

Update report Ref. 3/39/20/003

Outline application (with all matters reserved) for the erection of up to 350 dwellings (comprising a mix of dwelling sizes and types and affordable housing), approximately 1,000sqm of flexible uses within Use class E (limited to offices, R&D and light industrial), vehicle access, public open space, sports and recreational facilities, footpaths, cycle ways, enhancements to the Barrows scheduled monument including information boards, landscaping and associated works: land to the West of Williton, off Priest Street, Williton.

Members will recall that this application was deferred on 4 November 2021 by the Planning Committee for further consultation with the Environment Agency in relation to how the development might affect their future flood alleviation plans. The Williton Flood Risk Management Options Appraisal 18/01/2018 document was circulated to Members shortly before the start of the meeting, which gave rise to concerns by Committee members that the issue had not been fully considered.

Following the committee meeting Planning Officers contacted the Environment Agency about the matter and the following response has been received:

The Environment Agency's position is as set out under earlier correspondence to the LPA dated 17th March 2020, and 4th and 27th August 2021, where we had no objection to the outline application. We asked for clarification on several points and we received a response from Stantec dated 13th August 2021. We look forward to further flood risk information being forthcoming at reserved matters stage.

This is an acceptable development in Flood Zone 1 at low flood risk, although the LLFA should be consulted and will have comments to make on surface water drainage.

We have plans to undertake a flood alleviation scheme upstream at some point in the future, and we are pleased that the applicants have confirmed they would be prepared to work with the Agency in its delivery. At this stage it remains aspirational.

As the Environment Agency have confirmed that the flood alleviation scheme is currently aspirational only, that they are aware of the proposed development and its implications for future flood alleviation schemes, and maintain that they have no objections, the report and officer recommendation remains as before (set out in appendix 1).

Application No:	3/39/20/003
Parish	Williton
Application Type	Outline Planning Permission
Case Officer:	Jeremy Guise
Grid Ref	Easting: 307257 Northing: 141177
Applicant	-
Proposal	Outline application (with all matters reserved) for the erection of up to 350 dwellings (comprising a mix of dwelling sizes and types and affordable housing), approximately 1,000sqm of flexible uses within Use class E (limited to offices, R&D and light industrial), vehicle access, public open space, sports and recreational facilities, footpaths, cycle ways, enhancements to the Barrows scheduled monument including information boards, landscaping and associated works
Location	Land to the west of Williton, off Priest Street, Williton

Recommendation

Recommended decision: Granted subject to

Recommended Conditions

- 1 Approval of the details of the (a) layout (b) scale (c) appearance (d) access and (e) landscaping of the site (hereinafter call 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of two years from the date of this permission. The development hereby permitted shall be begun not later than the expiration of two years from the approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This is an outline permission and these matters have been reserved for the subsequent approval of the Local Planning Authority, and as required by Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans Site Location Plan Rev. A.

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

- 3 The development hereby permitted shall have regard to: the Concept Masterplan (ref. SAVI170901 CMP-06 Rev. E).

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

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

Reason: To enable the remains of archaeological interest which may exist within the site to be appropriately recorded.

Reason for pre-commencement: Any works on site have the potential to disturb archaeological interests.

- 5 The development hereby approved shall not exceed 350 dwellings.

Reason: To ensure that the development is sustainable and does not exceed the capacity of infrastructure in the area.

- 6 The development shall include the provision of allotments. They shall be laid out, provided with some parking, secure fencing, water supply and made available for use, prior to the first occupation of the 200th dwelling on this development site.

Reason: To ensure that the allotments are provided in an appropriate and timely way in conjunction with the development.

- 7 The Use Class E development hereby approved shall be limited to offices, research and development and light industrial and shall not change to other uses, including changes with Use Class E, without a specific planning permission.

Reason: The Local Planning Authority wishes to ensure that any future change of use, including changes with use class E, do not adversely affect the viability and vitality of the village centre, with reference to Policy SH/3, Retail Development Outside Minehead Town Centre, of the West Somerset District Local Plan 2006 (Saved Policies).

- 8 The Use Class E development hereby approved shall be completed and made ready for occupation prior to the first occupation of the 200th dwelling hereby approved.

Reason: To ensure that the Commercial, business and service unit(s) are provided in an appropriate and timely way in conjunction with the development with reference to Policies SC5, Self-Containment of Settlements; WI1 Wiliton Development WI2, Key Strategic Development Allocations at Wiliton and EC1, Widening and Strengthening the Local Economy of the West Somerset Local Plan to 2032.

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

Reason: To ensure that the development is served by a satisfactory, sustainable system of surface water drainage throughout the lifetime of the development, in accordance with National Planning Policy Framework (July 2021) and the Technical Guidance to the National Planning Policy Framework.

Reason for pre-commencement- To ensure that the development does not inadvertently result in flooding that results in disruption to the highway network.

- 10 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 contactors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network, if required.

Reason: In the interests of highway and amenity of neighbouring residential areas.

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

Reason: In the interests of highway and amenity of neighbouring residential areas.

Reason for pre-commencement- To ensure that the Construction Environmental Management Plan measures are agreed and in place prior to the commencement of construction works, and to minimise the impact of the development upon the amenities of neighbours.

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

Reason: In the interests of highway and amenity of neighbouring residential areas.

- 12 Before any building or engineering works are carried out on the site, the construction access and contractors' parking/compound area shall be provided, surfaced, and drained in accordance with a detailed scheme, which shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall also indicate the eventual use of that area.

Reason: In the interests of highway and amenity of neighbouring residential areas.

Reason for pre-commencement- To ensure that the construction access and contractors' parking/compound is provided prior to the commencement of construction works, and minimise the impact of the development upon the amenities of neighbours.

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

Reason: To ensure that if the highway is damaged during the course of construction the developer is responsible for its' restoration.

Reason for pre-commencement- To ensure that there is a common baseline position in relation to the state of the public highway in the immediate area prior to the commencement of construction works, and reduce the potential for future dispute.

- 14 No development shall be commenced until details of the sustainable surface water drainage scheme 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 (July 2021) and the Flood and Water Management Act (2010). The development shall include measures to prevent flooding and control and attenuate surface water. 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.

Reason: To ensure the development is properly drained in accordance with the NPPF.

Reason for pre-commencement: The drainage details need to be submitted and agreed before development starts.

- 15 No development approved by this permission shall be occupied or brought into use until a plan for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed.

Reason: To safeguard the long-term maintenance and operation of the proposed system to ensure development is properly drained in accordance with the NPPF.

- 16 The development shall include 10% of dwellings built to a standard where they are capable of easy adaptation to meet Lifetime Homes Standards. If the site is developed in phases, each residential phase shall include some provision, proportionate to its size, of dwellings that meet this criteria, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate mix of house types is provided in accordance with Policy SC3.

- 17 No development hereby approved which shall interfere with or compromise the use of footpath WL 28/24 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).

Reason: To maintain the functional use of the footpath during the duration of the construction period and thereafter.

- 18 Within six weeks of vegetative clearance or groundworks commencing, a survey for badger setts will be carried out by an experienced ecologist. The results of these surveys will be reported to Local Planning Authority and subsequent actions or mitigation agreed in writing prior to the commencement of vegetative clearance or groundworks. Where a Natural England licence is required a copy will be submitted to the Local Planning Authority prior to works affecting the badger resting place commencing.

Reason: This condition must be a pre-commencement condition to safeguard badgers from the outset of the development, to comply with the Protection of Badgers Act 1992 and in accordance with policy NH6 of the West Somerset Local Plan.

- 19 The works shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
- a) a copy of the licence 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 dormouse ecologist to the effect that he/she does not consider that the specified development will require a licence.

Reason: A pre-commencement condition in the interest of the strict protection of European protected species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

- 20 Works will not in any circumstances commence until:
- a) Construction operatives have been inducted by a licensed dormouse ecologist to make them aware of the possible presence of dormice, their legal protection and of working practices to avoid harming dormice. Written confirmation of the induction will be submitted to the

Local Planning Authority by the licensed dormouse ecologist within one week of the toolbox talk.

- b) A copy of the mitigation strategy will be submitted to the Local Planning Authority.
- c) Works potentially affecting dormice will then proceed under the supervision of the licensed dormouse ecologist.

