

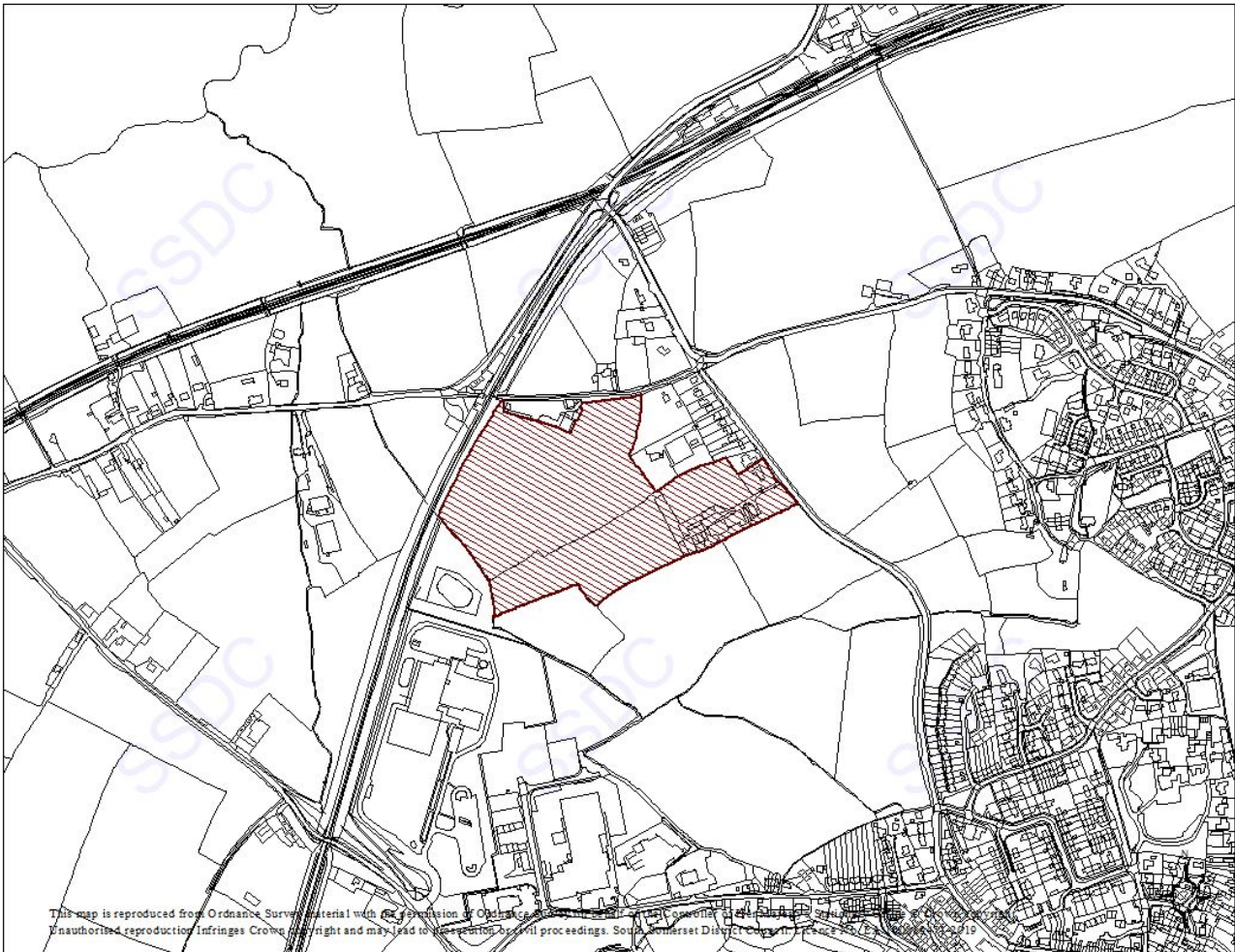
## Officer Report On Planning Application: 18/02986/REM\*\*

