

| Application Details                                 |   |
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| Application Reference Number:                       | <u>14/23/0007</u>   |
| Application Type:                                   | <u>Outline Planning Permission</u>  |
| Earliest decision date:                             | 27 March 2023   |
| Expiry Date   | <u>19 May 2023</u>  |
| Extension of time                                   | 30 November 2023  |
| Decision Level                                      | Committee   |
| Description:  | Application for Outline planning with all matters reserved except for access, layout and scale, for the demolition of farm buildings, renovation and alterations to the listed farmhouse and erection of 33 No. dwellings with associated works on land at Langaller Manor Farmhouse, Creech St Michael |
| Site Address:                                       | <u>LAND AT LANGALLER MANOR FARM,<br/>NORTH END, CREECH ST MICHAEL, TAUNTON,<br/>TA2 8DA</u>   |
| Parish:   | 14  |
| Conservation Area:                                  | NA  |
| Somerset Levels and Moors<br>RAMSAR Catchment Area: | Yes   |
| National Landscape (AONB):                          | None  |
| Case Officer:                                       | <u>Andrew Gunn</u>  |
| Agent:  |   |
| Applicant:  | MR B JEFFERY  |
| Committee Date:                                     |   |
| Reason for reporting application to<br>Committee    | PC objection and Chair call in.   |

## 1. Recommendation

1.1 That permission be GRANTED subject to conditions and a S106.

## 2. Executive Summary of key reasons for recommendation

2.1 The proposed development site contains land which falls both within and outside of the defined development area for Taunton. The western section being within whilst the eastern section falls outside of the development area. Thus, in policy terms, the eastern section is in open countryside. The scheme would also encroach into part of the designated Green Wedge.

2.2 However, as set out in this report, it is considered that, the benefits of the

scheme would outweigh the identified harm providing a sustainable form of development, with a good mix of dwelling types, including affordable units and bungalows. Importantly, the scheme will enable the repair, renovation and the habitable use again of a listed building. For the reasons set out in the report, the scheme is in accord with the Core Strategy, the SADMP and the NPPF. The principle of residential development on this site is therefore considered to be acceptable and recommended for approval.

### **3. Planning Obligations and conditions and informatives**

#### 3.1 Conditions (full text in appendix 1)

3.1.1 Submission of reserved matters

3.1.2 Approved Plans

3.1.3 Highways – estate road construction details

3.1.4 Highways - Access plan details

3.1.5 Highways – Cycle Parking details

3.1.6 Highways – Access visibility

3.1.7 Highways – surface water disposal

3.1.8 Highways - Drainage

3.1.9 Highways – Wheel washing facilities

3.1.10 Highways – Construction Management Plan

3.1.11 Highways – Measures only Travel Statement

3.1.12 Water consumption

3.1.13 sewage /surface water disposal.

3.1.14 Tree protection

3.1.15 Footpath diversion

3.1.16 Ecology – mitigation in accord with submitted report.

3.1.17 Ecology – Construction Environmental Management Plan (CEMP)

3.1.18 Ecology – Landscape and Ecological Mitigation Plan (LEMP)

3.1.19 Ecology – Report re compliance with CEMP

3.1.20 Ecology - Natural England licence

3.1.21 Ecology – Bat information

3.1.22 Ecology - LEMP report

3.1.23 Ecology – Risk compliance for chemicals

3.1.24 Ecology – Storage details for hazardous chemicals

3.1.25 Ecology - Listed building specification for repairs

#### 3.2 Informatives (bullet point only) \_

3.2.1 Proactive Statement

#### 3.3 Obligations

A S106 agreement would be required to secure phosphate mitigation, affordable housing provision (at 25% ie 9 dwellings), highway works, ROW diversion works, timing of listed building works, education contributions, on-site play area or a contribution to upgrading nearby play areas and a S106 monitoring fee of £100 per residential dwelling.

## **4. Proposed development, site and surroundings**

### 4.1 Details of proposal

The application seeks outline consent for the demolition of farm buildings, renovation and alterations to the listed farmhouse and the erection of 33 dwellings on land at Langaller Manor Farm. The means of access, layout and scale are sought for approval at this stage with appearance and landscaping at the subsequent reserved matters stage.

Access into the site will be gained from the same location as the existing access point from Langaller Lane on the northern side of the site. The development will largely take place within and around the footprint of the existing farm buildings with proposed landscaped areas along the southern part of the site and a detention basin in the south east corner of the site.

The scheme will comprise a mix of dwelling types, including bungalows and affordable homes all set within a number of cul-de sacs. The majority of the homes will either be detached or semi-detached with 1 terraced block. The renovation to the listed farmhouse includes a rear extension. The proposal also include a replacement barn to the north of the farmhouse. This has an important historic association with the farmhouse but is in a dilapidated condition.

### 4.2 Sites and surroundings

The site comprises a farmstead with the Grade 2 listed vacant Manor Farmhouse, a derelict brick barn and a range of other associated more modern farm buildings. The rest of the site is a mix of largely grassed areas and hardstanding. Langaller Lane runs along the northern boundary of the site with the settlement of Langaller to the north. The A38 and Monkton Heathfield are located to the west. Fields are located to the south and east with the M5 further to the east. The village of Creech St Michael is located approximately 0.5 miles to the south-east of the site. The western part of the site is located outside of the defined development boundary and within part of the designated green wedge.

It is understood that additional farm buildings existed on the site until a fire in 2021

which destroyed a modern farm building and barn which were located to the north of the farmhouse.

## **5. Planning (and enforcement) history**

There have been previous applications for agricultural related development but none relevant to this application. There is a current related listed building application for works to the listed farmhouse (App no:14/23/0006).

## **6. Environmental Impact Assessment**

NA

## **7. Habitats Regulations Assessment**

The application site is within the fluvial catchment of the Somerset Levels & Moors Ramsar Site. The Somerset Levels & Moors is also designated as a Site of Special Scientific Interest under the Wildlife and Countryside Act 1981 (as amended). The designated sites are considered to be in unfavourable condition or at risk due to high levels of phosphorus. If a development is identified as likely to add additional phosphorus to the catchment, planning permission should not be granted until a Habitats Regulation Assessment has been undertaken.