Reason: A pre-commencement condition in to ensure the strict protection of European protected species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

21 Works associated with the watercourses on site shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) a copy of the licence issued by Natural England pursuant to the Wildlife and Countryside Act 1981 (as amended) authorising the development to go ahead; or
- b) A statement in writing from an experienced water vole ecologist to the effect that he/she does not consider that the specified development will require a licence

Reason: A pre-commencement condition in the interest of the strict protection of UK protected species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

22 No works, including vegetative clearance and ground works, shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed reptile mitigation strategy. The detailed reptile mitigation strategy shall include details of:

- a) the proposed construction working practices to avoid harming reptiles
- b) details of proposed Location, to accommodate any reptiles discovered during works
- c) the timing of works to minimise the impact on reptiles
- d) if required, details of the Location and status of translocation site

The development shall thereafter be carried out in accordance with the approved mitigation strategy and shall be permanently retained in accordance with the approved details.

Reason: This pre-commencement condition must be a pre-commencement condition because an agreed scheme and programme of mitigation needs to be in place before any works start on site given the presence of legally protected species.

23 No one phase of the Development shall commence until a Lighting Strategy for Biodiversity for that phase has been submitted to and approved in writing by the local planning authority. The 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, 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 . 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 strategy and shall be maintained thereafter in accordance with the strategy.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

24 No development shall take place (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".

a) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction on species and habitats (may be provided as a set of method statements), including retained hedgerows, trees and field edges, watercourses, badgers, bats,

birds, dormice, otters, reptiles and water voles followed by appropriate mitigation, as required.

- b) The location and timing of sensitive works to avoid harm to biodiversity features.
- c) The times during construction when specialist ecologists need to be present on site to oversee works.
- d) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
- e) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- f) Use of protective fences, exclusion barriers and warning signs.
- g) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, 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 West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

- 25 A report prepared by the Ecological Clerk of Works or similarly competent person certifying that the required mitigation and compensation measures identified in the CEMP (biodiversity) have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval before occupation of each phase or sub-phase of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

Reason: To ensure that ecological mitigation measures are delivered and that protected /priority species and habitats are safeguarded in accordance with the CEMP and West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

- 26 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 the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.

- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

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

Reason: In the interests of 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 West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

- 27 Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Himalayan balsam on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason: It is an offence under the Wildlife and Countryside Act 1981, as amended, to introduce, plant or cause to grow wild any plant listed in Schedule 9, Part 2 of the Act. Himalayan balsam is included within this schedule. All Himalayan balsam waste is classed as a controlled/special waste and therefore needs to be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.

- 28 Retained hedgerows and trees shall be protected from mechanical damage, pollution incidents and compaction of roots in accordance with BS5837:2012 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.

Reason: A pre-commencement condition in the interests of European and UK protected species and biodiversity generally and in accordance with policy NH6 of the West Somerset Local Plan.

- 29 To mitigate incidences of chemical spillages on the watercourses on site, prior to any vehicles being stored on the commercial storage area, a scheme outlining appropriate filling, storage and disposal methods for hazardous chemicals (in accordance to COSHH regulations and Environment Agency pollution prevention measures) must be submitted to and approved in writing by the Local Planning Authority.

Reason: A pre-commencement condition in the interests of UK protected and priority species and in accordance with policy West Somerset Local Plan to 2032: Policy NH6.

- 30 A Biodiversity Enhancement Plan (BEP) shall be submitted to, and be approved in writing by, the Local Planning Authority to commencement of construction works. Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation: The content of the BMEP shall include the following:

- a) A cluster of 4x Schwegler 1a swift bricks or similar built into the wall at least 60cm apart, at least 5m above ground level on the north facing elevation of 50 Plots and maintained thereafter.
- b) Provision will be made for nesting swallows, for example within a structure providing shelter, such as an open fronted log store or bespoke box attached to the walls, and with the provision of artificial two artificial nest cups within on 25 Plots and maintained thereafter.
- c) 2x Vivra Pro Woodstone House Martin nests or similar will be mounted directly under the eaves of the north elevation of 25 Plots and maintained thereafter.
- d) 1x bee brick will be built into the wall about 1 metre above ground level on the south or southeast elevation of 40 Plots and maintained thereafter.
 - e) 3x reptile hibernacula will be created in the retained grassland.
 - f) Any new hedgerow/s should be planted up with native species comprised of a minimum of 5 of the following species: hazel, blackthorn, hawthorn, field maple, elder, elm, dog rose, bird cherry and spindle. The hedgerow will be coppiced and laid on reaching maturity and cut on a 3-year rotation thereafter.
 - g) All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for

Pollinators, www.rhs.org.uk/perfectforpollinators” provides a list of suitable plants both native and non-native.

- h) Where the landscaping scheme allows new trees should be planted in suitable locations. The new trees planted on site should ideally be from local native stock, such as field maple, hornbeam, small-leaved lime, pedunculate oak, silver birch and beech.
- i) Designated areas will be planted with additional wildflower planting, specific to retained hedgerow conditions and soil type such as Emorsgate special general-purpose meadow mixture (EM3) and Emorsgate EH1F Wildflowers for Hedgerow mix, or similar.
- j) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site.

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

- 31 Prior to or concurrent with the submission of the first of the reserved matters applications for the development, a Design Code shall be submitted to and approved in writing by the Local Planning Authority.

The Design Code shall include all pertinent matters associated with the following subject areas:

- a. The overall vision and character of the development and its setting;
- b. The creation of character areas and neighbourhoods addressing the principles of the mix of uses;
- c. The conceptual design and approach to the public realm, including enclosure, natural surveillance, public art, materials, street furniture and signage, the incorporation of utilities and landscaping;
- d. The principles of, the street and public spaces hierarchy to address, movement and permeability, mobility and visually impaired users and traffic calming measures and making reference to the phasing of land parcels;
- e. The establishment of development parcel boundaries incorporating streets wholly within development parcels and boundaries drawn along the rear of property boundaries and establishing the approach to addressing consistency of design on either side of primary streets and the dedicated busway;
- f. The design of the transport network hierarchy, streets, cycle routes, footpaths and public spaces, providing typical street cross-sections, which should include details of tree planting and tree species, underground utility/service trench routes type and specification, and on street parking, including construction design details;

- g. The principles and structure of the blocks addressing key groupings or individual buildings, building form, massing, heights, scale and legibility, building typologies, density and use. This shall include the design principles addressing primary frontages, fronts and backs, pedestrian and vehicular access points, on plot car and cycle parking, threshold definition and surveillance of public realm areas, building materials and performance standards and design features;
- h. Approach to incorporation of ancillary infrastructure/buildings such as substations, pumping stations, waste and recycling provision for all building types. Approach to the provision of electric vehicle charging points/infrastructure, pipes, flues, vents, meter boxes, external letterboxes, fibres, wires and cables required by statutory undertakers as part of building design;
- i. Details of the approach to vehicular parking across the entire site including the amount of parking, location and layout of parking for people with disabilities;
- j. Details of the approach to cycle parking for all uses, including the distribution (resident/visitor parking and location in the development), type of rack, spacing and any secure or non-secure structures associated with the storage of cycles;
- k. The hard and soft landscape design principles for the Strategic Landscaping Elements, including approach to the character and treatment of each of the elements, landscape typologies, a palette of materials for hard and soft landscaping and furnishings;
- l. The approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs, so as to maximise energy efficiency, minimise light pollution and avoid street clutter;
- m. Measures to demonstrate how the design can maximise resource efficiency and climate change adaptation through external, passive means, such as landscaping, orientation, massing, and external building features;
- n. Details of measures to minimise opportunities for crime;
- o. Details of the Design Code review procedure and of circumstances where a review shall be implemented,
- p. Statement of Community Safety. The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply ,who should use the Design code,and how to use the Design Code.

All subsequent reserved matter applications shall accord with the details of the approved design code, and be accompanied by a statement which demonstrates compliance with the code.

Reason: To facilitate the delivery of high quality development.

- 32 Prior to the submission of any reserved matters application on this site a comprehensive Health Impact Assessment shall be submitted to and approved by the

Local Planning Authority. The Health Impact Assessment shall set out in detail exactly how the proposal will address the impact of the development under the following headings:

Community Inclusion – will the proposal prevent community severance, assess the capacity, location and accessibility of social infrastructure, provide local employment and training opportunities, enhance access to the public transport network and allow people with mobility problems to access buildings and places. -Healthy Neighbourhoods - does the proposal facilitate the supply of healthy food e.g from gardens and allotments; Reducing Environmental Impacts on health – does the proposal provide open and natural spaces , provide opportunities for active play, encourage walking and cycling routes away from busy roads and is it designed to minimise noise and air pollution; Housing Mix – does the proposal include a range of housing types and sizes and meet at least the minimum requirements in the Nationally Described Space Standards.

