

Appendix 1 – Previous Officer report as considered at Special Committee Meeting - 1st November 2006

OFFICER: Stephen Belli (01935) 462464

APPL.NO: 05/00661/OUT APPLICATION TYPE: Outline Application

PARISH: Crewkerne WARD: CREWKERNE TOWN

DESCRIPTION: Comprehensive mixed use development for 525 dwellings, employment (B1, B2, B8) primary school, community facilities, playing fields, parkland, P.O.S., structural landscaping and associated infrastructure including link road and highway improvements. GR (345354/109767)

LOCATION: Crewkerne Key Site 1 Land East of Crewkerne between A30 (Yeovil Road) and A356 (Dorchester Road) Crewkerne Somerset TA18 7HE

APPLICANT: George Wimpey UK Ltd

DATE ACCEPTED: 5 May 2005

INTRODUCTION

This report is set out as a standard Committee report but with the full details of all consultee comments, and a full list of policies set out in a separate Appendices. In addition the application form and original covering letter submitted in May 2005 are also included in the Appendices as set out below. A short summary of consultation responses and neighbour responses will be included in the body of this report. Selected plans and letters from the applicant with regard to the rebuttal of comments received and sustainable transport links are also provided in [Appendix A](#) as these will help Members to be aware of all the relevant considerations.

[Appendix A](#) – Application form, masterplan, covering letter and supporting information.

[Appendix B](#) – Extracts of all national and local policies relevant to this application

[Appendix C](#) – Copy of all relevant internal consultee comments (SSDC)

[Appendix D](#) – Copy of all relevant external consultee comments.

Members will recall that prior to the submission of this application an Enquiry by Design workshop was held in the town over a period of one week (March 2005) facilitated by the Princes Foundation. The workshop was attended by representatives of the town as well as the principal officers from all the relevant local authorities that would have an input into the proposal. SSDC was represented by the Planning Team Leader, Conservation Manager, Area West Conservation Officer, Landscape Architect, Housing Officer, Ecologist and Rights of Way Officer.

The results of the workshop informed the submission of the application and led to the production of a Design Code, which has been included in the application. That document is some 40 pages in length and so has not been included with this report. However, the document received on 27 January 2006 has been included on the Council's website and is therefore available for Members consideration prior to the meeting. (Please see entry under miscellaneous supporting information in documents list).

In addition to the above documents the application was the subject of an Environmental Impact Assessment as a Schedule 2 application under the Environmental Impact Assessment Regulations. These documents are lengthy and are available for inspection either at the Council Offices or its website. To assist in the consideration of these documents Members are referred to the executive summary contained under the heading PL Statement in the web site documents list. This gives a digestible summary of the relevant factors taken into account by the developers.

PROCESS OF DECISION MAKING

This application is presented to Committee for a formal resolution. If the resolution is to permit the application subject to a legal obligation under Section 106 of the Town and Country Planning Act (as amended) and appropriate conditions, then the next stage will be to refer the application and all the relevant documents to the Government Office for the South West (GOSW).

Whilst GOSW consider the application further discussions will be held with officers and the relevant portfolio holder Members to consider the apportionment of Planning Gain contributions in accordance with the rules set down by the Planning Policy Manager and as already agreed by the Council.

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Following that process the S106 will be finalised and entered into between all parties (SSDC and SCC and the applicants and any other parties who have an interest in the land). Once the S106 has been completed the planning permission can be issued. This permission will be in outline form. Further meetings will be held between officers and the developer's agent to progress an application or multiple applications for approval of reserved matters. No work can commence on site until such detailed approval has been granted by the Council.

This current application therefore seeks to establish the principle of the development. Officers will provide Members with a PowerPoint presentation at the meeting to further elaborate on the principle issues and characteristics of the site.

LOCATION AND PROPOSAL

The application site is located to the east of the town on a greenfield site comprising of some 50.32 hectares (124.3 acres) of land lying between the A30 Crewkerne to Yeovil Road and the A356 road to the south.

The site comprises mostly agricultural land with the northern part of the site currently in arable use. This will be the location for the residential development and school site. This part of the site adjoins the A30 and lies to the east of the town cemetery. This is the highest part of the site at the top of a scarp slope, which runs roughly east west.

