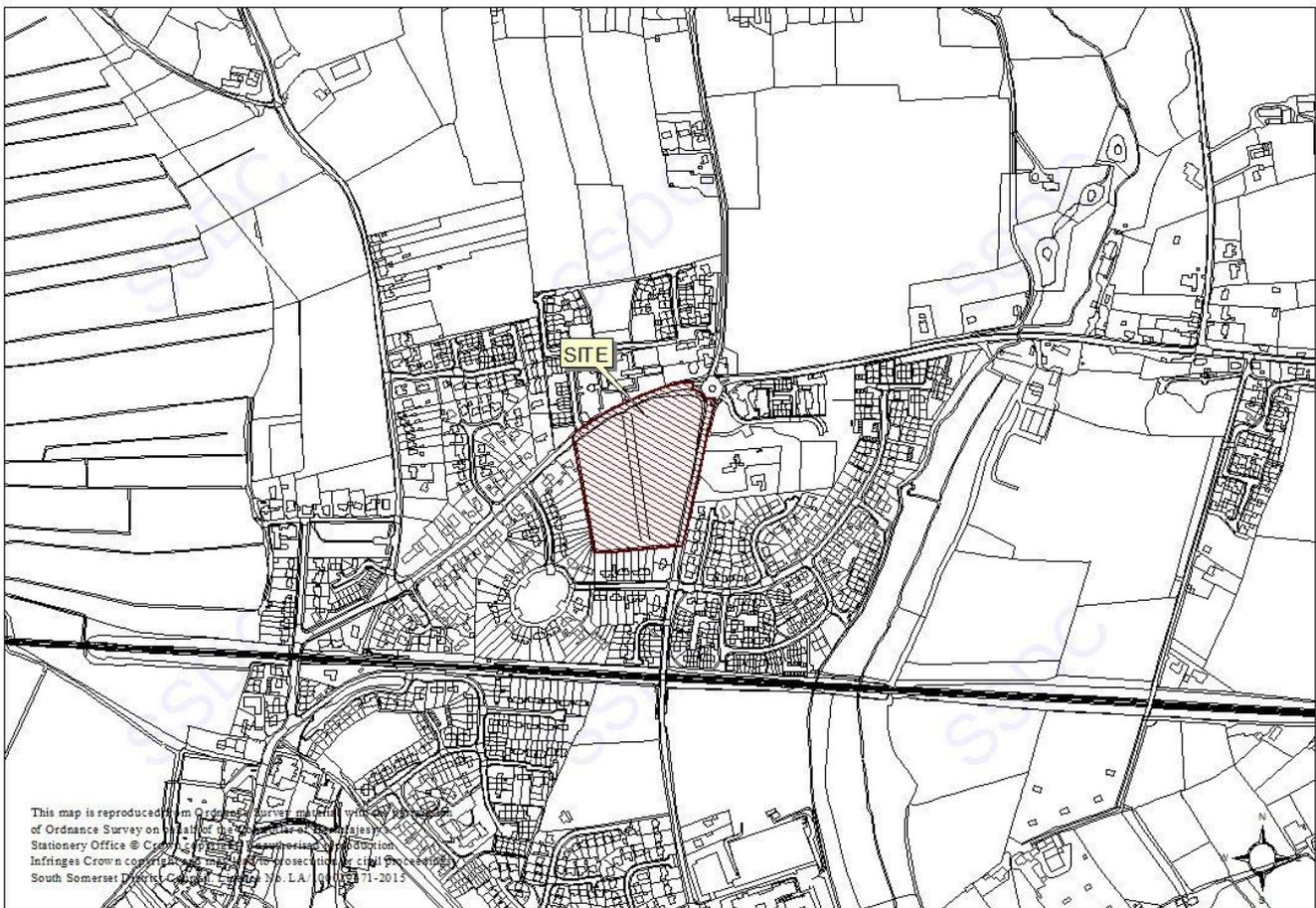


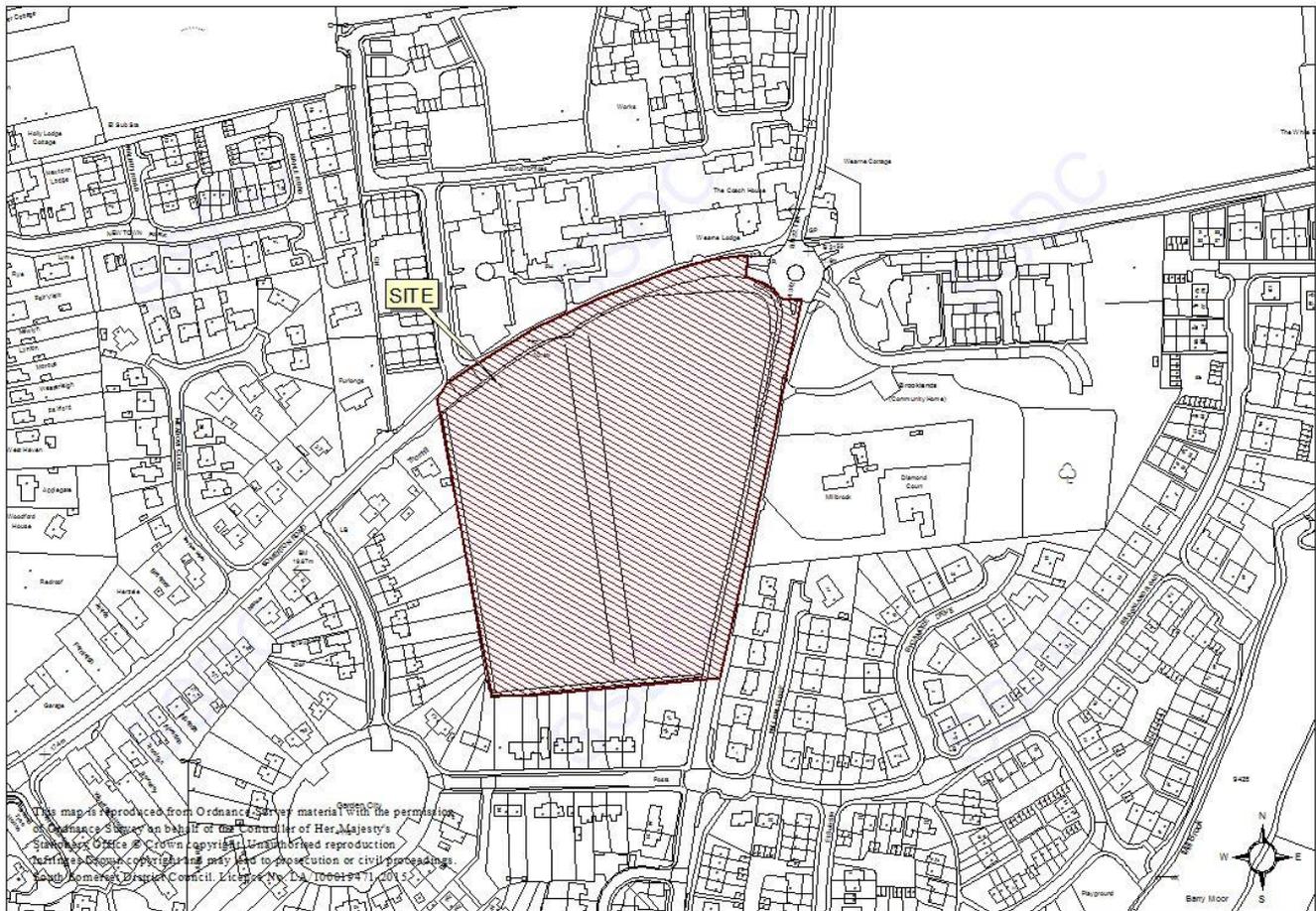
## Officer Report On Planning Application: 17/02694/FUL