A Nutrient Neutrality Assessment and Mitigation Strategy (NNAMS) has been submitted and a Habitat Regulations Assessment (HRA) has been produced by Phosphates team. The proposed mitigation is for short term fallowing of land at Bathpool, with long term woodland planting the permanent solution. The cattle are to be moved to farmland owned by the applicant in Devon which is outside of the River Tone catchment. The mitigation has been agreed by the Council's phosphates team and Natural England.

## **8. Consultation and Representations**

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

8.1 Date of consultation: 21 February 2023

8.2 Date of revised consultation (if applicable):

8.3 Press Date: 02 March 2023

8.4 Site Notice Date: 24 February 2023

8.5 Consultees- the following were consulted:

| <b>Consultee</b>                                | <b>Comment</b>  | <b>Officer Comment</b>        |
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| <p>CREECH ST<br/>MICHAEL PARISH<br/>COUNCIL</p> | <p>The Parish Council would welcome an application for the site that is in-keeping with the constraints of the site and the character of the local environment. The Parish Council objects to the current application on the following grounds.</p> <p>Heritage Statement The heritage statement provided by the applicant does not support a development of 33 no. dwellings.</p> <p>The second paragraph of the heritage statement states that the “planning submission relates to a proposal for a residential development of 21 no. dwellings.” In addition, the heritage statement (paragraph 4.3.2) states that a traditional stone barn that is on the site to the north east of the listed farmhouse will be “rebuilt to match its historic form”, whereas the application states that the barn will be demolished and replaced with a modern interpretation of a barn dwelling. The result of these significant variations between the heritage statement and the application is, in the view of the Parish Council, to make the heritage statement invalid as it does not provide an adequate assessment of the impact on the heritage assets and cannot and should not be taken as being valid.</p> <p>The Parish Council encourages the</p> | <p>Please see section 10.</p> |

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|                                   | <p>applicant to either provide a revised heritage assessment based on the development of 33 No. dwellings or a revised application for 21 no. dwellings</p>   |  |
| <p>LEAD LOCAL FLOOD AUTHORITY</p> | <p>Having reviewed the following documents: FLOOD RISK ASSESSMENT, RMA-RC2363, REV1. (January 2023).</p> <p>The LLFA have the following comments:</p> <p>1. The total outfall rate for the 2 sites should be treated as a total outfall rate. This would lead to a total Qbar value of 0.38 l/s + 5.33 l/s = 5.71 l/s. If the minimum outfall from the north site is 2 l/s then the LLFA would expect the outfall from the site to be limited to 3.71 l/s.</p> <p>2. In terms of SuDS, the LLFA is pleased to see the widespread use of permeable paving as well as the detention basin in the southern site. Whilst it is understood that there are space constraints to the northern site, the strategy should look to include small-scale SuDS to target the required water quantity, quality, amenity and biodiversity benefits at detailed design. There seems to be potential to incorporate green roofs, raingardens and rainwater harvesting. The LLFA would expect to see appropriate justification if these are not included at detailed design.</p> <p>3. Preliminary calculations for micro drainage have been submitted, however, there should be no flooding in the 1 in 30 year in the Southern catchment and we would ask for the applicant to provide justification of this, or ways to reduce this risk and also, the 1 in 2 year and 1 in 30</p> | <p>These matters would be dealt with and assessed at reserved matters stage.</p> |

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|                                | <p>year event storm for the Northern basin at detailed design.</p> <p>In summary, the LLFA requirements have been satisfied with the overall principles of this outline application and a suitable planning condition can now be set.</p>  |              |
| <p>SCC - ECOLOGY (summary)</p> | <p>No objection subject to conditions and submission of a sHRA. Conditions to deal with mitigation in accord with Ecological report, submission of both construction environmental and ecological management plans, installation of bat boxes and bat awareness training for site construction workers, and storage/disposal of hazardous materials.</p> | <p>Noted</p> |

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| NATURAL ENGLAND | <p>First response</p> <p><b>Somerset Levels &amp; Moors Ramsar Site</b><br/>The application site is within the fluvial catchment of the Somerset Levels &amp; Moors Ramsar Site.<br/>. If a development is identified as likely to add additional phosphorus to the catchment, planning permission should not be granted until a Habitats Regulation Assessment has been undertaken.</p> <p>We note that a nutrient neutrality assessment and mitigation strategy has been submitted. The applicants propose to temporarily fallow 3.84ha of agricultural land south of the proposed development site and within the same catchment. In order to offer the certainty required in an HRA, this must be secured as a permanent solution as a woodland should no other mitigation be forthcoming within 5 years.</p> <p><b>Habitats Regulations Assessment required</b> Despite the proximity of the</p> |  |
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application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e., the consultation does not include a Habitats Regulations Assessment.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make.

Please re-consult us when the HRA/AA is available.

**Hestercombe House SAC** The application site is within the Band C consultation zone for Hestercombe House SAC, which is designated for its lesser horseshoe bat feature. The submitted ecological assessment has carried out a Habitat Evaluation Procedure (HEP) calculation and proposed mitigation for the impacts.

Despite the proximity of the application to European Sites, the consultation

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|                     | <p>documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e., the consultation does not include a Habitats Regulations Assessment.</p> <p>It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make.</p> <p>Updated comments: Natural England were consulted upon and supported the proposed phosphate mitigation. No objection is raised.</p> |   |
| SOUTH WEST HERITAGE | As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds   | Noted.  |
| SCC - EDUCATION     | <p>A proposal of 33 dwellings in this location will generate the following number of pupils for each education type:</p> <p>Early years - 3 Primary - 11 Secondary - 5</p> <p>Whilst there are sufficient places in Early</p>   | Subject to approval of the application, the education contribution request shall form part of the S106 agreement. |

Years settings, additional places will be required at the primary and secondary school in the area to accommodate pupils from this development.