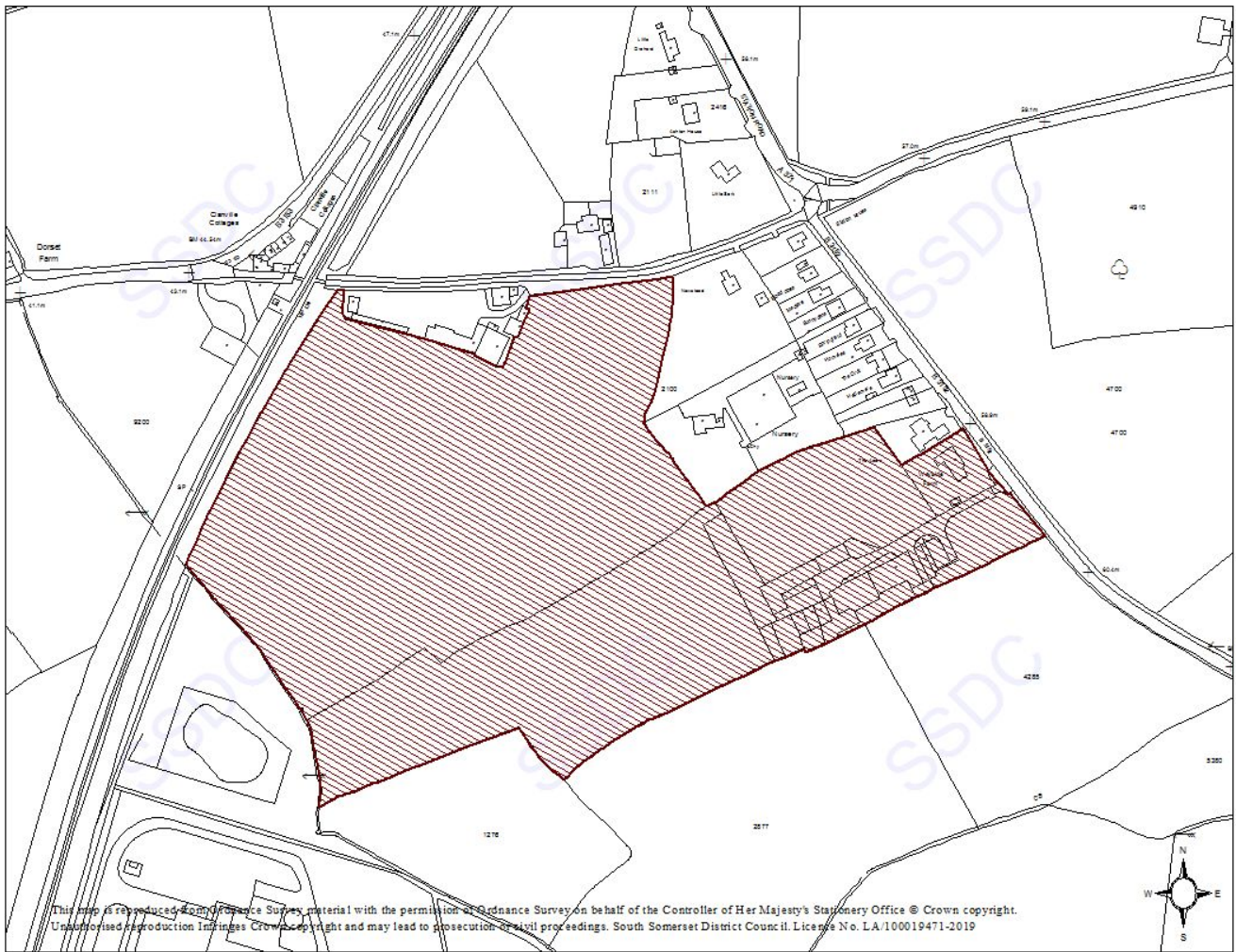
<b>Proposal :</b>	Reserved Matters application for the erection of 125 dwellings, open space, highways, car parking, landscaping and ancillary development.
<b>Site Address:</b>	Wayside Farm Station Road Ansford
<b>Parish:</b>	Ansford
<b>CARY Ward (SSDC Member)</b>	Cllr Nick Weeks Cllr Henry Hobhouse
<b>Recommending Case Officer:</b>	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
<b>Target date :</b>	11th January 2019
<b>Applicant :</b>	Engie Regeneration Ltd And Stonewater Developments Ltd
<b>Agent: (no agent if blank)</b>	Pegasus Planning Group Ltd First Floor, South Wing Equinox North, Great Park Road Almondsbury Bristol BS32 4QL
<b>Application Type :</b>	Major Dwgs 10 or more or site 0.5ha+

### REASON FOR REFERRAL

The application is referred to the committee at the request of the ward member and with the agreement of the area vice-chair as the ward member is concerned that connectivity to existing footpaths and footways is inadequate.