<b>Proposal :</b>	The erection of 94 No. dwellings including associated public space and all other associated external works.
<b>Site Address:</b>	The Trial Ground (Land Os 5949), Somerton Road, Langport.
<b>Parish:</b>	Huish Episcopi
<b>LANGPORT AND HUISH Ward (SSDC Member)</b>	Cllr C Aparicio Paul
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	22nd September 2017
<b>Applicant :</b>	Mr Andy West
<b>Agent: (no agent if blank)</b>	
<b>Application Type :</b>	Major Dwlg 10 or more or site 0.5ha+

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee with the agreement of the Ward Member and the Area Chair to enable the issues raised to be fully debated by Members.





## SITE DESCRIPTION AND PROPOSAL

This application seeks full planning permission for the residential development of land, comprising 94 houses. This follows the previous grant of outline planning permission for the development of the land for up to 80 dwellings (13/03483/OUT). The site consists of two agricultural fields currently in arable use. The two fields are broadly flat and divided by a large hedge made up of a double line of trees. The site is bounded by a variety of residential properties to all sides, with some commercial properties to the north, including a Grade II listed building. A public footpath runs along the west and south boundaries of the site, connecting Somerton Road to the north, and Field Road (also sometimes referred to as Wincanton Road) to the east.

The scheme includes the provision of vehicular access to the east, onto Field Road, the provision of an on-site play area (LEAP) to the north east corner of the site, as well as surface water attenuation features, and larger landscaped area/informal open space to the north of the site. The proposed access accords with that agreed in relation to outline planning permission 13/03483/OUT, which Field Road widened to accommodate a right hand turn lane into the site. A range of dwellings are proposed from 1 bedroom apartments to 4 bedroom homes. 33 affordable dwellings are proposed and are spread around the eastern and southern parts of the site. A total of 194 parking spaces are proposed, with some provided within garages.

The dwellings incorporate a simple range of materials, comprising brick, reconstructed stone and render a mix of red profiled and grey flat profile roof tiles. The layout includes a pedestrian link through the site from the public footpath along the western boundary to Field Road to the east.

In addition to the submitted plans, the application is supported by:

- Design and Access Statement
- Planning Statement
- Flood Risk Assessment and Drainage Assessment
- Transportation Review
- Heritage Assessment
- Tree Survey Schedule and Arboricultural Impact Assessment Report
- Preliminary Ecological Assessment
- Ecological Impact Assessment

## **HISTORY**

13/03483/OUT: Outline application for residential development and the provision of access from Wincanton Road - Permitted with conditions 15/10/2015

13/02232/EIASS: Request for a screening opinion concerning residential development - EIA not required 14/06/2013

99/00034/OUT: Construction of class A1 retail store with restaurant/café, associated car park, petrol filling station, construction of new access, landscaping and other works - Application withdrawn 23/03/1999

## **POLICY**

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

HG3 - Provision of Affordable Housing

HG5 - Achieving a Mix of Market Housing

TA1 - Low Carbon Travel

TA5 - Transport Impact of New Development

TA6 - Parking Standards

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

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ4 - Biodiversity

EQ5 - Green Infrastructure

EQ7 - Pollution Control

## **National Planning Policy Framework**

Core Planning Principles - Paragraph 17

Chapter 3 - Supporting a Prosperous Rural Economy

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 8 - Promoting Healthy Communities

Chapter 10 - Climate Change and Flooding

Chapter 11 - Conserving and Enhancing the Natural Environment

Chapter 12 - Conserving and Enhancing the Historic Environment

## **National Planning Practice Guidance**

Climate Change

Conserving and Enhancing the Historic Environment

Design

Natural Environment

Open Space, Sports and Recreation Facilities, Public Rights of Way and Local Green Space

Planning Obligations

Rural Housing

Water Supply, Wastewater and Water Quality

## **Policy-related Material Considerations**

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2015)

## **CONSULTATIONS**

The responses from the following consultees are provided below in summary form only, for the most part. Where not included below, the full responses are available on the public planning file.

**Huish Episcopi Parish Council:** The Parish Council no longer object to the development of The Trial Ground site, however there are a number of concerns raised in respect to the scheme, as submitted: The Parish Council recommend that the application be considered at Area North Committee to address the concerns when making their decision. The specific concerns are as follows:

- Reduction of the numbers of dwellings to 80, as per the outline planning permission 13/03483/OUT. This layout looks overcrowded with the additional dwellings.
- Light controlled pedestrian crossings should be provided both on Somerton Road and also on Field Road between the Trial Ground entrance and Brookland Road. This would offer traffic calming in the area where the addition of more than 300 dwellings over the last ten years has heightened safety concerns. Recent SID recordings have shown 40,000+ vehicle movements per month on the Somerton Road.
- Provision of a pavement and bus layby on Somerton Road between the roundabout and boundary of Thornhill.
- Reinstatement of Public Footpath L13/55 which follows the inner two boundaries of the field. This will reduce the number of pedestrians on the main roads and establish a safe route through the estate for Academy students and residents.
- Playground provision the Council fails to see any requirement for yet another playground - there

are two nearby at Old Kelways and Barrymore Close which could easily be accessed if pedestrian crossings requested were provided. Additionally the Old Kelways playground is about to be substantially upgraded, so the Council views a third playground as a waste of public money.

