



Notice of Meeting of

**PLANNING COMMITTEE - NORTH**

**Tuesday, 27 February 2024 at 2.00 pm**

**Sedgemoor Room, Bridgwater House, King  
Square, Bridgwater, TA6 3AR**

To: The members of the Planning Committee - North

Chair: Councillor Kathy Pearce  
Vice-chair: Councillor Matthew Martin

Councillor Brian Bolt	Councillor Alan Bradford
Councillor Hilary Bruce	Councillor Ben Ferguson
Councillor Bob Filmer	Councillor Tony Grimes
Councillor Pauline Ham	Councillor Alistair Hendry
Councillor Mike Murphy	Councillor Gill Slocombe
Councillor Brian Smedley	

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For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services [democraticservicesnorth@somerset.gov.uk](mailto:democraticservicesnorth@somerset.gov.uk).

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: [democraticservicesteam@somerset.gov.uk](mailto:democraticservicesteam@somerset.gov.uk) by **12noon on Monday, 26 February 2024**.

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

The meeting will be webcast and an audio recording made.

Issued by (the Proper Officer) on Friday 16 February 2024.

# **AGENDA**

**Planning Committee - North - 2.00 pm Tuesday, 27 February 2024**

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

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

**Click here to join the online meeting (Pages 15 - 16)**

## **1 Apologies for Absence**

To receive any apologies for absence and notification of substitutions.

## **2 Declarations of Interest**

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

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

## **3 Public Question Time**

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

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

Requests to speak at the meeting at Public Question Time must be made to the Monitoring Officer in writing or by email to [democraticservicesteam@somerset.gov.uk](mailto:democraticservicesteam@somerset.gov.uk) by 5pm on Wednesday 21 February 2024.

**4 Planning Application 37/22/00071 Bridgwater Gateway Development, Bridgwater Road, North Petherton, Bridgwater, Somerset (Pages 17 - 60)**

To consider an application for a hybrid planning application (Outline and Full), Outline planning application with some matters reserved for the erection of 15no. dwellings, including green infrastructure, drainage and other associated infrastructure works. Full planning application for the erection of 346no. dwellings, including green infrastructure, drainage and other associated infrastructure works (Phase 2).

**5 Planning Application 37/22/00126 Bridgwater Gateway Development, Bridgwater Road, North Petherton, Bridgwater, Somerset, TA6 (Pages 61 - 102)**

To consider an application for the erection of 150no. dwellings including access, landscaping, infrastructure and associated works.

**Exclusion of the Press and Public**

**Other information:**

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

**The following agenda item has been classed as confidential. If the Planning committee wish to discuss any information held within the confidential report, then the following resolution will need to be passed.**

**Exclusion of the Press and Public**

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

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

## **6 Viability Report - Bridgwater Gateway, North Petherton (Pages 103 - 132)**

Viability Report covering both applications for Bridgwater Gateway – Contains confidential data – For Members only.

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## Public Guidance Notes for Planning Committees

### Can I speak at the Planning Committee?

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

The order of speaking will be:-

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

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

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

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

Although not an exhaustive list, these might include:

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

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

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

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

### **How do I register to speak at Planning Committee?**

A request to speak must be made to the Council's Democratic Services team no later than 12 noon on the working day before the Committee meeting either by email to [democraticservicesnorth@somerset.gov.uk](mailto:democraticservicesnorth@somerset.gov.uk) or by telephone on 01278 435739. For those speaking to object or support the proposal, the speaking slots will be allocated on a first come first served basis. If there are numerous members of the public wishing to speak in one slot it is advisable to make arrangements for one person to make a statement on behalf of all. The meetings are hybrid and you can speak either in person at the meeting or virtually. If you wish to speak at the meeting virtually please inform Democratic Services so that they can advise you of the details. If you have registered to speak, the Chairman will invite you to speak at the appropriate time during the meeting.



### **Can I present information to the Committee?**

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

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

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

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

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

### **Presentation of planning applications**

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

### **The role of Officers during the debate of an application**

When an application is considered at Planning Committee, it is the Officers' role to explain why they have concluded that permission should be approved or refused and answer any questions that Members may have. Whilst the Committee has to reach its own decision bearing in mind the Officer advice, report and recommendation, the Lead Planning Officer and Council Solicitor in particular have a professional obligation to ensure that a lawful and unambiguous decision is made in accordance with the Council's Development Plan, planning legislation, regulations and case law. This means, in the event that a contrary decision is sought, they will need to explain the implications of doing so. This can sometimes mean that Officers need to advise and

guide Members as to planning policy, what are or are not material considerations, what legally can or cannot be considered or given weight and the likely outcome of any subsequent appeal or judicial review.

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

### **Recording of the Meeting**

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

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



## Councillor reminder for declaring interests

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

### **Non participation in case of Disclosable Pecuniary Interest**

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

### **Disclosure of Other Registerable Interests**

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

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

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

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

Where a matter arises at a meeting which affects –

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

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

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

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

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

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

If your Non-Registrable Interest relates to –

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

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

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

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

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

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

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

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

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

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Planning North 27 February 2024

## Microsoft Teams meeting

**Join on your computer, mobile app or room device**

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Meeting ID: 325 392 991 539

Passcode: zfcCJg

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**Committee date 27/02/2024**

**Application No:** 37/22/00071

**Application Type:** Full Planning Permission

**Case Officer:** Adrian Noon

**Registered Date:** 29/07/2022

**Expiry Date:** 27/10/2022

**Parish:** North Petherton

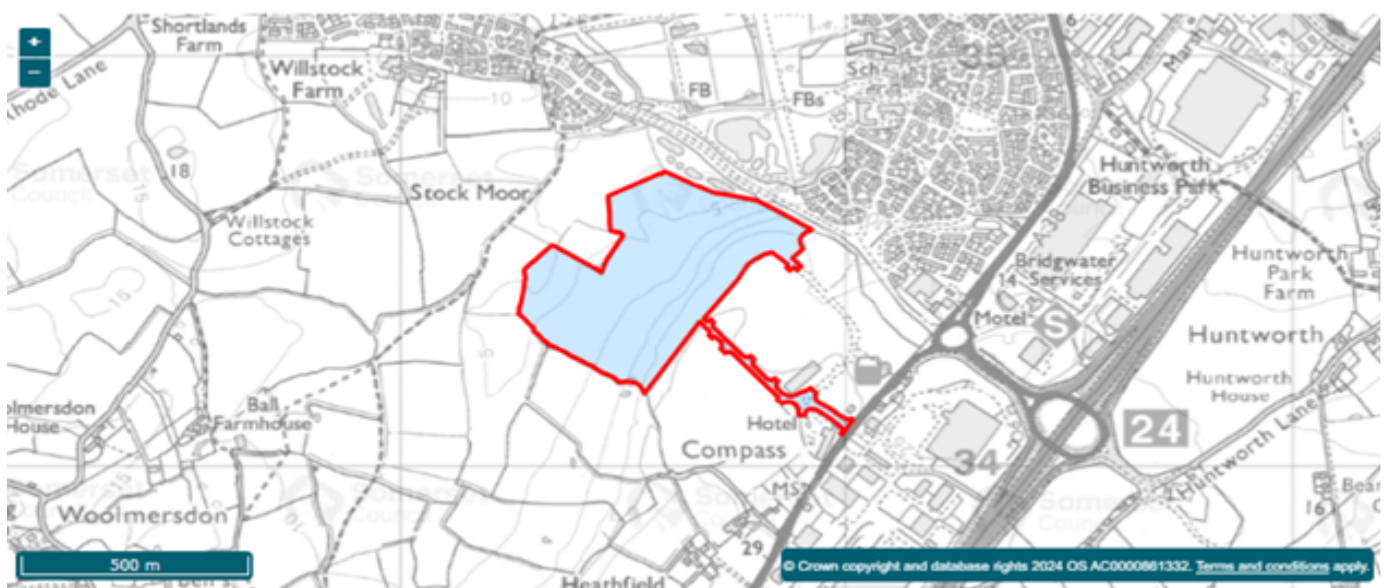
**Division:** North Petherton

**Proposal:** Hybrid planning application (Outline and Full), Outline planning application with some matters reserved for the erection of 15no. dwellings, including green infrastructure, drainage and other associated infrastructure works. Full planning application for the erection of 346no. dwellings, including green infrastructure, drainage and other associated infrastructure works (Phase 2).

**Site Location:** Bridgwater Gateway Development, Bridgwater Road, North Petherton, Bridgwater, Somerset

**Applicant:** BKlok Housing Ltd and Bridgwater Gateway Ltd

**\*\* THIS APPLICATION IS CODED AS A MAJOR APPLICATION \*\***



## **Committee decision required because**

This major application is referred to the area committee in light of the ward members comments and to enable the issues regarding viability and the reduced affordable housing offer to be presented transparently.

## **Background**

The application site comprises 17ha of undeveloped land which is allocated for a mixed-use development within the Sedgemoor Local Plan (Adopted) 2019 under Policy B4. The extent of the site is shown on the submitted Location Plan.

To the southeast lies Phase 1 of Bridgwater Gateway, for which outline planning permission was granted for a mixed-use employment development in December of 2012 (LPA Ref. 37/11/00084). Further southwest is North Petherton, which is a small town situated on the edge of the eastern foothills of the Quantocks, and close to the edge of the Somerset Levels.

To the east lies Stockmoor Village which forms the southern edge of Bridgwater and which notably includes Somerset Bridge Primary School and a local convenience store. Further northeast is the neighbourhood of Bridgwater Hamp.

To the northwest of the site are open agricultural fields either side of the Stock Moor Rhyne. Wilstock Village is situated approximately 1.1km from the application site to the northwest.

The site currently comprises open, undeveloped fields, with a small, hardstanding pathway running along the north-eastern boundary which provides access to an existing water pumping station. The site is subject to varying ground levels although levels generally fall from east to west. The Environment Agency flood maps indicate the site is predominantly located within Flood Zone 1. The westernmost part of the site, generally bounded by Stockmoor Rhyne, is located within Flood Zone 3.

The application site does not form part of an Area of Outstanding Natural Beauty and there are no Site of Special Scientific Interest (SSSI) designations or European Wildlife designations on or around the site.

This is a hybrid application seeking full PP for the erection of 346 dwellings, green infrastructure, public open space, sustainable urban drainage and other associated works and outline consent for 15 dwellings and associated works with all matters reserved except access.

The access would be from the A38, using the access from the outline permission for the wider employment allocation (37/11/00084) and spine road approved as a reserved matter (37/13/00087) which currently serves the employment units (37/21/00118).

The overall developable area is c.8 ha, meaning an average site density of 43 dwellings per hectare.

The proposed houses would be made up of:-

- 101 two – bedroom;
- 165 three – bedroom;
- 80 four – bedroom.

In terms of parking provision, 692 allocated car parking spaces are proposed with 69 visitor spaces. Secure, covered cycle parking is proposed within the curtilage of each property, with sufficient space to accommodate the number of cycles for the number of bedrooms proposed.

The application has been amended to address various consultee's comments; these revisions have been subject to reconsultation.

This site and the adjoining site to the west (the 'Vistry development', 37/22/00126) have been subject to a joint viability appraisal to establish the level of affordable housing provision.

### **Relevant Planning History**

**37/21/00135** An environmental screening opinion has been issued concluding that the proposal does not constitute EIA development

In terms of the wider allocation the following are of relevance:

**37/21/00118** PP granted for change of use of units 1601 and 1602 (ass approved by 37/17/00116) from class E to a mixed use of B2 (General Industry) and B8 (Storage and Distribution).

**37/20/00049** PP granted for erection of a coffee shop with drive-thru and associated car parking, circulation, refuse enclosure, landscaping and associated infrastructure – on site for previously approved PFS

**37/17/00116** PP granted for erection of 10no. light industrial units (Use Class B1(c) and associated infrastructure including accesses, parking and service yard

**37/15/00089** Reserved matters approved for erection of 3, three storey employment buildings (use class B1) and associated infrastructure (not implemented)

**37/15/00088** Reserved matters approved for erection of hotel, employment buildings (use class B1) and associated infrastructure

**37/15/00087** Reserved matters approved for erection of petrol filling station and associated infrastructure (not implemented)

**37/13/00091** Reserved matters approved for erection of three storey building (use class B1),

formation of parking and access (not implemented)

**37/13/00087** Reserved matters approved for layout of internal spine road (Phase 1)

**37/11/00084** Outline PP granted for mixed use development to include: employment floorspace (Use Class B1), hotel (Use Class C1), petrol filling station (Sui Generis); strategic landscaping, infrastructure including internal roads, drainage, car parking; and including detailed drawings for a new vehicular and pedestrian access on to the A38.

Additionally, there is a scheme for 150 houses on the site immediately to the west – 37/22/00126, submitted by Vistry. This would derive its access through this site. The viability of the two sites has been jointly assessed.

### **Consultation Responses**

**North Petherton Town Council** – support on the grounds of the quality of design and sustainability features and request strenuous efforts are made to provide a cycle path linking Wilstock through the development into North Petherton

No further comment in relation to the amendments.

**Councillor Revans** (after discussion with Cllr Bradford)

*We are concerned that the transparency on this major application is important for the community to understand the mitigation package. We think it's important that it comes to committee, especially if the affordable housing element is only 10%.*

**SDC Planning Policy** – no objection:-

*We regard the principle of development in this location as acceptable, being compatible with Local Plan policy B4 ('Land at Bridgwater Gateway') and the 'Development and Design Principle Document for the Gateway Housing Allocation in accordance with the Local Plan'. The number of units proposed is broadly consistent with the scale and density of development set out in the Bridgwater Gateway Development and Design Principles.*

*We would support this application, subject to a level of affordable housing agreed with the Council, sufficient ecological mitigation measures and further justification for the proposed level of car parking spaces.*

**National Highways** – initially raised a concern about a possible impact on J24 of the M5. Subsequently in light of additional information confirm no objection.

**Highway Officer** – no objection subject to the amended travel plan being secured by a s106

agreement and highways safeguarding conditions.

**Public Health Specialist** – initially commented:-

*The cycle parking arrangements appear to be problematic in some cases. Cycle stores are proposed to the rear of most houses, but access is often by driveways, which will be occupied by cars, and it appears there may be insufficient space to wheel a standard cycle through any gap between the cars. It is important that choosing to cycle is at least as easy as choosing to drive, but if a potential cyclist has to move up to three cars off a driveway to be able to do so, it probably means the journey is unlikely to be made by cycle. This is the second recent development where I have identified this issue. A gap of at least 1.1m is required for a person to wheel a bike. Non-standard cycles are becoming increasingly popular, such as cargo bikes and trikes, which the developer could usefully provide secure storage for within the development.*

No further comments received

**Regeneration Manager (urban design comments)** – no objection and subject to a number suggestions considers that the scheme generally conforms to the requirements of the adopted Bridgwater Gateway Development and Design Principles

**Landscape Officer** – no objection subject to a condition to agree tree protection measures and agreeing a landscape management plan.

**Open Spaces Officer** – initially raised concerns:-

1. *Any development of 201 dwellings or more has the requirement to provide an on-site MUGA. This doesn't appear to have been catered for.*
2. *The single LEAP provision is acceptable to serve this development although due to its positioning, passive supervision will need to be offered from overlooking properties for security.*
3. *The doorstep playing spaces (DP) need to be re-branded as LAPS and conform as such with the Fields in trust requirements. Boulders and fallen tree logs are not accepted as play items and pose risks from a health and safety point of view.*
4. *We would make the following observations with regards to the formal play equipment proposed:*
  - 3.1 *We recommend having a flat seat swing and a cradle seat swing rather than two flats.*
  - 3.2 *The MPU needs to have more varying accesses to cater for different abilities, it also offers very low play value.*
  - 3.3 *to promote longevity of timber equipment set into grass (or grass matts) the recommendation is to include steel sleeves to prevent strimmer damage and subsequent rot.*
5. *Timber play equipment and grass matts will not be adopted by this Council.*

6. *All dwellings must be within 100m of a LAP.*
7. *The current location of the DP's on the west side of the development are not acceptable as they are within drainage ditches. Children should not be encouraged to play in or near to these.*
8. *The natural play space will be impractical and a short-term proposal. Fallen branches and boulders become slippery and split and they won't offer long-term play provision.*

**Sport England** – no objection:-

*The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facilities Strategy, Playing Pitch Strategy or other relevant needs assessment.*

*It is understood that is a Community Infrastructure Levy (CIL) charging authority and as such, the proposed development is required to provide CIL contribution in accordance with the Councils adopted CIL Charging Schedule.*

*It is acknowledged that there is no requirement to identify where those CIL monies will be directed as part of the determination of any application. That said, Sport England would encourage the Council to consider the sporting needs arising from the development as well as the needs identified in its Infrastructure Delivery Plan (or similar) and direct those monies to deliver new and improved facilities for sport.*

**Police Design Officer** – initially raised concerns with regard to:-

***Dwelling Boundaries*** – *Vertical 'hit & miss' fencing is recommended as opposed to horizontal, which can prove a climbing aid to potential intruders. In this regard, defensive planting (thorny shrubs) can deter crime, however, such planting takes time to become established and the dwellings in question are potentially vulnerable in the meantime.*

***Rear Communal Gardens*** – *I have concerns regarding the security of the dwellings backing onto the shared communal gardens, insofar as the gardens incorporate several footpaths enabling the potential criminal easy, legitimate access to the rear of these dwellings. The rear boundary treatment comprises low ornamental hedges and adjacent gates, which do not appear to accord with the Secured by Design recommendations for rear boundary treatments referred to above. The communal gardens could also become a major source of ASB, such as vandalism, fly tipping, noise nuisance by groups of youths etc. For these reasons, I recommend that the incorporation of rear communal gardens in the scheme be reconsidered. If such communal gardens are considered essential, the rear boundary treatment for the dwellings backing onto*

them should be minimum height 1.8 metres, with gates the same height and lockable from both sides.

**Public Open Spaces/Play Areas** – communal areas have the potential to generate crime, the fear of crime and ASB and should be designed to allow surveillance from nearby dwellings with safe routes for users to come and go. The proposed combined Play Area LEAP/LAP appears to be located on the edge of the development and overlooked from two sides only from nearby dwellings. From a safeguarding children perspective, I recommend that the location of this LEAP/LAP be reconsidered and that it be moved to a more central location with good all-round surveillance from nearby dwellings.

**Car Parking** – is a combination of on-plot, communal on-street and courtyard parking spaces, on-plot being recommended. The communal on-street parking spaces appear to be small in number, close and adjacent to owner's homes and well overlooked from active rooms in them, which is also recommended. I have some concerns regarding the security of the proposed domestic undercroft parking spaces. Vehicles, cycles etc parked in them are out of sight of owners and potentially vulnerable to crime and ASB. Some residents also tend to use such undercrofts for the storage of other household items with vehicles parked on the street causing obstruction. I also have experience of property in such undercrofts being set on fire resulting in extreme risk to the residents living above. In view of this, I recommend all such undercrofts included in this scheme be enclosed and secure.

Subsequently, in light of amendments:-

- **Shared Communal Gardens** – I note that the boundary treatments for the shared communal gardens will be changed to reflect my original advice, which allays my concerns in this respect. Amending the boundary treatment from 0.9 metre timber post & rail fence to 1.5 metre timber fence topped with 0.3 metre trellis improves the security of rear gardens and complies with police advice that exposed side and rear fencing should be minimum height of 1.8 metres. The trellis topping also allows an element of surveillance through the fencing, which as well as improving surveillance of the communal gardens, also makes the fencing more difficult to climb.
- **Unauthorised Access to Communal Gardens** – increasing the height of the hedges at either end of the communal gardens from 1.1 metres to 1.6 metres with post & wire framework should assist in deterring unauthorised access to the communal gardens and any attendant problems.
- **BoKlok Design Features** – I have viewed the photographs of the communal gardens in existing schemes but, as this is a new concept in Sedgemoor, I have no existing developments in this area to compare crime and ASB statistics with. I am not aware of crime and ASB levels in existing developments in Surrey.
- **LEAP/LAP** – I note the applicant's comments and, although I still have concerns regarding the location of the LEAP, bearing in mind the elevated nature of this site and the Badger Zone, if a more central location cannot be identified, I would have no objection to this element of the scheme.

**IDB** – initially objected due to a discrepancy in the details provided for the surface water network for the development:-

*In principle we would agree to a discharge rate of 2 l/s/ha of impermeable area, however the values provided for the impermeable areas are not consistent between table 9 of the FRA (section 6.3 page 19), catchment drawing CAB-STR-SW-GL-DR-C-SL-1910RevP3 dated 02/12/22 and the contributing areas used within the network simulation provided in appendix F of the FRA.*

*The simulation of the SW Southern New network in appendix F shows no flow discharging from the network for any return period. Is that intentional? The surcharged outflows simulations in appendix G do not seem to be discharging either.*

Subsequently it is confirmed that in light of the surface water update within the FRA dated 30 January 23 they remove the objection recommend a condition to ensure that the development is carried out in accordance with the measures outlined in the FRA.