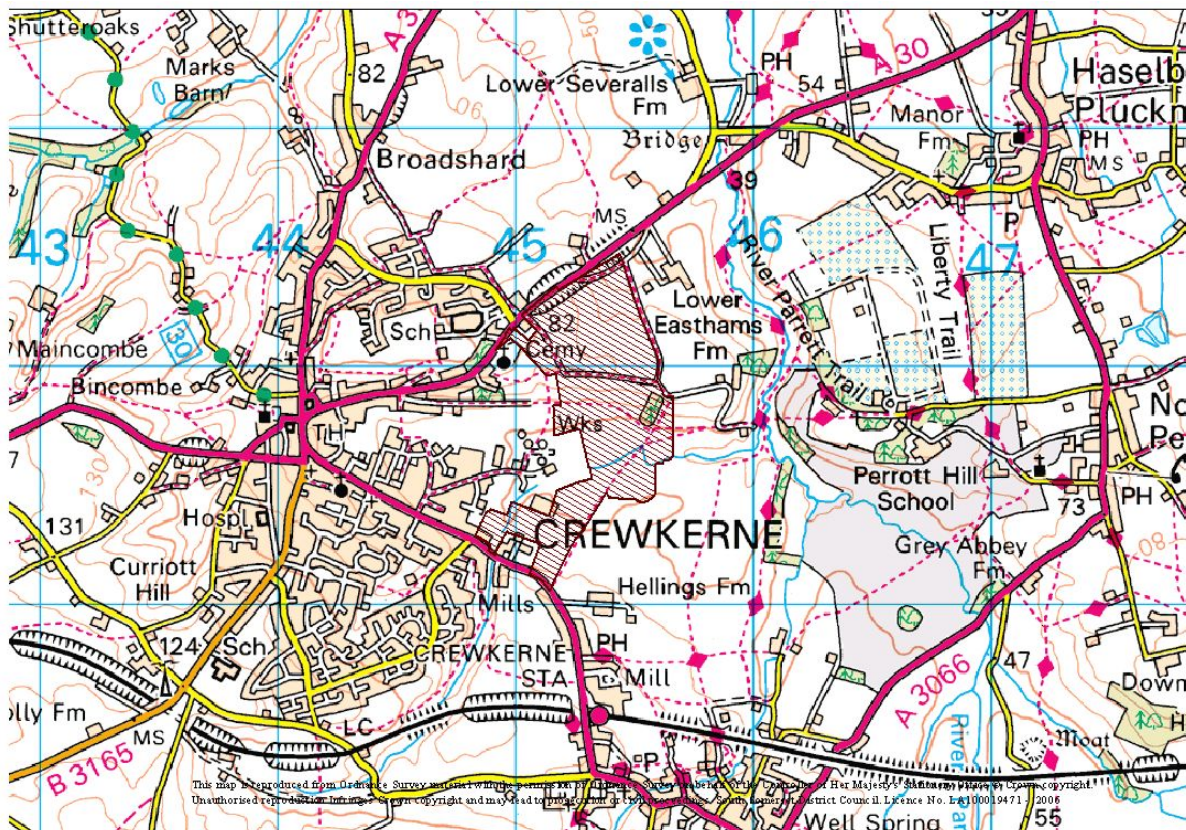
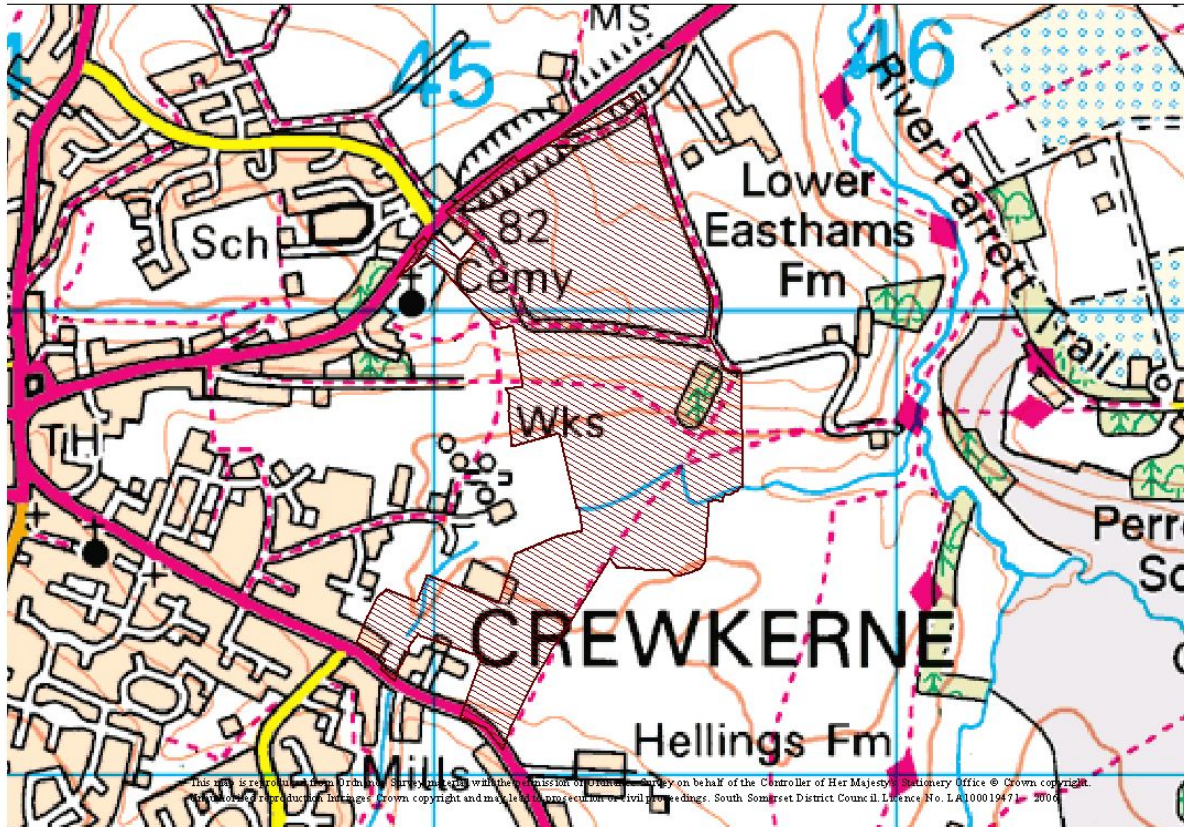
The central part of the site includes the scarp slope with the lowest lying parts of the site mainly grassland. A corridor of open countryside extends westwards from the site boundary into the town centre. This central area will be retained for informal recreation. New balancing ponds associated with the drainage of the site will be located in the northeast corner and southern parts of the site and these will be designed to attract wildlife. In addition to the informal recreation provision there will also be a community sports area including a playing pitch.

The southern part of the site is mainly arable land, which slopes gently upwards to the A356 at the southern boundary. This part of the site adjoins the town's main industrial area at its western boundary. It will therefore be used to provide employment land to complement the adjoining use.