Reason: In order to ensure that the development has a positive outcome for the health of future and existing village residents in accordance with Policy CF2: Planning for Healthy Communities.

- 33 'Within 6 (six) months of any new vehicular access off the A39 first being brought into use the listed Milestone shall have been restored to a prominent position within the verge, visible from the roadside, or arrangements shall have been made, and approved in writing by the Local Planning Authority, for the siting of a quality modern facsimile to be sited instead.

Reason:- The Milestone is an important feature associated with the history of the area. It needs to be restored to a prominent position close to the A39 frontage to the site where it can inform and delight current and future generations.

Informative notes to applicant

- 1 In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
- 2 The applicant/developer is advised to contact the Highway Authority at earliest opportunity prior to making a TRO application to agree visibility splays and the extent of the extended speed limit.
- 3 The applicant will be required to secure a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary associated to 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.

- 4 The Highway observations and comments are based on the information provided by/on behalf of the applicant as verified by the Local Planning Authority, and such information is deemed true and accurate at the time of assessment . Should any element of the supporting detail, including red and blue line landownership or control details, subsequently prove to be inaccurate, this may partially or wholly change the view of the Highway Authority for this (or any associated) application. As such the Highway Authority reserves the right to revisit our previously submitted comments and readdress where deemed necessary. Where planning permission has already been granted, any inaccuracies which come to light may seriously affect the deliverability of the permission. If this includes highway works either on or adjacent to the existing public highway that may be the subject of a specific planning condition and/or legal agreement attached to the aforementioned consent, it may result in a situation whereby that condition and/or legal agreement cannot then be discharged/secured.

- 5 The LLFA will expect to see in the following information order to discharge conditions 14 and 15.
 - 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.
 - Detailed, network level calculations demonstrating the performance of the proposed system are required and this should include:
 - o Details of design criteria etc and where relevant, justification of the approach / events / durations used within the calculations.
 - o Where relevant, calculations should consider the use of surcharged outfall conditions.
 - o Performance of the network including water level, surcharged depth, flooded volume, pipe flow, flow/overflow capacity, status of network and outfall details / discharge rates.
 - o Results should be provided as a summary for each return period (as opposed to each individual storm event).
 - o 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
 - Detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, pumping stations and outfall structures. These should be feature-specific.
 - Details for provision of any 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.

- 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.

- With regards to maintenance, it should be noted the condition is recommended as a 'pre-occupation' condition. 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.

- 6 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.
- 7 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.
- 8 The applicant is encouraged to engage with the Council's Quality Review Panel at an early stage in the design process as set out in the emerging design guide SPD and supported by National guidance in the NPPF.
- 9 At reserved matters stage The Local Planning Authority will expect to see detailed plans relating to line, level and layout of the access road junction including a potential ghost island right turn lane and its means of construction and surface water drainage. The approved access road junction shall be laid out and constructed in accordance with the requirements of a Section 278 Agreement under the provisions of the Highway Act 1980.

Section 106 Heads of terms

- 35% affordable housing mixed sizes mix of social rent intermediate tenure
- Transport

(a) Urban realm works to Fore Street. (c £50k)

Minor alterations outside of the main running carriageway to generally make the environment more comfortable / safe for pedestrians. This will include a range of minor interventions from amendments to kerb lines to provide widened footways and more efficient vehicle tracking, improved delineation of the existing signalised pedestrian crossing, a new raised table crossing, and minor reconfiguration of parking bays to allow wider footways to be provided.

(b) Financial contributions towards public transport improvements. (c £400k - £500k)

Two key service enhancements have been agreed with SCC:

- Service 15 to operate on Monday to Friday throughout the year, not just during college terms.
- Service 28 to be enhanced with additional evening journeys, Monday – Saturday.

(c) Delivery of circa 1,500m cycle path on land within Applicant's control (to form part of the Steam Coast Trail). (c. > £200k)

- Specifications of cycle path to be agreed with SCC.

(d) On-site Travel Plan (c. £200k - £300k)

Includes a range of "hard" measures such as site design and infrastructure, with "soft" measures such as information provision, marketing and raising awareness.

(e) Provision of Toucan crossing at Five Bells. (c. £100k - £200k)

- To provide safe pedestrian and cycle access to the local school.

(f) Walking and cycling linkages between the site and Williton. (c. £300k - £500k)

- Open space to be delivered on-site as follows:

- (a) NEAPs and LEAPs within the development site to serve the new homes.
 - (b) Community orchard.
 - (c) Community allotments.
 - (d) Battlegore Barrows cemetery – public access enabled through management of land, interpretation boards, foot/cycle paths.
- Contribution to Somerset Clinical Commissioning Group towards expansion of the existing doctors' surgery £119, 410
 - Contribution towards education of £3,664,761. Comprising: Early Years £574,112; First School £1,453,221; Middle School £1,112,852 and SEN schools £524,576. (Note that no upper school contribution is sought as at present they have capacity)

Proposal

Outline Planning permission is sought, with all matters reserved, for the erection of up to 350 dwellings and approximately 1,000sqm of flexible use within the Class E (Limited to offices, Research and Development [R&D] and light industrial [formerly Use Class B1a,b,&c]), vehicle access, public open space, sports and recreational facilities, footpaths, cycle way, enhancements to the Battlegore Barrow Cemetery Archaeological site (Scheduled Ancient Monument [SAM]), including information boards, landscaping and associated works. As originally submitted the proposal included a new doctors' surgery, but following discussions with the Somerset Clinical Commissioning Group (CCG) and the existing doctors' practice this element has been removed and replaced with a financial contribution towards the expansion of the existing GP practice.

The total site area, within the red line, is 28.4ha (approximately 70 acres). This includes all of the Policy WI2 strategic mixed use element of the Allocation, on the 'Land west of Williton site, and part of the Battlegore SAM.

The application is accompanied with an illustrative masterplan. It shows various different land uses and design concepts, illustrating how the development might be undertaken. In the accompanying Design and Access Statement (DAS) the applicant's architects and agents explain that the purpose of masterplan is to establish *'a set of parameters which can be used to control development at the reserved matters stage.'* Whilst this is helpful, it is worth keeping in mind that masterplan is only illustrative, and that it has been prepared for the current landowners, who are likely to sell the site on to the final developers. Details may well change, should it reach reserved matters stage.

A single vehicle access point is proposed off the A39 for the whole development. The existing superior farm access would be upgraded to a spine road running from south to north through the developable part of the site with distributor and secondary roads running off it.

- The junction with the A39 would be improved to provide better sight lines,
- A right priority turn lane for vehicles approaching from the east (Williton),
- Various measures to offset the impact of the additional traffic generated by the development upon the centre of the village (Urban realm works to Fore Street,
- Contributions towards public transport enhancements,
- Provision of land which is within Orchard Wyndham Estate control to support the delivery of the Williton to Watchet Cycle Route which is being developed by the Steam Coast Trail (STC)
- Contribution towards the delivery, of an on-site Travel Plan, provision of a new Toucan crossing at Five Bells providing a safe walk / cycle route between the development and the local school and new walking and cycling linkages between the site and existing built areas).

Pedestrian and cycle connections are proposed to the east and north. The original masterplan showed two pedestrian / cycle linkages running eastwards from the mixed use part of the site through the Battlegore Archaeological Protection area to link up with existing paths to the centre of the village, and a path snaking north eastwards through the barrows to emerge on North Road, opposite the Danesfield Church of England Middle School. Existing Public Rights of Way (PROW), WL28/19 and WL28/23, lead from this point respectively eastwards to St Peter's First School and northwards, over the hill, to Watchet. With the revival of the supermarket and associated retail plan for the former Glidden's site (see ref. 3/39/20/008) the applicant has, at officer's request, amended their plan to provide a pedestrian /cycle link to the eastern edge of their red lined application site. This will facilitate a future route along what is anticipated to be a 'desire line' to the supermarket and on to the village centre, should that development materialise.

The largest single element is the 11.8ha of 'developable' land upon which the applicant seeks permission to build up to 350 dwellings, of which 122.5 (35%) would be affordable, secured through a Section 106 legal agreement. The size and type of housing proposed is not specified, at this outline stage, beyond a commitment to *'incorporate a mix of development block sizes'* and its' division into four character areas: central spine, housing fronting green open spaces, rural edge housing and secondary streets.