### SITE DESCRIPTION AND PROPOSAL





This application seeks approval of the reserved matters for the erection of 125 dwellings, open space, highways, car parking, landscaping and other ancillary development. Access was considered at the outline stage. The 7.57 hectare site at Wayside Farm lies to the rear of the row of dwellings at the northern end Station Road and its junction with the A371. It comprises two agricultural fields (grade 3b) and the farm house and buildings of Wayside Farm. It is bounded by the railway line to the west, and unclassified green land to the north, Station Road to the east and agricultural land to the south. The site is within the direction of growth for Castle Cary/Ansford set out in the South Somerset Local Plan.

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 secured a travel plan, the provision of 35% of the units as affordable housing, leisure contributions, the provision of onsite play equipment, the provision of public open space on site, and contributions towards education provision. A recent variation has made minor amendments to the affordable housing provision.

The detailed scheme now being considered shows the provision of 125 dwellings, served by a single point of access from the existing highway network, as per the outline permission. The access will serve a central road, with a large loop at the end and a number of smaller cul-de-sacs leading off the central road. The proposed layout shows a LEAP within the central road loop, and a large amount of open space to the west of the site. The open space includes a drainage feature, a community orchard, a wildflower meadow and informal play space.

The majority of the proposed dwellings are of two storey design, although there will be a few single storey properties also. The dwellings will be finished in a mixture of brick and render, below brown and grey tiles.

## HISTORY

18/03121/DPO - Application to modify a S106 agreement between South Somerset District Council, Somerset County Council, Waddeton Park Ltd and Michael John Berry and Joy Berry dated 13th October 2016 in relation to affordable housing obligations - Application permitted 25/01/2019

18/02141/DPO - Application to part discharge a section 52 agreement dated 30/10/1987 preventing non-fragmentation of land between South Somerset District Council and Mr and Mrs M J Berry - Application permitted 14/08/2018

15/04066/OUT - Outline planning application for the demolition of all existing structures (including the farmhouse and agricultural buildings) and development to provide up to 125 residential units (including 35% affordable housing), associated landscaping, access and infrastructure (revised application) - Application refused 16/10/2015

15/00043/EIASS - Screening opinion for outline planning application for the demolition of all existing structures (including the farmhouse and agricultural buildings) and development to provide up to 125 residential units (including 35% affordable housing), associated landscaping, access and infrastructure - EIA not required 13/02/2015

14/05623/OUT - Outline planning application for the demolition of all existing structures (including the farmhouse and agricultural buildings) and development to provide up to 125 residential units (including 35% affordable housing), associated landscaping, access and infrastructure - Application allowed on appeal 12/01/2017

14/02906/OUT - Residential development of up to 75 dwellings, with associated means of access with all other matters reserved (appearance, landscaping, layout and scale) - Non determined (appeal against non-determination withdrawn)

## **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 LMT1 - Ansford/Castle Cary Direction of Growth

Policy EQ2 - General Development

Policy EQ4 - Biodiversity

Policy TA1 - Low Carbon Travel

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

### **National Planning Policy Framework**

Chapter 2 - Achieving Sustainable Development

Chapter 5 - Delivering a Sufficient Supply of Homes

Chapter 12 - Achieving Well-Designed Places

## **CONSULTATIONS**

**Ansford Parish Council** - In response to the originally submitted application:

Raised concerns in relation to changes to the affordable housing provision. They request clarification on:

- whether visitor spaces will be marked as such
- who is responsible for providing electric vehicle charging point
- who is responsible for the provision of supplying informal crossing and bus shelter (as per the appeal decision)
- whether the clearance and improvements to the overgrown pavements and provision of additional street lighting along lower parts of Ansford Hill and parts of Station Road (as per the appeal decision)
- details of pedestrian connectivity and rail crossings
- Specific details/challenge of "possible future additional residential development of the site"
- Specific details/challenge of "potential additional development coming forward"

They express disappointment that no provision has been made to accommodate small scale employment/job creating facilities/workshops within the development as the area along Station Road has been designated as a suitable employment zone.

