

South Somerset District Council

Minutes of a meeting of the Area East Committee held at the Committee Room (Area East) - Churchfield on Wednesday 11 September 2019.

(9:00 – 13.05)

Present:

Members: Councillor Henry Hobhouse (Chairman)

Robin Bastable
Tony Capozzoli
Nick Colbert
Sarah Dyke
Charlie Hull

Mike Lewis
Kevin Messenger
Lucy Trimmell
William Wallace
Colin Winder



Officers:

Kelly Wheeler Case Services Officer (Support Services)
Tim Cook Locality Manager
David Kenyon Planning Consultant

Others:

Adam Garland Principal Planning Liaison Officer, Highway
Development Management, Somerset C.C
Helen Smith Sustainable Drainage Officer, Flood Risk
Management. Lead Local Flood Agency
Somerset C.C

NB: Where an executive or key decision is made, a reason will be noted immediately beneath the Committee's resolution.

55. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meeting held on Wednesday 14th August 2019, copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

56. Apologies for absence (Agenda Item 2)

An apology of absence was received from Councillor Paul Rowsell and Councillor Hayward Burt.

57. Declarations of Interest (Agenda Item 3)

There were no declarations of interests.

However, Councillor Charlie Hull pointed out that he had previously made his views clear on agenda item 12 (planning application 18/03298/OUT) and would not participate in the vote.

58. Date of Next Meeting (Agenda Item 4)

Members noted that the date of the next scheduled meeting of the Committee would be at the Council Offices, Churchfields, Wincanton on Wednesday 9th October at 9am.

59. Public Question Time (Agenda Item 5)

There were no questions from members of the public.

60. Chairman Announcements (Agenda Item 6)

The Chairman advised that a short presentation was scheduled to be held immediately after the meeting to provide members with information relating to a current outline planning application for 2 dwellings, which had been submitted by SSDC.

He also advised members that a special Area East and Area South Committee meeting to consider the planning application for the Mudford Key Site would be held on Wednesday 2nd October at the SSDC Offices in Yeovil.

He also reminded members that the next meeting of the Regulation Committee was taking place on 17th September.

He advised members that SSDC website training for Parish Council clerks had been arranged for the afternoon and evening of 24th September. This training was being held at the Connect Office, Petters House, Yeovil.

He also advised that the Annual Town and Parish Council meeting had been arranged for the evening of 10th October.

In respect of an enforcement complaint that was being considered for a site in Wincanton, a response would be issued to the Wincanton Ward Members shortly.

Councillor Robin Bastable advised members that he was concerned for the well-being of a resident within his ward that was living in very isolated conditions. Some members were aware of the history of this resident and it was decided that a confidential report would be prepared and considered by the Committee on a later agenda as there was a long and complicated history to this case.

Another member commented that the public were still finding it difficult contacted the Council over the telephone.

61. Reports from Members (Agenda Item 7)

There were no reports from members.

62. Future arrangements for Area Working in Area East (Agenda Item 8)

The Locality Manager presented his report to members. He explained that the report had been prepared with input from the Customer Focus Manager, the Commercial Property, Land and Development Manager and the Lead Democratic Services Specialist.

He explained to members that there were a number of considerations when considering the future working arrangements for Area East, such as having a customer access point in Wincanton and the requirement for an area to allow staff to work in Area East. He also explained that a new venue for holding the Area East Committee meetings would need to be identified.

He advised members that a decision had been made to dispose of the Churchfields building and offices. He added that the nursery had moved out of the building and that the police would be moving out of the building in the near future. As the building will be unoccupied from this point it will be inappropriate for SSDC staff to use the building due to lone working issues.

He informed members that the Balsam Centre had been able to offer some space to accommodate a customer access point. He also explained that some support could be given to customers when accessing council services and that office space for SSDC staff to use would also be considered.

He added that discussions over the future location of the Area East Committee meeting were still being considered, advising that the Memorial Hall in Wincanton was an option which was being considered.

He suggested that a further report will be prepared and could be considered by the committee in November. The Chairman requested that the report return for consideration in October if possible.