- Attenuation pond Councillors are very concerned about the inclusion of a pond area, with no fencing to be installed, in a development extremely likely to have young children.
- Retention of the hedgerow boundaries as Huish Episcopi Parish Council understands the inner ones are either shared or neighbour ownership and the Council would also prefer retention of the Field Road and Somerton Road hedgerows, or similar new planting, to soften the impact of the new development.
- The current water system was never designed for the present sewage and waste water levels. Wessex Water must be required to make a written commitment that Langport and its surrounding area's system will be fully checked and certified as capable of taking and dealing with all the proposed new properties' waste and surface water. In the event of a subsequent system failure, it must agree to take full responsibility for rectifying and compensating anyone affected.

**Langport Town Council:** Langport Town Council made the following observations:

- The outline planning permission that was granted, with conditions, on 15 October 2015 (13/03483/OUT), approves "80 dwellings". 94 dwellings is a significant increase and Langport Town Council is not in agreement with this increase.
- Concerns were also raised on the impact on the setting of listed buildings within the immediate area.
- At the time of Council discussing this application the Transport Assessment and Travel Plan had not been submitted and concerns were raised with the access onto Wincanton Road. Councillors felt that this isn't acceptable due to such a large development and would like to see a sustainable transport plan submitted.
- Council discussed in detail the affordable housing element. While the overall percentage is only slightly below the recommended (34.04% as against 35%), the balance is towards more 2-bed houses. The provision of some of these in the form of one-bedroom units would mean that they would be likely to be even more affordable for single people or for young couples. The Strategic Housing consultee (SSDC's Housing Development Officer) has proposed a different mix of affordable housing (Applicant's proposals in brackets):

08 x 1 bed (0)  
14 x 2 bed houses (21)  
10 x 3 bed houses (10)  
1 x 5 bed house (available at a social rent) (0 - one 4-bed is proposed)

Council agreed with the Strategic Housing consultee's proposals.

- The Council also noted that there wasn't sufficient information on the protection, enhancement or removal of hedges and trees and that proposed siting of green space isn't sensible and needs to be reviewed.

**County Highway Authority** For the avoidance of doubt, the Highway Authority does not wish to raise an objection to the planning application and the reasons for this are set out below.

The applicant should be aware that the internal layout of the site will result in the laying out of a private

street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC). This will include any private roads/drives that serve more than 2 dwellings. These roads will need to be constructed to an acceptable standard as approved by the Highway Authority.

The application is for a total of 94 dwellings at the Trial Ground at Wincanton/Somerton Road Langport, in the parish of Huish Episcopi.

I am aware that there has been a previous planning application on this site for 80 dwellings where the Highway Authority did not raise an objection to the planning application and ultimately the Local Planning Authority granted planning consent for the 80 dwelling was considered at the time. This planning application therefore represents an increase of 14 dwellings over the consented scheme.

It is noted from drawing number 101 that the proposal has visibility splays of 2.4x60 metres. There would need to be no obstruction greater than 600mm within the visibility splays and this would not raise an objection from the Highway Authority.

This planning application is a full application where all matters are being considered and this planning application proposes to construct a right turn lane into the proposed site.

#### Transport Assessment

The Transport Assessment is considered to be broadly acceptable. The previous planning application was considered for 80 dwellings and this application therefore represents an increase of 14 dwellings. As there is a consented scheme for 80 dwellings, it is the opinion of the Highway Authority that the proposed increase of vehicle movements is not considered to represent a significant increase of vehicle movements that could be considered severe under section 4 of the National Planning Policy Framework (NPPF). The Highway Authority does not wish to raise an objection to this aspect of the planning application.

#### Travel Plan

In the current form the Travel Plan is considered not to have sufficient detail in it to be considered acceptable. A suitable Travel Plan would need to be secured via a S106 legal agreement and the applicant should consider the following to be included, but not limited to:

- A monitoring strategy has been outlined i.e. annual surveys will be carried out, but this is insufficient in detail.
- The Travel Plan should include information about registration onto iOnTravel.
- The role of the Travel Plan coordinator has not been clearly identified.
- A Safeguarding Sum and Travel Plan Fee have not been committed to. This is required to be paid in full to SCC prior to commencement of the development. For a development of this size, the fee is £2000 plus VAT.
- Targets have not been set. These need to be as per SCC Travel Planning Guidance. Targets need to be realistic and clearly relate to the findings of the Site Audit/Accessibility Audit and the proposed measures, and have been informed by the Census data.

#### Estate Road

As this planning application considers all aspects, the detail of the internal layout must be considered. As previously mentioned APC does apply to this application and while the Highway Authority would not object to this planning application on the internal layout, there may be implications for the applicant with regards to APC and in its current form the estate road is not adoptable. The following estate road comments would need to be considered but are not limited to:

If there are areas which the developer would like to put forward for adoption this will need to be discussed at the technical detail stage and the applicant should not presume that all areas will be adopted. The developer should also note that if there are areas that are to remain private the Highway Authority would require details of future maintenance arrangements.

The main route through the site should take the form of a 5 metre wide access road with 2.0 metre footways on either side. There should be some widening around bends to allow for access of larger track vehicles and any shared surface roads must be a minimum of 5m with 1m service margin to both sides and should be of block paved construction.

Effective straights should be restricted to a maximum length of 70m and the turning heads should be designed according to the Estate Roads in Somerset Design Guidance notes.

Appropriate forward visibility splays will be required throughout the inside of all carriageway bends and should be plotted on a drawing at a scale of 1:200 for consideration. The visibility splays from all side roads on to the main through route within the estate should be 2.4m x 25m (based on 20mph). There must be no obstruction to visibility within any visibility areas that exceeds a height greater than 600mm above adjoining carriageway level.

