

## Officer Report On Planning Application: 17/03816/REM\*\*

<b>Proposal :</b>	Application for reserved matters following approval of 13/03318/OUT (approved at appeal) for erection of 34 dwellings to include details of access, layout, scale, appearance and landscaping.
<b>Site Address:</b>	Land South Of Bayford Hill Wincanton
<b>Parish:</b>	Wincanton
<b>WINCANTON Ward (SSDC Member)</b>	Cllr Nick Colbert Cllr Colin Winder
<b>Recommending Case Officer:</b>	David Kenyon Tel: 01935 462091 Email: david.kenyon@southsomerset.gov.uk
<b>Target date :</b>	25th January 2018
<b>Applicant :</b>	Mr Chris Wardrop
<b>Agent: (no agent if blank)</b>	Mr Matthew Kendrick Grass Roots Planning Ltd 86-88 Colston Street Bristol BS1 5BB
<b>Application Type :</b>	Major Dwlg's 10 or more or site 0.5ha+

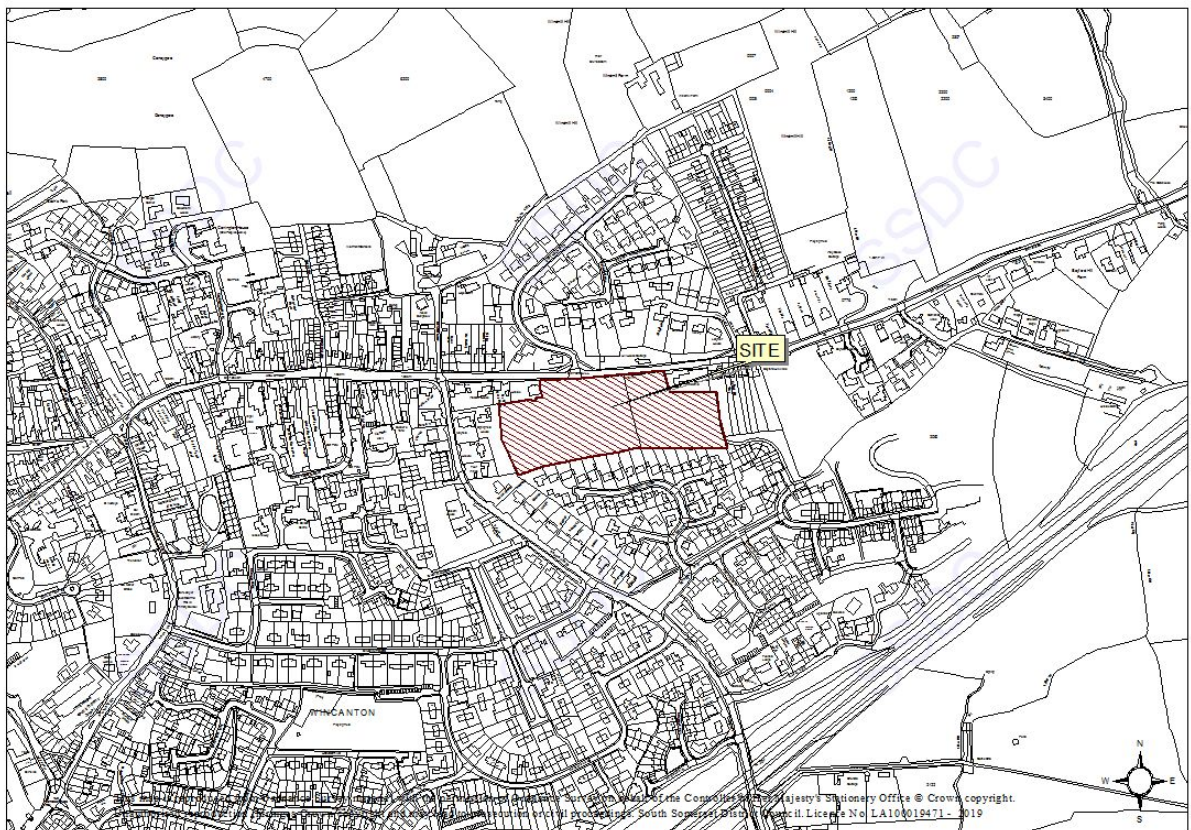
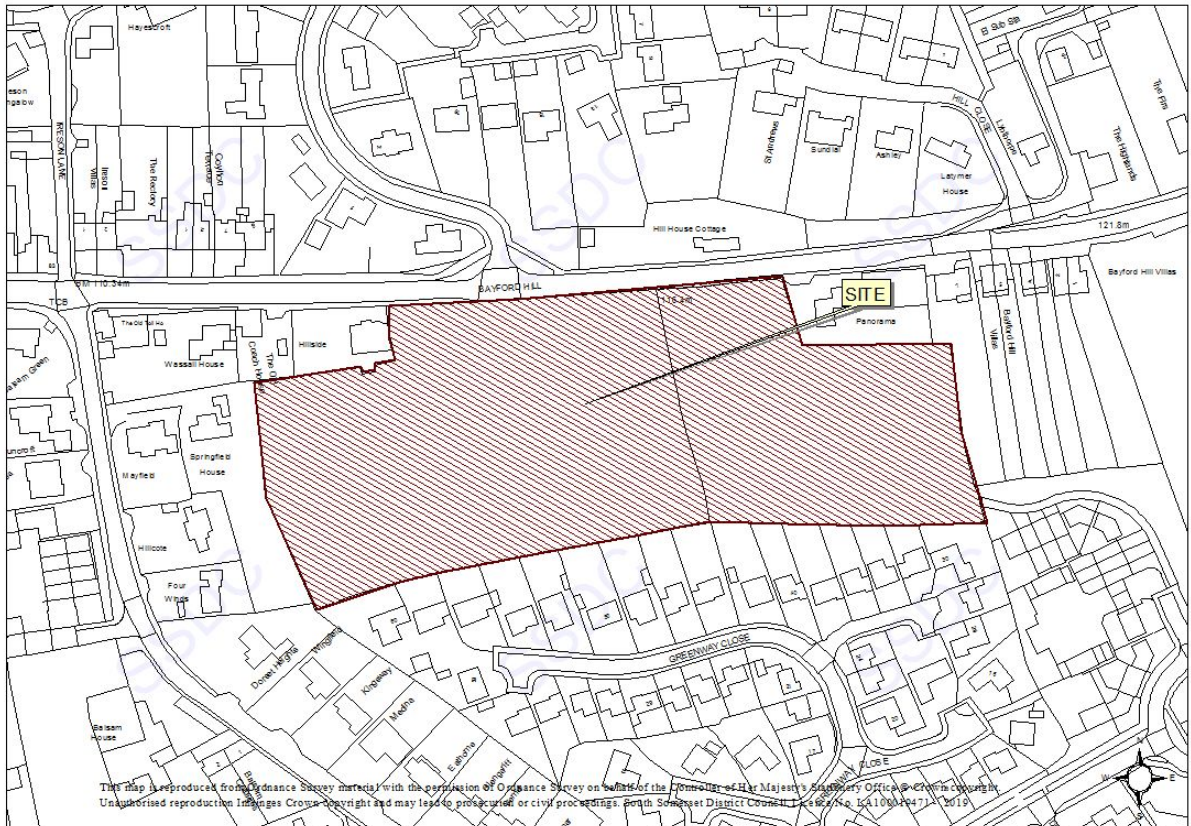
### REASON FOR COMMITTEE REFERRAL