During the discussion, some members felt that it would be useful to hold the committee meeting in the same venue each month. Members also pointed out that accessibility and parking provisions were an important consideration.

Another member suggested that the Wincanton Town Council building should be considered, however it was pointed out that the meeting room was on the first floor and that parking and accessibility was a concern.

The Locality Manager explained that accessibility and the availability of a hearing loop were important considerations. He confirmed that the Town Council building would be considered along with other venues in Area East.

Another member explained that the perceived accessibility of a venue was important and that car parking and access to the venue was important.

In response to a question from a member, the Locality Officer explained that the use of different venues for each month had not been considered due to the cost implications. He explained that the meetings would meet each month in the same location. He also confirmed that he would include details of the proposed costs for any possible venues in the next report to the Committee.

During the discussion, members agreed that it would not be appropriate to use different venues for holding Area East Committee meetings and that the use of one venue would be the preferred option.

Members also agreed that they would like the meeting room at Carrington Way and the Wincanton Town Hall meeting room to be considered as options for the meeting venue as well as the Area East hub.

Members also confirmed that they would wish for the start time of the meeting to remain at 9am.

RESOLVED: that members agreed to note the reported and noted that a further report would be provided to members in October or November to present the options for Area East working and possible locations of Area East Committee meetings.

63. Area East Committee Forward Plan (Agenda Item 9)

Members noted the Area East Forward Plan.

Members requested a further report on the future arrangements for Area Working in Area East, which would be considered by the committee in October or November.

Members also requested a confidential report on the wellbeing of a resident, which had been raised earlier in the meeting.

Members requested a update report on the Somerset Environment Strategy and suggested that this be considered in March or April next year.

The Locality Manager advised that a community grant application report would be referred to the Committee in December.

RESOLVED: that members noted the Area East Committee Forward Plan.

64. Planning Appeals (for information only) (Agenda Item 10)

Members noted the planning appeal which had been received.

65. Schedule of Planning Applications to be Determined by Committee (Agenda Item 11)

Members noted the Schedule of Planning Applications to be determined by the Committee.

66. 18/03298/OUT - Land rear of Fox and Hounds, Charlton Adam (Agenda Item 12)

Application Proposal: Outline application for residential development of up to 24 No. dwellings, access via the existing Fox and Hounds Public House access, provision of orchard, public open space and associated infrastructure

The Planning Consultant presented his report to members. He explained to members that the application was for outline planning permission, for up to 24 dwellings.

Using a PowerPoint presentation, he provided images of the site as well as plans to show the extent of the site and an illustrative layout. He also pointed out the proposed access to the site. He provided photographs showing the public footpaths around the site and the access. He also pointed out the location of the conservation area and listed buildings in close proximity to the site.

He explained to members that a previous application to develop the site with up to 26 dwellings, had been refused. He explained that there now were less dwellings proposed and that additional landscaping had been added to the proposal. He clarified that there was now a different access to the site, which was proposed through the public house car park.

He informed members that the application was an outline application, however the access was not a reserved matter and clarified that members were considering the access to the site.

He drew members attention to a development of 8 houses which had been approved across the road from the site and provided a plan to show these dwellings, which had not yet been built, with the proposed outline application.

He also explained to members, that although the proposed dwellings would be set back from the road, that the roofs would be visible from the road.

He explained that he had read the Charlton Community Plan, however pointed out that it carried limited weight and that he had considered the policies within the NPPF and the SSDC Local Plan.

He introduced a representative from the Somerset County Council Highways Authority and a representative from the Lead Local Flood Agency and explained that they were available to answer any questions in relation to the highway access or drainage concerns.

He referred to a letter from Foot Anstey Solicitors dated 9th September and explained that the agent has submitted a response to this letter, both of which letters had been referred to all committee members. He explained that reference to an outline application site in Mudford had been mentioned within this letter, however he explained that in his opinion, they were not comparable sites as the Mudford site was inappropriate due to the prominence of the site and the way in which it protruded from the settlement boundary.

