

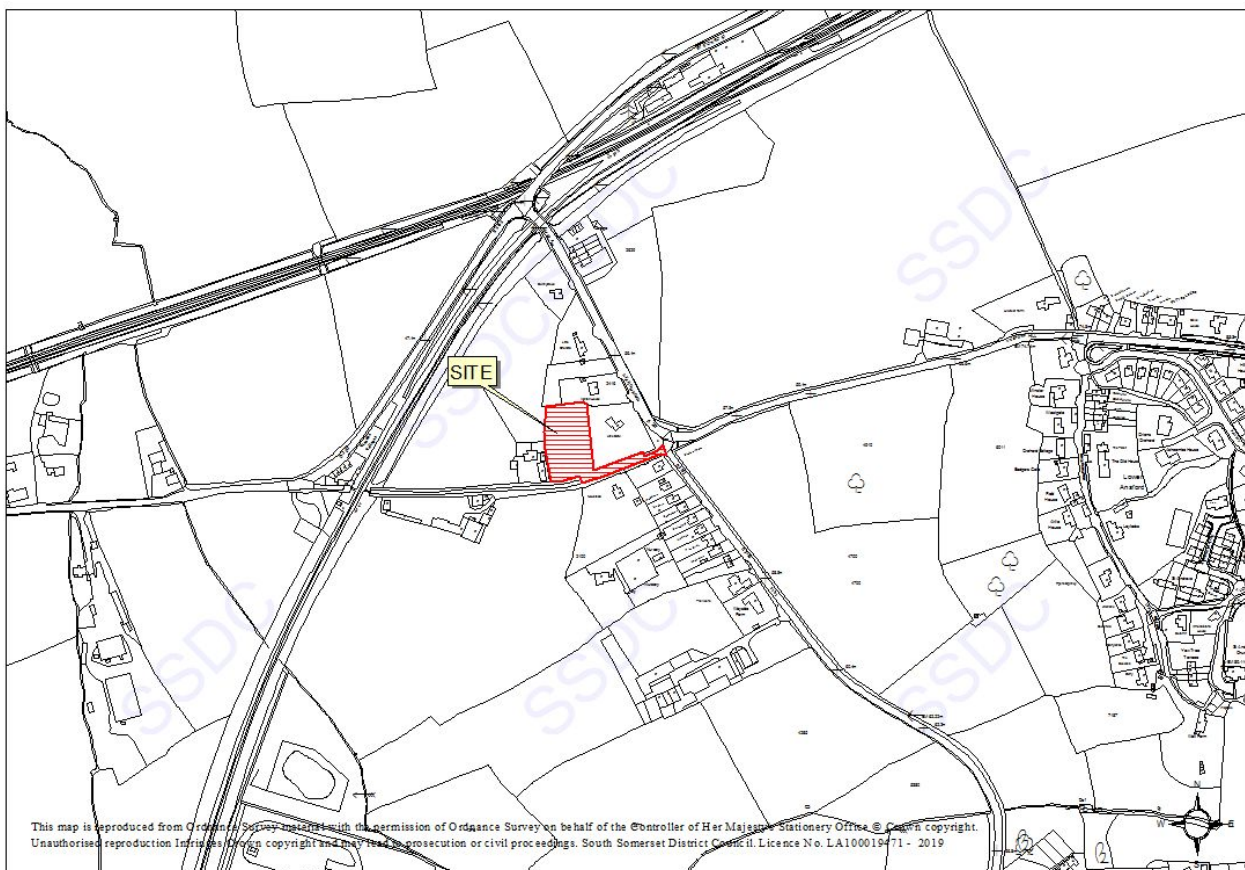
Officer Report On Planning Application: 19/00598/FUL

