Dear Mr Upton

TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED)

Proposal: OUTLINE APPLICATION WITH ALL MATTERS, EXCEPT THE ACCESS, RESERVED FOR FUTURE APPROVAL ON LAND AT JURSTON FARM, WELLINGTON FOR A MIXED USE DEVELOPMENT OF UP TO 650 HOUSES, COMMUNITY AND COMMERCIAL USES, A PRIMARY SCHOOL, EQUIPPED AND INFORMAL PUBLIC OPEN SPACE, COMMUNITY WOODLAND AND ASSOCIATED INFRASTRUCTURE WITH THE DEVELOPMENT TO BE SERVED BY A NEW PRIMARY VEHICULAR ACCESS AT WEST BUCKLAND ROAD (A38) AND SECONDARY VEHICULAR ACCESS CONNECTING TO CADES FARM DEVELOPMENT ALONG WITH PEDESTRIAN, CYCLE AND EMERGENCY ACCESS CONNECTING TO BEECH HILL AND LABURNUM ROAD AND PEDESTRIAN AND CYCLE ACCESS TO JURSTON LANE ON LAND AT JURSTON FARM, WELLINGTON

Application Type: Outline Planning Permission
Grid Reference: 314770.120405

Please find enclosed the decision notice for your planning application 43/14/0130. It is very important that you carefully read the entire notice including the conditions. No further reminder letters will be sent.

Planning Conditions

Planning permission is conditional on the compliance with any attached conditions. Failure to adhere to the requirements of a condition can result in unauthorised development taking place and enforcement action being taken against you.

It is your responsibility to ensure that you have complied with all the requirements of
all conditions.

Approval of Details Reserved by Condition

Some conditions can require the submission of information or further details prior to any works commencing. Failure to comply with the requirements of any such condition could result in the planning permission becoming null and void.

Should you be required to submit further information for approval by any condition there is a charge £28 for householder applications and £97 for all others. The fee is payable for each request, which can include details of more than one condition. Cheques should be made payable to Taunton Deane Borough Council and must be submitted with the request to the Conditions Monitoring Officer. Application forms for the approval of details reserved by condition are available from the Planning Portal website.

There are no national requirements for applications for the approval of details reserved by condition except that they should be made in writing and that the authority should determine them within 12 weeks of the application being validated. It is therefore important that any request is made in a timely manner to avoid any delays in works commencing on site.

Building Regulations

Building Regulation approval is a separate matter from obtaining planning permission for the work that you are intending to carry out. Most building work whether new, alterations, extensions or change of use requires Building Regulations approval. For more information about the Building Regulations, from what they are to what is covered by them, please contact our Building Control Team at building_control@tauntondeane.gov.uk or telephone 01823 356470. Additional information can be obtained at www.tauntondeane.gov.uk/buildingcontrol.

Site Notice

The Local Planning Authority may have erected a Site Notice on or near the application site to advertise this development proposal. Could you please ensure that any remaining notice in respect of this decision is removed from the site and suitably disposed of. Your co-operation in this matter is greatly appreciated.

Please Note: TDBC implemented the Community Infrastructure Levy (CIL) on 1 April 2014. This is a tariff in the form of a standard charge on the creation of new dwellings (including holiday lets and student accommodation), household extensions of 100 square metres or more in size and retail development (use classes A1-A5). If this application falls into any of these categories please visit the TDBC website, www.tauntondeane.gov.uk and search for ‘CIL’ to find out what to do next.