At the request of the Lead Specialist (Planning) in consultation with the Area Chair, this application has been automatically referred to Area East Committee for determination on grounds that this is a major development, there has been a contentious planning history and objections have been received from third parties which are contrary to the Officer recommendation.

This application has also been 2-starred under the Scheme of Delegation - referral of applications to the Regulation Committee for determination. In collective agreement with the Leader, Portfolio Holder, Area Chairs, Director (Service Delivery), Monitoring Officer, and Lead Specialist (Planning) all major applications will be 2 starred for the immediate future to safeguard the Council's performance, pending a more substantive review.

The Area Committees will still be able to approve and condition major applications. However, if a Committee is minded to refuse a major application, whilst it will be able to debate the issues and indicate grounds for refusal, the final determination will be made by the Regulation Committee.

# SITE DESCRIPTION AND PROPOSAL



This is an application for 'reserved matters' that has been submitted pursuant to the outline permission

(13/03318/OUT) allowed on appeal for up to 44 dwellings, provision of public open space and access. Layout, scale, appearance and landscaping were reserved matters.

This current 'reserved matters' application was originally for the erection of 43 dwellings, but subsequently amended for the erection of 38 dwellings, and has now been further revised following discussions between officers, the applicant and agent to seek approval for 34 dwellings. This latest reduction in the number of dwellings relates to that part of the development in the south eastern area of the site, having regard to concerns expressed about the proximity of some of the dwellings and their heights in relation to existing dwellings in Greenway Close to the south of the site.

The proposed dwellings on the site as a whole range in heights from single storey to split level (i.e. single storey at street level and two storey at the rear) to full two storey and with a mix of external finishing materials. Walls would be either of red or buff brickwork or white/off-white render with brick details and roofs would be dark red or dark grey tiles. Also included as part of the development proposals are a pedestrian/cycle link to the Deansley Way residential estate at the south-east corner, and a substantial area of public open space, shown along the Bayford Hill frontage.

This 1.95 hectare site is located within settlement limits on south side of Bayford Hill. The land rises along Bayford Hill and slopes to the south, where it backs onto the rear gardens of the modern bungalows and 2-storey dwellings in Greenway Close. To the east and west are the extended gardens of the older 2/3 storey properties on Bayford Hill. The site is currently rough grass with a recently cut back hedge running north-south dividing the land into two. The perimeter boundaries are a mix of hedges and domestic fences; however the former stone wall to the Bayford Hill frontage has been largely replaced with builder's compound fencing.

Part of the site abuts the Wincanton Conservation Area.