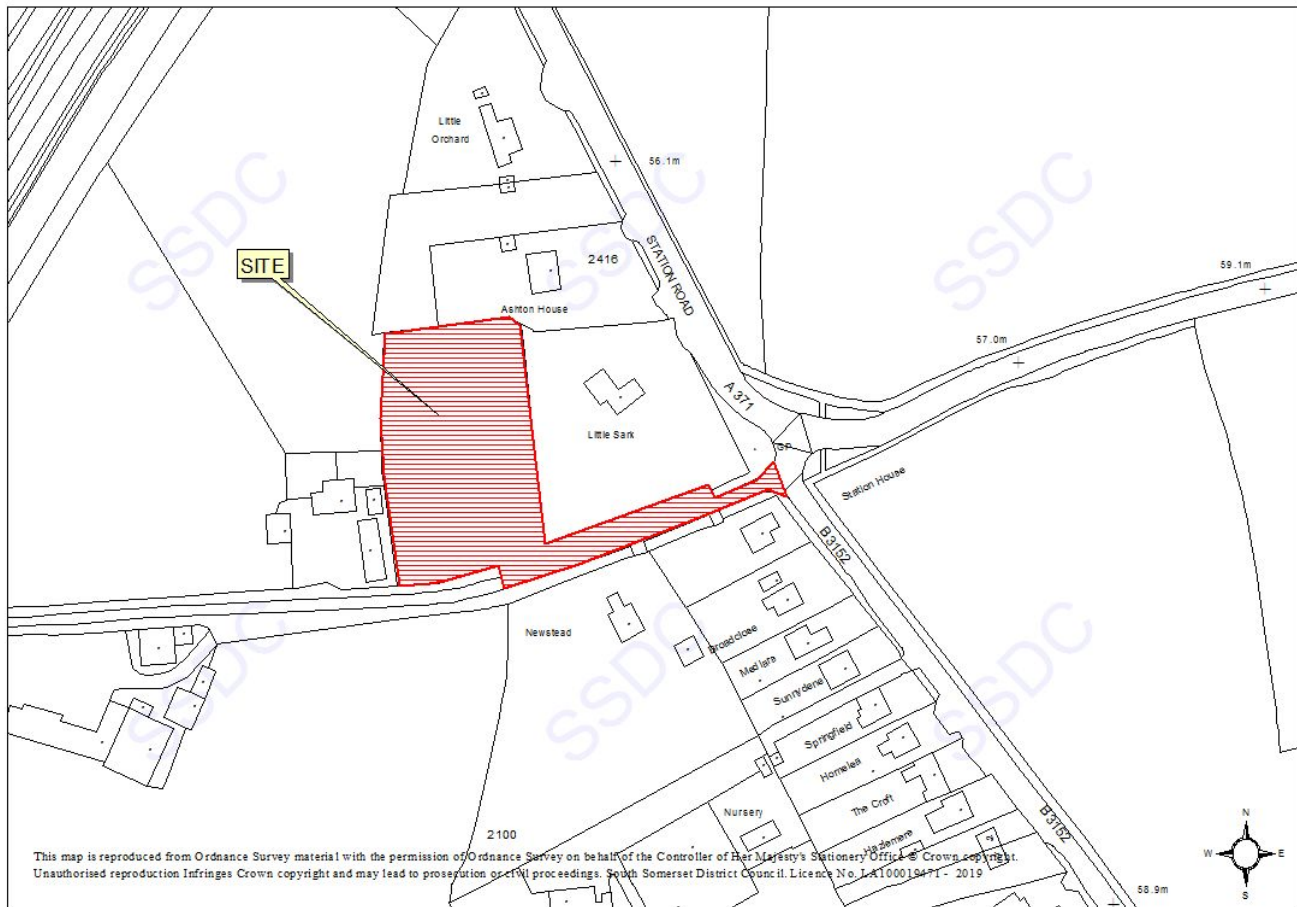
Proposal :	The erection of 4 No. dwellings with associated works.
Site Address:	Land OS 2111 West Of Little Sark Tank Lane Castle Cary
Parish:	Ansford
CARY Ward (SSDC Member)	Cllr Kevin Messenger Cllr Henry Hobhouse
Recommending Case Officer:	David Kenyon
Target date :	29th April 2019
Applicant :	Cook And Runmore Ltd
Agent: (no agent if blank)	Trevor J Spurway (architect) Ltd 55 Staplegrove Road Taunton Somerset TA1 1DG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR COMMITTEE REFERRAL

This application is referred to Area East Committee for determination at the request of both Ward Members, and with the subsequent agreement of the Area Vice Chair, on grounds that this is considered to be an overdevelopment of the area having regard to the field opposite the site has 125 houses on it with no local amenities. Also, Station Road serves some 250 houses and the junction is unsafe.

SITE DESCRIPTION AND PROPOSAL





This application seeks full planning permission for the erection of four open market dwellings served from a new access off Tank Lane, together with associated parking provision and landscaping.

The site lies to the north west of the main centre of Castle Cary, adjoining a cluster of residential properties, and consists of an undeveloped open land bounded by hedgerows and trees, described in the submitted Design and Access Statement as currently forming part of a large garden/paddock to the property "Little Sark" which lies immediately to the east of the application site. Tank Lane bounds the southern boundary of the site and connects to the B3152 (Station Road) to the east, close to the junction of the B3152 and A371.