Parking bays should be a minimum of 5.0m long, when in front of a boundary wall 5.5m, or 6.0m when an 'up and over' garage door. Where 2 longitudinal parking spaces are used these will need to be a combined length of 10.5m. This is to discourage 'overhang' on the footway which could force pedestrians to walk in the carriageway which would represent a highway safety concern.

Gradients should be no steeper than 1 in 14 but should have a minimum gradient of 1 in 100 (without channel blocks) or 1 in 180 (with channel blocks). Shared surface block paved areas should have a maximum gradient of 1 in 14 and a minimum gradient of 1 in 80. Footways should not be designed with longitudinal gradients steeper than 1:12 as anything steeper will provide difficulties for wheelchair users. Full details will be required for consideration to be checked at the technical detail stage.

## Safety

No details have been provided at this time for the proposed pedestrian refuge island or the width of the carriageway between kerbs where the pedestrian refuge island is proposed. The island should be of a sufficient size to house street furniture such as base lit illuminated bollards and should be of sufficient width to accommodate a pedestrian with a pushchair (2m min). The nose of the islands should be shaped (not flat) to channel traffic past the islands. The designer should also contact the Avon and Somerset Police Traffic Management Unit to determine whether this is a known route for abnormal loads and cater for them if necessary. Where abnormal loads do not have to be catered for the minimum carriageway width between kerbs at these locations should be 3.5m to cater for farm traffic and large goods vehicles.

An uncontrolled crossing should be provided across the bellmouth of the proposed access road, including drop kerbs and tactile paving. Visibility splays should be plotted for the landings ensuring that pedestrians can see and be seen.

There have been no details provided by the applicant with regards to street lighting and the applicant should contact the street lighting team to establish at an early stage the requirements for street lighting.

During my onsite observations it was noted that the hedge adjacent to the proposed site is overgrown, thus reducing the overall width of the footway. This would need to be cut back to allow pedestrians to use the full width of the footway.

## Drainage

The applicant should be made aware that the use of SUDS would need to be located greater than 5.0 metres from any public highway or highway that the applicant wishes to put forward for adoption as this will have implications regarding APC. The applicant should not automatically assume that they can connect to any existing highway drains.

There is an existing highway drainage system in Wincanton Road that serves to collect surface water run-off from the road via the gullies present (there being no surface water sewers within this road) that is shown on our records as running along the eastern channel line. The actual location and depth of this drain and any gully connections should be ascertained to inform the detailed scheme design as it is possible that it will need to be diverted, lowered or protected to accommodate the proposed works. A further gully will be required immediately upstream of the proposed access to prevent channel line run-off from discharging across the junction.

The designer will need to give careful consideration to the designs of the slopes of for the retention pond due to its proximity to a footpath. The feature should not adversely affect either the stability of the footpath nor pose a safety risk to pedestrians.

## Conclusions and Recommendations

Taking the above into account, the Highway Authority does not wish to raise an objection to the planning application, subject to a suitable Travel Plan being secured via Section 106 legal agreement.

The Highway Authority have also suggested the imposition of highway related conditions and an.

**SSDC Housing Officer:** Notes the policy requirement of 35% affordable housing, split 80:20 social rent: intermediate. On the basis of the proposed 94 residential units they would require 33 units, of which at least 27 should be for social rent. The following property mix is requested based on the current Housing Need Register data:

08 x 1 bed  
14 x 2 bed  
10 x 3 bed  
01 x 5 bed (available for social rent)

The housing is expected to be pepper potted throughout the site in clusters of no more than 12 units. The units should be designed to blend in with other housing, and for 1 beds to be houses or have the appearance of houses. The units are expected to meet the minimum space standards as adopted by our approved housing association partners. The s106 should also include a schedule of approved housing association partners for delivery of the affordable units.

In response to a submitted affordable housing offer of a different mix than requested, the Strategic Housing Officer has advised that having checked the Housing Register, they would like to uphold their original request. In particular, it is noted that there is a specific family in need of a five bed property in this location.

**Natural England:** No objection. It is noted that the application site is approximately 1km south-east of Aller Hill which is designated at a national level as a Site of Special Scientific Interest (SSSI) and 1.8km north-west of Wet Moor SSSI which forms part of the Somerset Levels and Moors and which is designated at a European level as a Special Protection Area (SPA) and at an international level as a Ramsar site<sup>1</sup>. Natural England do however confirm that they do not expect the proposals to result in significant effects on designated sites.

**SSDC Environmental Protection Unit:** No observations

**Police Crime Prevention Design Advisor:** Comments have been received in respect to the need to ensure that rear paths of secured by gates. These should be lockable in the case of social housing. It is also suggested that there should be gable windows inserted where properties abut parking areas and public space. Minor amendments to some of the house designs , and the layout, have been received to address these comments.

**SSDC Landscape Architect:** Initially raised concerns in respect to layout, proposed design and materials, and their failure to pay any regard to the character of Langport, as well as relationship with Old Kelways to the north.

Since making these comments, the scheme has gone through a major change in terms of layout and design/finish of properties. In its latest incarnation, the Landscape Architect notes that the plans now include a concentration of open space to the north end of the site facing Kelways, along with a degree of formalisation of the housing frontage to the open space, to bring a greater cohesion to the layout. It is also noted that the use of dual materials on single elevations has been amended to follow a traditional approach, i.e. by plinths and quoins, as had previously been requested, which is a positive. As such, the Landscape Officer has no further landscape issues to raise. A condition requiring a detailed planting proposal to be submitted pre-commencement is requested.

**SSDC Open Spaces:** Note that the proposal includes an area of informal public space well in excess of that required, however would prefer to see the amount to the north reduced, and part moved to a more central area to create a village green style area, further breaking up built form.

**SSDC Community, Health and Leisure:** Seeks contributions of £162,525 towards local facilities, including for the provision of equipped play space (LEAP), £54,453 in commuted sums, and £2,170 as an administration fee.

The applicant has requested that they provide the equipped play area with future maintenance carried out by a management company. This has been accepted in principle subject to the final details meeting SSDC's LEAP specifications. In this case the contributions requested for equipped play and associated commuted sums (£74,694 and £43,145 respectively), would no longer be applicable.

**SCC Education:** In response to the initial submission, a requirement for 19 primary school places totalling £269,325 (£14,175 a place), 14 secondary school places totalling £299,026 (£21,359 a place) and 5 early years places totalling £70,875 (£14,175 a place) was identified.

