

SEDGEMOOR DISTRICT COUNCIL

DEVELOPMENT COMMITTEE

Report of the Group Manager

Submitted on 01/03/2016

All recommendations take account of existing legislation (including the Human Rights Act) Government circulars and all current planning policy documents.

MAJOR AND ASSOCIATED APPLICATIONS – WEST AREA

Case Officer: Stuart Houlet Tel: Sedgemoor Direct: **0300 303 7805**

North Petherton 37/15/00087 registered 11/12/2015
Expiry Date 04/02/2016
(Reserved matters)

Proposal: **Erection of petrol filling station and associated infrastructure at Land to the South West of Huntworth Roundabout and, to the North West of, A38, Bridgwater for Bridgwater Gateway Ltd (agent: Ian Jewson Planning Ltd)**



Not to scale

Committee decision required because

The views of the Town Council are contrary to the case officer's recommendation.

Background

The application site is a small plot (Plot 1.1) within a wider development, known as 'Bridgwater Gateway' that in total comprises of 19.69 Ha of undeveloped agricultural land to the south of Bridgwater. The site lies in close proximity to Junction 24 of the M5 and the A38 which runs along the east/ south-east boundary of the site. The surrounding area has seen considerable changes over recent years including the development of Stockmoor and Willstock villages to the north-east which are situated on the opposite side of the south Bridgwater access road with the Agricultural Business Centre and the Wiseman Dairy site, both to the south-east on the other side of the A38.

Members will recall that outline planning permission was granted by the Development Committee (at the December 2012 meeting) for a mixed-use employment development on the Bridgwater Gateway site. The 2012 permission granted outline consent for employment floor space (Class B1), a hotel and a petrol filling station as well as the associated infrastructure such as roads and car parking. With the exception of the A38 access arrangements, the outline permission reserved all matters (appearance, landscaping, layout and scale) for approval at a later date.

The outline planning permission followed the site's identification in the adopted Core Strategy as a preferred greenfield location for employment growth under Policies D11 (Economic Prosperity) and P1 (Bridgwater). However in identifying the site the Core Strategy specifically reserved it to meet the employment requirements and supply chain businesses (including training) associated with new nuclear and the development of Hinkley Point C.

The reason for this at the time was there was sufficient employment land allocated for general business use in the Core Strategy but it was recognised that the development of Hinkley Point C would bring with it further employment land needs. The outline consent included a Section 106 obligation that secures the requirement for uses to fall within that definition.

The site is also the subject of a 'Design Principles' document adopted by the Council in March 2011. This was to establish key design parameters and concepts as part of an overarching framework that can be used to guide and assess both the original outline application and any future proposals for the site. The overriding approach of the Design Principles is to encourage contemporary and high quality design on the site.

Since the outline planning permission was granted two reserved matters applications have previously been approved for the Bridgwater Gateway the first was for the erection of a three storey building (use class B1) on Plot 1.2 approved in December 2013 (reference 37/13/00091). This was intended to facilitate Somerset County Council's Innovation Centre development which subsequently has been built on Bristol Road within the Woodlands Business Park. However the approval remains extant. The second reserved matters

Agenda Item 5.1

approval secured the design of the internal spine road for the development and was also approved in December 2013 (reference 37/15/00088).

The application before members today seeks reserved matters approval for the petrol filling station element of the Bridgwater Gateway development and the associated infrastructure for Plot 1.1 located on the site's A38 road frontage. This application is one of three separate Reserved Matters applications currently being considered, all of which are on this agenda. Taken together with the two previous reserved matters applications, if approved the site would have secured the approval of reserved matters for the site in its entirety as defined within the outline consent.

The petrol filling station proposal comprises a single storey kiosk including ancillary sales area, store and office over approximately 380 square metres of floor space, a forecourt accommodating fuel pumps, car wash, parking area and an external plant and bin storage area. Access to the site would be provided via a single in/out entrance to the north directly onto the internal spine road which, as stated above, already benefits from reserved matters approval.

Proposed materials include silver steel/aluminium panels between glazed panels for the walls and a silver profiled metal curved roof. The curved canopy will rise from just over 3 metres to 7 metres at its highest point.

Relevant History

37/11/00084	Outline planning application for mixed use development to include: employment floorspace (Use Class B1), hotel (Use Class C1), petrol filling station (Sui Generis); strategic landscaping, infrastructure including internal roads, drainage, car parking; and including detailed drawings for a new vehicular and pedestrian access on to the A38.	GRANTED
37/13/00087	Formation of internal spine road (Phase 1)	GRANTED
37/13/00091	Erection of three storey building (use class B1), formation of parking and access	GRANTED
37/14/00020	Residential development of up to 292 dwellings and associated infrastructure	REFUSED
37/15/00088	Erection of hotel, employment buildings (use class B1) and associated infrastructure	LIVE
37/15/00089	Erection of employment buildings (use class B1) and associated infrastructure	LIVE

Supporting information supplied by the applicant

Supporting Planning Statement

List of Materials
Landscape and Visual Impact Assessment
3D Visuals

Consultation Responses

North Petherton Town Council: OBJECTION

“It is understood that there is outline consent for this site for employment development but that it is linked to the new reactor at Hinkley Point. The Council is not clear how this important requirement will be enforced as part of the consideration of this application. The Council also believes that this application should not proceed unless and until other developments take place on the site that the facility is meant to serve. There were concerns that the absence of facilities for HGV’s would be a problem if the current services nearby close, possibly as a result of the this development proceeding. Members also felt that the Highways implications had not been addressed adequately.”

Highways Agency: No Objection

SCC County Highway Authority: No Objection subject to conditions relating to parking and turning areas to not be obstructed, prevention of surface water disposal on the highway, cycle parking provision and signage.

SDC Environmental Health: No Objection subject to informatives

SDC Coastal and Land Drainage: No Objection subject to condition requiring surface water drainage for the whole site to be completed and operational before the development proceeds.

SDC Urban Designer: Comments

“The PFS is sited at the entrance to the Gateway site and prominent to the A38 Taunton Road, it is therefore important that detailed landscaping is provided by the applicant to ensure a high quality visual impact is achieved. Recently PFS design has improved to provide modern facilities for vehicle users generally including convenience store, coffee shop and toilet facilities and therefore the overall design of the PFS should be attractive to potential users. The success of the PFS design is therefore dependent upon the visual appearance of the canopy; the proposal is for a swooping wing style of canopy similar to the existing PFS on the Exchange site to the north of Bridgwater. The colour of the canopy should be considered in the context of long distance views from the Quantocks, a bright white should be avoided.”

SDC Landscape Officer: Comments (relates to all three live reserved matters)

“The proposed development can be viewed from adjacent footpaths and roads particularly those travelling along the A38, users of the commercial retail outlets adjacent and the residential properties of Stockmoor, Willstock and those immediately adjacent to the site along the A38. The views from Stockmoor are most likely to be impacted upon but the

other commercial units in the area already dominate the skyline. To the west the distant views of the Quantocks AONB can be seen from the A38 looking North West with other new buildings on the development having an impact on the skyline.

Although the site is not currently part of the urban edge at present, with the increasing size of Wilstock and Stockmoor, the urban influence over the existing agricultural landscape will degrade the open landscape with views over towards the Quantocks AONB. The landscape impact of the development will include the change of landscape cover on the site from agricultural use to petrol station and forecourt area (ref: 37/15/00087), erection of hotel, employment buildings (ref 37/15/00088) and erection of 3, three storey employment buildings and associated infrastructure (ref 37/15/00089)

In terms of visual effect, the proposed development will, in part, front onto the A38 and may be partly evident to the left of the field area, however it will be mostly obscured by the hedge vegetation and signage to the foreground. Nevertheless, as the proposed internal structure planting matures the view of the buildings will, to a degree, become filtered and screened, although during the winter months this screening could become diminished.

I concur with the conclusions of the landscape appraisals in that the site has wide visibility from the west and its immediate locality. Several of the proposed buildings in this cluster are situated at the highest point of the site and run alongside the A38. The buildings may be seen on the ridge and could therefore break the skyline, however when viewed from further away this effect is diminished. From close to the site on the east and north sides and from existing roads the site is experienced as a green agricultural space marking the transition from town to countryside. The proximity of this cluster of buildings to the A38 will result in this effect being lost and the open views being enclosed first by the buildings and later, as the planting becomes established by the proposed woodland vegetation. The perceived edge of Bridgwater will, however, be seen as moving south.

Mitigation is proposed as structural woodland screen planting around the site edges and ornamental tree and shrub planting within the development interior. The screen planting will be particularly important on the northwest edge of the development and alongside the A38.

It is important that in order for the planting scheme to succeed and be effective, details of the phasing and future maintenance of the proposed planting are agreed. I would like to see the structural landscaping is implemented at the earliest opportunity so that the benefits of the landscape scheme can be soon be realised.

Representations

One letter received from Muller UK raising concerns regarding the potential impact of the development on the Wiseman's Dairy site located within the Agricultural Business Centre to the east of the application site. Concerns relate to the proposed 'T' junction with the A38 opposite the Compass Inn and its proximity to the existing Agricultural Business Centre junction and the Huntworth roundabout and the effect this may have on exacerbating the existing congestion in this area.

One letter received from a local resident who objects to the proposals on the following grounds:

- Impact on the Huntworth roundabout as this already cannot cope with existing traffic
- Developments will impinge onto a green belt between North Petherton and Bridgwater
- Will spoil views from Quantocks
- Will join up North Petherton with Bridgwater
- Without major new roads including a bypass these developments should be rejected.

Please note: In both cases the comments relate to all three current reserved matters applications and not specifically this application for the Petrol Filling Station.

Most Relevant Policies

National Planning Policies

National Planning Policy Framework (NPPF)

- Section 1 – Building a strong and competitive economy
- Section 3 - Supporting Prosperous Rural Economy
- Section 4 – Promoting sustainable transport
- Section 7 – Requiring good design
- Section 12 – Conserving and enhancing the natural environment

Local Planning Policies

Sedgemoor District Core Strategy (including Saved Policies)

Policy MIP2: Hinkley Point C: Associated and Ancillary Development

Policy MIP3: Hinkley Point C: Planning Obligations and Mitigations

Policy D1: Managing Flood Risk

Policy D2: Promoting High Quality and Inclusive Design

Policy D3: Sustainable Construction and Reducing Carbon Emissions in New Developments

Policy D10: Managing the Transport Impacts of Development

Policy D11: Economic Prosperity

Policy D14: Natural Environment

Policy D16: Pollution Impacts of Development and Protecting Residential Amenity

Sedgemoor Economic Strategy

Hinkley Point C Supplementary Planning Document (October 2011)

Bridgwater Gateway Design Principles Document (March 2011)

Somerset Countywide Parking Strategy

Main Issues

The principle of erecting a petrol filling station on this site has already been established by the outline permission and as such the principle of the development is not for consideration at this time. It is only the detail of the scheme (scale, layout, appearance, and landscaping) therefore, together with its impact, which may now be scrutinised.

Scale and Layout

The proposal involves the erection of a petrol filling station immediately adjacent to the main access into the Bridgwater Gateway site and will have a frontage (although no access) onto the Taunton Road (A38). However the buildings associated with the petrol filling station would be set back some distance from the A38 with the car washing facility the closest some 20 metres from the inside edge of the proposed footway. The main sales and petrol forecourt building and structures would be approximately 40 metres from the A38 footway.

The car wash facility would have a maximum height of approximately 4 metres and the main canopy structure would have a maximum height of 7 metres. At these heights and distances it is not considered the scale of the development would have any significant impact on the character of the area, particularly given the context both existing (agricultural business centre) and proposed (the wider Bridgwater Gateway proposals).

The amount of floor space to be provided for the petrol filling station at 380 square metres directly equates to that specified within the description of the development on the outline planning consent. It is also consistent with that assumed within the Environmental Statement submitted with that application and the approved parameters and indicative masterplan.

The layout of the site is designed appropriately to allow for access and circulation within the site as well as providing for car parking and other ancillary uses expected within a petrol filling station. The orientation of the main building structure means that main elevation of the building and its canopy will be visible along the main view along the A38 travelling from North Petherton towards Bridgwater. Views of the rear of the main building travelling in the opposite direction will be less visible as a consequence of the frontage position of the consented reserved matters for the (originally intended for the Innovation Centre building) and the likely position of the hotel building (subject to a further reserved matters application on this agenda).

Design

The proposed petrol filling station is of a contemporary design with the use of silver aluminium panelling mixed with glazing. As the Council's Urban Designer highlights the design of the canopy that provides the main roof structure of the sales area and pump forecourt is designed as a swooping wing and curved in nature. Again this is proposed to be silver profiled metal.

This is a more modern approach away from the more traditional flat canopies associated with petrol filling stations and is welcomed given the scope for contemporary design within

the Bridgwater Gateway development as a whole. Its appearance is very similar to the petrol filling station on the Exchange site at Express Park to the north of the town which is a good example of a more contemporary approach to this type of development.

In March 2011 the Council adopted the Bridgwater Gateway Design Principles Document (Design Principles). The objective of this document as stated in the Background section above is to guide the design and form of forthcoming phases of the Gateway development. The Design Principles encourage a contemporary approach with elements of colour and the use of contemporary materials. It is considered that the proposed petrol filling station meets this brief.

The Design Principles also seek to enhance the edge of the A38 frontage with high quality built form; it is considered that this objective has also been met. Although well set back from the A38, the building and its use of modern materials will sit comfortably amongst other contemporary buildings either already consented or currently proposed on the adjacent plots.

However the colour of the canopy does need further consideration given that a highly reflective material for the roof may increase its visual impact, particularly given there will be long views of the Bridgwater Gateway development from the Quantock Hills Area of Outstanding Natural Beauty. The 3D visuals provided as supporting information with the application suggest that the proposed colours are unlikely to be highly reflective and that this matter could be adequately covered through appropriate conditions requiring the submission and approval of further details.

It is considered that the proposed building will form an interesting and contemporary building at the main entrance of this key gateway site and fully complies with Policy D2 of the Core Strategy, as well as the Design Principles document, in respect of its design. This is subject to clarifying the colour of the canopy through appropriate conditions.

Landscaping

It was a requirement of the outline permission that trees be planted to replace those that have been felled along the site's A38 frontage, as well as to enhance the scheme and its surroundings generally. The submitted landscaping plan for this current reserved matters application shows some limited tree planting within the development. However it does not include any trees to be planted along the A38 boundary apart from a small section relating to the structural planting to be agreed as part of the landscaping masterplan condition attached to the outline (between the current reserved matters and that of the previous Innovation Centre application). Instead the boundary with the A38 is planned to be landscaped primarily through hedge planting.

This matter was also raised as part of the previous reserved matters for the adjacent site (intended for the Innovation Centre) where a conflict was identified between the positioning of a proposed drain along the boundary with the A38 and its required easement with the planting of trees in that location. The matter was dealt with by the addition of conditions to secure both a revised drainage scheme and a revised landscaping scheme. In doing so it was intended that a revised drainage scheme was designed to fit around the proposed

landscaping, not the other way around.

No drainage details have been submitted with this current reserved matters application for the petrol filling station and therefore further clarification has been sought from the agent as to whether the landscape plans can be amended to include tree planting along the A38 frontage as per the requirement of the outline planning consent. An update on this issue will be provided at the meeting. Subject to some tree planting being secured along this frontage the Council's Landscape Officer is content with the landscaping plans as submitted for the petrol filling station.

The importance of high quality landscaping including formal tree planting along the boundary with the A38 is highlighted in the Design Principles document. Subject to this being achieved the proposal is therefore considered to accord with the requirements of the Design Principles document and Policy D14 of the adopted Core Strategy.

Impact upon Neighbouring Residents

The proposed petrol filling station will not have an adverse impact upon neighbouring residential property. The site lies opposite the garden area of Quantock House and its boundary would be over 40 metres from the car washing facility within the site and nearly 60 metres from the main structure. It is considered that this distance and taking into account its relatively low height (compared to adjacent approved developments) is sufficient to ensure that no adverse impacts in terms of loss of privacy, loss of light or visual domination will result from the development.

In respect of noise and disturbance a petrol filling station of this nature will not be inherently noisy; any noise that is generated by the development will be insignificant in comparison to existing background levels (A38, M5 and RRBC vehicular noise for example). It is not considered that the development will lead to disturbing levels of noise for local residents.

It should be noted that a number of the conditions attached to the outline permission seek to mitigate the noise impact of the development on the amenity of local residents. Outline Condition 20 prescribes a noise limit (8dB LAeq) during the overnight period; Condition 21 prevents the use of external public address systems/music etc; and Condition 22 prevents construction work (other than internal fitting out) before 8am and after 6pm during the week and after 1pm on Saturdays. It is considered therefore that the impact of the proposed development on the amenity of local residents will be acceptable and hence the application complies with Policy D16 of the Core Strategy in this respect.

Highway Matters

The outline planning permission granted consent for the means of access to the site (i.e. the junction with the A38); the technical adequacy of this junction therefore cannot be re-appraised at this stage. As stated above the spine road network connecting the approved junction with the petrol filling station site (and others) also has reserved matters approval under reference 37/13/00087. The highway assessment of the current application must therefore focus upon the *on-site* road layout, circulation and parking arrangements.

Agenda Item 5.1

The County Highway Authority in responding to this application initially objected on the grounds that the submitted details did not demonstrate how the internal access arrangements for the petrol filling station site would work safely. As a consequence a plan was submitted by the applicant showing the swept path analysis for vehicles and demonstrating how they would navigate both the access and internal layout serving the site.

The Highways officer accepts that the plan, whilst indicating that the swept path may be tight in places, does demonstrate that any issues that may arise would not affect the public highway due to the distance between the adopted highway and the filling station. Subject to conditions requiring the area for fuel tankers to manoeuvre being kept clear of obstruction at all times no objection is raised in respect of the circulation of the site.

In terms of car parking, the proposal makes provision for 22 car parking spaces in total which is considered an appropriate level for this type of development taking into account the County Parking Standards. The County Highway Authority raise no objection to the parking provision and are satisfied that whilst 2 disabled parking spaces should be provided there is already 4 spaces shown on the plan with adequate margins that could provide these spaces. Cycle parking is highlighted by the Highways officer who requests that secure cycle parking for 5 bicycles should be provided within the site and this can be secured by condition.

Condition 10 of the outline planning consent includes a requirement prior to any development on the site (with the exception of the approved access details) for a plan showing the total number of parking spaces including disabled, motorcycle and cycle provision for the entire Bridgwater Gateway site to be submitted and approved. This condition currently remains undischarged (as it is not required until prior to commencement).

Subject to conditioning cycle parking provision the details submitted as part of this reserved matters application for the petrol filling station are generally in line with the parking expectations for the site and the approved Travel Plan included in the Section 106 agreement attached to the outline consent. The application is therefore considered to accord with the requirements of Policies D9 and D10 of the adopted Core Strategy.

In addition to the above the Highway Authority has requested conditions relating to the prevention of surface water discharge onto the highway and signage. Although access to the site is not directly derived onto the public highway as the site is still within close proximity it is considered that appropriate measures should be taken to ensure that no surface water is discharged onto the public highway. This can be secured through an appropriate condition.

Signage details are not included within this application and will require a separate application for advertisement consent. It is therefore not appropriate to condition the details of any signage although an informative could be added advising the applicants that an application for advertisement consent will be required.

Drainage

The Council's Coastal and Land Drainage officer requests a condition to be added to any consent requiring the completion of the surface water drainage infrastructure for the entire Bridgwater Gateway site to be fully constructed and operational before any development is built above ground levels. However the outline planning consent already includes a condition relating to surface water drainage (condition 3), this states that "*no phase or parcel of the development shall commence until a detailed scheme for surface water drainage for that phase or parcel of land has been approved by the Local Planning Authority...*". This condition will therefore require details of the surface water drainage for the petrol filling station site to be agreed prior to it any development commencing on the site and implemented in accordance with those details. However it does not require the completion of the surface water drainage infrastructure for the whole Bridgwater Gateway site to be in place prior to the development of the petrol filling station site. As this is not a requirement of the outline planning consent matter it is not reasonable to require it on this reserved matters application.

Comments of the Town Council

North Petherton Town Council object to the reserved matters application on the basis of highway implications, the potential effect of the development on nearby similar facilities and the potential phasing and 'fit' with the restricted occupancy obligation included in the Section 106 agreement.

The highway implications of the development are discussed above in so far as they relate to this reserved matters application. The wider highway implications for the site have already been agreed through the outline consent and attached Section 106 agreement. The Town Council do not indicate specifically what their concerns are in respect of the highway matters, but as set out above there is no objection from the Highway Authority subject to conditions relating to cycle provision and surface water disposal.

The principle of a petrol filling station on the site is also established by the outline planning consent and therefore its appropriateness and consideration of impact is limited to scale, layout, appearance and landscaping matters. The proposed development's impact on other similar facilities is not a matter for consideration at this stage nor is competition between businesses normally a material planning consideration. The inclusion of HGV facilities is not a requirement on the development and could not be insisted upon based on what might (or indeed might not) occur in the future.

Similarly there is no phasing requirement on the outline planning consent to prevent the petrol filling station being delivered in advance of any other part of the Bridgwater Gateway site. This is likely to be demand led depending on the market circumstances at the time. In any case this application for reserved matters has been submitted alongside the remaining reserved matters for the Bridgwater Gateway site as a whole.

The S.106 Agreement linked to the original outline planning permission restricts the occupancy of future buildings on the site. All of the future employment units on the gateway site may only be occupied by businesses "*engaged to promote the advancement of the construction/development of Hinkley Point C or new nuclear development*". However

given their complimentary nature the Section 106 Agreement specifically excludes the petrol filling station and the hotel from this restriction.

Conclusion

This application seeks approval of the detailed matters relating to the petrol filling station established in principle through the outline planning consent for the Bridgwater Gateway site as a whole. Following the consideration of matters relating scale, layout, appearance and landscaping against the objectives established through the outline planning consent and the adopted Design Principles for the site the proposal is considered to be acceptable subject to conditions. Approval of the reserved matters is therefore recommended.

RECOMMENDATION

GRANT APPROVAL OF RESERVED MATTERS subject to the following conditions:

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

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

- 2 The areas allocated for parking and turning on the submitted plans, drawing numbers 105 and 420 Revision A, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted

Reason: In the interest of highway safety and to accord with Policies D9 and D10 of the adopted Sedgemoor Core Strategy

- 3 The development hereby permitted shall not be occupied until at least 5 safe and secure cycle parking spaces have been provided in a position approved by the Local Planning Authority. The said spaces shall thereafter be kept clear of obstruction at all times and not used other than for the parking of cycles.

Reason: In the interests of highway safety and in accordance with Policies D9 and D10 of the adopted Sedgemoor Core Strategy.

- 4 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 commencement of development and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with Policies D9 and D10 of the adopted Sedgemoor Core Strategy. This matter needs to be agreed at

an early stage of the project and therefore should be consider prior to commencement of the development hereby approved.

- 5 Prior to the commencement of development, a revised landscaping/planting scheme shall be submitted to and approved in writing by the local planning authority. The proposed landscaping scheme shall include tree planting within the site along the boundary (eastern) with the Taunton Road (A38). The tree planting specimens shall be Extra Heavy Standard (girth 14-16cm) as a minimum. The landscaping and planting shall be undertaken in accordance with the details so approved no later than the end of the first planting season following the first occupation of the development hereby approved.

Reason: In the interests of visual amenity and to ensure that the loss of the existing native broadleave trees along Taunton Road is adequately mitigated/compensated, in accordance with the requirements of Condition 6 of the outline planning permission and Policies D2 and d14 of the adopted Sedgemoor Core Strategy. This matter needs to be agreed at an early stage of the project and therefore should be consider prior to commencement of the development hereby approved.

- 6 Samples of the roofing materials and of the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the local planning authority before any work is commenced.

Reason: In the interests of visual amenity and in accordance with Policies D2 and D14 of the adopted Sedgemoor Core Strategy. This matter needs to be agreed at an early stage of the project and therefore should be a pre-commencement matter.

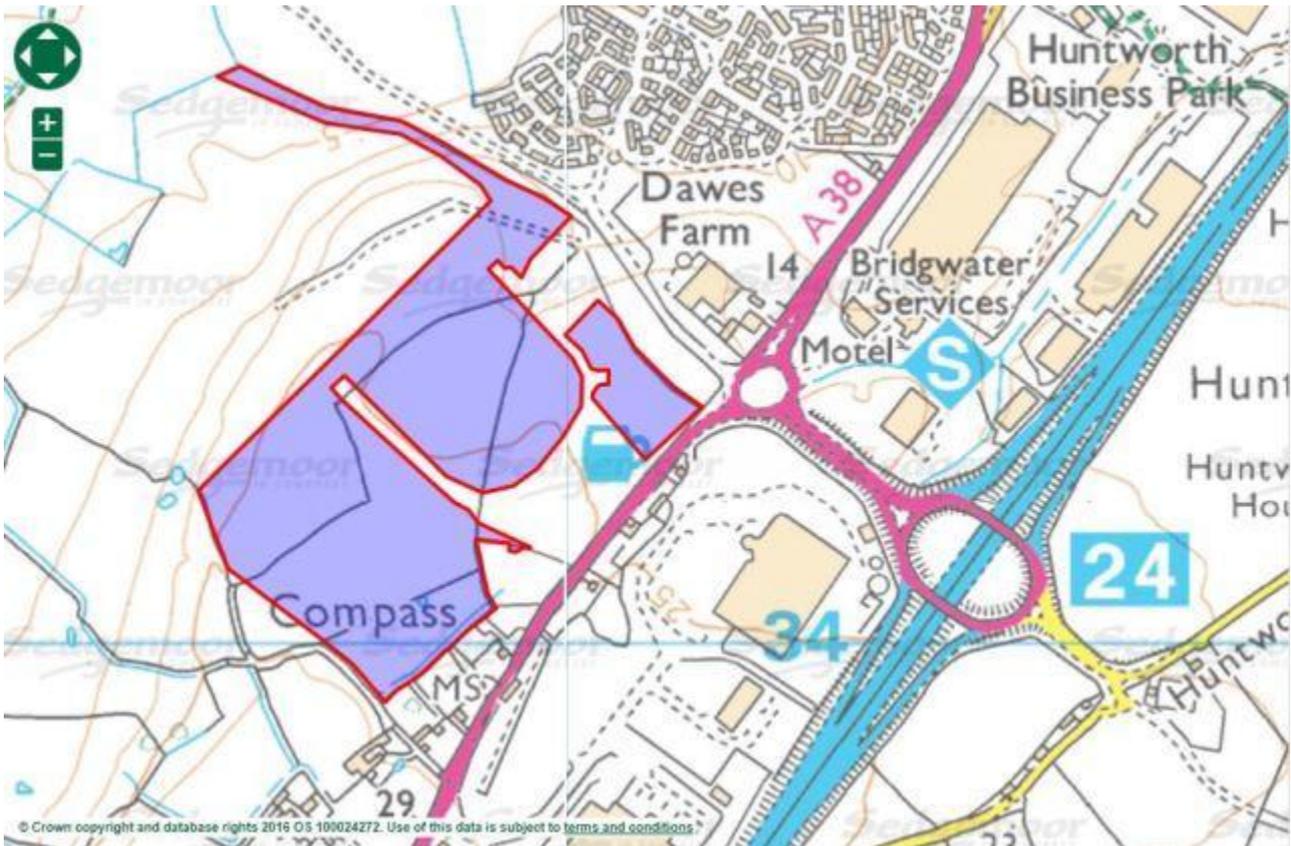
Schedule A

Block Plan Drg No. 105
Location Plan Drg No. 001
Proposed Location Plan Drg No. 002
Proposed Ground Floor Plan Drg No. 101
Proposed Elevations Drg No. 102
Proposed Elevations Drg No. 103
Proposed Site Sections & Elevations Drg No. 104
Planting Plan Drg No. SPP1984P1.1
Swept Path Analysis Drg No. 420 Revision A

Case Officer: Stuart Houlet Tel: Sedgemoor Direct: **0300 303 7805**

North Petherton 37/15/00088 registered 11/12/2015
Expiry Date 10/03/2016
(Reserved matters)

Proposal: **Erection of hotel, employment buildings (use class B1) and associated infrastructure at Land to the West of, Huntworth Roundabout, North Petherton, Bridgwater for Bridgwater Gateway Ltd (agent: Ian Jewson Planning Ltd)**



Not to scale

Committee decision required because

The views of the Town Council are contrary to the case officer's recommendation.