The application is supported by a Planning Statement, Landscape and Ecological Management Plan, a Planting Specification and Landscape Plan, a Drainage Strategy Note, Reptile Translocation Report, an Economic Viability Assessment and a Highways Technical Note.

## **RELEVANT HISTORY**

13/03318/OUT - Erection of up to 47 dwellings, provision of public open space, access and other ancillary development.

Refused but subsequently outline permission granted on appeal dated 30th October 2014. Accompanying this decision is a signed and dated Unilateral Undertaking made under Section 106 of the Town and Country Planning Act 1990 relating to the provision of at least 35% affordable housing on the site and to provide financial contributions to offset the impact of the proposed development on education, community, health and leisure services in the local area.

In detail, the legal agreement secures:

- the provision of at least 35% affordable housing on the site (of which 67% are to be Social Rented Housing and 35% as Intermediate Housing).
- the payment of Community, Health and Leisure Services contributions (comprising (i) Equipped Play Facilities contribution of £1,357.10 per dwelling; (ii) Youth Facilities contribution of £231.36 per dwelling; (iii) Leisure Service Administrative Fee of £45.59 per dwelling; (iv) Changing Rooms contribution of £870.46 per dwelling; (v) Playing Pitches contribution of £679.95 per dwelling; and (vii) a Strategic Facilities contribution totalling £1,419.75 per dwelling which includes £183.08 per dwelling for the provision of a new learner swimming pool at Wincanton Sports centre, £237.02 per dwelling for an indoor tennis centre located in or near Yeovil, £380.40 per dwelling for the provision of artificial grass pitches within the Wincanton area, £606.21 per dwelling for the development of a centrally located 8 court district wide competition sports hall in Yeovil and 3313.04 per dwelling for the

- enhancement or expansion of the octagon theatre in Yeovil).
- the payment of an Education contribution of £2,347.08 per dwelling.

19/00718/DPO. Application to vary S106 Agreement dated 30th October 2014 attached to approval 13/03318/OUT between Hopkins Development Limited, South Somerset District Council and Somerset County Council to remove the requirement for the provision of any affordable housing as part of the residential development to be carried out on the site.

Pending consideration. Currently held in abeyance pending the determination of this current Reserved Matters application.

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a general duty on local planning authorities when determining planning applications as respects conservation areas and states:

"In the exercise, with respect to any buildings or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

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 SS4 - District Wide Housing Provision

Policy SS5 - Delivering New Housing Growth

Policy HG3 - Provision of Affordable Housing

Policy HG5 - Achieving a Mix of Marketing Housing

Policy TA4 - Travel Plans

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

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

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - General development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy EQ5 - Green Infrastructure

Policy EQ7 - Pollution Control

### **Wincanton Neighbourhood Plan 2018-2028**

Policy 2 - Key Buildings and Spaces

Policy 3 - Trees and hedgerows

Policy 7 - Housing Types

Policy 8 - Starter Homes for Local People

Policy 14 - Key Pedestrian and Cycle Routes

### **National Planning Policy Framework - February 2019**

Regard shall also be had to the NPPF, in particular:

Chapter 2 - Achieving sustainable development  
Chapter 5 - Delivering a sufficient supply of homes  
Chapter 8 - Promoting healthy and safe communities  
Chapter 9 - Promoting sustainable transport  
Chapter 12 - Achieving well-designed places  
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 - Conserving and enhancing the natural environment  
Chapter 16 - Conserving and enhancing the historic environment

## **National Planning Policy Guidance**

### **Other Relevant Documents**

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012 following corrections made.

Somerset Highways Standing Advice - June 2015.

## **CONSULTATIONS**

The application has been recently amended and the numbers of dwellings being proposed have been reduced from an initial proposal of 43 no. dwellings to 38 no. with the current revised proposal being for 34 no. dwellings. Consultees have been re-notified about this latest amendment for the reduction in numbers and further comments invited. Some comments have been received at the time of compiling this report but any additional comments that are received will be reported orally at the Committee meeting.

### **Wincanton Town Council**

In response to the proposal for 38 no. dwellings, Wincanton Town Council recommended approval and requested that all points mentioned by the Inspector at the appeal were to be carried out. In addition that SSDC considers the observations made by residents.

Comments awaited in response to the latest amendments for 34 dwellings. The next Town Council meeting is on 9th September 2019.

### **County Highway Authority**

Initial comments received from the County Highway Authority raised concern that inadequate information had been submitted to enable a full assessment of the impacts of the proposal and therefore a holding recommendation of refusal was offered.

Following receipt of additional highways related information, the Highway Authority offered the following comments:

*I am pleased to say that the applicant has now addressed the issues raised by the Highway Authority (HA) across a number of responses that we have provided, such that I can confirm that the HA does not object to the grant of planning permission for the proposals as currently put forward (subject to a number of conditions).*

*However, the applicant should be aware of the following points during the detailed design of this development, following the grant of any planning consent:*

- *The small buildout on the existing carriageway at the north-western extent of the scheme appears an appropriate solution to the issue of the substandard footway width at this location, providing the absolute minimum acceptable width of 900mm for the footway. The detailed design must be such that this absolute minimum width is not compromised by any incidental obstructions such as street furniture.*
- *The proposed small buildout retains a road width of some 7m, which appears acceptable, but the detailed design should provide a smoother kerb transition to ensure a hazard is not introduced for*

vehicular traffic.

