumping ground for rubbish and rubble.

In August 2019 the social club ceased trading and the building has been empty and lacking in maintenance since. The new owners purchased the premises in August 2023. Unfortunately, during the past 4 years the site has suffered a spate of vandalism, rough sleepers, stripping out of assets such as copper piping and radiators. As a result the entire property has fallen into a state of disrepair and is considered derelict. There is currently no water, electricity or gas.

An email confirmation from the Trustees notes that ‘ *It was a year before the Trustees were able to gain access to the property, during which time much of its contents had been removed or sold off and when the Trustees were able to gain access the place had been trashed including the flat on the top floor, in such a condition, under advice, the Trustees, in accordance with the Trust, decided to place the building on the market*’. The Trust Deed state that the building was held in trust for the exclusive use of the Club, and if the Trustees could not find any other group (which because of the condition of the building they could not), it was to be sold’.

5. Planning (and enforcement) history

Reference	Description	Decision	Date
38/23/0405/LB	Change of use of part residential (C3) and part community use (F2(B)) to full residential use with demolition of 3 No. extensions with various repairs and restorations, erection of ground and first floor extensions and detached garage and installation of solar panels at 17 Trinity Street, Taunton	Pending decision	
38/05/0403	Erection of extension for disabled toilet at Holy Trinity Men's Club, 17 Trinity Street, Taunton	Conditional Approval	25/10/2005

6. Environmental Impact Assessment

NA

7. Habitats Regulations Assessment

The site is located within the catchment of Somerset Levels and Moors Ramsar.

The Council has considered the content and the potential impacts of the proposed development on the Somerset Levels and Moors Ramsar site. The Council concludes that proposed development will not give rise to any Likely Significant Effects on the Somerset Levels and Moors Ramsar site in relation to phosphate inputs, alone or in combination with other plans or projects. As such this application is screened out from requiring an Appropriate Assessment under the Habitats Regulations.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Date of consultation: 04 December 2023

8.2 Date of revised consultation (if applicable): 08 February 2024

8.3 Press Date: 14 December 2023

8.4 Site Notice Date: 20 February 2024

8.5 **Consultees** the following were consulted:

Consultee	Comment	Officer Comment
Taunton Town Council	Support	Noted
Ecology	Having reviewed the above application, the plans/ and or photographs indicate the area of the existing building/area where the proposed development is to be constructed to be negligible for ecological features. Development can continue.	Noted
Phosphates team	Following the review of the information submitted, the Council has considered the	Noted

	<p>content and the potential impacts of the proposed development on the Somerset Levels and Moors Ramsar site. The Council concludes that proposed development will not give rise to any Likely Significant Effects on the Somerset Levels and Moors Ramsar site in relation to phosphate inputs, alone or in combination with other plans or projects. As such this application is screened out from requiring an Appropriate Assessment under the Habitats Regulations.</p>	
Transport Development Group	Standing Advice	Noted
Heritage	<p>Heritage comments</p> <p>15 December 2023</p> <p>The principle of bringing the original, domestic use of the building back is welcomed, as is the general sympathetic restoration of the listed building and returning the currently vacant building to a viable use. The removal of the skittle alley and snooker room will be beneficial in enhancing the appearance of the listed building and the setting of the adjacent listed buildings. The proposals will reinstate elements of the original layout of the</p>	Noted

	<p>building, such as the ground floor staircase, which will be beneficial.</p> <p>The proposed new double glazed windows supplied won't be acceptable. The glazing will need to be much thinner – maximum of 12-16mm and the form of the window will need to include glazing bars to match the existing windows.</p> <p>Overall, the scheme would comply with national and local heritage legislation and policies, in conserving and enhancing the listed building and the setting of the adjacent listed buildings.</p> <p>It is recommended that the application is approved subject to conditions which are set out in full at the end of this report.</p> <p>Additional heritage comments following re-consultation:</p> <p>12 February 2024</p> <p>Solar panels – the proposed panels on the south elevation of the new western, single storey extension would be largely obscured by the existing eastern extension. If the</p>	
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	<p>panels and fixings were black to blend in with the roof, this would be acceptable within the setting of the listed building. Also, if the proposed panels on the flat roof of the eastern extension would not be visible from ground level, these would also be acceptable.</p> <p>East elevation - the replacement of a window for a door on the east elevation would be acceptable as this would remain in character with the existing building. The two new windows on the modern extension would also be in keeping with the character of the building.</p> <p>First & Second Floor Plans - the proposed change to the use of the rooms is not a heritage issue.</p>	
Wessex Water	Wessex Water has no objections to this application.	Noted

8.6 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

One letter has been received making the following comments (summarised):

Material Planning Considerations	
Objections	Officer comment
None	
Support	Officer comment
<p>Since the closure of the Holy Trinity Social Club in August 2019 living next door to an empty, rapidly decaying building has been a big concern to us. This property has been neglected in recent decades and stripped of anything of any value in the past few years.</p> <p>We are writing in support of Mr & Mrs Green's planning application to change the use of no. 17 Trinity Street, Taunton to residential and support the submitted restoration plans to renovate and refurbish the Grade II listed building.</p> <p>We are keen for the property to revert to a sole residency. Much of the extensions added to the building in the last century were a retrograde step and we welcome the proposed demolition of most of these extensions. The proposed scheme will change a building which is currently a concern to an asset on our Street.</p>	Noted

9. Relevant planning policies and Guidance

Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act), requires that in determining any planning applications regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations strongly indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree

the timetable for the preparation of the local plan and scope in due course.

Relevant policies of the development plan in the assessment of this application are listed below:

SD1 - Presumption in favour of sustainable development,
SP1 - Sustainable development locations,
CP8 - Environment,
CP1 - Climate change,
CP4 - Housing,
CP3 - Town and other centres,
CP6 - Transport and accessibility,
DM1 - General requirements,
DM4 - Design,
A5 - Accessibility of development,
D5 - Extensions to dwellings,
A1 - Parking Requirements,
C4 - Protection of community facilities,
D10 - Dwelling Sizes,
D12 - Amenity space,
D7 - Design quality,
I4 - Water infrastructure,

Supplementary Planning Documents

Public Realm Design Guide for the Garden Town, December 2021

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022).

Neighbourhood plans:

There is no Neighbourhood Plan for this area.

9.1 National Planning Policy Framework

The proposal accords with the general principles of the NPPF.

10. Material Planning Considerations

The main planning issues relevant in the assessment of this application are as follows:

10.1.1 *The principle of development*

The site is located in a highly sustainable location within Taunton Town Centre boundary where residential development is considered acceptable in principle. The lawful use of the second floor is C3 residential. The other properties in the same terrace are all residential properties.