Education contributions will be required for the following schools:

Creech St Michael Primary Heathfield Community School

In accordance with our latest costs to build, including costs to build to net zero standard, the following contributions will be required to provide sufficient places:  
Primary - £304,410 Secondary - £167,545

For the purpose of the s106 as this is an outline application the contributions will be based on a per dwelling cost as follows: Primary £9,224.53 Secondary - £5,077.11

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| <p>SCC - RIGHTS OF WAY<br/>(Summary)</p>               | <p>No objection subject to conditions There is a public right of way (PROW) recorded on the Definitive Map that runs through the site (public footpath T 10/23) and a PROW that abuts the site (public footpath T 10/21).</p> <p>1. Specific Comments DIVERSION REQUIRED</p> <p>The current proposal will obstruct the footpath T 10/23 due to the proposed landscaping and basin design</p> <p>The proposal either needs to be revised to prevent any obstruction, or a diversion order applied for.</p> <p>The applicant must apply to the Local Planning Authority for a diversion order.</p> <p>Grampian style condition recommended:<br/>No development hereby approved which shall interfere with or compromise the use of footpath T 10/23 shall take place until a path diversion order has been made and confirmed, (and the diverted route made available to the satisfaction of the Local Planning Authority).</p> <p>Informatives requested in regard to keeping the PROW open until the appropriate orders have been obtained and ensuring the health and safety of PROW users.</p> | <p>Subject to approval of the application, the recommended condition and informatives shall be attached to the consent.</p> |
| <p>SCC - TRANSPORT DEVELOPMENT GROUP<br/>(summary)</p> | <p>No objection subject to amendments to the internal layout and entering into a S106/Traffic Regulation Order and conditions.</p> <p>S106 – Junction and footway works, plus any necessary works that may be required to existing services/utility apparatus.</p>   | <p><u>Noted.</u></p>  |

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|                            | <p><u>Conditions: (Full list on website)</u><br/> Plans and sections, design and layout, materials and method of road/footway/cycle construction;<br/> Access and parking details;<br/> Visibility splays;<br/> disposal of surface water details;<br/> construction management plan or construction method statement.</p> |  |
| LEISURE DEVELOPMENT        | No comments received   | Noted  |
| HOUSING ENABLING (summary) | <p>25% or 9 dwellings (rounded up) of the new housing should be in the form of affordable homes with the following recommended tenure split:</p> <p>Social Rent<br/> 3 x 2 bed house<br/> 2 x 3 bed house<br/> 1 x 4 bed house</p> <p>Shared Ownership 2 x 2 bed house<br/> 1 x 3 bed house</p>                            | Subject to approval of the application, the provision of affordable housing shall be included within the S106. |
| HOUSING PROPERTY MANAGER   | No comments received   | Noted  |
| LANDSCAPE TREE OFFICER     | I have no objection to this scheme in principle, subject to as much of the off-site roadside trees being retained (except where removals are essential for the visibility splay) and similarly the copse to  | If approved, a condition shall be included to require submission of a Arboricultural                           |

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|   | <p>the southeast.</p> <p>The nearest TPO trees are the two oaks in the northwest corner, which appear to be safe so long as well protected during construction in accordance with BS5837.</p> <p>There is currently no Arboricultural Impact Assessment so it is difficult to ascertain exactly how close the development would be to the roots of those two oaks. As usual, full tree protection plan and Arboricultural Method Statement will be required at the detail stage, which should include details about the 'no dig' construction of the new footpath alongside the road to the west of the access</p> | Impact Assessment. |
| Green Infrastructure Officer                      | No comments received   |                    |
| Nutrient Neutrality Officer                       | Phosphate Mitigation scheme agreed.  | Noted              |
| MS F WEBB   | No comments received.  |                    |
| ENVIRONMENT AGENCY                                | No comments received   |                    |
| CHIEF FIRE OFFICER - DEVON & SOMERSET FIRE RESCUE | <p>Whilst we acknowledge this is a planning application, we take the opportunity to comment on the access and facilities for the Fire &amp; Rescue Service.</p> <p>Consideration should be given at the design stage for:</p> <ul style="list-style-type: none"> <li>• Dead-end access routes longer than 20m require turning facilities</li> <li>• Provision of fire hydrants for this development.</li> </ul>  | Noted              |

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| POLICE<br>ARCHITECTURAL<br>LIAISON OFFICER | No objection subject to the following<br>comments:<br><br>Crime Statistics - reported crime in | Noted. |
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Creech St Michael/Langaller area during the last year is as follows: - Burglary – 1  
Offence Miscellaneous Crimes Against Society - 3  
Violence Against the Person – 23  
Offences  
Total – 28 Offences  
ASB reports for the same area and period total 17.

Layout of Roads & Footpaths – vehicular and pedestrian routes appear to be visually open and direct and are likely to be well used enabling good resident surveillance of this area. The use of physical or psychological features i.e., surface changes by colour or texture, rumble strips and similar features within this area helps reinforce defensible space giving the impression that the area is private and deterring unauthorized access. The cul-de-sac nature of the development, with a single vehicular entrance/exit, has advantages over through roads in that this can disrupt the search and escape patterns of the potential criminal.

Orientation of Dwellings – all dwellings appear to be positioned facing one another

and the street which allows neighbours to easily view their surroundings and makes the potential criminal more vulnerable to detection.

The dwellings in the centre of the development are also oriented back-to-back, which is advantageous from a crime prevention perspective, in that this helps restrict unlawful access to the rear of



dwellings which is where most burglaries occur.

The dwellings backing onto or side on to the Landscape Buffer and other areas of POS are potentially more vulnerable to burglary from the rear, so it is advisable to increase the height of this fencing as indicated below.

Dwelling Boundaries – it is important that all boundaries between public and private space are clearly defined, and it is desirable that dwelling frontages are kept open to view to assist resident surveillance of the lane and entrance area, so walls, fences, hedges at the front of dwellings should be kept low, maximum height 1 metre, to assist this. More vulnerable areas such as exposed side and rear gardens need more robust defensive measures such as walls, fences, or hedges to a minimum height of 1.8 metres. It is advisable to increase the height of the rear garden fencing abutting the Landscaped Buffer by the addition of 200mm trellis to the top of the fencing, making it more difficult to climb.

The key on the Site Layout Plan indicates 1.8 metre walls in certain locations and the DAS states that all rear garden fencing will also be of this height. The key also indicates 1.8-metre-high garden gates, which is also recommended.

Defensible Space – if space allows, to deter possible neighbour disputes it is advisable to incorporate small areas of defensible space i.e., planting bays/borders

or similar measures to separate the fronts of Plots

2-5, Plots 7-9, Plots 10 & 11 & Plots 28-31.

Rear Access Footpaths – to deter unlawful access to the rear of Plots 3/4 & 29/30, the rear access footpaths between these plots should be gated at the front building line of the dwellings.

Vehicle Parking – appears to be a combination of on-plot garages and/or parking spaces, which is recommended, and communal on-street parking bays.

The communal on-street bays are small in number, close and adjacent to homes they serve, well overlooked from these homes and allocated to individual dwellings, which is also recommended.