Yours sincerely

[Signature]

ASSISTANT DIRECTOR, PLANNING & ENVIRONMENT
TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED)

Application No: 43/14/0130
Proposal: OUTLINE APPLICATION WITH ALL MATTERS, EXCEPT THE ACCESS, RESERVED FOR FUTURE APPROVAL ON LAND AT JURSTON FARM, WELLINGTON FOR A MIXED USE DEVELOPMENT OF UP TO 650 HOUSES, COMMUNITY AND COMMERCIAL USES, A PRIMARY SCHOOL, EQUIPPED AND INFORMAL PUBLIC OPEN SPACE, COMMUNITY WOODLAND AND ASSOCIATED INFRASTRUCTURE WITH THE DEVELOPMENT TO BE SERVED BY A NEW PRIMARY VEHICULAR ACCESS AT WEST BUCKLAND ROAD (A38) AND SECONDARY VEHICULAR ACCESS CONNECTING TO CADES FARM DEVELOPMENT ALONG WITH PEDESTRIAN, CYCLE AND EMERGENCY ACCESS CONNECTING TO BEECH HILL AND LABURNUM ROAD AND PEDESTRIAN AND CYCLE ACCESS TO JURSTON LANE ON LAND AT JURSTON FARM, WELLINGTON

Application Type: Outline Planning Permission
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Taunton Deane Borough Council under the above Act hereby GRANT PERMISSION for the above development.

The development must be carried out in accordance with the application and accompanying plan(s) submitted to the Council and is only valid subject to compliance with the following condition(s):

1 The development hereby permitted shall be carried out in phases. In this permission any reference to a phase of development refers to the phases defined on drawing A076969drg.06C unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in an appropriate
sequence in the interests of the required ecological mitigation and in the interests of clarity.

2 Approval of the details of the layout, scale, appearance, and landscaping of the site (hereinafter called 'the reserved matters') for each phase of development shall be obtained from the Local Planning Authority in writing before that phase of development is commenced.

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

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

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

(A3) DrNo 1125-004 Rev F Land Use Plan Colour
(A2) DrNo PE-LP-A2 Rev 4 Location Plan
(A3) DrNo PHL-04 Rev B Northern Access to Spine Road via Cades Farm Development
(A3) DrNo PHL/05 Rev D A38 Access Roundabout Preliminary Layout
(A3) DrNo PHL/06 Rev A Potential Pedestrian / Cycle Link Connecting to Beech Hill
(A3) DrNo PHL/07 Rev A Potential Pedestrian / Cycle Link Connecting to Laburnum Road
(A3) DrNo PHL/08 Rev A Potential Pedestrian / Cycle Links Connecting to Jurston Lane
(A3) DrNo A076969drg.06C Outline Phasing

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

4 Prior to any reserved matters approval, details of a site-wide surface water drainage strategy shall be submitted to, and agreed in writing by, the Local Planning Authority. The strategy shall ensure that surface water run-off from the site is limited to no more than 2 litres per second per hectare of impermeable area unless otherwise agreed in writing by the Local Planning Authority and shall set out the principles of any attenuation required for each plot, phase or parcel of land. The development shall be implemented in accordance with the details of the approved strategy. The use of Sustainable Drainage Systems will be required as stated in the FRA in order to reduce the rate of runoff and pollution risks etc. These techniques involve controlling the sources of increased surface water and include:

- Interception and reuse.
- Porous paving/surfacing.
- Infiltration techniques.
Detention/attenuation facilities.

Wetlands

Reason: To prevent the increased risk of flooding as a result of the development through the use of SuDs.

5 No development shall take place on the part of the land to which separate reserved matters relate until the detailed drainage design for that plot, phase or parcel of land, incorporating sustainable drainage principles, has been submitted to and approved in writing by, the Local Planning Authority. The design shall be in accordance with the principles of the site-wide surface water drainage strategy approved under condition (4). The scheme shall subsequently be implemented so as to ensure that each part of the site is not occupied/brought into use prior to being drained in accordance with the details so approved.

Reason: To prevent the increased risk of flooding as a result of the development through the use of SuDs.

6 No part of the development hereby permitted shall be brought into use until a full operation and maintenance strategy for the surface water drainage mechanisms which relates to that part of the development has been submitted to and approved in writing by the Local Planning Authority in accordance with the FRA produced by AWP dated 26 November 2014. The strategy shall identify all future land use limitations, identify the ownership, operation and maintenance arrangements for the works over the lifetime of the scheme.

