

<b>Application Details</b>	
Application Reference Number:	42/22/0055
Application Type:	Approval of Reserved Matters
Expiry Date:	17 February 2023
Decision Level:	Committee
Description	Application for approval of reserved matters following outline approval 42/14/0069 for the appearance, landscaping, layout and scale of the strategic infrastructure associated with the delivery of the employment zone including employment estate roads, green infrastructure, ecology mitigation, drainage, earth re-modelling works and hard landscaping associated with the local square at Orchard Grove Community Employment Zone, land adjacent A38, Taunton
Site Address:	Orchard Grove, Land at Comeytrove/Trull, Taunton
Parish:	Taunton Town Council
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment area:	Yes
AONB:	No
Case Officer:	Simon Fox, Major Projects Officer (Planning) 07392 316159 <a href="mailto:simon.fox@somerset.gov.uk">simon.fox@somerset.gov.uk</a>
Agent:	Boyer Planning
Applicant:	TAYLOR WIMPEY UK LTD, VISTRY WESTERN
Committee Date:	Tuesday 20 June 2023
Reason for reporting application to Members:	Each application at the Comeytrove Garden Community, known as Orchard Grove, has been subject to Planning Committee scrutiny, as required by the Chair, given the significance of the scheme and the public interest.

## 1. Recommendation

That planning permission be **GRANTED** subject to conditions.

## **2. Executive Summary of key reasons for recommendation**

- 2.1 This application seeks the approval of reserved matters for the laying out of the employment area access road, with associated land regrading and drainage plus the laying out of an area of Public Realm called the Local Square.
- 2.2 After consideration of all representations and consultations, planning policy and material considerations including the planning history and the scope of the application as one for approval of reserved matters, the application is considered appropriate to be recommended for approval subject to the conditions listed at Appendix 1 to this report.

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

### **3.1 Obligations**

No agreement is needed in connection with this application because the outline is accompanied by a site-wide section 106 agreement.

### **3.2 Conditions (see Appendix 1 for full wording)**

- 1) Drawing Schedule
- 2) Phasing – hard landscaping
- 3) Phasing – SUDs
- 4) Soft landscaping
- 5) Lighting Plan
- 6) Details required for approval – hard landscaping (specific areas)
- 7) Detail of power supply required to Local Square
- 8) Details required for approval – hard landscaping (Maze POS)
- 9) Scheme of ecological mitigation and enhancement
- 10) PROW obstruction prevention
- 11) Construction Environmental Management Plan (CEMP)
- 12) Construction stage drainage plan
- 13) Management responsibilities for drainage infrastructure
- 14) Future employment plot surface water drainage requirements

### **3.3 Informatives (see Appendix 1 for full wording)**

- 1) Reminder of Outline Planning Conditions
- 2) Statement of positive working
- 3) PROW obstruction
- 4) Advice from Designing Out Crime Officer

- 5) Maze POS future linkage
- 6) Extent of red line
- 7) Remit of application

#### **4. Proposed development, Site and Surroundings**

##### Details of proposal

- 4.1 The proposal includes the site preparation and construction of an access road to open up the employment land and an area of public realm, known as the 'Local Square' in the Western Neighbourhood.
- 4.2 The outline consent, ref 42/14/0069 secured 5.25 hectares of employment land for traditional B1 (light industry/offices, B2 (general industry) and B8 (warehousing) uses. Subsequent master planning located this provision in one area of the site towards the A38, adjacent to the Park and Bus facility, to be accessed off the central spine road which itself will connect the A38 to Honiton Road in Trull village.
- 4.3 To date the 'employment land' has been used for soil storage, work compounds and crossed by a haul road. Part of the employment land was put forward for use as a Care Home, ref 42/22/0054, which was approved in January of this year.
- 4.4 In order to serve the Care Home an access road is required, and this will also serve the remainder of the 'employment land'. The Consortium has therefore brought forward this application to access the 'employment land' ready for future occupants, whilst also laying out the required infrastructure, including the road, drainage, services etc. The road links with the spine road and will be a cul-de-sac. The road will however be adjoined by grass verge with street trees and a pedestrian footway/cycle path that will continue beyond the turning head of the cul-de-sac to link to an area of public open space (POS) called The Maze Park which itself will link to the wider pedestrian/cycle and POS network.
- 4.5 Surface water drainage for the road and the future employment plots will be captured in a new attenuation basin, to be surrounded in landscaping to partly mitigate the future impacts of the employment units.
- 4.6 At the junction of the new employment land access road and the spine road a new area of public realm is proposed, and this has been coined the 'Local

Square'. The 'square' is actually rectangular and will sit in front of the consented Care Home where currently Taylor Wimpey show home car parking is provided.

- 4.7 The 'Local Square' will provide cycle and pedestrian linkages and will accommodate a bus stop, new hard and soft landscaping, street furniture and the potential for a host of community activities and functions.
- 4.8 On the other side of the junction another area of POS will be planted up and a new cycle/pedestrian link will be created to link to the Park and Bus facility, for the purposes of identification this shall be called 'the Gateway'.

#### Site and surroundings

- 4.9 Outline consent with all matters reserved (except points of access) has been granted for a residential and mixed-use garden community at Comeytrove/Trull to include up to 2,000 dwellings, up to 5.25ha of employment land, 2.2ha of land for a primary school, a mixed use local centre and a 300 space 'park and bus' facility (application ref. 42/14/0069). The site area for the outline application was approx. 118ha and was bounded by the A38 Wellington Road to the north-west, the suburb and parish of Comeytrove to the east and the village of Trull to the south. The Blackdown Hills AONB is located approximately 2.5 miles to the south of the site.
- 4.10 Through a Masterplan process the 'employment land' was located near to the A38 adjacent to the Park and Bus Facility.
- 4.11 A Public Right of Way (T29/11) runs alongside the eastern side of the Local Square and the Employment Land area. This generally follows a retained hedge from the junction of Jeffreys Way/A38 at Stonegallows south towards Higher Comeytrove Farm. The hedgerow will be now broken in three places to allow estate roads and the central spine road to cross and the PROW has been subject to temporary diversions whilst the development activity has been concentrated in this area.
- 4.12 This part of the site is not near any Conservation Area but is partly within a landscape designation (Special Landscape Feature-Stonegallows Ridge) and is within visual proximity of two listed buildings, namely Rumwell Park (Grade 2) and its landscaped park located 350m to the north on the opposite side of the A38 and Rumwell Hall (Grade 2) and its landscaped park located 200m to the west on the other side of the boundary hedge.

4.13 The wider site is under construction, occupations commenced in April 2022 with currently circa 100 properties occupied at present. Work to construct the Care Home is pending the conclusion of this application and a procedural matter being dealt with via pending application 42/23/0016.