This represents a significant increase on the amounts requested at outline stage, where contributions for 16 primary spaces were requested only, based on 80 dwellings. The applicant has argued that it would be reasonable to make contributions in line with the original request plus a pro-rata amount to cover the uplift on housing numbers to 94 units, noting that this would be all that would be received should an application for reserved matters been put in, and an additional 14 units been applied for separately. Following negotiations between the applicant and the Education Authority, County Education advised that they would accept a reduced pro-rata contribution, based on the increase in numbers. This also stipulated that the original application and s106 contribution should be updated to reflect the current calculated figure of £14,175 per place, which would amount to a contribution of £226,800, as opposed to the s106 figure of £196,112 plus index increase.

**Lead Local Flood Authority:** The scheme initially indicated the use of on-site attenuation in the form of oversized pipework and dry ponds with an outfall to the existing Wessex Water surface water drain., which raised no objection subject to the imposition of a detailed drainage scheme condition.

The scheme has since been amended to incorporate cellular storage tanks. Whilst the LLFA have

expressed their disappointment at this change, these measures are not in the best spirit of SuD, and open ponds are easier to maintain into the future, it is advised that the implementation of buried attenuation still meets the requirements for storage. As such, the LLFA has no objection to the proposed development, as submitted, subject to final drainage details being conditioned. These details will include a programme of implementation and maintenance for the lifetime for the development.

**Somerset Waste Partnership:** Some concerns raised about a few properties not having direct access to the highway, in which case bins and recycling boxes will have to be taken some distance to the highway to allow collection.

Tracking details were also requested to ensure that an 11.4m collection vehicle could adequately access the site. Tracking details have now been provided and these are considered to be acceptable.

**SSDC Ecologist:** Satisfied with and generally agrees with the conclusions of the various ecological reports and makes the following comments and recommendations:

**BATS:** The site is evaluated as being of local value to bats, however foraging habitat is not subject to legal protection. While there is a likely adverse impact on bat foraging, this is not considered enough to require additional hedge planting beyond that already proposed.

**DORMICE:** A single dormouse nest was recorded in 2013 but the 2017 dormouse survey didn't record any evidence of their presence. The habitat on site is sub-optimal for dormice and the site lacks good connectivity with other suitable dormouse habitat. It is considered unlikely that there is a permanent population of dormice on the site, but there could be occasional presence of small numbers. A Hedgerow Removal Method Statement condition is requested.

**NESTING BIRDS:** He notes that the removal of the central hedge has a high potential to disturb nesting birds and therefore recommends the use of a condition to control when such works are carried out.

**JAPANESE KNOTWEED:** Notes the presence of Japanese Knotweed on the site and recommends the use of a condition to secure a scheme for the eradication of the plant from the site, if not already addressed following outline consent.

**REPTILES:** The use of an informative is recommended due to there being the small number of slow worms on the site.

**BIODIVERSITY ENHANCEMENT:** A condition to secure biodiversity enhancements in line with the provisions of the NPPF is recommended.

**HEDGEROW REMOVAL METHOD STATEMENT:** Appendix 6 of the Ecological Impact Assessment details seasonal timing and other measures to minimise the risk of harm to legally protected species. It is recommended that this be made a requirement by condition.

**LANDSCAPE AND ECOLOGY MANAGEMENT PLAN:** Section 8 of the Ecological Impact Assessment advises a 'Landscape and Ecology Management Plan' (LEMP). This could in theory cover many or all of the above requirements/conditions in a single document. If it's the preference of the applicant, the Ecologist has no objection to all of the above being covered this way. If so it should be a pre-commencement condition.

**SCC Rights of Way:** Rights of Way have confirmed the presence of a public right of way (PROW) that crosses the site (Public Footpath L 13/55). A request was made for a CAD drawing of the layout to confirm whether they would object or not or make further comment. Initial consideration suggested that the western edge of the development encroaches on the footpath. It was also suggested that a discussion should be had about the southern edge of the development in relation to the east-west

section of the path. A detailed title plan was also requested from the developer to understand the extent of their ownership.

Following a later site visit, a further request was made to provide clearer plans (such as a CAD drawing) to allow Rights of Way to check that the western portion of path L 13/55 is not going to be obstructed. A commitment is also sought from the developer to incorporate a diversion for the southern section of the path L13/55.

In response, the applicant has provided additional information to demonstrate options for the maintenance of the footpath. The first would involve leaving the footpath in its current location, to the east of the western boundary, however this would involve amendment to the site layout to avoid obstruction. It is also noted that the southern section is obstructed on land outside of the applicant's control, to the south. The second preferred option would be to apply for a formal diversion to allow the footpath to run through the site, along the paved areas, before exiting eastwards onto Field Road.

County Right of Way have been consulted on the principle of a diversion along these lines, and a verbal update will be given to Members.

**Wessex Water:** The change in surface water attenuation arrangements from open basin to offline cellular storage tank is noted. Elements of the surface water system can be offered for adoption but Wessex Water will not adopt cellular storage and your authority will need to be satisfied with the future ownership and maintenance arrangements. The developer should submit drainage details to the local Wessex Water development engineer for S104 technical review and formal agreement prior to construction.

We refer to our previous responses which remain valid :

Foul Water and Surface Water discharges must be drained separately from the site and Surface Water connections to the public foul sewer network will not be permitted. The drainage details indicate separate systems and points of connection to the public sewer system are agreed with a surface water discharge restricted by flow control to 9.8 l/s from the site.

Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

Wessex Water will be carrying out a strategic review of the public sewer system at this location over the next 12 months. This will review service levels with any further allocations made in the Local Plan. Capacity improvements may be considered by the sewerage undertaker if the risk of sewer flooding has increased within the catchment.

**SW Heritage Trust:** No objection on archaeological grounds.

**SSDC Tree Officer:** Initially raised concerns about the proximity of the road and attenuation pond in respect to the impact of the roots of protected trees along the north boundary. Concerns are also raised in respect to the site layout having not been appropriately influenced by the presence of trees which are beyond the Applicant's control, specifically those on the south and west boundaries, where there is the potential for damage to tree roots and unnecessary conflict arising between existing home-owners and future occupiers. The Tree Officer has advised that in many years of dealing with such issues, it is often found that existing homeowners resent new development taking place at the bottoms of their gardens and have a tendency to 'punish' the new occupiers by allowing the size and screening values of their trees to increase, impacting negatively on residential amenity of future occupiers whose houses are close to the boundary, and trees in question.