Part of the building is in community use, and whilst currently vacant such uses are protected under policy C4 of the Site Allocations and Development Management Plan.

The policy C4: states' The loss or change of use of existing community, cultural and social facilities will only be permitted where:

- A. Evidence is submitted to demonstrate that there is no longer a community need for the facility; and
- B. The facility is no longer financially viable; and
- C. It could not be put to another similar, community use; or
- D. Replacement facilities are provided on site, or within the vicinity to meet the needs of the local population.

The planning statement notes that in August 2019 the social club ceased trading and the building has been empty and lacking in maintenance since. The information from the Trustees confirms that there has been little interest in the property from community groups given the condition of the building and the cost required to bring it back into a habitable condition despite enquires being made for over 3 years. In terms of the site being put to another community use, this was considered by the trustees who are stakeholders in Holy Trinity Church which is located opposite the property. In collaboration with the church they sought to restore the site as rooms for the church to use. Their assessment confirmed that it was cost prohibitive to do so. This was explored from Aug 2000 until Feb 2022 but no interest from community groups was forthcoming at which point they sought to dispose of the property as the trustee deed advised.

Robert Cooney was appointed to sell the property in March 2022. The letter from the estate agent notes that whilst there were some enquiries from investors, the level of works required and cost associated to bring the building back into a usable condition made it economically unviable. For over 3 years options were explored by the Trustees

to retain the premises for community via a tenancy and a buyer use without success.

The proposal would enable the reuse of a redundant listed building, which has remained vacant for a significant period of time, so in this regard the proposal is looked upon favourably. Further to the above, there are a range of replacement facilities within the vicinity which meets the needs of the local population. These include but are not limited to: Eastside Canteen, The Salvation Army, The Lawns Social Club, The Cic Cic, The Somerset Inn and The Flying Horse. All of these establishments are accessible either by walking, cycling or public transport. The principle of development is therefore considered acceptable.

10.1.2 *Design of the proposal and Heritage impact*

The Council has a duty to preserve and enhance the character and setting of listed buildings under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that “In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority...*shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses*”.

The application includes a comprehensive Heritage Statement which has explored the historic development and significance of the building – which has been found to focus upon its architectural interest. The proposal seeks to reinstate a derelict listed building and return it to a family home as was the original intended function of the building. The internal footprint and configuration are well suited for conversion into full residential use with minimum alterations required internally in order to facilitate the change of use. The proposals will reinstate elements of the original layout of the building, such as the ground floor staircase, which will be beneficial. The proposal would result in the reduction in the overall built form. The Council's Conservation Officer considers that the C20 additions and alterations to the building have eroded its appearance and architectural interest, as well as the setting of the adjacent heritage assets. Therefore, the removal of some of these elements would be beneficial in enhancing the appearance of the building and the setting of the adjacent listed buildings.

The proposal seeks to reduce the modern built alterations and to sympathetically restore and enhance both the external and internal appearance of the building. It is considered that overall the proposal would impact positively on the setting of the listed building and the adjacent heritage assets. Also, finding a viable alternative use for the building would be in the interest of sustainable development, particularly considering its listed status. Without an alternative use, there is a risk the building could become more neglected over time and fall into a worse state of disrepair. The principle of the

redevelopment of the site is welcomed.

The proposed detached garage is set back towards the east boundary of the site. It would be located in the position of former stables/coach house, so would preserve the prominence of the main house. The solar panels are proposed to be sited on the roof of the single storey projection facing Trinity Street. The parapet wall would help to conceal the panels from view. The other panels on the south elevation of the new western, single storey extension would be largely obscured by the existing eastern extension. The Council's Conservation Officer considers that if the panels and fixings were black to blend in with the roof, this would be acceptable within the setting of the listed building. Also, if the proposed panels on the flat roof of the eastern extension would not be visible from ground level, these would also be acceptable. It is recommended that a condition to secure the above details is imposed.

Overall, the scheme is considered to be acceptable on heritage grounds subject to confirmation on appropriate window/door details, including partitions and joinery and the use of appropriate building materials. Subject to conditions, it is considered that the scheme would comply with national and local heritage legislation and policies, in conserving and enhancing the listed building and the setting of the adjacent listed buildings. This is in line with paragraph 199 of NPPF and Policy CP8 of the Taunton Deane Brough Core Strategy 2011-2028.

10.1.3 *Quality of Accommodation*

The accommodation provided (3 bedrooms) is considered acceptable taking into account the intensity of the occupation envisaged and the character of the area, having regard to existing number of converted buildings in the vicinity. The proposal meets the minimum internal space standards of policy D10. Following demolition works, a large private outdoor amenity area will be created to the rear of the property, which meets the requirements of policy D12. All habitable rooms will receive adequate daylight.

10.1.4 *The impact on neighbouring residential amenity*

The site is located in a densely populated urban area surrounded by residential properties. The proposal has been designed to minimise the likelihood of overlooking towards neighbouring properties/garden areas, taking into consideration heritage considerations. It is considered that the amenity of occupiers of neighbouring properties would not be harmed in terms of overlooking, loss of light or outlook.

10.1.5 *Access, Highway Safety and Parking Provision*

The proposal is located in a highly sustainable location. The second floor of the building is already in residential use and although currently vacant, the residential use of the site has already been established. It is considered that the change of use of the remainder of the building into full residential use would not contribute to an increase in the need to travel by a car, or impact on sustainability considerations over and above the existing use.

The site benefits from an established vehicular access off the public highway leading onto a narrow driveway, which runs parallel to the southern site boundary. There are no changes proposed to the existing vehicular access to the site, which is already tarmacked and is sufficiently wide to accommodate the anticipated traffic movements. There is a good visibility in both directions, when joining onto the main road. In accordance with Somerset Highways Standing Advice, any entrance gates for vehicular access shall be hung as to open inwards and must be set back a minimum distance of 5m from the highway boundary. Gates for pedestrian only access should be hung to open inwards. It is recommended that a condition to secure the above details is imposed, if granted.

Turning will be required, independent of the necessary parking provision, where access is onto a classified road as its the case here to ensure that cars can enter the highway in forward gear. Parking and turning within the site meets the required turning space standards, as defined by the Somerset Council's Standing Advice. Maximum parking requirement for a 3 bed property in this area is one car parking space per dwelling. The proposal meets this requirement together with the fact that a car free development would be considered acceptable in principle here given the highly sustainable location within Taunton Town Centre boundary. Future occupiers would be able to access a wide range of services and facilities on foot, by bicycle or public transport. The proposed new garage meets the minimum garage size requirements as defined by the Somerset Parking Strategy and policy A1 of the SADMP.