## 5. Relevant Planning History

Reference	Description	Decision	Date
42/14/0069	Outline planning permission with all matters reserved (except access) for a residential and mixed use urban extension at Comeytrove/Trull to include up to 2,000 dwellings, up to 5.25ha of employment land, 2.2ha of land for a primary school, a mixed use local centre and a 300 space 'park and bus' facility	Approved	8 August 2019
42/15/0042	Demolition of a section of wall on the western side of Honiton Road for creation of the access to the south west Taunton Urban Extension (Under Planning Application No. 42/14/0069) on Honiton Road, Trull	Approved	9 August 2019
42/19/0053	Application for approval of reserved matters following outline application 42/14/0069 for construction of the strategic infrastructure associated with the Western Neighbourhood, including the spine road and infrastructure roads; green infrastructure and ecological mitigation; strategic drainage, earth re-modelling works and associated retaining walls on land at Comeytrove/Trull	Approved	18 March 2020
42/20/0005/DM	Prior notification of proposed demolition of chicken coops on land south west of Taunton	No objection subject to conditions	21 February 2020
42/20/0006	Application for approval of reserved matters following Outline Application 42/14/0069 for the appearance,	Approved	22 July 2020

	landscape, layout and scale for the erection of 70 No. dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works (Phase H1b) on land at Comeytrove/Trull		
42/20/0024	Application for approval of reserved matters following outline application 42/14/0069 for the erection of a foul pumping station, water booster station and gas pressure reducing station to serve the permitted 2000 dwellings on land at Comeytrove/Trull	Withdrawn on procedural grounds – not a Reserved Matters	10 August 2021
42/20/0031	Approval of reserved matters in respect of the appearance, landscape, layout and scale, pursuant to planning permission reference (42/14/0069) for the erection of 76 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works at Phase H1a on land at Comeytrove/Trull	Approved	8 April 2021
42/20/0042	Erection of a foul pumping station, water booster station and gas pressure reducing station to serve the permitted 2000 dwellings under outline application 42/14/0069 on land at Comeytrove/Trull	Approved	08 April 2021
42/20/0043	Non-material amendment to application 42/19/0053 for the relocation of the approved sub-station on land at Comeytrove/Trull	Approved	19 October 2020
42/20/0056	Approval of reserved matters in respect of the appearance, landscape, layout and scale, pursuant to planning permission reference (42/14/0069) for	Approved	8 April 2021

	the erection of 64 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works at Phase H1c(i) on land at Comeytrove/Trull		
42/21/0004	Application for approval of reserved matters following outline application 42/14/0069 in respect of the appearance, landscape, layout and scale for the erection of 166 No. dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works at Parcel H1d on land at Comeytrove/Trull	Approved	3 February 2022
42/21/0020	Non-material amendment to application 42/20/0006 to allow for adjustments to highway alignments (Phase 1a and Parcel H1b) on land at Comeytrove/Trull	Approved	10 January 2022
42/21/0032	Erection and installation of an electricity sub-station on land falling within Phase H1C/H1F at Comeytrove/Trull	Approved	31 August 2021
42/21/0035	Approval of reserved matters in respect of the appearance, landscape, layout and scale, pursuant to planning permission reference (42/14/0069) for the erection of 55 dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works at Parcel H1c(ii) on land at Comeytrove/Trull (resubmission of 42/20/0056)	Approved	20 September 2022

42/21/0046	Application for approval of reserved matters following outline application 42/14/0069 for a local equipped play area (LEAP), landscaping, drainage and associated engineering operations, referred to as Garden Park, on land at Comeytrove/Trull	Approved	4 April 2022
42/21/0058	Re pointing of former kitchen garden wall (Building A) with removal of loose stones, removal of attached modern industrial shed along stable blocks northern wall and making good of gable end (Building B), and removal of stub wall (Building G) at the stable block associated with Comeytrove Manor, Manor Industrial Estate, Taunton	Pending	
42/21/0077	Application for a non-material amendment to application 42/14/0069 for realignment of the approved A38 roundabout on land south of the A38, Comeytrove	Approved	17 December 2021
42/21/0068	Conversion and change of use from commercial (Class E) to 1 No. residential dwelling at The Stable Block, Comeytrove Manor West, Lipe Hill Lane, Comeytrove	Pending	
42/21/0069	Conversion and change of use from commercial (Class E) to 1 No. residential dwelling at The Stable Block, Comeytrove Manor West, Lipe Hill Lane, Comeytrove	Pending	
42/22/0026	Application for a Non-Material Amendment to application 42/20/0042 to introduce a turning head at the entrance to the approved pumping station compound and associated delivery of designated cycle lane through the site on land at Comeytrove Rise, Trull	Refused on procedural grounds – not an NMA	21 April 2022



42/22/0040	<p>SCC Consultation – Erection of primary school and nursery, to include construction of sports pitches, parking area and access onto spine road incorporating landscaping and infrastructure on land at Comeytrove, Taunton</p> <p><i>For the full application file visit SCC's Planning register online, ref SCC/3938/2022</i></p>	Approved	<p>SWT Comments sent to SCC 26 May 2022, application approved by SCC in December 2022</p>
42/22/0043	<p>Variation of Condition No. 02 (approved plans), for the inclusion of a turning head at the entrance of the approved pumping station compound, of application 42/20/0042 at Orchard Grove New Community, Comeytrove Rise, Taunton</p>	Approved	03 February 2023
42/22/0054	<p>Erection of a care home (Use Class C2) comprising of 68 No. bedrooms with associated staff facilities, access, landscaping, parking and associated works on land at Comeytrove, Taunton</p>	Approved	31 January 2023
42/22/0056	<p>Application for Approval of Reserved Matters following Outline Application 42/14/0069 for the appearance, landscaping, layout and scale for the strategic infrastructure works, including associated green infrastructure and drainage, associated with the delivery of infrastructure roads WR02 and WR03 at Orchard Grove Community, Comeytrove</p>	Pending	
42/22/0062	<p>Application for the approval of reserved matters following outline application 42/14/0069 for the appearance, landscaping, layout and scale for the erection of 20 No. dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works comprising Parcel H1f(i) together with</p>	Approved	10 March 2023