The key aspects of the comprehensive proposal are set out below

- Residential development for 525 dwellings, including a proportion of affordable housing (14.8 Hectares – 36 acres)
- Employment land for a range of employment uses to complement the adjacent existing industrial area (9.8 hectares – 24 acres)
- Local centre and community hall site (0.4 hectares – 1 acre)
- 2 form entry primary school (1.4 hectares – 3.5 acres)
- Playing fields, open space and structural landscaping
- Balancing ponds to cope with surface water
- Strategic highway improvements including a new link road between the A30 and the A356
- A local convenience store
- Footpaths and cycleway throughout the site and links back to the town centre where possible
- Contributions to environmental improvements in the town centre aimed at improving the pedestrian environment

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RELEVANT HISTORY:

910302/OUT – Formation of access road and industrial development – WITHDRAWN 23/7/91

900202/OUT - Distributor road, residential development, industrial development, community facilities and public open space etc – REFUSED 24/4/90

POLICY:

The starting point for considering this application is the Development Plan, which comprises the Regional Spatial Strategy (RSS – formerly known as Regional Planning Guidance), the adopted Joint Structure plan Review (2000) and the South Somerset Local Plan (adopted April 2006). The Local Plan replaced the now superseded Crewkerne Local Plan. A full list of relevant policies and the detailed Policy Manager's comments are included in [Appendices B and C](#).

CONSULTATIONS: SUMMARY

Crewkerne Town Council - Recommend APPROVAL subject to phasing of development, 35% affordable housing being achieved, and other matters to be resolved through the S106

SCC Highway Authority - Recommend APPROVAL subject to all necessary highway infrastructure and phasing of link road. S106 agreement required for all off site highway works. Proposed green bridge must be up to highway standards and come forward with a commuted sum for future maintenance.

SCC Ecologist – Requests further details and survey work to be undertaken in respect of protected species; also points to loss of potential neutral grassland which could be potentially a UK/BAP priority habitat. Mitigation measures required and replacement habitats needed.

SCC Planning Department – No comments to make provided application is in line with RSS policy and needs of other departments are taken into account in the development.

SCC Archaeology – Recommend APPROVAL subject to further evaluation and excavation of certain areas affected by physical development works. Can be covered by a condition.

SCC Education – Recommend APPROVAL subject to appropriate contribution to education facilities in the town and the provision of a school site and playing field within the development.

SCC Rights of Way – Supports sustainable transport links but this may involve 3rd party land to secure necessary improvements to existing network of footpaths.

Wessex Water - Water supply adequate subject to new booster station. Foul system adequate but odour modelling required to safeguard housing, SUDS drainage system favoured, separate foul and surface water systems required.

Environment Agency – No objections subject to conditions and notes to cover our interests. Detailed letter setting out conditions to be forwarded prior to Committee.

South West of England RDA - OBJECTS unless it can be demonstrated that the proposal provides an appropriate balance of housing and is sustainable in terms of car usage, delivery of employment etc.

English Nature (now Natural England) - Will only support application if appropriate mitigation measures put in place to protect dormice and badgers in particular. Have provided detailed advice on necessary green bridge proposal for dormice and point to difficulties in achieving a licence under European Legislation following any potential grant of planning permission, unless these matters are fully resolved.

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DEFRA - No formal comments to make but raises concerns about use of good quality agricultural land, and potential spread of development further into the countryside. Acknowledges allocation of site however in Local Plan.

Countryside Agency – No comments to make as only comment on nationally important schemes.

Ministry of Defence Estates (Safeguarding) - No objections.

Wales and West Utilities - No objections - point to services near or on the site, which will need to be safeguarded.

English Heritage - No comments to make on this occasion.

SSDC Policy - The principle of the development is supported; reflecting as it does the adopted Local Plan allocation KS/CREW/1. The town is an appropriate location for this level of development and the site is suitable in terms of its relationship to the town and its services and can be developed without causing unacceptable harm to the setting of the town. The proposal provides for a mix and balance of uses and promotes the principles of sustainable development of uses. In light of the housing trajectory there is a need for planned urban expansion for Crewkerne to support its role and function. The proposal, together with commitments should not result in a disproportionate level of growth for the town.

Should the application be approved conditions should be attached ensuring compliance with the adopted local Plan allocation and providing for a high quality sustainable development. In particular and reflecting the Inspector's stated concerns delivery of employment development will be important to achieve the overall balanced development.

SSDC Landscape Architect - The potential landscape impacts arising from this key site development has long been a major concern: Whilst the area allocated for employment is considered to relate well to the town and its setting, in landscape terms the residential area is not such a well-related urban extension. Substantive landscape impacts will arise from the provision of housing and associated development above Butts Quarry Lane, and the link road alignment.

The original landscape strategy plan, submitted March 2005, was assessed as lacking the necessary mitigation to enable satisfactory integration of the proposal with its context (see consultation response 08/05). Further to negotiation with the applicant, a revised proposal - drawing no; CSA/277/022 revision C - which addresses the major impacts of skyline development; development massing; the separation of built form from the urban setting; and the link road alignment across the escarpment; has been submitted. This revised masterplan in most part satisfactorily addresses the main landscape issues identified by the EIA and earlier assessments (see consultation response 02/06).

There are items to be resolved to complete the landscape mitigation: These relate to additional planting across the scarp, as part of both dormice and highways mitigation; and the alignment and landscape treatment of cycleway linkages above Easthams Lane. Some fine-tuning of land-use within the central open space is also being sought, to enhance future management of these areas. Once these issues are resolved (see consultation responses 11/05 and 08/06) I am satisfied that the landscape masterplan shall provide a basis for a positive landscape recommendation at this outline stage, and for reserved matters applications in due course.

SSDC Conservation Manager - Generally content with master plan and design code subject to appropriate conditions and the comments of the Landscape Architect

SSDC Economic Development – Whilst supporting the application raises concerns regarding the design of employment units and their marketability.

SSDC Ecologist – Will not be able to support unless protected species are properly considered and full mitigation measures such as a green bridge for dormice are included. Support the concerns raised by English Nature in this regard.

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SSDC Rights of Way – Not convinced with regard to sustainable transport links to town centre. Further proposals needed which may impact on 3rd party land to provide cycleways.

SSDC Housing – Fully supports given considerable need for affordable housing and SSDC corporate objectives.

SSDC Transport Officer – Supports application but details still need to be formally agreed

SSDC Arborist – Recommends certain trees be formally protected prior to any development.

SSDC Technical Services - No objections subject to appropriate surface water drainage measures and adequate foul water system in place.