In accordance with the Council's Parking Strategy, residential development is required to provide a minimum of one cycle space/storage facility per bedroom. These are based on dimensions of 2m x 1m and will allow the occupiers of the dwelling to utilise sustainable modes of transportation. A condition to secure these details is imposed.

10.1.6 *The impact on ecology, trees and landscaping*

The site does not contain any significant trees or hedges. The rear of the site contains overgrown vegetation and weeds, which hold negligible ecological value. The west area of the site will be transformed into large garden area, lawn and paving with landscaping, which will enhance the setting and provide opportunities for wildlife habitats.

10.1.7 *The impact the Somerset Levels and Moors Ramsar Site.*

The Council's Nutrient Neutrality Officer has confirmed that due to the nature of the proposal it will not give rise to any Likely Significant Effects on the Somerset Levels and Moors Ramsar site in relation to phosphate inputs, alone or in combination with other plans or projects. As such this application is screened out from requiring an Appropriate Assessment under the Habitats Regulations.

10.1.8 Waste/Recycling facilities

There is sufficient space within the site boundary for the storage of bins and recycling.

10.1.9 Flood risk and energy efficiency

The site is located in Flood Zone 1 (low probability of flood risk). The new extensions will be constructed to meet modern standards in terms of energy efficiency with improved insulative properties in new construction. The existing element will also be improved in terms of energy efficiency. The solar panels would contribute to the provision of a renewable source of energy. The proposal is therefore in accordance with Policy CP1 of the Taunton Deane Core Strategy.

11 Local Finance Considerations

11.1 Community Infrastructure Levy

Creation of a dwelling is CIL liable regardless of size.

This proposed development measures approximately 420 sqm.

The application is for residential development in Taunton where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £29,500.00. With index linking this increases to approximately £44,500.00.

12 Planning balance and conclusion

12.1 The general effect of paragraph 11 of the NPPF is that, in the absence of relevant or up-to-date development plan policies, the balance is tilted in favour of the grant of permission, except where the policies within the NPPF that protect areas or assets of particular importance provides a "*clear reason for refusing the development proposed*"

or where the benefits of the proposed development are "*significantly and demonstrably*" outweighed by the adverse impacts when assessed against the policies in the NPPF taken as a whole.

12.2 For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning Conditions and Informatives

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:

(A4) DrNo Location Plan

(A4) DrNo TH008 Rev B Site Plan As Proposed

(A2) DrNo TH-003 Ground Floor as Proposed

(A4) DrNo 004 Rev B First & Second Floor Proposed

(A4) DrNo TH006 Rev B West Elevation & Garaage As Proposed

(A2) DrNo TH006 Elevations Existing & Proposed

(A2) DrNo TH005 Elevations Existing and proposed

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

3. No doors, windows or roof lights shall be installed on the development until full details have been submitted to and approved in writing by the Local Planning Authority. Such details shall include scaled new window/door/rooflight details at 1:2 or 1:5 including profiles, mouldings, glazing and glazing bar thickness – glazing bars not to be thicker than 21mm. Rooflights to be conservation rooflights flush with the roof level.

The works shall be completed in accordance with the approved details and thereafter maintained as such.

Reason: To ensure that the proposed development does not harm the character and appearance of the listed building and the adjacent heritage assets.

4. Partitions to be scribed around and not cut through any historic architectural details of interest such as coving, skirting boards etc.

Reason: In the interests of preserving the listed building and any features of historic or architectural interest that it possesses.

5. No works to the staircase shall be undertaken unless full details of new stairs joinery have been first submitted to and approved in writing by the Local Planning Authority. Such details shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour. The works shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the listed building and its setting.

6. Prior to the painting of any external surfaces of the development hereby approved, details of external paint product, finish and colour (must be a mineral based paint) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses.

7. Prior to the replacement or installation of new rainwater goods (RWG) (must be cast iron or similar) details of the RWG, ducts, pipes, vents and other external attachments shall have been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out unless in accordance with the approved details and shall thereafter be retained in that form.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses.

8. Prior to the construction of the garage, hereby permitted, details of the materials to be used in the construction of the external surfaces of the garage (doors, windows, roof materials and exterior finish) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be

completed in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses.

9. Prior to the installation of any solar panels, details of the panels, including fixings shall be agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of preserving the listed building, its setting and any heritage assets in the vicinity of the site.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and re-enacting that Order, with or without modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 5m behind the highway boundary and hung so as to open inwards only. Gates for pedestrian only access should be hung to open inwards.

Reason: To allow a vehicle to wait off the highway while the gates are opened or closed and thus prevent an obstruction to other vehicles using the highway, in the interests of highway safety.

11. Prior to first occupation of the development hereby permitted, secure and covered cycle storage shall be provided on site in accordance with details, which shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be retained in perpetuity in accordance with the approved details.

Reason: To ensure that adequate facilities are included for the storage of cycles, in the interests of sustainable transport.

Notes to applicant.

1. In accordance with paragraph 38 of the National Planning Policy Framework 2023 the Council has worked in a positive and creative way with the applicant and entered into pre-application discussions to enable the grant of planning permission.

Location Plan

Site Address: 17, Trinity Street, Taunton, TA1 3JG

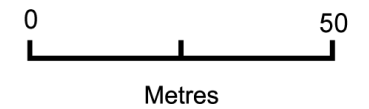
Date Produced: 24-Nov-2023

Scale: 1:1250 @A4

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Planning Portal Reference: PP-12625767v1



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Application Details	
Application Reference Number:	38/23/0405/LB
Application Type:	Listed Building Consent: Works
Earliest decision date:	01 March 2024
Expiry Date	25 January 2024
Extension of time	26 March 2024
Decision Level	Committee
Description:	Change of use of part residential (C3) and part community use (F2(B)) to full residential use with demolition of 3 No. extensions with various repairs and restorations, erection of ground and first floor extensions and detached garage and installation of solar panels at 17 Trinity Street, Taunton
Site Address:	17 TRINITY STREET, TAUNTON, TA1 3JG
Parish:	38
Conservation Area:	NA
Somerset Levels and Moors RAMSAR Catchment Area:	NA
AONB:	n/a
Case Officer:	Mrs A-M Galliot
Agent:	
Applicant:	A GREEN
Committee Date:	
Reason for reporting application to Committee	The applicant is a current employee of Somerset Council.

1. Recommendation

1.1 That Listed Building Consent be GRANTED subject to conditions.

2. Executive Summary of key reasons for recommendation

2.1 The restoration works are considered acceptable in principle and would prevent further deterioration of the historic fabric. Subject to conditions as outlined in section 3.1 below, the proposal would conserve the heritage interest of no. 17 Trinity Street while also conserving the setting of the adjacent heritage assets. This is in line with paragraph 199 of NPPF and Policy CP8 of the Taunton Deane Brough Core Strategy

2011-2028.