The matter of road and attenuation feature impact has been satisfactorily addressed by the change to

cellular crate system and its relocation further from the northern protected trees. No further objections are raised subject to the inclusion of the provision of protective fencing around the site boundaries, a minimum of 2m from the base of the existing earthen hedge bank to protect the hedge and trees during construction.

## REPRESENTATIONS

51 letters of objection have been received. The main points raised relate to the following areas:

### Principle of Development:

- Current infrastructure (schools, doctor's surgery, dentists, community nurses, sewage system) is inadequate and problems will be exacerbated by the development.
- The additional 14 dwellings will lead an overdeveloped and cramped site
- The site is agricultural land, not designated for development in the Local Plan. It should stay as agricultural land.
- The area has already contributed enough towards meeting housing targets.

### Highways:

- Highway safety risks associated with the additional dwellings
- The occupier of the property immediately opposite the proposed access has raised concerns that, as well as posing a highway safety risk, they will be unable to cross the road and will be effectively marooned in their property. They have advised that as an electric wheelchair user, crossing the road is already very difficult as there is no pavement outside their property. It is suggested that a new access should be created directly from the existing roundabout junction to the north.
- The provision of a new access onto Field Road will increase the risk of fatalities.
- There is insufficient parking, which will lead to overflow of parking to surrounding areas, adding to highway safety risks.
- There is too much tandem parking.
- The proposed traffic splitter island at the entrance will make vehicular access difficult for the occupiers of the properties opposite. Vehicle manoeuvres would have to take place over a hatched area, a blank area should be left.
- Langport Town Council are proposing a closure of the road through The Hanging Chapel, which would direct more traffic past the site. Has this been factored in?

### Residential Amenity:

- Street lighting will adversely impact on the amenity of existing nearby properties.
- The existing boundary hedges are sparse in places and should be improved to increase privacy to surrounding properties.

### Visual Impact:

- Loss of one of the last remaining green sites in the area.
- The loss of the tree avenue should be avoided as it is landmark feature and part of the history of the area. If housing must be built, why can't the hedge be incorporated into the development.
- The dwellings are poor and unimaginative design, with excessive amounts of front parking.
- 2 ½ storey houses should not be allowed.
- The development does not appropriately take into account the impact on the setting of the nearby listed buildings at Old Kelways.
- Integral garages are not part of local vernacular.
- Natural stone should be incorporated.
- The development will lead to a car dominated gateway to Langport and Huish.
- There is a lack of green space spread throughout the site.

#### Other Matters:

- Property values in the area could be lowered.
- The central hedge is a haven for wildlife and should be retained.
- Existing hedges and trees around the perimeter of the site should be retained.
- No consultation appears to have taken place to create a development that responds to local needs, such as the provision of bungalows.
- No timeframe has been given for the site to be developed, concerns that it would be 'banked' by the developer should permission be granted.
- There are already large signs on site advertising the development, assuming permission will be granted.
- No renewable energy generation is included within the proposals.
- No provision for charging of electric vehicles.
- The proposed LEAP position is unsafe.
- The properties should be appropriately equipped for use by disabled occupiers.
- Many of the properties do not include parking suitable for disabled occupiers, with some appearing 'landlocked' by the parking spaces.
- No continuation of footpaths or details or dropped kerbs for wheelchair and pushchair access.
- How will public areas be maintained.

## CONSIDERATIONS

### Principle of Development

This application for planning permission seeks approval for the layout of the of a 94 house residential development. The principle of residential development has already been established on the site by the grant of outline planning permission 13/03483/OUT. As such, while objections received in relation to the principle of the development are noted, it is not considered appropriate to revisit the use of this site for residential purposes. Notwithstanding this however, the outline consent was granted on the basis of up to 80 units. Consideration is therefore given to the principle of increasing the numbers beyond that originally approved to 94.

In this case, Langport/Huish Episcopi, is identified as a Local Market Town in the South Somerset Local Plan, thereby being one of the larger settlements, outside of Yeovil, most compatible for absorbing further appropriate residential development. Overall, the addition of 14 extra units is not considered to be disproportionate in scale bearing in mind the settlement's role, function and size, particularly noting the District-wide shortage in market and affordable housing, exacerbated by the current lack of 5 year housing land supply.

### Visual Amenity

The development proposes a residential development laid out around a central access road, with a southern loop re-joining the central road, and three smaller no through roads accessing development to the north of the site. In general terms, the site layout is not too dissimilar to that seen indicatively at outline stage, however the increased numbers inevitably lead to an increased density of development with less scope for parking to the side of many of the properties. The layout includes a wide green buffer to the north of the site, giving a degree of separation of the site from the listed Old Kelways buildings to the north, and the protected trees along the northern roadside boundary. This green space, which will double as informal public open space, would accommodate the underground cellular surface water attenuation, as well as an equipped play area.

A large number of objections have been raised, regarding the impact of the proposal on the character of the area, with particular mention to the increased numbers and associated increase in density of development, and design and appearance of the proposed properties. Concerns have also been raised

regarding the impact of the proposal on the setting of the nearby listed buildings.

These concerns raised in respect to layout, proposed design and material, and their failure to pay any regard to the character of Langport, as well as relationship with Old Kelways to the north, were initially shared by the Council's Landscape Architect, however the current layout has changed since the original submission, following input from the Landscape Architect, with the concentration of open space to the northern part of the site, and increased formalisation of housing frontage to this open space, which is considered to present an appropriate frontage to sensitively address the listed buildings opposite, and maintain the more rural feel of the northern boundary, maintaining the more important, protected trees.

Within the site there is an increase in parking to the front of properties, with increased car dominance evident, however the mix in orientation of properties and amount of set back from the adjoining road, along with the opportunity for landscaping between parking spaces, is considered to limit the impact, and introduce an appropriate injection of green planting within the street scene. Overall, the layout is considered to be acceptable and satisfactorily accommodate the 94 dwellings without comprising overdevelopment of the site. Despite the increase in numbers, the proposed layout is considered to be acceptable.