The proposed layout plan shows the provision of a new access road serving four detached single storey dwellings, each being provided with 3 no. bedrooms. The dwellings would be designed to have all accommodation at ground floor level, i.e. there would be no rooms in the pitched roofs and therefore no rooflights or dormer windows incorporated into the design. External finishing materials would include brick walls, slate and/or tiled roofs and uPVC windows. Three of the dwellings would be designed each with attached garages and with parking in front of the respective garages. The fourth dwelling would be served by a detached pitched roof double garage.

Other than the removal of some hedgerow fronting Tank Lane to provide a visibility splay for the proposed new access, no other hedgerows are proposed for removal which form the site's boundaries.

HISTORY

No formal planning applications have been submitted previously in respect of this site.

However a pre-application enquiry (ref 18/02436/PREAPP) was submitted to the Council during July

2018 seeking guidance regarding the possibility of erecting four bungalows on the site. "Without prejudice" advice offered by officers during September 2018 was that the proposal was acceptable in principle subject to addressing in a satisfactory manner landscape impact, highways safety, design and materials.

Related History

There have been recent approvals for new dwellings on adjoining land, which are set out below.

Blackberry Acres to west of application site

15/03330/OUT. Demolition of existing barn and outline application for the erection of a dwellinghouse with some matters reserved.

Outline permission granted 09.11.2015.

17/01901/REM. The erection of a dwellinghouse (Reserved Matters).

Approval of reserved matters 12.06.2017.

Land to rear of Newstead to south of application site

15/00280/FUL. Erection of a single storey dwelling.

Application permitted with conditions 04.03.2015

Subsequent applications 15/04490/FUL and 16/04626/FUL for revisions to the scale, design and siting of the approved single storey dwelling were approved on 22.12.2015 and 15.02.2017 respectively.

Land to East of Station Road

15/00519/OUT. Residential development of up to 75 dwellings, with associated means of access with all other matters reserved (appearance, landscaping, layout and scale).

Appeal allowed and outline permission granted 12.01.2017.

Partial award of costs awarded to the appellant.

17/03422/REM. The erection of 75 No. dwellings (reserved matters following approval 15/00519/OUT).

Approval of reserved matters granted 01.12.2017.

Land at Wayside Farm, West of Station Road

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.

Appeal allowed and outline permission granted 12.01.2017.

18/02986/REM. Reserved Matters application for the erection of 125 dwellings, open space, highways, car parking, landscaping and ancillary development.

Approval of reserved matters granted 15.02.2019.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and paragraphs 2, 11 and 12 of the NPPF state that applications are to be 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).

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

Policy SD1 - Sustainable Development
Policy SS1 - Settlement Strategy
Policy SS5 - Delivering New Housing Growth
Policy LMT1 - Ansford/Castle Cary Direction of Growth and Link Road
Policy EQ1 - Addressing Climate Change in South Somerset
Policy EQ2 - General Development
Policy EQ4 - Biodiversity
Policy TA1 - Low Carbon Travel
Policy TA5 - Transport Impact of New Development
Policy TA6 - Parking Standards
Policy HG4 - Provision of Affordable Housing: Sites of 1-5 Dwellings
Policy HG5 - Achieving a Mix of Market Housing

National Planning Policy Framework - February 2019

Chapter 5 - Delivering a sufficient supply of homes
Chapter 9 - Promoting sustainable transport
Chapter 12 - Achieving well-designed places
Chapter 16 - Conserving and enhancing the natural environment

Other material considerations

Somerset County Council Parking Strategy (SPS) (September 2013) and Standing Advice (June 2017)

CONSULTATIONS

Ansford Parish Council

There is already a large number of houses planned for this parish and associated parishes which equates to over 650 new dwellings. To claim 'the development will provide much needed housing' as a statement is no longer the case.

The existing footprint is extremely cramped for having 4 off dwellings

Access from this lane on to Station Road so close to the junction is a cause for concern from a safety viewpoint as this development will increase traffic.

If this application is approved it should ONLY be for bungalows. Amended applications for houses in the future should not be allowed.

Castle Cary Town Council

The Design and Access statement states: "This development will provide much needed housing within Castle Cary to meet a real demographic need." We disagree with this. Over 650 planning permissions for new dwellings have been granted - many have not yet been started. Until these are built and occupied, we should resist more.

- Great concern about the junction of Tank Lane and Station Road, given the number of planning applications in the pipeline many of which will increase traffic on Station Road. Turning right when leaving Tank Lane - onto Station Road would be hazardous.