The Planning Consultant explained that condition 27 related wholly to the access, however he would be able to amend the condition to clarify this further. He also explained that following comment that condition 26 was not a lawful condition, he explained that he had discussed this with the councils solicitor, who was content that this was a lawful condition and added that the condition had been suggested by the Lead Local Flood Authority.

He summarised that on balance, he recommended that the application be approved as detailed within the officer report, subject to an amendment to condition 27.

Prior to the discussion, the Chairman reminded members that their application had been 2-starred in line with the council's scheme of delegation and should members resolve to refuse the application, that it would be referred to the Regulation Committee for determination.

Councillor Charlie Hull, Ward Member, explained that he was a resident of Charlton Adam and had previously made his objection to this application known and therefore would not participate in the vote. He added that he had very strong concerns over this application and felt that it was not in keeping with the village. He also pointed out that the school would soon reach full capacity. He also explained that he had concerns over the increase in traffic and highway safety and felt that the development did not meet the housing needs of the village.

Councillor Tony Capozzoli, also Ward Member, spoke in support of the application. He pointed out that the headmaster of the primary school 'welcomed' this development. He also explained that children walking to school was not an issue and that walking to school was good for children's health. He felt that the development would benefit the public house and the shops in the village. He explained that he would like to be assured that the access road could be adopted by SCC. He also raised some concern over the drainage and sewerage on the site.

Representatives from the Parish Council addressed the Committee. Their comments included;

- The local concerns and significant objections raised have not been considered in the officer report.
- Concerns raised by the Parish Council have been overlooked.
- The proposal did not comply with policy SS2 as there was no local support for the proposal.
- Over 100 objections have been sent to the Planning Officer.
- Development in Charlton Adam is generally linear in character and this proposal is not in keeping.
- The estate style design has not been accepted by the Planning Inspectorate on a recent appeal in Mudford.
- There is no evidence to suggest that the highway access will be adopted by SCC.
- The information contained within the traffic survey is out of date.
- The Charlton Community Plan has been ignored. The proposal would be overdevelopment of the site.
- An additional 208 vehicle movements a day would be created by this development. The roads are dangerous and lives will be put at risk as there are no pavements.
- There are existing sewerage issues in the village.

Members of the public spoke in objection to the application. Their comments included;

- There is no justification for the development
- No reference has been made to the appeal decision for a site in Mudford which was refused due to the estate style development, which wasn't in keeping with the linear style of development in Mudford. This is similar to the linear style of development within Charlton Adam.

- Significant harm will be caused to the character of the area.
- As dwellings are being built on the other side of the road, it is important to keep the southern side open to retain the historic settlement gap between Charlton Adam and Broadway
- The officer has not considered the cumulative impact of this proposal and has failed to recognise the approval of an additional 8 houses on the opposite side of the road.
- There is a clear lack of support from the community, which is contrary to the spirit of SSLP Policy SS2. There has been no consideration to the Community Plan.
- Policy TA5 seeks to ensure that safe access be provided for all. This proposal does not provide safe access for pedestrians and cyclists. The footpaths around the site do not provide useful links to the village. There are no options for safe footpaths to the village.
- The site is inappropriate and the application is not materially different to the previous application which was refused.
- There is no evidence that the drainage scheme will be appropriate and the site may be unsuitable for a development of this size.
- The access to the site is dangerous. There are blind corners on both sides of the site. There are many accidents on the junction to the main road.
- There are no pavements around the site and the road is narrow and busy.
- The traffic survey is out of date and does not allow for the recently approved dwellings over the road.
- The sewerage system is already overloaded and struggling and any increase will exacerbate the problem. Wessex Water are aware of the issues and that this site might be undeliverable because of the issues. Raw sewerage is flowing up through manhole covers in the village.
- There used to be a pond and a culvert in the field. A full drainage survey needs to be carried out before the application can be determined.

The potential developer spoke in support of the application. He explained that, if planning permission was granted, it was his intention to build well designed homes, constructed in good natural local materials. He added that Charlton Adam was a very pretty village and hoped that the individually designed dwellings would benefit the village. He explained that it was the intention to provide good landscaping and generously sized gardens and felt that the dwellings would enhance the village. He added that the occupiers would support the shop, pub and school.