3. Planning Obligations and conditions and informatives

3.1 Conditions (full text in appendix 1)

3.1.1 Listed Building 3 year Time Limit

3.1.2 Approved plans

3.1.3 Doors, windows and roof lights

3.1.4 Partitions

3.1.5 Details of new stairs joinery

3.1.6 Details of external paint

3.1.7 Details of any new rainwater goods

3.1.8 Details of garage doors/windows/roof materials

3.2 Informatives (bullet point only)

3.2.1 Proactive Statement

4. Proposed development, site and surroundings

4.1 Details of proposal and justification

The proposal seeks planning permission to revert the entire property back to sole residential use as a single dwelling house together with restoration and refurbishment of the listed building and its grounds.

The proposed works consist of the following key elements;

Ground floor:

- Demolition of modern extensions which are not subject to the listing
- Demolition and rebuilding of a single storey extension to the rear of the property
- Demolition and rebuilding of a new porch to the south elevation
- New porch to be timber and glass with flat roof and parapet walls to match adjoining extension
- A new stairway up to the first floor –location will be more in keeping with the original layout
- Installation of PV panels on the south and west facing elevations, circa 16 panels.
- Removal of all modern stairs

First floor:

- Erection of an extension to an existing toilet to include a shower
- Installation of new Juliet style balcony to the West façade
- Installation of conservation roof lights to west elevation
- Removal of existing stairs and replacement of stairs to work more harmoniously with ground floor stairs
- Refurbish original windows where possible and replace for timber sliding sash windows to match existing where necessary.

Second floor:

- Installation of conservation roof light to west elevation
- Reinstatement of dormer to south elevation per original design
- Upgrade of existing windows, not deemed fit to restore

Grounds

- Erection of a coach house style detached double garage and turning circle to include electric charging point
- West area of site to be transformed into large garden area, lawn and paving with landscaping

Revised plans have been submitted and re-consulted on 08 February 2024.

The revised drawings align with the originally submitted design and access statement, which mentions PV solar panels on the parapet roof. These can now be seen on Rev B. Additionally, the originally submitted plan shows a velux window on the north elevation but this should be on the west elevation - the updated drawings reflect this.

The existing first floor layout has been amended to show the kitchen that was in place at point of the last occupancy. The proposed floor plan at second floor level has been revised by replacing one of the bedrooms with a dressing room as this is now what the applicants are envisaging.

4.2 Sites and surroundings

The site is located in Taunton urban area within the town centre boundary.

4.2.1 Designations & Constraints

The application relates to the Grade II Listed No. 17 Trinity Street - National Heritage List for England (NHLE) List Entry Ref. 1276310, listed July 1975.

The application site is not located within a Conservation Area. The following heritage

assets are in proximity to the site:

Grade II Listed Church of the Holy Trinity (NHLE – 1059942), located immediately opposite the site to the north-east;

Grade II Listed No. 18 & 19 Trinity Street (NHLE – 1059943), located immediately to the north of the site and

Grade II Listed No. 20 & 21 Trinity Street (NHLE – 1059944), located c. 20m to the north.

4.2.2 Key Features

No. 17 Trinity Street – the 3-storey building is dated 1847 on a pediment on the south front. The building is rendered with banded rustication to the road elevation. There is a slate roof with projecting eaves, sill band under 1st floor, 2 windows (one blocked) and sashes with glazing bars. There are 2 doors, that to the right has fluted impostes and a 6-panel door. The main south front has unusual, rusticated quoins and window surrounds.

Historically, the principal elevation was the south elevation, with extensive grounds to the south and west, including a formal garden with paths and a glasshouse. The building had a veranda and conservatory on the south side. An entrance was present in the boundary wall along Trinity Street, with the path leading beneath a mews to a yard in the east of the site, containing the stables and coach house.

During the early-mid C20, the property was extended and altered and became the Holy Trinity Mens Club. This included the addition of several single storey extensions, the removal of principal staircase within the main building, alteration to the original circulation through the alteration of doors & windows, insertion of a new staircase and alteration of the first-floor layout.

No. 18, 19, 20 & 21 Trinity Street – 5 to 3 storey, mid C19 pairs of terraces, No. 18 & 19 are front faced with Bath stone and have a cornice and blocking course, sill band under 1st floor, 4 windows, all buildings in architrave surrounds and sashes with glazing bars. There are 2 round headed doorways with moulded surrounds and 4-panel doors to all buildings and basement railings with spiked tops to No. 18 & 19. No. 20 & 21 are brown brick with pilasters above and rendered below.

Church of the Holy Trinity – The Anglican church was built in 1842 by Richard Carver of Taunton, in the Perpendicular style with Decorated style, stained glass east window, in pale ashlar. The church was refitted 1882 when most of the seating was replaced. It has a nave with projecting chancel plan, battlements with pinnacles to the corners, pointed 2 light windows with large transoms to take the galleries inside. The windows are divided by buttresses. The big west tower has set back buttresses

and an openwork parapet. The interior has a single-span tie-beam roof with elaborate tracery above the tie-beam. There are galleries on three sides with Gothic panelled fronts, on cast-iron clustered columns. Box-pews are present in the gallery and there is a tall, pointed chancel arch. There is a fine organ at the west end of the gallery of 1845 by William Hill. The clock in tower is by Thomas Savery of Taunton.

4.2.3 Setting

Located amongst a grid of streets of terraces, to the south of East Reach, the speculative terraces from uniform street scenes. The prominent tower of the Church of the Holy Trinity dominates views within the surrounding streets and forms the principal element of the street scene of Trinity Street, with the ground around the church creating a verdant and openness to the character of Trinity Street. The modern elements of the club at No. 17 Trinity Street detract from the appearance of the street scene and setting of the adjacent heritage assets. Nos 17 to 21 Trinity Street form a group.

5. Planning (and enforcement) history

Reference	Description	Decision	Date
38/23/0406	Change of use of part residential (C3) and part community use (F2(B)) to full residential use with demolition of 3 No. extensions with various repairs and restorations, erection of ground and first floor extensions and detached garage and installation of solar panels at 17 Trinity Street, Taunton	Pending decision	
38/05/0403	Erection of extension for disabled toilet at Holy Trinity Men's Club, 17 Trinity	Conditional Approval	25/10/2005

	Street, Taunton		
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6. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

6.1 Date of consultation: 04 December 2023

6.2 Date of revised consultation (if applicable): 08 February 2024

6.3 Press Date: 09 February 2024

6.4 Site Notice Date: 20 February 2024

6.5 **Consultees** the following were consulted:

Consultee	Comment	Officer Comment
Taunton Town Council	Support	Noted
Heritage	<p>Heritage comments</p> <p>15 December 2023</p> <p>The principle of bringing the original, domestic use of the building back is welcomed, as is the general sympathetic restoration of the listed building and returning the currently vacant building to a viable use. The removal of the skittle alley and snooker room will be beneficial in enhancing the appearance of the listed building and the setting of the adjacent listed buildings. The proposals will reinstate elements of the original layout of the building, such as the ground floor staircase,</p>	Noted. Conditions added.