They express disappointment that the various housing units do not include photovoltaic solar equipment or battery chargers for electric/hybrid vehicles.

They express disappointment that apart from one footpath to the north of the site, there is no dedicated footpath to the southwest corner of the site for people to access the Torbay Road industrial area.

They therefore recommend refusal of the application.

**Castle Cary Town Council** - In response to the originally submitted application:

*Castle Cary Town Council is not in favour of passing the Reserved Matters for Wayside Farm as the following issues have not been addressed.*

- *It is essential that there are footpaths (maybe linking to existing paths) so that people living in the Wayside Farm estate can easily walk to work in the Torbay Road Trading Estate and into Town.*
- *There needs to be some sort of legally binding covenant to ensure that the open spaces - such as the Wildflower Meadow and the Informal Recreation Area cannot be built on in the foreseeable future.*
- *Three months availability for Affordable Housing before being allowed to sell on the open market is FAR too short.*
- *We would like to have a reason for what were previously affordable flats now being presented as houses.*
- *We are concerned at the lack of Photovoltaic panels or other green energy producing systems being included*
- *There should be points to recharge electric cars.*
- *We query whether 25 parking spaces for visitors is sufficient.*

*On top of the above there is the very real issue that these houses are to be built on land that was previously earmarked for employment. The Local Plan insists that employment space should be provided when there is new housing, but the question now arises - where is this employment land going to be? We accept that nothing can be done in this particular instance, but we would like the planning department to flag up the Town Council's concern about this matter."*

In response to the amended plans:

*"The Council has reservations about a number of things:*

- *the large number of colours being used in the finishes is one (we are disappointed by the lack of respect for the local vernacular),*
- *and the potential for further development on the wildflower meadow is another.*
- *However by far and away the most important is the failure to provide links to the footpaths in and around the Torbay Road Industrial Estate and also to the potential new Primary School.*

*Footpath links are fundamental in our emerging Neighbourhood Plan - and it is our view that the small amount of ecological damage done by these is nothing compared to that caused by the necessity to access work and schools by car. We understand of course that these links can only extend as far as the boundary of the Wayside Farm*

*development but nevertheless we regard them as essential.*

*On these grounds we recommend refusal of the application."*

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

*"The comments previously supplied by this Authority covered the following items;*

- APC deposits under s219-225 Highways Act 1980*
- Access served from the existing highway on Station road requiring a s106/278 agreement and 171 licence*
- 2 future links to the south being 5.5m wide roads with bell-mouth junctions*
- Internal estate layout, parking and turning facilities, and visibility splays according to standards*

*The following conditions (of relevance) are imposed on the outline consent through which a number of highway mitigation measures have been secured:*

13. The access to the site shall be formed generally in accordance with the details shown on drawing 30875/5501/003A. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the approved plan. Such visibility splays shall be provided prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

15. No development shall take place until a detailed scheme of footway width maintenance and street lighting improvements has been submitted to and approved by the local planning authority to the eastern footway of Station Road southbound from the site access to the junction with Torbay Road and northbound from the site access to the entrance of the railway station car park and to the northern footway of Ansford Hill from its junction with Station Road to the railway station footpath, all works to be within the limits of the adopted highway and as shown on drawing number 30875-5501-007. The approved scheme shall be implemented prior to the occupation of the first dwelling.

16. The proposed off-site pedestrian and bus facility improvements shown on drawing number 30875-5501-004 shall be implemented prior to the occupation of the 75th dwelling on the site.