A member of the public spoke in support of the application. She explained that the precedent for dwellings in this area has already been set, by granting approval for 8 dwellings on the opposite side of the road. She added that Wessex Water had carried out work in the area to stop leaking and flooding and suggested that the same would apply to this site. The school has said that it would welcome new pupils and the shop, play areas and the village halls would also benefit. The development would also support more employment and would provide low cost homes. She explained to members that there was another footpath adjoining Cedar Lodge that would provide access to the centre of the village.

The agent addressed the Committee. He explained that Wessex Water had not raised any objections to this application and pointed out that they were in the process of rectifying the existing issues, however pointed out that this would not contribute to the existing problems.

He explained that there would be a minimal increase in traffic, approximately one car every three minutes out of the access. He also explained that a traffic survey had been completed and found no evidence of any personal injuries. He confirmed that he would be happy to link the development to the Cedar Lodge footpath and would be happy for a condition to be added.

He felt that three of the reasons for refusal of the previous application had been addressed by moving the access to a different location. He pointed out that the amendments ensured that there was a gap in the landscape on the southern side of Broadway and that the properties were less prominent from the road. He confirmed that 35% of the properties would be affordable and that local employers and primary school supported the application.

A member of the public raised concern that the Cedar Lodge footpath was overgrown and did not provide easy access to the village centre.

The Planning Consultant read out the comments from Wessex Water which appeared in the report. He also clarified that the application was for up to 24 dwellings and any subsequent reserved matters could propose a figure lower than 24 dwellings, but not a higher number of dwellings.

In response to a question from a member, the Planning Consultant confirmed that the access would need to be constructed before development could commence as this would then allow construction traffic to access the site. He also pointed out that the ownership of the public house car park was not a material planning consideration.

The Principal Planning Liaison Officer of Somerset County Council Highways Department advised members that there was no reason to suggest that the road and access could not be adopted, however this would be considered at the reserved matters stage. He also confirmed that required visibility splays depended on the speed limit on the roads, however 43m was the general requirement. He noted that the visibility splay provided on this development fell short of this, however he confirmed that SCC highways had not raised any objection to this application.

The Sustainable Drainage Officer of the Lead Local Flood Authority clarified her involvement in the scheme and clarified that there were no surface water drainage objections being raised by that Authority, subject to the imposition of a planning condition requiring submission of details of a surface water drainage scheme.

The Planning Consultant confirmed that the previous application had been refused for four reasons. He explained that any additional reasons for refusal would be considered by the Planning Inspectorate should the application be refused and appealed with questions raised by the Inspector as to why those additional reasons had not been included as part of the previous refusal. Unless the Council had robust explanations for including such additional reasons, then the Council ran the risk of an award of costs against it.

During the discussion, members felt that the access was dangerous, especially given the lack of pavements.

In response to a question from a member, the Planning Consultant advised that although the Cedar Lodge footpath was narrow and overgrown, he had used the footpath.

Another member felt that the sewerage upgrade should take place before works were commenced on site.

It was proposed and seconded that the application should be recommended for refusal and referred to the regulation committee for determination. The reasons put forward for refusal related to;

1. Sewerage works being inadequate to cater for the proposed development and resultant pollution risks.
2. The proposed access onto Broadway Road being inadequate to serve the proposed residential development due to inadequate visibility splays.
3. The resultant unacceptable danger to highway safety due to lack of footpaths and the road network being unsuitable to serve the resultant increase in traffic, contrary to Local Plan Policy TA5.

On being put to the vote, this was carried 6 in support, 2 against and 2 abstention.

RESOLVED: that members resolved to refuse the application, contrary to the officer's recommendation; as such the application is now referred to the Regulation Committee for the following reasons;

1. Inadequate sewerage system to cater for increased foul water and effluent disposal generated by the proposed residential development.
2. Inadequate means of access and visibility onto Broadway Road to serve the proposed residential development.
3. Unacceptable danger to public safety due to the inadequate nature of the highway network within the village to serve the proposed residential development.