**LLFA** – initially raised a concerns about discrepancies in the supporting information and requested:-

1. *Confirmation of how groundwater emergence will be prevented within proposed basins.*
2. *Demonstration that a viable connection can be made for discharge offsite. For connection to watercourse demonstrate that system can function under surcharged/ flood conditions.*
3. *Where it is proposed to discharge to a drainage system maintained/operated by other authorities (Environment Agency, internal drainage board, highway authority, sewerage undertaker, or Canals and River Trust), evidence of consultation and the acceptability of any discharge to their system should be presented for consideration.*
4. *Calculations and drawings that are fully cross-referenceable with one another.*
5. *Demonstration that any surface water flooding in the 1 in 100 year event plus climate change will be controlled without causing harm to people or properties.*
6. *Calculations with input parameters visible, including contributing areas.*
7. *Revised climate allowances in-line with the most recent climate change allowances, published May 2022.*

Subsequently it is confirmed that:-

*Having reviewed the following documents:*

- Flood Risk Assessment Rev 8, Structa LLP (January 2023)*
- Email RE: 37-22-00071-ACN Planning application objection response (08/02/2023)*
- Bridgwater Ph2\_Resub\_EA Comments\_02.02.2023*

*The LLFA is satisfied that the previous comments have been addressed and have no further comments.*



**Environment Agency** – initially objected about the proposed drainage arrangements. Subsequently confirm that on the basis of the updated Flood Risk Assessment they are able to withdraw their objection to the proposed development. A condition is recommended to set the FFLs at 8.1m AOD and an informative is suggested to encourage occupiers of dwellings in flood zones two and three to sign up for the appropriate flood warnings.

OFFICER NOTE:- as all dwellings would be in flood zone 1 this is not necessary

**Wessex Water** – no objection:-

*The surface water strategy of attenuation prior to land drainage outfall in the submitted FRA is noted. Elements of the surface water network can be offered for adoption to Wessex Water where they are in accordance with the Design Construction Guide of the Sewerage Sector Guidance and Wessex Water's SuDs policy.*

*We note the foul sewerage details contained within Appendices C and H of the submitted FRA which are in line with our expectations (drainage to an on site pumping station already constructed for the proposal). It is noted that infrastructure has also already been laid to serve this proposal and further parcels as shown on the sewer record, connection subject to planning approval and application to Wessex Water*

**Civil Contingencies Officer** – suggests a condition to complete and maintain a flood warning and evacuation plan for the site.

OFFICER NOTE: as the developed part of the site is in flood zone 1 this is not considered reasonable or necessary.

**Affordable Housing Officer** – initially, support – in principle, subject to agreeing an acceptable affordable housing package:-

*This parcel of land is an allocated strategic site, identified in the adopted Sedgemoor District Council (SDC) Local Plan Policy B4 (Land at Bridgwater Gateway). The application is in Hybrid form, Outline for 15 dwellings and Full for 346 dwellings, the application does not provide any information on affordable housing. It is important to note that a development of this size and being part of the strategic growth of SDC it has a policy requirement (SDC Local Plan Policy D6) to provide 30% affordable housing of the total number of homes. In this case the total number of homes in the application totals 361, this equates to 108.3 (30%) affordable housing.*

*The application does not offer any insight into the affordable housing proposals associated with this major residential development, there has also been limited discussions with the Housing Development Team and there is no affordable housing plan attached with this planning application, which is disappointing.*

*In the absence of any affordable housing proposals my advice is as follows:*

*The s106 agreement should capture a commitment to deliver the following affordable housing requirements:*

- The Council will require the applicant to agree (in writing) a detailed affordable housing plan prior to the commencement of development;*
- The affordable homes should be provided on site with an agreed phasing delivery plan;*
- 30% of the overall number of homes must be affordable housing – assuming 361 new homes, this would equate to a minimum of 108.3 homes – this would require a minimum 108 units on site, with a further off-site contribution (commuted sum) in lieu of the 0.3 requirement.*
- I would expect to see a broad range of affordable units – in terms of unit type, size, tenure (etc) - to include smaller units capable of accommodating single households or couples;*
- In line with current central government requirements, 25% of the affordable homes should be an affordable homeownership tenure – known as First Homes. I would expect the remaining 75% of the affordable homes to be social rented in nature wherever possible. It is crucial this development makes a meaningful rented provision to help the authority address the need for such homes.*
- The affordable units should be free from public sector investment;*
- The associated car parking provisions for the affordable units should be clearly identified and in accordance with SCC car parking policy;*
- The affordable housing units will be indistinguishable in appearance from the open market units on site;*
- The affordable housing units should be integrated and well related to the proposed market homes, creating a mixed balanced community;*
- The affordable housing units should be transferred to one of the Council's Main Development Registered Providers currently working in Sedgemoor;*
- Whilst the authority has not adopted the National Space Standards, the affordable homes will be expected to meet a minimum design and size standard to be agreed with the Council'*

Subsequently, in light of viability appraisal:-

*I understand that an independent review of the applicant's development assumptions. I have not seen this independent review, but I am advised that a figure of 10% AH is recommended. I assume this assessment will be published on the planning portal for a wider audience to gain an insight into the justification behind a below policy AH proposition.*

OFFICER NOTE:- The assessment is appended to this report and has been shared with the affordable housing officer.

Based on the assumption that this site of 351 units will only provide 10% AH, the following detailed AH proposals should be secured by s106.

- 10% AH to be provided on site (51 units)
- The AH units should be provided free from public subsidy (grant free).
- Of which 25% of the AH must be a First Homes Tenure (13 units) as required by central government. This is an affordable home ownership product.
- The FH property mix attached to Adrian Noon's email of Fri, 16/06/2023 18:58 is acceptable
- The First Homes should be sold at more than 70% of the price of a similar product being sold on the open market on this development.
- The applicant has indicated their wish to 28 rented AH units and a further 10 shared ownership. Given the well below policy AH provision proposed, it is essential that what few AH units maximise the provision of rented units. Anyone seeking an affordable homeownership home can do so via the First Homes units. The developers tenure split proposed for the non-first homes is unacceptable.
- Therefore, the remaining 75% AH (38) should all be social rent in nature.
- The property mix proposed by the developer for the rented and shared ownership unit (attached to Adrian Noon's email of Fri, 16/06/2023 18) is acceptable, albeit all rented.
- The rented AH units should be transferred to a registered not-for-profit affordable housing provider (RP). The developer should transfer these to one of the council's main partners if possible.
- The developer should enter into contract with a RP to transfer the AH rented units to said RP before the 1<sup>st</sup> open market home is occupied.
- Given the paucity of AH rented units, the rented units should be provided in no less than 3 separate clusters. No one cluster should exceed 14 units in number.
- 50% the AH rented units must be transferred to the RP before the 80<sup>th</sup> open market home is occupied. 100% of the AH rented units must be transferred to the RP before the 200<sup>th</sup> open market home is occupied.
- An AH delivery phasing plan should be provide to the Council prior to the occupation of the 1<sup>st</sup> open market home.
- The First Homes must be made available for sale before the 100<sup>th</sup> open market home is occupied.
- The AH units must be undisguisable in design and appearance to similar open market homes,
- The s106 should include financial review mechanisms to allow the council to review the financial viability of the development once construction has begun. Given the number of homes proposed, I recommend a review be carried out no later than 2 years after construction of new homes has started and a further review completed before the 330<sup>th</sup> home is occupied. Ideally, the review should follow the same methodology to the current reported assessment. I cannot recommend this due to being unsighted on the current review.
- In the event that either review identify a greater developer surplus, the developer will be

*required to pass the council a commuted sum specifically to support the provision of AH in the Sedgemoor North planning area.*

**Education Officer** – no objection

*The total of new housing in this location (346 + 15 dwellings =361 total) will generate the following number of pupils for each education setting:*

*346 x 0.09 = 33 early years pupils*

*346 x 0.32 = 116 primary pupils*

*346 x 0.14 = 51 secondary pupils*

*346 x 0.01 = 3 SEN pupils*

*The totals required are as follows to ensure sufficient education places are available for pupils expected from this development and have been calculated on latest costs per pupil place and include costs to build to net zero in accordance with the Councils Climate Emergency Strategy:*

*£913,229 for early years*

*£3,210,138 for primary*

*£1,708,956 for secondary*

*£489,460 for SEN*

*Total = £6,321,783*

It is noted that:-

*The site allocation (Policy B4) is not excluded on the Sedgemoor 123 list for education and therefore education funding for this site will be collected through CIL.*

**NHS Somerset LPA Engagement** – raise a concern that:

*.....the combined surgeries of North Petherton Surgery and Somerset Bridge Medical Centre, a community facility, are already over capacity within their existing footprint therefore it follows that to have a sustainable development in human health terms the whole local healthcare provision will require review. The combined surgeries already have 11,623 patients registered and this new development will increase the local population by a further 830 persons.*

*Taking this into account and drawing upon the document “Devon Health Contributions Approach: GP Provision document” which was agreed by NHS England, the following calculation has been made:*

**Methodology for Application 37/22/00071**

- 1. Residential development of 361 dwellings*
- 2. This development is in the catchment of North Petherton Surgery and Somerset Bridge Medical Centre which has a total capacity for 11,300 patients.*

3. The current patient list size is 11,623 which is already over capacity by 323 patients (at 103% of capacity).
4. The increased population from this development = 830
  - a. No of dwellings x Average occupancy rate = population increase
  - b.  $361 \times 2.3 = 830$
5. The new GP List size will be 12,453 which is over capacity by 1,153
  - a. Current GP patient list + Population increase = Expected patient list size
  - b.  $11,623 + 830 = 12,453$  (1,153 over capacity)
  - c. If expected patient list size is within the existing capacity, a contribution is not required, otherwise continue to step 6
6. Additional GP space required to support this development = 66.42m<sup>2</sup>
  - a. The expected m<sup>2</sup> per patient, for this size practice = 0.08m<sup>2</sup>
  - b. Population increase x space requirement per patient = total space (m<sup>2</sup>) required
  - c.  $830 \times 0.08 = 66.42\text{m}^2$
7. Total contribution required = **£212,557**
  - a. Total space (m<sup>2</sup>) required x premises cost = final contribution calculation
  - b.  $66.42\text{m}^2 \times £3,200 = £212,557$  (**£589 per dwelling**).

**Ecologist** – No objection subject to safeguarding conditions

**Environmental Health Officer** – no objections subject to conditions to manage construction, address any land contamination and noise.

**Economic Development Officer** – no objection, suggests that conditions secure a local labour agreement so that local people have the opportunity to access jobs in the construction phase

### **Representations**

11 representations received:-

- Impact of additional traffic not properly assessed
- Huntworth and junction 24 roundabouts already congested
- Site needs a school
- Flood risk to lower part of the site
- Impact on schools and health care
- Insufficient infrastructure
- Impact on wildlife
- Loss of green field
- Brownfields site should be used.
- More houses not needed in North Petherton
- Erosion of gap between North Petherton and Bridgwater
- Loss of farm land
- Lack of renewables
- Impact of people's well being

- Loss of view
- Concerns about durability and quality of pre-fabricated homes
- Design is not appealing
- Noise
- Lack of cycle connectivity to Wilstock/Stockmoor
- Layout of cyclepath within site needs reconsideration
- 20mph speed limited should be applied with the site

### **Most Relevant Policies**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF require that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

### **Sedgemoor Local Plan 2011-2033**

Policy B4: Land at Bridgwater Gateway allocates this site are part of a wider mixed use development:-

*Land at Bridgwater Gateway Phase 2 (as defined on the Policies Map) is allocated for mixed-use development. Development will provide (unless otherwise agreed with the Local Planning Authority):*

- *About 400 new homes of a mixed size and type appropriate to the area*
- *6 hectares (gross) B1 employment and other appropriate ancillary uses*
- *Affordable housing in accordance with the Council's requirements*
- *A neighbourhood centre with appropriate facilities such as a convenience store, and community uses*
- *Public open space, and formal and informal recreation*
- *Comprehensive green infrastructure*

*Development will be built in accordance with an approved development and design principles document including an infrastructure delivery plan and master plan.*

*A Transport Impact Assessment will be required in accordance with Policy D14.*

*Access to the residential element will be from the A38 via the approved internal road hierarchy. Additional access from Wilstock Way may also be provided as necessary. The delivery of housing and the identified accesses will be agreed with Somerset County Council and the LPA taking account of the required TIA.*

*The development will be expected to integrate with existing developments and the wider area through provision of public footpaths and cycle ways. This will be through a combination of new provision and enhancement of existing rights of way where appropriate.*

*Development of Phase 2 Gateway will not prejudice the delivery of the consented Phase 1.*

*Development proposals that would compromise the delivery of an identified strategic growth location will not be supported.*

The following policies are considered relevant:-

S1: Presumption in Favour of Sustainable Development

S2: Settlement Strategy

S3: Infrastructure Delivery

S4: Sustainable Development Principles

S5: Climate Change

D1: Drainage and Flood Risk

D2: Promoting High Quality and Inclusive Design

D6: Affordable Housing

D13: Sustainable Transport

D14: Highways Impacts

D15: Economic Prosperity

D19: Landscape

D20: Biodiversity

D25: Protecting Residential Amenity

D27: Education Provision

D28: Health and Social Care

D34: Outdoor Public Recreational Space and New Residential Areas

**Development and Design Principles Document Phase 2 Gateway Housing, adopted March 2022.**

### **Community Infrastructure Levy (CIL)**

The application is for residential development in North Petherton where the Community Infrastructure Levy (CIL) is Urban Residential £55.91/sqm of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of £1,977,568.20. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

### **Main Issues**

#### **Principle**

Local Plan Policy B4 Land at Bridgwater Gateway allocates this site for a mixed-use development that includes about 400 new homes and 6 hectares of B1 employment and other appropriate uses. The policy states that development will be built in accordance with an adopted development and

design principles document including an infrastructure delivery plan and master plan.

Phase 2 Bridgwater Gateway Development and Design Principles Document (DPDD) was adopted by Sedgemoor District Council as a material planning consideration on 30<sup>th</sup> March 2022. This document was based on a detailed assessment of constraints and opportunities and set out a number of design principles based on this analysis. The land use and density design principle states “*development will provide for approximately 470 new dwellings of a mixed size and type to the area*”.

As such the principle of the site’s residential development is accepted.

However this proposal, with the adjoining Vistry site would see the anticipated number of dwellings exceeded. In combination the two applications would deliver 511 dwellings. This is an increase of 41 dwellings from the indicative figure in the design principles. However, the 496 of the proposed dwellings have full details and therefore the number and layout reflect detailed consideration of house types, mix, open space etc and demonstrate that slightly higher number of dwellings could be satisfactorily accommodated whilst still meeting the broad requirements of the development and design principles. In particular the 346 dwellings proposed on this site are based on a particular approach to communal open space and also reflect slightly greater densities associated with the proposed modular building techniques.

Whilst the total number of dwellings based upon the detailed consideration of the site, is slightly greater than the development and design principles, that document did not set an upper limit but rather referred to “approximately” 470 dwellings. It is clear that the total numbers proposed across the two applications is therefore broadly consistent with both the local plan and the adopted guidance that was a requirement of Policy B4. The overall combined developments are able to provide appropriate levels of open space and landscaping, whilst local infrastructure can accommodate these levels without any significant impacts.

Cumulatively therefore the level of development proposed across the two applications is considered to accord with the adopted development and design principles and also the local plan that set housing figures as minimums under Policy S2 Spatial Strategy for Sedgemoor.

## **Highways Issues**

The application site is accessed from Compass Avenue, which forms a signalised junction with the A38 Taunton Road between North Petherton and Bridgwater. The junction is a short distance south-west of the signalised A38 Huntworth roundabout. Junction 24 of the M5 sits approximately 200 metres south-east of the Huntworth roundabout and provides an ‘all-movement grade separated junction’. The potential for the development to impact on the safe and efficient operation of M5 Junction 24 has resulted in National Highways raising concerns.

The application is supported by a Transport Assessment (TA) prepared by Peter Evans Partnership (PEP) dated July 2022. Since the receipt of National Highways’ comments PEP have worked with them



to broadly to agree assessment traffic flows, review development traffic assignment via the M5, consider the cumulative impact of further development under the Policy B3 and B4 Local Plan allocations, and to update traffic modelling work. Subsequently a Supplementary Transport Note dated October 2022 has been provided.

This provides updated traffic modelling work and sensitivity assessments in line with National Highways comments. The note indicates that there will be limited queuing on the M5 slip roads with committed/proposed development and infrastructure in place, including lane marking changes associated with the committed new Motorway Service Area to the east of the M5.

The traffic flow inputs for modelling work have been agreed by National Highways. Whilst the Transyt model results reported in the Supplementary Transport Note are not accepted National Highways have undertaken further investigations using the Flare function for flared approach lanes.

Overall, the modelling work undertaken for the development does not indicate that there will be an unacceptable or severe impact on the safe and efficient operation of M5 Junction 24. However, Transyt modelling forecasts that long queues are likely to form on the A38 approaches to the Huntworth roundabout given cumulative development. As the roundabout operates under MOVA control, it is likely that queues will be shared between approaches, with longer queues also occurring on the link between the A38 Huntworth roundabout and M5 Junction 24. Given the proximity to M5 Junction 24, National Highways will seek to discuss the future operation of the A38 Huntworth roundabout with the Local Highway Authority, with a view to minimising any impact on the safe operation of SRN.

On this basis it is not considered that there would be any undue impact on the safe operation of the SRN and in this respect the proposal complies with policy D14.

Turning to the local road network the highway officer welcomes the change to the Red Line as it now includes Carnival Way and the access to the public highway via the A38 signalised junction). In terms of adoption there has been dialogue between the Highway Authority and the applicant. Normally the Highway Authority does not adopt roads that only serve industrial plots. As such it the highway officer has advised that the existing roads have been laid out and constructed without the technical oversight or involvement of the highways authority. Accordingly, their position is that the roads on the proposed residential development would not be adopted.

Nevertheless, the applicant has confirmed that the existing roads on phase 1 were designed to an adoptable standard and are subject to a full 'ghost' s.38 agreement with the highway authority. The intent of such agreement is to enable the roads to be adopted at a later date.

As it is now proposed to serve residential development via these industrial estate roads this creates a potentially difficult situation whereby the access to the site from the public highway and the roads within the site might not be adopted. Whilst this might be unusual, it is not objectionable in planning terms provided the arrangements are deemed to be safe. In this respect the highways authority have

not objected to the proposed access arrangements and do not require them to be adopted. It is recommended that the 'Road Adoption Drawing' does not form part of any list of approved drawings.

In any event adoption is covered by different legislation (e.g. S38 Highway Act) which would enable subsequent adoption should the suitability of the access from the A38 to the residential part of the site be resolved.

In terms of traffic modelling and impact the highway authority have accepted that the supporting information demonstrates that there would be no undue impact on the local road network outside the site and that no further work is required.

Within the site the highway authority have identified a number of technical issues with the layout that could be addressed at the s38 technical stage without materially altering the scheme.

In terms of car parking policy D14 'states that proposals should ensure that car parking is provided at levels appropriate to the development and in accordance with the parking standards detailed within the Somerset County Council Park Strategy (SCCPS). The DDPD places the site in the orange/amber zone with regard to the SCCPS and based upon the information provided in the Planning Statement, would therefore be expected to provide 854.5 car parking spaces for residents based on:-

<b>Number of bedrooms per dwelling</b>	<b>Parking spaces per dwelling (SCCPS)</b>	<b>Number of dwellings proposed</b>	<b>Total parking spaces recommended (SCCPS)</b>
2	2	101	202
3	2.5	165	412.5
4	3	80	240
<b>Total</b>		<b>346</b>	<b>854.5</b>

Additionally 69.2 spaces for visitors (based on 0.2 visitor spaces per dwelling as per the standards) should be provided, a total of 923.7 spaces

The proposal initially included 692 parking spaces for the 346 dwellings that form part of the full application (the parking spaces for the 15 units are to be determined at reserved matters stage) plus 69 visitor spaces, a total of 761 spaces.

In light of concerns raise the scheme has been amended to provide a total of 807, a deficit of 116.7 spaces. The proposed car parking would be a mix of perpendicular parking adjacent to the street, on-plot driveways, and undercroft parking. No garages are proposed.