Background

This is the second reserved matters application for the Bridgwater Gateway site of three on the agenda for the 1st March 2016 Committee meeting alongside reserved matters for a petrol filling station and associated infrastructure (reference 37/15/00087) and reserved matters for three employment buildings (use class B1) (reference 37/15/00089).

The reserved matters application that is the subject of this report covers a much wider

Agenda Item 5.1

area of the Bridgwater gateway site than the other reserved matters applications, accounting for six separate parcels of development (Plots 1.3, 1.4, 1.6, 1.7, 1.8 and 1.9). Taken together with two previous reserved matters approvals (for Plot 1.2 and the spine road) and the further two reserved matters applications on this agenda if approved, the site would have secured the approval of reserved matters for the site in its entirety as defined within the outline consent.

It is not intended to repeat in full the background for the Bridgwater Gateway site given that this is included in the officer report for the petrol filling station reserved matters (reference 37/15/00087) on this agenda. However the salient points are:

- The Bridgwater Gateway site comprises of 19.69 Ha of undeveloped agricultural land to the south of Bridgwater.
- It lies in close proximity to Junction 24 of the M5 and the A38 which runs along the east/ south-east boundary of the site and is adjacent to Stockmoor village and the Agricultural Business Centre
- Outline planning permission was granted in 2012 for employment floor space (Class B1), a hotel and a petrol filling station as well as the associated infrastructure such as roads and car parking.
- With the exception of the A38 access arrangements, the outline permission reserved all matters (appearance, landscaping, layout and scale) for approval at a later date.
- The Gateway site was identified in the Core Strategy but was specifically reserved to meet the employment requirements and supply chain businesses (including training) associated with new nuclear and the development of Hinkley Point C.
- The outline consent included a Section 106 obligation that secures the requirement for uses to fall within that definition.
- The site is subject of a 'Design Principles' document adopted by the Council in March 2011.
- The overriding approach of the Design Principles is to encourage contemporary and high quality design on the site.

As set out through the outline application, the site fulfils an important strategic economic role locally, providing dedicated high quality site for HPC related activity within the district. As highlighted by the Economic Development team, the need for such space in Bridgwater has increased over the past two years, as sites such as Woodlands Business Park on the A38 and other locations have been built out. This is likely to become more pressing in the next few months with the onset of the HPC programme.

This application for reserved matters seeks approval for a range of different plots and buildings in summary covering the following elements of the scheme:

Plot 1.3

- A three storey, 150 bed hotel and associated parking and circulation
- to be located within the north eastern corner of the site in a 'L' shaped building with a frontage along the A38 and towards Campion Way (albeit set back some distance)
- Materials to include white rendered panels between glazed panels for walls and a

Agenda Item 5.1

grey single membrane flat roof with a central glazed block between the two wings of accommodation

- The height of the hotel building will be approximately 12 metres
- 214 parking spaces are provided within this plot
- Existing Site Level: between 22.5m rising to 24 metres AOD
- Finished Floor Levels : 23.8 metres

Plot 1.4

- A single storey B1 office building and associated parking and circulation
- To be located adjacent to the north east of the hotel adjacent to the Campion Way boundary
- Materials include Cedar clad rainscreen panels between glazed panels for walls and grey single membrane flat roof
- The height of the office building will be approximately 3.5 metres
- 20 parking spaces are provided within this plot
- Existing Site Level: between 21.24 metres AOD
- Finished Floor Levels : 21.3 metres

Plot 1.6

- Five two storey B1 office buildings and associated parking and circulation
- To be located towards the centre of the site fronting onto the previously approved internal spine road serving the site.
- Materials include mid grey smooth faced fibre cement rainscreen panels between glazed panels for walls and grey single membrane flat roof
- The height of the office buildings will be approximately 7 metres
- 229 parking spaces are provided within this plot
- Existing Site Level: between 21 metres (Plot 1.6.3) and 25 metres (Plot 1.6.1) AOD
- Finished Floor Levels : between 21.6 metres (Plot 1.6.5) and 24.55 metres (Plot 1.6.1)

Plot 1.7

- Four two storey B1 office buildings and associated parking and circulation
- To be located in the centre of the site
- Materials to include white rendered panels between glazed panels for walls and a grey single membrane flat roof
- The height of the office buildings will be approximately 8 metres
- 435 parking spaces are provided within this plot
- Existing Site Level: between 24 metres rising to 25 metres AOD
- Finished Floor Levels : 23.9 metres

Plot 1.8

- Four two storey B1 light industrial buildings (in a single block) and associated parking and circulation
- To be located in the south western corner of the site

Agenda Item 5.1

- Materials to include horizontal dark grey steel / aluminium half round metal profiled panels for walls and dark grey profiled metal curved roof
- The height of the light industrial buildings will be approximately 13 metres
- 80 parking spaces are provided within this plot
- Existing Site Level: information awaited
- Finished Floor Levels: 27.0 metres

Plot 1.9

- Eight two storey B1 light industrial buildings (in two blocks of four) and associated parking and circulation
- To be located between properties along the western side of the A38 and Plot 1.8 above.
- Materials to include horizontal dark grey steel / aluminium half round metal profiled panels for walls and dark grey profiled metal curved roof
- The height of the light industrial buildings will be approximately 13 metres
- 150 parking spaces are provided within this plot
- Existing Site Level: information awaited
- Finished Floor Levels: 27.0 metres

As this is an application for reserved matters it is the detail of the of the scheme in respect of scale, layout, appearance, and landscaping that falls to be considered by Members, taking into account any requirements imposed by the outline planning consent and the adopted Design Principles document.

Given the extent of the application and its detail it is not practical to describe every aspect of this application within a committee report. Therefore Members are reminded that the detailed drawings for all the elements of the scheme are available on the Council's planning online pages under the application reference number. In addition a detailed presentation will be made at the Committee meeting of the detailed plans and any appropriate visual material to assist in the understanding of the scheme.

Relevant History

37/11/00084	Outline planning application for mixed use development to include: employment floorspace (Use Class B1), hotel (Use Class C1), petrol filling station (Sui Generis); strategic landscaping, infrastructure including internal roads, drainage, car parking; and including detailed drawings for a new vehicular and pedestrian access on to the A38.	GRANTED
37/13/00087	Formation of internal spine road (Phase 1)	GRANTED
37/13/00091	Erection of three storey building (use class B1), formation of parking and access	GRANTED

37/14/00020	Residential development of up to 292 dwellings and associated infrastructure	REFUSED
37/15/00087	Erection of petrol filling station and associated infrastructure	LIVE
37/15/00089	Erection of employment buildings (use class B1) and associated infrastructure	LIVE

Supporting information supplied by the applicant

Supporting Planning Statement
List of Materials
Landscape and Visual Impact Assessment
3D Visuals

Consultation Responses

Ward Member Councillor Anne Fraser MBE: SUPPORTS

“Support for this application. We need this development to have appropriate sites and employment opportunities as soon as possible to ensure business competitiveness. This is an excellently located site.”

North Petherton Town Council: OBJECTION

“The same concerns about the link to Hinkley C development apply as for 37/15/00087. The Council did not consider the quality of the buildings to be of a sufficient standard given the proposed prominent location at the entrance to the town. There was also concern about surface water drainage given the large car park. It was felt that a photo montage should have been provided given the scale and significance of the proposals.”

Bridgwater Town Council: No Objection

SDC Economic Development Team: SUPPORTS

“The Economic Development Team supports the above application. The proposal is in line with Sedgemoor’s:

- *Economic Development Strategy, in particular Objective 6(c) – Enhancing transport links, economic infrastructure and the environment;*
- *Core Strategy, in particular Policy D11 – Economic Prosperity; and*
- *Corporate Priorities and Core Values.*

The application submitted sets out detailed proposals for the development of the Bridgwater Gateway Business Park close to Junction 24 of the M5. The entire site currently benefits from an outline planning permission for employment, petrol station and hotel use, granted in December 2012. This application now provides the next stage in the development process of this strategically important site.

As set out during the original application process for the development of Bridgwater Gateway, the Economic Development team is strongly supportive of the development of the site, which is an integral part of the district's overall economic strategy. In particular, the Economic Development team would highlight the following:

- Office and Commercial Accommodation in Bridgwater: The development at Bridgwater Gateway will provide both additional office and light industrial space within easy reach of the town centre and the national road network, supported by an extensive highways enhancement programme currently being undertaken at Huntworth Roundabout. This is critical at a time when both types of accommodation are in short supply in the Bridgwater area.*
- In context, market supply of higher quality office and commercial accommodation is currently limited to one or two key sites within the immediate vicinity. Recent developments, such as the small business space at Woodlands Business Park are already moving towards full occupancy, whilst space yet to be released to the market, notably the Somerset Innovation Centre, is already subject to high level of demand. As set out during the original application process, Bridgwater Gateway therefore provides significant additional capacity into the system in line with the phased approach envisaged through the LDF.*
- Business Retention and Hinkley Legacy: Sedgemoor district currently lacks an availability of high quality commercial space, leading to challenges around retention and capture of incoming investment. As set out during the original case, this proposal will help to attract and retain businesses within the area. As already set out, there is already a particular demand for smaller office and industrial space and those units disappear from the market very quickly. With the opportunities arising from the proposed nuclear power station at Hinkley Point C, it is vital to ensure a good supply of commercial space within the district.*
- Higher Quality Employment Space: Sedgemoor currently benefits from a very low unemployment rate after a successful period of growth and economic rebalancing. However, the employment attracted during the early period of the Local Plan rollout was intentionally focused upon addressing long term structural challenges following the 2008 recession and earlier economic shocks. The development of Bridgwater Gateway, alongside other such developments within the district, represents the next phase of this process, focused upon the development of higher value employment. This in turn will seek to address the next round of challenges facing the Sedgemoor economy, with a shift towards the knowledge and higher economy, as well as seeking to secure legacy benefits from Hinkley.*
- Hotel Development: Despite several projects currently in the pipeline, there remains a deficit of good quality hotel accommodation in the district, with estimates of around 500-1,000 bed deficit within the immediate vicinity. This deficit will widen as the HPC project begins to roll forward. This hotel, which will primarily serve the business park, will provide part of the mitigation to this forward requirement as well as seek to fill the existing gap along the M5.*

With the above in mind, the Economic Development team is strongly supportive of the proposal put forward subject to a Local Labour Agreement condition being secured.

With regards practicalities of the build, and taking into account the scale of the proposed

development, we are seeking to secure a local labour condition for the construction phase on the site that is subject of this application and for the operational phase on the hotel only (plot 1.3). This would be supplemental and an update of the existing condition put forward during the outline process.

SDC Urban Designer: Comments

“The detailed elements of these applications are assessed against the requirements of the Bridgwater Gateway Design Principles adopted by SDC in March 2011.

In general the detailed elements of the scheme achieve the overriding objectives of the Design Principles:

- *Providing a high quality business development at the entrance to Bridgwater;*
- *Retaining a separation between the wider Bridgwater built environment and North Petherton;*
- *Achieving a good relationship with the lower residential land at Stockmoor improving the integrated appearance of the larger commercial buildings between the A38 and M5 and the visual impact from the Quantock Hills;*

The schemes take advantage of the identified opportunities in the Design Principles;

- *Opportunities to achieve landmark buildings, landscape to create an outstanding working environment;*
- *Creating an environment of employment led regeneration and mix of uses;*
- *Through orientation of buildings securing renewable energy generation;*
- *Creating pedestrian and cycling routes through a permeable network.*

The schemes meet the detailed requirements of the Design Principles;

- *Design Objectives for Character, Quality and Continuity – creating a strong positive relationship with surrounding areas, services and facilities;*
- *Design Objectives for Diversity – contributing to the economic vitality and viability through a mix of complimentary uses;*
- *Design Objectives for Adaptability – creating places that can accommodate changing requirements;*
- *Design Objectives for Sustainability – contributing to sustainable development by minimising energy use through design;*

In respect of more general requirements of the Design Principles;

- *The detailed text of the Design Principles that addresses landscape design has not been fully met and comments from the SDC Landscape Officer should be sought. This includes structural planting, boundary treatments, car parking planting, integrated with water management and sustainable urban drainage;*
- *A lighting strategy will be required;*
- *Materials palette appears to be consistent across the whole site however details will be required.*
- *A phasing strategy will be required;*
- *Details in respect of floor space, building heights and storeys, densities, distances between buildings and adjoining residential areas, site modelling, habitat enhancements and details of informal and formal space should all be provided.*

37/15/00088 – Hotel and 1, 2 and 3 storey office structures:

- *The proposed hotel will be a prominent and landmark structure on the site occupying the corner plot of the A38 / Champion Way with a strong visual impact from Huntworth roundabout. The scheme design is L shape with a central core providing a vertical emphasis to the horizontal wings.*
- *This central core is predominantly a glass structure containing the lobby, lounge, reception and eating areas. The adjoining bedroom wings have protruding window bays that provide variation across the façade and relieve the massing and scale of the building.*
- *The cladding materials should be approved by condition and colour is suggested as bright white. It is suggested that this may have an adverse impact from long distance views. Roof treatment is grey which does mitigate from the visual impact.*
- *Adjoining the hotel and adjacent to Champion Way is a single building comprising of a single storey office pavilion structure, materials suggested are predominantly timber and glass. The scale height and massing provide a contrast to the 3 storey hotel and respect the land form dropping down toward residential properties.*
- *Toward the centre of the site, where the landform is at the high point a series of 2 storey structures are proposed. Firstly 4 buildings are clustered together providing larger floor plates for office uses. These are pavilion in style with the upper floor over flying the ground floor providing a canopy. The cladding materials should be approved by condition and colour is suggested as bright white. It is suggested that this may have an adverse impact from long distance views. Roof treatment is grey which does mitigate from the visual impact.*
- *An additional 5 smaller floorplate 2 storey buildings wrap around to the south and north east boundary of the central 4 building cluster. The cladding materials should be approved by condition and colour is suggested as bright white. It is suggested that this may have an adverse impact from long distance views. Roof treatment is grey which does mitigate from the visual impact.*
- *To the rear of the site, south west are 3 long buildings, 3 storey in height and providing space for light industrial uses. These buildings are designed without windows and generally provide little variation to their façade appearance. The cladding materials should be approved by condition and colour is suggested as bright white. It is suggested that this may have an adverse impact from long distance views. Roof treatment is grey which does mitigate from the visual impact.*
- *Of all the proposals these buildings have the greatest potential for an adverse visual impact and it is suggested that some further architectural detailing may help to improve this.*

The proposals overall are acceptable from a design perspective and meet the requirements of the adopted Design Principles. There is a consistent design style and theme throughout using materials that create a cohesive approach. There are also design flourishes in respect of roofing detail which hold the scheme together and which are an important aspect for the overall visual impact from long distance views.”

SDC Landscape Officer: Comments (relates to all three live reserved matters)

“The proposed development can be viewed from adjacent footpaths and roads particularly those travelling along the A38, users of the commercial retail outlets adjacent and the

Agenda Item 5.1

residential properties of Stockmoor , Willstock and those immediately adjacent to the site along the A38. The views from Stockmoor are most likely to be impacted upon but the other commercial units in the area already dominate the skyline. To the west the distant views of the Quantocks AONB can be seen from the A38 looking North West with other new buildings on the development having an impact on the skyline.

Although the site is not currently part of the urban edge at present, with the increasing size of Willstock and Stockmoor, the urban influence over the existing agricultural landscape will degrade the open landscape with views over towards the Quantocks AONB. The landscape impact of the development will include the change of landscape cover on the site from agricultural use to petrol station and forecourt area (ref: 37/15/00087), erection of hotel, employment buildings (ref 37/15/00088) and erection of 3, three storey employment buildings and associated infrastructure (ref 37/15/00089)

In terms of visual effect, the proposed development will, in part, front onto the A38 and may be partly evident to the left of the field area, however it will be mostly obscured by the hedge vegetation and signage to the foreground. Nevertheless, as the proposed internal structure planting matures the view of the buildings will, to a degree, become filtered and screened, although during the winter months this screening could become diminished.

I concur with the conclusions of the landscape appraisals in that the site has wide visibility from the west and its immediate locality. Several of the proposed buildings in this cluster are situated at the highest point of the site and run alongside the A38. The buildings may be seen on the ridge and could therefore break the skyline, however when viewed from further away this effect is diminished. From close to the site on the east and north sides and from existing roads the site is experienced as a green agricultural space marking the transition from town to countryside. The proximity of this cluster of buildings to the A38 will result in this effect being lost and the open views being enclosed first by the buildings and later, as the planting becomes established by the proposed woodland vegetation. The perceived edge of Bridgwater will, however, be seen as moving south.

Mitigation is proposed as structural woodland screen planting around the site edges and ornamental tree and shrub planting within the development interior. The screen planting will be particularly important on the northwest edge of the development and alongside the A38.

It is important that in order for the planting scheme to succeed and be effective, details of the phasing and future maintenance of the proposed planting are agreed. I would like to see the structural landscaping is implemented at the earliest opportunity so that the benefits of the landscape scheme can be soon be realised.

SDC Environmental Health: No Objection subject to conditions relating to construction working hours and external lighting for the reserved matters as a whole and a condition relating only to the hotel in respect of air extraction systems in connection with food preparation and informatives

Drainage Board Consortium: OBJECTION

Agenda Item 5.1

“The IDB object on the basis that there have been extensive discussions regarding the proposed surface water disposal strategy and future maintenance of the proposed infrastructure indicated to serve the development at outline stage. Those details were formulated into an acceptable design strategy however the current submitted details do not seem to indicate those proposals and the Board would have concerns if the proposed surface water disposal masterplan are not included within the submission. Therefore until the Board’s concerns are allayed the development is premature and the Board would be minded to Object on the basis that the application has insufficient details to determine if drainage matters are properly addressed...”

SDC Coastal and Land Drainage: No Objection subject to condition requiring surface water drainage for the whole site to be completed and operational before the development proceeds.

Environment Agency: No Objection but comment that no information has been submitted regarding surface water drainage or construction environment management conditions

SCC Local Lead Flood Authority: No Objection subject to a surface water drainage condition being applied

Wessex Water: Comments

“Sewer network modelling undertaken previously on behalf of the developer indicated recommended downstream sewer capacity improvements for predicted foul flows generated by the entire outline application site. Discussions were also held on an alternative reduced improvement scheme designed to accommodate an initial stage of the development prior to the main scheme. We welcome further consultation with the developer to agree arrangements prior to application to discharge condition 4 of the Outline Planning Application (37/11/00084).

The applicant should note the 150mm twin water mains crossing close to the site by Huntworth Roundabout. This mains should be accurately located on site with no building within 3 metres and no tree planting within 6 metres.”

Highways Agency: No Objection

SCC County Highway Authority: No Objection subject to conditions relating to private access, estate road, parking and drainage

“The application has been through continued correspondence and guidance with the local authority. The site is located directly off of the A38 Taunton Road to the north of North Petherton and south of Bridgwater. The site has good access to the M5.

The site has a new proposed access directly onto the A38 that has been dealt with and addressed within the initial application for the site (37/11/00084).

The application has provided plans for the proposed site layout along with details of parking layout and the proposed use of the site. Somerset County Council has stated in all

early correspondence that we are not willing to adopt the development and its internal spine roads.

Despite this all access provisions appear to be in keeping with and must adhere to Somerset Estate Roads Guidance with appropriate provisions in terms of road widths, footway provisions, access junction into the various plots of the site and inter-visibility throughout the site.

The illustrated parking provisions for the site are to SCC Parking Strategy standards with appropriate sizes and suitable area to access and turn. All internal junctions of the new estate roads will need to incorporate radii suitable for use by refuse vehicles. The application site will need to provide vehicle tracking swept path analysis to ensure adequate turning facilities for an 11.4m four axle refuse vehicle as well as emergency vehicles.

Further information will still be required in terms of surface finishes for the site along with drainage and surface water drainage facilities.”

SCC County Ecologist: Comments:

“Having gone back to the original planning permission, I understand that the issues raised by your ecologist focussed on proximity to nearby County Wildlife Sites and possible presence of protected species (especially Great Crested Newts). In the interests of biodiversity a requirement was placed on the applicants to submit an Ecological Management Plan covering mitigation for impacts and enhancement. If such a plan has been submitted (and approved?) I would like to obtain a copy as this would help me to comment on the proposals which include layouts and landscaping plans for the site.”

Natural England: No Objection

Somerset Heritage Centre: No Objection to the Reserved Matters but applicant is reminded of requirements of Outline Consent in agreeing a scheme for archaeological excavation

Representations

One letter received from Muller UK raising concerns regarding the potential impact of the development on the Wiseman’s Dairy site located within the Agricultural Business Centre to the east of the application site. Concerns relate to the proposed ‘T’ junction with the A38 opposite the Compass Inn and its proximity to the existing Agricultural Business Centre junction and the Huntworth roundabout and the effect this may have on exacerbating the existing congestion in this area.

One letter received from two local residents who object to the proposals on the following grounds:

- Impact on the Huntworth roundabout as this already cannot cope with existing traffic
- Developments will impinge onto a green belt between North Petherton and Bridgwater
- Will spoil views from Quantocks

- Will join up North Petherton with Bridgwater
- Without major new roads including a bypass these developments should be rejected
- Will lose peaceful piece of farmland
- Presence of Great Crested Newts

One letter of comment from a local resident raising the following points:

- The modifications to the traffic flow and the current roundabout should be completed before construction starts on this new project (and that such modifications will carry substantially more traffic that the proposed project will undoubtedly create).
- Concerned that the landscaping will not be adequate and current views of 1 of arable fields will be replaced with offices and a hotel building poking over the top of some rather anaemic looking shrubs.
- Concerned about the noise impact whilst this project is underway.
- Concerned about potential disruption from construction work on bus stops and impacts on travel times as seen by other recent work in the area

Most Relevant Policies

National Planning Policies

National Planning Policy Framework (NPPF)

- Section 1 – Building a strong and competitive economy
- Section 3 - Supporting Prosperous Rural Economy
- Section 4 – Promoting sustainable transport
- Section 7 – Requiring good design
- Section 12 – Conserving and enhancing the natural environment

Local Planning Policies

Sedgemoor District Core Strategy (including Saved Policies)

Policy MIP2: Hinkley Point C: Associated and Ancillary Development

Policy MIP3: Hinkley Point C: Planning Obligations and Mitigations

Policy D1: Managing Flood Risk

Policy D2: Promoting High Quality and Inclusive Design

Policy D3: Sustainable Construction and Reducing Carbon Emissions in New Developments

Policy D10: Managing the Transport Impacts of Development

Policy D11: Economic Prosperity
Policy D14: Natural Environment
Policy D16: Pollution Impacts of Development and Protecting Residential Amenity

Sedgemoor Economic Strategy
Hinkley Point C Supplementary Planning Document (October 2011)
Bridgwater Gateway Design Principles Document (March 2011)
Somerset Countywide Parking Strategy

Main Issues

Principle of Development

As previously mentioned the principle of the development of the site for employment purposes including a hotel has already been established by the outline permission and as such the principle of the development is not for consideration at this time. It is only the detail of the scheme (scale, layout, appearance, and landscaping) therefore, together with its impact, which may now be scrutinised.

However clearly given that the site has outline consent for substantial new office floor space and other employment generating uses (albeit linked to new nuclear), the submission of reserved matters to facilitate the delivery of the site should be seen as a positive in terms of the site realising the economic potential it was originally identified for. Both the adopted Core Strategy and the Sedgemoor Economic Strategy identify the site's potential for additional office and light industrial space within a sustainable location supported by an extensive and ongoing highways enhancement programme.

The Council's Economic Development Team support the Reserved Matters on the basis that the details demonstrate that the Bridgwater Gateway development provides significant additional capacity of higher quality office and commercial space which is currently limited in the town. Demonstrating capacity exists to meet market demands in line with the occupancy restrictions established by the outline consent and the Section 106 obligations provides greater opportunity to retain and capture incoming investment at a time when opportunities arising from the development of Hinkley Point C are relevant.

Ensuring that this key employment site is consented and available to meet market demand and the employment requirements and supply chain businesses (including training) associated with new nuclear and the development of Hinkley Point C is therefore essential to maintaining the resilience of the Council's Economic Development Strategy.

Scale and Layout

In terms of scale and layout the development plots that form part of this reserved matters application match closely the form of development and its envelope as expected through the indicative masterplan, approved parameters plan and the Environmental Statement supporting the outline application. This identifies the position of the hotel within a landmark position at the north east corner of the site with an 'L' shaped form providing a frontage onto the A38. The parameters plan identifies the hotel building to be 3 storey in height. This is entirely consistent with the current reserved matters for the hotel on Plot 1.3.

The approved parameters plan identifies seven two storey office buildings loosely arranged to be fronting onto the internal spine road towards the centre of the site. This is Plot 1.6 for the current reserved matters which identify five two storey office buildings in a very similar but more formal arrangement along the spine road. Behind these (to the west) the parameters plan identifies a block of four two storey office buildings rear centre of the site which is shown as a very similar block of four two storey office buildings on the current reserved matters for Plot 1.7.

To the south west of the site the parameters plan shows a series of 12 larger B1 light industrial buildings set within 3 buildings shown to be two storey in height. The current reserved matters identify a very similar layout for Plots 1.8 and 1.9. Although two storey in terms of floors, given their nature as B1 light industrial these are the highest buildings on the site at 13 metres.

The only significance difference between the Parameters Plan and the current reserved matters is Plot 1.4 a single storey office unit which is not shown on the parameters plan. However given the reduction of floor space to that previously identified on Plot 1.6 in overall terms the scale of the development continues to meet the requirements of the outline consent.

In March 2011 the Council adopted the Bridgwater Gateway Design Principles Document (Design Principles). The objective of this document is to guide the design and form of forthcoming phases of the Gateway development.

The Bridgwater Gateway Design principles document sets out some relevant objectives for the layout of the site and informed the indicative masterplan and the approved parameters plan for the site. These include the following principles:

- Opportunities to achieve landmark buildings, landscape to create an outstanding working environment;
- Creating an environment of employment led regeneration and mix of uses;
- Through orientation of buildings securing renewable energy generation;
- Creating pedestrian and cycling routes through a permeable network.

Having considered the submitted details it is clear that the hotel will be a prominent and landmark building in close proximity and with a strong visual impact from Huntworth roundabout. Other buildings within the site such as the office buildings along the spine road will also provide a high degree of visual interest in the site. Orientation of buildings within the site has sought to maximise solar gain where practical and the site's layout is legible and permeable allowing for ease of access safely through the site.

The layouts of the individual plots are designed appropriately to allow for access and circulation within the site as well as providing for car parking and landscaping (which are both discussed in more detail below).

It is considered in respect of scale and layout that the reserved matters set out appropriate detailing to ensure the development of the site as a whole is cohesive and meets the

aspirations of the Design Principles in achieving a high quality southern gateway to the town.

Design

The Design Principles (amongst other objectives) seek to enhance the edge of the A38 frontage with a high quality built form and in general encourage a contemporary approach with elements of colour and the use of contemporary materials. It is considered that this objective has been met in regards to the design of the hotel building and the other buildings proposed within the site included in this current reserved matters application.

The proposed three storey hotel has been designed with a central glazed hub off which two accommodation blocks lead. One block lies to north the other to the west. It is anticipated that the plant for the hotel will be located on its roof. The approximate height is 12 metres. The central glass hub is the same height as the accommodation wings with each wing being approximately 62 metres x 15 metres wide. The central hub area is rectangular in shape 30m x 12m and provides a vertical emphasis to the horizontal wings which in themselves offer a high degree of interest through protruding window bays that provide variation across the façade and relieve the massing and scale of the building.

The cladding materials rely heavily on aluminium and glazing panels and the visuals submitted with the application to support the design credentials of the individual buildings show the colour of the walls of the building to be a bright white colour. As the Council's Urban Designer highlights whilst the design of the building meets the Design Principles document there does need to be some care in the choice of colour of materials given the site will have long views from the Quantock Hills Area of Outstanding Natural Beauty and materials that are too reflective will increase the visual impact of the development.

As with the other buildings proposed within this current reserved matters it is appropriate to apply conditions requiring samples and the details of the colour of all the proposed materials to be submitted to and approved to the local planning authority in order to assess this potential visual impact.