The central spine road is shown running from the entrance, off the A39 in the southern part of the site, northwards through the middle of the developable part of the site. It is envisaged as a street with a continuous frontage of housing interspersed with small squares and limited vehicle access. A large green area is shown in the centre of the site with smaller 'green fingers' spoking off to the east and north west. These, and other green areas adjacent to the frontage, would have larger detached and semi-detached houses fronting them. The

greenspaces themselves would be used for 'host features such as swales, attenuation features, tree planting, equipped play spaces, footpaths etc. Secondary streets containing parking and loop roads are shown in the middle, behind the spine road, and there's a rural edge of lower density housing proposed around the periphery. The rural edge intended to soften the impact of the development upon the wider countryside.

The application includes approximately 0.42ha of commercial space now shown located in the southern part of the site, close to the entrance and A39. As originally submitted, the D1, community use (surgery) and B1, commercial uses, were shown outside the site Allocation area in the centre east part of the larger red lined site area. The applicant considered that this better managed the transition between the existing built up area of the village and the developable part of the site. However, following removal of the proposed new surgery from the plans, expressions of concern about the development extending outside the Allocated site area and commercial traffic coming into the centre of the site to access the commercial units, this area was relocated to the southern part of the site, close to the entrance.

The area to the east of the Allocated site, between it and the western edge of the village, contributes to the setting of the Battlegore Cemetery Scheduled Ancient Monument (SAM), and is, at least in part, prone to flooding from the Monksilver stream (Flood Zone 3b). It was considered unsuitable for development by Strategic Planners preparing the Somerset West Local Plan to 2032, and not included in the site Allocation. The submitted plans show this area, and a small part of the Allocated site, used to provide an enhanced setting for the Battlegore SAM (interpretation boards paths), to provide playing fields (cricket, rugby, football and tennis), allotments (20 full sized) and a community orchard (50-80 fruit trees).

The application is accompanied by a comprehensive suite of supporting documents

- Design and Access Statement (DAS)
- Flood Risk Assessment
- Landscape Strategy
- Heritage Statement
- Planning Statement
- Residential dwelling units supplemental
- Statement of Community Involvement
- Transport Statement Parts 1-9
- Travel Plan 1-4
- Utilities & foul drainage appraisal
- Traffic impact and sustainable travel measures
- Health Impact Assessment (HIA)

The DAS explains the applicant's intentions:-

'To deliver a well-designed, high quality and healthy new community within the established village of Williton. A place that provides a wide range of housing to meet all local needs, a place that is accessible from, and well connected to the established village, supporting and enhancing the range of services and facilities, and somewhere that provides a network of public open spaces and places for residents to enjoy'

Site Description

The application site comprises a group of irregular shaped fields (approximately 28.4ha [70 acres]) located to the west of the village of Williton. It is divided into four fields and part fields by mature, well established, hedges. It is relatively flat, sitting within a natural 'bowl' within the landscape, but there is a slope of approximately 10m from south to north across the site. The site sits at a low point within rolling countryside within the Central West Somerset character area and is framed by Exmoor, to the southwest, and the Quantock Hills, to the north.

The site is currently accessed via a superior farm track off Priest Street (A39), the first section of which is also a Public Right of Way (PROW), WL28/24. This PROW makes an incursion into the site going from the existing site entrance at Mamsey Bridge, in the south, to the north before switching around nearly 160 degrees south east and returning to the Priest Road (A39), opposite PROW WL28/7, which continues to the south. Another PROW, WL28/6 runs along the western side of the village, to the rear of modern residential development in Shutgate Meadow to link up with a route to the community hospital and village centre. In the wider area, PROW 38/23 runs northwards from the B3191 towards Watchet. The southernmost section is hard surfaced with street lighting.

The red line of the application site includes part of the designated Archaeological Protection area associated with the Battlegore cemetery Scheduled Ancient Monument (SAM) and is located to the north east of the developable part of the site. It comprises five round barrows, three earthworks and two ring ditches all dating from the late Neolithic or Bronze age periods.

The application site is surrounded by agricultural land, to the south on the opposite side of the A39, to the west and north with Outmoor Wood, a Local Wildlife Site (LWS), to the north west. Further to the north west, beyond the wood, is Five Bells a linear hamlet of large houses stretched along the B3191 between Williton and Watchet.

The site is located approximately 230m from the centre of the village and separated from it by other agricultural fields. These are located within the floodplain of the Monksilver stream and are not suitable for development. Williton is a designated local service centre in the West Somerset Local Plan to 2032. It provides a range of shops and services including: community hospital, bank, police station, library, local government offices, doctors' surgery (Killick Way), primary and middle schools and a station on the West Somerset Railway, tourist line.

The A39 was formally an Eighteenth Century Turnpike Road, between Minehead to Nether Stowey. A Grade II Listed milestone is reputed to be located in the area at ST 0722 4082 west of Williton. The listing states that it is sandstone and cast iron, unusual in that the lettering is raised rather than incised.

Relevant Planning History

- Ref. 3/39/10/021 – Three temporary trial pits for the purposes of geotechnical investigation granted 21/10/2010
- Ref. 3/39/76/013 Domestic dwellings – withdrawn 22/04/1977

Relevant History on other planning sites in Williton

North East Williton Doniford Road (Part of Williton allocation site)

Ref. 3/39/18/009 Outline planning application with all matters reserved except access) for the erection of approximately 90 dwellings, creation of vehicular access provision of open space and other associated works. Land to the East of Aller Mead, Doniford Road.

Ref.3/39/20/005 Application for approval of reserved matters pursuant to the grant of section 73 application 3/39/19/035 amending original outline application 3/39/18/009 for residential development comprising of 90 No. dwellings with associated infrastructure, public open space and play area: Land to the east of Aller Mead Way, Williton: granted 29/05/2020

Land at Bank Street / Fore Street: (Former J Gliddon & Sons Ltd. - supermarket site)

Ref. 3/39/14/010 Redevelopment of the site to provide a food store (A1) professional and financial services (A2), food and drink uses (A3), health services D1 residential dwellings (C3) vehicle and pedestrian access and associated car parking and landscaping (resubmission of 3/39/11/002: Land at Bank Street / Fore Street: Refused by West Somerset District Council 09/12/2015 Conditional planning permission subject to a Section 106 legal agreement allowed at a conjoined appeal (Planning Inspectorate reference APP/H3320/W/16/3151392 , 04/07/2017)

Ref. 3/39/14/024 Outline application (with all matters but access reserved) for the erection of up to 480sqm gross of flexible Class A1/ A2 floor space linked to proposed redevelopment of land associated with application ref. 3/39/14/010 to include vehicle and pedestrian access and landscaping: J Gliddon & Sons Ltd., Bank Street; Refused by West Somerset District Council 09/12/2015 Conditional planning permission subject to a Section 106 legal agreement allowed at a conjoined appeal (Planning Inspectorate reference APP/H3320/W/16/3151393, 04/07/2017)

Ref. 3/39/17/027 Partial demolition of 21A/ 21B Fore Street with formation of covered pedestrian route, alterations to front elevations and formation of pedestrian route on land to the rear: 21 & 23 Fore Street Conditional Planning Permission granted 13/04/2018

Ref. 3/39/20/008 - Outline application with all matters reserved, except for access, for the redevelopment of the site to provide a food store (A1) professional and financial services (A2), food and drink uses (A3), health services D1 residential dwellings (C3) vehicle and pedestrian access and associated car parking and landscaping. Undetermined - reported elsewhere on this agenda.

Consultation Responses

Williton Parish Council - OBJECT to the proposal on the following grounds:

- Excessive amount of housing- The 90 houses approved at Aller Mead plus 350 proposed on this site and potentially 150 on the site adjacent to Dransfield School equals 590. The allocation is for 'approximately 406'
- Adverse impact of extra housing upon infrastructure particularly schools and doctors' surgery
- The increase in traffic using the road network not adequately modelled or mitigated
- Poor connections – the spine road is a cul-de-sac which does not link to the B3191. Pedestrian and cycle links do not lead into the village centre.
- The masterplan lacks detail. It is not possible to tell what impact the development will have on Williton and the surrounding area.
- A housing needs survey is required – could evidence that less than 35% affordable housing is required.
- Footpath cycle links are in flood zones 2 and 3. Note the A39 sometimes floods.