The applicant has provided 2011 Census data that indicates 574 spaces would be needed for the levels of car ownership evidenced at that time. The potential growth in car ownership since 2011 has

been reviewed by assessing the DfT TEMPro database. This has indicated that the number of car free and single car ownership homes may be lower in 2024 than envisaged using just the 2011 census, whilst two and three car ownership would marginally increase. Taking this into consideration it is suggested that 2024 (the likely year of first occupation) car ownership levels would be a total of 582 across the 346 dwellings for which full permission is sought.

The site is in the SCC car parking Zone B. However, Zone B typically includes small towns and villages, and not suburbs of the larger towns in Somerset. Therefore, consideration can be given to the proximity of the site to Zone A and the characteristics of the local area which is consistent with Bridgwater rather than nearby villages. The SCC Travel Plan team in the first consultation response identified that the site was in Zone A, acknowledging the close proximity to the more urban zone.

As the level of car parking proposed is below the Zone B optimum levels a review of the provision for each dwelling size was undertaken and included in the Transport Assessment, identifying the following:

- The allocated car parking provision for the two bedroom properties is between the optimum levels suggested for Zone A and Zone B, and given the location of the site on the border of the zones this is considered reasonable.
- for the three bedroom properties an average of 2.5 spaces is sought across the development using the Zone B optimum levels. However the proposals allow for the majority of three bed homes to have two spaces per dwelling, with convenient visitor parking in the vicinity of these properties. Therefore the optimum level for Zone A would be met, with visitors able to park in the proposed visitor spaces. This allows greater flexibility of the use of the spaces, rather than providing a greater number of three bedroom properties with additional private parking.
- for the four bedroom properties a mix of two and three parking spaces is proposed. Visitor parking is also available close to these properties, again allowing greater flexibility of the use of these parking spaces.

In light of this the proposal as amended would provide 93 unallocated visitor parking spaces as well as 714 allocated parking spaces for residents, a total of 807. The provision of these unallocated spaces, would allow efficient use of the parking spaces around the site, rather than having empty spaces allocated to certain properties.

Finally on parking matters, it is noted that both the NPPF and local policy advise that site characteristics and accessibility should be taken into consideration. The proposed level of car parking at the site is considered to be in line with national and local policy taking into account the location and accessibility of the site along with the nature of the development. The use of a greater level of unallocated parking also allows a more efficient use of the car parking provided on the site.

Given the foregoing it is considered that the proposed level of car parking would be appropriate for this site location and meet the requirements of policy D14,

The allocation requires pedestrian and cycle connectivity to the Wilstock/Stockmoor development

and Country Park to the north, stating:-

*The development will be expected to integrate with existing developments and the wider area through provision of public footpaths and cycle ways. This will be through a combination of new provision and enhancement of existing rights of way where appropriate.*

The applicant does not own all the land necessary to do this, nevertheless a footpath/cycleway is shown on the plans to the edge of the land that they own this would then require negotiations with the intervening landowner to ensure that connectivity is made to the road beyond. There is no reason to assume that this cannot be achieved and the difficulties caused by the third party ownership of the intervening land does not in itself make this application objectionable.

A condition is suggested to require the provision of the footpath/cycleway to the edge of the site prior to the occupation of any dwelling to ensure that there will be ample opportunity to complete the connectivity prior to the application site being substantially occupied.

On the basis of the foregoing, it is considered that the highways and connectivity matters raised by this application have been adequately addressed in the proposal complies with the requirements of policies B4, D13, D14 and Development and Design Principles Document Phase 2 Gateway Housing, adopted March 2022.

### **Visual Amenity**

Policy D19 of the Local Plan requires proposals to ensure the landscape is enhanced wherever possible and that there are no significant adverse impacts on local landscape character, scenic quality, and distinctive landscape features.

The Landscape and Visual Impact Assessment accompanying this application, contains an appraisal of the application site and its surrounding context. Desk studies have been carried out to gather baseline character information as well as field surveys to inform the character assessment.

It is noted that the site measures approximately 17ha consisting of arable land of a varying topography. To the northwest and west of the site includes arable fields and the Stockmoor Ryne and north-east is Wilstock Country Park. The sites proximity to Wilstock, Stockmoor and Bridgwater means it is semi-rural in nature as opposed to rural or remote.

The submitted landscape masterplan includes the retention and enhancement of existing hedgerows, particularly along the southern boundary, which will ensure the development is in-keeping with the surrounding context and that long range views of the development are protected.

Green infrastructure is proposed along the western edge to provide a robust development edge and to provide a degree of visual conformity with the surrounding countryside. The proposed development incorporates approximately 8ha of open space offering a multi-functional green infrastructure

network that incorporates ecological features. In addition, SuDS features, community uses and movement routes to provide an attractive, usable space for both people and wildlife are also proposed.

The landscape masterplan proposes new tree, hedgerow, and shrub planting, and structural planting along the western and northern boundaries of the site. An ecological enhancement area within the western section of the site is proposed. This will include the retention and enhancement of meadowland within the floodplain and formation of a broad structural planting belt in association with the proposed attenuation basin.

Over 200 specimen trees are proposed across the development area which once established should soften the appearance of built form on the pastoral land.

A landscape management plan will be required in respect of the future management/maintenance of the existing and proposed landscaping, in order that the longevity of the landscape proposals can be secured into the future. Subject to this it is considered that the transition of this allocated site, in this location, from undeveloped to developed would be appropriately managed and mitigated. On this basis it is considered that the inevitable change in character would be sensitively managed and the resultant development would be well landscaped and would sit comfortably in its context.

Accordingly, this aspect of the proposal (i.e. the wider visual impact and the change in character of the site) complies with the requires of the DPD for the site and policies B4 and D19.

## **Design**

Within the site it is considered that the house types are appropriate to the 'standalone' context – the site is not adjacent to any other residential development or heritage assets whether design and form of the proposed houses might be dictated by the context. As such the modern design is considered acceptable in this location to the rear an industrial state. Whilst there would be views from the north and west towards the site, it would be seen in the context of the backdrop of the commercial development on the A38, with the modern housing at Wilstock and Stockmoor in the foreground. The proposed house types and materials are considered acceptable.

With regard to detail, it has been suggested that where the houses have public facing gable ends they should not be blank facades. Changes have been provided showing the addition of windows, brick detailing and planting to soften public facing timber boundaries.

Accordingly subject to a condition to agree the materials and secure appropriate landscaping this aspect of the proposal was considered to comply with the requirements of policies B4 and D2.

## **Residential Amenity**

There are no existing residential occupiers that would be impacted by the development.

In terms of facilities for future occupiers, proposals for residential development under policies B4 and D34 are required to provide public open space and formal and informal recreation. A proposal of this size would normally be expected to provide a multi-use games area (MUGA) under the terms of Local Plan policy D34 ('Outdoor Public Recreational Space and New Residential Areas'). However, the DDPD refers to the MUGA at Stockmoor Village as sufficient to fulfil the requirements of policy D34 as it is within 700m of the site.

Within the site a LEAP and a 3 LAPs would be provided which are considered acceptable. Additionally, all dwellings would have private gardens or would have direct access to communal gardens from the rears. The former are considered to be of an appropriate size, the latter are a more locally innovative approach to private amenity space. This approach would provide individual households with a larger 'garden' area that would otherwise be unavailable, however on the sloping site such as this there is a risk third party activities within the communal gardens could prove disruptive to individual residents.

To address this concern the application has been amended in light of the police design advisor's concerns to provide a more defensible areas to the rear of the properties adjacent to the communal gardens. These changes include:-

- the rear garden division boundary treatments amended from a 0.9m timber post & rail fence to a 1.5m timber fence with 0.3m trellis above (overall 1.8m height) to provide more secure rear gardens. The 0.3m top section of trellis fence would provide the overall 1.8m height whilst also providing intervisibility between plots. In addition the 1.1m hedge at the end of the communal area will be increased to 1.6m hedges with post and wire framework.
- The communal rear garden areas to have restricted access and will be secured from general public access and will only be allowed for the residents using these spaces. The communal gardens approach is a key design feature of shared community space and living. Each unit will contribute equally to the upkeep of the communal gardens via a management company agreement.

On this basis it is considered that amenity of adjacent residents would be safeguarded. In addition it is noted that any purchaser or tenant considering a dwelling next to the communal gardens would be aware of the situation.

Conditions are suggested to agree the details of layout and landscaping of the communal gardens and the boundary treatments of the individual properties. This will ensure that the police advisor's comments are fully incorporated and on this basis the amenities of future occupiers would be safeguarded.

On this basis the proposal is considered to comply with policies D2 and D34.

## **Drainage**

There are parts of Flood Zone 3 within the north west of the site associated with the Stock Moor Rhyne, flood modelling information has been obtained from the Environment Agency in which data has been reviewed for the various storm events. It is proposed that the finished floor levels of all dwellings should be set at least 600mm above the modelled peak 1 in 100 year + 40% climate change flood level, giving a minimum FFL of 6.04m AOD. It is also noted that a sequential approach to master planning has been used, where all proposed built development would be located within Flood Zone 1. Flood Zones have been included within the drainage strategy drawing showing that built development is located outside of Flood Zone 3, with minor overlaps into Flood Zone 2.

Soakaway testing has been completed on site, which showed that an infiltration lead system is not viable. Groundwater monitoring within the site shows groundwater levels to range from 0.4 to 2.0m below ground level. The drainage strategy drawing indicates attenuation basins up to 1.9m deep. Accordingly, details will be needed to show how ground water emergence into the basin will be prevented.

Greenfield runoff rates have been calculated and in-line and with IDB requirements the discharge rate will be restricted to a lower rate of 2l/s/ha. Correspondence has been provided with Wessex Water stating that they are aware of the surface water approach as public surface water sewers outfall to the same land drainage system.

Having sought additional clarifications and further details, the LLFA has confirmed that the supporting information that has been provided have addressed their concerns and that their initial objection has been withdrawn. Accordingly subject to a condition to ensure that a surface water drainage scheme, based on the submitted and agreed details is subsequently implemented, it is considered that proposed development would not be at risk of flooding and would not increase the risk of flooding elsewhere. Accordingly, the proposal complies with the requirements of policy D1.

## **Ecology**

The Site lies outside the Bat Consultation Zone for Hestercombe House SAC which is designated for its lesser horseshoe bat feature. Furthermore, given the location of the Site and the distance between the Site and Severn Estuary SAC / Ramsar, the proposed development is considered unlikely to have an effect on the species for which these areas are designated and therefore a Habitats Regulations Assessment is not considered necessary for the application.

From the supporting information the ecologist notes agree that:-

*No designated sites of International / European interest were identified within 5km of the Site, with the closest being Severn Estuary SAC and Ramsar located c.6.4km north-west and*

*designated on account of its vulnerable habitats, protected marine species, and habitat suitable for significant numbers of waterfowl.*

*No designated sites of national interest were identified within 2km of the Site, although the Site was noted to be within a Site of Special Scientific Interest (SSSI) risk zone for North Moor SSSI, a nationally important grazing marsh and ditch system on the Somerset Levels and Moors, located approximately 3.3km from the Site. The extent of connectivity from the Site was considered to be negligible.*

*Three local and non-statutory designated sites were identified from within 1km of the Site comprising:*

- Stockmoor Local Wildlife Sites (LWS) an interconnected rhyne network located immediately adjacent to the Site;*
- 1) Junction 24 Embankment LWS: a road verge supporting the nationally scarce bush cricket, located approximately 0.4km from the Site; and*
- Willstock Farm LWS: a group of ponds, located approximately 0.5km from the Site.*

*The following notable habitats and species listed on the Somerset County Biodiversity Action Plan were identified to be relevant to the Site:*

- Hedgerows and hedgerow trees;*
- Traditional orchards;*
- Wood pasture, parkland and veteran trees; and*
- Bats.*

*Habitats noted on site:-*

- The habitat survey undertaken in July 2021 identified that the Site consisted of one large open field reverting to grassland, after being left unmanaged and unfarmed for 2-3 years. It is unknown whether the Site was seeded after farming practices ceased. The vegetation was not dense with patches of bare ground noted.*
- Small discrete sections of lower lying grassland within the floodplain were establishing as marshy, wet grassland.*
- Three hedgerows were identified to be present: H1: species-rich, defunct hedgerow with trees on earth bank; H2: low, species-poor defunct hedgerow adjacent to dry ditch; and H3: species-poor intact hedgerow. A species-poor grassy earth bund was also present, separating the Site from adjacent development to the east.*
- Three rhyne were identified to be present. These were designated as a LWS (as identified above, with the western rhyne also forming part of the IDB network: R1: wide rhyne (3-6m) with grassy banks; R2: shallow ditch which was dry in the south-east and wetter as it entered R3; and R3: wide, as per R1, with coarse grassland banks and field margins.*
- A small area of scrub was also present, with a significant amount of bare earth associated with the presence of badgers.*



*Habitats on-site varied from Local to Site level importance.*

### **Notable Species**

*Badgers: numerous badger records were identified from within 1km of the Site. An active main sett was identified to be present on the Site, along with other badger field signs. An active artificial sett was also present c. 400m south of the Site.*

*Of Site level importance.*

*Bats: the habitat on-site was identified to be of low suitability for foraging / commuting bats, with the rhyne network providing more optimal habitat. No potential roost features were identified within buildings / trees on the Site. 11 species of bat were recorded during bat activity surveys, with activity generally low and concentrated along the western boundary which may be an important foraging site for myotis species, such as Daubenton's bats.*

*Of Local level importance.*

*Dormice: not known to be present locally, nor identified during previous surveys of the area. Dormice are known to be present in Somerset however, and it was identified that it may be possible for dormice to migrate into the Site and be at the eastern extent of their range before encountering Bridgwater, specifically with regards to Hedgerow 3 only.*

*If present (considered unlikely), of Local level importance.*

*Otter: whilst no recent evidence of otter was identified, evidence of otter was previously recorded within the Site and the immediate vicinity (2017). Furthermore, habitat was identified to continue to be suitable for this species for foraging and commuting.*

*Of Local level importance.*

*Water vole: the rhynes and bank edges bordering the Site were identified to provide highly optimal habitat for water voles with presence confirmed in 2017 and 2021 (albeit with a lower density of burrows and extent of feeding remains).*

*Of Local level importance.*

*Great crested newts and toads: all 11 ponds within 250m radius of the Site were surveyed, and all returned a negative result for GCN eDNA, indicating that GCN were absent from Site at the time of survey. The Site was identified to provide suitable, albeit sub-optimal, terrestrial habitat for common and widespread amphibian species, specifically within the rhyne network and associated marginal habitats.*

*Of Site level importance.*

*Reptiles: historical reptile surveys recorded the presence of a single grass snake (2014). Update surveys were not undertaken, but habitat on-site, specifically the rhynes and field margins, was identified to remain suitable for this species. Colonisation by other species was considered unlikely / limited.*

*Of Site level importance.*

*Birds: a limited number of bird species were recorded during the habitat survey. Habitat was identified to provide some foraging habitat, with nesting habitat largely limited to the hedgerows and scrub. Ground nesting habitat was considered sub-optimal given the height of the grassland and lack of management, although may be used by some skylark and other ground nesting species (within the lower lying areas of the Site with sparser vegetation). The Site was considered suboptimal for foraging wintering birds, including those which may be associated with the Severn Estuary.*

*Of Site level importance.*

*Invertebrates: several relatively common invertebrate species were recorded within the field and rhyne margins during the habitat survey.  
Of Site level importance (where associated with terrestrial habitats) and of Local importance (where associated with the rhyne habitats).*

*Other mammal species: hedgehogs were considered unlikely to be present within the Site. Habitat suitable for harvest mice and brown hare was identified to be starting to establish.*

*Hedgehogs and harvest mice, if present, were considered to be of Site level importance, with other species of Negligible importance.*

*Invasive species: no invasive species were recorded on the Site.*

Subject to the implementation of mitigation measures, the impact assessment concluded, with the agreement of the council's ecology no residual adverse effects on identified important ecological features, with the exception of ground-nesting birds, for which a minor adverse effect was anticipated. On this basis the council's ecologist advised that subject to conditions to agree a CEMP, a LEMP and BEMP and the control external lighting the proposal would comply with policy D20 and the Council's duties under the relevant wildlife legislation.

## Planning Obligations

The following planning obligations have been requested:-

- 30% affordable housing;
- The provision of, and subsequent management of LEAP and LAPs, plus incidental on site open space, including the communal garden areas.
- A landscaping environment management plan (LEMP)
- A contribution of £212,557 towards the provision of GP services to meet the additional need arising from the development
- A travel plan

Whilst the applicant has agreed to the provision and management of all the necessary on site open space, the NHS contribution and the requested travel plan, it is their view of that with 30% affordable housing the development and that on the adjoining site (37/22/00126) would be unviable. Policies S5 and D6 of the local plan make provision for reduced planning obligations where it has been demonstrated that these would make the development unviable.

In such situations it is the council's policy to require the developer to provide an open book valuation of the proposal by a suitable third party expert at the developers cost. The applicant has provided a development appraisal of both schemes and entered into dialogue with the council's adviser who has in turn provided a report to the council on this matter which is appended to this report.

*We have carried out an appraisal based on the above assumptions with a 30% provision of affordable housing (See Appendix 1).*

*This results in a residual land value of £2,421,359. This is clearly below the benchmark land value.*

*We then carried out further appraisals with 20%, 10% and zero affordable housing which resulted in residual land values as shown in the table below.*

Affordable %	Land Value 25.5.23	Per acre gross	Per acre net	Per plot
30%	£2,421,359	£39,513	£56,324	£4,738
20%	£3,552,875	£57,978	£82,644	£6,953
10%	£5,473,067	£89,312	£127,310	£10,711
0%	£6,693,403	£109,227	£155,697	£13,099

*In our opinion, the appraisal with 10% affordable housing shows a residual land value that is*

close to the benchmark land value of £4,902,400 and demonstrates that the scheme is viable with 10% affordable housing.

*It is our opinion that, at this stage, the scheme could support 10% affordable housing.*

*It should be noted, however, that this is, at this stage, a very high-level appraisal and any slight changes to any of the inputs will have an impact on the residual land value that is calculated.*

*It is our recommendation that any planning permission should have a review mechanism attached as the scheme is likely to be built out in phases over a number of years and the assumptions adopted will change over time.*

It is noted that it is suggested that the benchmark land value, i.e. the price that a willing seller and willing buyer would agree upon should be based on the existing use value plus (EUV+) model. In such scenario the seller expects to achieve a value based on a multiplier of the existing use value and the seller is prepared to pay this price in light of the uplift in value afforded by the grant of planning permission.

In this instance the agreed existing use value is £8,000 per acre based on agricultural use. It is advised that the uplift should be in the order of 10 times this value, i.e. £80,000 per acre for the whole site – 61.28 acres. A valuation appraisal has been carried out based on a scheme that provides 10% affordable housing; this would provide a benchmark land value of £89,312.43/acre, just over 11 times the EUV. This review of a scheme with 10% affordable housing is summarised in the following table.

<b>GDV (Net sales)</b>	<b>£149,339,650</b>
<b>Costs</b>	
Build costs	78,242,439
Other construction costs (infrastructure, including abnormals)	18,648,904
Professional fees, sales and acquisition fees and finance	15,166,543
Developer's Profit at 19.18% on GDV	28,643,345
<b>CIL</b>	2,672,056
<b>S106 contributions</b>	493,297
<b>TOTAL COSTS</b>	<b>143,866,584</b>
<b>RESIDUAL</b> for land acquisition (61.28 acres)	<b>5,473,067</b> <b>Or £89,312.43/acre</b>

It is accepted that this residual value, i.e. the benchmark land value (c. 11x the EUV) is slightly higher than the suggested value (10 x EUV), however the council's adviser suggests that it is reasonable in the context of what is a relatively high-level valuation exercise. Furthermore, it is suggested that, with an appropriate review mechanism secured in a s106 agreement, the council could be reasonably sure that a sufficiently robust approach has been taken. This would enable any improvements in the viability of the development as a whole to be reviewed and steps taken to secure a more policy compliant contribution of affordable housing.

Additionally, it is to be noted that the suggested benchmark land value represents a more robust position to that taken in relation to other developments in Bridgwater where viability assessments at agreed benchmark land valuations up to 14 x EUV. This slightly lower valuation reflects the qualities of this site.

The following commentary is provided on the requested planning obligations.

### Affordable Housing

Policy D6 requires 30% affordable housing to be provided, however this is subject to viability. The viability of the development has been assessed in conjunction with the proposal for 150 houses on the adjoining (Vistry) site, 37/22/00126. In total 511 dwellings are proposed.

A reduction is proposed to 10% across the wider development with the 51 affordable units all to be provided on this (Boklok) site. Policy D6 allows for such reduction where the evidence demonstrates that it is reasonable to deliver a viable development. If accepted it would be necessary to ensure there is provision for this to be reviewed so that should there be changes to the viability of the development, the affordable housing contribution could be reviewed and if appropriate increased. The detail of the tenure split and nature of other affordable options would be agreed as part of the s.106 negotiations.