*A number of drainage comments were provided to ensure all private outfall is attended to and does not adversely affect the highway.*

*Following submission of the previous Highway Authority recommendation amended plans have been provided along with a covering letter;*

*P17-2562 Heath-Coleman Letter*

*P17-2562\_09 Rev B - Boundaries and surfaces*

*P17-2562\_10 Rev B - Refuse Strategy*

*P17-2562\_11 Rev B - Parking Strategy*

*P17-2562\_12 Rev B - Adoption and Management*

*1754-200 Rev C - Swept Path Analysis*

*1754-504 - Attenuation Basin Details*

*1754-1000 - Engineering Layout*

*1754-1001 - Engineering Layout*

*1754-1002 - Engineering Layout*

*In response to the comments contained within the letter I would advise the following;*

*a) I note the amendment to the southern link roads to be 5m wide with 2x 1.8m footways and would confirm the desire for these to be continued into the neighbouring plot in the event of that site coming forward.*

*b) noted*

*c) noted, and the APC notice will be served following building regs approval*

*d) noted and I am happy to accept the omission of the footway round the village green area*

*e) noted*

*f) noted and accepted*

*g) noted*

*h) re Conditions - I have had a look through the amended documents and am happy to accept them as your in principle drawings. Obviously full technical details for the whole scheme will be agreed during any s278 or s38*

process, and a suitably worded condition will secure the construction of the scheme substantially in accordance with the aforementioned plans listed in blue above.

Taking the above into account, the Highway Authority is content that the scheme is now shown to be acceptable; i) The aforementioned existing conditions secure the off-site works and site access. ii) A new condition to secure the internal layout in accordance with the latest plans can be imposed and as noted above, whilst there may be slight changes which arise during the technical design process, these can be attended to at that time."

**SSDC Streetscene Services** - Calculates that the development should provide 0.49ha of informal open space on site. They state:

"Whilst the plans have changed slightly from outline stage, we are happy there is still sufficient provision of open space and our previous comments still apply.

Their previous comments were

"The plans provided within the 'Design and Access Statement' identify a provision of approximately 1.47ha of informal open space, an amount far in excess of that required by SSDC.

We are very happy with the overall design for this outline application and are encouraged by the main central area creating a green community focus for the development, as well as the extended open space surrounding the attenuation pond, enhancing the ecological value of the site and adding a secondary feature to the site. We would like to mention, however, that special consideration should be given to pedestrian access across the main thoroughfare that surrounds the central open space to enable safe egress and to how the retained hedgerows are to be incorporated within the built form. The Councils guide for the treatment of retained hedgerows are set out in the "Landscape Design a Guide to Good Practise" and its addendum.

The focus on the high quality landscape, making the development easily accessible not only for its residents but the wider Ansford and Castle Cary community, is a strong and appreciated approach, helping the development to sit comfortably within its context and surroundings.

We have no further comment and are happy for the progression of this application with the current plans."

**SSDC Environmental Health Officer** - No comments

**SCC Ecologist** - Provides detailed report, which they summarise as follows:

"There are several issues requiring attention, or conditions, which in summary are:

- Hedges - the detailed layout doesn't adequately protect hedges and could be considered contrary to policy - I strongly recommend amendments.
- Bat roost - will be lost through demolition of the bungalow - pre-commencement condition for mitigation, and Habitat Regulations reporting.
- Lighting - bats using the central hedge are intolerant of artificial light - pre-commencement condition for a bat sensitive lighting scheme.
- Badgers - pre-commencement condition for update survey and mitigation.
- Biodiversity enhancement (bat and bird boxes) - also act as compensation for loss of bat roost - condition to implement and 'sign off'."

**SCC as Lead Local Flood Authority (LLFA)** -

"The LLFA have no objections to the reserved matters application. The applicant has submitted details of the proposed drainage scheme, including microdrainage output to demonstrate that the scheme functions up to the 1 in 100 year (+40%) climate change event.

Whilst not specifically requested within the condition, cross sections of the pond to show the various key levels in relation to local ground, as well as detailed outfall arrangement are usually submitted and would be helpful.

It is noted that there is an existing land drainage ditch / watercourse running through the site from east to west,

which will require culverting to allow for the road layout. If the applicant has not already done so, they must apply for Land Drainage Consent from Somerset County Council LLFA for these structures and any works to the ordinary watercourse to where the site."