- While we welcome bungalows, this is not a particularly suitable site for them - elderly or disabled people need to be closer to the Town Centre.

- The site is very cramped and crowded - small gardens, little parking, houses too close together.

- If PP is granted there is nothing to prevent some other scheme replacing this one (as in Alma Fields) so there is no guarantee that what we see now is what would be built in the future.

- Although claiming to be sustainable there is no mention of the inclusion of photovoltaics or other energy creating scheme

County Highway Authority

No objections subject to the imposition of various conditions and informatives.

SSDC Highways Consultant

Refer to SCC Highways comments.

SSDC Environmental Protection

The site location does not appear to be in a location that has a site history associated with ground contamination. However, if, contamination is encountered during the development works, which has not previously been identified, then the additional contamination needs to be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the local planning authority. An informative is suggested to this effect to be included on the decision notice in order to protect the health of future occupiers of the site from any possible effects of contaminated land.

County Ecologist

No comments offered.

South West Heritage Trust

There are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

REPRESENTATIONS

A letter and an email of representation have been received from the occupiers of neighbouring properties.

One raises objections on the grounds that the new entrance is proposed directly opposite the entrance to the property 'Somervale' on the opposite side of the lane and the proposed entrance should be re-located further down the lane to where an existing entrance gate is located.

The other representation is generally in favour of the proposals but states a preference for three more substantial bungalows, rather than the current proposal for four, to make the site appear less crowded and states that materials should blend with those used on nearby properties.

These representations are copied in full on the website.

CONSIDERATIONS

Principle of Development

The site is located outside of the development area of Ansford/Castle Cary as defined by the Local Plan. Policy SS1 defines Ansford/Castle Cary as a local market town where provision will be made for housing, employment, shopping and other services that increase their self-containment and enhance their roles as service centres. Policy LMT1 indicates the direction of growth for the settlement. In this case the proposed dwelling is within the general direction of growth for Ansford/Castle Cary, although just outside the shaded direction of growth area on the Local Plan.

However, the site is very close to the two sites at Blackberry Acres and to the rear of Newstead for

recently approved dwellings, which have been erected. The current application site is in no less a sustainable location for development than those two sites. As such, having due regard to the need for consistency in decision-making, the principle of erecting dwellings in this location is considered to be acceptable and to accord with the policies of the Local Plan and the aims and objectives of the NPPF.

Visual Amenity

The site is not located in a particularly sensitive location from a visual amenity point of view. There are a variety of residential properties in close proximity to the site, with no strong pattern of development. The dwellings would be single storey in height, thus minimising impact on the appearance of the locality. Whilst plot 1 would adjoin Tank Lane, nevertheless there is a large building immediately to the west that is in close proximity to the lane and any visual intrusion would be partly ameliorated by the existing boundary vegetation.

Concerns raised by the Parish and Town Councils about the perceived cramped form of development and small gardens being proposed are noted. In terms of sizes of private rear gardens, plot 1's rear garden would be of a size of approximately 216 square metres in area; plot 2's - approximately 180 square metres; plot 3's - approximately 165 square metres; and plot 4's - approximately 180 square metres. Whilst there is no adopted policy within the Local Plan relating to sizes of private garden areas for dwellings, as a general guideline, a rear garden length of 10.5 metres and width of 5 metres would provide a reasonably functional area of private outdoor space. However, for other site specific and design reasons (such as privacy requirements or overshadowing) gardens may need to be larger. For a three bedroom dwelling, the minimum size of a private garden should be 50 square metres. Each of the rear gardens serving the four bungalows would well exceed this minimum requirement. With this in mind, it is considered that the proposed development would not constitute overdevelopment of the site, nor would it appear cramped in character.

Nevertheless, to help assimilate the development into the landscape setting, a condition is recommended requiring the submission of a detailed landscaping scheme to help reinforce the existing boundary vegetation whilst also providing a soft boundary alongside the new visibility splay. In addition a condition is recommended requiring the submission and approval of the external finishing materials.

In addition, in order to safeguard the character and appearance of, not only the development itself, but that of the wider locality, a condition is recommended removing 'permitted development' rights relating to extensions and alterations to the dwellings (including the construction of dormer windows or other roof alterations).

As such, the proposal is considered to be of a satisfactory standard of design that would have no demonstrable adverse impact on visual amenity. The imposition of conditions as recommended above would ensure that the proposed development would have minimal impact on the wider landscape character and appearance of the area and would be in compliance with Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

Impact on Highway Safety

Policy TA5 of the Local Plan seeks to ensure that the expected nature and volume of traffic and parked vehicles generated by the proposed development would not have a detrimental impact on the character or amenity of the area and would not compromise the safety and/or function of the local road network in terms of both volume and type of traffic generated.