### Highways

Travel plans, as required by policy D14, are agreed as a planning obligation to ensure that there are incentives and penalties that can only be delivered by way of a legal agreement. The proposal would maintain travel planning as requested by highways officers.

### Open Space

Policy D34 sets standards for outdoor play space however contributions towards formal sports facilities need to come via CIL so that this can be directed at either existing facilities that need improving or new provision that is located where it benefits wider community access. Furthermore, B4 does not set out a requirement for the provision of sports space on-site and the design guide and local plan have not allocated a specific sports type facility on this allocation.

Within the site communal gardens and formal play space in the form of a LEAP and 3 LAPs would be provided as required by policy D34. The technical detail of that provision and subsequent ownership and maintenance would need to be secured through the section 106 agreement. This would also meet the requirements of the landscape officer in terms of ongoing landscape management.

It is suggested that the LEMP requested by the ecologist is also secured through the S106 as it will largely be connected with the management of public open space and therefore to avoid duplication and possible contradiction it is best dealt with in one place. The provision of the LEMP is necessary and justified in light of the requirements of policy D20.

### Health Care

Policy S5 expects development to address its impact on infrastructure where there is evidence that the existing infrastructure would be incapable of meeting the additional need arising from the development. This is echoed by policy D28 with regard to healthcare provision. Given this position it is considered that the requests of the NHS for a contribution GP provision in the local area is reasonable.

### Education

Although policy D27 expects development that creates a need for additional education facilities including preschool that cannot be met through existing facilities to meet any identified shortfall, it is accepted that, in line with the Council's CIL 123 list, any early years and school expansion would need to bid for CIL funding. As noted by the county education officer any education impacts as a result of the development that would need mitigation could be subject to a bid for CIL funding.

### **Conditions**

Generally the conditions requested by consultees are considered reasonable to secure the details of various mitigation measures such as a CEMP, BEMP, lighting, a CMP, drainage details, land contamination, tree protection and are considered reasonable to mitigate the impacts of the development and are justified by local plan policies. A condition to secure a LEMP is not necessary this would be addressed within the S106 agreement as part of the open space management as it would require a financial contribution that cannot be agreed by condition.

Conditions have been requested by consultees to control noise from food and commercial premises. As these are not proposed, such conditions are not necessary. A condition is suggested to agree measures to protect future occupiers from road noise. However, the proposal does not front, and is not near to, a road that is likely to create problematic noise levels. To the front of the site, the A38 is subject to a 30mph limit, is some distance from the site and would be screened by intervening building and topography. To the rear Wilstock Way is again some distance from the site and is subject

to a 30mph limit. Within the site there is no reason to presume the internal roads would be unduly noisy. As such the requested condition is not considered necessary.

## **Conclusion**

The proposal as amended constitutes an appropriate development of this allocated site the site complies with the requirements of policy B4 and the guidance contained within the adopted Development and Design Principles Document Phase 2 Gateway Housing. Whilst the scheme does not provide for 30% affordable housing as required by policy D6 members are reminded that this policy requirement can be relaxed where it has been demonstrated that such obligation would mean that the development is unviable.

The applicant has provided the Council's advisor with sufficient information for him to agree that the proposed 10% affordable housing across this development and the adjoining Vistry site would be reasonable in this instance. This would equate to 51 units, all of which would be provided on this application site. Initially no affordable units would be provided on the Vistry site, however both sites would be subject to a review mechanism to enable an uplift to be secured should the viability of either scheme improve. All other requested obligations would be provided for.

In all other respects the detail of the proposal is considered acceptable and subject to the suggested conditions the likely impacts would be reasonably mitigated and on this basis the proposal is considered to comply with the requirements of policy D1, D2, D19, D20 and D25.

## **RECOMMENDATION**

### **GRANT PERMISSION**

Grant permission subject to:-

the applicant first entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- 51 affordable housing units.
- The provision of, and subsequent management of a LEAP and 3 LAPs, incidental on site open space and the communal gardens to the satisfaction of the open spaces officer
- A landscaping environment management plan (LEMP)
- A contribution of £212,557 towards the provision of GP services to meet the additional need arising from the development
- A travel plan
- A review mechanism to secure the uplift the affordable provision to 30% across the wider site, including the Vistry site, should the viability of the development improve

and that the Service Director – Governance, Democratic & Legal Services and Monitoring Officer be authorised to prepare and seal the Agreement

and

B. the following conditions

1 **THE FOLLOWING CONDITIONS SHALL APPLY TO THE DEVELOPEMENT FOR WHICH FULL PLANNING PERMISSION IS GRANTED**

The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990.

2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

3 **Phasing**

No development hereby approved shall be commenced until a phasing plan for the development has been submitted to and agreed in writing by the local planning authority. Such phasing plan shall include details of the phased delivery of the groundworks, all dwellings, including affordable housing, the public open space, roads, communal gardens, landscaping, surface water drainage and footpaths. Thereafter the development shall be implemented in accordance with the approved phasing plan.

Reason: To ensure the comprehensive development of the site in the interests of the amenities of future residents in accordance with policies B4, D25 and D32 of the Sedgemoor Local Plan 2011 to 2032.

4 **Ecology**

Prior to commencement of the development a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to, and be approved in writing by the Local Planning Authority. This should expand on the proposed enhancements as outlined within the Ecological Impact Assessment Report (*Ecological Impact Assessment: Bridgwater Gateway, Phase 2 Bridgwater Somerset*, dated July 2022) and shall also include provision for:-



- Bat boxes
- Bird boxes
- Hedgehog friendly fencing to incorporate accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site

Thereafter the development shall be implemented in accordance with the approved BEMP.

Reason: To safeguard protected species and in the interests of the biodiversity of the site in accordance with Policy D20 of the Sedgemoor Local Plan 2011-2032.

- 5 Prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting within the public and communal areas will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating Lux levels. Lux levels should be below 0.5 Lux on the identified horseshoe bat commuting routes. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To safeguard the 'Favourable Conservation Status' of populations of European protected species in accordance with Policy D20.

## 6 **Construction**

Prior to the commencement of development a written commitment to the sourcing of local labour shall be submitted to and approved in writing by the local planning authority. The written commitment, as a minimum, shall set out the following matters:

- i. The proportion of construction workers to be sourced from the local labour pool;
- ii. Work experience/ apprenticeship opportunities;
- iii. The proportion of local procurement and sourcing;
- iv. On-going skills development and training opportunities;
- v. The steps that will be taken to ensure that the above is implemented;

The operator shall maintain a record of i - v above and shall make that information available to the local planning authority at all reasonable times upon request.

Reason: To promote opportunities for the local population in accordance with policy D15 of the Sedgemoor Local Plan 2011-2032.

- 7 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”.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including: results of update badger survey, badger buffer zones and safeguarding construction measures; precautionary habitat clearance measures for dormice; results of update otter and water vole survey, habitat clearance measures for otter and water voles, including confirmation as to the requirement for a licence;
  - d) precautionary habitat clearance measures for amphibians and reptiles;
  - e) nesting birds habitat clearance measures; precautionary measures for other highlighted species such as hedgehog, harvest mice etc.;
  - f) an arboricultural method statement, tree protection plan and schedule of arboricultural supervision
  - g) Pollution Prevention Measures to be implemented during construction concerning on-site and nearby ditches / watercourses.
  - h) The location and timing of sensitive works to avoid harm to biodiversity features.
  - i) The times during construction when specialist ecologists need to be present on site to oversee works.
  - j) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority.
  - k) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - l) Use of protective fences, exclusion barriers and warning signs.
  - m) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

Unless otherwise agreed in writing the approved CEMP shall be adhered to and implemented throughout the construction period. Upon completion of the

construction phase a report, prepared by the Ecological Clerk of Works or similarly competent person, shall be submitted to and agreed in writing by the local planning authority. Such report shall certify the required mitigation and compensation measures identified in the CEMP have been completed to the Local Planning Authorities satisfaction and shall details any necessary remedial works undertaken or required and a timescale for their implementation. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

Reason: To safeguard protected species and in the interests of the biodiversity of the site in accordance with Policy D20 of the Sedgemoor Local Plan 2011-2032.

8 Prior to the commencement of development, including any site clearance, groundworks or construction within each sub-phase (save such preliminary or minor works that the Local Planning Authority may agree in writing), a Construction Management Plan (CMP) to manage the impacts of construction during the life of the works, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the CMP shall, amongst other things, include:-

- a) Measures to regulate the routing of construction traffic;
- b) The importation and of spoil and soil on site;
- c) The removal /disposal of materials from site, including soil and vegetation;
- d) The location and covering of stockpiles;
- e) Details of measures to prevent mud from vehicles leaving the site and must include wheel- washing facilities;
- f) Control of fugitive dust from earthworks and construction activities; dust suppression
- g) Noise control plan (which includes control methods)
- h) A waste disposal policy (stating no burning on site)
- i) Details of any site construction office, compound and ancillary facility buildings;
- j) Construction and delivery hours
- k) Specified on-site parking for vehicles associated with the construction works and the provision made for access thereto
- l) A point of contact (such as a Construction Liaison Officer/site manager) and details of how complaints will be addressed, including an appropriate phone number.

The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied with in full and

monitored by the applicants to ensure continuing compliance during the construction of the development.

Reason: in the interests of highway safety and to safeguard residential amenity in accordance with policies D14, D24 and D25 of the Sedgemoor Local Plan 2011-2032.

9 Prior to the commencement of development a scheme to deal with any contamination of the site shall be submitted to and approved in writing by the local planning authority. Such scheme shall include:-

- an investigation and assessment to identify the extent of contamination;
- a remediation plan to address any contamination found
- measures to be taken to avoid any risk to the public and environment when the site is developed.
- Steps to be taken in the event that any unexpected contamination is found during the course of the development
- Any monitoring necessary to assess effectiveness of the proposed remediation
- Provision of reports as necessary to confirm the outcome of the remediation strategy

Unless agreed otherwise by the local planning authority the development be carried out in accordance with the approved measures.

Reason: To ensure that any risks from land contamination to are minimised in accordance with policy D24 of the Sedgemoor Local Plan 2011-2032.

## 10 **Drainage and Flood Risk Management**

The development permitted by this planning permission shall only be carried out in accordance with the Flood Risk Assessment (FRA) ref CAB-STR-XX-XX-RP-C-XX-1000 revision 8 dated 30 January 23 and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by to 2l/s/ha for all event including the 1 in 100 year plus 45% climate change so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- Finished floor levels shall be set no lower than 8.1 metres above Ordnance Datum (AOD) as detailed in section 5.12 and illustrated on the submitted Levels Strategy Plan (P6 dated 06 October 2022).

Reason: To prevent the risk of flooding accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

- 11 Prior to the commencement of development full technical details of the surface water drainage scheme to serve the site shall be submitted to and agreed in writing by the local planning authority. Such details shall be based on the submitted surface water drainage strategy as supplemented by:-

- Flood Risk Assessment Rev 8, Structa LLP (January 2023)
- Email RE: 37-22-00071-ACN Planning application objection response (08/02/2023)
- Bridgwater Ph2\_Resub\_EA Comments\_02.02.2023

Such scheme shall include measures to prevent the run-off of surface water onto the highway and a phasing plan for implementation. Once approved the surface water drainage scheme shall be implemented in accordance with the approved details and shall be maintained in good working order at all times thereafter.

Reason: To ensure the development is properly drained in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

- 12 No development approved by this permission shall be occupied or brought into use until a scheme 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 ensure the development is properly drained in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

13 **Materials & Detailing**

With the exception of ground works, no works to construct the dwellings hereby approved shall be carried out unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority:-

- a) materials (including the provision of samples where appropriate) to be used for all external walls and roofs of the dwellings;
- b) details of the design, materials and external finish for all external doors and windows of the dwellings;
- c) details of all hard surfacing and boundary treatments for the dwellings.

Once approved such details shall be implemented as part of the development unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of visual amenity in accordance with policy D2 of the Sedgemoor Local Plan 2011-2032.

#### 14 **Landscaping**

With the exception of site clearance and preparation, no development hereby approved shall be commenced until a landscape planting scheme has been submitted to and approved in writing by the local planning authority. Unless agreed otherwise in writing, the approved scheme shall be fully carried out within nine months from the date of commencement of the development. The trees/shrubs shall be protected and maintained, and any dead or dying trees/shrubs shall be replaced to the satisfaction of the local planning authority for a period of five years following their planting.

Reason: In the interests of visual amenity in accordance with policies D2 and D19 of the Sedgemoor Local Plan 2011-2032.

- 15 No dwelling adjacent to the communal gardens shall be occupied until the communal gardens have been laid out and landscaped in accordance with a scheme that has been submitted to and approved in writing by the local planning authority. Such scheme shall include details of levels, planting, any play equipment and street furniture, hard surfacing, and fencing and subsequent maintenance. Thereafter the communal gardens shall be maintained in accordance with the approved details.

Reason: In the interests of visual and residential amenity in accordance with policies D2 and D25 of the Sedgemoor Local Plan 2011-2032

#### 16 **Bin and Cycle Stores**

No dwelling hereby approved shall be occupied unless it has been provided with bin and bicycle storage facilities in accordance with details that have been submitted to and agreed in writing by the local planning authority.

Reason: In the interests of visual and residential amenity in accordance with policies D2 and D25 of the Sedgemoor Local Plan 2011-2032.

#### 17 **Highways**

No dwelling hereby approved shall be occupied until a programme and timing of works for the delivery of a footpath to the north boundary of the site has been submitted to and approved in writing by the local planning authority. The footpath shall be provided in accordance with the details and timing for the delivery of the footpath as approved

Reason: In the interests of good connectivity to local services and facilities in accordance with policies B4, D2 and D13 of the Sedgemoor Local Plan 2011-2032.

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

Reason: In the interest of highways safety in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

- 19 No development above grade shall take place until the details of and specification for highway works consisting of:

- a) *roads*
- b) *footways*
- c) *tactile paving*
- d) *cycleways*
- e) *sewers*
- a) *any retaining walls*
- b) *service routes*
- c) *vehicle overhang margins*
- d) *embankments*
- e) *visibility splays*
- f) *carriageway gradients*
- g) *drive gradients*
- a) *on street parking*
- a) *any landscaping for tree planting area in or adjacent to the highway,*
- b) *pedestrian and cycle routes and associated vehicular accesses and crossings,*
- a) *means of enclosure and boundary treatment next to the highways,*
- b) *street lighting and street furniture,*
- c) *all new junctions,*

- d) *proposed levels,*
- e) *highway drainage*
- f) *swept path analysis for a vehicle of 11.4m length*
- g) *service corridors.*

have been submitted to and approved in writing by the local planning authority. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority. No dwelling shall be occupied until the approved highway works (and any agreed consequential and ancillary works) for that part of the site have been carried out pursuant to an agreement or agreements made with the highway authority under relevant sections of the Highways Act 1980.

Reason: In the interest of highways safety in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

- 20 The areas allocated for parking and turning on the submitted plan shall be kept clear of obstruction at all times and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interest of highways safety in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

21 **THE FOLLOWING CONDITIONS SHALL APPLY TO THE DEVELOPEMENT FOR WHICH OUTLINE PLANNING PERMISSION IS GRANTED**

Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters referred to above, relating to the appearance, landscaping, layout and scale, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

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



Reasons: The application was submitted as an outline application in accordance with the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015. In accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990 (As amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 22 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

- 23 The development hereby approved shall not be brought into use until a surface water drainage scheme has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Such scheme shall include measures to prevent the run-off of surface water onto the highway and once approved the scheme shall be implemented in accordance with the approved details and maintained at all times thereafter unless agreed otherwise in writing by the local planning authority.

Reason: To ensure the development is properly drained in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

- 24 No development approved by this permission shall be occupied or brought into use until a scheme 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 ensure the development is properly drained in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

25 **Construction**

Development shall not begin until a scheme to deal with any contamination of the site has been submitted to and approved in writing by the local planning authority. Such scheme shall include:-

- an investigation and assessment to identify the extent of contamination;
- a remediation plan to address any contamination found
- measures to be taken to avoid any risk to the public and environment

when the site is developed.

- Steps to be taken in the event that any unexpected contamination is found during the course of the development
- Any monitoring necessary to assess effectiveness of the proposed remediation
- Provision of reports as necessary to confirm the outcome of the remediation strategy

Unless agreed otherwise by the local planning authority the development be carried out in accordance with the approved measures.

Reason: A pre-commencement condition is necessary to ensure that any risks from land contamination to are minimised in accordance with policy D24 of the Sedgemoor Local Plan 2011-2032.

- 26 Prior to the commencement of development, including any site clearance, groundworks or construction (save such preliminary or minor works that the Local Planning Authority may agree in writing), a Construction Management Plan (CMP) to manage the impacts of construction shall be submitted to and approved in writing by the Local Planning Authority. The approved plan, and any subsequent amendments as may be agreed in writing by the Local Planning Authority, shall be complied with during the construction of the development.

Reason: A pre-commencement condition is necessary in the interests of highways safety and to safeguard residential amenity in accordance with policies D24 and D25 of the Sedgemoor Local Plan 2011-2032.

27 **Biodiversity**

The reserved matters application shall incorporate measures for the enhancement and protection of biodiversity including:-

- Bat boxes
- Bird boxes
- Bee bricks
- Hedgehog friendly fencing to incorporate accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site

have been installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Such enhancement measures shall Once installed such features shall be retained at all times

thereafter.

Reason: To safeguard and enhance biodiversity in accordance with policy D20 of the Sedgemoor Local Plan 2011-2032.