SSDC Open Spaces Officer – Still awaiting detailed proposals in respect of areas for maintenance and commuted sums to be offered.

SSDC Sport and Leisure – Has serious concerns that proposals do not provide sufficient facilities for the site. Requests that further discussions are held with developer.

REPRESENTATIONS:

The application has been advertised on site and in the Local Press both under Environmental Impact Regulations and as a Departure from the Development Plan as is required (at the time the application was received the SSLP had not been formally adopted – hence the Departure advertisement). The following is a précis of comments received from interested parties. In addition all those parties who made representations regarding the SSLP were individually notified and invited to comment. Where necessary the full comments of the consultees have been included in [Appendix C](#) and [D](#).

Somerset Badger Trust – Need to have specialist surveys carried out and acted upon.

Somerset Environmental Records Centre – Refer to legal and non-statutory protected species.

Campaign for Dark Skies - Site and development could have a major impact on new observatory at Haselbury Plucknett, points to considerable impact of such a large new development on the edge of the town. Potential light spillage from new dwellings and new road could be very intrusive. Gives specific detailed guidance on how this can be overcome.

South Somerset Disability Forum – Whilst the overall aims of having an inclusive community are applauded it is considered that this will not be realised in the plans as they come forward; the site is being overdeveloped; access and gradients are difficult; access to community facilities and play areas also compromised; suitable facilities should be put in place along major access routes; Part M must be followed wherever possible; lifetime homes and homes suitable for wheelchair users should be included in the development; legislation enquires the active promotion of an inclusive environment and equality of opportunity.

CPRE – Objects to the application, number of houses proposed is contrary to Local Plan. This proposal is at odds with the advice contained in PPG3 in that it will involve a substantial greenfield development.

Association of British Insurers – Recommends that no development takes place until all flood risk issues have been fully resolved with Environment Agency.

Wadham School Headteacher – Overall I consider this to be an attractive and well thought out proposal, which should help to revitalise the town and provide a much-needed link between the A30 and A356. Delighted that Ashlands School will be replaced. I do have some concern about additional traffic on the road both in constructing and after completion. These could be issue at the end of the school day with the buses and parents especially when there are traffic signals on the A30. Also need to carefully consider the potential impact on children safety with the cycleway link across the road – I would prefer to see a footbridge.

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Wadham Park Residents Association – welcome new access to Cropmead industrial estate, raise concern about extra traffic running through existing and proposed housing areas, environmental impact on eastern countryside of the town is unacceptable; amount of housing will destroy character of this market town and stretch local infrastructure. They also make the following points:-

- 6000 to 7000 increase per day in traffic movements
- Fully support the strength and quantity of objections raised by local residents
- Traffic lights on A30 will be dangerous
- Double yellow lines on Ashlands Road will impede parking
- Traffic congestion around the school will be intolerable
- Emission and noise pollution will make life unbearable
- Property values will plummet

172 individual letters from the public raising the following points of objection and concern (158 of which are from residents of Ashlands Road estates).

- Concerns expressed regarding access to industrial estate
- Impact on existing industrial units from height and proximity of proposed buildings
- Link road should be completed before any building takes place
- Not convinced that road will divert traffic from town centre
- Must have sustainable transport links to town centre avoiding use of cars
- Concerned about other land in applicants ownership and future plans
- Concerns about the sudden leap in the number of houses being proposed
- Considers that more local infrastructure should be provided such as shops, health clinic etc to serve the new development
- Points to critical impact on Ashlands Road residents flowing from new traffic
- Not enough thought given to means of protection of Ashland's Road residents from excessive amount of new extra traffic
- If this scheme is to go ahead then there should also be a Longstrings by pass as well
- Extra noise, traffic and vibration on Ashlands Road will make life unbearable
- Considerable impact on property values on Ashlands Road
- All side roads on Ashlands estate will be used for parking
- Impact from extra HGV traffic and how this will affect children walking to school
- Can't understand why Council has not gone with Inspectors decision to develop Longstrings instead of CLR
- Double yellow lines along Ashlands Road will make life difficult for dropping off children going to school
- Traffic lights on A30 is ludicrous – accidents will be inevitable
- Will put added strain on town's infrastructure
- Traffic congestion at start and end of school day will be inevitable
- Detrimental impact on peace and quiet in the cemetery from extra traffic etc.
- Should be a bypass for the whole town not a scheme creating a by pass along Ashlands Road
- Ashlands Road was never meant to be a bypass or distributor road
- This scheme was rejected before and at the LP Inquiry – how can it now be steam rolled through against local peoples wishes
- Questions need for this amount of extra housing when Yeovil is also to be expanded
- Increased density will put more pressure on car parking in the town
- Other non-strategic sites such as Maidenbeech should come forward first particularly bearing in mind the time it will take to resolve the S106 agreement to be attached to this application and the need to refer the application to the Government Office.
- Significant impact on local trees of importance some of which are TPO'd
- Whilst being concerned about the principle acknowledges the improvements from this scheme to the earlier draft proposals, landscaping also welcomed
- Ashlands Road because of its gradients and alignment is not suitable for a distributor road. Why not consider Furringdons Lane as a new by pass for the town
- Another letter however refers to the cost and environmental damage in bringing Furringdons Lane up to the standard required.
- Contrary to government policy; contrary to provisions set out in Local Plan; contrary to regional planning guidance; windfalls in town should avoid need for this development
- Link road should be designed to by pass Misterton as well

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- Concerned about pollution of balance ponds and excavated materials being taken off site or burning of waste on site
- Have the views of Misterton residents been considered in respect of screening
- POS seems adequate but is split by link road – could link road be re-aligned

CONSIDERATIONS:

The principal considerations in this case are the:

- National and Local policies and how they impact on the development
- Highway issues including off site works and sustainable transport links
- Ecological issues concerning protected species
- Landscape impact issues both long and short range
- Affordable housing
- Public open space and play space provision
- S106 agreement and level of contributions offered
- Phasing of development

1. POLICY

Members are referred to the full text of the Policy Manager's comments at [Appendix B](#). He identifies the principal issues to be:

- Does the proposal accord with policies governing the sustainable location of the development?
- Is there a need for the housing particularly bearing in mind the intended increase in numbers?
- Do the proposals accord with employment land policy?
- Does the proposal provide a high quality sustainable development?

