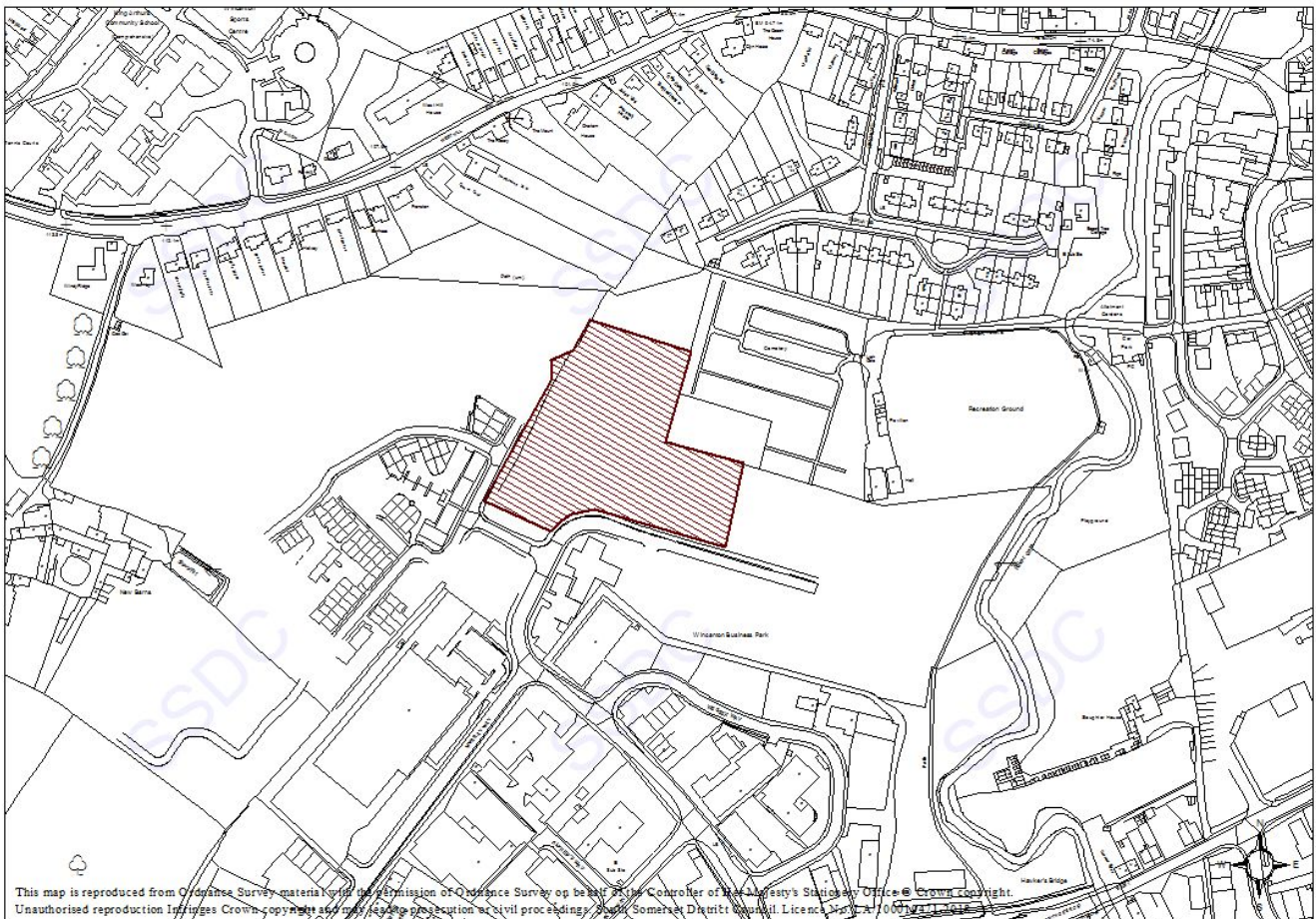


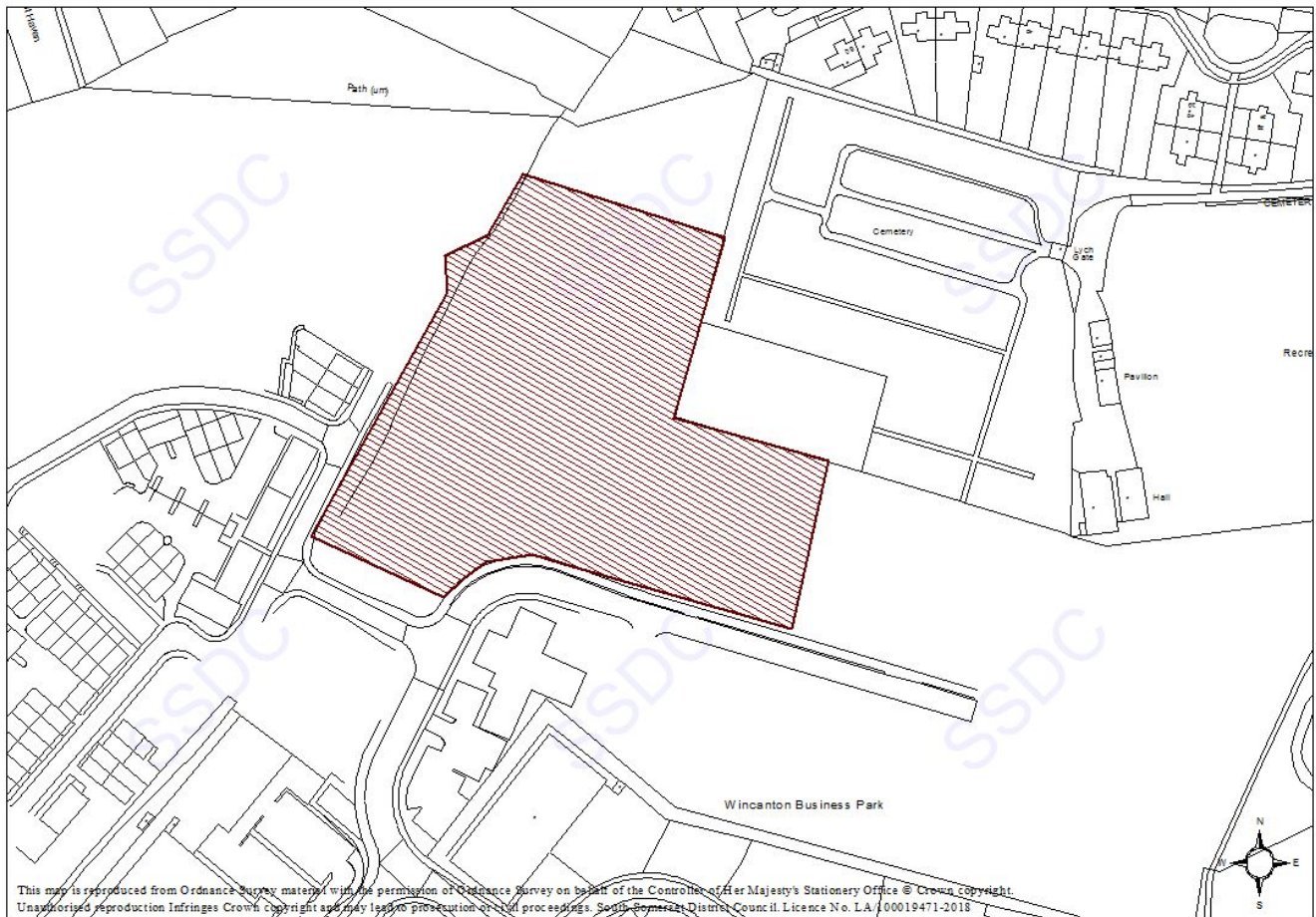
Officer Report On Planning Application: 18/01892/REM

Proposal :	Reserved Matters application for the erection of 60 dwellings, including access, appearance, landscaping, layout and scale.
Site Address:	Land South Of Cemetery Cemetery Lane Wincanton
Parish:	Wincanton
WINCANTON Ward (SSDC Member)	Cllr Nick Colbert Cllr Colin Winder
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	10th October 2018
Applicant :	Cavanna Homes (South West) Ltd
Agent: (no agent if blank)	Mr Robin Upton WYG Planning Hawkridge House Chelston Business Park Wellington TA21 8YA
Application Type :	Major Dwlgns 10 or more or site 0.5ha+

The application is before the committee, at the request of the ward members and with the agreement of the area chair, to seek clarity on footpaths to and from the two schools, ecology, and the relationship with the adjacent business park.