- *The delivery of the new access, and indeed all on-highway improvements, will be controlled under a suitable legal agreement with the HA. This will necessitate further detailed design audits and reviews, which will require the provision of further detailed information by the developer.*
- *Further detailed consideration will also be required on the estate roads and footways within the Development, should the applicant wish to offer them for adoption, and no presumption should be made that any roads and/ or footways within the estate will be adopted by the HA as highway maintainable at the public expense. The applicant should note that the footway link shown through the public open space remains unsuitable for adoption. However, the Advanced Payment Code regime will apply to this development.*
- *The applicant should in particular note that, while there is no objection to the proposed surface water management strategy, the detailed design will be subject to review and may affect the adoptability of the roads and footways within the estate.*

The Highway Authority concluded by confirming that it does not object to the grant of planning consent on the proposals as currently put forward, but recommended the imposition of various conditions.

In response to the latest amended proposal for 34 dwellings, the Highway Authority again raises no objections subject to the imposition of various conditions. These are included in the officer recommendation.

#### **SSDC Highway Consultant**

Refer to County Highway Authority's comments.

#### **County Council Lead Local Flood Authority**

Following initial expressed concerns regarding the extent of drainage information that had been submitted, the LLFA offered the following comments on 14th November 2018.

*The Sustainable Drainage Officer (Flood Risk Management) has reviewed the calculations for the two sewer systems at the site. There are still some unknowns here which ought to be investigated.*

*Firstly, the diversion of the existing sewer into the site system. Rates in the existing sewer are not known and whilst for simplicity these have been left out of these calculations, at some point their impact on the scheme will need to be determined. Vectos have proposed a flow control and whilst this approach is reasonable, for comfort it would be helpful to see this modelled. It is noted that there is a small amount of flooding in the western part of the system, upstream of the proposed connection to the existing sewer, and this must be managed accordingly within the site boundary. Ensuring the safety of the properties will be paramount, so the management of exceedance routes using the road design will need detailing.*

*Confirmation of the presence or not of the land / cut off drain along the southern boundary should also be sought and this should be provided prior to approval of the reserved matters.*

*The rest should be possible to secure through a detailed drainage condition.*

This resulted in further direct discussions between the LLFA and the applicant's drainage consultant resulting in receipt of further comments from the LLFA on 14th January as follows:

*Since our last consultation response dated 14th November 2018, we have been in discussions with the applicant's drainage consultant with regards to the above planning application.*

*The consultant has submitted information in relation to the diverted sewer system, making a robust assessment of flows within that network and how this will impact upon the new site drainage network. It is*

*assumed that Wessex Water are happy with the proposed arrangement.*

*In addition, further improvements have been made to the overall drainage design to prevent flooding of the site for all events up to and including the 1 in 100 year (+ 40% climate change) whilst using site design to manage overland flow routes for any exceedance events, diverting them away from properties. This must be secured in detailed design via the condition provided.*

*The outstanding matter in relation to this site is the confirmation of the presence of any land /cut off drain along the southern boundary. Whilst unlikely given the design of the site in line with the above criteria, a cut off drain would prevent any surface water egressing towards properties to the south of the site. We feel that given the specific commitment made by the developer to retain /refurbish any existing land /cut off drain or install a new one, the detail of this can be secured via detailed condition.*

The LLFA recommended no objection subject to the imposition of conditions relating to (i) submission of details of the design, implementation, maintenance and management of the sustainable drainage scheme; and (ii) the carrying out of a site investigation to determine the presence, extent and condition of the land /cut off drain along the southern boundary of the development site. The developer must then either refurbish/improve the existing, or should one not exist, create a new land / cut off drain along the extent of the southern boundary of the site.

In response to the latest amended proposal for 34 dwellings, the LLFA advises that it has had a number of discussions with the applicant and their agent and is satisfied that, subject to conditions, there are no objections to the amended plans in respect of surface water drainage. Such conditions are included in the officer recommendation.

**Housing Officer**

No comments received.

**SSDC Tree Officer**

Confirms that the submitted tree planting details are most satisfactory, subject to the inclusion of the following additional statement to the submitted planting scheme within the Planting Specification and Landscape Plan document:

"All trees to be planted within a grassed environment (notwithstanding the mulched radius around each tree) shall have an Arbortech Standard Strimmer Guard installed to protect the base of each trunk from strimmer damage."

**Ecologist**

No adverse comments received.

**Avon and Somerset Constabulary - Designing Out Crime Officer**

Sections 2, 8, 9 and 12 of the NPPF (July 2018) refer to the importance of considering crime and disorder at the planning stage. Paragraph 127(f) states:

"Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

Guidance is given considering 'Crime prevention through Environmental design'; 'Secured by Design' principles and 'Safer Places Lite'.