Further comments received on amended plans 05/08/2021

- Still no footpath links to the centre of the village
- Very concerned insufficient and inadequate traffic plan
- Adverse impact on village vitality
- Vehicle link to Five Bells (B3191) requested to ease congestion on A39
- The proposed bus stop could be a road blockage

Highways Development Control - Based on the submission as it currently stands and the latest package of mitigation measures proposed by the applicant it is on balance considered that the proposed development broadly meets the highway policy requirements set out within the NPPF as well as those set out within Local Plan Policies MI1, TR1 and TR2.

It is accepted that sufficient information is available to be able to have a reasonable understanding of the likely traffic impact of the development. Whilst the Highway Authority acknowledges that the development will add incrementally to the known pressure points on the local highway network, it is difficult to argue that such impacts will be 'severe'. The mitigation measures proposed, along with an acceptable travel

plan, offer genuine opportunities to promote and improve sustainable means of travel in the locality with the potential of a longer term modal shift for future residents.

With these comments in mind and should the LPA be minded to approve the application then the Highway Authority would seek that the following matters be secured by an appropriate S106 agreement and planning conditions:

Section 106 Agreement –

- To commit to providing an appropriate NMU access into the adjacent site to the east (application 3/39/20/008) to optimise NMU permeability to and from local amenities, subject to both schemes being granted planning consent.
- To provide an appropriate Travel Plan, detail to agreed and finalised at S106 stage.
- To submit and secure a TRO to extend the existing posted speed limit, to an extent that is compatible with the necessary visibility splays, to be agreed in writing with the Highway Authority.

The Highway Authority also recommend that pre-commencement conditions are attached

- Line, level and layout of access details to be submitted and approved
- Discharge of surface water scheme to be submitted and approved
- Submission and approval of a Construction Environmental Management Plan (CEMP)
- Construction vehicle cleaning before leaving the site
- Construction access and contractors' parking to be provided before commencement
- Condition Survey of the existing public highway before commencement

Environment Agency - The Environment Agency has No objections.

Somerset Ecology Services (SES) – No objection to this application subject to conditions to ensure compliance with local and national policy, wildlife legislation, and the requirements of the mitigation hierarchy and for biodiversity net gain.

Recommended conditions relate to: badgers; dormice licence; water vole licence; reptiles; lighting (bats); Construction Environmental Management Plan (CEMP); mitigation compliance; landscape & ecological management plan; invasive species; water pollution protection and Biodiversity enhancement (net gain)

The site is dominated by intensively farmed arable land. Species-poor semi-improved Grassland. It is bound and divided by hedge banks with the majority of hedgerows are situated on earth banks. Mature trees within the hedge banks are limited to three

mature oak trees. Under the current proposal it is assumed that all hedgerows except two hedgerows will be retained. A number of water features present on site, ruderal vegetation has colonised the banks of ditches and field margins across the site.

Local Wildlife Site (LWS), Outmoor Wood, immediately adjacent to the north-western boundary of the site.

The application site lies within Band B of the Bat Consultation Zone for the Exmoor and Quantocks Oak Woodlands SAC. No bat roosts were found or recorded on site, although bats were found to use the site. All mature trees are to be retained on site, if this alters further assessment of individual trees for the potential to support bats will be required.

Natural England - The proposal does not trigger any Impact Risk Zones for designated sites and landscapes.

Natural England accept the HRA findings and concur with the conclusion that the development would not have a likely significant effect on the Exmoor and Quantocks Oak Woodlands SAC.

NHS - GP Practices - The development of 350 dwellings would increase the number of patients registered at the West Somerset Healthcare practice by approximately 1,000. This development together with other development planned in the area between now and 2032 could mean that the GP surgery could reach capacity. The CCG will therefore be seeking an off-site contribution towards the expansion of the existing GP surgery.

Somerset County Council - Lead Local Flood Authority (LLFA) - The proposed development is considered acceptable, subject to planning conditions. The conditions relate to :-

- Submission and approval of details of a sustainable surface water drainage scheme for the site, and
- Submission and approval of details of a plan for the future responsibility of the surface water drainage system

Somerset County Council Public Rights of Way (PROW) - There are public rights of way (PROW) recorded on the Definitive Map that run through the site at the present time (public footpaths WL 28/24, WL 28/6) and a PROW that runs adjacent to the site (public footpath WL 28/7). But there are no objections to the proposal, subject to inclusion of conditions and informatives

Housing Enabling Officer -Seeks 35% affordable housing (123 out of 350 dwellings) comprising a mixture of house sizes, mostly 2-3 bed sought, and tenures: affordable rent 50% and low cost home ownership 50%. Some housing to be provided which accords with Policy CF2, Planning for Healthy Communities. There are currently 4 households on Homefinder Somerset with need for an adapted property. Affordable housing to be secured through a registered provider and secured by a Section 106 legal agreement. Service charges to reflect affordability.

Comments on play and open space

West Somerset Local Plan POLICY CF1 requires the appropriate provision of formal sports facilities and/ or informal public amenity open-space/play-space as an integral part of new development.

On site play areas LEAPS and NEAPS should be centrally located and overlooked by front facing dwellings to promote natural surveillance.

All areas of child play space (casual areas, LEAPS and NEAPS) must be located and designed so as not to cause noise problems to nearby dwellings, in accordance with relevant environmental health standards. Buffer zones, perhaps including roads, buildings and landscaping, are likely to be needed. The buffer zone provided on this site is an area of bramble and small trees.

As the public open space is to be provided as part of a development, conditions will be imposed requiring the developer to arrange for its future maintenance. The developer may negotiate a commuted sum to discharge this liability to the Local Authority District or Parish Council.

Tree Officer - Most of the significant existing trees on this site are within boundary hedges, so the outline plan shows that it should be possible to retain these trees and to allow them plenty of space to continue as mature trees. The outline concept indicates a reasonable number of open spaces and verges that will allow for the planting of good-sized trees that can be managed so that they attain their natural mature size.

Conservation Officer - The historic record shows a grade II listed Milestone. Late C18 Sandstone and cast iron. Monolithic slab, cambered head, set

into bank at roadside, about 400 mm high with attached cast iron plaque, semi-circular headed top central section and raised lettering: '8 Miles to Minehead'.

Unusual in that the lettering is raised rather than incised.

SOUTH WEST HERITAGE TRUST (SWHT)- 33 trial trenches have been dug, the site has been visited by the County Archaeologist . No remains found.

HISTORIC ENGLAND - has no objection to the application on heritage grounds provided the harm caused to the significance of the heritage assets by development within their setting can be offset enabling the application to meet the requirements of the NPPF paragraph 190, 193,194 and 196.

The proposed development site is located close to the cemetery. It provides the opportunity to remove the site from Historic England at Risk register by taking the site out of plough permanently. A management plan to be agreed with Historic England and South West Heritage Trust will be required to enable ways to conserve and enhance the barrow site

Somerset County Council Education -

350 dwellings in this location would generate the following number of pupils for each school type below

- 32 early years (pre-school)
- 81 First years
- 52 Middle years
- 30 upper years
- 04 Special Educational Needs (SEN)

Contributions are sought for early years, first, middle, and SEN schools totalling £3,664,761.00. A contribution is not required for upper schools and the school in the area has capacity.

Wales & West Utilities - Have confirmed that they have apparatus located in the area which may be directly affected by these proposals.

Representations Received

Four site notices were posted and neighbours consulted about the application in accordance with the Council's consultation policy. This has resulted in 30 initial consultation responses: 1 representation in support; 27 objections and 2 neutral comments on the application. Some letters have more than one signature.

Support

- It is good news for younger people with affordable housing

Neutral Comments – comments on the application

- The Milestone Society, and one other correspondent, seek information about the grade II listed milestone located close to the proposed entrance to the new site.