The reserved matters for the remaining plots are considered to provide a consistent and cohesive design style and theme throughout. This is both in terms of appearance and the use of materials. The Council's Urban Designer also highlights design flourishes in respect of roofing detail which contribute to holding the scheme together and which are an important aspect for managing the overall visual impact of the development from long distance views.

As stated previously given the extent of the application and its detail it is not practical to describe every aspect of the design merits of the individual buildings within a committee report as this is clearly more visually apparent from the plans and supporting visuals which Members can view from the Council's planning online pages under the application reference number. However this material will also be presented in detail at the Committee meeting.

The Council's Urban Designer however summarises the relative design merits of the other plots covered by this reserved matters in his comments reported under the consultee

comments. Furthermore the Design Principles document includes site specific design principles for 'character, quality and continuity' for which a brief assessment is set out below:

Buildings to be of high quality using materials and details to create an attractive environment

The proposed buildings are modern, contemporary and of a high quality design and use a variety of materials to create interest both individually and collectively. The use of glazing and modern materials enhances their design merits.

Enhance the edge of the A38 frontage with high quality built form

This is most directly relevant to the hotel building which has been designed to be a landmark building within the site given its visibility from Huntworth Roundabout and its prominence on the A38. Again its contemporary style with glazed hub will provide a great deal of visual interest but at the same time sit comfortably alongside other contemporary buildings either consented (for example plot 1.2) or currently proposed on the adjacent plots (for example plot 1.4).

Buildings to be kept below the height of the existing commercial buildings to the east of the A38, with careful consideration of roof finishes, particularly on the lower parts of the site

All buildings on the site will be one to three storey and the highest building has a maximum height of 13 metres (Plots 1.8 and 1.9). This compares with the recent consent on the Agricultural Business Centre site for a five storey hotel and existing buildings within that site in excess of 14 metres. As highlighted above roof finishes need careful consideration and will be the subject of conditions requiring samples and details of colour to be agreed prior to commencement to ensure there is no adverse visual impact from long views.

Create enclosed, overlooked spaces to provide security to users of the site

The detailed site plans for the individual plots covered by this reserved matters provides adequate circulation for vehicle movements but also provides a high degree of enclosure through both the buildings and the proposed structural planting. The use of glazing within the buildings will provide an opportunity for natural surveillance of spaces within the development.

Consider lighting and security measures to ensure community safety

These details have yet to be submitted and it is therefore suggested a condition to secure a lighting strategy is applied should the reserved matters application be approved.

External surfaces and landscape features to be a consistent design to form a sense of place

Landscaping matters are dealt with in the next section but overall the landscaping details for the individual plots are considered appropriate subject to understanding the management and responsibility of it.

Provide an attractive setting for people working on the site, visitors and the local population

As discussed above the proposals are considered to be of a high quality and contemporary design that will provide an attractive gateway to the town, as well as an attractive working environment.

Create strong connections with the surrounding residential and employment areas

The layout provides for footpath links through the site and connection to the adjacent residential area of Stockmoor. Furthermore the development of the site is facilitating the provision of strategic cycle routes between North Petherton and Bridgwater.

To the west of the site consider the boundary as a 'frontage' and make use of the views to and from the Quantocks

The buildings along the western edge are orientated to face that direction and will provide opportunities to work in an attractive and contemporary environment providing views toward the Quantock Hills Area of Outstanding Natural Beauty

The Council's Urban Designer whilst being generally supportive of the proposals within the reserved matters application does raise some areas where the scheme has not yet addressed the Design Principles document. These are:

- Landscape design
- Phasing
- Lighting strategy
- Details of materials

Landscape design is discussed in the next section and there is no requirement for phasing on the outline consent. However matters regarding lighting strategy and the submission of samples and details of the colours of proposed materials can be secured through conditions.

In summary subject to appropriate conditions and further clarification being received the proposals set out in the current reserved matters application are considered to accord with the Bridgwater Gateway design Principles as well as the requirements of the Policy D2 of the adopted Core Strategy.

Landscaping and Visual Impact

In accordance with condition 7 of the outline consent a landscape visual assessment has been undertaken and submitted for each plot within this reserved matters application. The purpose of this requirement was to illustrate and inform the siting of the buildings and the landscaping required to mitigate its impact on the landscape.

The Council's Landscape Officer has considered the submitted information and broadly agrees with its findings. Clearly the development of the existing agricultural landscape to a

significant commercial development will represent significant change in terms of landscape cover and landscape impact. The impact will to be extend the urban influence of Bridgwater further south west towards North Petherton. The landscape visual assessments conclude both individually and collectively that the site has wide visibility from the west and its immediate locality. In particular the buildings proposed alongside the A38 frontage including the hotel would be situated on the higher part of the site and could be seen on the ridge and break the skyline.

The development of the site has been established through the outline consent and the principle of development in this context of impact has previously been addressed. The purpose of the reserved matters application is to assess the extent that the proposals mitigate this impact.

One important consideration is the topography of the site which rises steeply above both the A38 and Campion Way to the north west. The topography of the area is undulating but is dominated by land rises from west to east and from north to south. Overall the site is generally rising ground with elements where small valley folds run across north to south and as the land progresses to the west a steep drop to the flood plain area is apparent. This does not appear to be well described within the drawings due to the large scale nature of the proposals.

Although the applicant has provided drawings that show sections through the site it is difficult to gain a good understanding of how the levels will change, this is because the scale is large.

To address this issue further clarification has been requested from the applicant to provide sections through the site to show topography as it currently exists and these sections ideally should be broken down into 'areas' at an appropriate scale (potentially 1:500) so that a better visual understanding can be achieved of the current situation and the impact of the proposed development.

From the information and drawings supplied it is difficult to understand fully whether a significant amount of earth moving and levelling will be required. A comparison with the existing AOD levels and proposed finished floor levels suggest this may not be the case. This also needs to be better understood and a description of this process will be useful.

Mitigation proposed through the landscape visual assessments includes structural planting along all significant boundaries and an area of structural woodland along the western end of the site between the development and the adjacent agricultural land as set out on the Landscape Concepts plan approved as part of the outline consent. However the current submission of reserved matters does not include the detailed aspects of the structural planting required to mitigate the development as a whole in respect of landscape impact.

Although a landscape planting scheme is a requirement of condition 6 of the outline planning consent where this detail could be established with reference to the approved Landscape concepts plan, the Landscape Officer has expressed some concern that without this detail it is difficult to comment on the detailed plot by plot landscaping schemes submitted as part of the reserved matters application. This is understood and

further clarification has been sought from the applicant's agent to request that a detailed masterplan is submitted showing the structural and the detailed landscaping can be shown together. However it should be noted that this is not a requirement of the outline consent nor can it be a condition imposed on this reserved matters application.

Notwithstanding the lack of detail in respect of the structural landscaping the Council's Landscape officer is broadly content that the reserved matters planting schemes show a variety of appropriate landscaping treatments that will assist in softening the impact of the development. However further information is sought with regards to the phasing and future responsibility for maintenance of the landscaping.

An update clarifying these landscape matters will be provided at the meeting.

The importance of high quality landscaping, including formal tree and shrub planting within the site that responds to the scale of buildings and reflect indigenous species is highlighted in the Design Principles document. Subject to the outstanding structural landscape matters being addressed as required by a condition of the outline consent, the proposed reserved matters application is therefore considered to accord with the requirements of the Design Principles document and Policy D14 of the adopted Core Strategy.

Impact upon Neighbouring Residents

There are a number of properties adjacent to the Bridgwater Gateway site these include properties along the eastern side of the A38 opposite the A38 frontage. These are Nos 1 and 2 Compass Cottages, the Compass Tavern, Quantock Cottage, Quantock House, Compass and the HGV filling station. There are also properties along the western side of the A38 with boundaries that adjoin the development site. These are Compass House, St Hellier, Nostra Cascuccia and 1 and 2 Heathfield Cottages.

The proposed development will change the outlook for these properties which currently have views across agricultural land towards the Quantock Hills but the principle of the development of this site has already been established through the outline consent. The matter of residential amenity was considered in the officer report to Committee in light of the Parameters plan supporting that application. The report stated: *"Whilst some concern has been raised in respect of the impact this development will have on the neighbouring properties to the south and in the Stockmoor Village, it is considered that the proposed development whilst being noticeable in form and character will not have a detrimental impact of residential privacy levels. Through the use of conditions as set out at the end of this report, it is considered that neighbouring residential amenity levels can be protected."*

Clearly now the details of the scheme are known this matter can be further assessed. 1 and 2 Compass Cottages on the eastern side of the A38 lie opposite the proposed hotel building and would be the closest property at a distance of some 45 metres away. It is considered that this distance is sufficient to ensure that no adverse impacts in terms of loss of privacy, loss of light or visual domination will result. It is also consistent with the distance between other properties in this area and the previously approved reserved matters application for a three storey building on Plot 1.2 (approved under reference 37/13/00091).

The properties along the western side of the A38 will have boundaries that adjoin Plot 1.9 that proposes two blocks of four B1 light industrial units. The height of these units would be 13 metres but are set within the Plot with the closest building being 30 metres from the boundary of the residential properties and more than 80 metres building to building. Site sections have been submitted to show and other relationships on the site in respect of levels given that the land generally rises up away from the A38 before lowering towards the rear of the site.

Given this rise in land levels the sections indicate that the proposed buildings would sit approximately a further metre higher than the residential properties along the A38 effectively increasing the height of the buildings to 14 metres when viewed from them. However given that structural planting is proposed along this boundary, the distances involved and the orientation which results in the proposed building being situated to the north-west of the aforementioned properties and as such no shadow will be cast towards those properties for the vast majority of the day it is considered that this relationship is acceptable. The relationship is also similar to that shown on the approved Parameters plan.

A building of this nature/use (B1 light industrial) may result in some noise however any noise that is generated by the development is likely to be insignificant in comparison to existing background levels (A38, M5 and RRBC vehicular noise for example). It is not considered that the development will lead to disturbing levels of noise for local residents. The car park serving the development is to be situated to the rear of the proposed building and as such the coming and goings of staff and visitors will also not be disturbing.

It should also be noted that a number of the conditions attached to the outline permission seek to mitigate the noise impact of the development on the amenity of local residents. Outline Condition 20 prescribes a noise limit (8dB LAeq) during the overnight period; Condition 21 prevents the use of external public address systems/music etc; and Condition 22 prevents construction work (other than internal fitting out) before 8am and after 6pm during the week and after 1pm on Saturdays. It is considered therefore that the impact of the proposed development on the amenity of local residents will be acceptable and hence the application complies with Policy D16 of the Core Strategy in this respect.

The Council's Environmental Health Officer does not raise any objection to the proposals although he requests conditions relating to construction working hours and external lighting for the reserved matters as a whole and a condition relating only to the hotel in respect of air extraction systems in connection with food preparation. Matters relating to construction hours are already dealt with through conditions on the outline consent and a condition relating to lighting has already been added to this reserved matters approval. It is also considered reasonable to add a condition preventing excessive noise from extraction systems within the hotel.

Highway Matters

The outline planning permission granted consent for the means of access to the site (i.e. the junction with the A38); the technical adequacy of this junction therefore cannot be re-appraised at this stage. As stated above the spine road network connecting the approved

junction with the petrol filling station site (and others) also has reserved matters approval under reference 37/13/00087. The highway assessment of the current application must therefore focus upon the *on-site* road layout, circulation and parking arrangements.

The County Highway Authority do not raise objection to the proposals and highlight continued correspondence and guidance between the applicant and the County Highway Authority. They re-confirm through this consultation that they are unwilling to adopt the development and its internal spine roads and instead it would be subject to the Advanced Payments Code (APC).

However they do confirm that they consider the access provisions to be in accordance with the Somerset Estate Roads Guidance and makes appropriate provisions in terms of road widths, footways, access junctions on to the individual plots of the site and offers adequate inter-visibility throughout the site. However they have requested vehicle tracking swept path analysis to demonstrate refuse lorries and emergency vehicles can adequately manoeuvre around the site. There is nothing to indicate in the plans or indeed the comments of the Highway officer that this cannot be achieved but it is considered appropriate to add a condition requiring this detail to be submitted.

The Highways Officer has also requested that the Estates Road condition be added to any approval. This matter is addressed through the pre-commencement conditions attached to the outline consent, specifically conditions 13 and 29.

In terms of parking provision the Highway Authority have indicated that the proposals meet the relevant standards and are appropriate in size and make suitable provision for turning, but have requested a condition requiring their provision prior to occupation of any unit on the site. This is reasonable provided it relates to the individual plots rather than the site as a whole, however condition 10 of the outline already covers this matter.

The condition also includes a requirement prior to any development on the site (with the exception of the approved access details) for a plan showing the total number of parking spaces including disabled, motorcycle and cycle provision for the entire Bridgwater Gateway site to be submitted and approved. This condition currently remains undischarged (as it is not required until prior to commencement).

The details submitted as part of this reserved matters application for the employment areas are generally in line with the parking expectations for the site and the approved Travel Plan included in the Section 106 agreement attached to the outline consent. The application is therefore considered to accord with the requirements of Policies D9 and D10 of the adopted Core Strategy.

In addition to the above the Highway Authority has requested conditions relating to the prevention of surface water discharge onto the highway. This can be secured through an appropriate condition.

Drainage

The Internal Drainage Board object to the scheme on the basis that insufficient detail has been submitted with the application to allow for the consideration of surface water

drainage disposal strategy which had appeared to be agreed following discussions. In the absence of the details the IDB suggest the application is premature. The Environment Agency, although not objecting, also highlight the absence of a surface water drainage strategy, whilst the Local Lead Flood Authority request a condition requiring one.

The Council's Coastal and Land Drainage officer requests a condition to be added to any consent requiring the completion of the surface water drainage infrastructure for the entire Bridgwater Gateway site to be fully constructed and operational before any development is built above ground levels.

However the outline planning consent already includes a condition relating to surface water drainage (condition 3), this states that "*no phase or parcel of the development shall commence until a detailed scheme for surface water drainage for that phase or parcel of land has been approved by the Local Planning Authority...*". This condition will therefore require details of the surface water drainage for the reserved matters to be agreed prior to any development commencing on the site and implemented in accordance with those details. In addition an informative will be added to any approval identifying the need for a surface water drainage masterplan to be prepared to support any future submission to discharge condition 3 of the outline consent.

However Condition 3 does not require the completion of the surface water drainage infrastructure for the whole Bridgwater Gateway site to be in place prior to any development occurring above ground level. As this is not a requirement of the outline planning consent matter it is not reasonable to require it on this reserved matters application.

Ecology

The outline consent included the submission of an Environmental Statement and appropriate ecological surveys and reports for the site. This reserved matters application does not include any additional development or increase the parameters of the development as it relates to the Environmental Statement. Therefore the reserved matters application does not need to provide any further ecological reports or surveys. However, Condition 8 of the outline consent requires an Ecological Management Plan and Method Statement to be submitted and approved prior to any works on the site. The condition was discharged in July 2013 following the approval of the County Ecologist.

This information has been relayed back to the County Ecologist and any further comments are awaited on the current reserved matters application and will be reported at the meeting.

Comments of the Town Council

North Petherton Town Council object to this reserved matters application on the basis of concerns relating to the link with the Hinkley Point C development, the quality of the buildings and submitted material and surface water drainage.

No detail is provided as to the concern in respect of the link with Hinkley C although it is assumed this refers to the hotel element of the scheme (as previously on 37/15/00087 this

related to the petrol filling station). The S.106 Agreement linked to the original outline planning permission restricts the occupancy of future buildings on the site. All of the future employment units on the gateway site may only be occupied by businesses "*engaged to promote the advancement of the construction / development of Hinkley Point C or new nuclear development*". However given their complementary nature the Section 106 Agreement specifically excludes the petrol filling station and the hotel from this restriction.

As the report highlights the Council's Urban Designer is broadly supportive of the proposals and considers that the quality of the proposed development is high and accords with the Bridgwater Gateway Design Principles document. However it is accepted that the plans submitted initially with the application (two dimensional black and white planning drawings) do make the detail in respect of the quality of the development more difficult to understand. In response the applicant has provided a series of three dimensional photomontages and visuals and these have been sent to the Town Council. Members will be updated at the meeting should any further comments be received from the Town Council before the meeting.

Surface water drainage and the requirements of condition 3 of the outline consent is detailed under the 'Drainage' section above. The purpose of this condition is to secure an appropriate surface water strategy in advance of the development starting on site (excluding the access works).

Conclusion

This application seeks approval of the detailed matters relating to a significant element of the site established in principle through the outline planning consent for the Bridgwater Gateway site as a whole. Following the consideration of matters relating scale, layout, appearance and landscaping against the objectives established through the outline planning consent and the adopted Design Principles for the site the proposal is considered to be acceptable subject to conditions. Approval of the reserved matters is therefore recommended.

RECOMMENDATION

GRANT APPROVAL OF RESERVED MATTERS subject to the following conditions:

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

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

- 2 The areas allocated for parking and turning on the approved plans, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted

Agenda Item 5.1

Reason: In the interest of highway safety and to accord with Policies D9 and D10 of the adopted Sedgemoor Core Strategy

- 3 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 commencement of development and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with Policies D9 and D10 of the adopted Sedgemoor Core Strategy. This matter needs to be agreed at an early stage of the project and therefore should be considered prior to commencement of the development hereby approved.

- 4 Samples of the roofing materials and of the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the local planning authority before any work is commenced.

Reason: In the interests of visual amenity and in accordance with Policies D2 and D14 of the adopted Sedgemoor Core Strategy. This matter needs to be agreed at an early stage of the project and therefore should be a pre-commencement matter.

- 5 Details of the external lighting for the each development plot hereby approved shall be submitted to and approved in writing by the local planning authority prior to the occupation of any building on that development plot. Details shall include type, size and position of the proposed new external lighting. The development shall be carried out in accordance with the approved details. Any external lighting must only directly illuminate the application site.

Reason: In the interests of visual amenity and to protect local residents from obtrusive lighting in accordance with Policies D14 and D16 of the adopted Sedgemoor Core Strategy.

- 6 No air intake or exhaust system shall be installed or used unless it is so designed, maintained and operated so that no tonal component of the noise is audible beyond the application site, and any such system used in connection with the preparation or cooking of food shall be provided with suitable filters and shall discharge in such a place that odours therefrom are not perceived beyond the application site.

Reason: To safeguard the occupants of nearby buildings from noise, disturbance and odours in accordance with Policy D16 of the Sedgemoor Core Strategy

- 7 Prior to the commencement of each development plot hereby approved a written commitment to the sourcing of local labour shall be submitted to and approved in writing by the local planning authority. The written commitment, as a minimum, shall set out the following matters: i) The proportion of construction workers whom will be sourced from the local labour pool, which shall be at least 50%; ii) The proportion of subsequent staff employed in the development (hotel only) whom will

be sourced from the local labour pool; iii) Work experience/ apprenticeship opportunities; iv) The proportion of local procurement and sourcing; v) On-going skills development and training opportunities; vi) The steps that will be taken to ensure that the above is implemented; vii) The operator shall maintain a record of i - vi above and shall make that information available to the local planning authority at all reasonable times upon request.

Reason: In accordance with Policy D11 of the Sedgemoor Core Strategy (2006-2027). This matter needs to be agreed prior to commencement in order to ensure that local labour is used in the project from the start.

- 8 Notwithstanding the details on the submitted plans hereby approved, all internal junctions off the new estate roads will need to incorporate radii suitable for use by refuse and emergency vehicles in accordance with detailed vehicle tracking swept path analysis, which shall first have been submitted and approved in writing by the local planning authority. The details shall be submitted to and approved in writing prior to the setting out of the internal junction entrances, and the development shall be implemented in accordance with the approved details prior to the first occupation of the relevant part of the development and thereafter subsequently retained and maintained.

Reason: to ensure adequate turning facilities for an 11.4m four axle refuse vehicle as well as emergency vehicles and to accord with Policy D10 of the Sedgemoor Core Strategy.

Schedule A

Location Plan Drg No. 001
Proposed Location Plan (Plot 1.3) Drg No. 100
Proposed Location Plan (Plots 1.3, 1.4, 1.6, 1.7, 1.8 & 1.9) Drg No. 002
Proposed Block Plan (Plot 1.3) Drg No. 106
Proposed Ground Floor Plan (Plot 1.3) Drg No. 101
Proposed First & Second Floor Plans (Plot 1.3) Drg No. 102
Proposed Roof Plan (Plot 1.3) Drg No. 105
Proposed Elevations 1 (Plot 1.3) Drg No. 103
Proposed Elevations 2 (Plot 1.3) Drg No. 104
Planting Plan (Plot 1.3) Drg No. SPP1984P 1.3
Location Plan (Plot 1.4) Drg No. 100
Proposed Location Plan (Plot 1.4) Drg No. 110
Proposed Block Plan (Plot 1.4) Drg No. 107
Proposed Ground Floor Plan (Plot 1.4) Drg No. 101
Proposed Elevations (Plot 1.4) Drg No. 103
Planting Plan (Plot 1.4) Drg No. SPP1984 P 1.4
Location Plan (Plot 1.6) Drg No. 100
Proposed Block Plan (Plot 1.6.1) Drg No. 107
Proposed First Floor Plan (Plot 1.6.1) Drg No. 102

Agenda Item 5.1

Proposed Ground Floor Plan (Plot 1.6.1) Drg No. 101
Proposed SE Elevation (Plot 1.6.1) Drg No. 103
Proposed NW Elevation (Plot 1.6.1) Drg No. 104
Proposed NE Elevation (Plot 1.6.1) Drg No. 105
Proposed SW Elevation (Plot 1.6.1) Drg No. 106
Proposed Block Plan (Plot 1.6.2) Drg No. 117
Proposed Ground Floor Plan (Plot 1.6.2) Drg No. 111
Proposed First Floor Plan (Plot 1.6.2) Drg No. 112
Proposed SE Elevation (Plot 1.6.2) Drg No. 113
Proposed NW Elevation (Plot 1.6.2) Drg No. 114
Proposed NE Elevation (Plot 1.6.2) Drg No. 115
Proposed SW Elevation (Plot 1.6.2) Drg No. 116
Proposed Block Plan (Plot 1.6.3) Drg No. 127
Proposed First Floor Plan (Plot 1.6.3) Drg No. 122
Proposed Ground Floor Plan (Plot 1.6.3) Drg No. 121
Proposed NE Elevation (Plot 1.6.3) Drg No. 123
Proposed SW Elevation (Plot 1.6.3) Drg No. 124
Proposed NW Elevation (Plot 1.6.3) Drg No. 125
Proposed SE Elevation (Plot 1.6.3) Drg No. 126
Proposed Ground Floor Plan (Plot 1.6.3) Drg No. 131
Proposed First Floor Plan (Plot 1.6.3) Drg No. 132
Proposed NE Elevation (Plot 1.6.3) Drg No. 133
Proposed SW Elevation (Plot 1.6.3) Drg No. 134
Proposed NW Elevation (Plot 1.6.3) Drg No. 135
Proposed SE Elevation (Plot 1.6.3) Drg No. 136
Proposed Block Plan (Plot 1.6.3) Drg No. 147
Proposed Ground Floor Plan (Plot 1.6.3) Drg No. 141
Proposed First Floor Plan (Plot 1.6.3) Drg No.142
Proposed SE Elevation (Plot 1.6.3) Drg No. 146
Proposed NW Elevation (Plot 1.6.3) Drg No. 145
Proposed SW Elevation (Plot 1.6.3) Drg No. 144
Proposed NE Elevation (Plot 1.6.3) Drg No. 143
Planting Plan Sheet 1 (Plots 1.6.1 & 1.6.2) Drg Np. SPP1984 1.6.1 & 1.6.2
Planting Plan Sheet 2 (Plots 1.6.3) Drg No. SPP1984P 1.6.3
Location Plan (Plots 1.8/1.9) Drg No. 100
Proposed Floor Plans (Plots 1.8/1.9) Drg No. 104
Proposed Roof Plan (Plots 1.8/2.9) Drg No. 102
Typical Block Elevations (Plots 1.8/1.9) Drg No. 101
Site Sections/Elevations (Plots 1.8/1.9) Drg No. 103
Planting Plan (Plots 1.8/1.9) Drg No. SPP1984 P 1.8 & 1.9
Location Plan (Plot 1.7) Drg No. 100
Proposed Block Plan (Plot 1.7) Drg No. 104
Proposed Ground Floor Plan (Plot 1.7 Unit A) Drg No. 101
Proposed First Floor Plan (Plot 1.7 Unit A) Drg No. 102
Proposed Elevations (Plot 1.7 Unit A) Drg No. 103
Proposed Ground Floor Plan (Plot 1.7 Unit B) Drg No. 201
Proposed First Floor Plan (Plot 1.7 Unit B) Drg No. 202
Proposed Elevations (Plot 1.7 Unit B) Drg No. 203
Proposed Ground Floor Plan (Plot 1.7 Unit C) Drg No. 401

Agenda Item 5.1

Proposed First Floor Plan (Plot 1.7 Unit C) Drg No. 402

Proposed Elevations (Plot 1.7 Unit C) Drg No. 403

Proposed Ground Floor Plan (Plot 1.7 Unit D) Drg No. 301

Proposed First Floor Plan (Plot 1.7 Unit D) Drg No. 302

Proposed Elevations (Plot 1.7 Unit D) Drg No. 303

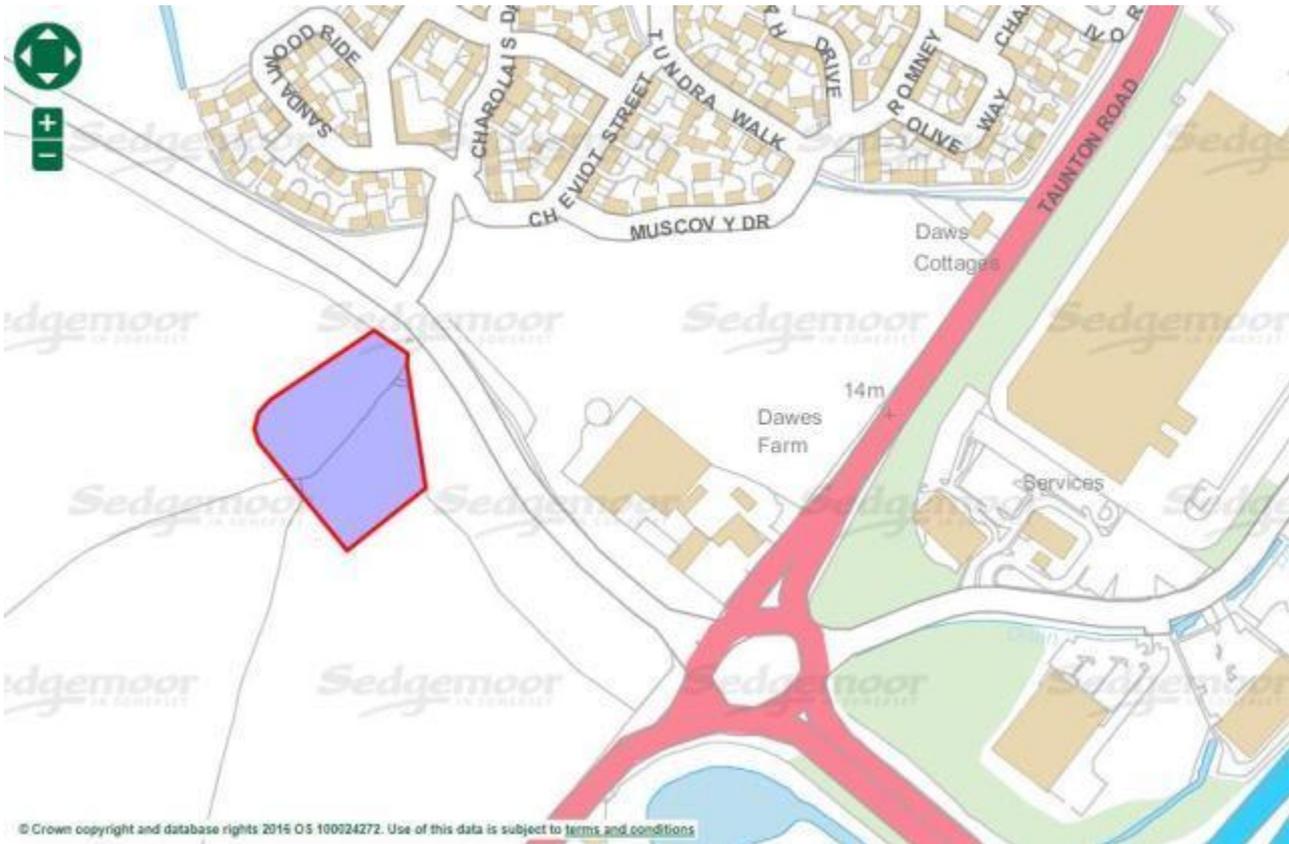
Planting Plan Sheet 1 (Plot 1.7 Units A & B) Drg No. SPP1984 P 1.7 Units A & B

Planting Plan Sheet 2 (Plot 1.7 Units C & D) Drg No. SPP1984 P 1.7 Units C & D

Case Officer: Stuart Houlet Tel: Sedgemoor Direct: **0300 303 7805**

North Petherton 37/15/00089 registered 11/12/2015
Expiry Date 10/03/2016
(Reserved matters)

Proposal: **Erection of 3, three storey employment buildings (use class B1) and associated infrastructure at Land to the North West of Huntworth Roundabout and, to the North of, A38, Bridgwater for Bridgwater Gateway Ltd (agent: Ian Jewson Planning Ltd)**



Not to scale

Committee decision required because

The views of the Town Council are contrary to the case officer's recommendation.