Landscaping/Planting – should not impede opportunities for natural surveillance and wayfinding and must avoid creating potential hiding places. As a general recommendation, where good visibility is needed, shrubs should be selected which have a mature growth height of no more than 1 metre and trees should be of the open-branched columnar variety devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision.

Street Lighting – any street lighting for adopted highways and footpaths, private estate roads and footpaths and car parking areas should comply with BS 5489:2020.

Physical Security of Dwellings – to

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|                                 | <p>comply with Approved Document Q: Security – Dwellings, of Building Regulations, all external doorsets providing a means of access into a dwelling and ground floor or easily accessible windows and rooflights must be tested to PAS 24 security standard or equivalent.</p> <p>Listed Building – I note that Langaller Manor Farmhouse is a listed building and there are SBD member companies e.g., Selectaglaze Ltd, who specialise in supplying secondary glazing for listed buildings.</p> <p>Secured by Design (SBD) – if planning permission is granted, the applicant is advised to refer to the ‘SBD Homes 2023’ design guide available on the Secured by Design website – <a href="http://www.securedbydesign.com">www.securedbydesign.com</a> – which provides further comprehensive guidance regarding designing out crime and the physical security of dwellings.</p> |       |
| SOUTH WESTERN AMBULANCE SERVICE | No comments received  | Noted |
| SOMERSET WASTE PARTNERSHIP      | No comments received  | Noted |

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| WESSEX WATER | <p>Proposed development includes two site areas which will form separate planning applications. The southern site is the subject of this application and includes alterations</p> <p>to a listed farmhouse (plot 12) plus 33 residential dwellings. There is a smaller northern site on the opposite side of Langaller Lane, which will include five residential dwellings (subject to a separate application) and intends to use the foul drainage infrastructure installed in the southern site.</p> <p>We welcome a strategic approach that minimises the need for multiple foul pumping stations and rising mains.</p> <p>Foul Sewerage. Separated systems of drainage are required.</p> <p>The foul drainage strategy proposes to pump foul flows to the public sewer network, which is located approx. 800m to the south west at the A38 Hyde Lane Roundabout. We will accept the foul only</p> | Noted |
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flows from granted development in the public foul sewer network at an agreed rate. Developer's may connect to the nearest public foul sewer on a 'size for size' basis and Wessex Water will manage the network to accommodate the additional flows.

An adoptable pumping station (SPS) will require a satisfactory compound and adequate access and turning arrangements for tanker lorries. The wet well must be located 15 metres from nearest habitable dwelling. The rising main will be subject to septicity control. For long rising main routes, additional space for a dousing unit may be required at the pumping station.

The applicants drainage strategy (RMA-C2363 Jan 2023) comments on the southern site making provision for the 5 plots on the northern site. We welcome a strategic approach and this may require a suitably worded condition to ensure provision is made within the southern site for a lateral sewer connection to outside the site boundary at a viable location and level to accept future flows from the northern site, also the SPS sized accordingly.

Surface Water Drainage Surface water must be disposed of in accordance with Suds Hierarchy and NPPF Guidelines.

The application is supported by a surface water strategy for an attenuation basin and disposal of surface water runoff at a restricted rate to local watercourse. The local authority should be satisfied with the management and maintenance

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|  | <p>arrangements and we leave the LLFA to agree and approve the surface water arrangements.</p> <p>No surface water to be discharged to the public foul sewer either directly or indirectly.</p> <p><b>Water Supply</b><br/>A water supply can be made available with new water mains laid into the site under a S41 requisition or self-lay application.</p> <p>For more details and guidance for applying to connect to our water and sewer networks<br/>please see our website: <a href="http://www.wessexwater.co.uk">Developing a new site (wessexwater.co.uk)</a></p> |              |
| <p><b>WESTERN POWER DISTRIBUTION</b></p> | <p>No comments received</p>  | <p>Noted</p> |

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| <p>NHS Somerset Integrated Care Board (summary)</p> | <p>This development is in the catchment of:</p> <ul style="list-style-type: none"> <li>a. Creech Medical centre</li> <li>b. Crown Medical Centre</li> <li>c. Lyngford Park Surgery</li> </ul> <p>which has a total capacity for 20,383 patients.</p> <p>The current patient list size is 21,538 which is already over capacity by 1,156 patients (at 106% of capacity).</p> <p>The increased population from this development = 75</p> <p>The new GP List size will be 21,613 which is over capacity by 1,230.</p> <p>Expected patient list size</p> <ul style="list-style-type: none"> <li>b. 21,538 + 75 = 21,613 (1,230 over capacity)</li> </ul> <p>Additional GP space required to support this development.</p> <p>Total contribution required = £19,092 (£579 per dwelling)</p> | <p>Subject to approval of the application, the NHS financial request shall be included in the S106.</p> |
| <p>Climate Change Officer</p>                       | <p>No comments received</p>  | <p>Noted</p>  |
| <p>OPEN SPACES MANAGER</p>                          | <p>No comments received</p>  | <p>Noted</p>  |
| <p>HISTORIC ENGLAND</p>                             | <p>Did not offer any comment as the proposal falls outside of their remit for consultation_</p>  | <p>Noted</p>  |

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| <p>CONSERVATION OFFICER</p>     | <p>I welcome the addition of the barn within the red line of the application (which was previously excluded). Whilst it is regrettable that this structure will be lost, I welcome the acknowledgement of the significance of this structure as part of the application and the accompanying photographic schedule.</p> <p>The listed building has been significantly altered over time, and more recently vandalised and steps to secure the asset for the future is welcomed. The extensions to the rear of the building are deemed to be less sensitive to development and I do not object to the reconfiguration of the rear extension.</p> <p>We have been monitoring the Listed Building at Manor Farm during the application process to ensure the LB is protected and that the deterioration of the building does not continue. I remain, however, concerned about the protection of this structure and support the repairs of the building to bring it back into meaningful use. I would want to see the LB repairs secured ahead of other development on the wider side.</p> <p>I would want to see a full specification for the repairs as part of the condition for the LBC/PP. And the building to be recorded prior to any works.</p> | <p>Noted</p> |
| <p>THE RAMBLERS ASSOCIATION</p> | <p>No comments received</p>   | <p>Noted</p> |



## **8.6 Local representations**

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

6 letters have been received (5 objecting and 1 in support) making the following comments (summarised):

| <b>Material Planning Considerations</b>  |   |
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| <b>Objections</b>  | <b>Officer comment</b>  |
| Contrary to Core Strategy and Neighbourhood Plan, particularly in relation to protection of green wedges and coalescence of settlements. | Part of site is located within the green wedge. Assessment of this is given in Section 10.                            |
| too many dwellings   | see section 10.   |
| LBS element supported but not with proposed scale of development.  | Noted   |
| highway concerns and impact on wildlife.   | Highway Authority and Ecologist have assessed the scheme and raise no objection subject to conditions and mitigation. |
| impact upon and lack of local services/facilities.   | Education and NHS have requested financial contributions to provide additional capacity.                              |
| <b>Support</b>   | <b>Officer comment</b>  |
| happy for the scheme to be developed and support bungalows.  | Noted   |

## **9. Relevant planning policies and Guidance**

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

As a result of local government reorganisation Somerset Council was established from

the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.