	<p>which will be beneficial.</p> <p>The proposed new double glazed windows supplied won't be acceptable. The glazing will need to be much thinner - maximum of 12-16mm and the form of the window will need to include glazing bars to match the existing windows.</p> <p>Overall, the scheme would comply with national and local heritage legislation and policies, in conserving and enhancing the listed building and the setting of the adjacent listed buildings.</p> <p>It is recommended that the application is approved on heritage grounds with the following conditions:</p> <ul style="list-style-type: none">• Scaled new window/door/rooflight details at 1:2 or 1:5 including profiles, mouldings, glazing and glazing bar thickness - glazing bars not to be thicker than 21mm. Rooflights to be conservation rooflights flush with the roof level.• Partitions to be scribed around and not cut through any historic architectural details of	
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	<p>interest such coving, skirting boards etc.</p> <ul style="list-style-type: none">• Details of new stairs joinery• Details of external paint product, finish and colour – needs to be a mineral based paint.• Details of any new RWG – need to be cast iron or similar.• Details of garage doors/windows/roof materials and exterior finish. <p>Additional heritage comments following re-consultation:</p> <p>12 February 2024</p> <p>Solar panels – the proposed panels on the south elevation of the new western, single storey extension would be largely obscured by the existing eastern extension. If the panels and fixings were black to blend in with the roof, this would be acceptable within the setting of the listed building. Also, if the proposed panels on the flat roof of the eastern extension would not be visible from ground level, these would also be</p>	
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	<p>acceptable.</p> <p>East elevation – the replacement of a window for a door on the east elevation would be acceptable as this would remain in character with the existing building. The two new windows on the modern extension would also be in keeping with the character of the building.</p> <p>First & Second Floor Plans – the proposed change to the use of the rooms is not a heritage issue.</p>	
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6.6 Local representations

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

No letters have been received making comments.

7. Relevant Legislation

7.1 Planning (Listed Buildings and Conservation Areas) Act, 1990 - Section 16

8. Relevant Planning Policies & Guidance

8.1 National Planning Policy Framework (NPPF) - Section 16 'Conserving and enhancing the historic environment'

8.1.1 Paragraph 199 of Section 16 states that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)".

8.2 Taunton Deane Borough Core Strategy 2011-2028

8.2.1 Policy CP8 of the Core Strategy focuses on the conservation and enhancement of the environment, including the historic environment. Therefore, “the Council will not permit development proposals that would harm the historic environment or settings of the towns and rural centres unless other material factors are sufficient to override their importance”.

8.2.2 Other relevant policies include SD1 which outlines that “the Council will take a positive approach that reflects the presumption in favour of sustainable development”.

8.3 Neighbourhood Plans

There is no Neighbourhood Plan for this area.

8.4 Supplementary Planning Documents:

8.4.1 District Wide Design Guide, December 2021 - Section 5.16

8.4.2 Section 5.16 of the design guide is intended to guide decision-making on all aspects of the historic environment.

9. Main considerations

The main planning issues relevant in the assessment of this application are as follows:

9.1. *Heritage*

The Council has a duty to preserve and enhance the character and setting of listed buildings under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that “In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority...*shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses*”.

9.1.1 Significance

The application includes a comprehensive Heritage Statement which has explored the historic development and significance of the building, which has been found to focus upon its architectural interest – in the form of the evidential and aesthetic values provided by the physical remains of the extant building. The conscious design, construction and craftsmanship demonstrates its inception and historic development. However, this interest has been eroded by the significant C20 extensions and alterations to the interior and exterior of the building. The setting, in the form of the group value that it contributes to the terrace on architecturally and historically significant buildings on the west side of Trinity Street, makes a moderate positive

contribution to the significance of the heritage asset.

No. 18, 19, 20 & 21 Trinity Street – The significance of this terrace of buildings on Trinity Street is focused upon their architectural interest – in the form of the evidential and aesthetic values provided by the physical remains of the extant buildings. As above, their setting makes a moderate, positive contribution to the significance of the heritage assets.

Church of the Holy Trinity – The significance of the church is focused upon its architectural & artistic interest – in the form of the evidential and aesthetic values provided by the physical remains of the extant building. The church has less associative historic interest – in the connection that the building has with local craftsmen and architects.

The setting of the church, as part of the Trinity Street street scene, makes a moderate positive contribution to the significance of the heritage asset.

9.1.2 Assessment of harm

The principle of the redevelopment of the site is welcomed. The reversal of the use of the building back to a single dwelling would be beneficial in reinstating the original intended function of the building. Also, finding a viable alternative use for the building would be in the interest of sustainable development, particularly considering its listed status. The C20 additions and alterations to the building have eroded its appearance and architectural interest, as well as the setting of the adjacent heritage assets. Therefore, the removal of some of these elements of the complex would be beneficial in enhancing the appearance of the building and the setting of the adjacent buildings. The restoration works, as illustrated, would help to prevent further deterioration of the historic fabric, so in this regard the proposals are looked upon favourably.

The proposed detached garage is set back towards the east boundary of the site and would be located in the position of the former stables/coach house. The siting of the new garage is considered acceptable as it would preserve the prominence of the main house. The solar panels are proposed to be sited on the roof of the single storey projection facing Trinity Street. The parapet wall would help to conceal the panels from view. The other panels on the south elevation of the new western, single storey extension would be largely obscured by the existing eastern extension. The Council's Conservation Officer considers that if the panels and fixings were black to blend in with the roof, this would be acceptable within the setting of the listed building. Also, if the proposed panels on the flat roof of the eastern extension would not be visible from ground level, these would also be acceptable. It is recommended that a condition to secure the above details is imposed.

10. Planning balance and conclusion

10.1 Overall, the scheme is considered to be acceptable on heritage grounds subject to confirmation on appropriate window/door details, including partitions and joinery and the use of appropriate building materials. Subject to conditions, it is considered that the scheme would comply with national and local heritage legislation and policies, in conserving and enhancing the listed building and the setting of the adjacent listed buildings. This is in line with paragraph 199 of NPPF and Policy CP8 of the Taunton Deane Borough Core Strategy 2011-2028.

10.2 For the reasons set out above, having regard to all the matters raised, it is therefore recommended that listed building consent is granted subject to conditions.

10.3 In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning Conditions and Informatives

Conditions

1. The works for which consent is hereby granted shall be begun not later than the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by S51(4) Planning and Compulsory Purchase Act 2004).