	additional details as required by Condition No's. 7, 9, 12, 13, 14, 15, 16, 18, 19, 20, 21 and 23 on land west of Comeytrowe Lane, Taunton		
42/22/0063	Application for the approval of reserved matters following outline application 42/14/0069 for the appearance, landscaping, layout and scale for the erection of 51 No. dwellings, hard and soft landscaping, car parking including garages, internal access roads, footpaths and circulation areas, public open space and drainage with associated infrastructure and engineering works comprising Parcel H1f(ii) together with additional details as required by Condition No's. 7, 9, 12, 13, 14, 15, 16, 18, 19, 20, 21 and 23 on land west of Comeytrowe Lane, Taunton	Pending	
42/22/0064	Variation of Condition No's. 02, approved plans, (for alterations to common infrastructure, including drainage attenuation basins, retaining structures and earthworks, site remodelling, engineering works and landscape planting) and 04, landscaping details, of application 42/19/0053 on land at Comeytrowe, Taunton	Pending	
42/22/0075/ CB	Application to determine if prior approval is required for the proposed demolition (Class B) of former industrial buildings at Comeytrowe Manor Industrial Estate, Lipe Hill Lane, Comeytrowe	Prior Approval Required	18 January 2023
42/22/0076	Application for approval of reserved matters following outline approval 42/14/0069 for the appearance, layout and scale for the erection of a bat house and associated works at Orchard Grove Urban Extension at Comeytrowe	Approved	31 March 2023
42/23/0016	Variation of a Condition No. 02 (approved Plans) of application	Pending	

	42/14/0069 for the removal of 0.58ha of land from the approved employment area on land at Comeytrowe, Taunton		
42/23/0019/ CB	Application to determine if prior approval is required for the proposed demolition (Class B) of former industrial buildings at Comeytrowe Manor Industrial Estate, Lipe Hill Lane, Comeytrowe	Pending	
42/23/0022	Application for the approval of reserved matters following outline application 42/14/0069 for the access, appearance, landscaping, layout and scale for the erection of a substation to service the Primary School at Orchard Grove, Comeytrowe	Pending	Resolved to approve at May committee

## 6. Environmental Impact Assessment

- 6.1 Upon receipt of an application the Council has to consider if the development falls into Schedule 1 or 2 of the Environment Impact Assessment Regulations. The Council concludes it falls into neither.
- 6.2 Then the Council must consider if the application is:
- (i) a subsequent application in relation to Schedule 1 or Schedule 2 development
  - (ii) has not been subject to a screening opinion and
  - (iii) is not accompanied by an ES (under Reg 9 of the EIA regulations).
- 6.3 In this case the Garden Community development fell within Category 10b (Urban Development Projects) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and the outline application was accompanied by a full Environment Statement.
- 6.4 The Council therefore must assess whether the information it has within the outline ES is sufficient to determine the application now before it.
- 6.5 The conclusions hereon are such that the Council considers the application as an application for reserved matters will not have any further significant environmental effects over and above those assessed at the outline stage and a further environmental statement is not required.

## 7. Habitats Regulations Assessment

- 7.1 Since the granting of outline planning permission in August 2019 there has been a material change in circumstances which has required the Council, as the competent authority, to reassess a matter in relation to the Conservation of Habitats and Species Regulations 2017 (as amended) ('the Habitats Regulations') and the lawful approach to the determination of planning applications in light of recent advice from Natural England ('NE').
- 7.2 In a letter, dated 17 August 2020, NE advised the Council that whilst the Somerset Levels and Moors Special Protection Area ('SPA') could accommodate increased nutrient loading arising from new development within its hydrological catchment that the Somerset Levels and Moors Ramsar Site ('the Ramsar Site') could not. The difference, NE state, is that whilst such increased nutrient deposition is *"...unlikely, either alone or in combination, to have a likely significant effect on the internationally important bird communities for which the site is designated"* as regards the SPA such a conclusion cannot be drawn in relation to the Ramsar Site.
- 7.3 The typical consequence of such excessive phosphate levels in lowland ditch systems is *"the excessive growth of filamentous algae forming large mats on the water surface and massive proliferation of certain species of Lemna"* NB: (Lemna refers to aquatic plants such as duckweed).
- 7.4 This excessive growth *"adversely affects the ditch invertebrate and plant communities through... shading, smothering and anoxia (absence of oxygen)"* which in turn allows those species better able to cope with such conditions to dominate. The result is a decline in habitat quality and structure. NE state that *"The vast majority of the ditches within the Ramsar Site and the underpinning SSSIs are classified as being in an unfavourable condition due to excessive phosphate (P) and the resultant ecological response, or at risk from this process"*.
- 7.5 NE identify the sources of the excessive phosphates as diffuse water pollution (agricultural leaching) and point discharges (including from Waste Water Treatment Works ('WWTWs')) within the catchment noting that P levels are often 2-3 times higher than the total P target set out in the conservation objectives underpinning the Ramsar Site. In addition NE note that many of the water bodies within the Ramsar Site have a phosphate level classed as significantly less than 'Good' by reference to the Environment Agency's

Water Framework Directive and that the river catchments within the wider Somerset Levels are classed as having a “*Poor Ecological Status*”.

- 7.6 At the time of the letter the issue in terms of the Ramsar Site was that the conservation status of the designated site was ‘unfavourable’ but in a recent SSSI Condition Change Briefing Note for the Somerset Levels and Moors dated May 2021 (uploaded to this applications’ online case file) the overall condition across all Somerset level and Moors SSSI’s is ‘Unfavourable Declining’ due to evidence of failing water quality, most notably high Phosphate levels.
- 7.7 NE have advised the Council that in determining planning applications which may give rise to additional phosphates within the catchment they must, as competent authorities, undertake a Habitats Regulations assessment and undertake an appropriate assessment where a likely significant effect cannot be ruled out. NE identify certain forms of development affected including residential development, commercial development, infrastructure supporting the intensification of agricultural use and anaerobic digesters.
- 7.8 The Council considers this application, which is merely for infrastructure and therefore does not produce waste water, does not require an HRA. An HRA is only required in connection with reserved matters applications for residential development so long as the issue with the Ramsar persists.

## **8. Consultation and Representations**

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

Date of initial Consultation: November 2022

Date of revised consultation: Limited additional consultation was undertaken with certain consultees throughout the process.