SITE DESCRIPTION AND PROPOSAL





This application seeks approval of the reserved matters for the residential development of land. Access was considered at the outline stage. The site consists of an area of open land laid to grass with some hedged and some open boundaries. The site is located within the development area as defined by the local plan. The site was master planned as a new primary school, and is subject to a legal agreement requiring it to be offered to the County Council for that purpose.

The site is close to various residential properties, including some still under construction, various commercial properties, and a cemetery.

The indicative layout plan considered at outline stage showed the provision of a new vehicular access from the unclassified highway known as Dyke's Way. The access was shown onto a new internal estate road serving 60 dwellings, in a mixture of flats and houses. The plan showed the provision of various pedestrian rights of way through the site, along with adopted road, private drives and parking courts.

The outline permission was approved subject to a variety of conditions, none of which the current application conflicts with. The outline permission was also subject to a section 106 agreement which dealt exclusively with the transfer of land elsewhere in the settlement to allow the expansion of the existing primary school rather than the building of a new school on the application site.

The detailed scheme now being considered shows the provision of 60 dwellings, served by roads with three points of access onto the existing public highway. The majority are of two storey design, although 4 buildings (containing 8 dwellings in total) will be of three storey design. The dwellings will be finished in a mixture of red brick and off-white render, below brown and grey tiles.

HISTORY

16/01659/OUT - Outline application with some matters reserved for residential development, associated landscaping, cycleway and footpath links and new vehicular access - Application permitted with conditions

01/11/2016

05/00960/OUT - The provision of a mixed use development comprising residential, employment, education and community uses with approximately 250 no. dwellings - Application permitted with conditions 28/12/2006

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015) and any adopted neighbourhood plans.

Policies of the South Somerset Local Plan (2006-2028)

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS5 - Delivering New Housing Growth

Policy SS6 - Infrastructure Delivery

Policy PMT4 - Wincanton Direction of Growth

Policy EQ2 - General Development

Policy EQ4 - Biodiversity

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

Policy HG3 - Provision of Affordable Housing

Policy HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development

Policies of the Wincanton Neighbourhood Plan

Policy 7 - Housing Types

National Planning Policy Framework

Chapter 2 - Achieving Sustainable Development

Chapter 5 - Delivering a Sufficient Supply of Homes

Chapter 12 - Achieving Well-Designed Places

CONSULTATIONS

Wincanton Town Council - Recommends approval on the proviso that the current land owner is obligated to secure the cemetery extension on all sides and to replant hedgerows.

County Highway Authority - Initially raised several areas of concern. On the receipt of amended plans, they provided the following comments:

"The application is for the reserved matters from the outline consent (planning reference 16/01659/OUT) approved in November 2016. Access was not a reserved matter within this outline application and was considered in detail at that time, although the applicant now proposes significant alterations to the access arrangements for this development. I understand from the applicant that the Local Planning Authority (LPA) are happy to consider the access arrangements as part of this reserved matters application.

Comments within the previous formal response remain applicable regarding issues where no amendments have been proposed.

Travel Plan

The applicant has submitted a revised measures only Travel Plan (TP) for this development, in accordance with the LPA's decision at the outline planning stage. The applicant has confirmed that the TP will be finalised based

on any approved estate layout (rather than the layout currently included within the TP), and the TP would meet the required standard for approval on this basis.

Parking

The revised proposals have now removed parking places on carriageways which would be offered for adoption as public highway. This has reduced the available parking within the estate as whole, but the provision is still generally in line with the adopted Somerset County Council Parking Strategy (SPS), and as such the HA does not raise any objection.

The applicant has indicated their intention to provide secure cycle parking and electric vehicle charging facilities in line with SPS guidance, and it is recommended that this be conditioned on any planning consent.

Access

The applicant has provided revised designs that include three vehicular access points to Dyke's Way across the existing footway/ cycleway along the site's frontage with that road.