Reason: To ensure adequate future maintenance provision is in place in the interests of preventing any increase in flood risk.

7 Prior to the commencement of the development of any buildings, a foul water drainage scheme shall be submitted to and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker. The drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing.

The drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority and shall thereafter be maintained as such.

Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

8 No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To ensure that any archaeological remains on the site are properly
investigated and not damaged as a consequence of construction.

9 No phase of the development hereby permitted shall be commenced until details of a strategy to protect and enhance that phase of the development for wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of all the submitted reports to date (Andrew McCarthy Associate’s Extended Phase 1 Habitat Survey dated March 2009, SLR’s Protected Species Update Report dated April 2011, Updated Preliminary Ecological Assessment dated November 2014, Bird Survey report, Bat report, Invertebrate Survey Report, Reptile Survey Report and Dormouse Survey Report all dated November 2014 as well as the draft for Screening documents 1 and 2 -EPS Method Statement: Dormice Background Information and Delivery Information dated October 2013), and up to date surveys and include:

- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
- Details of the timing of works to avoid periods of work when protected species could be harmed by disturbance.
- Measures for the enhancement of places of rest for protected species.
- Details of Dormouse monitoring over a period agreed with the LPA.

Once approved the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the mitigation planting and maintenance of the bat, dormice and bird boxes and related accesses have been fully implemented.

Thereafter the new planting and the wildlife resting places and agreed accesses shall be permanently maintained.

Reason: To protect and accommodate wildlife.

10 Before development commences in any particular phase (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained in that phase shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012. Such fencing shall be erected prior to commencement of any other site operations and at least two working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figures 2 and 3 of BS 5837:2012.

Reason: To ensure the enhancement of the development by the retention of
existing trees and natural features during the construction phase in accordance with Taunton Deane Local Plan Policies S2 and EN8.

11 Prior to the commencement of any other development hereby permitted, the new roundabout access to the site from the A38 shall be fully constructed in accordance with detailed drawings that shall previously have been submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that an adequate means of access to the site is provided.

12 Pedestrian/Cycle access and access for emergency services only shall be provided to Beech Hill and Laburnum Road in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of preventing access by general motor vehicles.

The link to Beech Hill shall be provided prior to the occupation of 75% of dwellings in phase 2 of the development. The link to Laburnum Road shall be provided prior to the occupation of 75% of dwellings in phase 5 of the development. Once provided the access, including any feature for the prevention of access by general motor vehicles, shall thereafter be retained as such.

Reason: To promote good connectivity and permeability within the resulting urban area of Wellington and to ensure good access to facilities and services by means other than the private car.

13 Any drawings submitted pursuant to condition 2 of this planning permission shall include full details of the proposed Public Open Space and children's play areas for that phase of development to which they relate. The approved Public Open Space and any children's play equipment shall be laid out and brought into use prior to the occupation of 50% of the dwellings on the phase to which it relates.

Reason: To ensure that adequate public open space and children's play facilities are provided to meet the needs of future occupiers of the development.

14 The vehicular access to Cades Farm shall be provided and capable of use by the general public in accordance with detailed drawings which shall previously have been submitted to and approved in writing by the Local Planning Authority insofar as it relates to land within the application site prior to the occupation of 20% of dwellings in phase 8 of the development hereby permitted and shall thereafter be retained as such.

Reason: To ensure good connectivity to surrounding development and to deliver the objectives and requirements of Policy SS4 of the Taunton Deane Core Strategy.

15 The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-by’s, junctions street lighting, sewers, drains, retaining walls, service routes, 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 that shall previously have been submitted to and approved in writing by the Local Planning Authority. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to and approved in writing by the Local Planning Authority before their construction begins. The street lighting shall ensure that the favourable conservation status of dormice is maintained.

The approved roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling/building 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 interests of Highway safety and to ensure that all premises are accessed via an appropriate means of access.