### **8.1 Statutory Consultees**

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

<b>Statutory consultee</b>	<b>Comments</b>	<b>Officer comments</b>
<b>Taunton Town Council</b>	No comments received.	TTC will be asked if any comments are to be made; an oral update will be given.
<p><b>NB:</b> This application was submitted prior to 01 April 2023 but now falls within the parish area of the new Taunton Town Council.</p> <p>Taunton Town Council will also now administer an area previously part of Trull PC. This application site was previously in Trull parish.</p>		
<b>Trull Parish Council (Neighbouring Parish)</b>	<i>“Trull Parish Council wishes to object on the basis that the green infrastructure plan does not accord with the Western Neighbourhood Design Guide. We would like to see more trees and shrubs to improve the appearance of the development from the A38”.</i>	It is unclear specifically what areas the PC feel are not landscaped sufficiently and whether this is as planted or as proposed. It is clear that this application seeks to maximise planting opportunities.
<b>Former Comeytrowe Parish Council</b>	<i>“The Parish Council supports the landscaping undertaken providing it continues to address the concerns the Parish Council continues to raise relating to surface water flooding. With regard to the area in question the Parish Council still has concerns over the effectiveness of the park and bus scheme, until full details of how the scheme will operate are disclosed”.</i>	See EA/LLFA comments. The Park and Bus facility is not part of this application.
<b>Bishops Hull Parish Council (Neighbouring Parish)</b>	No comment.	No further action.
<b>Highway Authority</b>	The Highway Authority has been involved in discussions throughout the application process and the final set of amended plans should address the comments made to date.	An oral update will be given.

<b>Public Rights of Way Team</b>	Concerning PROW T29/11 – there is a concern that landscaping proposed at the Local Square will obstruct the PROW. This requires the designed obstruction to be removed or an application to divert the path to be made. A Grampian-style condition is proposed with Informative Note.	See Paragraph 12.22. Condition and Informative Note added.
<b>Natural England</b>	<i>“Designated Sites - Based on the plans submitted, and assuming that your Authority are satisfied with the further ecological information submitted in the Ecological Technical Note, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection”.</i>	Refer to comments from Ecologist.
<b>Lead Local Flood Authority (LLFA)</b>	<i>“The LLFA is satisfied with the submitted information for this application, subject to the minor labelling edit on the drainage strategy drawing as agreed in our meeting this afternoon”.</i>	Condition proposed.
<b>Environment Agency</b>	No objections as all interests are covered by the outline consent.	See LLFA comments. The outline consent contains 2 conditions (12&13) that control surface water matters. The approval of these conditions is a separate matter and will not affect the layout and so this application can be approved.
<b>National Highways</b>	Offer no objection.	No further action.

## 8.2 Non-Statutory Consultees

<b>Non-Statutory consultee</b>	<b>Comments</b>	<b>Officer comments</b>
<b>Ecologist</b>	<p>Condition 18 (Wildlife Strategy) – More information regarding badgers required.</p> <p>Condition 19 (Ecological Management Plan) – No comments.</p> <p>Condition 20 (Updated surveys) – Query regarding monitoring.</p> <p>Condition 21 (Lighting for Bats) – No further comments.</p> <p>Following the receipt of further information regarding badgers and dormouse, no further issues.</p>	<p>The outline consent contains 4 conditions (18-21) that provide a framework to further assess ecological impacts and provide mitigation and enhancement.</p> <p>The approval of these conditions is a separate matter and will not affect the layout and so this application can be approved.</p>
<b>Placemaking Officer</b>	<p>Commenting on the first set of amended plans –</p> <p><i>“Overall, the design of the Local Square is disappointing and lacks formality and a focal space. The Local Square is shown as a Key Grouping in the approved Western Neighbourhood Masterplan and Design Guide. The approved framework plan identifies the space as an entrance transition place marking the gateway between different character areas and frontages. It states that ‘The local Square will be defined by a change in public realm treatment and formal character’</i></p>	<p>See Paragraphs 12.1-12.16.</p> <p>The Park and Bus facility is not part of this application.</p>





*The square lacks any design formality as shown above in the masterplan and design guide, p.77. The above diagram gives far more of an urban square with symmetrical planting and public realm. This also picks upon the bay division and rhythm of the building.*

*The proposed layout shows more of an informal space with random planting. Orchard trees are not appropriate in this urban context. Whereas the masterplan shows a formal boulevard of trees on tree grill and a series of formal planting squares with no boundary division or shrub planting between the adjacent use. This was shown as having a distinctive key grouping separate in identity to the spine road.*

*Public realm materials, street furniture (including bike parking) and lighting are not adequately shown. The square should have a change in public realm treatment and blacktop and tegula block paving is not sufficiently different in quality – stone paving, stone setts and hoggin would be considered more appropriate and create more of a traditional urban square.*

*Regarding the park and bus, this represents a large area of unbroken*

	<p><i>carparking which would have no natural surveillance. The treatment to the A38 needs to be improved with hedge-banks and stone walls swinging into and returning within the site. Orchard planting is again not appropriate and should reflect more of a parkland setting with parkland trees including pines. This treatment also needs to be seen in the wider context of the site not in isolation. The SUD's space is not adequately shown and needs to have a detailed landscape treatment, with water being retained as a feature (what we don't want is steep over engineered edges with a need for safety fencing). Regarding the entrance feature, far more consideration needs to be given and this needs to be specific and provide full details. The placemaking preference would be to see a large piece of sculpture".</i></p>	
<p><b>Landscape Officer</b></p>	<p>Commenting on the first set of amended plans -</p> <p><u><i>"Landscape Comments</i></u></p> <ul style="list-style-type: none"> <li>• <i>The placemaking specialist and I had a chat about the proposals and agreed concerns. I note that the placemaking specialist placemaking specialist has sent comments, which I endorse, and largely repeat below, albeit with further expansion on tree species. I think that until the fundamentals are right about the approach taken, it is not work commenting too much on details. Happy to have a meeting with the design team to discuss if it will help.</i></li> </ul> <p><u><i>Local Square</i></u></p> <ul style="list-style-type: none"> <li>• <i>The design of the Local Square shown in the proposals is too</i></li> </ul>	<p>See Paragraphs 12.1-12.16.</p>

	<p><i>informal in its layout and not sufficiently “Civic” in its character and it lacks the formality that was aspired to in the Western Neighbourhood Masterplan and Design Guide, which states that, ‘The local Square will be defined by a change in public realm treatment and formal character’. There appears to be no justification for this change away from what has been agreed and expected by the community, and it is therefore recommended that the design is totally revised so that it is more formal and civic in character.</i></p> <ul style="list-style-type: none"><li>• <i>The proposed layout shows more of an informal space with random planting. Orchard trees are not appropriate in this urban context. Whereas the masterplan shows a formal boulevard of trees on tree grill and a series of formal planting squares with no boundary division or shrub planting between the adjacent use. This was shown as having a distinctive key grouping separate in identity to the spine road.</i></li><li>• <i>The square lacks any design formality as shown above in the masterplan and design guide, p.77. The above diagram gives far more of an urban square with symmetrical planting and public realm. This also picks upon the bay division and rhythm of the building.</i></li><li>• <i>Public realm materials, street furniture (including bike parking) and lighting are not adequately shown. The square should have a change in public realm treatment and blacktop and tegula block paving is not</i></li></ul>	
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*sufficiently different in quality – stone paving, stone setts and hoggin would be considered more appropriate and create more of a traditional urban square.*