Background

This is the third reserved matters application for the Bridgwater Gateway site of three on the agenda for the 1st March 2016 Committee meeting alongside reserved matters for a petrol filling station and associated infrastructure (reference 37/15/00087) and reserved matters for a hotel, employment buildings (use class B1) and associated infrastructure (reference 37/15/00088).

The reserved matters application that is the subject of this report covers a single plot of the Bridgwater Gateway site (Plot 1.5). Taken together with two previous reserved matters approvals (for Plot 1.2 and the spine road) and the further two reserved matters applications on this agenda if approved, the site would have secured the approval of reserved matters for the site in its entirety as defined within the outline consent.

Again it is not intended to repeat in full the background for the Bridgwater Gateway site given that this is included in the officer report for the petrol filling station reserved matters (reference 37/15/00087) on this agenda. However the salient points are:

- The Bridgwater Gateway site comprises of 19.69 Ha of undeveloped agricultural land to the south of Bridgwater.
- It lies in close proximity to Junction 24 of the M5 and the A38 which runs along the east/ south-east boundary of the site and is adjacent to Stockmoor village and the Agricultural Business Centre
- Outline planning permission was granted in 2012 for employment floor space (Class B1), a hotel and a petrol filling station as well as the associated infrastructure such as roads and car parking.
- With the exception of the A38 access arrangements, the outline permission reserved all matters (appearance, landscaping, layout and scale) for approval at a later date.
- The Gateway site was identified in the Core Strategy but was specifically reserved to meet the employment requirements and supply chain businesses (including training) associated with new nuclear and the development of Hinkley Point C.
- The outline consent included a Section 106 obligation that secures the requirement for uses to fall within that definition.
- The site is subject of a 'Design Principles' document adopted by the Council in March 2011.
- The overriding approach of the Design Principles is to encourage contemporary and high quality design on the site.

As set out through the outline application, the site fulfils an important strategic economic role locally, providing dedicated high quality site for HPC related activity within the district. As highlighted by the Economic Development team, the need for such space in Bridgwater has increased over the past two years, as sites such as Woodlands Business Park on the A38 and other locations have been built out. This is likely to become more pressing in the next few months with the onset of the HPC programme.

This application for reserved matters seeks approval for three identical three storey office buildings on the north western corner of the site adjacent to Champion Way. The site rises steeply above Champion Way and continues to rise westwards across the site. Stockmoor Village lies to the north east of Champion Way on lower land again. The topography of the area is undulating but is dominated by land rises from west to east and from north to south. This site lies at the lower end of the Gateway site as a whole.

The site that is the subject of this reserved matters is divided into a single office plot (Plot 1.5.1) and a plot serving two offices (Plot 1.5.2). The building walls on all three blocks consists of silver steel / aluminium flat cladding panels between glazed panels. The single

pitched roof will be silver profiled and approximately 11.2 metres above finished ground level and its footprint 23.5 metres x 16 metres.

Both Plots (1.5.1 and 1.5.2) would be served by a single access from the internal spine road and would share a total of 207 car parking spaces with proposed hedge and tree planting on all its perimeters.

As this is an application for reserved matters it is the detail of the of the scheme in respect of scale, layout, appearance, and landscaping that falls to be considered by Members, taking into account any requirements imposed by the outline planning consent and the adopted Design Principles document.

Relevant History

37/11/00084	Outline planning application for mixed use development to include: employment floorspace (Use Class B1), hotel (Use Class C1), petrol filling station (Sui Generis); strategic landscaping, infrastructure including internal roads, drainage, car parking; and including detailed drawings for a new vehicular and pedestrian access on to the A38.	GRANTED
37/13/00087	Formation of internal spine road (Phase 1)	GRANTED
37/13/00091	Erection of three storey building (use class B1), formation of parking and access	GRANTED
37/14/00020	Residential development of up to 292 dwellings and associated infrastructure	REFUSED
37/15/00087	Erection of petrol filling station and associated infrastructure	LIVE
37/15/00088	Erection of employment buildings (use class B1) and associated infrastructure	LIVE

Supporting information supplied by the applicant

Supporting Planning Statement
List of Materials
Landscape and Visual Impact Assessment
3D Visuals

Consultation Responses

Ward Member Councillor Anne Fraser MBE: SUPPORTS

“Support for this proposal. We need the development for the area to remain competitive

and have a good 'offer' for when HPC FID is announced.”

North Petherton Town Council: OBJECTION

“There were similar concerns to 37/15/00088 regarding the link to Hinkley C and the quality of the proposed buildings, again a photo montage should be provided”

Bridgwater Town Council: No Objection

SDC Economic Development Team: SUPPORTS

“The Economic Development Team supports the above application. The proposal is in line with Sedgemoor’s:

- *Economic Development Strategy, in particular Objective 6(c) – Enhancing transport links, economic infrastructure and the environment;*
- *Core Strategy, in particular Policy D11 – Economic Prosperity; and*
- *Corporate Priorities and Core Values.*

The application submitted sets out detailed proposals for the development of the Bridgwater Gateway Business Park close to Junction 24 of the M5. The entire site currently benefits from an outline planning permission for employment, petrol station and hotel use, granted in December 2012. This application now provides the next stage in the development process of this strategically important site.

As set out during the original application process for the development of Bridgwater Gateway, the Economic Development team is strongly supportive of the development of the site, which is an integral part of the district’s overall economic strategy. In particular, the Economic Development team would highlight the following:

- *Office and Commercial Accommodation in Bridgwater: The development at Bridgwater Gateway will provide both additional office and light industrial space within easy reach of the town centre and the national road network, supported by an extensive highways enhancement programme currently being undertaken at Huntworth Roundabout. This is critical at a time when both types of accommodation are in short supply in the Bridgwater area.*
- *In context, market supply of higher quality office and commercial accommodation is currently limited to one or two key sites with in the immediate vicinity. Recent developments, such as the small business space at Woodlands Business Park are already moving towards full occupancy, whilst space yet to be released to the market, notably the Somerset Innovation Centre, is already subject to high level of demand. As set out during the original application process, Bridgwater Gateway therefore provides significant additional capacity into the system in line with the phased approach envisaged through the LDF.*
- *Business Retention and Hinkley Legacy: Sedgemoor district currently lacks an availability of high quality commercial space, leading to challenges around retention and capture of incoming investment. As set out during the original case, this proposal will help to attract and retain businesses within the area. As already set out, there is already a particular demand for smaller office and industrial space and*

those units disappear from the market very quickly. With the opportunities arising from the proposed nuclear power station at Hinkley Point C, it is vital to ensure a good supply of commercial space within the district.

- Higher Quality Employment Space: Sedgemoor currently benefits from a very low unemployment rate after a successful period of growth and economic rebalancing. However, the employment attracted during the early period of the Local Plan rollout was intentionally focused upon addressing long term structural challenges following the 2008 recession and earlier economic shocks. The development of Bridgwater Gateway, alongside other such developments within the district, represents the next phase of this process, focused upon the development of higher value employment. This in turn will seek to address the next round of challenges facing the Sedgemoor economy, with a shift towards the knowledge and higher economy, as well as seeking to secure legacy benefits from Hinkley.*
- Hotel Development: Despite several projects currently in the pipeline, there remains a deficit of good quality hotel accommodation in the district, with estimates of around 500-1,000 bed deficit within the immediate vicinity. This deficit will widen as the HPC project begins to roll forward. This hotel, which will primarily serve the business park, will provide part of the mitigation to this forward requirement as well as seek to fill the existing gap along the M5.*

With the above in mind, the Economic Development team is strongly supportive of the proposal put forward subject to a Local Labour Agreement condition being secured.

With regards practicalities of the build, and taking into account the scale of the proposed development, we are seeking to secure a local labour condition for the construction phase on the site that is subject of this application and for the operational phase on the hotel only (plot 1.3). This would be supplemental and an update of the existing condition put forward during the outline process.

SDC Urban Designer: Comments

“The detailed elements of these applications are assessed against the requirements of the Bridgwater Gateway Design Principles adopted by SDC in March 2011.

In general the detailed elements of the scheme achieve the overriding objectives of the Design Principles:

- Providing a high quality business development at the entrance to Bridgwater;*
- Retaining a separation between the wider Bridgwater built environment and North Petherton;*
- Achieving a good relationship with the lower residential land at Stockmoor improving the integrated appearance of the larger commercial buildings between the A38 and M5 and the visual impact from the Quantock Hills;*

The schemes take advantage of the identified opportunities in the Design Principles;

- Opportunities to achieve landmark buildings, landscape to create an outstanding working environment;*
- Creating an environment of employment led regeneration and mix of uses;*
- Through orientation of buildings securing renewable energy generation;*
- Creating pedestrian and cycling routes through a permeable network.*

The schemes meet the detailed requirements of the Design Principles;

- *Design Objectives for Character, Quality and Continuity – creating a strong positive relationship with surrounding areas, services and facilities;*
- *Design Objectives for Diversity – contributing to the economic vitality and viability through a mix of complimentary uses;*
- *Design Objectives for Adaptability – creating places that can accommodate changing requirements;*
- *Design Objectives for Sustainability – contributing to sustainable development by minimising energy use through design;*

In respect of more general requirements of the Design Principles;

- *The detailed text of the Design Principles that addresses landscape design has not been fully met and comments from the SDC Landscape Officer should be sought. This includes structural planting, boundary treatments, car parking planting, integrated with water management and sustainable urban drainage;*
- *A lighting strategy will be required;*
- *Materials palette appears to be consistent across the whole site however details will be required.*
- *A phasing strategy will be required;*
- *Details in respect of floor space, building heights and storeys, densities, distances between buildings and adjoining residential areas, site modelling, habitat enhancements and details of informal and formal space should all be provided.*

37/15/00083 – 3 storey office structures

- *A series of 3 office buildings, 3 storeys in height are also adjacent to Champion Way with each building placed far enough into the plot from the boundary to minimise visual impact from adjoining residential properties. A sectional drawing is to be provided to confirm that this visual impact will not be adverse. The cladding materials should be approved by condition and colour is suggested as bright white. It is suggested that this may have an adverse impact from long distance views. Roof treatment is grey which does mitigate from the visual impact.*

The proposals overall are acceptable from a design perspective and meet the requirements of the adopted Design Principles. There is a consistent design style and theme throughout using materials that create a cohesive approach. There are also design flourishes in respect of roofing detail which hold the scheme together and which are an important aspect for the overall visual impact from long distance views.”

SDC Landscape Officer:

Comments (relates to all three live reserved matters)

“The proposed development can be viewed from adjacent footpaths and roads particularly those travelling along the A38, users of the commercial retail outlets adjacent and the residential properties of Stockmoor, Willstock and those immediately adjacent to the site along the A38. The views from Stockmoor are most likely to be impacted upon but the other commercial units in the area already dominate the skyline. To the west the distant views of the Quantocks AONB can be seen from the A38 looking North West with other new buildings on the development having an impact on the skyline.

Agenda Item 5.1

Although the site is not currently part of the urban edge at present, with the increasing size of Wilstock and Stockmoor, the urban influence over the existing agricultural landscape will degrade the open landscape with views over towards the Quantocks AONB. The landscape impact of the development will include the change of landscape cover on the site from agricultural use to petrol station and forecourt area (ref: 37/15/00087), erection of hotel, employment buildings (ref 37/15/00088) and erection of 3, three storey employment buildings and associated infrastructure (ref 37/15/00089)

In terms of visual effect, the proposed development will, in part, front onto the A38 and may be partly evident to the left of the field area, however it will be mostly obscured by the hedge vegetation and signage to the foreground. Nevertheless, as the proposed internal structure planting matures the view of the buildings will, to a degree, become filtered and screened, although during the winter months this screening could become diminished.

I concur with the conclusions of the landscape appraisals in that the site has wide visibility from the west and its immediate locality. Several of the proposed buildings in this cluster are situated at the highest point of the site and run alongside the A38. The buildings may be seen on the ridge and could therefore break the skyline, however when viewed from further away this effect is diminished. From close to the site on the east and north sides and from existing roads the site is experienced as a green agricultural space marking the transition from town to countryside. The proximity of this cluster of buildings to the A38 will result in this effect being lost and the open views being enclosed first by the buildings and later, as the planting becomes established by the proposed woodland vegetation. The perceived edge of Bridgwater will, however, be seen as moving south.

Mitigation is proposed as structural woodland screen planting around the site edges and ornamental tree and shrub planting within the development interior. The screen planting will be particularly important on the northwest edge of the development and alongside the A38.

It is important that in order for the planting scheme to succeed and be effective, details of the phasing and future maintenance of the proposed planting are agreed. I would like to see the structural landscaping is implemented at the earliest opportunity so that the benefits of the landscape scheme can be soon be realised.

SDC Environmental Health: No Objection subject to conditions relating to construction working hours and external lighting for the reserved matters as a whole and a condition relating only to the hotel in respect of air extraction systems in connection with food preparation and informatives

Drainage Board Consortium: OBJECTION

“The IDB object on the basis that there have been extensive discussions regarding the proposed surface water disposal strategy and future maintenance of the proposed infrastructure indicated to serve the development at outline stage. Those details were formulated into an acceptable design strategy however the current submitted details do not seem to indicate those proposals and the Board would have concerns if the proposed surface water disposal masterplan are not included within the submission. Therefore until

the Board's concerns are allayed the development is premature and the Board would be minded to Object on the basis that the application has insufficient details to determine if drainage matters are properly addressed..."

SDC Coastal and Land Drainage: No Objection subject to condition requiring surface water drainage for the whole site to be completed and operational before the development proceeds.

Environment Agency: No Objection but comment that no information has been submitted regarding surface water drainage or construction environment management conditions

SCC Local Lead Flood Authority: No Objection subject to a surface water drainage condition being applied

Wessex Water: Comments

"Sewer network modelling undertaken previously on behalf of the developer indicated recommended downstream sewer capacity improvements for predicted foul flows generated by the entire outline application site. Discussions were also held on an alternative reduced improvement scheme designed to accommodate an initial stage of the development prior to the main scheme. We welcome further consultation with the developer to agree arrangements prior to application to discharge condition 4 of the Outline Planning Application (37/11/00084).

The applicant should note the 150mm twin water mains crossing close to the site by Huntworth Roundabout. This mains should be accurately located on site with no building within 3 metres and no tree planting within 6 metres."

Highways Agency: No Objection

SCC County Highway Authority: No Objection subject to conditions relating to private access, estate road, parking and drainage

"The application has been through continued correspondence and guidance with the local authority. The site is located directly off of the A38 Taunton Road to the north of North Petherton and south of Bridgwater. The site has good access to the M5.

The site has a new proposed access directly onto the A38 that has been dealt with and addressed within the initial application for the site (37/11/00084).

The application has provided plans for the proposed site layout along with details of parking layout and the proposed use of the site. Somerset County Council has stated in all early correspondence that we are not willing to adopt the development and its internal spine roads.

Despite this all access provisions appear to be in keeping with and must adhere to Somerset Estate Roads Guidance with appropriate provisions in terms of road widths, footway provisions, access junction into the various plots of the site and inter-visibility

throughout the site.

The illustrated parking provisions for the site are to SCC Parking Strategy standards with appropriate sizes and suitable area to access and turn. All internal junctions of the new estate roads will need to incorporate radii suitable for use by refuse vehicles. The application site will need to provide vehicle tracking swept path analysis to ensure adequate turning facilities for an 11.4m four axle refuse vehicle as well as emergency vehicles.

Further information will still be required in terms of surface finishes for the site along with drainage and surface water drainage facilities.”

Representations

One letter received from Muller UK raising concerns regarding the potential impact of the development on the Wiseman’s Dairy site located within the Agricultural Business Centre to the east of the application site. Concerns relate to the proposed ‘T’ junction with the A38 opposite the Compass Inn and its proximity to the existing Agricultural Business Centre junction and the Huntworth roundabout and the effect this may have on exacerbating the existing congestion in this area.

One letter received from two local residents who object to the proposals on the following grounds:

- Impact on the Huntworth roundabout as this already cannot cope with existing traffic
- Developments will impinge onto a green belt between North Petherton and Bridgwater
- Will spoil views from Quantocks
- Will join up North Petherton with Bridgwater
- Without major new roads including a bypass these developments should be rejected
- Will lose peaceful piece of farmland
- Presence of Great Crested Newts

Most Relevant Policies

National Planning Policies

National Planning Policy Framework (NPPF)

- Section 1 – Building a strong and competitive economy
- Section 3 - Supporting Prosperous Rural Economy
- Section 4 – Promoting sustainable transport
- Section 7 – Requiring good design
- Section 12 – Conserving and enhancing the natural environment

Local Planning Policies

Sedgemoor District Core Strategy (including Saved Policies)

Policy MIP2: Hinkley Point C: Associated and Ancillary Development

Policy MIP3: Hinkley Point C: Planning Obligations and Mitigations

Policy D1: Managing Flood Risk

Policy D2: Promoting High Quality and Inclusive Design

Policy D3: Sustainable Construction and Reducing Carbon Emissions in New Developments

Policy D10: Managing the Transport Impacts of Development

Policy D11: Economic Prosperity

Policy D14: Natural Environment

Policy D16: Pollution Impacts of Development and Protecting Residential Amenity

Sedgemoor Economic Strategy

Hinkley Point C Supplementary Planning Document (October 2011)

Bridgwater Gateway Design Principles Document (March 2011)

Somerset Countywide Parking Strategy

Main Issues

Principle of Development

As previously mentioned the principle of the development of the site for employment purposes including office development has already been established by the outline permission and as such the principle of the development is not for consideration at this time. It is only the detail of the scheme (scale, layout, appearance, and landscaping) therefore, together with its impact, which may now be scrutinised.

However clearly given that the site has outline consent for substantial new office floor space and other employment generating uses (albeit linked to new nuclear), the submission of reserved matters to facilitate the delivery of the site should be seen as a positive in terms of the site realising the economic potential it was originally identified for. Both the adopted Core Strategy and the Sedgemoor Economic Strategy identify the site's potential for additional office and light industrial space within a sustainable location supported by an extensive and ongoing highways enhancement programme.

The Council's Economic Development Team support the Reserved Matters on the basis that the details demonstrate that the Bridgwater Gateway development provides significant additional capacity of higher quality office and commercial space which is currently limited in the town. Demonstrating capacity exists to meet market demands in line with the occupancy restrictions established by the outline consent and the Section 106 obligations provides greater opportunity to retain and capture incoming investment at a time when opportunities arising from the development of Hinkley Point C are relevant.

Ensuring that this key employment site is consented and available to meet market demand

and the employment requirements and supply chain businesses (including training) associated with new nuclear and the development of Hinkley Point C is therefore essential to maintaining the resilience of the Council's Economic Development Strategy.

Scale, Layout and Design

In terms of scale and layout the development plots that form part of this reserved matters application match closely the form of development and its envelope as expected through the indicative masterplan, approved parameters plan and the Environmental Statement supporting the outline application.

This identifies the position of three office buildings within the north west corner of the site in an irregular arrangement but clustered together with a smaller detached building centrally located. The parameters plan identifies that these buildings should be 3 storey in nature. The reserved matters application identifies three identical 3 storey buildings within this location set in a more formal arrangement with two office units towards the rear boundary of the site and a single office unit to the south east of these. A single point of access from the spine road with circulation and parking is provided.

Although the arrangement is more formal than that suggested by the parameters plan and masterplan, in overall terms the scale of the development continues to meet the requirements of the outline consent. The site would be buffered from Campion Way by land excluded from the extent of the outline and the proposed structural planting to be provided. The layout for this plot also includes a significant level of landscaping and planting within the reserved matters site boundary.

In March 2011 the Council adopted the Bridgwater Gateway Design Principles Document (Design Principles). The objective of this document is to guide the design and form of forthcoming phases of the Gateway development.

The Bridgwater Gateway Design principles document sets out some relevant objectives for the layout of the site and informed the indicative masterplan and the approved parameters plan for the site. These include the following principles:

- Opportunities to achieve landmark buildings, landscape to create an outstanding working environment;
- Creating an environment of employment led regeneration and mix of uses;
- Through orientation of buildings securing renewable energy generation;
- Creating pedestrian and cycling routes through a permeable network.

The buildings will have a local prominence from Campion Way although this will be softened by the proposed landscaping and the nature of the topography as you move away from the site. Orientation of the buildings within the site has sought to maximise solar gain where practical and solar panels on the roof are proposed. The site's layout is legible and permeable allowing for ease of access safely through the site.

It is considered in respect of scale and layout that the reserved matters set out appropriate detailing to ensure the development of the site as a whole is cohesive and meets the

aspirations of the Design Principles in achieving a high quality working environment.

As in keeping with the majority of the other reserved matters being considered on this site the proposed office buildings and modern and contemporary in form and appearance. They make good use of modern materials with the walls being a mixture of silver steel / aluminium flat cladding panels between glazed panels with silver powder coated aluminium windows and doors. The roof is proposed to be silver profiled metal and has a single pitch with solar panels.

The colour of the buildings appear from the visuals to be predominantly white with grey roofs but as with the other reserved matters samples of the materials including details of colour will need to be conditioned to avoid too lighter colours having an adverse impact on longer views from the Quantock Hills AONB.

The Council's urban designer is satisfied that the proposed office buildings would accord with the Design Principles document and help maintain a consistent design style and theme throughout the site using materials that create a cohesive approach.

Landscaping and Visual Impact

In accordance with condition 7 of the outline consent a landscape visual assessment has been undertaken and submitted for Plot 1.5, the subject of this reserved matters application. The purpose of this requirement was to illustrate and inform the siting of the buildings and the landscaping required to mitigate its impact on the landscape.

The Landscape Visual Assessment recognises that Plot 1.5, that is the subject of this reserved matters application, is on raised open agricultural land with the proposed building siting approximately 2.8m higher than Campion Way. There is currently a grass bank from the back of the pavement to the eastern perimeter. There will be a 60m buffer between plot 1.5.1 and 40m buffer between plot 1.5.2 and the existing road frontage.

The assessment outlines that the site has wide visibility from the west and in its immediate locality. The proposed buildings in this cluster straddle the ridge and descend to a low point of the site to the north. They back on to Campion Way and are accessed internally to the development from the west. From many viewpoints the buildings may be seen on the ridge and could therefore break the skyline, but from further away this effect is diminished, with most views having a landscape backdrop and only limited skyline intrusion.

From close to the site on the east and north sides and from existing roads the site is experienced as a green agricultural space with open views across, marking the transition from town to countryside. The lowest northern part of the site is approximately 3m lower than the ridge so at 11m high the buildings in this cluster will have a wide visibility from surrounding roads and footpaths which will result in this effect being lost and the open views being enclosed first by the buildings and later by mitigation woodland vegetation to the site perimeter.

Mitigation is proposed as structural woodland screen planting around the site edges and ornamental tree and shrub planting within the development interior. The screen planting will be particularly important on the north west edge of the development and alongside the

A38, where it will have the effect of softening the visual impacts over a wide area.

The Council's Landscape Officer has considered the submitted information and broadly agrees with its findings. Clearly the development of the existing agricultural landscape to a significant commercial development will represent significant change in terms of landscape cover and landscape impact. The impact will to be extend the urban influence of Bridgwater further south west towards North Petherton.

The development of the site has been established through the outline consent and the principle of development in this context of impact has previously been addressed. The purpose of the reserved matters application is to assess the extent that the proposals mitigate this impact.

One important consideration is the topography of the Bridgwater Gateway site as a whole which is undulating but is dominated by land rises from west to east and from north to south. As with the other reserved matters this relationship between existing and proposed levels is not as clear as it could be given the scale of development and further information is awaited.

From the existing ground levels (between 16.5m AOD and 19m AOD) and information relating to finished floor levels (between 21.5 m and 21.3m) it would appear on Plot 1.5 that the land will be raised given that this is a low point on the site. This would appear to be different to the remainder of the Plots covered by other reserved matters where minimal levelling or raising would appear to be proposed. This requires further clarification and an update on this issue will be provided to Members at the meeting.

In terms of the impact of the proposed buildings even with ground levels rising the buffer between the development and Campion Way and the undulating land further eastwards will mean that from longer distances along Campion Way towards Willstock Village the visual impact of the development will be reduced. However in closer proximity they will be seen as significantly raised above the level of Campion Way albeit set back some 50 metres from it.

Any impact is likely to be lessened when seen within the context of the development as a whole and the structural planting proposed to the north eastern and north western boundaries. Subject to clarification and further information in respect of levels it is considered that these mitigation proposals will help assimilate the development into the landscape and reduce landscape impacts.

As with the other reserved matters application mitigation proposed relies on the structural planting however the current submission of reserved matters does not include the detailed aspects of the structural planting required to mitigate the development as a whole in respect of landscape impact.

Although a landscape planting scheme is a requirement of condition 6 of the outline planning consent where this detail could be established with reference to the approved Landscape concepts plan, the Landscape Officer has expressed some concern that without this detail it is difficult to comment on the detailed plot by plot landscaping schemes submitted as part of the reserved matters application. This is understood and

further clarification has been sought from the applicant's agent to request that a detailed masterplan is submitted showing the structural and the detailed landscaping can be shown together. However it should be noted that this is not a requirement of the outline consent nor can it be a condition imposed on this reserved matters application.

Notwithstanding the lack of detail in respect of the structural landscaping the Council's Landscape officer is broadly content that the reserved matters planting schemes show a variety of appropriate landscaping treatments that will assist in softening the impact of the development. However further information is sought with regards to the phasing and future responsibility for the maintenance of the landscaping.

An update clarifying these landscape matters will be provided at the meeting.

The importance of high quality landscaping, including formal tree and shrub planting within the site that responds to the scale of buildings and reflect indigenous species is highlighted in the Design Principles document. Subject to the outstanding structural landscape matters being addressed as required by a condition of the outline consent the proposed reserved matters application is therefore considered to accord with the requirements of the Design Principles document and Policy D14 of the adopted Core Strategy.

Impact upon Neighbouring Residents

The site is adjacent to Campion Way and is almost directly opposite the access road into Stockmoor Village. As with the other reserved matters and the relationship of the development along the A38 frontage with existing properties, the proposed development the proposed development will change the outlook for properties in the immediate locality. However the principle of the development of this site has already been established through the outline consent.

The nearest properties to this specific site would be within Stockmoor and range within 80 to 100 metres away from the closest proposed office building. It is considered that this distance alongside the structural planting is sufficient to ensure that no adverse impacts in terms of loss of privacy, loss of light or visual domination will result from the development.

In respect of noise and disturbance an office building of this nature will not be inherently noisy; any noise that is generated by the development will be insignificant in comparison to existing background levels (A38, M5 and RRBC vehicular noise for example). It is not considered that the development will lead to disturbing levels of noise for local residents.

In addition there are a number of conditions on the outline consent that seek to mitigate these impacts. Outline Condition 20 prescribes a noise limit (8dB LAeq) during the overnight period; Condition 21 prevents the use of external public address systems/music etc; and Condition 22 prevents construction work (other than internal fitting out) before 8am and after 6pm during the week and after 1pm on Saturdays. It is considered therefore that the impact of the proposed development on the amenity of local residents will be acceptable and hence the application complies with Policy D16 of the Core Strategy in this respect.