Paragraph 109 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The County Highway Authority has been consulted and has visited the site. Detailed observations on the highway and transportation aspects of this proposal have been provided, as follows:-

The site lies on Tank Lane, which is a unclassified road which is subject to a 30mph speed restriction. Speeds of vehicles within the vicinity of the proposed site access are likely to be slower than the prescribed limit however, due to the restricted width of Tank Lane and the proximity to the junction with Station Road (B3152). There is an existing ditch which adjoins the site frontage, which will need to be culverted at the site entrance. The applicants will therefore need to obtain consent for culverting the existing watercourse.

The submitted site plan drawing 10 C shows a single visibility splay based on co-ordinates of 2.4 metres x 43.0 metres to the East. The visibility splay will be required in both directions of the site access and there will need to be no obstruction to visibility over 600mm within these splays. The submitted site plan shows a sufficient radii bellmouth access onto Tank Lane which is 5.0 metres wide and will allow for two vehicles to pass adequately.

The site layout seems to take the form of 5.0 metre wide bituminous carriageway with a 2.0 metre wide footway along the eastern side of the development. The footway should be moved to the opposite side of the carriageway to better serve the dwellings which are situated predominately on this side of the site.

The submitted Design and Access statement indicates that the site is to remain private and if this is the case, the applicants should be aware that if the site is to remain private, the Advance Payment Code will apply to this development.

The turning head shown on the submitted drawing is short of the required dimensions for a Type B turning head found within Somerset County Council, Estate Roads Guidance (Red Book). If adoption is sought at some point then turning movements for a large truck (11.4 metre, 4 axle) refuse truck must be proven.

Sustainable drainage is proposed by way of soakaway/attenuation. If sustainable drainage is proposed, SUDs will be subject to adequate design and testing of ground suitability and the applicants are advised to carry out these tests and inform SCC of the results at an early stage. Soakaways should not be located within 5.0m of any structure including carriageway in line with current building regulations.

The SCC Commuted Sums Policy includes for charging for the extra-over maintenance liability of adopting highway Sustainable Urban Drainage Systems. Each individual system must be assessed by the SCC Development Engineering team to determine the suitability for adoption as some configurations may be unadoptable. If the system is suitable for adoption it will attract a commuted sum and will be calculated by the SCC Development Engineering team and will include the future maintenance liability.

For the above-mentioned reasons the Highway Authority do not wish to raise any objections to this application subject to conditions

The recommended conditions relate to access details, hardsurfacing of access, gradient, surface water disposal details, visibility and parking.

Further comments have been sought from the Highway Authority in response to the highways related concerns expressed by the Parish and Town Councils. The response is as follows:

The comments made by the Caste Cary TC are noted, with reference to the suitability of the junction of Tank Lane and Station Road to cope with the additional vehicular trips of this and future development.

Firstly, we can't consider future developments which are yet to be consented, as part of the vehicular movements generated on the highway network.

This development of 4 dwellings is extremely unlikely to generate a significant increase in vehicular

movements at the junction in question. The TRICS database indicates that a single dwelling has potential to generate between 5 movements per day, with 1 movement per dwelling in the peak hour.

In addition to this, the Somerset County Council injury collision data indicates, that in the last 5 years, one injury collision has been reported, and it was classified as 'slight'.

Mindful of the comments and recommendation from the Highway Authority, subject to attaching the recommended highways related conditions, it is considered that there would be no significant adverse impact on highway safety. As such, the proposed development is in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

Residential Amenity

Due to the size and position of the proposed dwellings, there would be no significant impact on, nor demonstrable harm caused to, the residential amenities of occupiers of neighbouring properties by way of overshadowing, overbearing/dominant impact, overlooking and loss of privacy. Indeed, it should be noted that no objections have been received from the occupiers of neighbouring properties relating to such impact on amenity. In addition, the proposed dwellings have been designed and orientated so that there will be no adverse inter-relationship between the new properties themselves within the site.

As such, the proposal would meet the relevant aims and objectives of Policy EQ2 of the South Somerset Local Plan and relevant guidance in the NPPF.

Flooding and Drainage

The site lies within Flood Zone 1. A condition is recommended requiring there to be adequate disposal of surface water so that none drains onto the County highway. The development is not contrary to Policy EQ1 of the Local Plan and the aims and provisions of the NPPF.

Biodiversity

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017). Policy EQ4 of the Local Plan also requires proposals to pay consideration to the impact of development on wildlife and to provide mitigation measures where appropriate.