*Tree pallet*

- The tree pallet in particular needs fixing. The proposals include a lot of small-scale domestic character trees and fruit trees that are totally unsuitable. The species selected should re look at what was referenced in the design guide, this being a pallet that: has regard to the high status designed landscape setting informed by Rumwell, as well as being suitable at suggesting civic character and is also characteristics of the somerset landscape.*
- Evergreen Oaks (Quercus ilex) are proposed in the design guide, which are highly suitable, and unless there are good reasons that justify doing otherwise, these should be the species chosen for the square.*
- Other suitable species around the square would include planes, limes, parkland conifer species.*
- Orchard and garden trees are not suitable in this part of the development.*

*Movement*

- This should be formal, as shown in the design guide. Non directional as shown in the design guide so as to respect the civic space and not dynamic as proposed.*
- Materials should be high quality that get better with time, such as granite setts and hoggin.*

*Park and ride / SUDS/ Entrance*

	<ul style="list-style-type: none"> <li>• <i>The roadside boundaries in the vicinity of the A38 should be hedge banks 1.2m high x 1.2m wide at the base.</i></li> <li>• <i>Regarding the park and bus, this represents a large area of unbroken carparking which would have no natural surveillance. The treatment to the A38 needs to be improved with hedge-banks and stone walls swinging into and returning within the site. Orchard planting is again not appropriate and should reflect more of a parkland setting with parkland trees including pines. This treatment also needs to be seen in the wider context of the site not in isolation.</i></li> <li>• <i>The SUD's space is not adequately shown and needs to have a detailed landscape treatment, with water being retained as a feature (what we don't want is steep over engineered edges with a need for safety fencing)".</i></li> </ul>	
<p><b>Green Infrastructure Officer</b></p>	<p>Commenting on the first set of amended plans -</p> <p><i>"Overall, I believe that the current design addresses some of the issues we have previously raised, with a few issues which I still think need to be considered in more depth.</i></p> <p><i>I think that the addition of a group of trees and vegetation in the attenuation area improves its overall quality and appearance and positively impacts the adjacent parking area. However, I still believe the current park and bus area is excessively dominated by hard surfaces and doesn't fully comply with the Western Design Guide recommendations. To create a more</i></p>	<p>See Paragraphs 12.1-12.16.</p> <p>The Park and Bus facility is not part of this application.</p>

	<p><i>appropriate park-like atmosphere and a more welcoming entrance to the town, I think the design should include larger tree species that would have a larger impact on short and longer views.</i></p> <p><i>I am supportive of the proposed verge and trees along the road (1083-02-GA-7101-D), as they enhance the quality of the area and create a more pleasant walking environment. However, I have concerns about the compliance of the shared footway/cycleway with LTN/20 standards, and I recommend further consideration in this regard.</i></p> <p><i>The design for the small open area (1000-04 P6 civic space cycle route) is an improvement in terms of its integration with the surrounding environment and in my opinion will create a more interesting space. To further enhance its quality and support a multifunctional approach I suggest adding some activities and other uses such as seating and an informal play area. It would be beneficial to understand a bit more about how the area support local ecology.</i></p> <p><i>Regarding the design of the Local Square, I appreciate the softer approach in contrast to the more formal approach in the Western Design Guide, as it has some advantages from a Green Infrastructure perspective. However, I still believe that the landscape qualities of the space can be further strengthened to create a more enjoyable place to be and cross. I recommend considering the incorporation of informal sitting elements in the soft spaces between the trees, and also exploring the possibility of adding</i></p>	
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	<p><i>shaded areas for shelter. Additionally, we have previously discussed the integration of public art at the entrance to improve the city's entrance and enhance the attractiveness of the local square. I believe this should be integrated into the design at this stage, rather than being planned as an addition after the fact".</i></p>	
<p><b>Tree Officer</b></p>	<p>Commenting on the first set of amended plans -  <i>"I didn't manage to comment on the original version of this application, but the latest scheme looks better with regards the proposed tree planting. I can't see details about the planting methods and management of these trees in the future? Given some of the poor planting on the scheme so far I think it needs to be overseen by their project arborists to ensure that what is shown on the drawings gets properly planted, established and cared-for, so that it can thrive to maturity".</i></p>	<p>See Condition 04.</p> <p>The landscaping condition has been enhanced to include planting details and a watering regime.</p>
<p><b>Designing Out Crime Officer Avon &amp; Somerset Constabulary</b></p>	<p>Comments made regarding the presence of good natural surveillance, lighting, cycle parking, street furniture and landscaping.</p>	<p>Some comments refer to the park and Bus facility which isn't part of this application. The comments of the DOCO will be referenced by way of an informative note for the applicants benefit.</p>
<p><b>Devon and Somerset Fire and rescue Service</b></p>	<p>No observations.</p>	<p>No further action.</p>

### **8.3 Local representation**

- 8.3.1 In accordance with the Council's Adopted Statement of Community Involvement this application was publicised by 84 letters of notification to neighbouring properties on in November 2022 and again in March 2023 and a site notice was displayed on 06 December 2022.
- 8.3.2 At the time of writing no comments, of objection, or in support had been received.

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

- 9.1 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning application regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).
- 9.2 Listed Buildings and Conservation Areas Act 1990 section 66 and 72 is relevant in order to assess the impact on heritage assets.
- 9.3 As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council will be bringing forward a Local Development Scheme to agree the timetable for the preparation of the local plan and scope in due course.
- 9.4 Relevant policies of the development plan in the assessment of this application are listed below.

### Core Strategy 2012

SD1 - Presumption in favour of sustainable development

CP1 - Climate change



CP7 - Infrastructure  
CP8 - Environment  
SS7 - Comeytrowe / Trull - Broad Location for Growth  
DM1 - General requirements  
DM4 - Design

#### Site Allocations and Development Management Plan 2016

A3 - Cycle network  
ENV1 - Protection of trees, woodland, orchards and hedgerows  
ENV2 - Tree planting within new developments  
ENV3 - Special Landscape Features  
D7 - Design quality  
D8 - Safety  
D9 - A co-ordinated approach to development and highway planning  
D13 - Public Art  
Site allocation policy TAU1 - Comeytrowe / Trull

#### Other relevant policy documents

Somerset West and Taunton Design Guide  
Taunton Garden Town Public Realm Design Guide  
Taunton: The Vision for our Garden Town and the Taunton Design Charter and Checklist  
Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency

#### Neighbourhood Plans

The Trull Neighbourhood Plan is part of the development plan and a material consideration. The Trull Neighbourhood Plan includes policies that are aligned with the adopted policies in the Taunton Core Strategy and Site Allocations and Development Management Plan (SADMP) and provide for sustainable development in the parish. No policies expressly cover areas of public realm, but tree planting and hedgerow protection is supported.