The grounds of objection can be summarised as follows:-

- Numbers of houses is excessive
- Insufficient doctor's surgeries Infrastructure doctors / schools
- Few job opportunities
- Loss of good agricultural land
- Better sites elsewhere
- Unaffordable Housing
- Increase in commuting/ in traffic
- Impact on landscape & tourism
- Exacerbate existing flooding /Land is prone to flooding
- Health Impact Assessment is a tick box exercise

Planning Policy Context

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

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

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

Policy SD1 Presumption in favour of sustainable development

Policy SC1 Hierarchy of settlements

Policy SC2 Housing Provision

Policy SC3 Appropriate mix of Housing types and tenure

Policy SC4 Affordable housing

Policy SC5 Self-containment of settlement

Policy WI1 Williton Development

Policy WI2 Key Strategic development allocations Williton

Policy EC1 Widening and strengthening the local economy

Policy TR1 Access to and from West Somerset
Policy TR2 Reducing reliance of the private car
Policy CF1 Maximising access to health, sport, recreation and cultural activities
Policy CF2 Planning for Healthy Communities
Policy CC2 Flood Risk Management
Policy CC5 Water Efficiency
Policy NH1 Historic Environment
Policy NH3 Areas of High archaeological potential
Policy NH4 Archaeological sites of local significance
Policy NH6 Nature conservation and the protection and enhancement of biodiversity
Policy NH7 Green Infrastructure
Policy NH11 Bat Consultation Zone
Policy NH13 Securing High Standards of Design
Policy ID1 Infrastructure Delivery

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

TW/1 Trees & Woodland Protection
TW/2 Hedgerows
R/7 Amenity Open Space
R/8 Allotments
R/12 Informal Recreation Facilities
T/8 Residential Car parking
T/9 Existing Footpaths
UN/2 Undergrounding of Service Lines & New Development

Other relevant policies

Affordable Housing SPD
Emerging Districtwide Design Guide SPD

Determining issues and considerations

The key issues to be considered in assessing this application are:-

1. The principle of mixed use residential development
2. The amount of development
3. Compatible non-residential uses
4. Highways impact, access and parking provision
5. Flood risk considerations
6. Ecology and biodiversity considerations
7. Health Impact Considerations
8. Affordable Housing
9. Specialised Housing
10. Design considerations
11. Heritage considerations, and
12. Section 106

1. The principle of residential development

National and local planning policy supports a plan led system where the locations of major new residential development are, for the most part, determined through an site allocation process. The process identifies the most suitable sites for new development within the council area (in this case the former West Somerset Council area) and sets them out in an adopted local plan. The general expectation is that allocations within the local plan will be substantially realised within the plan period. Of course, changes in circumstances, unforeseen 'windfall' sites, etc., can alter delivery plans, but a failure to bring forward new development on allocated sites may have consequences for the Local Planning Authority in meeting the 5 Year Housing Land Supply and Housing Delivery Test.

Strengthening Minehead, Watchet and Williton is a strategic objective of the West Somerset Local Plan to 2032. Its' Spatial Policy SC1, Hierarchy of Settlements, seeks to concentrate new development in Minehead/ Alcombe and the rural centres of Watchet and Williton 'on a scale generally proportionate to the respective roles and functions to their own communities and those in the surrounding settlements...' Policies WI1 and WI2 relate to Williton. They state:-

POLICY WI1: WILLITON DEVELOPMENT *Development proposals at Williton must:*

- *Support and strengthen the settlements role as a local service, administrative and employment centre for the north eastern part of West Somerset district, particularly in terms of the range and quality of its services and facilities, and;*
- *Contribute to the improvement of traffic and transport management within the village, and;*
- *Complement the provision of employment opportunities, services and facilities in neighbouring Watchet*
- *Where appropriate, development must contribute towards resolving the flood risk issues*

which affect the settlement.

POLICY WI2: KEY STRATEGIC DEVELOPMENT ALLOCATIONS AT WILLITON *Within the areas identified on the policies map to the west and north of Williton, mixed development will be delivered subject to an indicative masterplan incorporating:*

- *approximately 406 dwellings, and;*
- *approximately 3 hectares of appropriate and compatible, non-residential uses.*
- *enhancement of the designated heritage asset Battlegore Barrow Cemetery and its setting should take place. The site should be enhanced to ensure its use as a communal asset and contribute positively to the community. This should be achieved through landscaping, public access, appropriate use of the site and the implementation of a management plan agreed with Historic England. The development must be facilitated by the appropriate integrated provision of transport, community and flood risk management infrastructure to include walking and cycling links connecting the new development with the village centre.*

This proposed development is on an allocated site within the West Somerset Local Plan and the principle of development on this site is therefore supported subject to the proposed development according with other policies within the Core Strategy.

2.The amount of development

There is a significant difference between the Policy WI2 Allocation figure for new dwellings in Williton (approximately 406) and the likely numbers of new dwellings that will be delivered, if all three parcels of land identified in the policy allocation are built out.

The Williton Policy WI2 Allocation comprises of three parcels of land. The land West Of Williton, which forms the current outline application site, is at 18.3ha the largest parcel of land within the Allocation. If approved, the site would deliver up to 350 dwellings. Combined with the 90 dwellings delivered at Doniford Road these two parcels would deliver 440 dwellings, nearly 10% more than the Policy Allocation.

The North of Danesfield School site is, at 8ha., the medium sized parcel within the Allocation. No concrete figures have been produced for the numbers of dwellings this site might provide. It is, to some extent, dependent on whether Danesfield School uses some of the allocated land for its' expansion, and, if so, how much. The applicant's agent suggests another 100-150 houses, although given the low densities and the government's exhortations (NPPF para. 124) to make efficient use of land and avoid low density development 150 is more likely, and 200 is plausible.

What this means for Williton is the prospect of 550-600 new dwellings on the three parcels of land within the Policy WI2 Allocation. This figure is nearly 50% more than the indicative figure. In terms of population numbers, the 2011 Census recorded Williton as having a population of 2,602. The average household size in Somerset West and Taunton is below

the National average at 2.2 persons per household. Multiplying from this figure gives a bold park figure for the increase in the size of the village of 1,220-1,300 people during the plan period, compared to the planned growth figure of 900.

The Planning Policy team have reviewed this planning application and have not raised any concerns in relation to the increased number of dwellings on the grounds that Policy SC2, Housing Provision envisages 2,900 new dwellings being completed across the former West Somerset area in the plan period with a significant contribution coming from unallocated, 'windfall' sites. As the justification section to Policy SC2 states, past patterns show that: *Historically approximately 80% of new development within the Local Plan area has taken place at the area's main service centre of Minehead/ Alcombe, and the secondary service centres of Watchet and Williton.*

The additional housing provision proposed aligns with Local Plan expectations as to where windfall sites are most likely to come forward. Locations where there are shops and services are most concentrated to serve them, such as the application site, are optimum locations.

3. Compatible non-residential uses

The West Somerset Local Plan to 2032 contains general Policy SC5, Self-Containment of Settlements, which seeks to encourage a balance of land uses within a settlement in terms of minimising overall transport use. The supporting text explains the purpose of the policy is to *'bring about a better balance in the provision of employment, services, housing and transport infrastructure so as to minimise transport demand insofar as is practical in West Somerset'*.

The two Williton related policies in the Local Plan, Policy WI1, Williton Development, and Policy WI2, Key Strategic Development Allocated at Williton, both support these objectives with specific references. WI1 requires development to *'support and strengthen the settlement's role as a local service, administrative and employment centre for the north eastern part of the West Somerset district particularly in terms of the range and quality of its services and facilities'*. Whilst Policy WI2 requires the provision of *'approximately 3ha. of appropriate and compatible non-residential uses.'*

The application proposes approximately 0.42ha. (1,000sqm) of 'E' class development. Use Class 'E' was brought in by the government last year to replace a very wide range of different planning use classes which were formally separate: shops, financial and professional services, restaurants and cafes, non-residential institutions, assembly and leisure, offices, light industrial uses and research and development (R&D). Its' intention was to allow much greater business flexibility.

The issues are whether the amount of development satisfies the policy requirements, whether it is appropriately located within the development site and whether the proposed E

class uses are acceptable in relation to the proposed new residential development and their impact upon the village.

The WI2 Policy does not define exactly what constitutes “*appropriate and compatible non-residential uses*” – although Local Plan as a whole and the supporting text is supportive of employment uses. The concept masterplan shows 1.75ha of non-residential uses (0.42ha Use Class E, 0.57ha non-residential including orchard, and 0.76 non-residential including allotment/food hub).

The amended concept masterplan shows the location of Use Class E changed from the central eastern position outside the site Allocation, where it was originally shown, to the south eastern corner of the Allocated site. This is close to the entrance removing the need for commercial vehicles associated with the E class use to travel into the residential parts of the site and allowing a wayfinding signage.

Some of the uses in the new use class ‘E’, particularly retail, have the potential to undermine the viability and vitality of the existing village centre. Point (iv) of Saved Policy SH/3, Retail Development outside Minehead Town Centre, requires that development: - *‘by its nature and scale, will not adversely affect the viability and vitality of Minehead Town Centre or the shopping centres of Watchet or Williton’*.