An "Extended Habitat Survey" dated December 2018. Various mitigation measures are recommended in relation to certain protected species, including restrictions on artificial lighting, species of new planting, provision of bat roost boxes or similar, provision of bird nest boxes, timing of works in order to protect nesting birds and badger protection measures. These are reflected in conditions recommended to be attached to any grant of planning permission.

Subject to the inclusion of the recommended mitigation measures, the proposal does not conflict with Policy EQ4 of the Local Plan or relevant guidance within the NPPF.

Planning Obligations and CIL

As this proposal is for less than 10 units the LPA will not be seeking any contributions towards leisure and recreational facilities or other local or district wide obligations, in accordance with the High Court of Appeal decision (SoS CLG vs West Berks/Reading) made in May 2016, which clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less. For the same reason the LPA does not seek any affordable housing obligation.

The scheme will be liable for the Community Infrastructure Levy (CIL) at £40 per m² and it is noted that the applicant has submitted a completed Form. It must be for the developer to establish, at the appropriate juncture, whether any exemptions or relief applies.

Other Matters

The Ward Members have raised concerns that this is considered to be an overdevelopment of the area having regard to the field opposite the site has 125 houses on it with no local amenities. Also, Station Road serves some 250 houses and the junction is unsafe.

To clarify, the land to the east of Station Road has the benefit of permission for 75 dwellings to be erected on it. This scale of development was allowed on appeal. Areas of open space have been approved as part of the site layout. Also allowed on appeal at the same time was a separate residential development scheme of 125 dwellings on the opposite side of Station Road and to the south of Tank Lane. Again this scheme includes areas of open space, a play equipped area and informal play space.

Whilst noting the expressed concern that the current application proposal is an overdevelopment of the area, however In both schemes for the 75 and 125 dwellings the density of residential development on areas of land comparable in size to the current application site are similar. With that in mind, and in terms of consistency, it is considered that the current proposal for four dwellings is not overdevelopment of the area.

In terms of the expressed highway concern raised by the Ward Members, the comments of the County Highway Authority have been set out above in detail. It is considered that the traffic generated by four dwellings on the current application site would not be "severe" (to use the terminology in the NPPF) and therefore permission could not be refused on grounds of the application proposal for four dwellings resulting in a demonstrable adverse impact on the local road network.

Conclusion

The proposal is considered to be acceptable in this location, and would cause no significant adverse impact on the character of the area, residential amenity, highway safety, flood risk or biodiversity. As such it accord with Policies SD1, SS1, EQ1, EQ2, EQ4, TA5 and TA6 of the South Somerset Local Plan and relevant guidance in the NPPF and is recommended for approval.

RECOMMENDATION

Permission be granted for the following reason:

01. The proposal is considered to be acceptable in this location, and would cause no significant adverse impact on the character of the area. The proposed design, layout and external finishing materials of the dwellings on this site would respect the appearance and character of the locality. There would be no resultant demonstrable harm to residential amenity, highway safety, flood risk or biodiversity. As such the proposal complies with Policies SD1, SS1, TA5, TA6, EQ1, EQ2 and EQ4 of the South Somerset Local Plan, and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

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

Drawing no. 1821 01 Rev A - Location Plan;

Drawing no. 1821 02 Rev A - Block Plan;
 Drawing no. 1821 03 - Existing Topographical Survey;
 Drawing no. 1821 04 Rev A - Proposed Block Plan. Site Layout;
 Drawing no. 1821 05 Rev B - Proposed Plans and Elevations. Plot 2;
 Drawing no. 1821 06 Rev B - Proposed Plans and Elevations. Plot 3;
 Drawing no. 1821 09 Rev A - Proposed Plans and Elevations. Plot 4;
 Drawing no. 1821 10 Rev C - Proposed Site Plan; and
 Drawing no. 1821 11 - Proposed Plans and Elevations. Plot 1; and
 Drawing no. 1821 12 - Proposed Detached Garage Plan and Elevations.

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

03. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree and hedgerow protection measures shall be fully implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and shall only be moved, removed or dismantled with the prior written consent of the Local Planning Authority.