(voting: 6 in support, 2 against and 2 abstention)

Following the vote, members continued to discuss the reasons for refusal and hoped that the Regulation Committee would consider issues in relation to Policy SS2 (lack of community support) and reiteration of reasons 1 and 3 that were attached to the previous refusal of planning permission relating to application reference 16/05458/OUT when reaching its decision. Nevertheless no formal vote was taken to resolve to agree to these additional reasons.

67. 17/03816/REM - Land South of Bayford Hill, Wincanton (Agenda Item 13)

Application Proposal: 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

The Planning Consultant presented his report to members. He explained to members that the application was for approval of reserved matters following an outline permission which was granted on appeal. He explained that the original outline application was for up to 44 dwellings, however the current reserved matters application being considered was for a maximum of 34 dwellings.

Using a PowerPoint presentation, he pointed out the location of the site. He also pointed out the conservation area and any listed buildings which were close to the site. He provided photographs to show the site and plans to show the proposed dwellings. He also pointed out which of the proposed dwellings would be single storey and which would be two storey dwellings.

He confirmed the heights of the proposed dwellings in relation to existing dwellings on Greenway Close. He also clarified the distances from the existing dwellings on Greenway Close to the proposed new dwellings, ranging from approx. 20m to approx. 35m in distance. He explained that there were no specific policies in relation to minimum distances, however general guidance had been fully detailed within his report.

He advised that the road layout of the site had been designed in consultation with Somerset County Council Highways and that Wessex Water had raised no objection to the layout. He explained that the existing culverts and land drainage facilities had been considered and that a representative from the Lead Local Flood Agency was available should members have any questions. He pointed out condition 7 which addressed concerns over drainage and flooding on the site.

He provided further photographs of the site to show existing dwellings and the proposed access to the site.

He clarified that following the appealed approval, the principle of development had already been established and following some amendments to the site, he considered the impact on the residential amenity for existing residents to be of an acceptable level.

He summarised some late letters of representation that had been received in respect of drainage, overlooking and access. He referred to a letter from a property called Panorama, in which concerns were raised over the stability and damage which might be made to a supporting wall. He advised that although he had responded to the letter, that it was a civil matter and not a planning consideration.

He advised that Wincanton Town Council had recommended that the application be approved, subject to tree protection measures to the trees on the western boundary. He explained that an additional condition had been suggested in relation to tree and hedgerow protection.

The Planning Consultant also recommended that condition 22 be amended as it referred to an incorrect name.

Members of the public addressed members to speak in objection to the application. Their comments included;

- There are privacy issues for residents of Greenway Close.
- Drainage concerns have not been adequately considered.
- There is no provision to remove surface water. Existing provision of soakaway will no longer be sufficient.
- There are sewage issues and foul drainage concerns for the site.
- The drainage plan indicated that connections will be made to a manhole cover which was situated in an existing residents garden. The owner of the adjoining land has not given permission for this to happen, nor has he been contacted by the developer to discuss this.

- The trees along the western boundary of the site will cause issues for future residents of the new dwellings.

In response to a question from a member, the Planning Consultant advised that he would clarify the history of any relevant section 106 agreements on this site and the Deansely Way site. He agreed to confirm these findings with the Wincanton Ward Members.

Councillor Colin Winder, Ward Member, spoke in objection to the application. He explained that he had concerns over the proposed conditions 1, 7 and 8 and expressed concerns over drainage and foul sewage. He also pointed out that there was a culvert running through the site.

The Planning Consultant advised that the Planning Inspectorate allowed up to 44 dwellings to be built on this site and to connect to the existing sewerage system. He pointed out that the application being considered was for a fewer number of dwellings and it would be hard to defend a decision to refuse on sewerage grounds, especially as Wessex Water had not raised any objection to the application.

In response to concerns raised over the trees, he reminded members that he has suggested an additional condition to ensure protection of the trees.