Relevant policies of the development plan in the assessment of this application are listed below:

CP8 - Environment,  
DM1 - General requirements,  
A5 - Accessibility of development,  
A1 - Parking Requirements,  
SB1 - Settlement Boundaries, D7  
- Design quality,  
CP1 - Climate change,  
CP6 - Transport and accessibility, DM2  
- Development in the countryside, DM4  
- Design,  
SD1 - Presumption in favour of sustainable development,  
CP4 - Housing,

#### Supplementary Planning Documents

District Wide Design Guide, December 2021

Other relevant policy documents:

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (March 2022).

#### Neighbourhood plans:

Creech St Michael

#### 9.1 National Planning Policy Framework

### **10. Material Planning Considerations**

The main planning issues relevant in the assessment of this application are as

follows:

#### 10.1.1 The principle of development

The site lies principally within the development boundary where the principle of development is accepted subject to compliance with relevant national and local policies. However a parcel of land proposed for development within the eastern side of the development lies outside of the development boundary and also within the designated Green Wedge as defined in the Taunton Deane Core Strategy. These are areas where development would not normally be supported. In this case, this western area comprises agricultural buildings and hardstanding. It is considered that it is both physically and visually more related to the rest of the farm complex, than the rest of the open grassed area to the east and south of the farm complex. In addition, as set out in section 10.2, a key scheme benefit will enable the repair, renovation and re-use of a listed farmhouse, which has been empty and in a poor state of disrepair for a number of years.

The Planning Statement sets out that the extent of the development boundary was defined before the erection of those most eastern located farm buildings and thus drawn around the buildings as they existed at the time. Moreover, pre-application advice sought on this proposal of which the relevant section is included in the Planning Statement outlines the planning officer's advice that this eastern section of land "does appear to have a close existing relationship with the farm buildings and would not lead to a loss of agricultural land nor appear as encroachment into the open countryside, for those reasons it would gain support as part of a scheme to develop the whole site". Accordingly, whilst it is accepted that part of the development will encroach outside of the development boundary, it does include an area where building form has been allowed. There would also be a loss of a small area of the Green Wedge. However, this area is currently defined by agricultural buildings. In addition, the proposed far eastern end of the scheme will contain no built form, rather the retention of a small wooded area along with a detention basin. Thus, it is only a small encroachment outside of the development boundary and loss of the Green Wedge. It would be difficult to sustain a case that the small loss of the Green wedge would result in substantial and significant adverse harm that would outweigh the benefits as set out in this report to warrant refusal.

In regard to scheme benefits, the applicant has agreed to provide affordable housing and, of great benefit will be the repair, renovation and extension to the listed farmhouse which has been empty for several years and in poor condition. Whilst concern has been raised about the proposal being contrary to the Creech St Michael Neighbourhood Plan, in particular the loss of part of the Green Wedge, and coalescence with Langaller, it is considered that the proposal will also be in accord with other policies of the Neighbourhood Plan and provide benefits sought in the Neighbourhood Plan. In particular, in terms of Policy CSM 3 (Housing to Meet

Local Needs), it will provide a number of affordable homes, some smaller 2 bed units and provide bungalows. These were identified following the results of the Housing Needs Survey. Whilst slightly dated (survey undertaken in 2017), it provides useful information and importantly was used to inform Policy CSM 3. The scheme would accord with this policy. In addition, The scheme would provide extended footpath provision to link to public transport options in accord with Policy CSM 2. Whilst the appearance of dwellings will be determined at reserved matters stage, it is considered that a high quality design can be achieved to accord with Policy CSM 4. There would be grounds to refuse a reserved matters application if the quality of the detailed scheme is determined to be of sufficient quality.

Local residents have also commented that Creech St Michael has already fulfilled its quota of housing for the plan period. It is accepted that all of the 3 allocated sites have been built out along with other sites taking build out rates in Creech St Michael to approximately 180 dwellings, 40 above the allocated number. However, the NPPF (para 11) states that decisions should apply a presumption in favour of sustainable development. The Core Strategy is up to date and it is not considered for the reasons set out in this report that the identified harm would significantly and demonstrably outweigh the benefits. The number of dwellings would take the total number during the current plan period within the Parish of Creech St Michael to over 210 dwellings. However, it is considered that the site is located in a sustainable location particularly given the Monkton Heathfield allocation and emerging settlement to the north and west.

#### 10.1.2 Heritage

The site contains a Grade 2 listed farmhouse (Manor Farm) which has been vacant for a number of years. Applications for planning permission affecting a listed building or its setting must be determined in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the LPA .....shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses'.

The listed farmhouse is currently boarded up and in a poor condition. It sits amongst mainly modern agricultural buildings with the exception of a brick barn to the north which itself is in a dilapidated condition. The proposals do include a replacement barn. A separate listed building application has been submitted to repair, renovate and extend the farm house to bring it back into habitable use. The planning application is supported by a Heritage Statement which assesses the impact of the proposals. It concludes that the significance of the listed building will experience 'less than substantial harm as a result of the proposals. Importantly, in respect of the listed farmhouse, 'the development proposals offer the opportunity for

its long term survival and ongoing sustainable use to be secured, a principle strongly supported

and promoted by the NPPF.’

The Council's Conservation officer has assessed the proposals and the Heritage Statement. Their more detailed comments are set out above in the Consultations section. However, in short, they support the proposals including the repairs to stop its further deterioration and addition of the barn and acknowledgement of its significance. No objection is raised from a heritage standpoint in regard to the residential scheme.