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

(A4) DrNo Location Plan

(A4) DrNo TH008 Rev B Site Plan As Proposed

(A2) DrNo TH-003 Ground Floor as Proposed

(A4) DrNo 004 Rev B First & Second Floor Proposed

(A4) DrNo TH006 Rev B West Elevation & Garage As Proposed

(A2) DrNo TH006 Elevations Existing & Proposed

(A2) DrNo TH005 Elevations Existing and proposed

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

3. No doors, windows or roof lights shall be installed on the development until full details have been submitted to and approved in writing by the Local Planning Authority. Such details shall include scaled new window/door/rooflight details at 1:2 or 1:5 including profiles, mouldings, glazing and glazing bar thickness – glazing bars not to be thicker than 21mm. Rooflights to be conservation rooflights flush with the roof level.

The works shall be completed in accordance with the approved details and thereafter maintained as such.

Reason: To ensure that the proposed development does not harm the character and appearance of the listed building and the adjacent heritage assets.

4. Partitions to be scribed around and not cut through any historic architectural details of interest such as coving, skirting boards etc.

Reason: In the interests of preserving the listed building and any features of historic or architectural interest that it possesses.

5. No works to the staircase shall be undertaken unless full details of new stairs joinery have been first submitted to and approved in writing by the Local Planning Authority. Such details shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour. The works shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the listed building and its setting.

6. Prior to the painting of any external surfaces of the development hereby approved, details of external paint product, finish and colour (must be a mineral based paint) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses.

7. Prior to the replacement or installation of new rainwater goods (RWG) (must be cast iron or similar) details of the RWG, ducts, pipes, vents and other external attachments shall have been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out unless in accordance with the approved details and shall thereafter be retained in that form.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses.

8. Prior to the construction of the garage, hereby permitted, details of the materials to be used in the construction of the external surfaces of the garage (doors, windows, roof materials and exterior finish) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and thereafter

maintained as such.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses.

9. Prior to the installation of any solar panels, details of the panels, including fixings shall be agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of preserving the listed building, its setting and any heritage assets in the vicinity of the site.

Notes to applicant.

1. In accordance with paragraph 38 of the National Planning Policy Framework 2023 the Council has worked in a positive and creative way with the applicant and entered into pre-application discussions to enable the grant of planning permission.

Location Plan

Site Address: 17, Trinity Street, Taunton, TA1 3JG

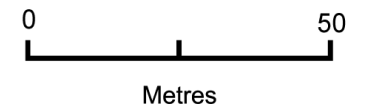
Date Produced: 24-Nov-2023

Scale: 1:1250 @A4

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Planning Portal Reference: PP-12625767v1



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APPEAL DECISIONS

PLANNING COMMITTEE WEST

WEDNESDAY 1 MAY 2024

Application No:	05/22/0013
Address:	ROUGHMOOR FARM, ROUGHMOOR LANE, BISHOPS HULL, TAUNTON, TA1 5AA
Description:	Erection of 1 No. dwelling with associated works in the garden to the side of Roughmoor Farm, Roughmoor Lane, Bishops Hull
Application Decision:	Delegated
Appeal Decision:	Dismissed



The Planning Inspectorate

Appeal Decision

Site visit made on 5 March 2024 by **S Leonard BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 April 2024

Appeal Ref: APP/E3335/W/23/3330210 Roughmoor Farm, Roughmoor Lane, Bishops Hull, Taunton, Somerset TA1 5AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Mark and Gillian Richmond against the decision of Somerset Council.
- The application Ref 05/22/0024, dated 22 July 2022, was refused by notice dated 27 July 2023.

- The development proposed is described as “single storey low impact carbon positive house to be built within the garden curtilage of our existing house. New sewage treatment plant to provide nutrient neutrality for 5 existing dwellings”.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal site lies within the catchment area of the Somerset Levels and Moors Ramsar Site, where additional phosphates reaching the ground and the watercourse arising from new residential development have the potential to adversely affect the integrity of this European Site. Since the appeal submission, the Council has confirmed that this matter should have comprised an additional reason for refusal, but that this was omitted due to an administrative error.
3. Whilst not comprising a reason for refusal, within the context of this appeal the responsibility for assessing the effects of the proposal on the European Site falls to me as the competent authority. This is a matter to which I later return.
4. Since the refusal of the application, the subject of this appeal, a revised version of the *National Planning Policy Framework* (the Framework) was published in December 2023. The main parties have had the opportunity to comment upon the revised Framework in respect of the appeal, and I have taken it into account where relevant to my decision.

Main Issues

5. The main issues are whether the site is a suitable location for the appeal scheme having regard to:
 - (a) the character and appearance of the area; and
 - (b) the potential for future occupants to access services and facilities through means other than by use of cars.

Reasons

Character and appearance

6. The site is located at the eastern end of a private road leading off from Silk Mills Lane. It is within the grounds of a 2-storey Grade II dwelling known as Roughmoor Farmhouse, which is sited east of the appeal site and abuts the street. A vehicular access is located between the house and the appeal site. There are several ancillary outbuildings and structures associated with the domestic use of the wider site, and an additional vehicular access at the eastern end of the road.
7. The appeal site lies within open countryside which forms part of a designated Green Wedge around the Taunton urban fringe. Moreover, the Council has

confirmed that the site falls within a designated Local Wildlife Site, described as a “lawn with important grassland fungi”.

8. The supporting text to Policy CP8 of the *Taunton Deane Adopted Core Strategy 2011-2028* (September 2012) (the Core Strategy) sets out the key policy objectives of Green Wedges. These include preventing the coalescence of settlements and maintaining a sense of place and identity for neighbourhoods, maintaining the open character of a green lung contributing to health and wellbeing for residents, bringing the countryside into the heart of town and providing valuable wildlife corridors and habitat.
9. As such, openness and a lack of built development are defining features of Green Wedges, which serve to retain open land between existing built-up urban areas of Taunton. Core Strategy Policy CP8 seeks to ensure that new development is strictly controlled in these areas to conserve the environmental assets and the open character of the area. Accordingly, in principle, the redevelopment of this land with a dwelling would be contrary to the aforesaid aims of Policy CP8.
10. The private road access to the site is narrow and single width. It has no street lighting or pavements and is lined with trees and mature hedging along both sides. These characteristics, together with its no-through nature and low volume of passing traffic, give the road a tranquil rural character. It is a Public Right of Way, whose hard surfacing terminates adjacent to the appeal site, where it links with other footpaths leading into the surrounding countryside. This includes a path leading into the Silk Mills Local Nature Reserve to the north.
11. Built residential development is limited to the southern side of the road, with the host property at the eastern most end and a group of properties which also front onto Silk Mills Lane, at its western end. Roughmoor Farm and these dwellings comprise sporadic elements of built development within the wider and largely undeveloped and agrarian Green Wedge area.
12. Whilst there is a Park and Ride facility to the north of the access road, this lies outside the Green Wedge. It is separated from, and well screened in views from, the access lane by mature trees and vegetation. As such, it is not visually apparent in views from the lane.
13. Notwithstanding its inclusion within the wider grounds of the host residential property, the appeal site is largely given over to grass, shrubs and small trees and a poultry feeding area. It has a more undeveloped rural character than most of the remainder of the land within the existing curtilage of the farmhouse and the only structures are a small shed and a log store which are akin to small rural outbuildings in their materials and design.
14. The predominantly green and undeveloped nature of the appeal site, together with its position surrounded by open verdant land on the opposite side of the road and to the west, and an orchard to the south, means that, visually, it is perceived as being well-assimilated into the open countryside. Its rural nature is further compounded by mature hedging across its road frontage which screens it in views