The HA previously raised concern regarding this altered access arrangement. However, the applicant has now provided details of their review of junction spacings to confirm they are appropriate and demonstrated that suitable visibility will be achieved. In addition, the form of these accesses has now been amended so that priority will be given to cycles and pedestrians on the footway/ cyclepath. The detail of these accesses will be reviewed at the design stage, but the HA confirms that the general arrangement shown on the submitted plans is acceptable and raises no objection to the revised access arrangements. However, a condition is recommended to ensure that the details of the access proposals are agreed and implemented prior to the occupation of any property on the estate.

The HA previously raised concern that the volume of vehicle traffic using the western 'mews' access to Dyke's Way would in practice be significantly higher than that using the main estate access. The applicant has accepted the principle of limiting use of this access, and the revised design now includes a feature aimed at preventing vehicular traffic using the mews road as a 'short cut', while still allowing through movements for pedestrians and cycles. The HA supports the principle of this arrangement, but concern remains regarding the proposed implementation of this feature and its effectiveness, particularly over the long term. A condition is recommended, should the LPA determine to approve this application, to ensure through vehicle movement on this mews court road is prevented.

Estate Roads

The Department for Transport (DfT) have now clarified their advice regarding the use of shared surfaces and confirmed that these can be used within residential estates such as this. However, the applicant should still bear in mind that it remains their responsibility to ensure shared surfaces are appropriate when used. This has particular importance with reference to the design of the northern estate road arm, with a 1.8m wide footway possibly at carriageway level and a separate 0.5m wide service strip. While this would not affect the grant of any planning consent, the applicant should be aware that the detailed design of this road, including widths and surface materials, would be reviewed as part of any consideration of its suitability for adoption.

Forward visibility is shown within the estate, but the splays fall outside of the proposed footways, and thus there is a risk of future obstruction. The footways should include minor widening where appropriate so that the splays fall within them. However, it is also noted that the land required for the forward visibility splays may be reduced, depending on the radius of the internal bends. At present the visibility splays have been constructed for a 15mph design speed, but speeds may in fact be lower at these bends and forward visibility may be reduced to suit. These issues may be considered at the detailed design stage, should the roads be put forward for adoption.

The applicant has submitted plans demonstrating the swept path of vehicles accessing the estate and turning within private streets such that they can egress in forward gear. While these are mostly acceptable, the swept path of the private car turning within the street at the north eastern estate corner (insert F of drawing VD18811-101.1) does not appear to work in practice. The swept path either appears to run over a kerbline, or a large area is left at level which is likely to be parked on rather than left free for manoeuvring. A condition is therefore recommended on any consent to require the applicant to submit plans for approval showing the proposed

parking and turning areas to ensure this issue is appropriately addressed.

The revised proposals now include a feature to prevent through traffic using the proposed mews road between Dyke's Way and the internal estate road, to address the HA's concerns regarding the unacceptably high volume of vehicle traffic that would otherwise use the access onto Dyke's Road. As stated above, while the HA supports the principle of this approach, the feature as designed is not suitable; the route for pedestrians is unclear and the apparent use of bollards may result in use by vehicle traffic in the longer term if not adequately maintained. As the mews road would not be suitable for adoption if offered, and will thus remain a private street, conditions are recommended to ensure the applicant submits a design that would provide appropriate access for pedestrians and cyclists but that would provide strong measures to prevent abuse by vehicular traffic, and to ensure the long term maintenance of this feature.

Conclusions

The applicant has submitted further details and amended proposals that have addressed the majority of the concerns raised by the Highway Authority. A number of issues remain outstanding, but these could be addressed by the imposition of suitable conditions, should the Local Planning Authority determine to grant approval of this reserved matters application."

They go on to recommend the use of conditions to:

- Secure details of suitable vehicular and pedestrian access to the development.
- Secure details of measures to prevent the through use of the Mews road by vehicular traffic to travel to and from the internal estate road to Dyke's Way, while still permitting such through use by pedestrians and cyclists.
- Ensure the gradients of the proposed drives are no steeper than 1 in 10.
- Secure appropriate street lighting.
- Secure properly consolidated parking and turning prior to the occupation of any buildings.
- Secure the provision of appropriate cycle parking.
- Secure the provision of appropriate electric vehicle charging points.
- Appropriate hardstanding in front of garage doors.

SSDC Streetscene Services - Calculates that the development should provide 0.23ha of informal open space on site. They note that only 0.03ha is provided, and that is not within the red line. On that basis they state that they require an additional 0.2ha of usable open space.