### **Schedule A**

Location Plan Drg No. CAB-JTP-SW-GL-DR-A-SL-1000 Rev P8  
Illustrated Layout Drg No. CAB-JTP-SW-GL-DR-A-SL-1002 Rev P14  
Phasing Plan Drg No. CAB-JTP-SW-GL-DR-A-SL-1014 Rev P2  
Accommodation Layout Drg No. CAB-JTP-SW-GL-DR-A-SL-1001 Rev P19  
Accommodation Layout (1 of 3) Drg No. CAB-JTP-SW-GL-DR-A-SL-1003 Rev P5  
Accommodation Layout (2 of 3) Drg No. CAB-JTP-SW-GL-DR-A-SL-1004 Rev P5  
Accommodation Layout (3 of 3) Drg No. CAB-JTP-SW-GL-DR-A-SL-1005 Rev P5  
House Type HC2 - Elevations Drg No. CAB-JTP-HC2-XX-DR-A-EL-1041  
House Type HC2 - Elevations (Buff Brick) Drg No. CAB-JTP-HC2-XX-DR-A-EL-1042  
House Type HC2 - Elevation (Grey Brick) Drg No. CAB-JTP-HC2-XX-DR-A-EL-1043  
House Type HC2 - General Arrangement Drg No. CAB-JTP-HC2-ZZ-DR-A-GA-1040  
House Type HC3 - Elevations (Red Brick) Drg No. CAB-JTP-HC3-XX-DR-A-EL-1045  
House Type HC3 - Elevations (Buff Brick) Drg No. CAB-JTP-HC3-XX-DR-A-EL-1046  
House Type HC3 - Elevations (Grey Brick) Drg No. CAB-JTP-HC3-XX-DR-A-EL-1047  
House Type HC3 - General Arrangement Drg No. CAB-JTP-HC3-ZZ-DR-A-GA-1044  
Podium Blocks (North) - General Arrangement Drg No. CAB-JTP-HC3-ZZ-DR-A-GA-1070  
Podium Blocks (North) - Elevations Drg No. CAB-JTP-HC3-XX-DR-A-EL-1071  
House Tpe HC6 - Elevations (Red Brick) Drg No. CAB-JTP-HC6-ZZ-DR-A-EL-1052  
House Tpe HC6 - General Arrangement Drg No. CAB-JTP-HC6-ZZ-DR-A-GA-1051  
House Tpe HC6 - Elevations (Red- Grey Brick) Drg No. CAB-JTP-HC6-ZZ-DR-A-EL-1049  
House Tpe HC6 - Elevations (Buff- Grey Brick) Drg No. CAB-JTP-HC6-ZZ-DR-A-EL-1050  
House Tpe HC6 - General Arrangement Drg No. CAB-JTP-HC6-ZZ-DR-A-GA-1048  
Podium Blocks (South) - General Arrangement Drg No. CAB-JTP-PBN-XX-DR-A-GA-1072  
Podium Blocks (South) - Elevations Drg No. CAB-JTP-PBN-XX-DR-A-EL-1073  
Podium Blocks (South) - General Arrangement Drg No. CAB-JTP-PBN-XX-DR-A-GA-1074  
Podium Blocks (South) - Elevations Drg No. CAB-JTP-PBN-XX-DR-A-EL-1075  
Podium Blocks (South) - Roof Plan Drg No. CAB-JTP-HC3-ZZ-DR-A-GA-1076  
Podium Blocks (South) - Roof Plans Drg No. CAB-JTP-HC3-ZZ-DR-A-GA-1077  
Refuse Store Drg No. CAB-JTP-EXT-ZZ-DR-A-GA-1060  
Cycle Store 1 of 2 Drg No. CAB-JTP-EXT-ZZ-DR-A-GA-1061  
Cycle Store 2 of 2 Drg No. CAB-JTP-EXT-ZZ-DR-A-GA-1062  
Materials Layout Drg No. CAB-JTP-SW-GL-DR-A-SL-1006 Rev P7  
Car Parking Plan Drg No. CAB-JTP-SW-GL-DR-A-SL-1007 Rev P7  
Refuse Plan Drg No. CAB-JTP-SW-GL-DR-A-SL-1008 Rev P7  
Scale & Massing Drg No. CAB-JTP-SW-GL-DR-A-SL-1009 Rev P7  
Cycle & Pedestrian Network Drg No. CAB-JTP-SW-GL-DR-A-SL-1013 Rev P4

Street Scene Sections 1 Drg No. CAB-JTP-SW-XX-DR-A-EL-1020 Rev P6  
Street Scene Sections 2 Drg No. CAB-JTP-SW-XX-DR-A-EL-1021 Rev P6  
Street Scene Sections 3 Drg No. CAB-JTP-SW-XX-DR-A-EL-1024 Rev P4  
Boundary Treatments Drg No. CAB-JTP-SW-GL-DR-A-SL-1010 Rev P7  
Boundary Planting - Layout Drg No. CAB-JTP-SW-GL-DR-A-SL-1012  
Boundary Planting - Section 1 Drg No. CAB-JTP-SW-XX-DR-A-EL-1022  
Boundary Planting - Section 2 Drg No. CAB-JTP-SW-XX-DR-A-EL-1023  
Landscape Master Plan Drg No. CAB-NTA-XX-XX-DR-L-PL-0501 Rev P08  
Landscape Soft Works Master Plan Drg No. CAB-NTA-XX-XX-DR-L-PL-0502 Rev P05  
Landscape GA Softworks 1 of 5 Drg No. CAB-NTA-XX-XX-DR-L-PL-0503 Rev P05  
Landscape GA Softworks 2 of 5 Drg No. CAB-NTA-XX-XX-DR-L-PL-0504 Rev P05  
Landscape GA Softworks 3 of 5 Drg No. CAB-NTA-XX-XX-DR-L-PL-0505 Rev P05  
Landscape GA Softworks 4 of 5 Drg No. CAB-NTA-XX-XX-DR-L-PL-0506 Rev P05  
Landscape GA Softworks 5 of 5 Drg No. CAB-NTA-XX-XX-DR-L-PL-0507 Rev P05  
Landscape Communal Gardens Drg No. CAB-NTA-XX-XX-DR-L-PL-0509  
Landscape Boundary Treatments Drg No. CAB-NTA-XX-XX-DR-L-PL-0510  
Tree Survey & Constraints Plan 1 of 2 Drg No. CAB-NTA-XX-XX-DR-L-PL-0515  
Tree Survey & Constraints Plan 2 of 2 Drg No. CAB-NTA-XX-XX-DR-L-PL-0516  
Tree Protection Plan 1 of 2 Drg No. CAB-NTA-XX-XX-DR-L-PL-0517  
Levels Strategy Drg No. CAB-STR-SW-GL-DR-C-SL-1901 Rev P8  
Drainage Strategy Drg No. CAB-STR-SW-GL-DR-C-SL-1905 Rev P9  
Impermeable Areas Drg No. CAB-STR-SW-GL-DR-C-SL-1910 Rev P3  
Earthworks Strategy Drg No. CAB-STR-SW-GL-DR-C-SL-1911  
Earthworks Strategy Depths Drg No. CAB-STR-SW-GL-DR-C-SL-1912  
Street Lighting Strategy Drg No. CAB-STR-SW-GL-DR-C-SL-1950 Rev P3  
Road Adoption Drg No. CAB-STR-SW-GL-DR-C-SL-1915 Rev P02  
CAB-NTA-XX-XX-DR-L-PL-0508  
CAB-NTA-XX-XX-DR-L-PL-0518

## DECISION

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**Committee date** 27/02/2024

**Application No:** 37/22/00126

**Application Type:** Full Planning Permission

**Case Officer:** Adrian Noon

**Registered Date:** 31/01/2023

**Expiry Date:** 01/05/2023

**Parish:** North Petherton

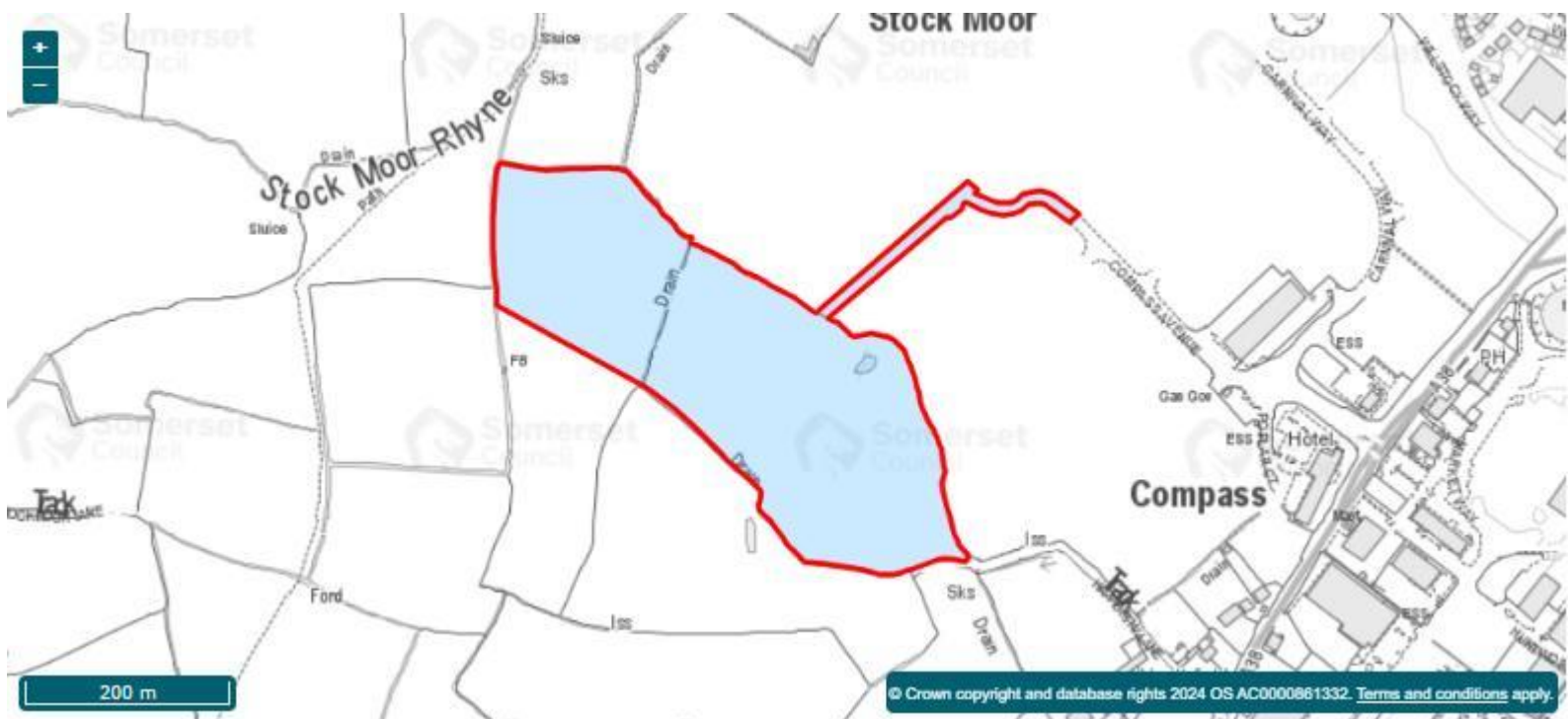
**Division:** North Petherton

**Proposal:** Erection of 150no. dwellings including access, landscaping, infrastructure and associated works.

**Site Location:** Bridgwater Gateway Development, Bridgwater Road, North Petherton, Bridgwater, Somerset, TA6

**Applicant:** Vistry Group

**\*\* THIS APPLICATION IS CODED AS A MAJOR APPLICATION \*\***



## **Committee decision required because**

This major application is referred to the area committee in light of the ward member's comments and to enable the issues regarding viability and the reduced affordable housing offer to be presented transparently.

## **Background**

The site comprises some c.8.5ha of undeveloped land situated south of the Stockmoor/Wilstock development and c. 700m north of the built up area of North Petherton. Although it forms part of the B4 residential/employment allocation, on the south side of Bridgwater, it is within the parish of neighbouring North Petherton.

It is bounded by agricultural land to the south and west and by undeveloped land within the allocation to the east and north. Access is currently via a field gate linking to the A38 Taunton Road, approximately 300m to the east, via an agricultural track. It comprises a single field bounded on all sides by native hedgerow interspersed with occasional trees. A small group of trees is situated in the northern part of the site, but the field is otherwise laid to pasture.

The site is gently sloping, though steepening at the eastern end, with some longer-range views. It currently drains to a network of field ditches. It is predominantly within Flood Zone 1, although its western end extends into Flood Zone 3, in an area benefiting from flood defences. There are no public rights of way crossing or immediately adjoining the site, however public right of way BW23/9 runs across adjoining land, roughly SW-NE, a short distance from the westernmost end of the site.

The proposal is for 150 houses, associated access, open spaces and infrastructure are proposed, comprising:-

- 6 two-bed flats
- 6 two-bed houses
- 60 three-bed houses
- 68 four-bed houses
- 10 five-bed houses.
- 437 parking spaces, including 36 visitor spaces
- a LEAP
- 2 LAPs
- incidental open space with the development
- attenuation ponds and associated drainage infrastructure
- an area of open space at the western end of the site

The dwellings would be 2-storey/2 ½ storey, however the flats would be provided within a 3-storey structure, positioned centrally in the site

Access would be via the existing junction off the A38 and the approved road through the employment

area (Bridgwater Gateway) and the adjoining residential parcel area which is currently subject to an application for 361 dwellings

The proposal has been amended to address issues raised by consultees and further consultations carried out.

No affordable housing is proposed and this site and the adjoining site to the west (the 'Boklok development', 37/22/00071) have been subject to a joint viability appraisal.

### **Relevant Planning History**

**37/21/00135** An environmental screening opinion has been issued concluding that the wider proposal does not constitute EIA development

In terms of the wider allocation the following are of relevance:

**37/21/00118** PP granted for change of use of units 1601 and 1602 (as approved by 37/17/00116) from class E to a mixed use of B2 (General Industry) and B8 (Storage and Distribution).

**37/20/00049** PP granted for erection of a coffee shop with drive-thru and associated car parking, circulation, refuse enclosure, landscaping and associated infrastructure – on site for previously approved PFS

**37/17/00116** PP granted for erection of 10no. light industrial units (Use Class B1(c) and associated infrastructure including accesses, parking and service yard

**37/15/00089** Reserved matters approved for erection of 3, three storey employment buildings (use class B1) and associated infrastructure (not implemented)

**37/15/00088** Reserved matters approved for erection of hotel, employment buildings (use class B1) and associated infrastructure

**37/15/00087** Reserved matters approved for erection of petrol filling station and associated infrastructure (not implemented)

**37/13/00091** Reserved matters approved for erection of three storey building (use class B1), formation of parking and access (not implemented)

**37/13/00087** Reserved matters approved for layout of internal spine road (Phase 1)

**37/11/00084** Outline PP granted for mixed use development to include: employment floorspace (Use Class B1), hotel (Use Class C1), petrol filling station (Sui Generis); strategic landscaping, infrastructure including internal roads, drainage, car parking; and

including detailed drawings for a new vehicular and pedestrian access on to the A38.

Additionally there is a scheme for 361 houses on the site immediately to the north – 37/22/00071, submitted by Boklok. This would provide part of the access to this site. The viability of the two sites has been jointly assessed.

### **Consultation Responses**

**North Petherton Town Council** – support on the grounds that:-

*it is a well designed scheme and offers improvement to the housing stock, however the approval should have the following conditions:*

- *A cyclepath / footpath through the development over Wilstock Way to Stockmoor should be included*
- *There should be a financial contribution to the Wilstockhub*
- *The flood defence and drainage issues should be addressed so there is no impact on existing homes, including those of other settlements affected by the watercourse*

Confirmed support in relation to the amendments provided that the Wessex Water and Environment Agency requirements are met and it does not overload the existing water and sewerage infrastructure.

**Councillor Revans** – comments:-

*my view is that this is a major application and needs public scrutiny to ensure it is policy compliant on grounds of health, education and transport infrastructure*

**Cllr Bradford** – comments:-

*I support the development area but have reservations regarding the type of material base. I suggest the committee takes a look at this one.*

**Planning Policy** – no objection, considering the proposal to be broadly consistent with the allocation.

**National Highways** – have considered this likely impacts of the proposal development in conjunction with the Boklok scheme and confirm that they have no objection.

*Following National Highways' comments in respect of assessment material for Phase 2 development (reference 37/22/00071), PEP provided further sensitivity testing to consider alternative variables including trip distribution, baseline traffic survey data for M5 Junction 24, and committed/ planned development assumptions. The findings were reported in a Supplementary Transport Note dated October 2022. The sensitivity testing considered a higher level of assessment traffic than accounted for by the current application, accounting for full build-out of the Bridgwater Gateway allocation and assuming provision of further on-site employment and a local centre rather than the proposed housing set out in the current application.*



*Whilst National Highways did not accept the Transyt model results reported in the Supplementary Transport Note due to the modelling of flared approaches to the A38 Huntworth roundabout, following further model investigations we accepted that the neighbouring Phase 2 development was unlikely to have an unacceptable or severe impact on the safe and efficient operation of M5 Junction 24.*

*On the basis the Phase 2 application assessed a higher level of traffic generation than is forecast for the current application, National Highways accepts the proposed development for 150 dwellings is unlikely to result in an unacceptable impact on the safe operation of the SRN.*

*Notwithstanding this, traffic modelling work shows long queues on the A38 approaches to the Huntworth roundabout as a result of cumulative development coming forward. As the roundabout operates under MOVA control, it is likely that queues will be shared between approaches, with longer queues also occurring on the link between the A38 Huntworth roundabout and M5 Junction 24. Given the proximity to M5 Junction 24, we will seek to discuss the future operation of the A38 Huntworth roundabout with the Local Highway Authority, with a view to minimising any impact on the safe operation of the SRN.*

**Highway Officer** – no objection subject to the amended travel plan being secured by a s106 agreement and highways safeguarding conditions.

**Landscape Officer** – no objection subject to appropriate condition to agree tree protection measures and agreeing a landscape planting:-

*I have reviewed the detailed landscape proposals submitted by Golby and Luck Landscape Architects, in support of this application and confirm that I am satisfied with the proposed mitigation for vegetation loss and landscape enhancement proposed for the development. The species, quantities and stock sizes proposed are acceptable and the scheme, once established, should provide enhancement to the development and a positive contribution to biodiversity, I am therefore happy for the planting scheme to be formally approved in due course.*

**Public Health Specialist** – initially commented:-

*On housing design and affordability the HIA states that the proposal meets housing need. However, the HIA notes the ageing population in Sedgemoor. I would submit that 3-5 bed housing is not aimed at elderly households. However I note that Vistry has agreed with Boklok that affordable housing will be provided by the latter on the neighbouring site, where 101 2 bed units are proposed. Planning officers should satisfy themselves that across the two sites the housing mix, both market and affordable addresses housing need across the age spectrum, recognising that most population growth will come from over 65s.*

*In respect of both health and education capacity, the HIA determines there is adequate spare*

capacity in the system based on current patient lists and school rolls. It is not clear if the HIA author has taken into account demand from other developments already in the pipeline, including Boklok, to reach that conclusion. Planning officers should check with NHS Somerset and SCC Education officers to see if they concur with the findings.

**Regeneration Manager (urban design comments) – no objection**

*In general, these are both well-developed schemes indicating a high-quality output both in respect of layout, appearance and provision of environment.*

*I have the following points to make though;*

- Where the houses have public facing gable ends they should not be blank facades, this applies in particular to the Vistry scheme. I would like to see animation on these either through the addition of windows or brick detailing or planting.*
- Public outward facing timber boundaries should provide for climbing planting to screen, this is particular relevant on the boundaries of the Vistry site where long distance views into the site will see a long fence line (on the east boundary). I find that some of the public outward facing boundaries on Boklok confusing. The plan indicates that 0.9 high post and rail fences are proposed. It would seem likely that residents will immediately change this to 2m high timber boarded fences. Could the applicant please review? Otherwise provision should be made for climbing planting to screen, this is particular relevant on the boundaries of the site where long distance views in will see a long fence line.*
- SuDs drainage is disappointing as I see on the Vistry scheme reference to barbed wire and pig mesh fence around the attenuation basins and also see that it will be dry for the majority of the time with most discharge going directly into the ditch. This means that pollutants on the road and hard surfaces will go directly into the water course damaging the environment. It would be better for drainage to go into the attenuation ponds and be filtered through aquatic planting before discharging into the ditch. The basins could then be permanently wet / damp and support biodiversity and ecology. Access into these areas should also be permitted, barbed wire and pig mesh is not the right approach.*

*On Bok Lok I can't find any detail on the strategy apart from a plan so I can't see detail. I would suggest that there is a very good opportunity to create wetland suds here and it would seem that there is no provision for aquatic planting in the basins but reference to the two swales as treating waste water but again no detail on how.*

*The Council have been working with the Wildfowl and Wetland Trust (WWT) and implementing schemes all around Bridgwater which draw on the wetland approach to drainage. We have done this at Northgate Yard creating an urban wetland in the town centre, we are working on the Parrett Barrier and creating wetlands associated with infrastructure. We would welcome an introduction for Vistry and BokLok to revisit their drainage strategies*

*with WWT to get them right.*

*In conclusion, both applications generally conform to the requirements of the adopted Bridgwater Gateway Development and Design Principles document which covers the following objectives; Overall Concept, Sustainability, Land use and Density, Access and Movement, Green Infrastructure, Blue Infrastructure but I would like to be able to initiate a new conversation on the blue infrastructure side of the scheme.*

**Open Spaces Officer** – confirms that there is sufficient on-site public open space proposed to conform to the scale of development. This includes catchments for playing spaces and the laying out of these will need to be secured either by condition or as an obligation within a S106 agreement, should consent be granted.

**Police Design Officer** – notes that applicant has taken some account of crime prevention measures in the design of this development. Has identified a number of issues:-

- **Permeability** *(break throughs in western hedge) –a certain amount of permeability is obviously essential, however, excessive permeability permits and legitimises access into areas for potential offenders where they are less likely to be noticed and challenged. It allows anonymous and unrestricted opportunity to enter these areas, familiarise, search for vulnerable targets, offend and escape. I am still of the opinion that three break throughs in this hedge is excessive and recommend it be reduced to one.*

OFFICER NOTE: the amended scheme has 2 break throughs

- **Dwelling Boundary Treatments** *–I note that trellis has been added to the top of rear boundary fencing for those plots on the eastern perimeter backing onto POS, which will improve the rear security of these plots.*
- **Dwelling Rear Access Footpaths** *–I also note that rear garden gates will be pulled forward to the front building line of the dwellings, which will improve surveillance of these gates from the street, deter climbing over the gates by potential offenders and improve side and rear security of these dwellings.*
- **LAP on Western Edge** *–although the location was apparently chosen to satisfy LPA’s maximum travel distance, I remain of the opinion that this LAP is poorly overlooked and should be relocated.*
- **Public Facing Gable Ends** *–blank gable ends should be avoided, as this can result in crime and ASB affecting these dwellings, and the proposed provision of a window in public facing gable ends of such dwellings should deter this and improve surveillance of public spaces from these dwellings.*

OFFICER NOTE:- The amended scheme incorporates windows to most end elevations where they face the public realm

- **Flat Block** –incorporates front and rear communal entrances into a Lobby, so a suitable visitor door entry system and access control system should be installed for use by residents and visitors. The system should incorporate access to the building by use of proximity fob, swipe card or similar, vandal resistant external door entry panels with linked camera, live audio/visual communication between the occupant and visitor and ability to release the primary entrance doorset from the dwelling. The block also incorporates balconies on the first and second floors at the front so any climbing aids should be designed out.