#### The National Planning Policy Framework

The revised National Planning Policy Framework (NPPF), last update July 2021 sets the Governments planning policies for England and how these are expected to be applied.

Relevant Chapters of the NPPF include:

2. Achieving sustainable development
8. Promoting healthy and safe communities

- 9. Promoting sustainable transport
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

All policies and material considerations can only be considered as far as they relate to the details for which reserved matters approval is sought, as defined in the Development Management Procedure Order (DMPO) 2015.

## **10. Conclusion on Development Plan**

- 10.1 To properly perform the S38(6) duty the LPA has to establish whether or not the proposed development accords with the development plan as a whole.
- 10.2 This is a relatively minor application given the context and generally the development plan seeks to ensure suitable infrastructure is delivered to support development.
- 10.3 This report assesses the material planning considerations and representations before reaching a conclusion on adherence with the development plan as a whole.

## **11. Local Finance Considerations**

### Community Infrastructure Levy

The development types contained within this application are not CIL liable.

## **12. Material Planning Considerations**

- 12.1 As an application for Reserved Matters the application fundamentally seeks approval of layout, scale, appearance and landscaping.
- 12.2 The requirement, form, function and general layout of the Local Square was established by the Masterplan approved as part of the Western Neighbourhood Design Guide (WNDG) approved in 2020, this was informed by the Parameters relating to Land Use, Scale, Density, Access and Green Infrastructure agreed at the outline application stage.
- 12.3 The WNDG has provided a framework for detailed applications to be submitted and judged against ensuring the community has access to suitable

open spaces, including landscaped natural parks and what could be considered more urban spaces such as the 'Local Square' and 'Local Centre'. Whilst the role and function of the Local Centre is clear – a retail and commercial heart to the development providing shops, services and community facilities, the role of the Local Square was less clear and was predicated on a false premise, a matter that was discussed and assessed more recently as part of the Care Home application, ref 42/22/0054, which will present its key elevation to the Local Square.

- 12.4 As can be detected in the comments of the Placemaking Manager there was a view that the Local Square should be fronted and accessed by retail and community facilities which would spill out into the Local Square. The Local Square was to be formally laid out with mostly hardstanding and grass arranged formally around two lines of 7 trees.
- 12.5 This was discussed as part of the Care Home application, which was approved by Planning Committee, conscious of this matter regarding the identity and role of the Local Square, with the Case Officer view presented that the formal design shown in the WNDG would probably not now work with the Care Home proposal.
- 12.6 It is worth pointing out that the WNDG is just that, a guide, not immune to change should circumstances dictate. It was the view of the Case Officer when recommending approval of the Care Home proposal to the Planning Committee that the Council had misdirected the Consortium in requiring the WNDG to show retail and community facilities fronting the Local Square, because a specific quantum of retail and community facilities had been approved by the outline consent and this would not support such amenities at the Local Square AND in the proposed mixed use Local Centre, with the latter, as stated above designed to be the heart of the development. The decision to insist the Consortium show such in the WNDG may have been based on sound placemaking principles but were not supported by the planning consent or the obligations the developers were otherwise obliged to provide via the s106.
- 12.7 To be clear the outline application approved Up to 1,000sqm of shops (includes hairdressers), financial and professional services (estate agents/banks), restaurants/café, pub/bar and takeaway floorspace (gross) within an Up to 1.6ha Local Centre. To provide a comparison the recently approved Lidl in Wellington has a gross floor area of 2100sqm and so it can be seen that whilst this is a reasonable amount of floor area to provide in one Local Centre you would not want to split this over two sites as the result may

be to undermine the viability and vitality of both elements rather than just have one thriving Local Centre at the heart of the development.

- 12.8 On the community side, and aside from the Primary School, one site of 0.11ha was secured by the s106 to provide a Community Hall, so again there is no merit in the opinion of the Case Officer in splitting this over two areas.
- 12.9 Notwithstanding the comments made regarding the Local Square, if a third party wished to locate further retail, commercial and/or community facilities elsewhere on the site then this would be considered on its merits via a fresh application, the point made above is to recognise what was approved via the outline consent.
- 12.10 Looking at the design principles now the Care Home application has been approved and two other sides of the Local Square have been built (as residential) the context of the Local Square is now established, informed by detailed plans of other public open space areas so the overall offer of public spaces is better informed.
- 12.11 This has resulted in a different approach to the design of the Local Square which is less formal than the image in the WNDG but nonetheless will provide an active space, a place to dwell and a landscaped area at this key entrance area to the wider development. The space will incorporate paths for cycle and pedestrian linkages, and street furniture such as benches, cycle stand and litter bins. A bus stop has also been relocated to the Local Square where more space is available so, in time, a shelter may be added (this will depend on future management and maintenance arrangements being known as the Highway Authority will not accept responsibility for shelters on adopted highway land at this site).
- 12.12 Materials will closely align with the 'General Standard' set out in the Taunton Garden Town Public Realm Design Guide, to be secured via condition.
- 12.13 Due to the change in approach to the Local Square and with the benefit of seeing some areas already laid out there has also been a change in approach to 'the Gateway' area. The WNDG showed this is a grassed area with a large sculpture within it as a gateway feature. The proposed plans show a pedestrian/cycle linkage to and from the Park and Bus facility with tree planting and an entrance feature based on stone walling with integrated public art, the details of which are to be secured via condition. The specific detail of

the public art, to accord with Policy D13, at this position, and/or in the Local Square and/or at The Maze Park will be reserved for condition.

- 12.14 This particular space needs to act as a transition from the overtly engineered appearance of the A38 roundabout to the residential development of Orchard Grove. To this end some already installed pavement will be removed and replaced with grass verge to soften the approach and the edge of the carriageway (the Case Officer would wish to go further with softening the A38 roundabout environment, but this would not be proportionate to this specific application). Multiple attempts have been made by the Case Officer to secure a threshold within the public highway to reinforce the gateway and sense of arrival, however this has been met with persistent resistance from the Highway Authority.
- 12.15 The road serving the employment area and an existing road serving parcel H1a are both to receive LTN 1/20 compliant cycle priority crossovers akin to those being provided elsewhere along the spine road.
- 12.16 Comments from the Placemaking Officer, Landscape Officer and Green Infrastructure Officer are noted and a great deal of effort by the Case Officer and the Consortium has been expended, mindful of these comments, trying to reach a good outcome given the number of variations and options available. Given the space is for the local people it is perhaps a shame that those people who have moved into the site have not been more actively engaged by the Consortium in the design of the space, nor made comments when consulted, and there will always be a mixture of personal and professional opinions on a matter such as this but it is felt the space will provide a framework for the community to shape and mould over the years as the community and employment area grows, the Care Home is completed and the management regimes are better understood to further invest in the space over time and to reflect seasonality and a sense of community.
- 12.17 The outline application via its Environmental Statement and the Council via its granting of the outline planning permission and subsequent approval of the Masterplan has established that development of a Park and Bus facility and an employment zone is acceptable within and adjacent a Special Landscape Feature, Stonegallows Ridge. Whilst this application gives more detail the fundamental premise of regrading land to sit employment units lower in the landscape enveloped by landscaping is what is now proposed, and so accords with Policy ENV3.