No further comments were made in response to the amended proposal reducing the number of dwellings to 38 and the Designing Out Crime Officer has confirmed that he has no further comments to make in response to the latest proposal for 34 dwellings.

**Wessex Water**

Initial holding objection prior to receipt of comments from the LLFA.

Subsequent comments acknowledge the outline drainage strategy and surface water condition requested by the LLFA and confirm that Wessex Water will be happy to comment on any proposed drainage design at the developer's earliest convenience to ensure efficient discharge of the drainage condition should SSDC be minded to approve the reserved matters planning application.

## **REPRESENTATIONS**

The summary of responses received from third parties set out below relate to comments received in response to the original proposals for the larger number of dwellings on the site. Third parties have been re-notified about this latest amendment for the reduction in numbers of dwellings to 34 in total and further representations have been invited. No such representations have been received at the time of compiling this report but any that are received will be reported orally at the Committee meeting.

At the time of compiling this report, there have been written representations submitted in response to this application from nine third parties. These mainly raise objections. All representations are available for consideration, in full, on the website. A brief summary of the objections raised, in no particular order, is as follows.

- Overdevelopment - too cramped; too many properties.
- Unacceptable design and style of property.
- Properties too high and dominant, particularly those close to Greenway Close.
- The proposed dwellings, with much smaller gardens, are much closer to properties in Greenway Close which is disappointing.
- Unacceptable impact on the privacy of properties in Greenway Close. Unacceptable direct overlooking of rooms and gardens.
- Drainage concerns - surface water run-off concerns impacting on properties in Greenway Close.
- Unacceptable impact on ecology.
- Inadequate services and infrastructure within the town to cope with the number of dwellings being proposed.
- The vehicular access point into the site is more or less opposite the driveway of Hill House Cottage on Bayford Hill and would be dangerous.
- Object to the removal of willows running up the field between 44 and 42 Greenway Close.

## **CONSIDERATIONS**

### **Principle of development**

The principle of development was accepted by the appeal Inspector's decision to allow outline planning permission at which time the access point on Bayford Hill was considered and accepted. Accordingly the main considerations include layout, scale, appearance, landscaping, highway safety, drainage and neighbour amenity.

Notwithstanding the fact that the principle has been accepted by virtue of the appeal decision in 2015, the current application has been assessed having regard to all pertinent policies contained in the adopted Development Plan, including the Wincanton Neighbourhood Plan which was adopted after the appeal decision. The proposal is considered to accord with such policies.

### **Layout, Scale, Appearance and Landscaping**

The layout is broadly that illustrated at outline stage and includes a broad area of open space that, to passing motorists, would maintain a sense of space and offer an outlook out over the roof tops to the countryside beyond. The detailed drawings indicate a linear style of development fronting the main road through the site with a mix of single storey and two storey dwellings. The proposed two storey properties would generally be in the range of approximately 7m - 8 m in height from ground floor level to ridge height. External finishing



materials are varied and include brick or rendered walls with dark red or dark grey roof tiles. A detailed landscaping scheme has been submitted which has not been objected to by the Council's Tree Officer.

It is considered that, in terms of overall scale, appearance and landscaping, the impact on visual amenity would be acceptable and there would be no overriding detrimental harm in terms of the character and appearance of the locality.

### **Highway Safety**

The access at Bayford Hill was considered at outline stage and considered by the appeal Inspector to be acceptable. In considering 'reserved matters' there is also the need to consider the detailed layout and the site's internal arrangements including parking standards. The County Highway Authority's comments have been set out in detail above. No objections have been raised subject to the imposition of various conditions. Such conditions are reflected in the formal officer recommendation at the end of this report.

### **Drainage**

Objections have been raised from third parties about drainage and surface water run-off matters. There has been detailed discussions between the Lead Local Flood Authority and the applicant's drainage consultants in order to achieve a satisfactory means of drainage. The detailed comments from the LLFA and Wessex Water have been set out above and the conditions recommended by the LLFA are reflected in the formal officer recommendation.

### **Residential Amenity**

New development will usually have some effect on the amenity of neighbours. These effects include impacts from loss of light, overshadowing, loss of privacy and overbearing impacts. In relation to privacy, the design and layout of new development should ensure that reasonable privacy and light is provided for surrounding residents and occupiers, particularly in relation to residential use and enjoyment of dwellings and private gardens. Spacing between the windows of dwellings should achieve suitable distances for privacy and light, whilst also preventing cramped and congested layouts. There are residential properties on virtually all sides of the application site which descends fairly steeply in a southerly direction. With that in mind, the proposed development will, by its very nature, have some impact on the residential amenities of adjoining properties.