Reason: To preserve existing landscape features (trees and hedgerows) in accordance with Policies EQ2 and EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

04. Notwithstanding the details indicated on the submitted drawings, prior to construction/progression of any part of the development hereby permitted above slab level/ground floor level, a schedule of materials and (colour) finishes (including samples and trade descriptions/brochure details where appropriate) of materials to be used in the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. Such a schedule shall include:

- (a) the type, size, colour and profile of roofing materials to be fixed to the buildings, together with type, colour and profile of ridge tiles to be used;
- (b) the type, finish and colour of all brickwork, type of pointing and mortar mix to be used;
- (c) details of the design, appearance, materials, finish and colour, including their method of opening, of all new windows and doors (including garage doors); and
- (d) the locations, materials of construction and colour finishes of all rainwater goods.

The development shall be constructed in accordance with the approved details and completed before the development is first occupied (or completed to a stage previously agreed in writing by the Local Planning Authority) and thereafter shall be retained and maintained in that form, unless the Local Planning Authority gives prior written approval to any subsequent variation.

Reason: To enable the Local Planning Authority to consider the details of all external finishing materials prior to their installation/construction at an appropriate stage in the course of the development to ensure that the development displays good design practise and reflects local distinctiveness, having due regard to safeguarding visual and residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

05. Prior to construction/progression of any part of the development hereby permitted above slab level/ground floor level, a scheme of hard and soft landscaping, which shall include details of all hardsurfacing materials and the location, number, species, density, form and size of proposed tree, hedge and shrub planting (this should include native species which occur locally and chosen to provide food for insects on which bats feed) shall be submitted to and approved in writing by the Local Planning Authority.

The approved soft landscaping scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the prior agreement in writing of the Local Planning Authority.

For a period of five years after the completion of the landscaping scheme, the trees, hedges and shrubs shall be protected and maintained in a healthy weed free condition. Any trees, hedges or shrubs that cease to grow or are felled, removed, uprooted, destroyed or die, or become in the opinion of the Local Planning Authority seriously damaged, diseased or defective, shall be replaced by trees, hedges or shrubs of similar size and species, or other appropriate trees, hedges or shrubs as may be approved in writing by the Local Planning Authority. This replacement planting shall be undertaken before the end of the first available planting season (October to March inclusive for bare root plants), following the removal, uprooting, destruction or death of the original trees or plants.

Reason: To safeguard and enhance the landscape character and visual amenity of the area; to help assimilate the development into its immediate surrounds; and to provide ecological, environmental and biodiversity benefits, having regard to Policies EQ2 and EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

06. The proposed access shall be constructed in accordance with details shown on the approved drawing number 10 C and shall be available for use before first occupation of any of the dwellings hereby permitted. Once constructed the access shall be maintained in that condition thereafter at all times.

Reason: To ensure safe access and egress to and from the site in the interests of highway safety and convenience, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

07. Prior to first occupation of any of the dwellings hereby permitted, the proposed access over at least the first 5.0 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall be maintained and retained in that condition thereafter at all times.

Reason: To prevent loose debris, stones, gravel and similar non-compacted material from being deposited onto the County highway in the interests of highway safety and convenience, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

08. The gradient of the proposed access shall not be steeper than a slope of 1 in 10. Once constructed, the access shall be maintained in that condition thereafter at all times.

Reason: To ensure safe access and egress to and from the site in the interests of highway safety and convenience, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

09. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43.0 metres to the eastern side of the access and 30.0 metres to the western side of the access. Such visibility shall be fully provided before the development hereby permitted is first occupied and shall thereafter be maintained and retained at all times.

Reason: In order to provide adequate visibility for vehicles entering and leaving the site in the interests of and for the safety of persons and vehicles using the development and the adjoining

road, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

10. No dwelling hereby permitted shall be occupied until electric vehicle charging points (EVCP's) rated at a minimum of 16 amps have been provided for each dwelling within its associated garage and/or parking space. Such provision shall be in accordance with details indicating siting, numbers, design, rating and appearance of the EVCP's which shall be previously submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure provision of EVCP's for low emission vehicles as part of the transition to a low carbon economy, having regard to Policy TA1 of the South Somerset Local Plan and relevant guidance within the NPPF.

11. All garaging, parking and turning spaces shall be provided and laid out in accordance with the approved plans prior to first occupation of the dwellings, and thereafter shall be maintained and retained for such purposes of parking and turning of vehicles (including motorcycles and bicycles) incidental to the occupation and enjoyment of the dwellings hereby permitted to which they serve, and kept permanently free from any other forms of obstruction. Nor shall the proposed garages be used for, or in connection with, any commercial trade or business purposes and they shall not be converted into habitable accommodation, including domestic workshop, study, games room and similar uses, without the prior written approval of the Local Planning Authority.