- 12.18 It is evident across the majority of the Western Neighbourhood that levels have required manipulation to achieve compliant street gradients and level building plots. To that end the employment area will be no different and will require regrading to facilitate future (large floorplate) industrial buildings, service yards and car parking.
- 12.19 The employment road gives us the first indication as to the necessary degree of cut to deliver plots within the landscape height envelope established by the Environment Statement of the outline consent. The road will be cut into the rising land but in future as and when employment plots come forward they will be individual cut to achieve the floorplates required.
- 12.20 The applicant is to be advised that the indicative floorplates of industrial buildings shown on DrNo. 1000-L-03-P8 is not approved by this consent. The applicant is advised that more land will likely be required to be given over to strategic landscaping to mitigate the change in levels and the proposed industrial buildings when viewed from the wider Special Landscape Feature and adjacent listed buildings. Attention is also drawn to the Scale Parameter Plan with particular reference to the parameters for the employment land area which show some areas being kept free of built development, except car parking. The indicative plans provided by the Consortium would seem to be in conflict with this parameter. An informative note to this effect is recommended to inform future discussions.
- 12.21 Another area of Public Open Space included in this application is that referred to as The Maze Park, a scheme for which has already been approved via application 42/19/0053. The Maze Park is a name coined from the name given to an adjacent stand of trees which was historically associated with Rumwell Hall. The plan for this area has been revised to reflect the employment area plans and shows a continuation of the cycle linkages through the POS to connect into Parcel H1D, Manor Park (which leads to the Local Centre), and the neighbouring site Higher Comeytrowe Farm which is part of the allocation that is starting to emerge for development separately having not formed part of the original Orchard Grove outline consent. There were no specific conditions imposed on application 42/19/0053 relating to The Maze Park.
- 12.22 Comments made by the Public Rights of Way team raise an issue with the potential obstruction of a right of way. The reality is that the path may clip the very corner of the proposed Local Square and some proposed landscaping could potentially encroach and obstruct. Members can be reassured that the

Public Right of Way has, to date, been adequately integrated into the development by way of the creation of a hoggin path and crossing point over the spine road. The proposed condition will ensure this matter can be dealt with adequately.

12.23 The detailed chronology of phasing has been considered to ensure all elements come forward in a planned way, relative to the wider phasing plan which has already been agreed. Conditions will largely be hooked to the Care Home application which the specialist provider is ready to start. Conditions on that approval requires a road detail for access and a basin for drainage which this application provides. The proposed conditions ensure that the public spaces are delivered in tandem with the Care Home and not left unimplemented. In accordance with the s106 The Maze is currently phased to be 70% laid out prior to the completion of the last residential dwelling in that phase with the remaining 30% to be laid out in the next planting season following the completion of the final residential dwelling in that phase. The Maze POS is in the H1d phase and there appears no reason to change this.

12.24 There have been no adverse comments received yet during the public consultation period to question whether consent should be granted, albeit Members will be conscious of the comments made by the Placemaking, Landscape and Green Infrastructure Officers. It is noted the comments made by Parish Council's do not relate to the actual design, layout and approach of the public spaces and the employment land road, but to wider landscaping and surface water issues which have been addressed in this report.

12.25 As this is an application for reserved matters there are a host of conditions pursuant to the outline consent which will be dealt with separately.

12.26 Suitable conditions and informative notes will be imposed on this application relating to phasing, landscaping, materials and levels.

### **13. Planning Balance and Conclusion**

13.1. The continued delivery of the Garden Community is welcomed to provide very specific infrastructure including a public space in the form of the Local Square plus the opening up of the employment area.

13.2. There are no outstanding issues that cannot be conditioned in their own right as part of this consent or are already covered by outline conditions or the s106.

- 13.3. In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

### **Appendix 1 – Planning conditions and informatives**

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - (A1) DrNo 1000-L-05 P1 Site Plan
  - (A3) Employment Area Primary Infrastructure & Access Road Location Plan Drawing No. TBC (the phasing plan)
  - (A1) DrNo 1000-L-02 Rev P8 Civic Square Landscaping GA Plan
  - (A1) DrNo 1000-L-03 Rev P8 Civic Square Landscaping GA Plan Attenuation Area
  - (A1) DrNo 1000-L-04 Rev P8 Civic Square Landscaping GA Plan Park Link
  - (A1) DrNo 02-DR-7001 Rev G Employment Area Primary Infrastructure & Access Road Preliminary Drainage Layout Plan
  - (A1) DrNo 02-GA-7001 Rev E Employment Area Primary Infrastructure & Access Road Preliminary Highway Levels Plan
  - (A1) DrNo 02-GA-7101 Rev E Employment Area Primary Infrastructure & Access Road Preliminary Surfacing, Signs & Lines & Visibility Plan
  - (A1) DrNo 02-GA-7501 Rev E Employment Area Primary Infrastructure & Access Road Condition 26 Plan
  - (A1) DrNo 02-RP-7001 Rev D Employment Area Primary Infrastructure & Access Road Preliminary Road Profiles
  - (A1) DrNo 02-RP-7002 Rev D Employment Area Primary Infrastructure & Access Road Preliminary Road Profiles
  - (A2) DrNo 02-SK-7101 Rev D Employment Area Primary Infrastructure and Access Road Contour Plan
  - (A1) DrNo 02-SK-7001 Rev F Employment Area Primary Infrastructure and Access Road Boundary Plan
  - (A1) DrNo 02-ATR-7001 Rev D Employment Area Primary Infrastructure & Access Road Vehicle Tracking Plan

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

2. Pursuant to Drawing No. TBC (the phasing plan), but excluding soft landscaping



covered by Condition 04, the Local Square, the Gateway and the highway works on the road within Parcel H1a shall be laid out in accordance with the approved plans and details agreed via condition prior to the first use of any part of the employment land road by vehicles accessing employment land plots and the approved Care Home, application ref 42/22/0054, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a coordinated approach to the development to accord with Conditions 03 and 26 of the outline consent, to ensure pedestrian and cycle linkages are available and the bus stop is relocated to accord with Policies A3 and D9 of the SADMP.