Highway Matters

The outline planning permission granted consent for the means of access to the site (i.e. the junction with the A38); the technical adequacy of this junction therefore cannot be re-appraised at this stage. As stated above the spine road network connecting the approved junction with the petrol filling station site (and others) also has reserved matters approval under reference 37/13/00087. The highway assessment of the current application must therefore focus upon the *on-site* road layout, circulation and parking arrangements.

The County Highway Authority do not raise objection to the proposals and highlight continued correspondence and guidance between the applicant and the County Highway Authority. They re-confirm through this consultation that they are unwilling to adopt the development and its internal spine roads and instead it would be subject to the Advanced Payments Code (APC).

However they do confirm that they consider the access provisions to be in accordance with the Somerset Estate Roads Guidance and makes appropriate provisions in terms of road widths, footways, access junctions on to the individual plots of the site and offers adequate inter-visibility throughout the site. However they have requested vehicle tracking swept path analysis to demonstrate refuse lorries and emergency vehicles can adequately manoeuvre around the site. There is nothing to indicate in the plans or indeed the comments of the Highway officer that this cannot be achieved but it is considered appropriate to add a condition requiring this detail to be submitted.

The Highways Officer has also requested that the Estates Road condition be added to any approval. This matter is addressed through the pre-commencement conditions attached to the outline consent, specifically conditions 13 and 29.

In terms of parking provision the Highway Authority have indicated that the proposals meet the relevant standards and are appropriate in size and make suitable provision for turning, but have requested a condition requiring their provision prior to occupation of any unit on the site. This is reasonable provided it relates to the individual plots rather than the site as a whole, however condition 10 of the outline already covers this matter.

The condition also includes a requirement prior to any development on the site (with the exception of the approved access details) for a plan showing the total number of parking spaces including disabled, motorcycle and cycle provision for the entire Bridgwater Gateway site to be submitted and approved. This condition currently remains undischarged (as it is not required until prior to commencement).

The details submitted as part of this reserved matters application for the office buildings are generally in line with the parking expectations for the site and the approved Travel Plan included in the Section 106 agreement attached to the outline consent. The application is therefore considered to accord with the requirements of Policies D9 and D10 of the adopted Core Strategy.

In addition to the above the Highway Authority has requested conditions relating to the prevention of surface water discharge onto the highway. This can be secured through an appropriate condition.

Drainage

The Internal Drainage Board object to the scheme on the basis that insufficient detail has been submitted with the application to allow for the consideration of surface water drainage disposal strategy which had appeared to be agreed following discussions. In the absence of the details the IDB suggest the application is premature. The Environment Agency, although not objecting, also highlight the absence of a surface water drainage strategy, whilst the Local Lead Flood Authority request a condition requiring one.

The Council's Coastal and Land Drainage officer requests a condition to be added to any consent requiring the completion of the surface water drainage infrastructure for the entire Bridgwater Gateway site to be fully constructed and operational before any development is built above ground levels.

However the outline planning consent already includes a condition relating to surface water drainage (condition 3), this states that "*no phase or parcel of the development shall commence until a detailed scheme for surface water drainage for that phase or parcel of land has been approved by the Local Planning Authority...*". This condition will therefore require details of the surface water drainage for the reserved matters to be agreed prior to any development commencing on the site and implemented in accordance with those details. In addition an informative will be added to any approval identifying the need for a surface water drainage masterplan to be prepared to support any future submission to discharge condition 3 of the outline consent.

However Condition 3 does not require the completion of the surface water drainage infrastructure for the whole Bridgwater Gateway site to be in place prior to any development occurring above ground level. As this is not a requirement of the outline planning consent matter it is not reasonable to require it on this reserved matters application.

Comments of the Town Council

North Petherton Town Council object to this reserved matters application on the basis of concerns relating to the link with the Hinkley Point C development, the quality of the buildings and submitted material.

The S.106 Agreement linked to the original outline planning permission restricts the occupancy of future buildings on the site. All of the future employment units on the gateway site may only be occupied by businesses "*engaged to promote the advancement of the construction / development of Hinkley Point C or new nuclear development*". The office buildings within this reserved matters application would be included in this restricted occupancy within the terms of the Section 106 agreement.

As the report highlights the Council's Urban Designer is broadly supportive of the proposals and considers that the quality of the proposed development is high and accords with the Bridgwater Gateway Design Principles document. However it is accepted that the plans submitted initially with all three reserved matters applications (two dimensional black and white planning drawings) do make the detail in respect of the quality of the development more difficult to understand. In response the applicant has provided a series

of three dimensional photomontages and visuals and these have been sent to the Town Council. Members will be updated at the meeting should any further comments be received from the Town Council before the meeting.

Conclusion

This application seeks approval of the detailed matters relating to three office buildings established in principle through the outline planning consent for the Bridgwater Gateway site as a whole. Following the consideration of matters relating scale, layout, appearance and landscaping against the objectives established through the outline planning consent and the adopted Design Principles for the site the proposal is considered to be acceptable subject to conditions. Approval of the reserved matters is therefore recommended.

RECOMMENDATION

GRANT APPROVAL OF RESERVED MATTERS subject to the following conditions:

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

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

- 2 The areas allocated for parking and turning on the approved plans, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted

Reason: In the interest of highway safety and to accord with Policies D9 and D10 of the adopted Sedgemoor Core Strategy

- 3 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 commencement of development and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with Policies D9 and D10 of the adopted Sedgemoor Core Strategy. This matter needs to be agreed at an early stage of the project and therefore should be considered prior to commencement of the development hereby approved.

- 4 Samples of the roofing materials and of the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the local planning authority before any work is commenced.

Reason: In the interests of visual amenity and in accordance with Policies D2 and

Agenda Item 5.1

D14 of the adopted Sedgemoor Core Strategy. This matter needs to be agreed at an early stage of the project and therefore should be a pre-commencement matter.

- 5 Details of the external lighting for the each development plot hereby approved shall be submitted to and approved in writing by the local planning authority prior to the occupation of any building on that development plot. Details shall include type, size and position of the proposed new external lighting. The development shall be carried out in accordance with the approved details. Any external lighting must only directly illuminate the application site.

Reason: In the interests of visual amenity and to protect local residents from obtrusive lighting in accordance with Policies D14 and D16 of the adopted Sedgemoor Core Strategy.

- 6 No air intake or exhaust system shall be installed or used unless it is so designed, maintained and operated so that no tonal component of the noise is audible beyond the application site, and any such system used in connection with the preparation or cooking of food shall be provided with suitable filters and shall discharge in such a place that odours therefrom are not perceived beyond the application site.

Reason: To safeguard the occupants of nearby buildings from noise, disturbance and odours in accordance with Policy D16 of the Sedgemoor Core Strategy

- 7 Prior to the commencement of each development plot hereby approved a written commitment to the sourcing of local labour shall be submitted to and approved in writing by the local planning authority. The written commitment, as a minimum, shall set out the following matters: i) The proportion of construction workers whom will be sourced from the local labour pool, which shall be at least 50%; ii) The proportion of subsequent staff employed in the development (hotel only) whom will be sourced from the local labour pool; iii) Work experience/ apprenticeship opportunities; iv) The proportion of local procurement and sourcing; v) On-going skills development and training opportunities; vi) The steps that will be taken to ensure that the above is implemented; vii) The operator shall maintain a record of i - vi above and shall make that information available to the local planning authority at all reasonable times upon request.

Reason: In accordance with Policy D11 of the Sedgemoor Core Strategy (2006-2027). This matter needs to be agreed prior to commencement in order to ensure that local labour is used in the project from the start.

- 8 Notwithstanding the details on the submitted plans hereby approved, all internal junctions off the new estate roads will need to incorporate radii suitable for use by refuse and emergency vehicles in accordance with detailed vehicle tracking swept path analysis, which shall first have been submitted and approved in writing by the local planning authority. The details shall be submitted to and approved in writing prior to the setting out of the internal junction entrances, and the development shall be implemented in accordance with the approved details prior to the first occupation of the relevant part of the development and thereafter subsequently retained and maintained.

Reason: to ensure adequate turning facilities for an 11.4m four axle refuse vehicle as well as emergency vehicles and to accord with Policy D10 of the Sedgemoor Core Strategy.

Schedule A

Location Plan Drg No. 001
Proposed Location Plan Drg No. 002
Block Plan (Unit A) Drg No. 107
Block Plan (Units B & C) Drg No. 117
Block Plan Drg No. 110
Proposed Ground Floor (Unit A) Drg No. 101
Proposed First & Second Floors (Unit A) Drg No. 102
Proposed SE Elevation (Unit A) Drg No. 103
Proposed NW Elevation (Unit A) Drg No. 104
Proposed NE Elevation (Unit A) Drg No. 105
Proposed SW Elevation (Unit A) Drg No. 106
Proposed Ground Floor (Unit B) Drg No. 111
Proposed First & Second Floor (Unit B) Drg No. 112
Proposed SE Elevations (Unit B) Drg No. 113
Proposed NW Elevation (Unit B) Drg No. 114
Proposed NE Elevation (Unit B) Drg No. 115
Proposed SW Elevation (Unit B) Drg No. 116
Proposed First & Second Floors (Unit C) Drg No. 122
Proposed Ground Floor (Unit C) Drg No. 121
Proposed NE Elevation (Unit C) Drg No. 125
Proposed NW Elevation (Unit C) Drg No. 124
Proposed SE Elevation (Unit C) Drg No. 123
Proposed SW Elevation (Unit C) Drg No. 126
Planting Plan Drg No. SPP1984P 1.5.1 & 1.5.2

DEFERRED APPLICATION INCLUDING SITE VISIT FOR WEST AREA

Case Officer: Shanta Parsons Tel: Sedgemoor Direct: **0300 303 7805**

Spaxton 45/15/00027 registered 01/12/2015
Expiry Date 25/01/2016
(Full Planning Permission)

Proposal: **Erection of 4 dwellings, garages and formation of access to existing and proposed dwellings at The Larches, Charlynch Road, Spaxton, Bridgwater, TA5 1BJ for Venture Property (agent: Greenslade Taylor Hunt)**



Not to scale

THIS APPLICATION WAS SUBJECT TO A MEMBERS SITE VISIT

Update for Committee

No new/additional information has been submitted or requested.

Committee decision required because

The views of the Parish Council and Ward Member are contrary to Officer's recommendation

Background

The site is located within the settlement boundary for Spaxton which is designated as an Other Sustainable Settlement (OSS) in the Core Strategy. It is on the eastern edge of Four Forks, in a prominent location on the corner at the crossroads where Charlynch Road meets High Street and is on a raised plot of land with an existing hedge and tree screening the site from the south.

There is a relatively large house sited centrally within the large garden and is accessed by a substandard (in terms of visibility) vehicular access off Charlynch Road to the west.

Adjacent to the north is a detached bungalow also with access onto Charlynch Road. To the east and opposite the road to the south are open fields and opposite the road to the west is a detached house on a relatively large plot.

Outline planning permission (with all matters reserved for subsequent approval) was granted in January 2015 to change the use of the land for residential development (45/14/00040).

This is a full application for the erection of 4 dwellings, garages, creation of a new, improved access and includes the retention of the existing house.

The existing access off Charlynch Road would be altered and utilised to provide a shared access for the existing house as well as the four new detached dwellings. Two 4-bed houses with integral garages would be located to the east of the existing house, a detached 4-bed house and double garage would be to the south towards the south-east corner of the site and one detached 3-bed house would be sited on the south-west corner of the site. A detached double garage would be located towards the northern boundary of the site to serve the existing house.

Part of the western and southern boundary roadside hedges would be removed with new planting set back in order to provide improved visibility at the access and to improve the visibility for road users of the crossroads particularly for vehicles travelling in a southerly direction.

Relevant History

45/14/00040 Granted Outline change of use of land for residential development

Supporting information supplied by the applicant

Access Statement
Black Pine Method Statement
Landscape Statement
Reptile Survey
Tree Survey

Consultation Responses

Parish Council: objection

- The proposals, with 4 dwellings, garages and no less than 17 parking spaces, represent excessive development of this site.
- They are not remotely in keeping with the visual amenity of the local area and are contrary to the supplementary planning guidance offered by the Village Plan.
- The dwellings do not reflect the character of the principal dwelling and will detract from the beauty of this prized example of Arts and Crafts architecture.
- Further, the development will be to the detriment of the overall character of Four Forks.
- We believe that there will be an unacceptable loss of privacy to some neighbouring properties.
- The proposed access is in close proximity to a visually-impaired junction, at which traffic speeds invariably exceed 30mph. Members do not consider that the danger thus caused will be adequately addressed by the junction improvements proposed.
- Access and egress for pedestrians is dangerous, offering them little protection from through traffic.
- The development will necessitate the demolition of mature trees and hedgerows, and will 'open up' the site, changing its character radically.

The application contains factual inaccuracies also:

- Members are of the opinion that the original floor area of the existing dwelling is understated by 50%.
- The bus service is less frequent than stated.
- The distance to the Village's main amenities is greater than 800 metres.
- Local knowledge tells us that there have been numerous accidents and near misses at the Four Forks crossroads; only last year local resident Jean Tottle had her car written off by a car exiting Charlynch Lane.

Ward Member: Cllr Julie Pay comments

“Against, I am strongly against this application for the following reasons 1. Traffic Generation and the road safety 2. The impact of the buildings on its neighbours for example overlook and loss of privacy 3. Effect of the landscape this an area of outstanding beauty 4. The impact upon the character and appearance of the area including the appropriateness of the design, materials, etc. I would also strongly recommend that a full site visit is made by Development Control.”

Environmental Health: No objection

- Recommend conditions regarding construction periods

Somerset Heritage Centre Archaeologist: No objection

Coastal and Land Drainage: No objection

County Highways Officer: no objection

- The access is within a 60mph speed limit; however vehicle speeds are likely to be a lot lower than this due to the nature of the road. Because of this, the visibility splays proposed are deemed acceptable given that there is no obstruction higher than 300mm to them. The proposal also increases visibility to the left on the nearby cross-road junction with Charlynch Road and the High Street.
- A 2 metre wide footway has been provided from the site access around the corner of the junction to help maintain visibility and also to provide safe and suitable pedestrian access into four forks from the proposed residential development. This footway includes a dropped curb where pedestrians may cross over to the highway verge opposite.
- The number of car parking spaces provided is acceptable and after taking some measurements from the plan it appears that the parking dimensions accord with the Somerset Parking however the visitor spaces may need to be amended to avoid highway over-hang when parking vehicles. Cycle parking should be provided at a rate of 1 space per bedroom and should be in a safe and secure area i.e. a shed or garage. In addition to this, 1 motorcycle space will be required.
- Adequate turning has been provided and should be kept clear of obstruction at all times.
- The proposed development will result in the creation of impermeable surfaces which may lead to increased surface water run-off. Adequate provision must be installed to prevent such surface water from discharging onto the adjoining public highway.
- A Construction Management Plan should be submitted before commencement of development to ensure that the construction process has no adverse impact on the highway.

Additional Highway observations:

- I am writing to inform you that I have been in contact with the highways consultant for application 45/15/00027 and he has described to me that on the X1-Y1 visibility splay the minimum height of obstruction that is achievable is 600mm. He also informed me that the applicant is not looking for the internal access road to be adopted therefore I am happy for the X1-Y1 splay to have an obstruction higher than 300mm but no higher than 600mm.

Landscape Officer:

- In landscape terms, the main impact of the proposed development is the effect of the proposed visibility splays on the southern and western boundaries of the site.

The highway visibility splays require that part of the south western corner boundary of the site is cut back and thereby part of the existing hedgerow will be lost.

- Two thirds of the boundary of the site will be unaffected and can be managed as hedgerow through annual trimming. It is proposed to replace the hedgerow lost to highway visibility with a low stone bank topped with soil (graded back) and planted with a native species hedgerow. Behind the new hedgerow it is proposed to erect a 1.5m high willow hurdle fence to provide screening and privacy whilst the new hedgerow becomes established. The impact on the western boundary of the site is less significant however it will also need to be realigned to meet highway visibility requirements.
- Although there are several existing trees located within the application site, I concur with the recommendations contained within the arboricultural report that only one black pine is worthy of retention. This tree is situated just inside the existing hedgerow on the northern part of the western boundary and can be retained providing construction works are carefully managed to avoid damaging the roots. The submitted arboricultural method statement should minimise any impact on the pines health and stability.
- I note that it is proposed to plant the front gardens within the site with hedgerow and shrubs and additional trees are to be planted in the open space area which will further enhance the site and provide additional mitigation for the vegetation that has been removed. I consider therefore that the landscape planting proposals for this development is satisfactory and once established should provide acceptable enclosure and enhancement to the site.

Ecologist : awaited

Representations

Letters from 25 local residents and a petition with 28 signatures have been received objecting:

- The Larches is a grand residence of considerable architectural interest and beauty and the proposal would ruin its aesthetic value
- The house is one of a series of Arts and Crafts dwellings designed by Violet Shewell Morris, one of Britain's first woman architects. It belongs with others around Four Forks such as Westgate, Eastgate and Northgate. Building over its garden would compromise its architectural integrity.
- Nearest facilities are nearly a mile away separate from Four Forks with no footpaths
- Intrusion into rural ambience
- Loss of hedgerows
- Need to know what is happening with the main house
- Village needs affordable housing not expensive housing
- Over-development
- Would result in over-looking
- Not in compliance with the Village Design Statement.
- No regular bus service
- More traffic movements likely than indicated and a significant increase to the traffic on Charlynch Road which is narrow and a potential real danger so close to a busy junction

- Lack of parking
- There have been numerous accidents at this junction
- Pushing back the hedge around the property will not improve the poor visibility of traffic coming from Spaxton direction and will have very little impact upon the visibility of traffic coming from Bridgwater, since the road bends out of sight in this direction
- Spoiling outlook
- Impact on property values
- Increase water run-off and exacerbate still further the flooding that happens at the junction

Most Relevant Policies

National Planning Policies

National Planning Policy Framework

Sedgemoor District Core Strategy (including Saved Policies)

S1 Spatial Strategy for Sedgemoor

S3 Sustainable Development Principles

D2 Promoting High Quality and Inclusive Design

D5 Housing

D9 Sustainable Transport and Movement

D10 Managing the Transport Impacts of Development

D14 Natural Environment

D16 Pollution Impacts of Development and Protecting Residential Amenity

P5 Other Sustainable Settlements

Spaxton Village Design Statement

Community Infrastructure Levy (CIL)

The application is for residential development in Spaxton where the Community Infrastructure Levy (CIL) is £80 per square metre of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of £50,555.20. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

Main Issues

Principle of Residential Development

The site is within the development boundaries of Spaxton/Four Forks, identified as an Other Sustainable Settlement (OSS) in the adopted Core Strategy and the application seeks consent for a residential development within the grounds of The Larches, retaining the existing house which is not listed, but situated within a large plot where the principle of residential development has already been established with the extant outline consent

granted 2015.

The Larches is within a substantial plot with significant areas of garden to the side and front and it is considered that the site is adequate in size to accommodate the additional four dwellings together with an appropriate level of parking, turning and private amenity space without resulting in any form of over-development.

Impact on Highway Safety

The site is just within the 30mph speed limit and the County Highway Authority has no objection to the application and considers that the visibility splays shown at the access are adequate for the increased traffic movements and that there is an appropriate level of parking and turning. Provided conditions are attached to secure these matters including a Construction Management Plan and means to manage surface water drainage there is no highway objection. The application would also include improvements at the junction of CHarlynch Road and High Street which would benefit all users of the highway at this junction. It is not therefore considered that the proposal would have any adverse impact on highway safety.

Impact on Ecology

A Reptile survey was submitted with the application and concludes that the site area supports small numbers of slow worms which appear to be most active at the south-west and south-east corners of the site and top the east and west of the existing building. The report recommends that the slow worms are relocated out of the construction area for the duration of construction.

The views of the County's Ecologist are presently awaited and an update on this matter will be provided at the Committee meeting.

Impact on Character of the Area

Spaxton and Four Forks is a rural village that has evolved over many years and comprises of a variety of house types, ages and styles. There is no distinct style that dominates the character of Four Forks. The plot is relatively large and the sizes of the proposed new plots would not be dissimilar to others within this part of the village. With regard to proposed materials, it is proposed to use brick, render and tiles, however no specific details of colours or profiles have been specified at this stage. The design of the proposed houses would be of a traditional modern style with the use of large hipped roofs on the southern plots. It is not considered that the proposed houses by virtue of the design and materials proposed, would have an adverse impact on the character of the area.

The site is in a prominent location and the house is an attractive feature but not listed. It is relatively well screened from public view as it is some distance from the southern boundary and south western corner which is currently bounded by hedgerow. However, it is not intended to demolish this house but to retain it as part of the overall development.

The layout retains an open area in front of the existing house, with the new dwellings being located to the side and to the southern corners of the site in order to provide this space. It

is not considered that the new dwellings would result in having an adverse impact on the character of this existing house.

In terms of the loss of the existing hedgerow, in order to provide adequate visibility at the entrance into the site and to improve the visibility at the junction, the length of the hedge along the western boundary and approximately half of the roadside hedge along the southern boundary would be removed and replaced with a low stone bank topped with soil (graded back) and planted with a native species hedgerow.

The front gardens within the site would be planted with hedgerow and shrubs and additional trees are to be planted in the open space area which will further enhance the site and provide additional mitigation for the vegetation that has been removed. It is considered that once established the plant proposal would provide acceptable enclosure and enhancement to the site. It is not considered therefore that the development would have an adverse impact on the character of the area.

In terms of whether the proposed development is in accordance with Spaxton's Design Statement, it is considered that the proposed development would be in accordance with the documents' s 'Section 6 Property Alterations and Design Considerations' in terms of roof lines, materials, design etc. as well as the document's section '7 Recommendations'.

Impact on Neighbours Amenity

The site comprises of a large plot with adequate space to accommodate the total of five dwellings without cause for undue adverse impact on the amenity of neighbouring residents. The nearest neighbour is directly to the north of the site and the nearest plots to that property are to the east of the existing house (C and D). The houses would stand with their rear elevations at a distance of at least 10 metres from the rear boundary which is shared with the southern boundary of the neighbour's garden. This distance is normally considered appropriate so as not to cause any undue loss of privacy.

The other nearest existing properties are further away so as not to result in any adverse impact. To the east and south of the site are fields.

By virtue of the distances shown between the proposed houses and the existing neighbouring properties, the development would not give rise to any undue loss of light, visual domination or loss of privacy.

Conclusion

The site has an approval for residential development and is within the settlement boundary where the principle of residential development is acceptable. The development requires highway improvements to ensure that the access is safe and the proposal also includes improves to the junction adjacent. While this would result in the loss of part of the hedgerow, this can be mitigated satisfactorily. The development would have no adverse impact on the character of the existing dwelling or the surrounding area and is considered to be acceptable.

RECOMMENDATION

GRANT PERMISSION To GRANT DELEGATED AUTHORITY to the Group Manager (Strategy & Development) in consultation with the Chairman & Deputy Chairman of the Development Committee to grant permission subject to the receipt of the Ecologist and the imposition of additional conditions relating to ecology (where necessary) and the following condition:

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

- 3 During the following times in the construction phase no machinery shall be operated, no process shall be carried out apart from internal fittings only and no deliveries can be taken at or dispatched from the site outside the following times:

- a) Monday - Friday 08.00 - 18.00,
- b) Saturday 09.00 - 13.00
- c) nor at any time on Sunday, Bank or Public holidays.

Reason: To protect the amenity of local residents.

- 4 Details of the roofing materials and of the materials to be used in the construction of the external walls shall be approved in writing by the local planning authority before any work is commenced.

Reason: In the interests of visual amenity.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order), 2015, the prior written permission of the local planning authority shall be obtained for the insertion of any new windows, other than any hereby approved, above ground floor level in any west elevation of plot D by the submission of a planning application made for this purpose.

Reason: To safeguard the privacy of adjoining property.

- 6 The proposed estate roads, footways, tactile paving, verges, junctions, street lighting, sewers, drains, retaining walls, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be

constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. 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.

Reason: In the interest of highway safety.

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

Reason: In the interest of highway safety.

- 8 The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interest of highway safety.

- 9 The areas allocated for parking and turning (including garages) on the submitted plan, drawing number 2253-PL-02, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interest of highway safety.

- 10 At the proposed access and nearby junction there shall be no obstruction to visibility greater than 300mm above adjoining road level within the X1-Y2 and X2-Y3 visibility splays and there shall be no obstruction to visibility greater than 600mm above adjoining road level within the X1-Y1 visibility splay, shown on the submitted plan drawing number 2253-PL-02. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interest of highway safety.

- 11 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 before commencement of development and thereafter maintained at all times.

Reason: In the interest of highway safety.

- 12 No dwelling shall be occupied until the works on the footway shown on submitted plan drawing number 2253-PL-02 have been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority. The provision of these works will require a legal agreement and contact should be made with the Highway Authority well in advance of commencing the works so that the agreement is complete prior to starting the highway works.

Reason: In the interest of highway safety.

- 13 Before development commences, detail of the roadside boundary wall shall be submitted to and approved in writing.

Reason: In the interest of visual amenity.

- 14 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.

Reason: In the interest of amenity.

- 15 All works carried out within the root protection area of the black pine and the re-profiling of the hedge bank shall be carried out in accordance with the submitted arboricultural method statement prepared by Clark Landscape Design (dated November 2015) and monitored by a professionally qualified arboricultural consultant for the duration of the construction works.

Reason: In the interest of amenity.

Schedule A

Location Plan Drg No. 2253-PL-01

Existing site plan Drg No. 2253-PL-12 received 15th January 2016

Proposed Block Plan Drg No. 2253-PL-02A received 15th January 2016

(Plot A) Proposed Elevations Drg No. 2253-PL-04

(Plot A) Proposed Plans Drg No. 2253-PL-03

(Plot B) Proposed Plans Drg No. 2253-PL-05

(Plot B) Proposed Elevations Drg No. 2253-PL-06

Agenda Item 5.2

(Plots C & D) Proposed Plans Drg No. 2253-PL-07

(Plots C & D) Proposed Elevations Drg No. 2253-PL-08

(Garage (Units E & B)) Proposed Plans & Elevations Drg No. 2253-PL-09

Proposed Site Sections Drg No. 2253-PL-10A received 15th January 2016

ALL OTHER APPLICATIONS – WEST AREA

Case Officer: Denise Todd Tel: Sedgemoor Direct: **0300 303 7805**

North Petherton 37/15/00090 registered 12/01/2016
Expiry Date 07/03/2016
(Full Planning Permission)

Proposal: **Erection of detached dwelling on site of pre-existing dwelling (demolished due to fire damage), at Coxhill Farm, Coxhill, North Newton, Bridgwater, TA7 0BT for Mr Fear (agent: Lyndon Brett Partnership)**



Not to scale

Committee decision required because

The views of the Town Council are contrary to the case officer's recommendation

Background

The site is in the countryside to the south of North Newton. To the east of the site is a rendered garage, located on the boundary with the adjacent neighbour's barn. The shared wall appears to be stone, when viewed from the highway. To the rear beyond what was the residential curtilage of the dwelling (within the blue line plan submitted in support

of the application) is a stable block which is also rendered. The only evidence of the previous dwelling remaining are some pipes, there are no foundations, trenches, building rubble or any of the historic fabric of the building etc. The boundary with the highway is stone with some planting; there are some steps from the highway into the plot. The vehicular access is to the west of the plot, with a 5-bar gate set back to allow a vehicle to pull-in. The land slopes gently upwards (north) away from the highway.

The proposal is for the erection of a detached dwelling on site of the former dwelling, a listed 16th century thatched farmhouse, which was demolished following fire damage.

The usual process in the event of the unauthorised demolition of a listed building is to seek redress through the submission of a listed building consent application to address the heritage implications of any proposed works, in this case a new dwelling. Consideration would also need to be given by Historic England to any application to de-list the property. This is more than a mere technicality, but allows for the heritage considerations to be properly addressed through any re-provision.

In the absence of a Listed Building application and subsequent de-listing, prematurity is a consideration as to approve this application in advance of a resolution of the heritage issues is problematic and not considered to be good planning practice. A more detailed analysis of the background and issues is recommended in this instance.