OFFICER NOTE: Such matters would be an operational management issue for the freeholder of the flats.

**IDB** – initially sought clarifications and revisions to address concerns raised. Subsequently it is confirmed that:\_

*After discussion with the applicant and the review of the updated plan for surface water attenuation, the Board is now able to **remove the objection** to the proposals with the amendments that have now been made. A condition suggested to ensure compliance with the updated Drainage Strategy (DS) dated November 2023.*

**LLFA** – initially sought clarification about the detail and design of the surface water drainage strategy. In light of additional details and clarifications, and noting agreement of IDB and EA, have confirmed that the proposal is acceptable. However, in light of subsequent revision to address other matters have requested clarification of whether the revisions to the layout result in changes to the impermeable area of the site that affect the previously approved surface water drainage strategy.

OFFICER NOTE: It has been confirmed that the final revisions do not affect the impermeable area and previously approved drainage strategy.

**Environment Agency** – No objection subject to a condition to set the FFLs at 9.6m AOD

**Wessex Water** – no objection, noting at the site depends on the adjoining Boklok site for a connection. Accordingly a condition is suggested to ensure that details of this are provided

**Civil Contingencies Officer** – suggests a condition to complete and maintain a flood warning and evacuation plan for the site.

OFFICER NOTE: The residential parts of the site are not in an area of flood risk so this is not necessary.

**Affordable Housing Officer** – concerns that the proposal would not deliver affordable housing:-

*this parcel of land forms part of a wide parcel of land identified within the SDC local plan and is earmarked for residential growth - Policy B4. The Council has recently adopted stretched housing delivery targets. This development will be important in helping the authority achieve its ambitious housing delivery targets. This application is referred to as phase one (of three) which when built might see 511 new homes built.*

*The adopted local plan (Policy D6) requires greenfield land developments of this scale to contribute a minimum of 30% affordable housing (potentially 153 affordable homes) across all three phases. Taken in isolation, this application (phase one), a policy compliant affordable housing provision would equate to 45 homes. This application proposes 0% affordable homes. All the homes on this phase will be open market housing.*

*The applicant states (par 7.15 in their planning statement) that the affordable homes associated with this phase will be delivered on phase 2 & 3 by a third party. The planning application for phase 2 & 3 (37-22-00071) has not been agreed at this time. This approach to effectively deterring the delivery of affordable homes to later phases is in theory possible. This would effectively see an above policy number of affordable homes on phases 2 & 3. This approach does not support the Council's desire to create balanced and integrated communities.*

*Further, phases 2 & 3 would be delivered by a third party. Their application has not been determined and I am unclear how the proposed over-provision of affordable homes on phase 2 & 3 will be secured by the LPA should phase 1 go ahead or for that matter, if it did not. Should phase 1 be built, but not 2 & 3 not, the LPA would not secure any affordable homes here.*

**Education Officer** – no objection, and will seek the appropriate contribution from CIL funds:-  
*A proposal of 150 dwellings in this location will generate the following number of pupils for each education type:*

- 14 Early years*
- 48 Primary school*
- 21 Secondary school*
- 2 Special Education needs*

*Education contributions will be required for a new build Primary school with early years facilities and expansion of the secondary schools (Robert Blake and Chilton Trinity) in Bridgwater to accommodate the children from this development. The housing in this development combined with the children from the development under application 37/22/0071-Bridgwater Gateway Site, phase 2 – total 361 dwellings will require the school infrastructure to be in place as the homes are built as there is no capacity in the near by North Petherton school.*

*The former Sedgemoor Infrastructure Funding Statement indicates any requests for contributions would be requested via CIL.*

The cost to build for the number of children from this development alone are as follows:

- £387,430 for early years
- £1,328,333 for Primary pupils
- £703,688 for Secondary
- £244,730 for SEN

We as education authority will discuss the funding for the necessary school capacity increases to support this development with the planning team.

**NHS Somerset LPA Engagement** – note that:

The proposed development is for **150** dwellings (0 x affordable homes) and this will create an estimated of population of **333** new residents within the development based an average household size of **2.22**.

The closest GP surgeries to the proposed development are:

- **North Petherton Surgery (SFT)** - Mill Street, North Petherton
- **Somerset Bridge Medical Centre** - Stockmoor Park, Taunton Road, Bridgwater
- **Taunton Road Medical Centre** - 12-16 Taunton Road, Bridgwater

It is envisaged that the vast majority of the residents of the proposed development will register as patients with these practices.

The current combined medical centres providing primary care are up to their capacity and will not be able to absorb the increased patients arising from the proposed development.

The only way to mitigate the impact is to increase the physical capacity of the existing surgeries.

Accordingly a contribution of £91,718 (£611/dwelling) is sought to increase the physical capacity to mitigate the likely impact of the development. This is calculated as follows:-

- The increased population from this development = **333**
- a. No of dwellings x Average occupancy rate = population increase
  - b. 150 x 2.22 = 333

- The new GP List size will be **28,352** which is over capacity by **1,547**
- a. Current GP patient list + Population increase = Expected patient list size
  - b. 28,019 + 333 = 28,352 (1,547 over capacity)
  - c. If expected patient list size is within the existing capacity, a contribution is not required, otherwise continue to step 6

*Additional GP space required to support this development = 25.64m<sup>2</sup>*

*a. The expected m<sup>2</sup> per patient, for this size practice = 0.077m<sup>2</sup>*

*b. Population increase x space requirement per patient = total space (m<sup>2</sup>) required*

*c. 333 x 0.077 = 25.64m<sup>2</sup>*

*Total contribution required = £91,718*

*a. Total space (m<sup>2</sup>) required x premises cost = final contribution calculation 25.64m<sup>2</sup> x £3,577 = £91,718 (**£611 per dwelling**).*

**Natural England** – no objection:-

*Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.*

**Ecologist** – No objection subject to safeguarding conditions

**Environmental Health Officer** – no objections subject to conditions to manage construction, address any land contamination, manage noise and construction

**Economic Development Officer** – no objection, suggests a condition to secure a local labour agreement so that local people have the opportunity to access jobs in the construction phase

### **Representations**

29 representations received:-

- 1 Lack of infrastructure to support development;
- Over subscribed surgeries, dentists and schools;
- Lack of affordable housing;
- Need housing for the elderly;
- Roads cannot cope, particularly the A38 through North Petherton when used as a diversion for the M5;
- Junction 24 is already bad, and is worse in summer
- A new bypass to the west of North Petherton is needed
- Speed limits are not enforced
- Lack of parking
- Impact on drainage
- Impact on wildlife
- Lack of parking in Wilstock and Stockmoor
- Lack of school, community centre and bus route at Wilstock
- Loss of green space between Bridgwater and North Petherton;
- Lack of buses;

- Car dependent development;
- Lack of accessible green space
- Rural view will be compromised

### **Most Relevant Policies**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF require that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

### **Sedgemoor Local Plan 2011-2033**

Policy B4: Land at Bridgwater Gateway allocates this site are part of a wider mixed use development:-

*Land at Bridgwater Gateway Phase 2 (as defined on the Policies Map) is allocated for mixed-use development. Development will provide (unless otherwise agreed with the Local Planning Authority):*

- *About 400 new homes of a mixed size and type appropriate to the area*
- *6 hectares (gross) B1 employment and other appropriate ancillary uses*
- *Affordable housing in accordance with the Council's requirements*
- *A neighbourhood centre with appropriate facilities such as a convenience store, and community uses*
- *Public open space, and formal and informal recreation*
- *Comprehensive green infrastructure*

*Development will be built in accordance with an approved development and design principles document including an infrastructure delivery plan and master plan.*

*A Transport Impact Assessment will be required in accordance with Policy D14.*

*Access to the residential element will be from the A38 via the approved internal road hierarchy. Additional access from Willstock Way may also be provided as necessary. The delivery of housing and the identified accesses will be agreed with Somerset County Council and the LPA taking account of the required TIA.*

*The development will be expected to integrate with existing developments and the wider area through provision of public footpaths and cycle ways. This will be through a combination of new provision and enhancement of existing rights of way where appropriate.*

*Development of Phase 2 Gateway will not prejudice the delivery of the consented Phase 1.*

*Development proposals that would compromise the delivery of an identified strategic growth location will not be supported.*



The following policies are considered relevant:-

- S1: Presumption in Favour of Sustainable Development
- S2: Settlement Strategy
- S3: Infrastructure Delivery
- S4: Sustainable Development Principles
- S5: Climate Change
- D1: Drainage and Flood Risk
- D2: Promoting High Quality and Inclusive Design
- D6: Affordable Housing
- D13: Sustainable Transport
- D14: Highways Impacts
- D15: Economic Prosperity
- D19: Landscape
- D20: Biodiversity
- D22: Trees and Woodland
- D25: Protecting Residential Amenity
- D26: Historic Environment
- D27: Education Provision
- D28: Health and Social Care
- D34: Outdoor Public Recreational Space and New Residential Areas

**Development and Design Principles Document (DDPD) Phase 2 Gateway Housing, adopted March 2022.**

**Somerset County Council Parking Standards**

### **Community Infrastructure Levy (CIL)**

The application is for residential development in North Petherton where the Community Infrastructure Levy (CIL) is Urban Residential £55.91/sqm of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of £1,001,804.97. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

### **Main Issues**

#### **Principle**

Notwithstanding local concerns about the loss of a green space, Local Plan Policy B4 Land at Bridgwater Gateway allocates this site for a mixed-use development that includes about 400 new homes and 6 hectares of B1 employment and other appropriate uses. The policy states that

development will be built in accordance with an adopted development and design principles document including an infrastructure delivery plan and master plan.

Phase 2 Bridgwater Gateway Development and Design Principles Document was adopted by Sedgemoor District Council as a material planning consideration on 30<sup>th</sup> March 2022. This document was based on a detailed assessment of constraints and opportunities and set out a number of design principles based on this analysis. The land use and density design principle refers to “*development will provide for approximately 470 new dwellings of a mixed size and type to the area*”.

As such the principle of the site’s residential development is accepted.

However this proposal with the adjoining Boklok site would see the anticipated number of dwellings exceeded. In combination the two applications would deliver 511 dwellings. This is an increase of 41 dwellings from the indicative figure in the design principles. However, the 496 of the proposed dwellings have full details and therefore the number and layout reflect detailed consideration of house types, mix, open space etc and demonstrate that slightly higher number of dwellings could be satisfactorily accommodated whilst still meeting the broad requirements of the development and design principles. In particular the 346 dwellings proposed under 37/22/00071 are based on a particular approach to communal open space and also reflect slightly greater densities associated with the proposed modular building techniques.

Whilst the total number of dwellings based upon the detailed consideration of the site, is slightly greater than the development and design principles, that document did not set an upper limit but rather referred to “approximately” 470 dwellings. It is clear that the total numbers proposed across the two applications is therefore broadly consistent with both the local plan and the adopted guidance that was a requirement of Policy B4. The overall combined developments are able to provide appropriate levels of open space and landscaping, whilst local infrastructure can accommodate these levels without any significant impacts.

Cumulatively therefore the level of development proposed across the two applications is considered to accord with the adopted development and design principles and also the local plan that set housing figures as minimums under Policy S2 Spatial Strategy for Sedgemoor.

## **Highways Issues**

The application site would be accessed through the Boklok site from Compass Avenue, off the signalised junction with the A38 Taunton Road between North Petherton and Bridgwater. This junction is a short distance south-west of the signalised A38 Huntworth roundabout. Junction 24 of the M5 sits approximately 200 metres south-east of the Huntworth roundabout and provides an ‘all-movement grade separated junction’. The potential for development to impact on the safe and efficient operation of M5 Junction 24 has resulted in National Highways raising concerns in relation to the residential development proposed by this application and the adjoining Boklok scheme.

This issue was addressed by a Transport Assessment (TA) prepared by Peter Evans Partnership (PEP) dated July 2022 who have worked with National Highways to:-

- broadly agree the assessment of traffic flows;
- review development traffic assignment via the M5;
- consider the cumulative impact of further development under the Policy B3 and B4 Local Plan allocations; and
- update traffic modelling work.

Subsequently a Supplementary Transport Note dated October 2022 has been provided. This provides updated traffic modelling work and sensitivity assessments in line with National Highways comments. The note indicates that there will be limited queuing on the M5 slip roads as result of committed and proposed development and with infrastructure improvements in place, including lane marking changes associated with the committed new Motorway Service Area to the east of the M5.

The traffic flow inputs for the modelling work have been agreed by National Highways. Whilst the Transyt model results reported in the Supplementary Transport Note are not fully accepted, National Highways have undertaken further investigations using the 'Flare function' for flared approach lanes – i.e. the ability for turn left lanes to provide additional capacity.

Overall, the modelling work undertaken for the development does not indicate that there will be an unacceptable or severe impact on the safe and efficient operation of M5 Junction 24. However, Transyt modelling forecasts that long queues are likely to form on the A38 approaches to the Huntworth roundabout given cumulative development. As the roundabout operates under MOVA control, it is likely that queues will be shared between approaches, with longer queues also occurring on the link between the A38 Huntworth roundabout and M5 Junction 24. Given the proximity to M5 Junction 24, National Highways will seek to discuss the future operation of the A38 Huntworth roundabout with the Local Highway Authority, with a view to minimising any impact on the safe operation of SRN.

On this basis it is not considered that there would be any undue impact on the safe operation of the SRN and in this respect the proposal complies with policy D14.

Turning to the local road network the highway officer raises no safety objection to the access to the public highway via Carnival Way and Compass Avenue to the A38 signalised junction). In terms adoption there has been ongoing dialogue between the Highway Authority and the applicant. Normally the Highway Authority does not adopt roads that only serve industrial plots as is the current situation. As such the highway officer has advised that the existing roads have been laid out and constructed without the technical oversight or involvement of the highways authority. Accordingly their position is that the roads on the proposed residential development would not be adopted, as they would not be linked to the public highway (i.e. the A38) by an adopted highway.

Nevertheless it has been confirmed that the existing roads on phase 1 were designed to an adoptable standard and are subject to a full 'ghost' s.38 agreement with the highway authority. The intent of

such agreement is to enable the roads to be adopted at a later date.

As it is now proposed to serve residential development via these industrial estates road this creates a potentially difficult situation whereby the access to the site from the public highways might not be adopted. Whilst this might be unusual, it is not objectionable in planning terms provide the arrangements are deemed to be safe. Accordingly the highways authority have not objected to the proposed access arrangements and do not require them to be adopted.

In any event adoption is covered by different legislation (e.g. s38 of the Highway Act) which would enable subsequent adoption should the suitability of the access from the A38 to the residential part of the site be resolved.

In terms of traffic modelling and local impact the highway authority have accepted that the A38 Huntworth Roundabout and A38/ Compass Avenue junctions would continue to operate within capacity in the 2032 baseline position with all committed development built out, and the same scenario exists when the development traffic is factored in, albeit with a slight reduction in overall capacity during both peak hours.

It is noted that a total of 84 and 88 trips (two way) would be generated respectively in the AM and PM peak hours. However the Highway Authority does not consider that these additional movements would have any detrimental or severe impact on traffic flows in the vicinity. As such it has been accepted that the supporting information demonstrates that there would be no undue impact on the local road network outside the site and that no off site improvements are required.

Within the site it is accepted that the overall proposed parking provision, 401 spaces for 150 dwellings plus 36 visitor spaces, is generally in accordance with the standard for Zone B, the standards for which indicate an optimum requirement for 408 spaces for the dwellings and 30 visitor spaces. Against this the proposal is 7 spaces short of the requirement for the dwellings and over provides six spaces for visitors; overall the proposal under provides by one space.

As Zone B typically includes small towns and villages, and not suburbs of the larger towns in Somerset which are typically in Zone A, where the requirement for a development of this size would be 366 spaces for the dwellings and 30 visitor spaces. Assessed against this the proposal over provides by 41 spaces. On this basis, in light of both NPPF and local policy advise that site characteristics and accessibility should be taken into consideration, the very slight under provision (i.e. 1 space) is not considered objectionable in this well connected location which is arguable more characteristic of Zone A rather than Zone B.

Electric vehicle charging points could be provided for each property in line with both national and SC guidance, although it is to be noted that this is now covered within the latest building control regulations. Additionally secure, covered cycle parking is proposed within the curtilage of each property with sufficient space to accommodate the number of cycles for the number of bedrooms proposed, in line with SC guidance.

Given the forgoing it is considered that the proposed level of car parking would be appropriate for this site location and meet the requirements of policy D14,

Allocation requires pedestrian and cycle connectivity to the Wilstock/Stockmoor development and Country Park to the north. The application site does not extend to this boundary, however it is well connected to the adjoining Boklok site through which a connection could be provided.

The application is supported by a travel plan which has been accepted by highways officers and would need to be secured through a s106 agreement to promote sustainable means of travel as required by policy D14.

On the basis of the foregoing it is considered that the highways and connectivity matters raised by this application have been adequately addressed in the proposal complies with the requirements of policies B4, D13, D14 and Development and Design Principles Document Phase 2 Gateway Housing, adopted March 2022.

### **Visual Amenity**

Policy B4 sets out the overall expectations of development and are supplemented by the development and design principles document (DDPD) and following detailed policies:-

- Policy D19 of the Local Plan requires proposals to ensure the landscape is enhanced wherever possible and that there are no significant adverse impacts on local landscape character, scenic quality, and distinctive landscape features.
- Policy D22 states that where possible development should seek in the first instance to avoid or minimise the loss of or damage to trees, woodland and hedgerow.
- Policy D2 requires high quality, sustainable and inclusive design for all new developments t

With regard to the landscape impact it has been accepted through the allocation of the site for mixed use development that there will be a change from undeveloped to developed and that with appropriate detailing this can be sensitively managed. To set out how this would be achieved the application is supported by a landscape and visual impact assessment (LVIA).

The Site does not lie within any national or local landscape designations and there are no relevant designations within 2km of the Site. The Quantock Hills AONB is located approximately 3.3km south-west of the Site, at its closest point, however there is no intervisibility between the AONB and the site.

To the east is land committed for employment development', where "Phase 1' of the Bridgwater Gateway development has seen the erection of employment units, a Costa coffee 'drivethru' and

Premier Inn hotel, off the newly constructed Compass Way (off the A38).

This site and the Boklok site are in 'Phase 2', a mixed-use residential and employment development and would be seen in the context of the wider development and would be visible in limited long distance views as part of the wider settlement and proposed urban extension. It is considered that the proposals would not introduce incongruous features into these views. It is accepted that in short views from the west, the proposed development will, together with the BoKlok scheme, introduce new development into the view where there is currently little apparent. However this new built form would be contained within a retained and enhanced planting and green infrastructure network, that would create a new softened edge to the settlement.

The landscape officer has accepted the finding of the LVIA which concludes that:-

*.....there will be a neutral change in respect to the published landscape character. An adverse change has been identified in respect of the site-specific landscape character, due to the loss of the eastern field to the proposed development. However, this is considered in balance against the influence of the nearby settlement, the wider policy allocation, the landscape features that are retained and the enhancement and long-term management measures secured as a result of the proposed development.*

*In respect to views and the visual environment, those people who will experience the most change to their views are restricted to locations in the immediate surroundings. Although the proposed development will be visible from the wider landscape, the Site is attached to the settlement by the Phase 1 Bridgwater Gateway and, together with the BoKlok scheme, the Site is designed to create the new settlement edge to Bridgwater through the Council's allocation. The development of the Site will be experienced in the context of the land committed to employment to the north-east of the Site within Phase 1 and the industry surrounding junction 24 of the M5 and along the A38. This ensures the proposed development reads as part of the settlement. Mitigation and enhancement measures have been embedded from the outset, as part of the full planning application.*

Accordingly in respect of any landscaping impact on the setting of the site that the Site can accommodate the proposed development without undue effects on the landscape and views or the setting of the AONB.

A condition is suggested to ensure that the proposed landscaping is carried out and that a landscape and environmental management plan be secured through the s106 agreement to ensure the future management/maintenance of the existing and proposed landscaping, in order that the longevity of the landscape proposals can be secured into the future.

Subject to this it is considered that the transition of this allocated site, in this location, from undeveloped to development would be appropriately managed and mitigated. On this basis it is considered that the inevitable change in character from undeveloped to developed would be

sensitively managed and the resultant development would be well landscaped and sit comfortably in its context. As such the proposal visual impact in the landscape would comply with the requirements of the DDPD, and policies D2 and D19

In terms of on site impacts on existing hedges and trees, no trees proposed for removal as part of this proposed development. T4 is a 'U' category Ash located within a group of trees in an existing basin feature to the North-east of the site. This tree is accepted to be in significant decline, however it forms a part of the surrounding group and has features that could potential give a high ecological contribution. This is located such that it would not come into contact with any proposed road, pathway or dwelling in the event of its failure, and is therefore to be retained.