16 (i) Any landscaping/planting scheme shown on drawings approved pursuant to condition 2 of this planning permission shall be completely carried out within the first available planting season from the date of commencement of the phase of the development to which it relates unless otherwise agreed in writing by the Local Planning Authority.

(ii) For a period of five years after the completion of the landscaping scheme within the relevant phase, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

17 Prior to the occupation of the 150th dwelling, hereby permitted, the 'school land' identified on drawing 1125-004 rev F shall be capable of being accessed by motor vehicular and pedestrian traffic from within the residential development area and such access shall thereafter be maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the primary school site is accessible by residents of the development.

18 The buildings at the local centre indicated on drawing 1125-004 rev F hereby permitted are permitted for uses in classes A1, A2, A3, A4, A5, D1 and D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that the uses in the local centre are flexible to enable it to be viable and attractive to potential future occupiers.

19 There shall be no construction access to the site via Beech Hill, Laburnum Road
or the northern section of Jurston Lane (between the proposed local centre and Sylvan Road) at any time.

Reason: In the interests of highway safety and to protect the amenities of existing nearby residents.

NOTES TO APPLICANT

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission.

ASSISTANT DIRECTOR, PLANNING & ENVIRONMENT

Date: 22 December 2015

N.B. Notes of the applicant's rights are overleaf.
(1) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority’s decision then you must do so within 6 months of the date of this notice. Appeals must be made using a form which is available either from the Planning Inspectorate Customer Support team on 0303 444 5000 or submitted electronically via the Planning Portal at [http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal](http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal). The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within six months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

(2) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(3) In certain circumstances, a claim may be made against the Planning Authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

(4) Having regard to the powers of the Highway Authority under the Highways Act, 1980, you should consult the Planning Liaison Officer, County Highways, Somerset County Council, County Hall, Taunton, TA1 4DY (Telephone: 0845 345 9155) in respect of a proposal within or immediately adjacent to a public highway (e.g. footpath and margin crossings, piping of ditches, construction of waiting bays etc.).

(5) This permission does not authorize you to stop up or divert a public right of way in order to enable the development permitted to be carried out. Separate legal steps are necessary for this, and, if required, further information can be obtained from the Diversion Order Office The Deane House, Belvedere Road, Taunton, TA1 1HE (Telephone 01823 356595).

(6) You are advised to investigate the possible existence of apparatus of Statutory Undertakers before commencing the development.

(7) In the case of development which will result in (1) buildings or premises to which the public are to be admitted whether on payment or otherwise, or (2) office premises, shop premises and railway premises to which the Office, Shops and Railway Premises Act, 1968, applies; premises which are deemed to be such premises for the purpose of that Act, or factories as defined by Section 175 of the Factories Act, 1961; being premises in which persons are employed to work, attention is drawn to Sections 4 and 7 of the Chronically Sick and Disabled Persons Act, 1970, in connection with (1) and to Sections 8 and 8A of that Act and the Code of Practice for Access for the Disabled to Building (i.e. British Standards Institution Code of Practice referred to as BS 5410:1971) in connection with (2).

(8) In the case of development which will result in the provision of a building intended for the purposes of (1) a university, university college or college or a school or of a school or hall of a university; or (2) a school within the meaning of the Education Act, 1944, a teacher training college maintained by a Local Education Authority in England or Wales or any other institution providing further education pursuant to a scheme under Section 42 of that Act, attention is drawn to Sections 7 and 8 of the Chronically Sick and Disabled Persons Act, 1970, and Design Note 18 "Access for the Physically Disabled to Educational Buildings", published on behalf of the Secretary of State for the Environment.

(9) This decision notice Certificate does not purport to convey any approval or consent which may be required by any byelaw, order, regulation or any enactment other than the Town and Country Planning Act, 1990. In particular it may be necessary to submit an application for approval under the Building Regulations, advice on which may be obtained from the Building Control Officer, The Deane House, Belvedere Road, Taunton. (Telephone: 01823 356470).