After investigation it appears that on the 10th April 2015 this building suffered a severe fire and was subsequently demolished after discussion with Sedgemoor District Council's Building Control Team on the basis that it was a dangerous structure. It would appear that Historic England were not consulted or made aware of this situation by the applicant. The Conservation Officer, on becoming aware of the matter through the current application, visited the site on the 25th January 2016 and confirmed that the site is now completely clear, with only a water and electricity supply visible. The garage, detached stables and low retaining wall are all that remains on site.

Notwithstanding this, the "building" known as Coxhill Farmhouse retains its listed status (Grade II) until such time as it is removed from the List by Historic England on behalf of the Secretary of State. It therefore follows that an application for listed building consent should have accompanied this application for planning permission; however the listed building consent application would have to include the demolition of the listed building as well as the rebuilding of any replacement structure. On this basis, the Designations Team at Historic England have been notified of the situation and advised that no further action is going to be taken in relation to the loss of the listed building. They will assess the situation and consider de-listing. However, this is not a straight forward process and it can take some time, hence the prematurity concerns.

Nevertheless the application has been made, a decision is requested and consideration must be given to the proposal.

Relevant History

No planning history

Supporting information supplied by the applicant

Location Plan Drg No. A1/150519
Location Plan Drg No. A2/150519
Existing Block Plan Drg No. B3/150519
Proposed Location Plan Drg No. A6/151130
Proposed Location Plan Drg No. A7/151130
Proposed Block Plan Drg No. B9/151130
Proposed Block Plan Drg No. B10/151130
Proposed Plans & Elevations Drg No. C3/151126
Design & Access Statement
Photographic Support Statement
Supplementary Planning Statement

Consultation Responses

North Petherton Town Council: Support on the grounds of improving housing stock

Canal & River Trust: No comment

SCC, Rights of Way: Confirm that there is a public right of way (PROW) recorded on the Definitive Map that runs along the access to the site at the present time (footpath BW 23/48a). Any proposed works must not encroach on to the width of the footpath. The health and safety of walkers must be taken into consideration during works.

An informative to the applicant regarding their responsibilities in relationship to the public right of way would be included on any consent granted

SCC, Transport Development Group: Standing Advice applies

SDC, Conservation Officer: Objection

The proposed replacement dwelling is not of similar design or quality of the listed farmhouse that suffered fire damage and was subsequently demolished. The modern appearance is not in keeping with the agricultural setting of the site. The detailed comments of the Conservation Officer have been incorporated within the report.

SDC, Environmental Health: Comment that the proposed development which intends to connect to the existing foul system may overload the existing septic tank and soakaway and requests an informative regarding the existing foul system and possible overload of the existing septic tank and soakaway.

SDC, Environmental Health & Land Drainage: No comment

Representations

None received

Most Relevant Policies

National Planning Policies

National Planning Policy Framework (NPPF)
Chapter 7 Requiring good design
Chapter 12 Conserving and enhancing the historic environment
Decision Taking
Planning Practice Guidance (PPG)
Design
Conserving and enhancing the historic environment

Sedgemoor District Core Strategy (including Saved Policies)

Policy S1 - Spatial Strategy for Sedgemoor
Policy S3 - Sustainable Development Principles
Policy D2 - Promoting High Quality and Inclusive Design
Policy D9 - Sustainable Transport and Movement
Policy D10 - Managing the Transport Impacts of Development
Policy D14 - Natural Environment
Policy D15 - Bats in the Landscape
Policy D16 - Pollution Impacts of Development and protecting Residential Amenity
Policy D17 - Historic Environment
Policy P6 - Countryside
Policy H41 - Replacement Dwellings in the Countryside (Saved policy)

Community Infrastructure Levy (CIL)

The application is for non-urban residential development in North Petherton where the Community Infrastructure Levy (CIL) is £80 per square metre of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of £23,640.00. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

Main Issues

The main issues are considered to be:

- The principle of the proposed development having regard to sustainability and the creation of a dwelling in the countryside including policy and guidance considerations;
- Heritage considerations as the former dwelling was a grade II listed building, including design, appearance, character and visual amenities

Principle of Development

There is no longer an existing dwelling or any significant remains of a former dwelling as the original grade II Listed Building was lost to fire in April 2015, has been completely demolished and all evidence of the former building removed from the site without the benefit of listed building consent or permission being sought for a replacement dwelling.

Therefore, as there is no dwelling or remains of a dwelling on site, the proposal is not considered under saved policy H41 relating to replacement dwellings in the countryside but under Policy P6 Countryside development. The main issues therefore relate to

compliance with Policy P6 and other guidance.

The site is located outside the defined settlement boundary for North Petherton, in a countryside location where development is strictly controlled. The proposed new dwelling is not associated with any agricultural or countryside need and offers no wider community benefit. The proposal is therefore contrary to Strategic Policies S1 and S3 and also to P6 of the Core Strategy for development in the countryside.

In considering Policy P6 in all cases, development is expected to benefit economic activity, maintain or enhance the environment and provide opportunities for sustainable transport options where impacts are likely to be significant.

No justification for a countryside location is put forward in support of the application. No specific countryside need exists, is essential or more sustainable. Occupiers will be heavily reliant on the car. In such circumstances, individually and cumulatively, sustainable transport options are limited and implications likely to be significant.

North Petherton Town Council support the proposal as they consider it will improve the housing stock. However, the contribution to the housing stock arising from one dwelling is very limited. There are no discernible wider public benefits arising from the proposal which could offset the sustainability concerns.

Notwithstanding the above, in view of the unfortunate circumstances surrounding the loss of a dwelling through fire, there is a considerable degree of empathy for the position in which the applicants find themselves. That said, no efforts appear to have been made to discuss the issues, including demolition and removal of all the heritage asset value including any possible remaining salvageable historic fabric.

Opportunities have been lost from a heritage perspective and the applicants appear to have inadvertently disadvantaged themselves from a policy perspective in the process

As such this application seeks to effectively secure a planning permission contrary to current policy and guidance, effectively asking the local planning authority to set aside policy considerations. There may be a compelling prima facie argument for this, but personal considerations are seldom material planning considerations.

That said, such an argument would have been far more compelling had there been any evidence either of attempts to consider heritage issues even in the light of the fire damage and also far more sensitive considerations afforded to issues surrounding design, appearance and character.

Heritage Considerations including Design, Appearance, Character and Visual Amenities

Coxhill Farmhouse was a Grade II 16th Century two storey farmhouse with a thatched roof with the windows to the first floor having “eyebrows”, listed on the 9th January 1987. The listing description notes:

“Farmhouse. C16. Roughcast, thatch; 2 brick stacks, one roughcast. Two storeys, 3 bays; one, 2 and 3-light casements, one of cast iron with glazing bars; windows to

first floor under "eyebrows". Door opening with a 6-panelled door, top 2 panels glazed. (VAG report, unpublished SRO, July 74)."

In the absence of a listed building consent application or formal de-listing, heritage considerations remain.

Whilst it is understood that this application has been prepared on the basis that no historic fabric exists, the details submitted would not be appropriate should the listed status still stand. The previous dwelling had a very simple traditional appearance, with cob walls (they would have incorporated an element of masonry, which has also been removed) a thatched roof and small timber casement windows, as shown within the Supporting Photographs submitted with the application. Should the listed status remain in place, the replacement dwelling should be reconstructed on a like-for-like basis, using traditional materials to provide a dwelling of the same appearance.

As such, no support can yet be given to an alternative form of proposed development (beyond that stated above) until the de-listing issue is addressed.

The current proposals incorporate modern features, which are not appropriate in this context resulting in the proposed replacement dwelling having a very modern residential appearance which is not in keeping with the agricultural surroundings. These modern features include:

- an exposed brick plinth with the render finish to the top of the brick plinth;
- the incorporation of a slate tile clad finish; thick double glazed windows;
- a pair of French style doors on the front elevation;
- it is likely (but not detailed on the plans or supporting documents) that the windows and doors will incorporate modern features such as trickle vents and stormproof detailing;
- and the door on the rear elevation appears to incorporate an element of glazing.

On the above basis, the Conservation Officer raises strong objections to this application

Turning to a scenario whereby de-listing may be granted in the future, as may well be the case in time based on the latest discussions with Historic England, setting aside the in-principle policy concerns for the moment, the current design is not of a standard and appearance appropriate as a new dwelling/replacement dwelling. On design and appearance ground the proposal would not enhance the environment, does not respond positively to local site characteristics or the identity of the surrounding area and is considered to be contrary to Policies P6 and D2 of the Core Strategy or to the requirements of saved policy H41 which requires that particular care needs to be exercised in assessing replacement proposals for existing dwellings in the countryside to ensure that the design response is sufficiently sensitive to the context and character of the particular countryside location, including having a similar form and massing compared to the original building and a design which is sympathetic in scale, materials and architectural details to the established building tradition of the locality.

The previously dwelling was long and linear, with a thatched roof, cob walls and was 1.5 stories in height. The proposal is for a large modern dwelling, long and linear in form with brick plinth, render, tiled roof and 2 stories in height. There are no special

historic/architectural features in the proposed dwelling which apart from its footprint bears little resemblance to the former 16th Century thatched Grade II Listed farmhouse. The design is considered to be out of character with this rural location and countryside setting, overtly urban/sub-urban in appearance, more closely resembling some of the detached dwellings found on the residential developments in the larger towns of the district and more appropriate within such a setting than this rural location

The proposed new dwelling is large, measuring 13.258 m x 7.320 m at its widest. It has a low eaves height of 4.6 m and though no sections have been submitted first floor windows are to eaves level and it is anticipated that internally the first floor rooms would have canopied ceilings to address issues of internal head height. The roof is high at 4.4 m almost the same height as the façade, and the building appears top heavy as a result of the combined pitch and the Span. This modern dwelling has an overtly horizontal emphasis, the solid/void relationship is not pleasing, it lacks detail and includes inappropriate details (front French windows, different window sizes/proportions/porch canopy detailing). Nor does it have any positive visual relationship to the original dwelling other than its liner form. Nearby properties are also rendered, as are the site's remaining garage and stables. It is noted however that the eastern wall of the garage when viewed from the highway is stone. Overall, the design is of a stark, modern appearance that is out of keeping with the rural location and the appearance of the original thatched listed building.

Core Strategy Policies D2 seeks to promote high quality of design and ensure developments are well designed, reflect local character, scale and distinctiveness of place.

Policy P6 recognises the importance of valued countryside landscapes and seeks to focus development within settlements, protecting the countryside for its own intrinsic value. It does recognise circumstances whereby proposal requiring a countryside location may be justified. In the circumstances no adequate justification is provided.

The proposed dwelling neither pays sufficient respect to the original building, nor is of an acceptable design quality as a stand-alone development and would detract from the character and visual amenities' of the area contrary to core strategy policies D2, D17 and is unsustainable contrary to Policy P6.

The design fails to reflect the special historic/architectural details of the thatched listed building. The design offers no significant positive contribution to the local character and distinctiveness as required by the NPPF. The current proposal is not considered to be of sufficient design quality to be acceptable on its own merits. Nor is it acceptable in advance of listed building consent application considerations and the de-listing process.

Highway Issues

Somerset County Council, Transport Development Group has stated that Standing Advice applies. The site could provide acceptable parking and turning in accordance with current standards. However this would not overcome the main issue of a new dwelling in a countryside location with no countryside/agricultural need and is therefore reliant heavily on car use, located far from services and amenities and is unsustainable.

Neighbouring Amenity Impacts

It is accepted that the proposed dwelling will not create additional overlooking or impact adversely on the amenities of neighbouring occupiers.

Although the scale and massing is increased, there are no undue concerns regarding the potential impacts of the proposal on the amenities of neighbouring occupiers and no conflict with this aspect of Policy D16.

Conclusion

The proposal fails to address the key issues. Having been subject to fire damage, been demolished and all evidence of the former dwelling removed from the site the proposal involves the erection of a new dwelling in a countryside location where one does not currently exist and is unsustainable. In the absence of a countryside justification for a new dwelling the proposal is considered to be an unsustainable form of development and contrary to policies and guidance.

The proposal fails to adequately address heritage issues relating to its current listed status, the loss of the entirety of the historic fabric and also the failure to make an appropriate design response. The previous dwelling was a grade II listed building. Heritage considerations should be at the forefront of considerations, including a successful listed building consent application for a new dwelling or evidence of de-listing and a design which either replicates faithfully elements of the former building or is a new design of such a high design quality that it overrides the other material considerations.

RECOMMENDATION

REFUSE PERMISSION for the following reason(s):

- 1 The site is located outside the defined settlement boundary for North Petherton, in a countryside location where development is strictly controlled. The proposed new dwelling is not associated with any agricultural or countryside need and offers no wider community benefit. The proposal is therefore contrary to Policies S1, S3 and P6 of the Core Strategy and current Guidance in the National Planning Policy Framework paragraphs 11, 14, 196 and 197.
- 2 The proposal fails to adequately address heritage issues relating to the former grade II listed 16th Century farmhouse building and its current listed status, the loss of the entirety of the historic fabric and also the failure to make an appropriate design response. The proposed dwelling is of a modern generic design, of a form and with modern features and detailing and materials which are not appropriate in this context resulting in the proposed dwelling appearing incongruous and out of keeping with the rural surroundings and detracting from the character of the area.

Agenda Item 5.3

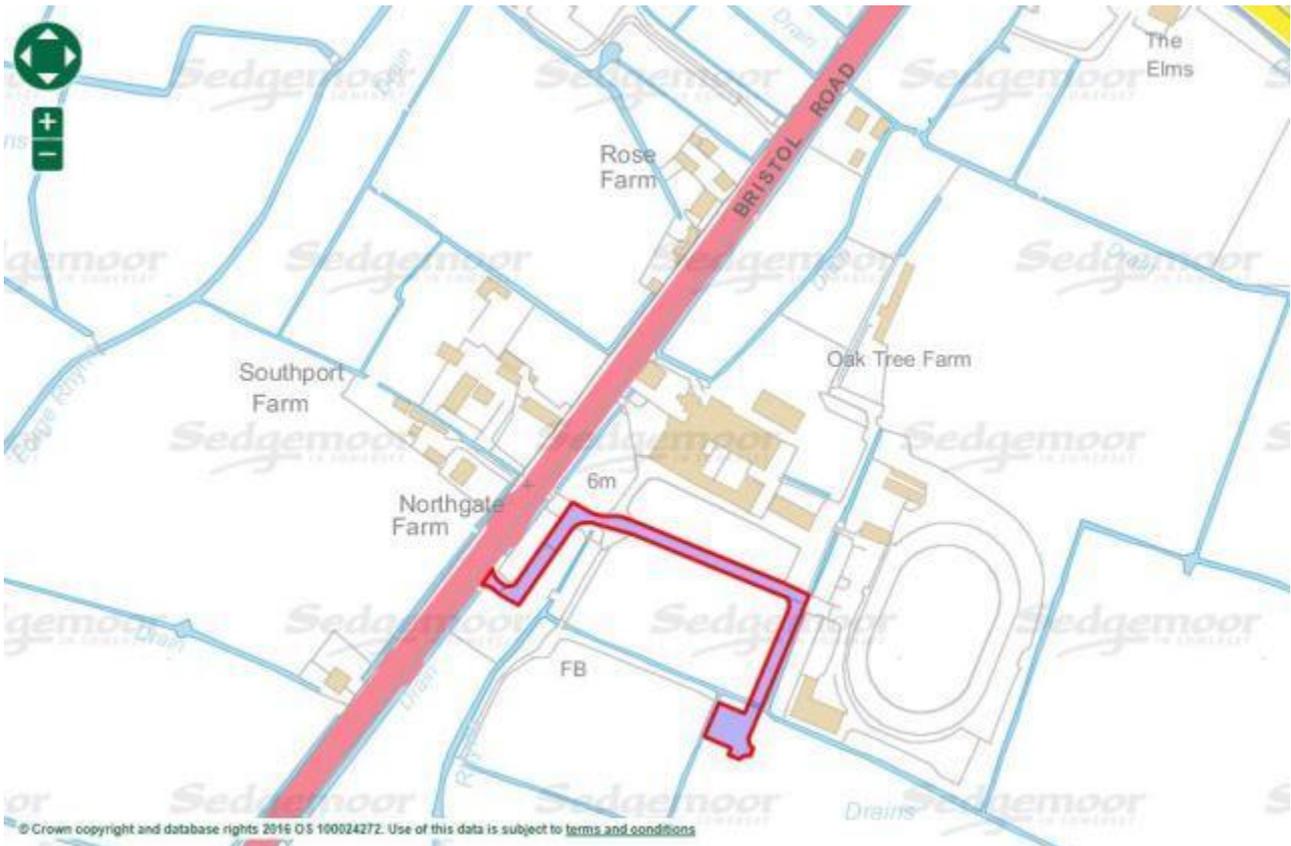
In the absence of a high design quality that overrides the other material consideration the proposal is considered to be contrary to Policies D2, D17 and P6 of the Core Strategy and current Guidance in the National Planning Policy Framework paragraphs 56, 60, 61, 63, 65 and 128 - 136 inclusive and Planning Practice Guidance paragraphs 001, 004, 025, 027, 028. (Design) and 002, 003, 013, 014 and 017 (Conserving and enhancing the historic environment).

DECISION

Case Officer: Dawn de Vries Tel: Sedgemoor Direct: **0300 303 7805**

Burnham Without 12/16/00002 registered 13/01/2016
Expiry Date 08/03/2016
(Full Planning Permission)

Proposal: **Use of land to site a mobile home for use of manager of The Oak Tree Arena at Land (2) To The South Of, Oak Tree Farm, Bristol Road, Highbridge, TA9 4HA** for Oak Tree Leisure (agent: Tamlyns)



Not to scale

Committee decision required because

The Parish Council's comments are contrary to the case officers recommendation.

Background

Full planning permission is sought for the provision of a mobile home at The Oak Tree Arena (Speedway track), Edithmead. The proposed mobile home is intended to provide residential accommodation for the manager of the arena and its function/conference facilities.

The proposal takes the form of a mobile home which is to be sited in the north-western

corner of a field immediately to the south of the Oak Tree Arena. It is proposed that vehicular access will be provided by means of an existing track which serves the aforementioned field.

The site is located within the Countryside as defined by Sedgemoor District Council's Core Strategy and falls within Flood Zone 3a. There are no other policy designations pertaining to this site.

Relevant History

12/15/00008/CG	Use of land to site a mobile home for use of manager of The Oak Tree Arena.	WITHDRAWN
12/13/00019/CJA	Erection of 'Park Home' bungalow to be used as a manager's dwelling and speedway rider's accommodation	REFUSED

Supporting information supplied by the applicant

Design and Access Statement
Supplementary Planning Document

Consultation Responses

Parish Council: Support.

'The Parish Council recognise that there is a need for a manager to live on site at the Oak Tree Arena which is extensively used throughout the year for a wide variety of functions.

A staff presence is required on site from the early morning to take in deliveries and prepare for event to late evenings to cater for late finishes. A presence will also strengthen security.

The mobile home will not be seen from the public highway and therefore will not be visually intrusive in the landscape and, not being permanent structure, it could be removed should the current need cease.'

Environment Agency: OBJECT due to vulnerability of the use within flood zone 3a and the submitted Flood Risk Assessment does not demonstrate safe refuge in a flood event, safe access and egress to the site or consider flood warning and evacuation.

SCC Highways: Standing Advice

SDC Land Drainage: No comment

SDC Environmental Health: No comment

SCC Archaeology: No objections

Representations

None received

Most Relevant Policies

National Planning Policies

National Planning Policy Framework (NPPF) (and technical guidance)

Sedgemoor District Core Strategy (including Saved Policies)

Policy S1:	Spatial Strategy for Sedgemoor
Policy D1:	Managing Flood Risk
Policy D10:	Managing the Transport Impacts of Development
Policy D11:	Economic Prosperity
Policy D14:	Natural Environment
Policy D16:	Pollution Impacts of Development and Protecting Residential Amenity
Policy P6:	Countryside

Main Issues

The site is located outside of any defined settlement boundary, in the open countryside. Planning policy seeks to protect the countryside for its own sake, for the benefit of all and therefore in such countryside locations new development is strictly controlled and only permissible in exceptional circumstances. Essential key workers dwellings are one such exceptional circumstance, however it must be demonstrated that any such proposed dwelling is indeed essential. Policy P6 of the Core Strategy is clear that there must be a specific countryside need.

Functional Need

Useful policy guidance regarding the test of functional need (and other matters) was previously set out in Planning Policy Statement 7 (now cancelled) and Policy H35 of the Local Plan (which is now superseded); this guidance has not been repeated in the new National Planning Policy Framework or in the Core Strategy. In order to ensure that there is no policy vacuum in this respect, this authority adopted Annex A of PPS7 as formal supplementary guidance in September 2012 and it is therefore a material consideration in the determination of this application.

Planning case law has previously held that for a new dwelling to be supported, the business in question must, amongst other things, have an essential functional need for a full-time worker to reside on the site for most of the day and night, for most of the year.

Annexe A (PPS7) advocates the use of Standard Man Units (SMU) as a method of assessing whether or not the claimed need relates to a full-time worker; no such assessment has been submitted as part of this application. It is not appropriate to grant consent for a new dwelling in the countryside if the LPA is unable to establish whether the

employment in question is full or part time.

The 2014 diary of events has been submitted with the application and this demonstrates that in 2014 events took place on between 16 – 24 days per month (an average of 19 per month). The time and duration of these events has not been provided although the information suggests it was a mix of daytime and evening functions. There has been no further information in respect of 2015 diary of events and therefore no certainty regarding the frequency of the existing business operations from site.

The agent claims that there is an essential functional need for a manager to reside at the site for the following reasons (summary):

- The Oak Tree arena could be open 7 days per week, 24 hours per day – it is unrestricted;
- Staff need to be present when functions/events take place and to receive deliveries;
- Security need;

The claimed essential functional need is unproven. Whilst according to the agent events could take place 7 days per week for 24 hours of the day, this is irrelevant because they clearly do not. No business plan or proposal has been submitted to operate the Oak Tree Arena throughout the night, 7 days per week and therefore the application has to be judged on the information as submitted and the existing use of the site.

Evening functions evidently take place at the venue but there is no evidence that there is an essential functional need for a worker or manager to reside on-site to oversee such events. It is evident from the applicant's submission that the business has been operating for a number of years *without* a worker residing on site, contradicting the claim that there is an *essential* need for a worker to reside there. Clearly there is a need for a worker to be on site when such events are taking place, to oversee activities and lock-up etc, but there is no evidence demonstrating why that worker(s) must retire for the night to an adjacent mobile home as opposed to a nearby dwelling in Highbridge or Burnham for example. It would seem that the proposed dwelling is desired for reasons of convenience rather than essential functional need.

The need for on-site security has been promoted as justifying the need for a residential dwelling. Case law and policy is clear that security in itself cannot justify a dwelling. Furthermore the agent has stated that security is currently provided by security guards; no evidence has been submitted demonstrating that the current security arrangements are unacceptable. It is noted that there has been some security issues in the past despite the security presence but it is doubtful that a manager asleep in a mobile home in the location and screened as proposed would represent an improvement to security compared to three patrolling security guards.

Financial Need

No financial accounts or business plan has been submitted with the planning application however the profitability, financial stability and the ability of the business to support a full-time employee is not questioned. The Oak Tree Arena is a long-established local business and it is highly unlikely that a refusal based upon financial concerns could be

defended at appeal. Furthermore the local planning authority did not question the financial health of the enterprise when assessing the previous (withdrawn) planning application.

Flood Risk

The application site is located in Flood Zone 3 which is an area deemed by the Environment Agency as being at a high risk of flooding. The Technical Guidance to the NPPF is clear that mobile homes intended for permanent residential use (such as that proposed) are categorised as 'Highly Vulnerable'. Table 3 of that guidance note states that Highly Vulnerable development should not be permitted in Flood Zone 3. Having established that there is no functional need for residential accommodation in this location there is no reason to make an exception to central government policy and allow a mobile home in this high risk location.

The Environment Agency has objected due to the vulnerability of the proposed use within flood zone 3a and that the submitted Flood Risk Assessment does not demonstrate safe refuge in a flood event, safe access and egress to the site or consider flood warning and evacuation. Given the in principle objection to the use within this locality the additional information would not be considered sufficient to overcome the aforementioned fundamental government policy position, that residential mobile homes are not permissible in Flood Zone 3.

The application is therefore contrary to Policy D1 of the Core Strategy and the NPPF in respect of flood risk.

Highway Matters

As alluded to above, the application site is to be accessed from the main A38 by means of the existing principal access to the Oak Tree Area and via internal access roads. Somerset County Highways have referred the local planning authority to their standing advice which seeks to secure safe access/egress from the public highway. The existing access to the A38 is clearly of sufficient standard and already handles significant vehicular movements associated with the arena and adjacent business park. The additional traffic movements associated with the proposed mobile home will be inconsequential.

The application accords with Policy D10 in respect of its highway impact.

Miscellaneous Matters

The proposed development will not have an adverse impact upon residential amenity as there are no neighbouring residential properties in the immediate vicinity; the application site is isolated in that respect.

The application accords with Policy D16 in respect of residential amenity matters.

The proposed development will not have an adverse impact upon ecological and biodiversity interests. Whilst the application site is currently an undeveloped field, it is used frequently for purposes ancillary to the arena (such as overflow car parking) and is considered to be of negligible ecological value.

The application accords with Policy D14 of the Core Strategy in respect of its ecological impact.

The application has been supported by the Parish Council as they acknowledge the variety of functions carried out at the venue and consider that this represents a need for a manager to live on site. For the reasons outlined above this need is not considered to be sufficient to justify permanent residential accommodation within the site.

They note that a staff presence is required on site from the early morning to take in deliveries and prepare for event to late evenings to cater for late finishes. This is not sufficient to justify permanent residential accommodation.

Conclusion

Whilst the detail of the scheme may be acceptable, the principle of placing a residential mobile home on this site within flood zone 3a is not.

It has not been demonstrated that there is an essential functional need for a key worker to reside on this site and given the success of the business and continued operation of this site in excess of 10 years there is no change in circumstances that would justify this. Furthermore the site is located in Flood Zone 3 where central government policy (NPPF Technical Guidance) dictates that residential mobile homes are not permissible.