**Avon and Somerset Police** - No objections, subject to the following comments:

- *"Unit 41 - Please provide a garden gate as close to front elevation as practicable*
- *Unit 26 - Please provide fencing and garden gate as close to the front elevation as practicable*
- *Unit 65 - Please relocate rear garden gate to the front of the alleyway*
- *Units 103/104 105/106 - Please provide gates to the front elevation on both alleyways*
- *Please provide a knee rail or similar to either side of the emergency access to support the bollards and prevent access either side"*

**SCC Archaeology** - No objections

**Somerset Wildlife Trust** - They note the submitted ecological reports and support their findings. They support the proposals for mitigation and enhancement and recommend the use of conditions to secure them.

## **REPRESENTATIONS**

Letters of objection were received from the occupiers of 2 neighbouring properties. Objections were raised in the following areas:

- Highways/parking
- Encroachment
- Construction disturbance
- Landscaping
- Visual amenity
- Lack of infrastructure

One letter of objection was received from a representative of an adjoining land owner. They raise a concern regarding poor connectivity to the land to the south when the outline appeal decision makes it clear that such connections should be provided.

## **CONSIDERATIONS**

### **History and Principle of Development**

Notwithstanding the local concerns regarding infrastructure provision, parking facilities at the railway station, and the lack of employment provision within the site, the principle, type and quantum of development is established by outline permission 14/05623/OUT. As such, these issues should not be revisited here.

### **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, notwithstanding local concerns and 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, notwithstanding local concerns regarding landscaping and visual amenity, 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.

### **Ecology**

The SCC Ecologist was consulted and raised a concern regarding the proposed protection of hedges. This has now been clarified through the submission of amended plans, and is considered to be acceptable. The ecologist has suggested the use of a number of conditions on any permission issued, which, with some adjustment to wording, are considered to be reasonable and necessary.

The ecologist noted that the officer report will need to include an assessment against the three Habitats Regulations tests as bat roost will be lost when the existing bungalow is demolished. These tests are:

- 1) the development must meet a purpose of 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'
- 2) 'there is no satisfactory alternative'
- 3) the development 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

In relation to the first and second tests, the applicant has stated:

*"The tests are applied proportionately to the nature and scale of the impact. In the case of this project the roost is of low conservation significance, consisting of very small numbers of the most common and widespread bat species in the UK. In terms of the first test, the proposed development will provide housing in an area where shortfalls have been clearly identified through the Local Plan, and will contribute to the national shortfall in housing delivery need. The decision to grant Outline planning consent for the development acknowledged that at the time the Council did not have a five year housing land supply and this development would therefore contribute to that need. The decision also acknowledges that development will contribute to the shortfall in provision of affordable housing. The development will also deliver other benefits in the form of extensive areas of green space constituting a large proportion of the total site area, which will benefit local residents and wildlife.*

*There is no satisfactory alternative to removing the bungalow proportionate to the low scale of its conservation importance, while still delivering the identified housing need at a scale, density and layout that makes functional sense for the site. The bungalow is at the site entrance and its retention would be out of character with the rest of the proposed housing stock. As the roost is of low conservation significance, the consequences of retaining it are disproportionate to the impacts of its removal."*

On this basis, the first and second tests are considered to be passed.

In relation to the third test, the SCC Ecologist has stated:

*"In respect of test 3, I conclude that favourable conservation status is likely to be maintained due to the presence of only low numbers of bats (just a single soprano pipistrelle was recorded), of species that are relatively common and have a widespread distribution in Somerset, and the securing of appropriate mitigation (method statement) by condition. The associated development is to include a number of bat boxes as biodiversity enhancement, which will provide adequate compensation for the loss of this roost."*

On this basis, the third test is considered to be passed.

### **Parish and Town Council Concerns**



The parish and town councils have raised concerns as to changes in the affordable housing provision. However, these matters are controlled through the legal agreement associated with the outline permission. There is nothing within the proposed reserved matters that runs contrary to the requirements of the legal agreement (as amended).