Prior to receipt of the latest amended drawings, in officers' opinion the main issue of concern related to impact on residential amenity of neighbouring properties at Greenway Close to the south of the site, in particular proposed plots at the south east of the development scheme. The issue of neighbouring impact was debated at the appeal hearing when the planning merits of the original outline application were debated and the appeal Inspector made specific comments about such a consideration in his decision letter dated 27th January 2015 (paragraphs 32 - 37 inclusive). In his letter, the Inspector made reference to the submitted Masterplan and that at either end of the development it was shown on the Masterplan that the proposed dwellings would be sited at an angle to those in Greenway Close. Based on the development as would be implemented in terms of the Masterplan, the Inspector concluded that the development would not result in significant and demonstrable harm to residential amenity. In that respect the Inspector specifically noted the significant angle that some of the plots would be in relation to the Greenway Close properties and also specific reference to plots having a separation distance in excess of 30 metres.

Whilst there is no adopted policy within the Local Plan relating to separation distances, it is generally accepted that, where properties of up to 2 storeys in height directly face one another (except where overlooking a street or public space), a distance of at least 21 metres between facing habitable room windows (living rooms, dining rooms, kitchens, studies and bedrooms) is desirable. The distance of properties facing each other's front elevations should aim to be at least 13 metres - these distances are lower because house fronts normally face onto public routes so there is less need to protect privacy.

The previous proposal included some of the southerly proposed plots having ground floor levels and rear terraces approximately 2.0 - 3.0 metres above existing ground levels and in some cases as close as 3.0 metres from the southern boundary of the site. Some rear terraces would have been at a higher level that

the highest parts of the proposed 1.8 metre high fencing to be erected along the southern boundary. Therefore the proposed fencing would only have provided minimal screening of the rear curtilages of the properties in Greenway Close.

To address such concern, the applicant has sought to reduce the number of dwellings in this particular part of the site to enable the remaining dwellings and their rear terraces to be re-sited further away from the southern boundary and for their proposed floor levels to be lowered compared to the proposal as originally submitted. Nevertheless, it is acknowledged that the floor levels of the proposed dwellings would still remain higher than those of the existing properties in Greenway Close because of the very topography of the existing site. The majority of proposed dwellings along the southern part of the site would in the main be over 30 metres away from the respective opposite dwellings in Greenway Close. The minimum distances in the case of two or three properties would be between approximately 21 metres and 22 metres.

In overall terms, it is considered that the proposed revised scheme, in terms of size, design and positioning of the proposed dwellings, would result in 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 which would justify a refusal of planning permission.

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.

### **Conclusion**

The principle of development has been established by the previous grant of outline approval. The proposed design, appearance and siting of the development would result in no significant adverse impact on the character and visual amenities of the area, and would cause no demonstrable harm to the landscape, residential amenity, or highway safety. Accordingly, the proposed scheme is considered to accord with Policies SD1, SS1, TA5, TA6, HW1, EQ1, EQ2, EQ3, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF. In addition the proposed development does not conflict with the aims and provisions set out within the Wincanton Neighbourhood Plan.

### **RECOMMENDATION**

Approval of reserved matters for the following reason:

01. The principle of development has been established by the previous grant of outline approval. The proposed design, appearance and siting of the development would result in no significant adverse impact on the character and visual amenities of the area, and would cause no demonstrable harm to the landscape, residential amenity, or highway safety. Accordingly, the proposed scheme is considered to accord with Policies SD1, SS1, TA5, TA6, HW1, EQ1, EQ2, EQ3, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF. In addition the proposed development does not conflict with the aims and provisions set out within the Wincanton Neighbourhood Plan.

### **SUBJECT TO THE FOLLOWING:**

01. Unless otherwise indicated by other conditions attached to this decision, the development hereby permitted shall be carried out in accordance with the following approved drawings and documents:

Drawing no. D04/001: Location Plan

Drawing no. D04/010 B: Existing Site Plan

Drawing no. D04/021 D: Proposed Site Plan  
Drawing no. D04/025 E: Materials Layout Plan  
Drawing no. D04/030 E: Enclosure and Fencing Plan  
Drawing no. D04/035 F: Proposed Heights Plan  
Drawing no. D04/040 E: Landscaping Layout Plan  
Drawing no. D04/045 B: Simplified Heights Plan  
Drawing no. D04/050 C: Proposed Site Sections  
Drawing no. D04/055 D: Proposed Site Sections  
Drawing no. D04/505 A: Bungalow Type A1  
Drawing no. D04/506 A: Bungalow Type A2  
Drawing no. D04/508 A: Bungalow Type A4  
Drawing no. D04/510 A: Bungalow Type B  
Drawing no. D04/515 A: Bungalow Type C  
Drawing no. D04/520 A Bungalow Type D  
Drawing no. D04/525 A: Proposed Bungalow - Type E Rev A  
Drawing no. D04/530: House Type F1  
Drawing no. D04/531: House Type F2  
Drawing no. D04/532: House Type F3  
Drawing no. D04/533: House Type F4  
Drawing no. D04/534: House Type F5  
Drawing no. D04/535 A: House Type G1  
Drawing no. D04/536 A: House Type G2  
Drawing no. D04/538 A: House Type G4  
Drawing no. D04/540 A: House Type H1  
Drawing no. D04/541 A: House Type H2  
Drawing no. D04/545 B: House Type J  
Drawing no. D04/550 A: House Type K  
Drawing no. D04/555 A: House Type L1  
Drawing no. D04/556 A: House Type L2  
Drawing no. D04/560: Proposed Garages  
Drawing no. D04/575 A: Bungalow Type P  
Drawing no. D04/580 A: House Type Q1  
Drawing no. D04/585: House Type Q2  
Drawing no. D04/5055: Bungalow Type A5  
Drawing no. D04/5065: Bungalow Type A6  
Drawing no. D04/5305: House Type F6  
Drawing no. D04/5315: House Type F7  
Drawing no. D04/5325: House Type F8  
Drawing no. D04/5345: House Type F9  
Drawing no. D04/5385 A: House Type G6  
Drawing no. 173120\_G\_01 Rev G: Preliminary Highway Layout  
Drawing no. 173120\_PDL\_01 Rev J: Preliminary Drainage Layout  
Drawing no. 173120\_S38\_01 Rev B: Section 38  
Drawing no. 173120\_SK\_01 Rev G: External Works  
Drawing no. 173120\_SPA\_01 Rev G: Swept Path Analysis Refuse Vehicle  
Drawing no. 173120\_SPA\_02: Private Driveway Tracking  
Drawing no. 173120\_G\_02: Western Footway Widening Bus Stop Provision Plan  
Drawing no. 173120\_P\_01\_E: Highway Profiles  
Drawing no. 173120\_P\_02: Visibility Splays & Profiles  
Drawing no. 173120\_P\_03: Bayford Hill Sections  
173120\_NT1\_v3: Diversion Micro Drainage Calculations  
SW\_NET2\_v3: Micro Drainage Calculations  
Landscape and Ecological Management Plan prepared by Clarkson & Woods, Ecological Consultants,  
September 2017

Technical Note - Highways

Planting Specification & Landscape Plan Rev A prepared by Nick Baxter Arboricultural Consultant  
Drawing no. LP/1 Rev A: Landscape Plan

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

02. No work shall commence on the application site (other than site clearance and that detailed in condition 05) until a vehicular access to Bayford Hill, in accordance with that shown on drawing no. 173120\_G\_01 Revision G, has been provided 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 highways safety and in accordance with Policies TA5 and TA5 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

03. No development shall commence unless a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved CEMP. The CEMP shall include:

- a) construction vehicle movements;
- b) construction operation hours;
- c) construction vehicular routes to and from site;
- d) construction delivery hours;
- e) expected number of construction vehicles per day;
- f) car parking for contractors;
- g) specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- h) a scheme to encourage the use of Public Transport amongst contractors;
- i) measures to ensure that dust, mud, slurry and debris will not be deposited onto the highway by vehicles leaving the site;
- j) measures to avoid traffic congestion impacting upon the Strategic Road Network;
- k) measures to ensure that deliveries to the development do not result in the loading or unloading of vehicles on Bayford Hill, or the storing of plant or materials on the public highway; and
- l) details of any temporary drainage measures to be installed during the construction phase of the development.

Reason: In the interests of highway safety and in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

04. A Condition Survey of the existing public highway shall be carried out and agreed with the Local Planning Authority in consultation with the Local Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the agreement of the Highway Authority once all works have been completed on site.

Reason: In the interests of highway safety and in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

05. No development shall commence (with the exception of site clearance and that detailed in this condition) until a site investigation to determine the process, extent and condition of the land / cut off drainage along the southern boundary of the application site has been undertaken. If no such land / cut off drainage exists, the developer shall install a temporary intercept ditch or provide a new land / cut off drain along the southern boundary in accordance with details previously submitted to and approved in writing by the Local Planning Authority prior to the rest of works commencing on site.

Reason: To ensure that surface water is managed during the construction of the site in accordance with Policy EQ1 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

06. No development shall commence (with the exception of site clearance and that detailed in condition 05) until details of two new bus stops in the vicinity of the access to the site from Bayford Hill have been submitted to and approved in writing by the Local Planning Authority. The specification for the bus stops shall include shelters and high access kerbs and shall be completed in accordance with the approved details before any dwelling hereby permitted is first occupied.

Reason: In the interests of promoting sustainable travel and highway safety and in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

07. Prior to the construction above slab level / damp proof course level of any dwelling hereby permitted, details of the design, implementation, maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Those details shall include:

a) information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay, and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and / or surface waters;

b) any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

c) flood water exceedance routes, both on and off site;

d) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development.

e) a timetable for the implementation of the approved sustainable drainage scheme.

Works shall be carried out in accordance with the approved details and thereafter shall be retained and maintained.

Reason: To ensure that the development is served by a satisfactory system of 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 and relevant guidance within the National Planning Policy Framework.

08. There shall be no construction above slab level / damp proof course level of any dwelling hereby permitted until the existing land / cut off drainage is either refurbished / improved or, should one not exist, a new land / cut off drainage is created along the extent of the southern boundary of the application site. This shall include the submission to and approval in writing by the Local Planning Authority of drawings and cross sections of existing / proposed land / cut off drainage, programme of works and future maintenance provision.