Councillor Nick Colbert, also Ward Member, spoke to give his views on the application. He explained that there were drainage issues on the site and felt that the drainage should be investigated further. He pointed out that 34 dwellings was a better option than 44 dwellings and thanked the Planning Consultant and the developer for reducing this figure. He raised concern about the roots from the existing trees and the stability of the supporting wall at Panorama. He added that he would have welcomed some bungalows on the site.

The Planning Consultant introduced Helen Smith, from the Lead Local Flood Agency. She explained that she had worked closely with the Planning Consultant to develop detailed planning conditions in relation to flooding and surface water drainage. She explained that she was aware of existing problems of flooding to the south of the site and the existing dwellings. She referred to a soakaway/land drainage scheme on site. She explained that there was pre-commencement condition which had been included within the report to ensure that further investigative measures were carried out on the site prior to commencement of works. This would allow the existing soakaway and its ability to connect to existing network to be evaluated. She confirmed that the surface water leaving the site should not increase from the amount of water, which should leave the site naturally.

In response to a question from a member, the Planning Consultant advised that it would be likely that a management company would be responsible for the open spaces within the site, however he would need to check the terms of the section 106 to confirm this.

In response to a members question, the Sustainable Drainage Officer advised that there was an existing issue with flooding and that the aim was to try and minimise the flood risk and add additional protection to the existing dwellings.

It was proposed and seconded that the planning application be approved, as per the officer report, subject to conditions to ensure that;

1. Future maintenance and management responsibilities of the drainage scheme, when finalised and approved, must not fall on individual householders of the new development.
2. Existing trees are protected

and an additional informative to draw the developers attention to possible issues over encroachment of roots and suckers from trees currently located along the western boundary of the site into the site itself.

On being put to the vote, this was carried 10 in support, with 1 abstention.

RESOLVED: that members agreed to **approve** planning application 17/03816/REM 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 conditions;

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
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 K: 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
 Drainage Note. 172120-TN-006v1.1, September 2019
 Landscape and Ecological Management Plan prepared by Clarkson & Woods,
 Ecological Consultants, September 2017
 Technical Note - Highways
 Planting Specification & Landscape Plan Rev A prepared by Ben Rose,
 Arboricultural Consultant - Bosky Trees, dated 3rd September 2019, including
 drawing no. LP/1 Rev A: Landscape Plan
 Arboricultural Impact Assessment & Tree Protection Plan prepared by Nick
 Baxter, Arboricultural Consultant - Bosky Trees, dated 3rd October 2018,
 including drawing no. TPP-1: Tree Protection Plan

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

02. 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, the submitted scheme of tree and hedgerow protection measures (Ref: The Arboricultural Method Statement & Tree Protection Plan as prepared by Bosky Trees Arboricultural Consultancy, dated 3rd October 2018) shall be installed in their entirety and made ready for inspection and confirmed in writing as having been fully implemented in accordance with the approved details by the Local Planning Authority.

The approved tree and hedgerow protection measures 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 the Council's Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

03. No work shall commence on the application site (other than site clearance and that detailed in condition 06) 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.

04. 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.

05. 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.

06. 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.

07. No development shall commence (with the exception of site clearance and that detailed in condition 06) 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.

08. 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. For the avoidance of doubt such management and maintenance arrangements shall not become the responsibility of any individual householder of the development hereby permitted.

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.

09. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. The landscape planting scheme set out in the submitted document and plan "Planting Specification & Landscape Plan" Rev A, prepared by Ben Rose, Arboricultural Consultant of Bosky Trees dated 3rd September 2019, including drawing no. LP/1 - Rev A, 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.

24. 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.

25. 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.

26. 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 03 and 12 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.
- 02. The developer's attention is drawn to the encroachment of roots and suckers from trees currently located along the western boundary of the site into the site itself and possible future interference with the structural integrity of new houses to be erected in the vicinity of said trees. Adequate means of mitigation and protection are recommended to safeguard both the stability of the properties and the long term health and stability of the trees.

(voting: 10 in support, 1 abstention)

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Chairman