The Conservation Officer though remains concerned about the Listed building and would want to see LB repairs secured ahead of other development on the wider site. In regard to this latter point about securing the works, if the planning application is approved, an appropriate clause would be inserted into the s106 Agreement to secure the repairs.

The PC raised concerns about the Heritage Assessment on the basis that it referred to 21 dwellings instead of 33 units and the rebuilding rather than a replacement of the the brick barn. It is understood that the pre-app referred to 21 dwellings. However, the Conservation Officer assessed the scheme on the basis of the 33 dwellings and raised no objection in regard to the impact of the wider housing scheme. They were also satisfied with the proposal to build a replacement barn and acknowledge the significance attributed to this building. On this basis, whilst the concerns about the heritage report are noted, it is not considered that this fundamentally changes the overall conclusions it reached that less than substantial harm would be caused by the development.

#### 10.1.3 Design and layout of the proposal

The scheme proposes a varied range of 2, 3 and 4 bed houses, bungalows and the replacement barn to the north of the farmhouse. The scheme proposes a mix of largely traditional designed detached and semi-detached dwellings with 1 terraced block of 3 units, arranged within a number of cul-de-sacs. Details of the dwellings have been submitted although appearance is a reserved matter. The layout of the scheme is considered to be acceptable in accord with Policy DM1 of the Core Strategy.

#### 10.1.4 Quality of Accommodation

This is a detailed matter for future approval, although indicative plans submitted with the application, show sufficient amenity space and parking for each dwelling.

#### 10.1.5 Access, Highway Safety and Parking Provision

Details in regard to the means of access is sought for approval at this outline stage. The existing central access point from Langaller Lane shall be retained and

improved - this shall be the point of access for the proposed scheme. The application is supported by a Transport Statement which assessed the traffic movements and roads around the site, plus pedestrian routes between the site and settlement facilities. The Highway Authority have reviewed the scheme and, following subsequent dialogue with the applicant and Highway Authority, no objection is raised subject to conditions, plus entering into a legal agreement in regard to the Traffic Regulation Order regarding junction and off site footway works. Details of the estate road layout will need to be agreed at reserved matters stage.

In regard to accessibility of the site in transport terms, the proposal shall provide sustainable non car options including walking, cycling and bus. Both Monkton Heathfield and Creech St Michael are within 1,200m of the application site, both of which provide a number of facilities and services. The proposals include connection to existing footways which are available on the surrounding road network which enable future residents to access local facilities. Bus stops are provided on Hardys Road which is within 535m to the site. In respect of car usage, the scheme shall provide 95 parking spaces, along with 7 visitor spaces.

Accordingly, it is considered that the scheme will provide a safe means of access along with a sustainable range of travel options in accord with Policy A5 of the SADMP and the NPPF.

#### 10.1.6 The impact on neighbouring residential amenity

There are no immediate neighbours and thus it is considered that the proposed development would not give rise to any adverse harm to neighbouring residential amenity.

#### 10.1.7 The impact on trees and landscaping

The scheme does not propose the removal of trees. The Council's Arborist has not raised an objection but has requested the submission of an Arboricultural Method Statement to ensure that the existing TPO trees are protected during construction. This would accord with Policy CP8 of the Core Strategy.

#### 10.1.8 The impact on ecology and biodiversity and the Somerset Levels and Moors Ramsar Site.

In regard to ecology, the application is supported by an Ecological Assessment. This has been reviewed by the Council's Ecologist who has raised no objection subject to a number of conditions in regard to adherence to the mitigation as set out in the ecological report, submission of both construction environmental and ecological management plans, installation of bat boxes and bat awareness training for site construction workers. Appropriate mitigation will be undertaken to ensure that no adverse impacts occur to any protected species. The proposals include the retention and protection of the majority of the most ecologically important habitats on site.

The scheme post development shall seek to enhance opportunities for biodiversity. The southern part of the site shall be enhanced with buffer planting and shall compensate for the habitat loss due to the development. The proposals would accord with Policy CP8 of the Core Strategy and the NPPF.

In regard to the impact on the Somerset Levels and Moors RAMSAR site, NNAMS has been submitted and a HRA has been produced by Phosphates team. The proposed mitigation is for short term fallowing of land at Bathpool, with long term woodland planting the permanent solution. The cattle are to be moved to farmland owned by the applicant in Devon which is outside of the River Tone catchment. This has been undertaken in conjunction with a current application for up to 5 dwellings on land to the north of Langaller Lane (App no: 14/23/0012). This has been assessed to be acceptable by the Nutrient Neutrality team and supported by Natural England. With this mitigation in place and secured via agreement, it is concluded that the proposal will not result in adverse effects on the integrity of the Somerset Levels and Moors Ramsar site.

#### 10.1.9 Flood risk and energy efficiency

A Flood Risk Assessment (FRA) has been undertaken to support the proposals. This has been reviewed by the LLFA who are supportive of the scheme subject to appropriate conditions. The drainage strategy for the site involves the widespread use of permeable paving throughout the site as well as a detention basin in the south-eastern corner. In regard to foul sewage connection, this shall be made to the existing main sewer which is located about 500m south-west of the site. The scheme shall require the installation of a pumping station due to the topography of adjacent land to allow connection to the public foul sewer. This shall be located adjacent to the south eastern boundary of the site. It is concluded that the FRA has demonstrated that the proposed development would not increase flood risk elsewhere and with the installation of a Sustainable Urban Drainage System (SuDS), along with permeable paving and green roofs etc (details to be agreed at reserved matters stage), the scheme would provide a sustainable means of drainage and flood risk in accord with the criteria set out in the Technical Guidance to the NPPF and Policy CP8 of the Core Strategy and Policy 14 of the SADMP.

## **11 Local Finance Considerations**

### 11.1 Community Infrastructure Levy

This proposed development measures approximately 4220 sqm broken down approximately as below.

Plots 1 to 18 approx 2217 sqm

The application is for residential development in Taunton where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £155,250.00. With index linking this increases to approximately £234,500.00.

Plots 19 to 34 approx 2003 sqm

The application is for residential development outside the settlement limits of Taunton and Wellington where the Community Infrastructure Levy (CIL) is £125 per square metre. Based on current rates, the CIL receipt for this development is approximately £250,500.00. With index linking this increases to approximately £378,250.00.