Clearly it will not be sufficient in this case to rely solely on the fact that the site is allocated in the adopted Local Plan. The Government Office will need to be satisfied with regard to the above.

The Policy Manager has put forward a convincing case to allow this site to come forward at this time. The phasing policy set out in the Local Plan is now irrelevant given the considerable time from any committee resolution before construction works begin. The Policy Manager considers that the site is an appropriate location for this scale and type of development and the development does not harm the local landscape subject to mitigation measures. The proposal provides for a mix of housing, community facilities, employment land and new road infrastructure, which as a total package will support rather than undermine the importance of Crewkerne as the District's third largest town. It is not considered that the proposal, taking into account the additional number of houses over and above that indicated in the original Local Plan, would lead to a disproportionate level of growth for the town.

The number of dwellings now proposed is in excess of that originally shown in the Local Plan. However, the applicants point out that there is a need to ensure that land (particularly greenfield) is used to the most appropriate density taking into account the need to respect landscape setting and the need for other benefits such as affordable housing. More of this is set out later. In principle however, the Policy Manager does not consider that the additional numbers now put forward are unreasonable. Given the other constraints on the site in terms of providing a link road, employment land, community facilities and off site works for highway safety your Officers conclude that the original figure put forward is now unrealistic and will if adhered to lead to a site which is simply not viable.

The Policy Manager does however conclude by stressing the importance of taking into account the comments of the Local Plan Inquiry Inspector. He was at pains to ensure that the employment land came forward at a reasonable rate to complement the housing proposals. Otherwise the need for commuting would inevitably grow and the question mark over sustainability would arise.

With regard to employment land Members are referred to the report carried out by the applicant's agent, which is reproduced in [Appendix A](#). This report stresses the need to ensure that employment land is flexible in terms of the uses envisaged and that a range of differing unit types and sizes is

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provided. The need to link the existing employment land areas at Blacknell Lane and Cropmead with the new road is essential. The Local Plan states

A link road between Blacknell Lane and the proposed A30-A356 south link road to be built in its entirety on the completion of 200 dwellings or four years after the occupation of the first dwelling, whichever is the earliest.

The Council's Economic Development Officer considers that the design code put forward by the applicants will not be appropriate in meeting the needs of local employers and others who may wish to relocate to the site. Clearly this is an issue, which will need to be further considered at detailed design stage. What is important however is to recognise the developer's responsibility to ensure that the access road is provided and that serviced land is made available to allow other agencies and private land owners to come forward with the provision of employment land. Further negotiations with the developer's agent will be required on this point and a firm program of phasing needs to be established prior to any grant of planning permission. Not to do so would render the application liable to a 'call in' from the Government Office for the South West.

2. HIGHWAYS

Members are referred to the letters received from the County Highways Authority at [Appendix D](#). Prior to the submission of the application the Highway Authority played an important and innovative part in the Enquiry by Design process. They came to that event with an open mind and a willingness to think outside the normal realms of estate road management and construction. However, whilst they showed flexibility and a radical approach to design they will still need to be satisfied that the roads constructed are to full public adoption standards.

The Local Plan requires the following improvement works to be incorporated in the development:

- **Link road between A30 (Yeovil Road) and A356 (Station Road), to be provided in entirety on the completion of 200 dwellings or four years after occupation of the first dwelling, depending on which is the earliest**
- **Footway/cycle link to town centre**
- **Appropriate contributions towards improvements to affected highway infrastructure**
- **A link road between Blacknell Lane and the proposed A30-A356 south link road to be built in its entirety on the completion of 200 dwellings or four years after the occupation of the first dwelling, whichever is the earliest.**

The applicants will need to ensure that all the above works are properly phased in accordance with the Local Plan. The key element here is ensuring that the necessary improvements required to local infrastructure are in place. In addition the necessary off site works to ensure safe crossing points, traffic calming near the Wadham secondary school, and other necessary works on the A30 and A356 are completed and linked to a S106 agreement which the Highway Authority will need to be a party to. Members have made these matters a priority also in selecting this site as opposed to the Local Plan Inquiry Inspector's choice of Longstrings. The need to remove traffic from the town centre coupled with the potential for providing better links to the town's industrial areas were key factors in this decision. Any planning permission on the key site must support rather than undermine that stance.

In broad terms after a number of meetings the Highway Authority are in agreement with the application provided all the above matters can be satisfied as well as those set out in their latest correspondence.

It will be noted that the Highway Authority have been fully apprised of the strong local objections from the Ashlands Road residents. However, the principle of the key site is now firmly established having previously taken into account the competing aims of this site as opposed to the site favoured by those residents at Longstrings to the north of the A30. That site is now no longer part of any development proposals although it may come forward at some time in the future. The Highway Authority remain adamant that Ashlands Road was built to distributor road standard and is capable of taking any additional traffic that may result as a development of the key site. Without a highway objection or specific expert technical opinion to the contrary the LPA cannot refuse the application on those

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grounds. To do so would render them liable to an award of costs being made against them at a public inquiry. Clearly there will be an impact on those residents who currently live on or off Ashlands Road. However, one objector did comment that it is the needs of the town rather than one particular segment of the town that needs to come first. Those residents will no doubt consider that their views have been ignored. That however is not the case now and it was not the case when the key site was formally designated by the Council. It is however considered the greater needs of the town and the potential other benefits that will accrue should take precedence.