The parish council has questioned whether visitor spaces will be marked as such. The applicant has confirmed that the spaces will be provided in accordance with SCC standards, and it will be a matter for SCC to control through the discharge of the detailed highways conditions.

The parish council has asked whether electric vehicle charging points will be provided. The applicant has indicated that they will not, and despite a requirement of the travel plan to indicate the location of designated car charging points, the applicant has failed to do so. However there is a clear requirement for such provision within the local plan and, as such, it would not be unreasonable to impose a condition on any permission to secure suitable provision.

The parish council has requested clarification on who is responsible for the provision of supplying informal crossings and the bus shelter (as per the appeal decision) and whether the clearance and improvements to the overgrown pavements and provision of additional street lighting along lower parts of Ansford Hill and parts of Station Road is going to happen (as per the appeal decision). It is noted that conditions 15 and 16 of the outline permission deal with these issues, and require the necessary works to take place prior to first occupation, in the case of the footway improvements and street lighting, and prior to the occupation of the 75th dwelling, in the case of the pedestrian and bus facility improvements.

The parish council has also requested details of pedestrian connectivity and rail crossings. Pedestrian connectivity will be as detailed above. No rail crossings are proposed as part of the scheme and have not been requested by Network Rail, despite being consulted on the scheme.

The parish council and town council are concerned about the possibility of future development on the site. However, no such development has been proposed and any applications for further development on the site would need to be considered on their own merit. The town council has requested some kind of legally binding covenant to prevent development on the open areas of the site. However, such a covenant is not within the gift of the planning system. Any such development would require planning permission and could be considered if any such application was made.

Both councils have expressed disappointment that the various housing units do not include photovoltaic solar equipment. However, there is no policy requirement to provide such equipment and it would not be reasonable to refuse the application due to its lack.

Both councils express disappointment that, apart from one footpath to the north of the site, there is no dedicated footpath to the southwest corner of the site for people to access the Torbay Road industrial area. However, the applicant do not own the necessary land to provide such linkages and, as things stand, future occupiers would have to use the pavement along Station Road to access the Torbay Road area. That said, the applicant has left the possibility of future links to the south open within their layout and designed a suitably permeable layout, should future development opportunities to the south come forwards. In response to the question being posed about lack of linkages to the footpath to the south, the applicant's agent gave the following response:

*"The land adjoining our site owned by Crown Pet Foods, does as you identify contain a public right of way, and our application will not affect this. The public right of way does not enter our site.*

*The public right of way (WN 2/1) in question, however, does not connect with our site boundary, so any connection to it would be reliant on further connections within the Crown Pet Foods Land, which is not within our control. Moreover, the outline planning application did not envisage a connection at this point, rather the masterplanning approach showed a landscape buffer to protect the visual amenity of the proposed housing and contribute to the overall landscape and ecology strategy for the site. The reserved matters has due regard to the Illustrative Masterplan and Design and Access Statement which formed part of the outline permission."*

The town council has questioned whether 25 parking spaces for visitors is sufficient. However the highway authority has raised no objections to the proposed provision, which is therefore considered to be adequate.

## **Other Matters**

A concern has been raised by a neighbouring occupier as to potential encroachment on their land. However, there is no reason to assume the development will encroach on any third party land. Any ownership dispute is outside the scope of the planning system, and should be settled between the interested parties.

A concern has been raised in relation to potential construction disturbance. Whilst some disturbance during the construction phase is inevitable, it will be of limited duration. Furthermore the impact will be mitigated to some extent by the construction method statement condition imposed on the original outline permission.

The owner of adjoining land raised a concern regarding poor connectivity to the land to the south when the outline appeal decision makes it clear that such connections should be provided. The applicant has responded to this concern through the submission of amended plans that show two of the roads projecting to the south at full adoptable standard to allow such links to be made in future. With a last minute amendment, the application now shows these roads right up to the boundary of the site. This is considered to satisfactorily address the concerns of that neighbour and the requirements set out in condition 12 of the outline permission, which reads:

*"The reserved matters application(s) shall include provision for footpath, cycle-path and vehicular links to the boundaries with the adjoining land in the direction of growth as identified by policy LMT1 of the South Somerset local Plan 2006-2028. Unless agreed otherwise in writing, such links shall be fully provided to the boundary prior to the occupation of the 75th dwelling on the site."*

The police made a number of recommendations in relation to 'designing out crime'. Through the submission of amended plans, the applicants have adequately addressed these issues.