3. The SUDs area shown on Drawing No. TBC (the phasing plan) shall be fully installed and be operational to receive surface water prior to the road reaching base course construction.

Reason: To ensure a coordinated approach to the development with regard drainage.

4. The planting schemes shown on the approved plans shall have been completely carried out by the end of the first available planting season following the commencement of each element shown on Drawing No. TBC (the phasing plan). Prior to the landscaping of any area a detailed planting method statement and watering regime shall have been submitted to and approved by the Local Authority, which shall then be adhered to thereon.

For a period of ten years after the completion of the development (as a whole), the planting shall be protected and maintained and any hedging/shrubs/trees that cease to grow or are damaged or otherwise removed, shall be replaced by new hedging/shrubs/trees of similar size and the same species or other appropriate hedging/shrubs/trees as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development is softened with greenery given its location in the interests of visual amenity, ecological enhancement and landscape character in accordance with Policy CP8 of the Taunton Deane Core Strategy and Policy ENV2 of the SADMP.

5. A lighting plan covering the Local Square and Gateway areas and the employment area road shall have been submitted, agreed in writing by the Local Authority and implemented in accordance with the phasing set out in Condition 02.

Reason: In the interests of public safety to accord with Policy D8 of the SADMP.

6. Prior to the first use of any part of the employment land road by vehicles accessing employment land plots and the approved Care Home, application ref 42/22/0054, a scheme detailing the Gateway feature stone wall and pillars, lighting, seating, litter bins, signage, path surface treatments and public art shall be submitted to and agreed for The Local Square and Gateway areas and implemented in accordance with the phasing set out in Condition 02.

Reason: To ensure residents have access to good quality open space to accord with Policy DM4 of the Taunton Deane Core Strategy and Policy D7 of the SADMP.

7. A scheme setting out the specification and provision of an in-ground electrical supply and lockable floor box or pop-up power column or feeder pillar in the Local Square shall be agreed in writing by the Local Authority and implemented in accordance with the phasing set out in Condition 02.

Reason: To ensure the Local Square has adequate services to accommodate a range of community events and activities to accord with Policy DM4 of the Taunton Deane Core Strategy and Policy D7 of the SADMP.

8. Prior to the first use of any part of the employment land road by vehicles accessing employment land plots and the approved Care Home, application ref 42/22/0054, a scheme detailing lighting, seating, litter bins, signage, path surface treatments and public art shall be submitted to and agreed for The Maze POS area, indicated by Drawing No.1000-L-04-P8. The agreed scheme shall be fully implemented as part of The Maze Park to be fully laid out and operational by the final occupation in Parcel H1d, application 42/21/0004.

Reason: To ensure residents have access to good quality open space to accord with Policy DM4 of the Taunton Deane Core Strategy and Policy D7 of the SADMP.

9. Prior to the first use of any part of the employment land road by vehicles accessing employment land plots and the approved Care Home, application ref 42/22/0054, a scheme of ecological mitigation and enhancement in the form of dormouse, bird and bat boxes, hibernaculum and log piles of a specification to be agreed in writing shall be installed across the area covered by this application. The wildlife boxes shall be retained and maintained hereon.

Reason: To secure ecological mitigation and enhancement of the site to accord with the aims and objectives of the National Planning Policy Framework.

10. No development hereby approved which shall interfere with or compromise the use of footpath T 29/11 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 the Public Right of Way is not obstructed.

11. The development shall be carried out in accordance with the submitted Construction Environment Management Plan (Construction Method Statement), AWP, dated 29/07/2022 Rev B. Specific details shall be provided regarding the provision of a wheel-wash facility to be in situ and fully operational from the commencement of works until the completion of works unless otherwise agreed in writing. Specific details of the location of the works compound to be used/sited to carry out the works hereby approved shall also be submitted and agreed in writing by the Local Authority prior to the commencement of works.

Reason: In the interests of residential amenity and highway safety.

12. Prior to the commencement of works information relating to the management of construction stage drainage shall be submitted to and approved in writing by the Local Planning Authority. The information shall confirm specific measures for this part of the site particularly to confirm whether there is a risk of flooding off site and, if so, how that would specifically be managed and mitigated. The development shall thereafter be carried out in accordance with the approved details.

Reason: To prevent the increased risk of flooding to accord with the aims and objectives of the National Planning Policy Framework.

13. Prior to first occupation information relating to the management responsibilities of the various components of the proposed surface water drainage network including private systems shall be submitted to and approved in writing by the Local Planning Authority. The information shall include typical maintenance schedules for all the proposed components and details of how each party will be advised of their responsibility and maintenance obligations (including private systems). The development shall thereafter be carried out in accordance with the approved details.

Reason: To prevent the increased risk of flooding to accord with the aims and objectives of the National Planning Policy Framework.

14. Each subsequent application for reserved matters for employment land plots shall include specific details of the proposed strategy for surface water drainage based on the approved strategic Drainage Statement, Rev F; the plot specific scheme shall include on plot Sustainable Urban Drainage solutions in addition to the strategic attenuation feature (or justification as to why these cannot be achieved), allowing for climate change uplift based on the current guidance at the time of application.

Reason: To prevent the increased risk of flooding to accord with the aims and objectives of the National Planning Policy Framework.

#### Notes to Applicant

1. Your attention is drawn to the original conditions on permission 42/14/0069 which still need to be complied with.
2. In accordance with the National Planning Policy Framework the Council has worked in a constructive and creative way with the applicant to find solutions to problems in order to reach a positive recommendation and to enable the grant of planning permission.
3. Development, insofar as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary (diversion/stopping up) Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.
4. Your attention is drawn to comments of Avon & Somerset Constabulary's Designing Out Crime Officer dated 24/05/2023.
5. The applicant is asked to be aware that some minor amendments may be requested to the proposed landscaping and paths at the Maze POS to facilitate pedestrian and cycle access to the adjoining site forming part of the wider allocation in the Local Plan.
6. Despite the extent of the application red line this application does not give any consent for the park and bus facility or A38 Gateway as defined in the section 106 agreement accompanying the outline consent 42/14/0069.
7. The applicant is advised that the indicative floorplates of industrial buildings shown on DrNo. 1000-L-03-P8 is not approved by this consent. The applicant is advised that more land will likely be required to be given over to strategic landscaping to mitigate the change in levels and the proposed industrial

buildings when viewed from the wider Special Landscape Feature and adjacent listed buildings. Attention is also drawn to the Scale Parameter Plan with particular reference to the parameters for the employment land area.