SSDC Ecologist - States that all necessary ecological issues have been dealt with through the outline application and discharge of conditions. He therefore has no further comments to make.

SCC Rights of Way - Notes the public footpath adjoining the site. They raise no objections to the scheme and note the duties of the developer in relation to the right of way.

Avon and Somerset Police - Initially raised concerns with the proposed layout. On the receipt of amended plans they confirmed that their concerns had been addressed.

REPRESENTATIONS

One letter was received from the occupier of a neighbour property. They raise no explicit objections or support, but raise several areas of concern:

- Indicative layout preferable due to access issues and 'sealing-off' of cemetery extension
- Footpath issues
- Ancient hedgerow removal and resulting adverse ecological impacts

CONSIDERATIONS

History and Principle of Development

The principle of development is established by outline permission 16/01659/OUT.

Highways

The county highway authority has considered the scheme in detail. On the receipt of amended plans, they raised no objections to the proposal, subject to a number of conditions being imposed on any permission. Such conditions, with some alteration to their wording, are considered to be reasonable and necessary.

As such, subject to suitable conditions, it is considered that there will be no significant adverse impact on highway safety in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

Visual Amenity

The position and quantum of development was established at reserved matters stage. A detailed landscaping scheme has been submitted, which is considered to be acceptable. The proposed design of the buildings and layout are considered to be acceptable from a visual amenity point of view. The proposed materials are considered to be appropriate to the context.

As such, the proposal is considered to be of a satisfactory standard of design that would have no adverse impact on visual amenity in compliance with policy EQ2 of the South Somerset Local Plan.

Residential Amenity

It is not considered that the window layout and general bulk of the dwellings are such that they would give rise to undue overlooking or an overbearing relationship with neighbouring properties. Therefore the proposal would not harm residential amenity.

Open Space

No contributions were secured at the outline stage (due to the school land issues, which were considered in detail at that stage), including onsite open space. As such, notwithstanding the request of SSDC Streetscene Services, there is no mechanism in place to secure their formally requested provision. However, it is noted that the site will have very good links to existing open space in close proximity to the site. As such, the lack of onsite open space is considered to be acceptable on this occasion.

Other Matters

The town council has recommended approval of the scheme on the proviso that the current land owner is obligated to secure the cemetery extension on all sides and to replant hedgerows. However, the land in question is not within the applicant's ownership or control, and its provision as a cemetery extension is not linked to the application being considered. As such, it would not be reasonable to impose any conditions on the developer relating to the three side of the land that do not border their site. It is proposed to plant a native species hedge along the boundary of their site with the land, which is considered to be sufficient.

A neighbour has indicated that they preferred the indicative layout submitted at outline stage. However, that layout was indicative only and in no way binding on the applicant. As discussed above, the currently proposed layout is considered to be acceptable.

A neighbour has raised a concern regarding the impact on a nearby footpath. However, SCC Rights of Way has considered the scheme and raised no objections.

A neighbour has raised a concern regarding the proposed loss of a hedgerow and the resulting ecological impacts. However, the SSDC ecologist is satisfied that there will be no adverse impacts on protected species and that ecological issues have been properly considered through the outline permission and discharge of relevant conditions.

Policy 7 of the Wincanton Neighbourhood Plan sets out what housing types should be provided in new developments. It states that "*...new homes provided as part of a development scheme should fall within one or more of the following categories:*

> 1 and 2 bedroom homes (a significant proportion of which should be designed to cater for an ageing population, including bungalows, and are encouraged to have room sizes that meet the national prescribed

standards)

> 3 bedroom homes (with reasonable sized gardens to allow informal play)

unless there are demonstrable reasons why this is not possible or desirable. On large sites of 10 or more homes, at least 50% of dwellings should be provided as 1 or 2 bedroom homes, where practical providing accommodation suitable for an ageing population (particularly in locations within easy walking distance of local shops and facilities)."

The application proposal is for 20 two-bed dwellings, 37 three-bed dwellings, and 3 four-bed dwellings. The proposal therefore does not comply with the above policy as 50% of the dwellings are not one or two bedroomed, and 3 four-bedroom properties will be provided. However, a significant majority of the dwellings fall within the permitted categories and, as such, it is considered that any harm arising will be limited and not significant enough to warrant refusal of the scheme. It is also recognised that the outline scheme was developed and determined before the neighbourhood plan was adopted and wholesale changes to the makeup of the scheme would be difficult after the outline scheme has been determined.