## **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:

P17-2562\_01 Rev L  
P17-2562\_02 SLP  
P17-2562\_05 Rev D  
P17-2562\_08 Rev C  
P17-2562\_09 Rev C  
P17-2562\_10 Rev C  
P17-2562\_11 Rev C  
P17-2562\_12 Rev C  
P17-2562\_13 Rev C  
P17-2562\_17 Rev A  
P17-2562\_19 Rev A  
P17-2562\_03 Rev D  
P17-2562\_14 Rev D  
P17-2562\_16 Rev E (1 of 3)  
P17-2562\_16 Rev E (2 of 3)  
P17-2562\_16 Rev E (3 of 3)  
1754\_200 Rev D  
1754\_700 Rev A (1 of 2)  
1754\_701 Rev A (2 of 2)

1754\_1000 Rev E (1 of 3)  
1754\_1001 Rev E (2 of 3)  
1754\_1002 Rev E (3 of 3)  
14622.003 Rev A Biodiversity Enhancement Plan  
1754-504 Attenuation Basin Details

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 P17-2562\_03 Rev C, P17-2562\_14 Rev C and P17-2562\_16 Rev D (1,2, and 3), 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. 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.

04. 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.

05. Prior to first occupation of the dwellings hereby permitted, electric charging points (of a minimum 16amps) for electric vehicles shall be provided for each dwelling adjacent to their designated parking spaces or garages shown on the approved plan. Sufficient electric charging points for at least one per dwelling shall be provided in this way. Once installed such parking points shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

06. The demolition of the bungalow (farmhouse) shall not commence until there has been submitted to and approved in writing by the Local Planning Authority, full details of a Bat Method Statement detailing timing restrictions and protective measures to avoid harm to bats. The works shall be implemented in accordance with the approved details and timing of the method statement, as modified to meet the requirements of any 'European Protected Species Mitigation Licence' issued by Natural England.

Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2017.

07. Prior to the installation of any external lighting, a lighting scheme sensitive to bats, shall be submitted to and approved in writing by the local planning authority. The scheme shall:

a) identify those areas/features on site that are particularly sensitive for bats;

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or navigating through the site.

c) include an impact assessment and supporting information for the lighting proposals from a licenced bat consultant.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme, and these shall be maintained thereafter in accordance with the scheme, unless otherwise agreed in writing with the local planning authority.

Reason: For the conservation and protection of legally protected and priority species (lesser horseshoe bats) in accordance with Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2017.

08. Prior to (but not earlier than 6 months before) commencement, an update survey for badger setts will be undertaken by a qualified ecological consultant, and if any setts are deemed to be at risk of harm from development activities, details of mitigation measures, shall be submitted for approval to the local planning authority. Any approved mitigation measures shall be implemented in full.

Reason: For the conservation and protection of legally protected species and to ensure compliance with the Wildlife and Countryside Act 1981, and The Protection of Badgers Act 1992.

09. The measures for the enhancement of biodiversity, as detailed in figure 1 of Ecological Appraisal (Engain, 17th September 2018) shall be implemented in full. Prior to sale of the final dwelling, an inspection and confirmation of implementation by a qualified ecological consultant shall be submitted for approval in writing to the local planning authority.

Reason: To ensure compensation for the loss of a bat roost, and measures for the enhancement of biodiversity, are provided in accordance with NPPF and Local Plan policy EQ4.

**Informatives:**

01. Before demolition of the bungalow can commence, a European Protected Species Mitigation Licence (under The Conservation (Natural Habitats, &c.) Regulations 2010) will be required from Natural England. You will need to liaise with your ecological consultant for advice and assistance on the application for this licence. Natural England will normally only accept applications for such a licence after full planning permission has been granted and all relevant (protected species) conditions have been discharged. However, the information required for the Natural England licence application will often also be suitable for submission to the Council when applying for discharge of the relevant condition.
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