from the lane, and some hedging and trees along its western boundary with neighbouring open fields.

15. The existing vehicular access to the west of the farmhouse, together with several trees, which indicate the historic western boundary of the farmhouse garden prior to the inclusion of the appeal site, serve to reinforce a sense of separation of the appeal site from the host property.
16. These trees include two mature frontage trees which provide verdant screening of the farmhouse in views when approaching from the west along the access lane, and they further serve to act as a visual divide between the host property and the appeal site.
17. Accordingly, I find that the appeal site makes a positive contribution to this part of the Green Wedge countryside which separates the urban areas of Bishops Hull to the south and Norton Fitzwarren and Staplegrove to the north, and predominantly comprises farmland, meadows, a local nature wildlife reserve and floodplain land adjacent to the River Tone. Within this wider green area, Roughmoor Farmhouse and its associated outbuildings, constitute an isolated built enclave.
18. Notwithstanding its single storey low height, the appeal scheme would involve a significant increase in built development upon the site. The proposed 3-bedroom dwelling, incorporating a workshop, together with the proposed new vehicular access, driveway and parking area to the front of the property, and paved courtyard to the rear, would result in a very large amount of the site being given over to built development and hard surfacing. This would significantly erode the openness of this part of the designated Green Wedge.
19. Moreover, the resulting urbanising impact on the site would be compounded by inevitable domestic paraphernalia and ancillary structures associated with the use of the site as an independent residential unit, such as outbuildings, decking, access and footpath areas, garden furniture, pergolas, and outdoor lighting, as well as the increased comings and goings associated with the ongoing occupation of the new dwelling. This would be to the detriment of the existing intrinsic rural character of the site.
20. The proposed stand-alone layout of the new dwelling, having an independent vehicular access and parking and being set back from the road and sited in a position which is distinctly separate from the existing buildings, would constitute a sprawling layout of built development westwards along the lane. This would harmfully erode the existing verdant gap between the isolated group of buildings at Roughmoor Farm and built development at the western

end of the lane, thereby significantly reducing the openness and rural character of this part of the Green Wedge. These harmful urbanising impacts would be exacerbated by the proposed loss of historic frontage hedging which would open up the site and the new built development to views from the public footpath.
21. The above harmful impacts on the openness of the Green Wedge and the rural character of the site would not be satisfactorily mitigated by the proposed retention of existing trees and hedges and the planting of additional boundary landscaping.

This would not address the harm to the intrinsic landscape character of the locality. Moreover, the subsequent retention of existing hedging, notably the frontage hedging, could not be guaranteed in the future. Nor is it appropriate to rely upon the implementation of sufficiently high landscaping to screen new built development which is inappropriate within its surroundings.

22. My attention has been drawn to an approved development of 2 dwellings¹ at the western end of the access road. The Council has confirmed that, whilst that site also lies within the designated Green Wedge, an error by the Council at the time of determination of the application meant that the Council's decision was based upon the assumption that the site was outside of the Green Wedge. As such, I am not persuaded, based on the information before me, that this approval justifies allowing the appeal scheme, which I must consider having regard to the relevant development plan policies and the merits of the scheme before me and the circumstances of the appeal site.
23. For the above reasons, I therefore conclude that the proposal would have a materially harmful impact on the character and appearance of the area, and that the site would not represent a suitable location for the appeal scheme in this regard. As such, the proposal would be contrary to Policies SD1, DM2, CP1 and CP8 of the Core Strategy and Policy SB1 of the *Taunton Deane Adopted Site Allocations and Development Management Plan (2016)* (the SADMP).
24. These policies, amongst other things, seek to ensure that new developments accord with the presumption in favour of sustainable development contained within the Framework, and protect, conserve or enhance landscape character and the intrinsic character of the open countryside. This includes protecting the settings of towns, whilst maintaining green wedges and open breaks between settlements, and ensuring that development outside of the settlement boundaries is designed and sited to minimise landscape and other impacts.
25. For similar reasons, the proposal would be contrary to policies of the Framework which seek to achieve well-designed places and the conservation and enhancement of the natural environment, as set out in Chapters 12 and 15 respectively.

Access to services and facilities

26. Roughmoor Farm comprises an isolated residential site within open countryside forming rural surroundings to Taunton conurbation. Having regard to the information before me from both parties, the closest local convenience facilities at Bindon Road, comprising a shop, pharmacy, hairdresser, hot food takeaway and ATM, are located approximately 1.4km from the site. This distance exceeds

the widely accepted² convenient walking distance to facilities and services of 10min (circa. 800m). Moreover, there is no local bus service to conveniently connect them to the appeal site.

¹ LPA Ref 05/18/0057

² *Walking For Everyone* Living Streets, Arup and Sustrans (2022)