There would be some minor surfacing within the RPA of T2 (an oak in the same group at T4) as part of the development proposals. The tree is located down the sloped profile of the basin feature and below the proposed development levels and the proposed surfacing is not expected cause any significant impact to roots within its required excavation footprint. A large area has been indicated within the Tree Protection Fencing (TPF) which will help mitigate for any impact on the tree. A condition is recommended to secure an appropriate tree protect plan and methodology.

A section of H7 along the northern boundary of the application site is to be removed to allow for connection to an adjacent parcel of land and separate phase of development. This a small length of hedgerow and is of low quality in terms of its species diversity.

Pruning and sectional removal form the adjoining ends of both H1 and H20 are proposed to ensure that construction traffic can adequately access the site through the existing access route if required. This surgery would not have a significant impact to the overall hedgerows and its removal could be mitigated by additional planting.

Additional minor pruning is proposed along the length of H20 to allow erection of the TPF at least 0.5m away from all proposed surfacing and to facilitate construction of a proposed Bin Collection Point. The effects of the minimal loss required to implement the design, would be mitigated as detailed in the landscape proposals for the site.

Except for the garage structure for plot 37, a 1.5m off-set has been allowed for working room and scaffolding erection between the TPF and all proposed construction. A 0.5m off-set of the Tree Protection Fencing has been allowed from all proposed surfacing and excavation. Where the offset of TPF results in an encroachment into a retained RPA, additional space has been provided within the Construction Exclusion Zone created by the fencing.

It is noted that there would be encroachment within the projected RPA of T2, however this equates to less than 2.1% of this rooting zone. Given the ample amount of space provided within the TPF and the significant existing level difference between the base of the stem and the proposed surfacing, this impact is considered to be minimal and well within the threshold required to allow for the continued vitality of this tree.

Confirmation has been provided that there would be no construction proposed within the RPAs of retained trees. It is fundamental to tree protection that infrastructure design is sensitively approached, as trenching close to trees may damage roots and affect tree health and stability. Details of services have not been provided at the current time and it is necessary that all services should avoid areas of potential conflict.

It is suggested that the submitted tree protection plan and arboricultural method statement will need to be revised to provide the necessary details for services and to take account of any changes in ground levels on site which are still to be finalised. The landscape officer suggested that a condition be imposed to ensure that a suitably updated tree protection plan and arboricultural method statement is agreed prior to the commencement of development. Subject to such condition the landscape officer is content that all tree works will be carried out in accordance with BS3998:2010 Tree Work and any relevant arboricultural good practice. Accordingly, it is considered that in this respect the proposal would comply with the requirements of policy D19.

In terms of layout the proposal closely follows the broad principles established through the Illustrative Masterplan approved as part of the DPDD, with perimeter blocks and a pattern of streets that are consistent with the guidance. The principal routes would incorporate a combination of strong built frontage and tree-lined avenues to define and characterise these routes, with more organic and less regimented form of development toward the site periphery.

Attenuation basins would be provided on the lower parts of the site at the edge of the of the proposal. Play areas would be well integrated and accessible with an area public open space, including a LEAP in the northeast corner and a group of retained trees.

It is considered that this layout is acceptable in light of the requirements of policy D2 and expectations of the DPDD.

The majority of the buildings would be 2-storey with a number of 2 ½ storey houses and a 3 storey apartment building at the entrance to the site from the Boklok development. Their design, traditionally proportioned and detailed dwellings is considered acceptable. Most dwellings would be detached with some semi-detached properties and few short (3/4 property) terraces. Generally the outward facing properties are to the west and south are detached to give a softer edge to the development. Over all the scale of buildings and there distribution across the site is considered acceptable and would sit comfortably in the context and topography of the site.

The materials would be a mix of brick and reconstituted stone with grey and red roofing materials, the detail of which could be secured by condition. A mix of fencing (with trellis additions as requested by the police design advisor where necessary and brick boundary walls is proposed, again the detail could be agreed by condition. On this basis the appearance of the proposed houses ids considered acceptable and could comply with policy D2 and the expectations of the DPDD.



A detailed landscaping scheme has been provided which has been agreed by the landscape officer – a condition is suggested to ensure that this is implemented as part of the development to provide the necessary softening.

Accordingly subject to conditions to agree the materials and secure appropriate landscaping this aspect of the proposal was considered to comply with the requirements of policies B4 and D2.

### **Residential Amenity**

There are no existing residential occupiers that would be impacted by the development.

In terms of facilities for future occupiers, proposals for residential development under policies B4 and D34 are required to provide public open space and formal and informal recreation. A proposal of the combine size proposed would normally be expected to provide a multi-use games area (MUGA) under the terms of Local Plan policy D34 ('Outdoor Public Recreational Space and New Residential Areas'). However, the DDPD refers to the MUGA at Stockmoor Village as sufficient to fulfil the requirements of policy D34 as it is within 700m of the site.

Within the site a LEAP and 2 LAPs would be provided in accessible locations which are considered acceptable, additionally all dwellings would have private gardens of an appropriate size. Whilst the police design advisor's comments are noted about the western LAP, his concerns are not shared by the council's open spaces officers and it is noted that this area would be overlooked by the west facing dwellings in this part of the site. In this basis it is accepted that the play space would be well sited. The details of the equipment and a requirement for ongoing maintenance would be an obligation in the s106 agreement.

A condition has been suggested to agree measures to protect future occupiers from road noise. However the proposal does not front, and is not near to, a road that is likely to create problematic noise levels. To the front of the site, the A38 is subject to a 30mph limit, is some distance from the site and would be screened by intervening building and topography. To the rear Wilstock Way is again some distance from the site and is subject to a 30mph limit. Within the site there is no reason to presume the internal roads would be unduly noisy. As such the requested condition is not considered reasonable or necessary.

On the basis of the foregoing the proposal is considered to comply with policies D2, D24, D25 and D34.

### **Drainage and Flood Risk**

Majority of the site to be at 'very low' risk of surface water flooding. There is an area of increased risk at the western end of the site associated with the Stock Moor Rhyne. There is also a small area of 'high' risk at the northeast of the site which coincides with the location of a small basin and trees. Both areas would be kept free of development and all dwellings would be outside areas of flood risk.

Accordingly, subject a condition as recommended by the Environment Agency to set the FFLs at 9.6m AOD it is not considered that any proposed dwelling would be at risk of flooding.

It is proposed that all surface water runoff be discharged direct to the existing ditch at the northwest of the site. The Non-Statutory Technical Standards for Sustainable Drainage Systems (DEFRA 2015) stipulates that for greenfield sites the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100-year rainfall event should never exceed the peak greenfield runoff rate for the same event.

To achieve this surface water runoff from the proposed development will be conveyed via gravity-fed surface water pipe network to two detention basins situated to the west of the developable area. These basins would be linked and will be generally dry, so that they only fill with water during storm events. The LLFA accept that the combined storage volume provided by the basins would be sufficient to accommodate all surface water runoff from the 100-year rainfall event with the appropriate allowance for future climate change. From the basins the water would be discharged to the existing ditch on the northwest boundary of the site via a swale. A hydrobrake would be used to ensure that the rate of discharge is lower than the predevelopment rate. This represents a betterment of the existing situation.

Having sought additional clarifications and further details, the LLFA has confirmed that the supporting information that has been provided have addressed their concerns and that their initial objection has been withdrawn. The IDB are supportive of the proposal and have asked for the creation of a wetland feature in the area of open space to west which has been provided to assist with the management of the discharges from the site.

Accordingly, subject to a condition to ensure that a surface water drainage scheme, based on the submitted and agreed details is subsequently implemented, it is considered that proposed development would not be at risk of flooding and would not increase the risk of flooding elsewhere. Accordingly the proposal complies with the requirements of policy D1.

Wessex Water note that the foul water strategy shown on the drawings does not indicate the location of the connection to the public foul network, rather the drawing is annotated: *“Connection to foul pipe stub provided by adjacent development which ultimately discharges to the public sewer system.”* It is understood that this foul connection would be provided by the Boklok scheme (37/22/00071). The water company is concerned that there maybe no guarantee that this will be provided or that the pumping station constructed to accommodate the initially approved development at Bridgwater Gateway has sufficient capacity.

A condition is suggested to require the agreement of the means of connection to the main sewage system. This is necessary to ensure that foul water is properly dealt with and no risk to the aquatic environment arises as required by policy D1.

## **Ecology**

The site currently comprises two fields of grassland that has generally been cut for hay, with scattered areas of tall ruderal and scrub, which are accepted as of negligible ecological importance. Small areas of the grassland are more diverse and parts of the western field are designated as Priority Habitats under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. The fields are bounded by native, intact hedgerows, with occasional trees, and rhynes. A number of trees are located within the grassland and ditches run along the central and southern hedgerows. All these habitats are of local ecological importance. The majority of habitats of local ecological importance, including the Priority Habitats identified will be retained and enhanced as part of the proposed development.

Three international/European statutory designated sites are located within 10km of the site with the closest being the Severn Estuary Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar located 6.8km north west. A dry depression, two ditches and adjacent rhynes are part of Stockmoor Local Wildlife Site (LWS). A further four LWS are located within the zone of influence. The site falls within a Site of Special Scientific Interest (SSSI) Impact Risk Zone for North Moor SSSI.

Natural England have been consulted on the likely risk of the proposed development and have not raised an objection.

Recorded levels of ten species of bat activity on the site were relatively low by, with the majority of passes by common pipistrelle *Pipistrellus pipistrellus* and soprano pipistrelle *P. pygmaeus*. Individual and low levels of activity from more light adverse species including lesser horseshoe *Rhinolophus hipposideros*, greater horseshoe *R. ferrumequinum* and barbastelle *Barbastella barbastellus* were recorded during automated static surveys.

A sensitive lighting strategy will be necessary with the developed area, designed to minimise light spill onto retained and enhanced habitats used by bats, including the hedgerows and trees; this can be conditioned as suggested by the ecologist. No lighting is proposed within the western grassland field immediately adjacent to the rhynes.

A partially-used outlier badger *Meles meles* sett is located within the east of the site and further setts are located within the wider landscape. A one entrance, disused sett is also located adjacent to the proposed access onto the site. Future monitoring of this sett will be undertaken prior to construction and this can be secured by as part of a Construction Environment Management Plan (CEMP) to be agreed by condition as suggested by the ecologist

A licence from NE for disturbance to the partially-used outlier sett and, depending on the results of the monitoring, closure of the currently disused sett would need to be applied for and implemented if planning consent is granted. Again this could be agreed as part of the CEMP.

With the proposed landscape planting, including buffers around the majority of the hedgerows and retention of the western field, any population of badger would be able to continue to use the site for foraging, shelter and commuting post-development.

Water vole and otter are known to be present within the adjacent rhynes network. These habitats will be retained with protection measures implemented as part of the CEMP to ensure impacts are minimised.

Whilst not a requirement of this application, which was submitted prior to the introduction of biodiversity net gain (BNG) requirements, the supporting information sets out that the proposals achieve a BNG of 14.73% for habitat units and 10.43% for hedgerows with the enhancement of retained habitats, the creation of new hedgerows, planting of native trees and shrubs and creating a drainage basin on the site. All retained, created and enhanced habitats would be managed through the implementation of a Landscape and Ecological Management Plan (LEMP).

The council's ecologist accepts that subject to appropriate safeguarding conditions to

- Secure the production and implementation of a Construction Environmental Management Plan (CEMP) to ensure protection of retained features during construction;
- Secure the production and implementation of a Landscape and Ecological Management Plan (LEMP) to ensure habitats are managed appropriately post-development, including remedial actions in case habitats fail and a schedule for monitoring;
- Secure the production and implementation of a sensitive lighting strategy for bats; and
- Secure the method statement and licence application of badgers based on the principals outlined within this report.
- Secure biodiversity enhancements

the proposal would comply with policies D19, D20 and d22 and the Council's duties under the relevant wildlife legislation.

## **Other Issues**

### Heritage Assets

The site lies adjacent to an area where Bronze Age and Roman settlements were partially excavated in advance of the Gateway development. The remains included cremations, enclosures and roundhouses. It is likely similar remains are present on the proposal site. These remains are of local significance but should be investigated prior to development of the site. The archaeologist has suggested a condition to secure a "Programme of Works in Accordance with a Written Scheme of Investigation" prior to development. Subject to such condition it is considered that the proposal would comply with the requirements of policy D26.

It is noted that there are no heritage assets adjacent to, or within 200m of, the site. The nearest listed building (Heathfield Farm, is c.200m to the south of the south-east corner of the site. Given this

separation and the proposed landscaping of this corner of the site, it is not considered that the proposal would harm the setting of this listed building. And as such there would be no conflict with policy D26 in this respect.

## Construction

A number of conditions have been suggested to ensure that the construction phase is suitably managed and mitigated. These are considered reasonable to prevent pollution and in the interests of managing the impacts on the local highway network, ecology and the living conditions of residents in the wider area as required by policies D14, D20, D24 and D25.

Additionally a condition has been suggested by the economic development officer to secure a 'local labour agreement' this would afford job opportunities to the local work force and is justified by condition D15.

## Outstanding Local Concerns

The potential for the loss of green space between Bridgwater and North Petherton is noted. In itself the proposal would not result on the two settlements become conjoined. Whilst it may result in the diminution of the sense of separation in some views, this would have been considered when this site was allocated for development. It is not considered that there is any justification to revisit this issue.

The concerns about the Wilstock and Stockmoor developments are noted however such matters are not considered relevant to the determination of this standalone development. It would not be reasonable to expect this developer to put right perceived failings of another site.

Concerns about the potential for this to be a car dependant development are also noted. However such matters would have been carefully considered when the site was allocated and in many respects there are opportunities for future residents to choose alternatives to the private motor car. In respect of bus services, the site is as well connected as any on the edge for Bridgwater. Similarly there are cycle routes between the site and the town. It is to be noted that, other than connectivity to Wilstock/Stockmoor, the allocation does not now require any off site improvements to pedestrian or cycle connectivity and a bus contribution has not been requested.

Whilst there may be concerns about the lack of bus contribution it is to be noted that the A38 is already well served by buses and given that the site is effectively a cul-de-sac it is unlikely that any passing bus service could be directed through the site. Accordingly it is unclear what a bus contribution could achieve in this instance.

It is acknowledged that the A38 is used when the M5 between junctions 24 and 25 is closed. However this is neither a regular nor a predictable occurrence and it would be unreasonable to resist development in the North Petherton area due to concerns that this section of the M5 will occasionally be closed. It is noted that neither Highways England nor the local highways authority are concerned

in this regard.

The desire for a new bypass is noted however this is not a requirement of this development nor does it feature in any part of the current local plan and it would not therefore be reasonable to seek to withhold planning permission for this development on this basis.

The enforcement of speed limits is not a planning matter and should be raised with the police.

### **Planning Obligations**

The following planning obligations have been requested:-

- 30% affordable housing;
- The provision of, and subsequent management of LEAP and LAPs, plus incidental on site open space,.
- A landscaping environment management plan (LEMP)
- A contribution of £91,718 (£611/dwelling) towards the provision of GP services to meet the additional need arising from the development
- A travel plan

Whilst the applicant has agreed to the provision and management of all the necessary on site open space, the NHS contribution and the requested travel plan, it is their view of that with 30% affordable housing the development and that on the adjoining site (37/22/00126) would be unviable. Policies S5 and D6 of the local plan make provision for reduced planning obligations where it has been demonstrated that these would make the development unviable.

In such situations it is the council's policy to require the developer to provide an open book valuation of the proposal by suitable third party expert at the developers cost. The applicant has provided a development appraisal of both schemes and is entered into protracted dialogue with the council's adviser who has in turn provided a report to the council on this matter which is appended to this report.

*We have carried out an appraisal based on the above assumptions with a 30% provision of affordable housing (See Appendix 1).*

*This results in a residual land value of £2,421,359. This is clearly below the benchmark land value.*

*We then carried out further appraisals with 20%, 10% and zero affordable housing which resulted in residual land values as shown in the table below.*

Affordable %	Land Value 25.5.23	Per gross acre	Per net acre	Per plot
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30%	£2,421,359	£39,513	£56,324	£4,738
20%	£3,552,875	£57,978	£82,644	£6,953
10%	£5,473,067	£89,312	£127,310	£10,711
0%	£6,693,403	£109,227	£155,697	£13,099

*In our opinion, the appraisal with 10% affordable housing shows a residual land value that is close to the benchmark land value of £4,902,400 and demonstrates that the scheme is viable with 10% affordable housing.*

*It is our opinion that, at this stage, the scheme could support 10% affordable housing.*

*It should be noted, however, that this is, at this stage, a very high-level appraisal and any slight changes to any of the inputs will have an impact on the residual land value that is calculated.*

*It is our recommendation that any planning permission should have a review mechanism attached as the scheme is likely to be built out in phases over a number of years and the assumptions adopted will change over time.*

It is to be noted that it is suggested that the benchmark land value, i.e. the price that a willing seller and willing buyer would agree upon should be based on the existing use value plus (EUV+) model. In such scenario the seller expects to achieve a value based on a multiplier of the existing use value and the seller is prepared to pay this price in light of the uplift in value afforded by the grant of planning permission.

In this instance the agreed existing use value is £8,000 per acre based on agricultural use. It is advised that the uplift should be in the order of 10 times this value, i.e. £80,000 per acre for the whole site – 61.28 acres. A valuation appraisal has been carried out based on a scheme that provides 10% affordable housing; this would provide a benchmark land value of £89,312.43/acre, just over 11 times the EUV. This review of a scheme with 10% affordable housing is summarised in the following table.

<b>GDV (Net sales)</b>	<b>£149,339,650</b>
<b>Costs</b>	
Build costs	78,242,439
Other construction costs (infrastructure, including abnormals)	18,648,904
Professional fees, sales and acquisition fees and finance	15,166,543
Developer's Profit at 19.18% on GDV	28,643,345
<b>CIL</b>	<b>2,672,056</b>

<b>S106 contributions</b>	493,297
<b>TOTAL COSTS</b>	<b>143,866,584</b>
<b>RESIDUAL</b> for land acquisition (61.28 acres)	<b>5,473,067</b> <b>Or £89,312.43/acre</b>

It is accepted that this residual value, i.e. the benchmark land value (c. 11x the EUV) is slightly higher than the suggested value (10 x EUV), however the council's adviser suggests that it is reasonable in the context of what is a relatively high level valuation exercise. Furthermore it is suggested that, with an appropriate review mechanism secured in a s106 agreement, the council could be reasonably sure that a sufficiently robust approach has been taken. This would enable any improvements in the viability of the development as a whole to be reviewed and steps taken to secure a more policy compliant contribution of affordable housing.

Additionally it is to be noted that the suggested benchmark land value represents a more robust position to that taken in relation to other developments in Bridgwater where viability assessments at agreed benchmark land valuations up to 14 x EUV. This slightly lower valuation reflects the qualities of this site.

The following commentary is provided on the requested planning obligations.

#### Affordable Housing

Policy D6 requires 30% affordable housing to be provided, however this is subject to viability. The viability of the development has been assessed in conjunction with the proposal for 150 houses on the adjoining (Vistry) site, 37/22/00126. In total 511 dwellings are proposed

A reduction is proposed to 10% across the wider development with the 51 affordable units all to be provided on the Boklok site; none are proposed on this site. Policy D6 allows for such reduction where the evidence demonstrates that it is reasonable to deliver a viable development. If accepted it would be necessary to ensure there is provision for this to be reviewed so that should there be changes to the viability of the development, the affordable housing contribution could be reviewed and if appropriate increased. The detail of the tenure split and nature of other affordable options would be agreed as part of the s.106 negotiations in relation to the other site.

#### Highways

Travel plans, as required by policy D14, are agreed as a planning obligation to ensure that there are incentives and penalties that can only be delivered by way of a legal agreement. The proposal would maintain travel planning as requested by highways officers.

#### Open Space

Policy D34 sets standards for outdoor play space however contributions towards formal sports



facilities need to come via CIL so that this can be directed at either existing facilities that need improving or new provision that is located where it benefits wider community access. Furthermore, B4 does not set out a requirement for the provision of sports space on on-site and the design guide and local plan have not allocated a specific sports type facility on this allocation.

Within the site formal play space in the form of a LEAP and 2 LAPs would be provided as required by policy D34. The technical detail of that provision and subsequent ownership and maintenance would need to be secured through the section 106 agreement. This would also meet the requirements of the landscape officer in terms of ongoing landscape management.

It is suggested that the LEMP requested by the ecologist is also secured through the S106 as it will largely be connected with the management of public open space and therefore to avoid duplication and possible contradiction it is best dealt with in one place. The provision of the LEMP is necessary and justified in light of the requirements of policy D20.