In this case the applicant has volunteered that the ‘E’ class uses will be restricted to offices, R&D and light industrial uses. These uses are synonymous with the old B1(a) office, B1(b) research and development, and B1(c) light industrial uses and are considered to be compatible with the proposed residential development and the maintenance of the village’s viability and vitality. To ensure that the approved uses remains limited within the ‘E’ class it is considered necessary to append a condition restricting change of use within the class, and this is recommended.

4. Highways impact, access and parking issues

Despite being listed as a reserved matter, the site’s only road frontage is onto the A39, to the south, where there is an existing superior field access. Vehicular access to the red lined site is only possible from this frontage. The concept masterplan shows the existing superior field access upgraded, with improved visibility sightlines and a right turning lane to provide the sole vehicular access to the site. There is no objection, in principle, to this arrangement.

As the applicants have extensive landholdings around the site, and an earlier version of the concept masterplan indicated a potential future link from the spine road northwards to the B3191 south east of Five Bells, your officers have, in conjunction with the Highway Authority and the applicants’ transport consultants, explored the possibility of providing a secondary vehicular access from the north. There would be some advantages to providing such a link: the spine road would become a purposeful thoroughfare, rather than a feature in a giant cul-de-sac, improving

connectivity and it would provide an alternate route through the site to the north without going through the centre of the village or using the Washford Cross junction. However, the proposal is not supported by the applicants or their highway consultants. In their view it would provide only strictly limited relief to traffic congestion in the village and may have an adverse impact upon the setting of the Battelegore SAM.

After careful deliberations it is accepted by the Highway Authority and your officers that the case for seeking the provision of a secondary vehicular link to the north is not sufficiently strong to insist upon its' provision. In this context it should be noted that the Policy WI2, Key Strategic Development Allocations at Williton, makes no mention of the need for a link road to the north and the more general Policy WI1, Williton Development, has only a generic requirement that proposals *Contribute to the improvement of traffic and transport management within the village.*

Instead the applicants have agreed with the Highway Authority to a series of traffic mitigation measures to offset the impacts of additional traffic from the development upon the local highway network. These are: urban realm works; contributions towards public transport enhancements; provision of land in applicant's control to support the delivery of the Williton to Watchet Cycle Route that is being developed by the Steam Coast Trail (STC); contribution towards its' delivery; on-site Travel Plan delivery; provision of a new 'Toucan' crossing at Five Bells providing a safe walk / cycle route between the development and the local school and new walking and cycling linkages between the site and existing built areas. Subject to these being secured via Section 106 legal agreement clauses, no objection is raised to the development on highway impact grounds.

The need to avoid construction on Monksilver floodplain results in the proposed development being slightly detached from the centre of the village. Nevertheless the centre of the village, with its' facilities and transport connections (bus stops) along with the schools to the north, are obvious 'desire' lines for pedestrian and cycle routes. The proposal includes the provision of a number of footpaths and cycle routes, linking up with existing connections and creating a potential new link through the 'Gliddens' supermarket site to the village centre, in the event that that proposal is implemented. Connecting the development to the village centre and schools will provide residents with an alternative to the private car for local journeys with corresponding benefits in terms of sustainability and individual health.

The internal road layout, parking and garaging arrangements would all be matters for detailed consideration at Reserved Matters stage, in the event that outline planning permission is granted. What can be stated is that the broad design concepts referenced in the illustrative masterplan: loop roads varied character zones, road narrowing and turns to conceal and reveal vistas and reduce the dominance of the car in the street scene provide a positive place from which to start the design process.

West Somerset remains relatively remote with a limited public transport network. For the foreseeable future private motor vehicles are likely to remain the dominant mode of transport consequently adequate provision must be made for their parking. The development would be expected to comply with the parking standards set out in the

Saved policies of the West Somerset Local Plan to 2006: Policies T/8, Residential Car Parking and, in respect of the ' Class E and community uses, T/7 Non-residential car parking, including the provision requirements for people with disabilities. The Council will seek to ensure that all households have access to electric vehicle charging points (EVCs) and fast Broadband. Although not specifically required by West Somerset policies, they are included in the emerging Districtwide Design Guide SPD and are becoming necessities of modern life for many.

Objections have been raised about the impact of the proposed development on the local road network and road safety. It should be noted that the Highway Authority has not objected to the proposal subject to a new vehicular access.

5. Flood Risk Considerations

The Environment Agency 'Flood Map for Planning' shows the site lies predominantly within Flood Zone 1 and partly within Flood Zone 3b as defined in the Planning Practice Guidance (PPG) 'Flood Risk and Coastal Change'. Areas in Flood Zone 1 are considered to have a low probability of flooding, whereas Flood Zone 3b is a functional floodplain, where water has to flow or be stored during flood events.

The developable part of the site, on which it is proposed to situate the more vulnerable residential uses, is located entirely within Flood Zone 1. This means that it is unlikely to flood and, with suitable surface water attenuation, should not contribute to flooding elsewhere. The area comprising the 'gap' between the existing western wedge of the settlement and the developable part of the site, as shown on the Allocation and reflected in the concept masterplan, is floodplain in Flood Zone 3b. It is proposed that this part of the site is restricted to amenity uses only. The proposed removal of obstructions and use of storage ponds will increase the floodplain storage capacity in this area, and contribute towards addressing the flood plain risk issues which affect the settlement, in compliance with the requirements of Policy WI1 and Policy CC2, Flood Risk Management .

The conditions recommended by the LLFA in relation to submission and approval of surface water details are endorsed and included in the recommendation.

6. Ecology and biodiversity considerations

The site is arable improved grassland and ruderal vegetation of low ecological value. The highest ecological value is in the field hedgerows and floodplain ponds which, for the most part, the proposal seeks to retain or improve. This accords with Saved policies TW/1 Trees and Woodland Protection and TW/2 Hedgerows. Nevertheless as the PEA has detected the presence of a number of protected species (badger, dormice; water vole reptile [grass snake] and bats) conditions to ensure that the construction minimises disturbance to them and their habitats are recommended by Somerset Ecology service and are endorsed.

The proposed concept masterplan shows the inclusion of significant areas of public open space (POS) and green buffers around the development. These have the potential, if judiciously planted with native species, to actually enhance it and provide a measure of

biodiversity net gain in accordance with the provisions of policies NH6, Nature Conservation and protection and enhancement of biodiversity, and Policy NH7 Green infrastructure.

Private gardens, the proposed allotments and community orchard all offer a more bio-diverse environment than the existing arable improved grassland and would contribute towards biodiversity net gain.

Conditions to ensure submission and approval of a landscape and ecological management plan and a Construction Environmental Management Plan (CEMP) are considered necessary.

7. Health Impact considerations

The Health Impact Assessment that has been submitted in support of the application has been prepared by a suitably qualified professional. It explains how the proposed development will achieve a positive outcome against 12 criteria themes from housing quality and design through to health inequalities. The outline application indicates that features such as public open space, play areas, pedestrian and cycle linkages to the centre of the village and schools and a community orchard will be provided and makes contributions towards health and education infrastructure. It is considered to provide a satisfactory level of detail for the purposes of the outline application but will need further detail when the reserved matters are considered. In order to embed health considerations into the detailed design it is therefore considered necessary to append a condition requiring submission of a detailed health impact assessment(s) with the reserved matters application, or each phase, if the reserved matters are submitted in parts.

8. Affordable Housing

The proposal exceeds the 11 dwelling size threshold set out in WSLP to 2032 Policy SC4, Affordable housing, and generates a requirement for 123 (122.5) affordable dwellings in accordance with the 35/100 (35%) ratio set out in the policy. As a greenfield site with few constraints the expectation is that affordable housing will be delivered in accordance with policy.

The applicant's proposal, to provide 35% affordable housing, is in full compliance with policy, and is welcomed. This will need to be secured via a S.106 or similar legal agreement which will also include clauses relating to the split in affordable housing tenure, between social rent and intermediate ownership, a local letting clause and to ensure that the delivery of the affordable housing is front loaded or at least delivered in parallel with that of the market housing.

The specifics of ensuring compliance with Policy SC4 (3) points A-B, like for like housing size and type, minimum community agency standards etc. would fall to be determined at the reserved matters stage, should permission be granted.