RECOMMENDATION

REFUSE PERMISSION for the following reason(s):

- 1 The application site is situated in the countryside outside of any identified settlement and where development is only permitted in exceptional circumstances where a countryside location is essential. It has not been demonstrated that there is an essential functional requirement for a manager or worker to reside at the site. It has not been demonstrated that an on-site presence for most of the day and night for most of the year at the Oak Tree Arena is functionally essential. The proposal is therefore contrary to Policy P6 and S1 of the Sedgemoor District Core Strategy as well as PPS7 Annex A (adopted by this Authority as a material consideration) (Sept 2012).
- 2 The application site is situated in Flood Zone 3 (high risk). Mobile homes intended for permanent residential occupation are categorised as a 'Highly Vulnerable' form of development in the Technical Guidance to the National Planning Policy Framework (March 2012) (Table 2). The aforementioned technical guidance (which is an expression of central government policy) states that 'Highly Vulnerable' uses should not be permitted in Flood Zone 3 (Table 1 and 3). The application is contrary to the NPPF and its technical guidance note as well as Policy D1 of the

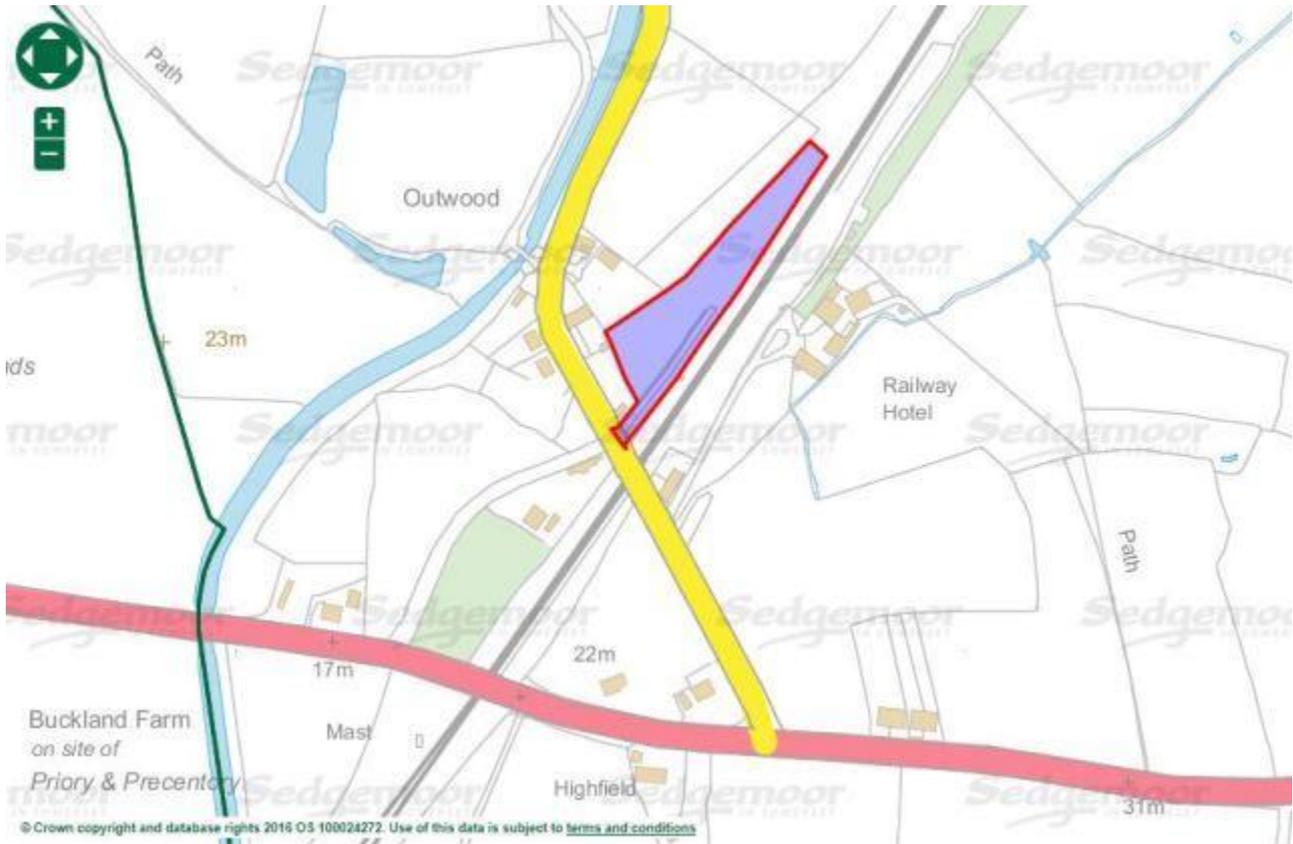
Sedgemoor District Core Strategy. It has not been demonstrated that a decision contrary to government policy, as set out in the NPPF and its technical guidance, is warranted.

DECISION

Case Officer: Dawn de Vries Tel: Sedgemoor Direct: **0300 303 7805**

Lyng 32/15/00008 registered 21/12/2015
Expiry Date 14/02/2016
(Full Planning Permission)

Proposal: **Change of use of land to site five holiday lodges, formation of parking, access and amenity areas. at Old Durston Station Yard, Durston Station Road, Outwood, Taunton, TA3 5AN for Mr. B. Roper (agent: APW Planning)**



Not to scale

Committee decision required because

The views of the Ward Member are contrary to Officer's recommendation.

Background

The proposals is for 5 timber 'holiday lodges' and 2 parking spaces per lodge located on a triangular plot of land accessed from Durston Station Road to the north of the railway line.

The lodges measure 11.57 metres long by 6.57 metres wide and 4.5 metres tall providing 3 bedrooms, a bathroom and an open plan kitchen/dinning and siting room. The statutory

definition of a caravan exceeds anything over 20m long, 6 m wide or 3 metres tall. The units clearly exceed the width and height restriction and so must be considered to be operational development (buildings). The lodges also detail decked areas 2.30 metres by 6.20 metres.

The site benefits from a consolidated and gated access with the land having previously been levelled and laid to hard core. There is an earth bund to the north and west boundaries with soft landscaping and wire fencing to the railway line. Access would be via the existing access to the south west corner of the site.

The first two lodges are orientated to the north-east and east respectively with the remaining three lodges orientated to the south-east. Beyond the lodges the site is shown laid out as a 'kickabout play area' and an equipped area of play to the north east.

The site is located within the Countryside as defined by Sedgemoor District Council's Core Strategy and there are no other policy designations pertaining to this site.

Relevant History

32/12/00005	RM	GTD	Erection of four industrial units, formation of access, turning and parking
32/13/00005	RM	GTD	Erection of building to form four industrial units

Supporting information supplied by the applicant

Consultation Responses

Councillor Anne Fraser: Object

'The egress and exit to this site is onto a primarily single-track road, adjacent to a sharp bend on one side and close to a bridge over the railway on the other. Both pose considerable hazards. In addition, traffic from the road onto the A.361, especially if you are turning towards Taunton, is dangerous from speeding traffic, especially if you are a visitor to the area. For these reasons I object to the application.'

Lyng Parish Council: Support

'Support this application in principle; their main concern is the number of vehicles that will be coming out onto a narrow road with a brow of the hill over the railway line. The junction to join the A361 does not have the best of visibility coming from Taunton. If there is a way the road safety can be addressed that would be good. Putting the land to use is a much better idea than leaving it derelict. Tourists could bring trade to the local pub and the café on the canal where there are very good walks. '

SCC Highways Officer: Recommends conditions ensure that the development would be acceptable in terms of highway safety.

SDC Environmental Health: No comment

SDC Coastal and Land Drainage: Recommend a condition to require details of surface water drainage

Canal and River Trust: No comment

Somerset Heritage Centre: No objection

Representations

3 letters of objection have been received raising the following concerns:

- Noise from the lodges and the surrounding play area
- Impact on privacy and outlook
- Highway safety concerns
- Light pollution
- Security
- Impact of development on the community/hamlet
- Proximity of the play equipment to the railway
- Existing holiday lets within the locality

Most Relevant Policies

National Planning Policies

National Planning Policy Framework

National Planning Practice Guidance

Sedgemoor District Core Strategy (including Saved Policies)

S1: Spatial Strategy for Sedgemoor

S3: Sustainable Development Principles

D2: Promoting High Quality and Inclusive Design

D9: Sustainable Transport and Movement

D12: Tourism

D14: Natural Environment

D16: Pollution Impacts of Development and Protecting Residential Amenity

P6: Countryside

Main Issues

Principle of development

Policy D12 states that:

Proposals for tourism related initiatives including accommodation will be supported where they contribute to the following objectives:

- *Improving the quality and diversity of the tourism offer and enhancing the image of the area as a tourism location;*

Agenda Item 5.3

- *Improving the resilience of the local economy through the provision of higher quality local job opportunities and extending the tourism season;*
- *Promote education and interpretation of the natural, built and historic environment;*
- *Promoting sustainable tourism taking into account the impacts and effects of climate change;*
- *Increase accessibility to the District's tourist assets, facilities and accommodation through sustainable modes of travel including cycling and walking;*
- *Managing visitor pressure to prevent harm to the natural and built environment and local communities; and*
- *Enhance social cohesion and benefit the local community through access to facilities.*

In all cases development will need to demonstrate that there are no significant adverse impacts on biodiversity interests as set out in Policy D14: Natural Environment and Policy D15: Bat Consultation Zones and be compliant with the Habitats Regulations (2010).

The proposal is for five timber holiday lodges of typical 'chalet' design. They would be located set back from the highway within a bunded site with established landscaping to the road and adjoining properties to the west. The site adjoins a railway to the south-east with a Listed Public House on the opposite side of the tracks to the east, and access to the canal footpaths to the north-west.

Whilst the location of the site is isolated within the countryside in terms of recognised tourist facilities, the site is well placed in terms of public rights of way with a number of low key local facilities such as the adjacent public house and the café on the canal.

The proposals would result in two part time positions, equating to one full time post. Potentially the units could offer accommodation all year round although they are not obviously linked with any particular tourist attraction which would stay open longer as a result of the development. The Parish Council highlight the potential support the development could offer for the local facilities.

The development does not obviously contribute to the interpretation of the natural, built or historic environment although due to its location and proximity to the surrounding rights of way there would be the opportunity to experience the natural environment through walking or cycling. Given the scale of development the proposal is not considered to result in significant pressure on the surrounding natural or built environment.

Overall, the proposal is considered to be acceptable relative to Policy D12 of Sedgemoor District Council's Core Strategy.

Policy P6 states that:

Proposals for new development outside of identified settlements will be strictly controlled. Development will be supported where it accords with other relevant policies contained in the Core Strategy that provide, exceptionally, for development in the countryside. Where development proposals in the countryside are not addressed by other policies of the Core Strategy, new development must relate to specific countryside needs, such as those of the

Agenda Item 5.3

local agricultural industry and local food producers, enhancement of the environment or where a countryside location is essential or more sustainable.

In all cases development should benefit economic activity, maintain or enhance the environment, and provide opportunities for sustainable transport options where impacts are likely to be significant.

Housing developments in the countryside are strictly controlled by both national and local planning policy. The development would constitute the erection of buildings and so there is an argument that the proposed development is tantamount to the erection of five dwellings. However, if all other elements are acceptable the development would be subject to standard holiday occupancy conditions ensuring it's continued tourist use and therefore ongoing economic benefit. A condition is also recommended securing removal of the holiday lodges in the event that the business is unsustainable ensuring that the site would not inadvertently result in residential accommodation.

Subject to the imposition of these conditions the proposal would be acceptable in accordance with Policy P6 of Sedgemoor District Council's Core Strategy.

Size and design relative to the scale and character of this and the surrounding area

Policy D2 seeks to achieve high quality, sustainable and inclusive design which responds positively to and reflects the local characteristics of the site and identity of the surrounding area and be of a design solution that makes the most efficient use of land through appropriate densities, whilst recognising the need for positive treatment of the spaces around and between the buildings.

The development would present five timber holiday lodges grouped in a linear formation closing in toward the south, in close proximity to the road. The character of the area is defined by expansive green spaces with buildings and residential properties being dispersed at low densities consistent with a rural area just outside of a village development boundary.

The development would not be directly visible from the adjoining highway due to its position set back from the existing access, bunded enclosure and landscaped surround. There would be views of the site from the opposite side of the railway track where you would see the roof lines of the lodges over the landscaping. Given the materials proposed it is considered that the materials and finishes would appear appropriate relative to the rural character of the surrounding area.

There is no detailed landscaping plan submitted with the application although this would be controlled by condition if all other elements were considered to be acceptable.

The proposals therefore accord with Policy D2 of the SDC Core Strategy.

Impact on adjoining properties

Policy D2 states that development should not harm the amenity value of the occupiers of nearby buildings which is supported by Policy D16 which states that 'Particular consideration will be given to the extent that the proposal would result in unacceptable noise and disturbance, over shadowing, overlooking and/or visual dominance

The site lies to the east of a number of detached residential properties with 'Half Thatch' located 12 metres from the west corner of the site and 'Jubilee Cottage' set 29 metres from the boundary. Whilst the use of the site would introduce a level of noise and disruption given the scattered residential uses within the locality and the scale of the development proposed this is not considered to significantly impact on the amenities of the surrounding occupiers.

Concern was raised by neighbouring properties regarding privacy and loss of outlook. The site is well screened from the surrounding residential properties and given the distance of the nearest lodges would be in excess of 12 metres and taking into consideration the single storey nature of the development there is not considered to be any adverse impact in terms of dominance or impact on outlook. Given the existing screening, which can be controlled through condition, there is not considered to be any adverse impact on the adjoining properties in terms of overlooking or invasion of privacy.

The proposal is therefore considered to be acceptable in accordance with Policy D16.

Highway Considerations

Policy D10 states "Development proposals that will have a significant transport impact should...ensure that the expected nature and volume of traffic and parked vehicles generated by the development would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated."

The site is located at the old Durston Train Station Yard, directly off of an unclassified unnamed road off of the A361 (Main Road) to the west of West Lyng. The site is accessed from a quiet unclassified, de-restricted, country road with no footway or cycle-path and it does not benefit from street lighting. The application has provided plans for the proposed site layout along with details of parking layout and the proposed use of the site.

As an existing site the application proposes to access the site from the existing access. This access is a wide recessed (and currently gated) access. The access does have vegetation to both sides which could be adequately controlled by condition to ensure that sufficient visibility is retained. Whilst the concern from the local ward member is noted, as there is no objection raised in terms of visibility and potential conflict by the Highway Officer it is not considered that this would be a sustainable reason for refusal.

The proposed layout plans shows an internal site layout, surface finishes and illustrates the location of each holiday lodge and its parking provisions. The spaces are compliant Somerset Country Council Parking Strategy standards with suitable access and turning areas.

In terms of traffic generation, it is acknowledged that the provision of 5 lodges would result in an increase in traffic levels to and from the site. There has been no objection raised by the highway officer regarding visibility and given that splays can be adequately controlled through condition and that the site has a fall back position of developing 4 industrial units, the level of traffic that would be attributable to this use is not considered to give rise to a highway safety concern.

There are no highway safety concerns regarding the development being overly distracting or obstructive to pedestrian or vehicle movements.

The proposal is therefore considered to be compliant with Policy D10.

Other Considerations

Concern was raised within some of the third party letters regarding lighting and security. It is considered reasonable to impose a condition requiring external lighting to be agreed in writing with the Local Planning Authority to ensure that there would be no adverse impact in this respect. The site is currently secure in terms of access and the occupancy of the site would result in increased security relative to a vacant site.

Concern was also raised regarding the potential impact on the modest hamlet and that there is existing tourist accommodation within the locality. It is acknowledged that the site is located within a modest hamlet and that the scale of development would result in 5 additional lodges. The use of these would be limited to tourist accommodation and the localised benefits of such a use have been highlighted by the Parish Council. Whilst there may be existing accommodation within the locality the accommodation type and therefore tourist offer of this development would be different to existing accommodation.

Concern was also raised regarding the proximity of the play equipment. It is considered reasonable to condition details of the boundary treatments to be submitted and agreed in writing to address any conflict.

Conclusion

Having given due weight and appropriate consideration to the above the application is considered to comply with policy and is therefore recommended for conditional approval.

RECOMMENDATION

GRANT PERMISSION subject to the following conditions:

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

Agenda Item 5.3

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

- 3 a) The holiday lodges shall be occupied for tourism purposes only and shall not be occupied as a person's sole or main residence.
- b) The holiday lodges shall not be occupied by the same person or family for more than 3 months in any 12 month period.
- c) The site operator and owners shall maintain an up to date register of the names of all owners/occupiers, including their guests, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: To ensure these holiday lodges remain as such and are not occupied in a residential manner.

- 4 In the event that any of the hereby approved holiday lodges are not let or occupied for a continuous period of 12 months, that holiday lodge (and all directly associated structures) shall be removed from the site and the land on which that lodge stood (and the associated parking area) shall be fully restored to its former condition (i.e. laid to grass) and any resultant material removed from the land. In the event that all of holiday lodges are removed, the access road through the site shall be broken up, the resultant material removed from the land and the land restored to its former condition (i.e. laid to grass).

Reason: The site must be restored to its former undeveloped green field nature in the event that the business fails, in the interests of visual amenity.

- 5 Prior to the commencement of development details of the boundary treatments to the site and a soft landscape scheme including delivery dates for the Landscape Mitigation and type, number, location and maturity of stock to be planted shall be submitted and approved in writing with the Local Planning Authority. The planting will then be carried out in strict accordance with the agreed details retained and maintained thereafter. The trees/shrubs shall be protected and maintained, and dead or dying trees/shrubs shall be replaced to the satisfaction of the Local Planning Authority for five years following its planting.

Reason: In the interests of the visual amenity of the surrounding area. This condition is pre-commencement to ensure that the landscaping is agreed for the site prior to the commencement of works.

- 6 Retained hedgerows and trees shall be protected from mechanical damage, pollution incidents and compaction of roots in accordance with BS5837:2012 during construction and ensure materials are not stored at the base of trees, hedgerows and other sensitive habitats. The existing trees and shrubs on the site shall not be lopped, topped, felled, lifted, removed or disturbed in any way without the prior written permission of the local planning authority.

Reason: In the interests of visual amenity of the surrounding area and the

amenities of the adjoining property.

- 7 Prior to the occupation of the lodges hereby approved details of the refuse storage shall be submitted to and approved in writing with the Local Planning Authority. The refuse provision shall then be provided in accordance with the agreed details.

Reason: In the interests of the operation of the site.

- 8 Prior to the use of the development hereby permitted being brought into use a recessed entrance 3 metres wide shall be constructed 5 metres back from the carriageway edge and its sides shall be splayed at an angle of 45 degrees towards the carriageway edge. The area between the entrance and the edge of carriageway shall be properly consolidated and surfaced (not loose stone or gravel) for which details shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of Highway Safety in accordance with Policy D9 of Sedgemoor District Council's Core Strategy.

- 9 Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 5 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of Highway Safety in accordance with Policy D9 of Sedgemoor District Council's Core Strategy.

- 10 No building shall be occupied or otherwise used for any purpose until properly consolidated and surfaced parking and turning provisions have been constructed within the site in accordance with Somerset County Council Parking Strategy Guidance which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and not used other than for the turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of Highway Safety in accordance with Policy D9 of Sedgemoor District Council's Core Strategy.

- 11 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 before the occupation of the first lodge and thereafter maintained at all times.

Reason: In the interests of Highway Safety in accordance with Policy D9 of Sedgemoor District Council's Core Strategy.

- 12 There shall be no obstruction to visibility greater than 600 millimetres above

adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points to the edge of carriageway 45m either side of the access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interests of Highway Safety in accordance with Policy D9 of Sedgemoor District Council's Core Strategy.

- 13 Surface water drainage (land drainage) details are required, these to include the method of dealing with the surface water from the proposed development (this includes roofs, road and impermeable driveways). Various methods can be used; soakaways, perforated pipe trench, SUDs. Design calculation details, cross section details, sizes, location of the soakaway/perforated pipe trench/units, soil infiltration rates from percolation testing (soil infiltration rate testing and design of soakaway, calculation, in accordance with BRE Digest 365, CIRIA 156 / C697), photos of the percolation testing, evidence to support the check of the water table depth with the water table depth, shall be submitted to and approved by the local planning authority before development is commenced. The surface water drainage scheme shall be installed in accordance with the details so approved, unless prior agreement is undertaken with the local planning authority.

Reason: To ensure that the development is served by an adequate system of surface water drainage (land drainage) without detriment to itself, adjoining properties or highway. Any soakaways planned, are required to be a min 5m away from any building and highway.

- 14 No lighting shall be erected or installed on the holiday lodges or within the site without the prior approval of the local planning authority.

Reason: In the interest of visual amenity of the surrounding area in accordance with Policy D2 of Sedgemoor District Council's Core Strategy.

Schedule A

Location Plan Drg No. 631/01
Proposed Block Plan Drg No. 631/04
Existing Block Plan Drg No. 631/02
Proposed Block Plan Drg No. 631/03
Proposed Plan & Elevations Drg No. 631/05

Case Officer: Denise Todd Tel: Sedgemoor Direct: **0300 303 7805**

Wembdon 51/15/00031 registered 18/12/2015
Expiry Date 11/02/2016
(Full Planning Permission)

Proposal: **Formation of agricultural access at Land (3) to the South West of, Grabhams Farm, Moores Lane, Wembdon, Bridgwater, TA5 2BB for Mr I J Walker (agent: Tamlyns)**



Not to scale

Committee decision required because

The views of the Parish Council are contrary to the case officer's recommendation

Background

Planning permission is sought for the formation of an agricultural access to serve land at Garbhams farm at Moores Lane, Wembdon.

The proposed new entrance is located outside of any development area in the countryside. Moores lane is a narrow country lane, with high dense hedges to both sides. Moores Lane is a de-restricted road, though the winding nature of the lane, with reduced visibility means

that speeds will be lower than the 60mph limit. At the time of the site visit, pedestrians and cyclists were using the lane.

The area is rural in character, with Grabhams farm to the north-east, Ash-Wembdon farm to the south west and stables to the north-east.

Relevant History

51/15/00028 - Formation of agricultural access REFUSED

Supporting information supplied by the applicant

Location Plan & Block Plan Drg No. 01471-15-01 A
Proposed Block Plan Drg No. 01471-15-02
(above drawings to be included in Schedule A, condition 2)
Design & Access Statement

Consultation Responses

Wembdon Parish Council - Objection

- The design and access statement suggests that the current agricultural access point is inadequate in size for agricultural vehicles to enter the fields, however the proposed access in Moores Lane is smaller in size than the current access. The Parish Council considers this suggestion to be inaccurate and misleading and there is no reason to create a new agricultural access;
- The proposed application would mean the removal of a large hedgerow which would be detrimental to the appearance and character of Moores Lane

Somerset County Council, Transport Development Group - No objection in principle subject to 6 conditions:-

- surface water drainage
- recessed entrance
- entrance gates opening inwards
- gradient of access
- limited to agricultural use
- no obstruction to visibility greater than 900mm

SDC, Environmental Health & Land Drainage - No comment

Somerset County Council, Ecologist - Comments

1. No objection in principle
2. Reinstatement of appropriate hedge
3. Hedgerow removal should be done outside of the bird nesting season, or the hedgerow checked first for nesting birds.
4. Request an informative be added drawing attention to the legal protection afforded to nesting birds.

Representations

1 letter of objection has been received on the following grounds:

5. The reasons for refusing previous application 51/15/00028 remain and by the agent's own admission the 60m removal of hedgerow cannot be achieved.
6. There are already three access points to this block of land the new access is unnecessary and detrimental to the rural character of Moores Lane and contrary to Policy D14.

Concerns raised during consideration of the current and previous application include :

1. Biodiversity & geological conservation – impacts on nesting birds and mammals;
2. Trees & Hedges – The ancient hedgerow will be removed and destroyed and associated loss of wildlife habitat/ rural character.;
3. Highway Safety – on a bend with limited visibility; inappropriate for increased use by heavy agricultural vehicles; existing entrances adequate; poor state of the carriageway; potential for accidents with vehicles, pedestrians, cyclists and horse riders;
4. Future intentions – possibility of future residential access or equestrian use;
5. The land is currently leased to a farmer who uses the land for grazing cattle only so additional access is not required;
6. Sedgemoor currently have a core strategy consultation , including proposed housing development within the locality of the proposed entrance.

Most Relevant Policies

National Planning Policies

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Sedgemoor District Core Strategy (including Saved Policies)

S1 - Spatial Strategy for Sedgemoor

S3 - Sustainable Development Principles

D2 - Promoting High Quality and Inclusive Design

D9 - Sustainable Transport and Movement

D10 - Managing the Transport Impacts of Development

D14 - Natural Environment

P6 - Countryside

Main Issues

The main issues relate to the principle of the proposal having regard to Policy and Guidance and the details of the development relating to highways safety and local character and biodiversity considerations, in particular whether the revised proposal overcomes the previous reasons for refusal.

Principle of Development

The proposal relates to an established unit of agricultural land, in a countryside location, which is served by the existing highway network at Moores Lane and Blakes Lanes. A new

access to serve an existing agricultural unit is considered to be acceptable in principle. This application follows on from the recently refused planning application 51/15/00028 also for a new access off Moores Lane, which was refused for the following reasons:

- The proposed development is likely to generate an increase in vehicular movements to and from a new access which fails to provide the necessary visibility splays, consequently increasing the risk of conflict between all road users to the detriment of highway safety. The proposal would therefore be detrimental to highway safety and contrary to policies D9 and D10 of Sedgemoor's Core Strategy.
- The site is located in a rural location within the open countryside. Moores Lane is a typical narrow country lane with high hedgerows, enclosing the highway from either side. The proposal would require the removal of 60m of the existing native hedgerow, either side of the new entrance, resulting in a departure from the established character of the area. This requirement, cannot however be met as the land to the west side of the entrance is not within the same ownership/control for the 60m necessary to provide the visibility needed. If a new access were to be created to meet the visibility requirements then the proposal would result in a detrimental impact on the rural character and appearance of Moores Lane, failing to maintain or enhance the local environment and would be detrimental to local visual amenity. The proposal is contrary to Policy D14 of the Sedgemoor District Core Strategy.

The access has been relocated in an attempt to address the previous concerns.

Highway Issues

The justification put forward for the proposal is the inadequate nature of the existing accesses to this block of land, notably the narrow and tortuous nature of the accesses from Blakes Lane, which requires large agricultural vehicles to pass through the village and use roads and lanes serving residential properties.

Concerns expressed relate to a proposed entrance off this single track, narrow, unclassified lane in a rural area which cannot accommodate large agricultural vehicles. The need for the access has also been questioned based on existing adequate accesses which serve this land block from Blakes.

This proposal involves re-siting the access towards the middle of the field's boundary with Moores Lane thus maximising visibility and reducing the amount of hedgerow that needs to be removed.

SCC Transportation Group raise no objections to the use of Moores Lane for an agricultural entrance or to the siting of the proposed access.

Moores Lane is a narrow country road, with dense hedges to both sides. Whilst a de-restricted road, the reduced visibility does mean that speeds will be lower than the 60mph limit. SCC Transportation engineers consider that in these circumstances a reduced visibility splay requirement is acceptable, subject to a number of conditions as set out in their response and summarised under the Representations Section of this report.

The conditions recommended relate to surface water drainage, the need for a recessed entrance, entrance gates to be inward opening, the gradient of the access, no obstruction

to visibility greater than 900mm in height and for it only to be used as an agricultural access. With one exception, the conditions are considered relevant and necessary and the proposal is recommended subject to the imposition of these conditions. In this way the access is considered to be acceptable in terms of highway safety. The restriction to agricultural use is necessary to ensure that should the access be intended to serve alternative development in the future, SCC Transportation Development Group will be consulted for further advice as to its suitability to serve traffic other than agricultural vehicles. There is an anomaly on one of the conditions suggested by the Highway Authority which requires gates to be set back 10m, when an earlier condition requires a set-back of 4.5m. 10 m is considered unreasonable and 4.5 m adequate.

Overall the proposal is considered to accord with Policy D10.

Character and Biodiversity Issues

The loss of hedgerow has implications for nesting birds and other species and the creation of an access can have implications for birds and mammals. The loss of hedgerow on this southern side of the lane also has implications for the character and appearance of this rural area. Objections have been raised on these grounds.

The County Ecologist has no objection to the proposal for the formation of the new access in this location. It is suggested that if a significant length of hedge has to be removed to create a visibility splay it is reinstated on as close a line as possible to the original using woody species appropriate to the area. The length of the existing hedge is 65m, of which 13m is to be removed which is approximately 1/5th; this is not considered to be significant and when taken with the highways recommended condition 'no obstruction to visibility greater than 900mm' a replacement hedge would not be appropriate and is not therefore required. The county ecologist has recommended an informative note be added to any consent granted drawing attention to the legal protection afforded to nesting birds.

Notwithstanding that it is not considered to be essential from an ecological perspective to replace some of the hedgerow to be lost, it is considered to be important from a character and visual amenity perspective, particularly as the existing hedgerow will need to be maintained at 900mm for highways safety visibility reasons.

Overall the proposal is considered to accord with Core Strategy Policies D2, D14 and P6.

Other Considerations

Representations have been made regarding Local Plan review consultations on possible housing allocations in the vicinity of the proposed access. The review of the Core Strategy is still ongoing, and the weight afforded to whether this is a material consideration depends on the stage of consultation. It is not considered that the proposed field access would prejudice or be prejudiced by the Local Plan review and vice versa.

Conclusion

The principle of a new access from Moores Lane to serve this land block is considered to be acceptable and reasonably necessary for the continued efficient use of the land. While

the nature of Moores Lane is such that it is not an ideal highway for use by larger, modern agricultural equipment, it is no different from many such agricultural scenarios across the District. The existing access from Blakes Lane is through Wembdon via Blakes Road and Church Road which are equally if not more unsuitable for agricultural traffic.

There are no significant ecology concerns though an informative is recommended advising the applicant of his obligations relating to nesting birds if works are to be carried out during the nesting season. In view of the loss of hedgerow a condition to secure a replacement plantings scheme is recommended.