27. In addition, the nearest primary and secondary schools are about 1.2km and 1.7km respectively, the closest doctor's surgery is about 1.2km away, and medical centre is 2.2km from the site.
28. I acknowledge that accessibility of sites in rural areas differs from that which are reasonable for urban areas. However, I consider that it would be reasonable to expect a number of facilities and services to be located within a 10-minute walking zone from the appeal site. In the case of the appeal scheme, there is no evidence before me that there are any facilities and services located within this zone.
29. In addition, to the distances from the appeal site, I have also considered the convenience, safety and attractiveness of alternative means of travel to access facilities and services. When walking from the appeal site, the initial part of the journey would necessitate walking along unlit and unpaved public footpaths, including westwards along the access lane to Silk Mills Lane, or northwards and eastwards to access the off-road network of countryside footpaths which also enable access to the urban area. Such conditions are not conducive to walking during poor weather and outside of daylight hours.
30. Notwithstanding that cycling could be a viable alternative, the likelihood of this mode of travel decreases during inclement weather and hours of darkness. As such, I consider that future occupiers of the proposed dwelling, which given the size and single storey design of the dwelling, could potentially include the elderly, children and those with mobility issues, would be heavily reliant on the use of the private motor vehicle to gain access to the most basic of services.
31. I acknowledge that the nearby Park and Ride service provides an alternative good and regular connection to town centre facilities, services and employment as well as to the Musgrove Hospital. However, the information before me is that the hours of operation are restricted to between 06:45 outward and 19:27 return from Monday to Friday and 08:35 and 17:55 respectively on Saturdays. There is no Sunday service. These timetable limitations would result in a significant gap in service provision at times when access to facilities and services would reasonably be expected to be required.
32. This, together with a lack of bus stops serving alternative routes within easy walking distance of the site and the aforesaid inconvenience associated with footpath access to the Park and Ride site, would serve to encourage future residents to be reliant upon private car travel for a significant amount of their day-to-day travel for services, community facilities and employment.
33. For the above reasons, I therefore conclude that the proposal would not represent a suitable location for the appeal scheme, having regard to the potential for future occupants to access services and facilities through means other than by use of cars. As such, the proposal would be contrary to Core Strategy Policies SD1, SP1, CP1, CP6 and DM2 and Policies A5 and SB1 of the SADMP.
34. These policies, amongst other things, seek to ensure that new developments are focussed on the most accessible and sustainable locations, contribute to reducing

the need to travel, and improve accessibility to jobs, services and community facilities. This includes requiring residential development to be within walking distance of, or have access by public transport to, employment, convenience and comparison shopping, primary and secondary education, primary and secondary health care, leisure and other essential facilities.

35. These policies are consistent with the sustainable development and housing aims of the Framework.

Other Matters

36. Notwithstanding that the Council omitted to include this matter within its reasons for refusal, within the context of the appeal, the responsibility for assessing the effects of the proposal on the European designated site of the Somerset Levels and Moors Ramsar Site falls to me as the competent authority. Had I been minded to allow the appeal, and the circumstances therefore existed in which planning permission could be granted, it would have been necessary for me to examine this matter further, by seeking further comments from the main parties and Natural England. I would also need to undertake an Appropriate Assessment of the implications of the appeal scheme for the European designated site.
37. However, as the main issues provide clear reasons for dismissing the appeal, the outcome of any such Appropriate Assessment would have no bearing on the overall outcome of this appeal. There is, therefore, no need for me to consider this matter any further as part of my decision.
38. Under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act), I am, as the decision maker, required to consider the effects of the development on the designated heritage asset of the Grade II listed host property known as Roughmoor Farmhouse.
39. In determining the application, following amendments to the originally submitted scheme, the Council has not found any harm to the significance and setting of the listed building, which is sited to the east of the appeal site. Based upon the evidence before me, which includes my site visit and consideration of the separation distance between the appeal proposal and the listed building, together with the intervening mature trees, and the detailed design of the new dwelling and its subservient scale and height in relation to the listed building, I have no reason to disagree with the Council in respect of this matter.
40. Paragraph 8 of the Framework defines the three dimensions of sustainable development as performing economic, social and environmental objectives. When judged against some of the core planning principles of the Framework, the appeal proposal would perform well. It would contribute towards the Council's housing supply, and it could be built out relatively quickly, having regard to paragraph 70 of the Framework. However, by providing one additional dwelling only, the contribution would be very modest.
41. There would also be modest short term economic benefits as a result of the construction of the development, and longer term economic and social benefits from the occupation of the new dwelling.

42. Whilst the Framework encourages the effective use of land in meeting the need for homes and requires the Council to approach decisions in a positive and creative way, this is not unqualified, and would not address, or outweigh, the aforementioned harm that I have identified in respect of the main issues.
43. The Council has raised no objections to the appeal scheme in respect of matters including the detailed design of the building, the impact on the setting of the listed farmhouse, neighbouring living conditions, highway safety and parking, on-site biodiversity and flood risk. The lack of identified harm is a neutral factor that does not diminish the significant harm that would arise from the proposal in respect of the two main issues.
44. The appellants propose to incorporate sustainable design, ecological and landscape enhancements into the scheme. Since these are requirements of the development plan and the Framework in any case, these factors do not justify the aforesaid harm I have identified.
45. The appellants have stated the intention to provide a self-build home for their occupation. There is positive support for the provision of such units in national policy, and this weighs in favour of the scheme. However, the weight I attach to this is significantly diminished by the absence of a legal agreement or other mechanism before me to secure the delivery of the proposal as a self-build unit.
46. The proposed replacement of an existing septic tank with a new sewage Package Treatment Plant, to serve the proposal and existing residential units at Roughmoor Farm, would comprise a benefit in respect of the integrity of the Somerset Levels and Moors Ramsar Site. Moreover, I note that the appellants have confirmed that they are willing to accept a Grampian planning condition to ensure that this is provided prior to the commencement of development and have obtained permission from a third party for the use of his land for this purpose.
47. However, and notwithstanding that there is no need for me to carry out an AA in respect of this appeal, ensuring that a planning obligation or other agreement is entered into prior to granting planning permission is the best way to deliver sufficient certainty for all parties about what mitigation is being agreed. There is no legally binding agreement before me. Moreover, the Planning Practice Guidance (PPG) advises that a negatively worded condition limiting development that can take place until a planning obligation or other agreement has been entered into is unlikely to be appropriate in most cases.
48. Although the PPG advises that a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence may be appropriate, where there is clear evidence that the delivery of the development would otherwise be at serious risk, this would only apply in exceptional circumstances. For example, this may apply in the case of a particularly complex scheme, which I do not consider the appeal proposal to be.
49. I acknowledge that the need to mitigate against the adverse effect of nutrients may provide a challenge to the delivery of housing in the area. However, in the context of a general need to comply with the Habitats Regulations, there is nothing

uniquely exceptional in this. Exceptional circumstances which might justify use of such a condition do not therefore exist.

50. As such, in the absence of a legal agreement to secure and thereafter retain a satisfactory phosphate mitigation scheme, I am unable to attach any more than limited weight to this aspect of the scheme and it does not justify or outweigh the harm that I have identified in respect of the main issues.
51. The appellants have referred to the Council's procedures during the determination of the planning application, in respect of its consideration of the appellants' proposed mitigation measures. This is not a matter for consideration as part of this appeal, which I have determined on the merits of the proposal before me.

Conclusion

52. The proposed development would conflict with the adopted development plan when considered as a whole, and there are no material considerations, including the Framework, that indicate that the proposal should be determined other than in accordance with the development plan.
53. For the reasons given above, I therefore conclude that the appeal should be dismissed.

S Leonard

INSPECTOR

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