The proposed houses are of a relatively standard design and appearance, being taken from a volume house builder's existing portfolio of houses, however careful consideration has been given to the types and material mix, with a limited palette of materials proposed, comprising red brick, reconstructed stone, and render. The majority of the site will be brick, with the occasional rendered property to reduce the monotony. Reconstructed stone is more prevalent to the northern site frontage to respond better to the more sensitive frontage. Red tiles are proposed mostly, with grey tiles introduced to a number of the frontage properties, and several of the focal point buildings. The properties generally included the use of dual materials on a single elevation, however this has been omitted in favour of the materials referred to above, which better relate to the local area.

The scheme includes proposals for new hedgerow planting to the boundaries, the formation of a green buffer to the north, and planting throughout the estate. This is to the satisfaction of the Council's Landscape Architect, although a detailed planting proposal is requested by condition. The Tree Officer has also considered the proposal, and after raising some concerns previously in respect to the impact of attenuation and proximity of some development to boundaries, is now content with the proposal. In particular, an amendment to remove an open attenuation pond and replace with buried cellular crates addresses concerns to the north of the site. The existing west and south boundary hedges are planted on a raised earthen bank, and a condition is requested to erect appropriate tree protection fencing a minimum distance of 2m from the bank edge to prevent damage to the hedge during construction works.

Much concern has been raised regarding the loss of the double row of beech hedges that currently traverses the site. While this is regrettable, it should be noted that in considering the outline planning permission, the Council's Tree Officer and Landscape Architect were consulted. Both confirmed that the hedges are structurally poor and neither raised an objection to their loss. Again neither have raised concern in this application.

On the basis of the above it is considered that the proposal complies with the relevant policies of the Local Plan and NPPF, and would not have such a harmful impact that permission should be withheld on the grounds of visual amenity. The various concerns of the neighbouring occupiers regarding the impact of any development on the visual amenity of the area have been considered but are not considered to outweigh the conclusions of the SSDC Landscape Architect as to the visual impacts of the scheme.

### **Flooding and Drainage**

The development of this site will clearly lead to the creation of additional impermeable surfaces that need to be suitably drained to avoid the risk of increased surface water flooding outside of the site. In this

case, the applicant has put forward a drainage strategy that includes the capture and attenuation of excess surface water, with discharge rates limited to 9.8l/s, which is equivalent to greenfield runoff rates. Both the surface water and foul drainage are proposed to be discharged to the north western corner of the site, being drained separately into the public foul and surface water systems. Wessex Water have confirmed that these connections are agreed in principle, with surface water discharge restricted to 9.8l/s. The Lead Local Flood Authority also raise no objections to the proposed method of drainage. The proposed attenuation pond was proposed, as it better accords with the SuDS hierarchy, and would be easier to maintain. This was changed however in response to concerns by the Tree Officer in respect to impact on the root protection zones of nearby trees, and concerns of the Parish Council, and some contributors, who raised safety fears in relation to an open pond. Overall, the proposed cellular crate system will still provide the necessary storage capacity so is considered to be acceptable. It is therefore considered that the site can be effectively drained, however a condition will be imposed requiring the agreement of the final detailed drainage scheme, along with details of future ownership and maintenance. In this respect, the applicant has confirmed that it is the intention for Wessex Water to adopt the elements of the surface water system that they can, with the remaining elements, such as the attenuation features to be handed over to a management company.

### **Sewerage and Water Supply**

Concerns have been raised regarding the adequacy of the local sewerage network. Wessex Water have not raised any objections to the proposal, however have acknowledged that there are potentially issues in this regard to both of these factors. They go on to confirm that they will be carrying out a strategic review of the public sewer system at this location over the next 12 months. This will also review service levels with any further allocations made in the Local Plan. Capacity improvements will be considered by the sewerage undertaker, if the risk of sewer flooding has increased within the catchment.

### **Highways**

Concerns have been raised by regarding the potential impact of the proposed development on the surrounding highway network, in regard to traffic generation and highway safety. It is however important to appreciate that the principle of development at this point has been accepted, even though the proposal seeks an increase in numbers on site. It is also noted that the proposal includes similar access arrangements to those agreed as being acceptable under the outline consent, with access being dealt with at outline stage. This includes the provision of a right hand turn bay into the site, incorporating a traffic splitter island. Other off-site highway works referred to include the provision of a pedestrian refuge to the north of the site, with a new footway link, dropped kerbs and tactile paving, linking to the existing pedestrian footways on the north side of Somerton Road.

The County Highway Authority have been consulted as to these impacts and all highway aspects relating to the development. They have assessed the impact of the proposal including the submitted transport assessment. They have concluded that there is no traffic impact grounds for a recommendation of refusal, subject to the imposition of certain conditions on any permission issued.

To provide more detail, the Highway Authority have assessed the impact of the additional 14 units and concluded that this does not represent a significant increase in traffic movements so as to be considered to have a severe impact on highway safety. The appropriate specifications for estate road widths, turning heads, parking space sizes, visibility splays and turning head requirements have been identified. The layout incorporates the appropriate size parking bays and turning heads, with other necessary details able to be agreed at technical detail stage. Conditions are proposed to cover these requirements, including the technical aspects of the highway construction and estate road layout. Further comments is made in respect to the public safety with final details of the pedestrian refuge island, and crossing points to be agreed.

Overall, while there are some technical details still to be agree, the Highway Authority do not object to

the proposal as submitted, subject to the imposition of relevant highway related conditions. Additionally it is proposed to secure an appropriate Travel Plan through a s106 legal agreement.

It is noted that there are some concerns raised by local residents in respect to the levels of parking, including use of tandem spaces, however the Highway Authority have not raised this as a matter of concern, other than requiring the appropriate bay sizes to be conditioned, as referred to above. Accordingly, whilst local concerns are noted, it is considered that the proposed access arrangements and local highway network are capable of accommodating the traffic generated by the development without detriment to highway safety.

In addition to the more general highway safety concerns, objections have been raised by the occupiers of two properties directly opposite the access, one of whom (Mr Till) has advised that they are disabled and will have their access to the pedestrian footpath on the west side of Field Road limited. Concerns are also raised about ease, and safety, of accessing the existing vehicular access, particularly with the proposed introduction of a traffic splitter island and hatched, markings on the road. These concerns are addressed in the submitted Transportation Review, noting that the access is as already approved. It is argued that the traffic splitter island is located at appropriate distance from the neighbouring access to avoid restricting access. Furthermore, the provision of hatchings on the road should not impede access, with crossing not prohibited. Due to the number of movements associated, it is considered that an dedicated turning bay into the neighbouring site is not warranted. The Highway Authority have not raised any highway safety concerns in respect to the proposed arrangements.