Conclusion

Accordingly the proposal is considered to be acceptable in this location, and to cause no significant adverse impact on the character of the area, highway safety, or residential amenity.

RECOMMENDATION

Permission be granted for the following reason:

01. The proposal, by reason of its size, scale and materials, respects the character of the area, and causes no demonstrable harm to residential amenity or highway safety in accordance with the aims and objectives of policies EQ2, TA5 and TA6 of the South Somerset Local Plan and the aims and provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

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

LP.01-P3
SL.01-P12
ML.01-P6
RS.01-P6
SH.01-P7
SS.01-P1
CSL.01-P3
DCS-A
HT.RIP.pe-1P4
HT.RIP.pe2-P3
HT.BRA.pe1-P3
HT.BRA.pe2-P2
HT.BRA.pe3-P2
HT.STE.pe1-P2
HT.STE.pe2-P2
HT.BRO.pe-P2
HT.LON.pe-P3
HT.CHI.pe2-P2
HT.COR.p-P2
HT.COR.e1-P2
HT.COR.e2-P2
P.3-4.p-P2
P.3-4.e-P2
P.5-6.p-P2
P.5-6.e-P1
P.13-14.p-P2

P.13-14.e-P2
 P.36-37.p-P2
 P.36-37.e-P1
 P.38-40.p-P2
 P.38-40.e1-P2
 P.38-40.e2-P2
 P.54-56.p-P2
 P.54-56.e-P2
 P.59-60.p-P2
 P.59-60.e-P2
 GAR1.pe-P2
 GAR2.pe-P1
 GAR4.pe-P2
 GAR5.pe-P1
 Cut and Fill 183852-GA-002
 Drainage Layout 183852-PDL-001
 Finished Levels 183852-GA-001
 Long Sections 183852-P-001-Profiles-Layout1
 493_01 Planting Plan 01_Rev E
 493_01 Planting Plan 02_Rev E
 493_01 Planting Plan 03_Rev E
 Tree Protection Plan 05071 TPP.AIA 8.5.18
 Ecology Technical Note 30 May 2018
 Flood Risk Addendum 183852-FN-001
 Micro Drainage Calcs SWSNT1
 Micro Drainage Calcs SWSNT2
 Micro Drainage Calcs SWSNT3

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

02. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping, as specified on drawings 493/01E, 493/02E and 493/03D, shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the character and appearance of the area in accordance with policy EQ2 of the South Somerset Local Plan.

03. No part of the development hereby permitted shall be occupied or brought into use until the construction of suitable vehicular and pedestrian access to the development has 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.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

04. No part of the development hereby permitted shall be occupied or brought into use until details of measures to prevent the through use of the Mews road by vehicular traffic to travel to and from the internal estate road to Dyke's Way, while still permitting such through use by pedestrians and cyclists, have been submitted to and approved in writing by the Local Planning Authority. Such measures are to be implemented in accordance with the approved plans prior to the occupation of any dwelling served by the Mews road or by the estate road north of its access with the Mews road, and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

05. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.
- Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.
06. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed within the development in accordance with a design and specification to be approved in writing by the Local Planning Authority.
- Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.
07. No building shall be occupied or otherwise used for any purpose until properly consolidated and surfaced parking spaces and turning areas for vehicles have been constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning areas 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 and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.
08. Prior to first occupation of any dwelling secure covered cycle parking at the rate of one space per bedroom shall be provided for that dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.
09. Prior to first occupation of any dwelling facilities for the charging of electric vehicles shall be provided for that dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- Reason: In the interests of green travel and in accordance with policy TA1 of the South Somerset Local Plan.
10. In front of every garage hereby approved, there shall be an area of hard standing at least 5.5 metres in length (as measured from the nearside edge of the highway to the face of the garage doors) where the doors are of a roller shutter/sliding/inward opening type and at least 6 metres in length where the doors are of an up-and-over type.
- Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

Informatives:

01. The applicant will be required to secure an appropriate legal agreement/ licence for any works within or adjacent to existing or proposed public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.
-