Members will also note the Highway Authority's comments regarding the green bridge to cater for dormice. Clearly they will need to be satisfied that such a structure is safe, meets their rigorous standards for structures over the highway, and a reasonable commuted sum is provided to ensure future maintenance. Comment as been made to the type of bridge envisaged. More of this will be set out below under ecological issues. If the structure is not to be formally adopted by the County then the cost for future maintenance will need to be borne by those residents who live on the site by way of some long-term management agreement. Clearly the best option here would be that any structure is adopted by the County. Comment has also been made in terms of whether such a bridge could double as a pedestrian/cycle route. To do so however, would push up the cost considerably. In any event the Highway Authority are satisfied with the proposals to cross the new road by ensuring appropriate crossing points and low traffic speeds.

Likewise much concern has been raised by local residents regarding the need for pedestrians and particularly school children to cross the A30. One suggestion to build a bridge has been considered but has been rejected in favour of ensuring that traffic speeds are significantly reduced from their current unimpeded level and that safe crossing points are provided both for walkers and cyclists. The Highway Authority have considered the plans submitted to date in detail and will need to have further detailed plans submitted to them for their approval at a later date. The broad principles of highway safety have however been already agreed.

One issue that has exercised both the minds of Highways and Policy is the sustainable transport links. This is a vital area if the site is to demonstrate a range of transport options to link it with the town centre over and above the use of the private car. A plan will be shown at Committee indicating the applicant's proposals in this respect. What is clear is that whilst pedestrian links are well established it remains to be seen as to the potential for cycleway links without using 3rd party land to accommodate those works. Your rights of way officer has alluded to the potential problems that might arise with regard to converting footpaths into bridleways for example. However, there has to be a real prospect of linking the site with the town centre for cyclists as well as pedestrians. Such a route should of course be useable. There will be other links available to link the residential areas with the town such as along the A30 and the A356 and through the employment areas of Blacknell and Cropmead. The ideal link however remains the most direct east-west links at the top and bottom of the scarp slope. To add to the complication such links will also need to respect the ecological issues surrounding dormice and badger setts. To ignore this element of the scheme will again put the application at risk of a 'call in' from the Government Office.

With regard to all the highway matters set out above but in particular to the requirements of the Local Plan Members will need to allow Officers to negotiate the fine details. However, certain elements will not be open to negotiation such as the phasing of the link road completion, link to employment areas, and necessary highway safety measures and the green bridge. Members are asked to re-affirm their views in this respect.

3. ECOLOGY

Members are referred to the comments submitted to date by Natural England (formerly English Nature) and the SSDC Ecologist.

There are a number of protected species, which exist on the site and adjoining the site. Clearly the presence of such species will be of paramount importance. The objections submitted by both parties to date have been the result of a lack of detail and willingness to fully take on board the need to provide adequate mitigation measures to avoid harm to protected species.

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A number of options have been explored with regard to dormice but the only conclusion drawn as to a truly workable solution is the 'green bridge' approach using a living hedgerow above the road. Members are referred to the supporting information in **Appendix B**. Such a structure is likely to meet with the approval of the relevant bodies and is the most likely solution to enable a Licence to be granted by DEFRA. To date the applicants have not been willing to countenance this solution putting forward cost and landscape objections. In terms of cost the overall cost will not be the £500,000 quoted by the applicants agent who appear to have based their costings on a much more complex scheme carried out in Kent. To date no firm costings have been carried out by the applicants. In terms of landscape impact your Landscape Architect is prepared to consider any bridge proposal put forward. A site has been identified as the most preferred link at the junction of Butts Quarry Lane and Easthams Lane. Again Members are asked to re-affirm their commitment to this element of the scheme, without which the whole project could fail. Regardless of any planning permission granted DEFRA will not grant a licence unless they are fully satisfied. Without the licence in place the applicants cannot implement the planning permission granted.

With regard to other protected species such as badgers it does appear that suitable mitigation measures can be put in place to protect their habitats and provide enhancement of such habitats wherever possible by appropriate new landscaping.

Much more detailed work is required by the developers but such details can be covered by appropriate planning conditions.

4. LANDSCAPE AND DESIGN

Both the Council's Landscape Architect and Design Manager attended the Enquiry by Design event. This resulted in a document being produced, which sets aside the normal estate road layout and 'anywhere housing' reproduced by volume house builders as evidenced in the district over recent years. An innovative approach has been adopted by the design team to create places of interest and local distinctiveness. Members are referred to the Design Code produced as part of this application. Your officers consider that it is vital for such a Code to be considered a fundamental part of any permission granted. To that end officers suggest that conditions are imposed requiring future developers to adhere to the principles laid out in the Code. Clearly a great deal of work remains to be done in terms of a future application for approval of reserved matters. However, with a design code in place it matters not who the eventual volume house builder is. What is important is that Members and officers re-affirm their approach to this site and defend future refusals if necessary of any application that does not meet the Code agreed.

Turning to matters of landscape impact, it is clear beyond doubt that the development of this site on the edge of the town will have a considerable impact. This is not unusual or unique to this site but would be the case for any large area of land on the edge of the Crewkerne, which is set amongst such beautiful and attractive countryside. Members are referred to the detailed comments of the Council's Landscape Architect in this regard. Members will further note the conclusions set out by the officer concerned.

The increase in the density of the housing over and above that shown in the Local Plan have been carefully considered in terms of landscape impact. The adoption of the design code and the way in which higher blocks have been limited to certain areas together with the massing and the internal and structural boundary landscaping have been brought together to create an appropriate form of development that should in time fit with wider local landscape views. There are matters of detail, which need to be resolved but none are so insurmountable that they cannot be dealt with by appropriate planning conditions.

It should also be borne in mind that the development of this site will have an impact at night as well as by day in landscape terms. In this respect Members are referred to the views of the Campaign for Dark Skies who make relevant and pertinent points with regard to light pollution. The lighting of the main spine road through the site as well as any potential lighting of playing pitches and all the housing areas will be of critical importance in this regard. Much more consideration needs to be given to appropriate levels and types of lighting. There will clearly need to be a balance between a safe environment and the need to avoid excessive light pollution. Again such matters can be dealt with by appropriate planning conditions requiring full details of all lighting to be submitted as part of any

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application for approval of reserved matters. Very often such issues are overlooked but on this occasion given the site's edge of settlement position they are of vital importance. Your officers further consider that it should be made a condition of planning permission that security lighting is excluded in residential areas. Such lighting can be highly intrusive and on this site if allowed to go unchecked could have a major impact. The need to provide adequate lighting can be dealt with under the individual detailed designs of the housing units.