## **12 Planning balance and conclusion**

It is concluded that the proposals would result in a sustainable form of development providing a mixed range of dwelling types and sizes, including bungalows, a safe means of access, along with non-car travel options including footway connections to existing footpaths and to public transport links connecting with adjoining settlements enabling access to a varied range of services and facilities. The scheme would preserve the character and appearance of the locality and would not give rise to any adverse harm to residential amenity. It would also result in the significant benefit of repairing and bringing back into residential use a listed heritage asset. There is some harm in the development with the eastern part outside of the settlement boundary and within part of the Green Wedge. However, it is considered that the harm is outweighed by the benefits to the proposal. Therefore, the proposal is recommended for approval subject to conditions and a S106 Agreement as set out in the report.

## **Appendix 1 – Planning Conditions and Informatives**

### Conditions

1. Approval of the details of the (a) layout (in respect of internal estate road layout) (b) appearance and (c) landscaping of the site (hereinafter call 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

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



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

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

(A3) DrNo 21.21.100 Location Plan  
(A2) DrNo 21.21.101 Proposed Block Plan  
(A1) DrNo 21.21.102 Proposed Site Plan  
(A3) DrNo 21126-SK07 Proposed Southern Site Access  
(A1) DrNo SPP3281 P 90 001 Rev A Langaller Landscape Layout (A2)  
DrNo 21.21.120 Plot 18 - Type A Elevations  
(A2) DrNo 21.21.121 Plot 19 - Type A Elevations (A2)  
DrNo 21.21.122 Plot 20 - Type A Elevations (A2)  
DrNo 21.21.103 Floor Plan House Type A (A2) DrNo  
21.21.124 Plot 22 - Type D Elevations (A2) DrNo  
21.21.106 Floor Plan House Type D  
(A2) DrNo 21.21.125 Plots 23 & 24 - Type E Elevations (A2)  
DrNo 21.21.107 Floor Plan House Type E  
(A2) DrNo 21.21.126 Plot 25 Type D Elevations  
(A2) DrNo 21.21.106 Floor Plan House Type D  
(A2) DrNo 21.21.123 Plot 21 Type B  
(A2) DrNo 21.21.104 Floor Plan House Type B  
(A2) DrNo 21.21.139 Garages - Sheet 1 Floor Plans & Elevations (A2)  
DrNo 21.21.140 Garages - Sheet 2 Elevations  
(A2) DrNo 21.21.141 Garages - Sheet 3 Elevations  
(A2) DrNo 21.21.142 Carports Plans & Elevations (A2)  
DrNo 21.21.127 Plot 26 - Type A Elevations (A2) DrNo  
21.21.103 Floor Plan Hose Type A  
(A2) DrNo 21.21.128 Plot 27 - Type B Elevations (A2)  
DrNo 21.21.104 Floor Plan House Type B(A2) DrNo  
21.21.129 Plot 28 & 29 - Type E Elevations (A2) DrNo  
21.21.107 Floor Plan House Type E  
(A2) DrNo 21.21.131 Plot 32 - Type B Elevations  
(A2) DrNo 21.21.130 Plot 30 & 31 - Type E Elevations  
(A2) DrNo 21.21.111 Plot 1 - Type B Elevations  
(A2) DrNo 21.21.104 Floor Plan House Type B  
(A2) DrNo 21.21.112 Plots 02 & 03 - Type E Elevations  
(A2) DrNo 21.21.107 Floor Plan House Type E  
(A2) DrNo 21.21.113 Plots 04 & 05 - Type E Elevations

(A2) DrNo 21.21.115 Plots 7,8 & 9 - Type H Elevations (A2)  
DrNo 21.21.110 Floor Plan House Type H  
(A2) DrNo 21.21.114 Plot 6 - Type C Elevations (A2)  
DrNo 21.21.105 Floor Plan House Type C  
(A2) DrNo 21.21.116 Plots 10 & 11 - Type H Elevations (A2)  
DrNo 21.21.110 Floor Plan House Type H  
(A2) DrNo 21.21.135 Plot 13 - Replacement Barn (3 Bed Dwelling) Elevations  
(A2) DrNo 21.21.134 Floor Plan - Replacement Barn (3 Bed Dwelling)  
(A2) DrNo 21.21.117 Plot 14 - Type C Elevations (A2)  
DrNo 21.21.105 Floor Plan House Type C (A2) DrNo  
21.21.118 Plot 15 - Type B Elevations (A2) DrNo  
21.21.104 Floor Plan House Type B  
(A2) DrNo 21.21.119 Plots 16 & 17 - Type G Elevations (A2)  
DrNo 21.21.109 Floor Plan House Type G  
(A1) DrNo 21.21.104 Proposed Elevations to North End Road

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

3. No development on the elements listed below shall commence until the following information has 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:

- a) *estate roads*
- b) *footways*
- c) *tactile paving*
- d) *cycleways*
- e) *sewers*
- f) *service routes*
- g) *vehicle overhang margins*
- h) *visibility splays*
- i) *carriageway gradients*
- j) *drive gradients*
- k) *car, motorcycle and cycle parking*
- l) *hard and soft structural landscape areas*
- m) *pedestrian and cycle routes and associated vehicular accesses and crossings*
- n) *means of enclosure and boundary treatment*
- o) *street lighting and street furniture*
- p) *proposed levels*
- q) *highway drainageswept path analysis for a vehicle of 10.4m (3-axle)*

- length*
- r) *central pedestrian reserves, bollards and lighting*
  - s) *service corridors*

No occupation shall thereafter commence until the development has been constructed in accordance with the approved details and retained in perpetuity thereafter.

Reason: In the interests of highway safety.

4. The proposed access shall be constructed in accordance with details shown on the submitted plan, drawing number 21.21.SC Highway, and shall be available for use prior to commencement/first occupation/first use (including show homes etc.). Once constructed the access shall be maintained thereafter in that condition in perpetuity.

Reason: In the interests of highway safety.

5. The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to the Local Planning Authority. Any such scheme shall be submitted to and approved in writing by the Local Planning Authority and must be constructed before the development is occupied and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

Reason: In the interests of highway safety.