Reason: To protect the visual and residential amenities of the site and surrounds and to ensure that adequate on-site parking and turning spaces are provided and thereafter retained to enable vehicles to turn on-site without having to reverse onto the County highway, in the interests of and for the safety of persons and vehicles using the development and the adjoining road, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF

12. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed, the system of interception shall be retained in a good state of repair thereafter at all times.

Reason: To prevent flooding of the County highway in the interests of highway safety and convenience, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

13. All foul water drainage works shall be completed in accordance with the details indicated on the approved drawings prior to first occupation of any dwelling hereby permitted, and thereafter shall be managed and maintained for the lifetime of the development.

Reason: To ensure that the development is served by a satisfactory system of foul drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with Policy EQ1 of the South Somerset Local Plan, relevant guidance within the NPPF and its associated Technical Guidance

14. The development shall be carried out in strict accordance with the various recommendations set out in the submitted "Extended Habitat Survey" dated December 2018 prepared by Country Contracts.

No dwelling shall be occupied until at least one bat roost box, tube or shelter has been installed on at least two of the new dwellings and at least 2 hole fronted bird nest boxes have been provided on the application site, all in accordance with details indicating type and siting of bat and bird nest

boxes which have previously been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved bat and bird nest boxes shall remain in situ and the access holes shall not be blocked off or obscured in any way.

Reason: The implementation of biodiversity and ecological details is fundamental to ensure the success of mitigation measures are sustained for the duration of the development and that there is no net biodiversity loss in the long term and to ensure the development contributes to the Government's target of no net biodiversity loss as set out in the NPPF; South Somerset Local Plan Policy EQ4; and the Council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

15. No removal of potential bird nesting habitats, comprised of trees, scrub, shrubs and ruderal vegetation, shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of buildings and vegetation for active birds' nests immediately before works proceed and vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority and written agreement from the Local Planning Authority so obtained.

Under no circumstances should blocking bird access to certain areas and features in using plastic bird netting hung over the gaps and apertures be carried out, as this can lead to entrapment from birds caught in netting.

Reason: To provide adequate safeguards for nesting birds, which are afforded protection under the Wildlife and Countryside Act 1981 (as amended), having regard to Policy EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

16. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express grant of planning permission, other than that expressly authorised by this permission:

- (a) Part 1, Class A (enlargements, improvements or other alterations);
- (b) Part 1, Class B (additions etc to the roof of a dwellinghouse);
- (c) Part 1, Class C (other roof alterations);
- (d) Part 2, Class A (gates, fences, walls or other means of enclosure); and
- (e) Part 2, Class B (means of access to a highway).

Reason: To enable the Local Planning Authority to exercise control over development in order to:

- (i) safeguard the character and appearance of the development itself and the locality in general, by ensuring there are no inappropriate extensions or other alterations within the curtilage of the dwelling;
- (ii) prevent unacceptable harm being caused to the residential amenity of occupiers of adjoining property;
- (iii) safeguard on-site parking and circulation areas; and
- (iv) ensure there is no unacceptable surface water run-off,

having regard to Policies EQ1, EQ2, EQ4, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

Informatives:

01. CIL

Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk

02. Highways Act

Having regard to the powers of the Highway Authority under the Highways Act 1980, the applicants are advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the South Somerset Area at The Highways Depot, Mead Avenue, Houndstone Business Park, Yeovil, BA22 8RT

Email countyroads-southsom@somerset.gov.uk.

Application for such a permit should be made at least four weeks before access works are intended to commence.

03. Drainage

Somerset County Council (SCC) is now the Lead Local Flood Authority (LLFA) as defined by the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009. SCC's Flood Risk Management Team was formed, to satisfy the duties of this legislation.

Under Section 23 of the Land Drainage Act there is a requirement to seek a consent when culverting or obstructing a watercourse, whether permanent or temporary. Previously, consent for work to ordinary watercourses outside Drainage Board areas was obtained from the Environment Agency. This has now transferred to SCC. It is important to note that under no circumstances will retrospective consent be given for unconsented works. If unconsented drainage works have occurred, the developer will be responsible for restoring the watercourse to its original condition.

Failure to obtain Land Drainage Consent prior to carrying out the works may result in a fine.

For further information visit

www.somerset.gov.uk/environment-and-planning/flooding/work-on-an-ordinary-watercourse

Land Drainage Consent forms can be downloaded from

www.somerset.gov.uk/consent

For further information regarding the application form please contact Didier Lebrun of the Flood Risk Management Team on 01823 356692 or email JLebrun@somerset.gov.uk

04. Contaminated Land

If contaminated land is encountered during the development works, which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the local Planning Authority.