At no time shall any planting, new buildings, structures or other building or engineering operations be carried out, constructed or placed over or on the existing or new land / cut off drainage along this extent of the southern boundary.

Reason: To ensure that the development is served by a satisfactory system of 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 and relevant guidance within the National Planning Policy Framework.

09. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority for written approval.

Reason: In the interests of highway safety and in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

10. Notwithstanding the details indicated on drawing no. D04-025 E (Materials Layout Plan), prior to the construction above slab level / damp proof course level of any dwelling hereby permitted a schedule of materials and (colour) finishes (including samples and trade descriptions / brochure details where appropriate) shall be submitted to and approved in writing by the Local Planning Authority. Such a schedule should include:

- a) a sample panel of the render and brick to be used;
- b) details of the materials to be used for all windows, doors and roofs; and
- c) the locations, heights, sizes, materials of construction and colour finishes of all flues, ducts, rainwater goods, external vents, meters and any other external attachments.

The development shall be constructed in accordance with the approved schedule of materials 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, in accordance with Policy EQ2 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

11. No dwelling hereby permitted shall be occupied until pedestrian links to the existing network generally in accordance with that shown on drawing no. 173120\_G\_01 Rev G (including but not limited to new footway along the frontage of the application site, an informal pedestrian crossing of Bayford Hill to the east of the site entrance and the widening of the existing southern footway on Bayford Hill to the west of the site such that a minimum width of 900mm is maintained) have been provided 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 Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

12. No dwelling hereby permitted shall be occupied until a pedestrian / cycle link to the existing facilities to the south-east of the site have been constructed in accordance with details which have previously been 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 and relevant guidance within the National Planning Policy Framework.

13. No dwelling hereby permitted shall be occupied until provision has been made within the application site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been previously submitted to and approved in writing by the Local Planning Authority. Such surface water disposal provision shall be installed before the occupation of any dwelling hereby approved and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

14. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling, before it is occupied, shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety and in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

15. No dwelling hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the application site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and sustainable development in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

16. No dwelling 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 Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

17. Notwithstanding the details indicated on the submitted drawings, the development hereby permitted shall not be occupied until parking spaces for the dwellings and properly consolidated and surfaced turning space for vehicles have been provided and 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 spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and 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 and relevant guidance within the National Planning Policy Framework.

18. Prior to first occupation of any dwelling hereby permitted, secure 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 and relevant guidance within the National Planning Policy Framework.

19. Prior to first occupation of any dwelling hereby permitted, 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 promoting renewable energy in accordance with Policy EQ1 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

20. 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 and relevant guidance within the National Planning Policy Framework.

21. All trees to be planted within a grass environment (notwithstanding the mulched radius around each tree) shall have an Arbortech Standard Strimmer Guard installed to protect the base of each trunk from strimmer damage.

Reason: In the interest of protecting high quality trees for the lifetime of the development in accordance with Policy EQ2 of the South Somerset Local Plan and relevant guidance within the National Planning Policy Framework.

22. The landscape planting scheme set out in the submitted document and plan "Planting Specification & Landscape Plan" prepared by Nick Baxter Arboricultural Consultant shall be fully implemented and thereafter retained and maintained. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of any dwelling 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, and to accord with Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

23. The development hereby permitted shall neither be occupied or brought into use until a scheme for the safeguarding of the ecology of the application site has been carried out in accordance with the recommendations of the Ecological Survey by Michael Woods Associates, dated November 2013, and received by the Local Planning Authority on 18th November 2013, and the Landscape and Ecological Management Plan prepared by Clarkson & Woods, Ecological Consultants, September 2017.

Reason: To provide ecological, environmental and biodiversity benefits, having regard to Policies EQ2, EQ3 and EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

24. In respect of the dwellings comprising plots 9 to 27 inclusive, 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 B (additions etc to the roof of a dwellinghouse);



(b) Part 1, Class C (other roof alterations);

Reason: To enable the Local Planning Authority to exercise control over development in order to prevent unacceptable harm being caused to the residential amenity of occupiers of adjoining properties in Greenway Close, having regard to Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

25. 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 construction of any gas compounds, electricity substations, buildings for the purposes of electronic communications or water pumping stations shall commence prior to the submission to and written approval from the Local Planning Authority relating to details of the siting, levels, elevations, dimensions, external materials, access arrangements, boundary treatments and landscaping for each of those utility buildings or compounds. Development shall thereafter be undertaken only in accordance with the approved details.

Reason: To ensure that the siting and external appearance of any utility compounds and buildings is acceptable in relation to the character and visual amenity of the development and the wider area and in the interests of protecting the amenity of occupiers of neighbouring dwellings and buildings; maintaining highway safety; protecting biodiversity; protecting green infrastructure resources; preventing flood risk; and having regard to Policies EQ1, EQ2, EQ4, EQ5, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

**Informatives:**

01. The provision of the highway works required by conditions 02 and 11 will require a legal agreement and contact should be made with the Highway Authority well in advance of commencing the works so that the agreement is complete prior to starting the highway works.