5. AFFORDABLE HOUSING

One of the benefits of increasing the overall number of units on the site has been the potential to commensurately increase the element of affordable housing. The Local Plan requires a target of 35% to be met from the key site. It states -

“With reference to affordable housing provision as defined in paragraphs 10.35 to 10.43, the Council is of the opinion that this “key site” meets the Government's threshold within Circular 6/98, PPG3 (2000) and Policy HG7 (Definition and Achievement of Affordable Housing) whereby the local planning authority may negotiate an element of affordable housing based on need. Using the Council's local information from the Housing Needs Assessment (2000), its update (2002) and the methodology outlined in supporting text to the affordable housing policies, a site target of 35% is considered appropriate”.

However, the Local Plan is silent on the preferred mix of affordable housing i.e. the proportion of rented to shared equity. It has been normal practice to base the requirement on the need to provide a 90/10 split in favour of rented. On that basis the applicants have stated that they are only able to provide a total percentage of 15% affordable on the key site. The applicant has put forward arguments based on the viability of the site and the abnormal and front loaded costs that have to be borne by the development. They have provided information to support this assertion and have indicated that the site would not be viable with any greater proportion of affordable housing.

The original yield of affordable housing from 438 dwellings would have been 153.3 units.
The yield from 525 dwellings would be 183.75 affordable units.
The applicants initially offered 35% but have now reduced this to 15% giving a yield of 78.75 units.

The Local Plan further states -

“Where it is demonstrated that the provision of affordable housing, along with other infrastructure and community facilities renders a site unviable the council will reconsider the planning obligations, including affordable housing, to be sought from the site. But the district council will wish to see development in accord with local plan policies proceed as long as the necessary infrastructure, services and community facilities are secured”.

The applicant's figures with regard to overall viability are being checked by consultants acting on behalf of the Council. Clearly the issue of affordable housing is one of paramount importance. The applicants base their figures on a 90/10 split but it may be possible to agree another split as has happened on other key sites in the district, which has resulted in an overall greater percentage of affordable housing but with more shared equity units. Members for example may decide that it would be preferable to have a 35% total but with a different split.

In addition the above information from the applicant pre-supposes that no Housing Corporation Grant will be payable. Clearly such a large site could attract a grant and if that were the case then it would be open for the Council to re-negotiate the actual split between rented and shared equity units. Officers consider that it would be able to insert a formula into the S106 agreement which could govern this.

Officers have already expressed their concern at the suggested percentage of affordable units offered by the applicants. Members will wish to give this matter serious consideration at Committee particularly bearing in mind the recommendation of the Town Council.

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What is clear is that the Local Plan requires a target of 35%, which should only be set aside and reduced if there is a clear and robust argument proving the site would not be viable. Officers will be able to update Members further on this matter at the meeting.

6. PUBLIC OPEN SPACE AND PLAY SPACE PROVISION

Members are referred to the views of the Head of Service of the Council regarding this element of the proposal as set out in **Appendix C**. At the present time there is a fundamental disagreement between the Head of Service and the applicant. Further clarification has been sought regarding the suggested list of provisions and the way in which this fits with Local Plan policy. Clearly as the applicant rightly points out only those matters which are specifically supported by policy requirements should be included in the requirements laid out to cater for the key site.

To support their view the applicants have submitted a letter of rebuttal dated 3 October 2005. This letter is attached at **Appendix A**. The letter also usefully rebuts the objections put forward by SWRDA and a local objector.

The applicants have now provided detailed costings and their suggested contribution to play space provision. These are being considered by the Head of Service and a response will be given by your officers at the meeting.

In addition to the above there are also issues to be resolved regarding the maintenance of open spaces and play areas. There will be a need to provide a commuted sum for such on going costs. A list of such sums has been produced by the applicants but again it is likely that the proposals will fall short of the sums normally required for future maintenance. A further update on this will also be given at Committee.

7. SECTION 106 AGREEMENT

The applicants have set out the following as essential infrastructure costs

Highways

- On site road costs with new junctions and connections
- New link road between A30 and A356
- New link road to Blacknell Lane
- On site pedestrian and cycleway links
- Off site road costs including town centre works
- Pedestrian and cycle links to town centre via green wedge
- Safe crossing points for pedestrian and cycles

Drainage

- Surface water drainage using SUDS
- Balancing ponds
- New culverts and pipes
- Requisition of sewers
- Adoption fees/commuted sums

Foul water drainage

- Strategic sewers
- On site rising main
- On site pumping station
- Adoption fees/commuted sums

Strategic earthworks

- Cut and fill works
- Escarpment stabilisation
- Fill to provide sports pitch

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Utilities etc

- Gas, water, British Telecom, Electricity
- Commuted sums for adoption of services
- Professional fees

The applicants have agreed to provide contributions regarding the following broad headings

Highways

- Bus provision with the new link road providing a new bus link
- Bus stops and shelters within the development area
- Bus stops to serve the employment areas as well as the residential areas
- Public transport contributions based on a sum per new dwelling
- Pedestrian/cycle crossing the A30 (Toucan type crossing)
- Traffic calming measures around Ashlands secondary school
- Alterations to speed limits on A30 reducing from 40mph to 30 mph
- Town centre improvements i.e. signalisation of Market Street
- Pedestrian/cycle links to the town along Easthams and Butts Quarry Lanes
- Commuted sums for highway maintenance of traffic signals
- Off site road costs such as improvements to junctions

Education

- Pre school contribution
- First school contribution
- Middle school contribution
- Provision of a site for a new first school together with playing field
- Temporary accommodation contribution

Recreation

- Community parkland in north east corner of site
- Casual informal play areas comprising 1 NEAP, 1 LEAP and 9 LAPS
- Other local open space and amenity land

Landscaping

- Landscaping along A30 boundary
- Landscaping along eastern boundary and housing area escarpment
- Landscaping within residential areas including town square
- Landscaping along lanes
- Balancing ponds landscaping

Committed sums

- Sports fields
- Landscaping
- Amenity areas

In addition the applicants have offered affordable housing at 15% i.e. 79 units (rounded up).