Any future development e.g. stables or barn conversion would need to be the subject of a planning application and assessed on their own merits. Notwithstanding this, it is considered necessary to limit the use of this access to agricultural use. The existing accesses are to remain in use as the Highway Authority has not requested their removal and it would be unreasonable to stop-up an existing access when the land parcel is served by two highways.

RECOMMENDATION

GRANT PERMISSION

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

- 3 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 approved provision shall be made before commencement and maintained thereafter at all times.

Reason: In the interests of highway safety and to accord with Core Strategy Policy D10.

- 4 A recessed entrance 5.0m wide shall be constructed 4.5m back from the carriageway edge and its sides shall be splayed at an angle of 45 degrees towards the carriageway edge. Prior to the first use of the access hereby permitted, the area between the entrance and the edge of carriageway shall be properly consolidated and surfaced (not loose stone or gravel) for which details shall have been submitted to and approved in writing by the Local Planning Authority. Once

Agenda Item 5.3

constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety and to accord with Core Strategy Policy D10.

- 5 Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5 m from the nearside carriageway edge and shall thereafter be maintained in that condition at all times..

Reason: In the interests of highway safety and to accord with Core Strategy Policy D10.

- 6 The gradient of the proposed access shall not be steeper than 1-in-10.

Reason: In the interests of highway safety and to accord with Core Strategy Policy D10.

- 7 The access hereby permitted shall be used for agricultural purposes only.

Reason: In the interests of highway safety and to enable the local planning and highway authorities the opportunity to consider the highways safety implications of alternative uses of the land in accordance with Core Strategy Policy D10.

- 8 At the proposed access there shall be no obstruction to visibility greater than 900mm above adjoining road level within the visibility splays shown on the submitted plan. (Drawing No 01471-15-01A) Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and to accord with Core Strategy Policy D10.

- 9 Before the development is first used a replacement hedgerow landscape planting scheme shall be submitted to and approved in writing by the local planning authority and shall be carried out within nine months from the date of commencement of the development or the first use of the access hereby permitted whichever is the sooner. The hedge shall be protected and maintained, and dead or dying plants shall be replaced to the satisfaction of the local planning authority for a period of five years following their planting.

Reason: In the interests of the character and visual amenities and the ecology and biodiversity of this attractive rural area and to accord with Core Strategy Policies D2, D14 and P6.

Schedule A

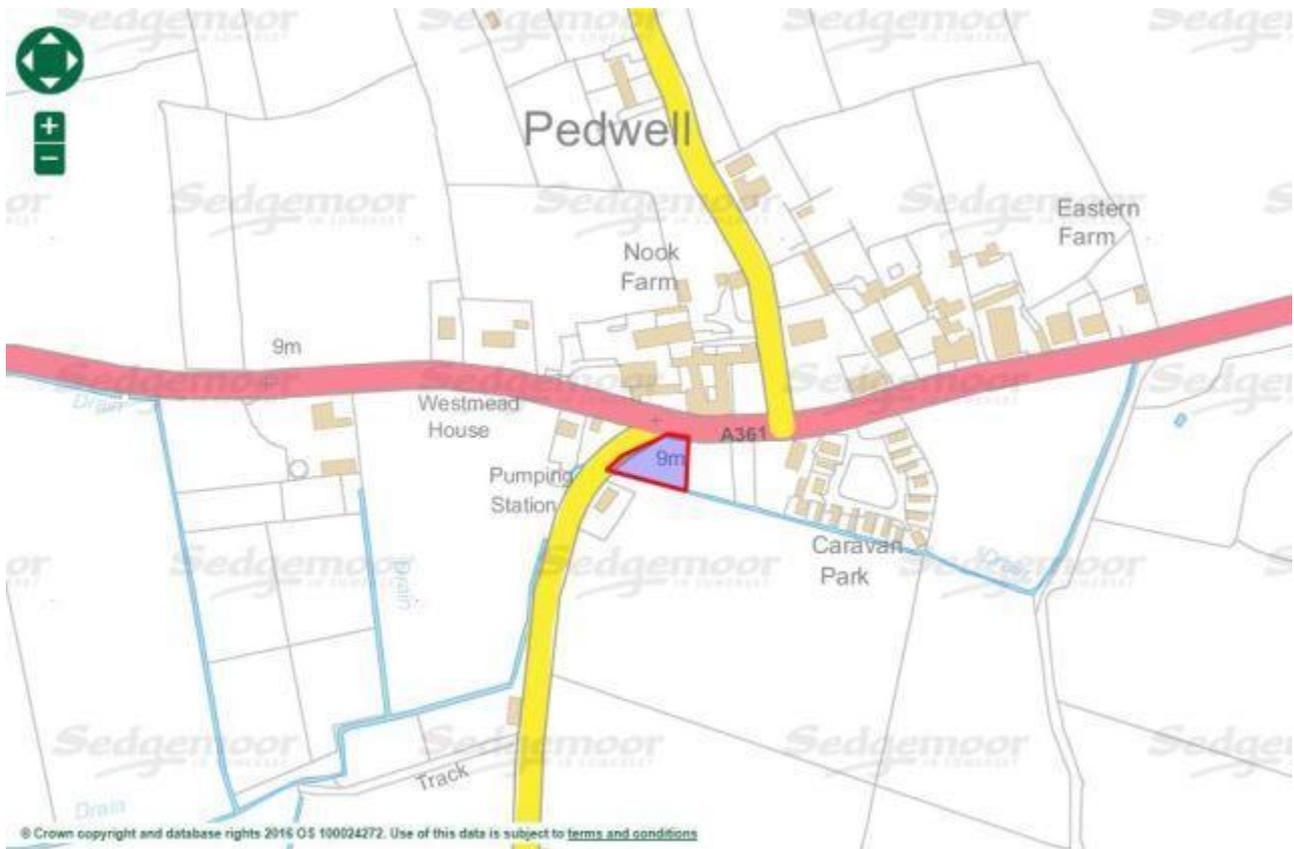
Location Plan & Block Plan Drg No. 01471-15-01 A
Proposed Block Plan Drg No. 01471-15-02

ALL APPLICATIONS FOR EAST AREA

Case Officer: Liam Evans Tel: Sedgemoor Direct: **0300 303 7805**

Ashcott 01/15/00011 registered 30/12/2015
Expiry Date 23/02/2016
(Full Planning Permission)

Proposal: **Erection of timber building to be used for the storage and preparation of flowers for displays and events at Land (2) to the South of, Western Farm, 32 Taunton Road, Pedwell, Bridgwater, TA7 9BG for Amber Persia Flowers and Events**



Not to scale

Committee decision required because

The views of the Parish Council are contrary to the officer's recommendation.

Background

The application site is located at the corner of Taunton Road and Nythe Road within the hamlet of Pedwell and to the south of Ashcott. The site is an existing small paddock which is lined by a stone wall and low level landscaping. The south boundary abuts a ditch. To the east of the site is another paddock which is home to existing green houses and polytunnels. The applicant's property is immediately north of the site on the opposite side

of Taunton Road.

It is proposed to erect a small 10m x 7.4m timber clad building to be used for the storage and preparation of flowers to be used by the applicant's business for events. The building will have curved roof with overhang and the building will have small high level windows and doors. The existing access will be modified to incorporate a waiting bay and gravel/permeable paving turning and parking area.

Relevant History

None.

Supporting information supplied by the applicant

Amber Persia Flowers & Events was established in 2014 to provide flowers for weddings, events and parties. Young entrepreneur Amber (who is just 24 years old), grew up in Pedwell, and would like to keep her business local.

Amber's flowers have received glowing reviews (images of Amber's work have already been published in prestigious wedding magazines and on blogs, both in the UK and internationally) which has led to rapid growth - she already has a substantial number of confirmed bookings and numerous enquiries for 2016/17, and purpose built premises would enable the business to flourish further.

For 2016 Amber will employ one other full time member of staff. She also plans to employ part time staff both within the flower workshop, and on the horticultural side of the business, growing the flowers to use within the business. The adjoining piece of land is already used for the growing of flowers and foliage for the business. (Amber is also looking into the possibility of employing an apprentice).

Having workspace/studio on the land where a lot of the flowers used within the weddings are grown will obviously make the process of growing/harvesting/preparing/arranging more efficient, and utilise the grounds to good effect.

Consultation Responses

Parish Council - Objection. "The Parish Council raised objection to this application (by a split vote) due to concerns regarding highways and the road junction and also the lack of employee 'facilities' on site."

Coastal and Land Drainage - No comment.

Somerset Heritage Centre - No objection.

County Highway Authority - "The visibility splays shown appear to be measured from different 'X' distances back from the carriageway edge - they are not they labelled with their X by Y distances either. The splay drawn to the south along Nythe Road is redundant due to the fact that it cannot be provided within the application land as shown by the applicant on the red line un-numbered drawing from 'getmapping.com'. With this in mind,

only a small amount of visibility can be provided to the left of the access based on the submitted information.

Further information is needed by the Highway Authority such as the likely vehicle movements from the site and also the method of delivery i.e. will lorry's and vans be visiting the site? What is the range that the flowers will be delivered too? What deliveries to the site can be expected?

It seems that the movement of commercial traffic to and from this site will cause highway safety concerns due to the lack of visibility to the left of the junction. The Highway Authority need to see the extent of visibility that can be achieved within the red line of the application, something that has not been provided in this case. This is the fundamental reason why the Highway Authority must recommend refusal..."

Representations

1 letter of support for entirely reasonable application.

Most Relevant Policies

National Planning Policies

National Planning Policy Framework

Sedgemoor District Core Strategy (including Saved Policies)

S1 Spatial Strategy for Sedgemoor

D2 Promoting High Quality and Inclusive Design

D10 Managing the Transport Impacts of Development

D11 Economic Prosperity

D16 Pollution Impacts of Development and Protecting Residential Amenity

P6 Countryside

Main Issues

Principle

The site is within the open countryside although within an existing hamlet served by Taunton Road, the main link between Ashcott and Othery. The proposed building will be used for the preparation of flowers that are grown on the adjacent land in association with the applicant's existing business. In accordance with Policy P6 the proposal relates to a specific countryside need as it will be used in association with the growing of flowers on the adjacent land, will enhance the appearance of the site and will result in a development which is sustainable given the site's proximity to the applicant's place of residence. The rurally based business is considered to be in a suitable location.

Policy D11 also supports the expansion of businesses within their existing locations.

Design and Scale

The proposed building will be of a single storey height and low impact materials such as timber cladding and roofing membrane. It is recommended that suitable material samples be agreed prior to the implementation of the works and secured by condition. The impact of the building will be minimal given the character of the area is of detached buildings within large plots. The pattern of development in the area will be respected in this regard. The existing trees and boundary treatments will be retained throughout.

Residential Amenity

The building will be positioned away from existing dwellings in the vicinity and given the passive impact of the use proposed there should be no disturbance to existing levels of amenity.

Access

The County Highway Authority have objected to the application due to the position of the access and the lack of controllable visibility to the south. The Parish Council have also raised concerns regarding the impact on road safety. Notwithstanding these viewpoints it is considered unreasonable to refuse the application on this basis.

Whilst the location of the access means that the visibility looking south falls outside the application its position in relation to the junction to the north should ensure that vehicles approaching from the south will be travelling at a low speed as they enter the 30mph zone and then ultimately stop to give way at the junction. It is considered that vehicles entering the highway from the proposal site will be able to view vehicles travelling north above the existing boundaries and at speeds that will not involve sudden stops or adverse dangers to highway safety.

Visibility to the north and east is within the application and is not impinged by existing structures or obstacles.

It should also be noted that the main periods of activity of the business takes place only during the wedding season (May-October). During the season any additional flowers required, beyond those grown on site and on our adjoining garden, are collected at 5am, usually on a Tuesday, from the wholesalers in Bristol. The finished arrangements are delivered to weddings throughout the south west (Somerset, Devon and Gloucestershire), usually on a Saturday, although there will be additional days during the busiest weeks of the wedding season. Currently, the average is one or two weddings per week. On this basis it is considered that the access is not likely to result in significant hazards to highway safety given its light use.

It is noted on the plans that the turning area proposed does not appear long enough to enable a vehicle to turn within the site and enable it to leave the site in forward gear. Further turning area details will be conditioned to be submitted prior to the implementation of the works to ensure this is carried out to a suitable standard.

Lack of 'facilities'

The Parish Council's comments are noted. However, the use of the building would be ancillary to the existing horticultural use of the site and is within very close proximity of the applicant's dwelling no.32 Taunton Road, immediately to the north. It is considered that any employees working for the home businesses would have the facilities of the dwelling available during working hours and that the welfare of such employees would not be compromised.

RECOMMENDATION

GRANT PERMISSION subject to the following conditions:

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

- 3 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: This is a pre-commencement condition to ensure the building is clad in appropriate materials from its implementation, in the interests of the visual amenity of the area.

- 4 The building hereby permitted shall be used for the storage of flowers and for the preparation of floral displays only, ancillary to the existing horticultural/business use of the site and shall not be used for any other purpose whatsoever.

Reason: The development is acceptable in this countryside location based on its proposed use only and is not considered suitable for any other use.

- 5 The development hereby permitted shall not be commenced until a parking area for the building and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning

Agenda Item 5.4

Authority. Such parking and turning spaces shall be kept clear of obstruction at all times.

Reason: This is a pre-commencement condition to ensure the development is served by an acceptable parking and turning area and in the interests of highway safety.

- 6 The existing trees and shrubs on the site shall not be lopped, topped, felled, lifted, removed or disturbed in any way without the prior written permission of the local planning authority.

Reason: In the interests of visual amenity.

Schedule A

Location Plan Drg No. 0001

Block Plan Drg No. 0002

Proposed Plan & Section Drg No. 0003

Proposed Elevations Drg No. 0004

Case Officer: Liam Evans Tel: Sedgemoor Direct: **0300 303 7805**

Cheddar 17/16/00002 registered 12/01/2016
Expiry Date 07/03/2016
(Full Planning Permission)

Proposal: **Erection of two storey extension to North elevation to form garage with storage area above and single storey extension to West elevation at Maes-Y-De, Venns Gate, Cheddar, BS27 3LW for Mr. B. Britton**



Not to scale

Committee decision required because

The views of the Parish Council are contrary to the officer's recommendation.

Background

Maes-y-de is a detached two storey dwelling located to the north of Cheddar. The site is outside the development boundaries of the village and therefore in the countryside in planning policy terms. To the fore of the dwelling and set into the ground is an existing stone built barn which was granted consent in 2008 (ref: 17/08/00008) to be converted into a dwelling. The scheme approved made little change to the external appearance of the building and the accommodation was contained within the envelope of the existing

building. It appears these works are nearing completion, if not completed.

It is now proposed to erect a pitched roof extension to the north elevation of the converted barn with a garage provided on the ground floor, accessed from the west and storage above.

It is also proposed to erect a single storey extension to the west elevation which will be set significantly below the existing ridge height and 6m in length. The extension will contain a dining room.

The extensions will be clad in timber with concrete tiles for the roof.

Relevant History

17/08/00032	AP	Erection of extension to North elevation to form double garage, with first floor storage area and alteration to access as amended by applicants letter dated 9 May 2008 and plan attached thereto	DIS
17/07/00069	DC	Change of use and conversion of barn to dwelling and formation of access as amended by agents letter dated 12/09/07 and plan attached and plans received 03/10/07 and amended by applicants letter dated 6 November 2007 and plans attached thereto.	REF
17/08/00008	DC	Conversion of barn to dwelling	GTD
17/08/00041	DC	Change of use, conversion and extension of barn to form dwelling and erection of detached garage (alternative scheme) as amended by applicants letter dated 9 May 2008 and plan attached thereto and amended by applicants letter dated 19/08/08 and plans refs NB0851, 52 and 53	REF
17/13/00042	DC	Application for non-material minor amendment to Planning Permission 17/08/00008 to use the existing access and turning spaces instead of those approved.	REF

Supporting information supplied by the applicant

Design and Access Statement.

Consultation Responses

Parish Council - Support. "Members support this application on the grounds that it is an appropriate development on an adequate size plot within the village development boundary."

Environmental Health - No comment.

Coastal and Land Drainage - No comment.

Landscape Officer - No objection, recommend root protection area secured by condition.

County Highway Authority - Standing advice applies.

Somerset Heritage Centre - No objections.

Wales and West Utilities - "Our apparatus may be affected and at risk during construction works. Should the planning application be approved then we require the promotor of these works to contact us directly to discuss our requirements in detail before any works commence on site."

Representations

1 letter of objection received on the following grounds:

- possible damage to horse chestnut from groundworks.
- restriction on operation times should be imposed.

Most Relevant Policies

National Planning Policies

National Planning Policy Framework

Sedgemoor District Core Strategy (including Saved Policies)

S1 Spatial Strategy for Sedgemoor

D2 Promoting High Quality and Inclusive Design

D10 Managing the Transport Impacts of Development

D16 Pollution Impacts of Development and Protecting Residential Amenity

P6 Countryside

Planning Guidance Note on Conversion of Agricultural/Rural Buildings

Main Issues

Planning History

The building in question has been the subject of significant planning history with the original proposal to convert the barn being proposed across multiple applications with a couple of refusals, including one dismissed on appeal, before ultimately being granted consent.

The common thread through these application prior to a scheme being agreed was the

desire of the applicant to extend the barn to create a larger building with garages on the ground floor and store room above. A similar scheme was submitted, refused and dismissed on appeal for 17/08/00032. In the Inspector's decision the reason for dismissal was:

"In this case, the provision of an attached double garage with storage space above would require a significant extension to what is presently a simple, modest haybarn. In my opinion, therefore, the proposal would be contrary to SDLP Policy CNE3 (Criterion a) and inconsistent with both local and national policy aimed at ensuring a strict control over new buildings in the countryside."

and

"... I judge that the proposed double garage requiring a significant extension would appear disproportionately large rather than physically and visually subordinate to the existing modest building. Any appreciation of the building's origins as a simple, modest haybarn would be lost, notwithstanding the proposed matching materials and architectural detailing. This is my opinion would harm the building's character and otherwise well integrated setting in the countryside..."

An alternative scheme which was also submitted in 2008 was also refused by the council for a detached garage to the fore of the barn conversion.

Principle

Whilst the building used as a dwelling has been implemented but not yet occupied and the extension submitted is smaller than that dismissed previously the principle of extending a converted dwelling still applies. The building itself was granted consent because of it was considered worthy of retention and could be converted without significant rebuilding or extension to facilitate the change of use. Notwithstanding the comments of the Parish Council, the site is outside the development boundaries of the village and therefore the strict control of new buildings or the re-use of existing buildings, particularly for residential use, still applies within current local and national policy.

The Council's Barn Conversion Guidance advises that when it comes to the re-use of rural buildings "if the building is thought to require significant extension in order to accommodate the intended use then it is probably not a suitable candidate for conversion and an alternative use should be considered."

It is appreciated that the conversion has taken place but any future proposals for extensions should be carefully considered. In this case the extensions proposed are distinguishable from the original building by virtue of their contrasting materials while the dining room extension, which will be at right angles to the existing structure, will completely change the layout of the building and will not reference or retain the linear character of the dwelling, which is emphasised by the direction of the ridge. To have the extension at right angles to this will undermine the original character of the building, which was protected through the original proposal to convert it back in 2008.

One of the guiding principles in respect of the conversion of traditional rural buildings is

that the original character should still be recognisable – the addition of features such as conservatories, porches, garages and sheds can be problematic and the Council may condition any planning permission for a conversion to effectively remove what would normally be “permitted development” rights. Planning permission 17/08/00008 removed the permitted development rights of the building over concern that any additional to the building could negatively affect the rural character of the building.

Whilst it is noted that the extensions are smaller than that previously submitted they are of a design and position which will be detrimental to the simple rural character and appearance of the existing barn conversion.

Trees

The proposed garage extension will come close to the roots of an existing tree which is protected under a Tree Preservation Order. The Landscape Officer has recommended that a root protected area be defined around the base of the tree to ensure that it is not harmed during the course of the works. This should alleviate the concerns of the resident who has objected to any works that may damage and undermine the health of the tree.

Residential Amenity

The proposed extensions will not result in any harm to the amenity of nearby properties given their height and use. No windows are proposed to directly face onto other properties and therefore existing privacy should be maintained.

Conclusion

Notwithstanding the lack of issues raised by internal and external consultees or the lack of impact on neighbouring properties a consistent approach must be taken when it comes to the proposed extension of the barn conversion. Bearing in mind that previous applications have been refused, with one being dismissed on appeal, and the scheme remain relatively similar to those previously submitted it is considered that the proposed extension will not maintain or enhance the character and appearance of the rural building and will be contrary to Policies D2 and P6 of the Core Strategy and contrary to the guidance contained within the adopted Planning Guidance Note on Conversion of Agricultural/Rural Buildings.

RECOMMENDATION

REFUSE PERMISSION for the following reason(s):

- 1 The existing barn conversion is a simple linear building finished in natural stone. The principle of extension/alteration needs to be carefully considered due to the character of the building and the fact that the building is located outside the development boundaries of the district and should be capable of conversion in its own right, without significant intervention or additions.

Agenda Item 5.4

By virtue of both proposed single storey extension's contrasting materials and the west elevation extension's position at right angles to the existing roof and footprint the development as a whole will not preserve or enhance the rural character of the existing converted dwelling. The scheme fails to respond positively to and reflect the particular characteristics of the dwelling and therefore is contrary to Policy D2 and P6 of the Sedgemoor District Core Strategy 2006 - 2027, guidance within the Planning Guidance Note - Conversion of Agricultural/Rural Buildings July 2014 and policy contained within the National Planning Policy Framework and National Planning Policy Guidance.

Case Officer: Liam Evans Tel: Sedgemoor Direct: **0300 303 7805**

Mark 33/15/00047 registered 22/12/2015
Expiry Date 15/02/2016
(Full Planning Permission)

Proposal: **Change of use of land from agricultural to caravan storage at Land to the North East of, Rookery Farm Creamery, Northwick Road, Mark, Highbridge, TA9 4PG**
for Rookery Farm Creamery (agent: Jane Clarke Architectural Services)



Not to scale

Committee decision required because

The views of the Ward Member and Parish Council are contrary to the officer's recommendation.

Background

Rookery Farm Creamery is an existing agricultural site located to the north of Mark and is one of three farms fronting onto Northwick Road. The site is made up of a collection of buildings with the principle dwelling the furthest south and closest to the highway. To the

north east are existing buildings and structures that do not appear to be in the ownership of the applicant.

It is proposed to change the use of a field to the north east of the farm for caravan storage. The works will involve the laying of permeable surfacing to provide access to the caravans once stored. Access to the field will come from the existing farm trackway to the east of the farm buildings and the caravans will be arranged in three groups.

Relevant History

None.

Supporting information supplied by the applicant

Design and Access Statement and Flood Risk Assessment.

Consultation Responses

Cllr Human - Support. "I support the application on the grounds of much needed diversity in the current farming community especially dairy farmers such as these. The site will have no impact on neighbours or any significant increase of traffic."

Parish Council - Support. "The Parish Council consider that this is a suitable low key diversification for this farm.

The storage compound will be reasonably well screened from the public highway and will not cause any undue detrimental impact upon the landscape. The access from Northwick Road to the site is considered wide enough to enable vehicles towing caravans to enter or leave the site safely.

The Parish Council request that any security lighting be at low level to avoid light pollution."

Environmental Health - No comment.

Coastal and Land Drainage - No comment.

Somerset Heritage Centre - No objection.

County Highway Authority - Objection. "After carrying out a site visit on 19/01/16 I have observed the approach roads to the site. The stretch of Northwick Road which the site gains access from reduces in width to around 2.3 metres at more than one point and sometimes for a considerable length. Considering that caravans can have width up to 2.55 metres and weigh up to 3500kg (mass of car and trailer) Northwick Road appears substandard for the proposed use. There is also the risk that such vehicle movements may damage the public highway.

Northwick Road adjoins Harp road to the West of the proposed access. Harp road is also narrow in some areas where there is not enough room for two caravans to pass, although

not as narrow as Northwick Road. If 2 caravans meet on either of these approach roads then excessive manoeuvring may be required and will likely take some time and would be prejudicial to highway safety and amenity.

To the East, Northwick Road adjoins Vole Road which is also an increasingly narrow section of highway. Many of these sections of road have ditches with waterways either side of the carriageway meaning there is little room to pull over and allow vehicles to pass. This means that the length a caravan and car may have to reverse could become considerable and could cause significant issues.

The proposed commercial enterprise will have an adverse impact on the surrounding highway network and so fundamentally the Highway Authority must recommend refusal..."

Representations

None received.

Most Relevant Policies

National Planning Policies

National Planning Policy Framework

Three dimensions to sustainable development – economic, social and environmental roles (paragraphs 7 and 8)

Decisions to be taken in accordance with the development plan (paragraph 14)

Support for a prosperous rural economy (paragraph 28)

Sedgemoor District Core Strategy (including Saved Policies)

S1 Spatial Strategy for Sedgemoor

D1 Managing Flood Risk

D2 Promoting High Quality and Inclusive Design

D11 Economic Prosperity

D12 Tourism

P6 Countryside

Main Issues

Principle

The site is within the open countryside where development is strictly controlled. However, the development represents an extension of an existing farm through a farm diversification proposal that will enable the continued growth of the existing agricultural holding.

Policy D11 states "...schemes for farm diversification, which contribute to the long-term operation and viability of the farm holding,...The expansion of businesses in their existing locations will be supported, dependent upon the nature of the activities involved, the character of the site and its accessibility. Priority should be given to the redevelopment,

remodelling and/or enhancement of existing sites in the first instance."

The proposal represents a diversification of the existing activities taking place on the site. Although expanding physically into the countryside the development will be proportionate with the existing use on the site, which will continue to be the principle activity and will enable the existing business to develop further. To require the storage area to be within an existing designated settlement would compromise the functionality of the site.

As a farm diversification scheme it is a small-scale commercial venture and is acceptable in principle.

Visual impact

The site is not positioned where it is highly visible from publicly accessible vantage points due to the existing buildings associated with the business and the established landscaping along the boundaries of the field. The landscape impact of the use is minimal given the height of a typical caravan while the applicant will seek to reduce the impact further by containing the caravans in three groups within the field. It is considered that the character of the existing landscape and the proximity of the storage area to the more dominant farm site will enable the proposal to blend with the area.

A landscaping condition, to augment the existing tree/hedgerow planting while also ensuring its retention will be imposed.

Flooding

The site is within Flood Zone 3 although the use for storage purposes is considered 'less vulnerable' and therefore acceptable within this area. The proposed hard surfacing to provide access to the field will be permeable while the water run off from the caravans will flow into the ground underneath as per the existing situation. Therefore, the use will not increase the risk of flooding elsewhere.

Highways

The number of caravans that can be stored on site is estimated to be approximately 75 and is limited by the physical extent of the yard and the red line of the application site. Conditions regarding limiting numbers therefore are not necessary.

The County Highway Authority have objected to the application due to the condition of the approach roads to the site, their unsuitable narrow width and the fact that they are not suitable to take the size and weight caravans and the vehicles that tow them. The additional vehicle movements are serious concern as it will only add to the existing traffic and result in the increased chance of vehicles having to reverse for great lengths (with a caravan possibly in tow) should two vehicles meet head on to find a place to pass.

Although there is history of four farms being once served from Northwick Road this was an historic position which is no longer the case. The road, which is the only access to the site either from the east or the west is sub-standard for the usage proposed.

The only opportunities for vehicles to pass are in the form of informal pull ins, which are mainly residential waiting bays, driveways and private access points, which technically shouldn't be used as passing points. The highway owned land is a thin strip for most of the length of Northwick Road with inadequate width for the passing of caravans and precarious ditches and waterways immediately adjacent.

Notwithstanding the in-principle policy support for farm diversification, in this case the proposal will be served by an existing road network, which is deemed to be inadequate to safely provide access to the site for the size of vehicles and caravans typically associated with such a use. Therefore, the proposal is contrary to Policies D9 and D10 of the Sedgemoor District Core Strategy and advice contained within the National Planning Policy Framework.

RECOMMENDATION

REFUSE PERMISSION for the following reason(s): for the following reason:

- 1 The approach roads by reason of their restricted width and poor alignment are considered unsuitable to serve as a means of access for the type of traffic likely to be generated by the proposed development. The proposal is therefore contrary to Section 4 of the National Planning Policy Framework (NPPF) and Policies D9 and D10 of the Sedgemoor Core Strategy (adopted September 2011).
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