### Health Care

Policy S5 expects development to address its impact on infrastructure where there is evidence that the existing infrastructure would be incapable of meeting the additional need arising from the development. This is echoed by policy D28 with regard to healthcare provision. Given this position it is considered that the requests of the NHS for a contribution to GP provision in the local area is reasonable.

Whilst local concern is noted about dentist provision, the NHS has not requested a funding contribution in this regard.

### Education

Although policy D27 expects development that creates a need for additional education facilities including preschool that cannot be met through existing facilities to meet any identified shortfall, it is accepted that, in line with the Council's Infrastructure Funding List, any early years and school expansion would need to bid for CIL funding. As noted by the education officer any education impacts as a result of the development that would need mitigation could be subject to a bid for CIL funding.

### **Conditions**

Generally the conditions requested by consultees are conditioned reasonable to secure the details of various mitigation measures such as a CEMP, BEMP, lighting, a CMP, drainage details, land contamination, tree protection and are considered reasonable to mitigate the impacts of the development and are justified by local plan policies. A condition to secure a LEMP is not necessary this would be addressed within the S106 agreement as part of the open space management as it would require a financial contribution that cannot be agreed by condition.

## **Conclusion**

It is the proposal as amended constitutes an appropriate development of this allocated site the records with requirements of policy B4 and the guidance contained within the adopted Development and Design Principles Document Phase 2 Gateway Housing. Whilst the scheme does not provide for 30% affordable housing as required by policy D6 members are reminded that this policy requirement can be relaxed where it has been demonstrated that such obligation would mean that the development is unviable.

The applicant has provided the Council's advisor with sufficient information for him to agree that the proposed 10% affordable housing across the wider development, including the adjacent Boklok site would be reasonable in this instance. This would equate to 51 units, all of which would be provided on the Boklok site. Initially no affordable units would be provided on this site, however both sites would be subject to a review mechanism to enable an uplift to be secured should the viability of either scheme improve. All other requested obligations would be provided for.

In all other respects the detail of the proposal is considered acceptable and subject to the suggested conditions and planning obligations the likely impacts would be reasonably mitigated and on this basis the proposal is considered to comply with the requirements of policies D1, D2, D6, D13, D14, D15 D19, D20, D22, D25, D26, D28 and D34.

## **RECOMMENDATION**

### **GRANT PERMISSION**

Grant permission subject to:-

- A. the applicant first entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
  - The management of a LEAP and 2 LAPs, incidental on site open space and the attenuation areas to the satisfaction of the open spaces officer
  - A landscaping environment management plan (LEMP)
  - A contribution of £91,718 (£611/dwelling) towards the provision of GP services to meet the additional need arising from the development
  - A travel plan
  - A review mechanism to secure the uplift the affordable provision to 30% across the wider site should the viability of the development improve
- B. that the Service Director – Governance, Democratic & Legal Services and Monitoring Officer be authorised to prepare and seal the Agreement; and
- C. the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

### **Phasing**

- 3 No development hereby approved shall be commenced until a phasing plan for the development has been submitted to and agreed in writing by the local planning authority. Such phasing plan shall include details of the phased delivery of the groundworks, all dwellings, including affordable housing, the public open space, roads, landscaping, surface water drainage and footpaths. Thereafter the development shall be implemented in accordance with the approved phasing plan.

Reason: To ensure the comprehensive development of the site in the interests of the amenities of future residents in accordance with policies B4, D25 and D32 of the Sedgemoor Local Plan 2011 to 2032.

### **Ecology**

- 4 The reserved matters application shall include a Biodiversity Enhancement and Management Plan (BEMP) the content of which shall provided for:-
  - All new fencing to have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs throughout the site.
  - 2x hedgehog houses to be installed within appropriate locations around site boundaries.
  - Initial creation and ongoing management of deadwood log refugia piles and stone piles/rockeries (as a shelter and resource for reptiles, invertebrates, amphibians, and small mammals) around the site in appropriate locations.
  - 50% of dwellings to have provisions for nesting birds in their design. This should include a mixture of provisions aimed to support different species such as sparrow terraces, open nest boxes, 32mm nest boxes etc. These should be installed directly under the eaves and away from

windows on the north elevations (or similarly specified by manufacturer's instructions such as within a mature tree on site). Under no circumstances should south or west elevations be used, and boxes aimed at different species should be spaced at least 2m apart. Woodcrete or WoodStone boxes should be used where possible due to increased durability and thermal stability.

- 20x bat boxes to support different species should be included within the design of the development and should be mounted at least 4m above ground on either the south or west facing elevations, and boxes aimed at different species should be spaced at least 2m apart.
- 40% of buildings to include at least 1x integrated bee brick built into an appropriate external wall space. The bricks should be placed 1m above ground level and vegetation must not block the entrance holes.
- A time table for the delivery these enhancements and provision for their subsequent maintenance.

The development shall be implemented in accordance with the approved BEMP.

Reason: To safeguard protected species and in the interests of the biodiversity of the site in accordance with Policy D20 of the Sedgemoor Local Plan 2011-2032.

- 5 Prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting within the public and communal areas will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The design should accord with Step 4 and Step 5 of Guidance Note 08/23, including submission of contour plans illustrating Lux levels, showing that lighting will be directed so as to avoid light spillage and pollution on habitats used by light sensitive species, and will demonstrate that light levels falling on wildlife habitats do not exceed an illumination level of 0.5 Lux (and below 0.2 lux on the horizontal plane, and at or below 0.4 lux on the vertical plane on any key & supporting horseshoe bat features and habitats). Shields and other methods of reducing light spill as outlined in Step 4 of Guidance Note 08/23 should be used where necessary to achieve the required light levels.

Unless agreed otherwise in writing by the local planning authority, all external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance

with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To safeguard the 'Favourable Conservation Status' of populations of European protected species in accordance with Policy D20 of the Sedgemoor Local Plan 2011-2032.

- 6 No development shall commence until the Local Planning Authority has been provided with either:
- a) a copy of the licence issued by Natural England pursuant to The Protection of Badgers Act 1992 authorising the development to go ahead; or
  - b) a statement in writing from the ecologist to the effect that he/she does not consider that the development will require a licence.

Reason: A pre-commencement condition in the interests of a UK protected species in accordance with Policy D20 of the Sedgemoor Local Plan 2011-2032.

### **Managing Construction Impacts**

- 7 Prior to the commencement of development a written commitment to the sourcing of local labour shall be submitted to and approved in writing by the local planning authority. The written commitment, as a minimum, shall set out the following matters:
- i. The proportion of construction workers to be sourced from the local labour pool;
  - ii. Work experience/ apprenticeship opportunities;
  - iii. The proportion of local procurement and sourcing;
  - iv. On-going skills development and training opportunities;
  - v. The steps that will be taken to ensure that the above is implemented;

The operator shall maintain a record of i - v above and shall make that information available to the local planning authority at all reasonable times upon request.

Reason: To promote opportunities for the local population in accordance with policy D15 of the Sedgemoor Local Plan 2011-2032.

- 8 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”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including: results of update badger survey, badger buffer zones and safeguarding construction measures; precautionary habitat clearance measures for dormice; results of update otter and water vole survey, habitat clearance measures for otter and water voles, including confirmation as to the requirement for a licence;
- d) precautionary habitat clearance measures for amphibians and reptiles;
- e) nesting birds habitat clearance measures; precautionary measures for other highlighted species such as hedgehog, harvest mice etc.;
- f) Pollution Prevention Measures to be implemented during construction concerning on-site and nearby ditches / watercourses.
- g) The location and timing of sensitive works to avoid harm to biodiversity features.
- h) The times during construction when specialist ecologists need to be present on site to oversee works.
- i) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority.
- j) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- k) Use of protective fences, exclusion barriers and warning signs.
- l) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

Unless otherwise agreed in writing the approved CEMP shall be adhered to and implemented throughout the construction period. Upon completion of the construction phase a report, prepared by the Ecological Clerk of Works or similarly competent person, shall be submitted to and agreed in writing by the local planning authority. Such report shall certify the required mitigation and compensation measures identified in the CEMP have been completed to the Local Planning Authorities satisfaction and shall details any necessary remedial works undertaken or required and a timescale for their implementation. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

Reason: To safeguard protected species and in the interests of the biodiversity of the site in accordance with Policy D20 of the Sedgemoor Local Plan 2011-2032.

9 Prior to the commencement of any demolition or commencement of

construction activity on site, an arboricultural method statement, tree protection plan and schedule of arboricultural supervision shall be submitted to and approved in writing by the local planning authority. Such statement shall set out the measures to protect the retained hedgerows and trees from mechanical damage, pollution incidents and compaction of roots during construction. Unless agreed otherwise in writing the development shall be carried out in accordance with the approved details at all times.

Reason: To ensure adequate protection for the retained trees for the duration of the development in accordance with policy D22 of the Sedgemoor Local plan 2011-2032. This is necessary as a pre-commencement condition as the development of the site needs to be informed by measures to protect the retained trees and hedges.

10 Prior to the commencement of development, including any site clearance, groundworks or construction within each sub-phase (save such preliminary or minor works that the Local Planning Authority may agree in writing), a Construction Management Plan (CMP) to manage the impacts of construction during the life of the works, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the CMP shall, amongst other things, include:-

- a) Measures to regulate the routing of construction traffic;
- b) The importation and of spoil and soil on site;
- c) The removal /disposal of materials from site, including soil and vegetation;
- d) The location and covering of stockpiles;
- e) Details of measures to prevent mud from vehicles leaving the site and must include wheel- washing facilities;
- f) Control of fugitive dust from earthworks and construction activities; dust suppression
- g) Noise control plan (which includes control methods)
- h) A waste disposal policy (stating no burning on site)
- i) Details of any site construction office, compound and ancillary facility buildings;
- j) Construction and delivery hours
- k) Specified on-site parking for vehicles associated with the construction works and the provision made for access thereto
- l) A point of contact (such as a Construction Liaison Officer/site manager) and details of how complaints will be addressed, including an appropriate phone number.

The details so approved and any subsequent amendments as shall be agreed

in writing by the Local Planning Authority shall be complied with in full and monitored by the applicants to ensure continuing compliance during the construction of the development.

Reason: in the interests of highway safety and to safeguard residential amenity in accordance with policies D14, D24 and D25 of the Sedgemoor Local Plan 2011-2032.

11 Development shall not begin until a scheme to deal with any contamination of the site has been submitted to and approved in writing by the local planning authority. Such scheme shall include:-

- an investigation and assessment to identify the extent of contamination;
- a remediation plan to address any contamination found
- measures to be taken to avoid any risk to the public and environment when the site is developed.
- Steps to be taken in the event that any unexpected contamination is found during the course of the development
- Any monitoring necessary to assess effectiveness of the proposed remediation
- Provision of reports as necessary to confirm the outcome of the remediation strategy

Unless agreed otherwise by the local planning authority the development be carried out in accordance with the approved scheme

Reason: To ensure that any risks from land contamination to are minimised in accordance with policy D24 of the Sedgemoor Local Plan 2011-2032.

### **Archaeology**

12 No development hereby approved shall be carried unless a programme of archaeological work has been implemented in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: A pre-commencement condition is necessary to safeguard the archaeological potential of the site in accordance with policy D26 of the



## **Drainage**

- 13 The development shall be carried out in accordance with the submitted flood risk assessment (Gateway, Bridgwater – Flood Risk Assessment', ref. 25794-HYD-XX-XXRE-FR-0002 issue P01 dated 13 October 2022, Hydrock), including the mitigation measures it details. Finished floor levels for all dwellings shall be set no lower than 9.60 metres above Ordnance Datum (AOD). The mitigation measures shall be fully implemented prior to occupation and subsequently maintained thereafter throughout the lifetime of the development.

Reason: To ensure the risk of flooding to the development is mitigated in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

- 14 Prior to the commencement of development full technical details of the surface water drainage scheme to serve the site shall be submitted to and agreed in writing by the local planning authority. Such details shall be based on the Drainage Strategy (DS) dated November 2023 by Tumu and shall provide for the following mitigation measures detailed within the DS:
- Limit the surface water run-off generated by all rainfall critical storms, up to and including the 1 in 100 year plus climate change, so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
  - a surface water attenuation pond on site to attenuate the runoff from the site to 31.9 l/s from impermeable area.
  - A wetland pond for long term storage to further reduce the discharge to the rhyne.

Such scheme shall also include measures to prevent the run-off of surface water onto the highway and a phasing plan for implementation. Once approved the surface water drainage scheme shall be implemented in accordance with the approved details and shall be maintained in good working order at all times thereafter.

Reason: A pre-commencement condition is necessary to ensure the development is properly drained in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

- 15 No development approved by this permission shall be occupied or brought into use until a scheme 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 ensure the development is properly drained in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

- 16 No dwelling shall be occupied until it has been provided with a foul drainage connection in accordance with details that have been submitted to and approved in writing by the local planning authority.

Reason: To ensure the development is properly drained in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

### **Materials & Detailing**

- 17 With the exception of ground works, no works to construct the dwellings hereby approved shall be carried out unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority:-

- a) materials (including the provision of samples where appropriate) to be used for all external walls and roofs of the dwellings;
- b) details of the design, materials and external finish for all external doors and windows of the dwellings;
- c) details of all hard surfacing and boundary treatments for the dwellings.

Once approved such details shall be implemented as part of the development unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of visual amenity in accordance with policy D2 of the Sedgemoor Local Plan 2011-2032.

### **Bin and Cycle Stores**

- 18 No dwelling hereby approved shall be occupied unless it has been provided with bin and bicycle storage facilities in accordance with details that have been submitted to and agreed in writing by the local planning authority.

Reason: In the interests of visual and residential amenity in accordance with policies D2 and D25 of the Sedgemoor Local Plan 2011-2032.

### **Landscaping**

- 19 Unless agreed otherwise in writing, the scheme hereby approved shall be fully

carried out within 18 months from the date of commencement of the development. The trees/shrubs shall be protected and maintained, and any dead or dying trees/shrubs shall be replaced to the satisfaction of the local planning authority for a period of five years following their planting.

Reason: In the interests of visual amenity in accordance with policies D2 and D19 of the Sedgemoor Local Plan 2011-2032.

## **Highways**

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

Reason: In the interest of highways safety in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

- 21 No development commence unless the details of, and specification for highway works consisting of:

- a) *roads*
- b) *footways*
- c) *tactile paving*
- d) *cycleways*
- e) *sewers*
- f) *any retaining walls*
- g) *service routes*
- h) *vehicle overhang margins*
- i) *embankments*
- j) *visibility splays*
- k) *carriageway gradients*
- l) *drive gradients*
- m) *on street parking*
- n) *any landscaping for tree planting area in or adjacent to the highway,*
- o) *pedestrian and cycle routes and associated vehicular accesses and crossings,*
- p) *means of enclosure and boundary treatment next to the highways,*
- q) *street lighting and street furniture,*
- r) *all new junctions,*
- s) *proposed levels,*

- t) *highway drainage*
- u) *swept path analysis for a vehicle of 11.4m length*
- v) *service corridors.*

have been submitted to and approved in writing by the local planning authority. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority. No dwelling shall be occupied until the approved highway works (and any agreed consequential and ancillary works) for that part of the site have been carried out in accordance with the approved details.

Reason: In the interest of highways safety in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

- 22 The areas allocated for parking and turning on the submitted plan shall be kept clear of obstruction at all times and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interest of highways safety in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

### **Schedule A**

Location Plan Drg No. LP.01 Rev. B  
 Site Layout Drg No. SL.01 Rev. G  
 Electrical Vehicle Charging Point Layout Drg No. EVCP.01 Rev. D  
 Site Clearance Plan Drg No. SC-01 Rev. A  
 Material Layout Drg No. ML.01 Rev F  
 Refuse Strategy Layout Drg No. RSL.01 Rev. E  
 Streetscenes & Section Drg No. SS.01 Rev. D  
 Preliminary Engineering Layout Drg No. PEL-01 Rev. E  
 Preliminary Engineering Layout Drg No. PEL-02 Rev. D  
 Preliminary Engineering Layout Drg No. PEL-03 Rev. E  
 Preliminary Engineering Layout Drg No. PEL-04 Rev. B  
 Preliminary Highway Layout Drg No. PHL-01 Rev. C  
 Swept Path Analysis Drg No. PHL-02 Rev. D  
 Extent of Adoption Drg No. PHL-03 Rev. D  
 Swept Path Analysis 2 Drg No. PHL-04 Rev. D  
 Highway Profile Drg No. PHL-05 Rev. B  
 Highway Profile Drg No. PHL-06 Rev. B  
 Highway Profile Drg No. PHL-07 Rev. A  
 Highway Profile Drg No. PHL-08 Rev. A

Tree Protection Plan Drg No. VYH23996-03 Rev A  
Soft Landscape Proposals Drg No. GL1936 01 Rev C  
Soft Landscape Proposals Drg No. GL1936 02 Rev C  
Soft Landscape Proposals Drg No. GL1936 03 Rev B  
Soft Landscape Proposals Drg No. GL1936 04 Rev A  
Soft Landscape Proposals Drg No. GL1936 05 Rev A  
Soft Landscape Proposals Drg No. GL1936 06 Rev A  
Preliminary Drainage Strategy Drg No. 19586-PDL-01 Rev. G (also there is a second sheet: 19586-PDL-02 Rev. B)  
Swept Path (fire) Drg No. 19586-PHL-09 Rev. F

## **House Type Booklet**

HT.Elmslie Floor Plans & Elevations Drg No. HT.ELM.1.pe Rev. D  
HT.Elmslie Floor Plans & Elevations Drg No. HT.ELM.pe Rev. E  
HT.Aslin Elevations Drg No. HT.ASL.1.e Rev. E  
HT.Aslin Elevations Drg No. HT.ASL.2.e Rev. E  
HT.Aslin Elevations Drg No. HT.ASL.3e Rev. E  
HT.Aslin Floor Plans Drg No. HT.ASL.p Rev. B  
HT.Berkeley Floor Plans & Elevations Drg No. HT.BER.1.pe Rev. B  
HT.Berkeley Floor Plans & Elevations Drg No. HT.BER.pe Rev. E  
HT.Cottingham Elevations Drg No. HT.COT.e Rev. E  
HT.Cottingham Plans Drg No. HT.COT.p Rev. B  
HT.Fletcher Plans Drg No. HT.FLE.p Rev. B  
HT.Fletcher Plans Drg No. HT.FLE.e Rev. E  
HT.Grainger Plans Drg No. HT.GRA.1.e Rev. D  
HT.Grainger Plans Drg No. HT.GRA.p Rev. E  
HT.Grainger Plans Drg No. HT.GRA.e Rev. E  
HT.Knightley Plans Drg No. HT.KNI.1.e Rev. F  
HT.Knightley Plans Drg No. HT.KNI.2.e Rev. E  
HT.Knightley Plans Drg No. HT.KNI.p Rev. D  
HT.Leverton Plans Drg No. HT.LEV.pe Rev. E (ALSO HT.Leverton Plans Drg No. HT.LEV.1.pe Rev. E0)  
HT.Mountford Drg No. HT.MOU.1.pe Rev. E  
HT.Mountford Drg No. HT.MOU.pe Rev. E  
HT.Pembroke Plans Drg No. HT.PEM.1.pe Rev. E  
HT.Pembroke Plans Drg No. HT.PEM.2.pe Rev. B  
HT.Pembroke Plans Drg No. HT.PEM.pe Rev. D  
HT.Harcourt Plans Drg No. HT.HAR.pe Rev C  
HT. Mylne Plans Drg No. HT.MLY.p Rev B  
HT. Mylne Elevations Drg No. HT.MYL.e Rev C  
HT.Ripley Plans Drg No. HT.RIP.p Rev **B**  
HT.Ripley Elevations Drg No. HT.RIP.e Rev C  
Single Garage Plans & Elevations Drg No. GAR.01.pe Rev B

Double Garage Plans & Elevations Drg No. GAR.02.pe Rev B  
Twin Garage Plans & Elevations Drg No. GAR.03.pe Rev B  
Triple Garage Plans & Elevations Drg No. GAR.04.pe Rev B  
Extended Garage Plans & Elevations Drg No. GAR.05.pe Rev B  
Flat Block Ground Floor Plan Drg No. FB.F03L.p1 Rev A  
Flat Block First Floor Plan Drg No. FB.F03L.p2 Rev A  
Flat Block Second Floor Plan Drg No. FB.F03L.p3 Rev B  
Flat Block Front Elevation Drg No. FB.F03L.e1 Rev A  
Flat Block Side Elevation Drg No. FB.F03L.e2 Rev A  
Flat Block Rear Elevation Drg No. FB.F03L.e3 Rev B  
Flat Block Side Elevation 2 Drg No. FB.F03L.e4 Rev B

DECISION

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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