To support the above the applicants have provided on a strictly confidential basis the cost derivations and their expected profits from the development. These papers have not been circulated (because of the need to retain commercial confidentiality) but have been given to relevant officers and the economic advisors acting for the Council. Checks are currently being made by those advisors and officers to ensure that the figures quoted are realistic.

It is clear so far that the suggested level of contributions on certain items fall short of that expected. There will need to be a balancing exercise carried out by the relevant portfolio holders of the Council

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to apportion the sums of money available once this has been agreed between the applicants and the Council.

This brokering between the portfolio holders is in line with the process agreed by District Executive, albeit it was initially intended to implement this prior to the application coming to Committee. It has been more recently agreed however that this can be dealt with after any principle resolution of the Council to grant planning permission. Officers will also need to scrutinise all bids submitted by various departments to ensure that the bid is in accordance with the advice set out in the Government's Planning Gain circular 05/2005.

Any recommendation set out below must therefore bear in mind that there needs to be further negotiations between the various Head of Service and Portfolio holders. In this case in addition it may be the case that Officers have to negotiate further with the developers to ensure that costs put forward are realistic before an agreed planning gain sum can be finalised.

8. PHASING OF DEVELOPMENT

The Local Plan sets out certain elements of phasing which are considered to be non negotiable i.e. the provision of the link road between the A30 and the A356 following the construction of the first 200 dwellings or four years following the occupation of the first dwelling whichever is the earliest. Similarly the Local Plan requires the link between Blacknell Lane and the new link road within the same timeframe. It is likely that the Highway Authority will also insist on these provisions being adhered to.

However, other elements of the development are not specifically referred to by the Local Plan and can be more fluid. It is likely that the developer will require a degree of flexibility in the way in which the site is delivered. Whilst officers can and should negotiate they and Members must bear in mind that a pragmatic approach should be adopted. It would not be helpful to any party to insist on a rigid and inflexible phasing plan which cannot be altered once agreed.

Certain elements of the development are crucial from a road safety point of view. For example the timing of the provision of off site works, traffic signals, crossing points of the A30 and traffic calming around the school. Whilst some of these works may have to be put in immediately as a first phase, other works could be put to a later date. The Highway Authority will need to advise further in this respect and officers suggest that any phasing plan is specifically agreed with the relevant Planning portfolio holder, Area West Chairman, local ward members and if needs be the Vice Chairman of the Area West Committee if the Chairman has to declare an interest.

Once a phasing plan has been agreed it is anticipated that there will be a need to review the plan if something unexpected happens. Officers suggest that any conditions or planning agreement is worded to include an element of flexibility to allow Members and officers to reconsider where necessary.

Further discussions will be necessary to conclude the actual phasing over and above those items considered to be non-negotiable. Officers recommend this be left to the relevant officers and Members to resolve as part of the S106 and other planning conditions.

CONCLUSION

There are still issues outstanding with regard to the objections of Natural England, and the final views of the Environment Agency. The latter initially objected to the original proposals but it is likely that they will now withdraw their objection on receipt of final plans from the developers to deal with flood risk and water attenuation. Their letter should be received prior to Committee.

The recommendation below is therefore subject to all the outstanding issues relating to the S106, planning conditions, and resolution of the Natural England objections being resolved. Once these matters are dealt with there is no impediment to a positive recommendation. Members are reminded that because the site involves greenfield development over the threshold size quoted in the Greenfield Land Direction the application will need to be referred to the Secretary of State who can exercise call in powers.

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REASON FOR GRANTING PERMISSION

It is considered that the development of the Crewkerne Key site is a vital element of the adopted South Somerset Local Plan in bringing forward a strategic requirement for housing and employment in the town. The principle of this development is supported, reflecting as it does the adopted Local Plan allocation KS/CREW/1, Land between Yeovil Road and Station Road. The town is an appropriate location for this level of development and the site is suitable in terms of its relationship to the town and its services and can be developed without causing unacceptable harm to the setting of the town. The proposal provides for a mix and balance of uses and promotes the principles of sustainable development of uses. In the light of the housing trajectory there is a need for planned urban expansion for Crewkerne its role and function. The proposal, together with commitments, would not result in a disproportionate level of growth for the town. It is considered that the proposal complies with National and Local Plan Policies as set out in this report.

RECOMMENDATION:

PERMIT in accordance with the application form and location plan submitted on 5 May 2005, the Architectural and Design Code received on 27 January 2006 and the revised Master Plan site layout received October 2006, **SUBJECT TO:**

- A) The application be referred to the Secretary of State under the Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000;
- B) The withdrawal of the objection submitted by Natural England with regard to protected species;
- C) In the event that the Secretary of State does not wish to intervene, the following matters and formulation of planning conditions be delegated to the Head of Development and Building Control in consultation with the relevant Portfolio Holders, Area West Chairman, and ward members to conclude should the Secretary of State confirm that the application need not be called in; and the applicant to enter into an agreement under S106 of the Town and Country Planning Act 1990 (as amended).

Detailed S106 contributions and phasing of the development to include the payment of contributions to cover the elements set out above in this report specifically to cover:-

- Highway infrastructure, both on site and off site works
- Public open space and play facilities, and future management
- Education facilities,
- Public transport and travel plan,
- An appropriate level of affordable housing,
- Strategic landscaping and future management
- Strategic drainage and future management
- Ecological mitigation measures and green bridge provision