6. At the proposed access there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown on the submitted plan. (Drawing No 21126-SK03). Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained in perpetuity.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety

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

Reason: In the interests of highway safety

10. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:
- 24 hour emergency contact number;
  - Hours of operation;
  - Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
  - Routes for construction traffic;
  - Locations for loading/unloading and storage of plant, waste and construction materials;
  - Method of preventing mud being carried onto the highway;
  - Measures to protect vulnerable road users (cyclists and pedestrians)
  - Any necessary temporary traffic management measures;
  - Arrangements for turning vehicles;
  - Arrangements to receive abnormal loads or unusually large vehicles;
  - Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of highway safety and amenity of local residents.

11. Prior to the commencement of the development, a Measures-only Travel Statement is to be submitted to and approved in writing by the Local Planning Authority. Such Measures-only Travel Statement should include soft and hard measures to promote sustainable travel. There should be a timetable for implementation of the measures. The development shall not be occupied unless the agreed measures are being implemented in accordance with the agreed timetable. The measures should continue to be implemented for the Duration.

Reason: To provide and promote a range of sustainable travel options.

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

Reason: To improve the sustainability of the dwellings in accordance with the Taunton Deane: Core Strategy Policies DM5 (the Supplemental Planning Document – Districtwide Design Guide) and Paragraphs 134, 154 and 180 of the National Planning Policy Framework (Sept 2023).

13. Prior to occupation of the building(s), works for the disposal of sewage and surface water drainage shall be provided on the site to serve the development, hereby permitted, in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be retained and maintained in that form.

Reason: To ensure the adequate provision of drainage infrastructure and to prevent flood risk.

14.
  - i) Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012.
  - ii) Such fencing shall be erected prior to commencement of any other site operations and at least two working days' notice shall be given to the Local Planning Authority that it has been erected.

- iii) It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase.

Reason for pre-commencement condition: To ensure that trees are adequately protected before any works commence on site.

- 15. No development hereby approved which shall interfere with or compromise the use of footpath T 10/23 shall take place until a path diversion order has been made and confirmed, (and the diverted route made available to the satisfaction of the Local Planning Authority).

Reason: To ensure that a path diversion order is made and confirmed.

- 16. All ecological measures and/or works shall be carried out in accordance with the details contained in section of Ecologic EcIA (211209 S rev00) dated October 2022 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: In the interests of [European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006] and in accordance with policy CP8 Local Plan Core Strategy.

- 17. 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 nesting birds habitat clearance measures, badgers buffer zones etc.
  - d. The location and timing of sensitive works to avoid harm to biodiversity features.
  - e. The times during construction when specialist ecologists need to be present on site to oversee works.
  - f. Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority

g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person [including regular compliance site meetings with the Council

Biodiversity Officer and Landscape Officer (frequency to be agreed, for example, every 3 months during construction phases)];

h. Use of protective fences, exclusion barriers and warning signs.

i. [Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works]

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

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

18. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the first occupation of the
- the development. The content of the LEMP shall include the following:
- a. Description and evaluation of features to be managed.
  - b. Ecological trends and constraints on site that might influence management.
  - c. Aims and objectives of management.
  - d. Appropriate management options for achieving aims and objectives.
  - e. Prescriptions for management actions.
  - f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g. Details of the body or organization responsible for implementation of the plan.
  - h. On-going monitoring and remedial measures.

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

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Policy CP8 of the Local Plan Core Strategy.

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

Reason: To ensure that ecological mitigation measures are delivered, and that protected /priority species and habitats are safeguarded in accordance with the CEMP and compliance with policy CP8 of the Core Strategy.

20. Works to any of the buildings shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
  - a) a copy of the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or
  - b) a statement in writing from the licensed bat ecologist to the effect that he/she does not consider that the specified development will require a licence.

Reason: In the interests of the strict protection of European protected species and in accordance with policy CP8 of the Core Strategy.

21. Works shall not commence until:
  - a. Construction operatives have been inducted by a licensed bat ecologist to make them aware of the possible presence of bats, their legal protection and of working practices to avoid harming bats. Written confirmation of the induction will be submitted to the Local Planning Authority by the licensed bat ecologist within one week of the toolbox talk;
  - b. An Beaumaris Woodstone Bat Box to provide a suitable alternative roosting location, to accommodate any discovered bat(s), will be hung on a suitable tree or building on or adjacent to the site at a minimum height of 4 metres as directed by a licensed bat ecologist. Any such box will be maintained in-situ thereafter. Photographs showing their installation will be submitted to the



Local Planning Authority;

c. Works potentially affecting bats will then proceed under the supervision of the licensed bat ecologist.

Reason: A pre-commencement condition in to ensure the strict protection of European protected species and in accordance with Policy CP8 of the Core Strategy.

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

Reason: To ensure that ecological mitigation measures are delivered, and that protected /priority species and habitats are safeguarded in accordance with the CEMP and that compliance with Policy CP8 of the Core Strategy.

23. A Risk Avoidance Measures Method Statement (RAMMS) detailing a strategy to prevent adverse dust levels; run off from chemical liquids such as petroleum and detergents into the nearby watercourse which is located to the northern end to the application site; and using bunded storage for example when refuelling vehicles and storing oil and fuel accordingly shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development will thereafter be implemented in accordance with the approved strategy.

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

24. To mitigate incidences of chemical spillages, prior to any works, a scheme outlining appropriate filling, storage and disposal methods for hazardous chemicals (in accordance to COSHH regulations and Environment Agency pollution prevention measures) must be submitted to and approved in writing by the Local Planning Authority.

Reason: A pre-commencement condition in the interests of UK protected and priority species and in accordance with Policy CP8 of the Core Strategy.

25. No works shall commence on the listed building until a full specification for the repairs along with the recording of the building has been undertaken, details of which shall be submitted to and agreed in writing by the LPA.

Reason: To ensure appropriate repair and restoration of the listed building.

Notes to applicant.

1. In accordance with paragraph 38 of the National Planning Policy Framework 23 the Council has worked in a positive and creative way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. The Highway Authority have advised the following in regard to site drainage and requirement for a Traffic Regulation Order.

#### A) Drainage

Any systems provided for the purposes of draining the site shall be constructed and maintained privately until such time as the drainage is adopted. At no point will this Authority accept private infrastructure being connected into highway drainage systems. Consent from the riparian owner of any land drainage facilities affected, that are not within the developer's title, will be required for adoption.

#### B) TRAFFIC REGULATION ORDER (TRO)

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to a scale of 1:1000 of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straight forward; involving the public advertisement of the proposal(s) and the resolution of any objections.

N.B. The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

3. The Rights of Way Officer has advised the following: Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.