9. Specialised housing

The Local Plan does not have a specific requirement for a percentage of homes to be built to a standard where they can easily adapted to accommodate the needs of people with disabilities (level entrances, wide hallways/ door openings, bungalows, straight stair runs etc - the 16 point 'Lifetime Homes' criteria checklist promoted by TCPA Foundation). There is a general commitment to providing for inclusive communities in the supporting text to Policy SC3, Appropriate Mix of House Types and Tenures. Under the purpose of the policy it states:-

To encourage the provision of lifetime homes and a proportion of bungalows etc. this is particularly important in view of the demographic changes occurring in the District and particularly the imbalance in the proportion of old/young people.

Given the older demographics of the population in the area there is an expectation that the development will include dwellings capable of adaptation for use by people with disabilities. A guide suggestion is that a minimum of 10% (35 dwellings) comply with Lifetime Homes criteria. A condition to ensure that housing provision for people with disabilities is not overlooked at reserved matters stage is recommended.

10. Design considerations

The application has been submitted in outline only with all matters reserved. The illustrative plan, which accompanies the application, shows how the amount of development for which permission is sought might be accommodated. In as far as it goes, it introduces a number of important design concepts – commercial and residential segregation, a road hierarchy, variable housing densities, green swathes, retained hedges and trees, green buffers, tree lined streets and overlooked public open space all of which, if judiciously deployed could form the basis of an attractive and sustainable environment for future residents and their visitors. However, in this case the applicant is the landowner. It is very likely that the development will be undertaken by another developer whose architect and designers will contribute their own ideas into a worked up reserved matters application/s, should permission be granted. The Local Planning Authority should expect to receive reserved matters application/s providing details of appearance: means of access (see comments below); landscaping; layout and scale . At this stage there will be further opportunity to consider these matters in detail and approve or seek changes as necessary.

A condition requiring submission and approval of a Design Code prior to the submission of the first reserved matters application and use of the Quality Review Panel is required in accordance with the guidance set out in the emerging Design Guide SPD.

The provision of extensive areas of public open space (POS) around the development including equipped play space (NEAP and LEAPs), allotments and a community orchard, secured in Section 106 legal agreement clauses is welcomed. This will need to be augmented with details of the ongoing management and maintenance of the public open space / public realm and community facilities.

11. Heritage considerations

The Battlegore cemetery SAM is located to the north east of the application site, with part of it overlapping with the non-developable part of the site.

The SAM is currently on the 'Heritage at risk Register'. English Heritage and South West Heritage have welcomed the applicant's proposal to commit to a management plan for the site, which they anticipate will allow it to move off the 'at risk' register. This adheres to the provisions of Policy NH2, Management of Heritage Assets, which requires that proposals which :-

A). Are likely to affect the significance of a heritage asset, including the contribution made to its setting should demonstrate an appropriately evidenced understanding of the significance in sufficient detail to allow the potential impacts to be adequately assessed. ...And, particularly

B). Will help to secure a sustainable future for West Somerset's heritage assets, especially those identified as being at greatest risk of loss or decay, will be supported.

The Battledore site covers land outside the application site, but within the applicant's ownership. A Grampian style pre-commencement condition is considered necessary to secure submission and approval in writing by the Local Planning Authority, in conjunction with English Heritage and SW Heritage, of a Management Plan for the Battlegore Cemetery site. The management plan would be expected to include provision for the managed public access and interpretation of the site, such as low key finger boards fulfilling one of the requirements of Policy WI2.

The developable part of the site is located outside the area of High Archaeological Potential identified for Wiliton (Inset Map 21 of the Local Plan). Nevertheless, given its close proximity to the Battlegore Cemetery site. The County Archaeologist considered it to have a potential impact on archaeology requiring field evaluation before determination as well as a desk based study. This is provided for in Policy NH3, Areas of High Archaeological Potential, (section in brackets) which states:-

Proposals within areas of high archaeological potential, as shown on the policies map, (or elsewhere with the potential to impact on heritage assets with archaeological interest) should be accompanied with a statement describing the significance of the heritage asset and the likely impacts on the asset. This is likely to require a desk-based assessment incorporating a settings assessment where designated assets are likely to be impacted and where appropriate a field evaluation.

The applicants have undertaken 33 Trenches. Whilst the field evaluation has not identified any significant remains relating to the Barrow cemetery, it is still possible that discoveries will be made during excavation or landscaping works. For this reason a condition is required to ensure full recording of any archaeology encountered during development. The nature of the archaeological mitigation is likely to be a combination of watching briefs (monitoring) and the requirement to strip topsoil under archaeological supervision in certain areas. The details of

this mitigation should be agreed with the Council's archaeological advisor (SWHT) before the submission of an archaeological Written Scheme of Investigation (WSI).

There are no listed buildings on site or within the immediate vicinity. The only listed structure recorded is the unusually incised milestone (grade II) associated with the original Turnpike Road. This is referenced by Historic England, The Milestone Society and the Somerset branch of that society. It is believed to be / have been located close to the A39 frontage in the southern part of the site. Unfortunately, to date, the applicants have not been able to establish its' current location, or whereabouts if removed for safekeeping, or otherwise.

As the Milestone is an important feature associated with the history of the area it needs to be restored to a prominent position close to the new entrance to the site, where it can inform and delight current and future generations. Ideally, the original milestone should be re-sited, but a contingency needs to be put in place to require a quality modern facsimile to be commissioned and placed instead, if the original can't be found. A condition to secure this within 2 years of the new access being developed is recommended.

12. Section 106 affordable housing and infrastructure

Section 106 provisions securing on site benefits or contributions towards off-site infrastructure are justified by three policies.

Site specific Policy WI2 which seeks enhancements to Battlegore Barrow Cemetery and 3ha of appropriate and compatible non-residential uses of which the proposed community orchard and allotments contribute.

Policy SC4 Affordable housing 35% affordable housing mixed sizes mix of social rent intermediate tenure. This would be secured by a Section 106 legal agreement which would be included a local lettings policy and provision to ensure delivery concomitant with the market housing

Policy ID1, Infrastructure Delivery, which states:-

'The planning and delivery of development should ensure efficient and effective use of existing infrastructure and should provide for the delivery of an appropriate level of justified new or improved transport, education, health, cultural, sport, recreation and green infrastructure in relation to the development proposed.'

A package of transport measures is sought to promote sustainable transport options such as walking and cycling, public transport as an alternative to private car use particularly for shorter journeys.

With the exception of the recently extended West Somerset College (Upper School) the existing schools in the area do not have the capacity to accommodate the increase in pupil numbers likely to be generated by the development. In the absence of other funding, the county Education Authority is seeking significant contribution sums from the developers.

An expansion of the existing surgery in Williton is required to cope with an increase in patients associated with this development, and other planned development in the area. It is considered appropriate to seek a contribution from this development towards the cost of that provision Policy ID1 justifies contributions towards health provision from development proposals, where required.

The outline masterplan shows extensive areas of public open space, centrally located play areas and new linkages to ensure connections to the village centre and schools together with facilitating access to the Battelegore Barrow Cemetery site, with the potential that it becomes a minor tourist attraction. The section 106 legal agreement will include provisions that these developments and their future management regime are provided.

Conclusion

The 'Land to the west of Williton' site forms the largest part of the strategic development allocations for the village in the current plan period, up to 2032. There is a longstanding expectation, arising from the local plan Allocation, that the site will be developed.

Consideration has been given that, when viewed together with the other identified strategic allocation sites in Williton, the total amount of new residential development proposed for the village in the plan period, is set to exceed the overall allocations. This raises issues about the impact of the proposed development upon local roads, schools and healthcare facilities etc. Consultation with key stakeholders: SCC Highways, SCC Education and CCG has indicated that, subject to the proposed section 106 provisions, the existing village infrastructure can be adapted and enhanced to accommodate the proposed new residents.

The application site has been submitted in outline with all matters reserved for latter consideration, should outline consent be granted. Nevertheless, it is clear from the supporting information supplied with the application, especially the indicative layout drawings, that the developable part of the site is capable of accommodating the 350 houses proposed. The proposed residential density is fairly low and the site has relatively few constraints, either on it or in the immediate area. Those working on a more detailed design, at reserved matters stage, would have plenty of scope to provide an attractive urban extension, that satisfies council policies in relation to living conditions, recreation and amenity space, green infrastructure and sustainability. To facilitate this it is recommended that a masterplan / design code is developed to support a reserved matters application and that this is considered at an early stage by the Council's Quality Review Panel in line with guidance in the emerging Districtwide Design Guide SPD.

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