In regard to the matter of access for Mr Till, it is noted that there is currently no pavement on the east side of Field Road. As a gesture of goodwill, the applicant has suggested that they, Mr Till and the Highway Authority liaise to discuss a way forward that includes Persimmon providing a pedestrian refuge instead of a traffic splitter, Mr Till provide a pedestrian access to this point, and the Highway Authority agree to those works taking place on the public highway. It is understood that discussions have started to this affect. Notwithstanding this, it is not considered that these works are required to make the planning application acceptable so are not proposed as being necessary to proceed with determining the application.

The Parish Council have stated that light controlled pedestrian crossings on Somerton Road and Field should be provided, as well as pavement along the northern frontage of the site, and the provision of a bus layby. However, whilst they may be welcome they are not considered necessary to make the development acceptable. As they have not been proposed by the applicant, or required by the Highway Authority, it would therefore be unreasonable to insist on their provision.

### **Public Right of Way**

There is a public footpath running alongside the west and southern boundaries of the site. There is no current obvious entrance to the footpath, either to the north or east of the site with both ends overgrown. The County Rights of Way consultees have requested further information in respect to the extent of the application site, as well as scaled CAD drawings to be able to overlay the definitive footpath map to determine whether the development will obstruct it. This has not been provided, and County Rights of Way are yet to confirm whether they would formally object. Despite this, the north/south section would seem to run within the application site, while the east/west section appears to run to the south of the application site, having been integrated into rear gardens of properties to the south. This being the case, the proposed development would obstruct the existing footpath, with the rear gardens of the properties to the west of the site extending up to the boundary hedge.

To address this, the applicant has provided details of two options, one being to amend the plans slightly to leave space for the footpath along its current route, the second being to apply for a diversion to redirect the footpath through the proposed pedestrian access to the north west of the site from Somerton Road, around the paved footway, and out through a another pedestrian access, onto Field Road, to the

south east of the site.

The first option is not considered to be ideal, as this would create a long, potentially unpleasant enclosed right of way, which would most likely discourage use, particularly as the aforementioned route within the second option is proposed anyway. The first option would also be likely to raise security and public safety concerns. Even if this were to be accepted, it would not easily link onto the southern section of footpath, which is on land outside of the applicant's ownership. County Rights of Way have advised that they would like the southern section incorporated within the application site, however this is not necessarily a reasonable request, noting that it does not appear to be illegally obstructed by the applicant. Nonetheless, the option to include it within a diversion could resolve the issue and offers a pragmatic solution, while providing a safer route for pedestrians, particularly school children who have to negotiate the existing unsatisfactory highway network.

A request has been made to County Rights of Way to consider the principle of a diversion along the lines of the second option, with a response expected prior to the committee meeting. Should this not prove satisfactory, it should be noted that the grant of planning permission does not entitle the applicant to illegally block any part of the footpath within their ownership, with County Council able to take appropriate action should this prove necessary.

## **Ecology**

Objections were received at outline stage, and have been received again in respect to the impact on local wildlife as a result of the development as a whole, and the loss of the beech hedgerow through the site. Having been assessed at outline stage, the principle of development was not objected to, however additional surveys were required, including testing for the presence of dormice, as a single nest was recorded in the original survey.

The up to date survey, completed in November 2017, includes bat activity surveys, and dormouse surveys. The Council's Ecologist has considered the findings of the survey and raises no objection to the development, subject to a number of appropriate conditions.

The bat surveys recorded several species of bats foraging within the site, in moderate numbers, however the trees bordering the site are accepted as offering only low potential for bat roosted. Similarly, while the loss of the central beech hedge would reduce insect prey, it is noted that foraging habitat is not subject to legal protection. Additionally, the site is viewed as likely to represent a relatively small proportion of the total foraging area available for local bat populations. It is not considered that additional planting is required to compensate for this loss.

The dormice surveys didn't record any evidence of dormice, and the Ecologist also views the site is sub-optimal. While there could be occasional presence in small numbers, it is unlikely that there is a permanent population of dormice on site. A hedgerow removal method statement is considered appropriate as a precautionary measure though. Similarly, a condition restricting the times that hedgerow can be removed, unless previous checked by a competent person is also proposed as a precautionary measure to avoid disturbing nesting birds that may be using the beech hedgerow. Small numbers of slow worm have been identified, with an informative again proposed. Additional conditions have been requested to ensure that biodiversity enhancements details are provided for approval, and compliance with a hedgerow removal statement, included within Appendix 6 of the submitted Ecological Impact Assessment. It is noted that a 'Landscape and Ecology Management Plan' is referenced within the report. The Council's Ecologist has advised that this could be conditioned to cover many of the suggested conditions, and requirements.

As such, notwithstanding the concerns raised, the proposal, which includes details of appropriate avoidance, mitigation and compensation measures, is not considered have an adverse impact on local ecology or protected species so as to warrant refusal of the scheme.

## **Residential Amenity**

Concerns have been raised by the occupiers of neighbouring properties regarding the potential impacts of the development on their residential amenity by way of loss of privacy, light pollution, and noise generated by the development. While these concerns are noted, it is considered that the development appropriately considers impact on local amenity, with the distances between the proposed dwellings, and neighbouring properties appropriate to avoid overlooking, overshadowing and general overbearing impact. The proposal also includes enhancements to the existing south and west boundary treatments which do currently contain some gaps and areas of sparse cover. The approval of a detailed landscaping scheme will allow an appropriate planting buffer to be provided to reduce the impact of the development. If deemed appropriate, the proposals to divert the public footpath will also remove the potential for pedestrian movements in close proximity to the rear of the properties to the west.

Ultimately, there will inevitably some impact from increased residential activity, and increased lighting levels, when moving from a completely un-developed site to a residential estate. However, it is concluded that the proposed development will not cause demonstrable harm to the residential amenity of adjoining occupiers in accordance with policy EQ2 of the South Somerset Local Plan, and the core planning principles of the NPPF.

## **Archaeology**

As with the outline permission, SW Heritage have confirmed that there are no objections on archaeological grounds.

## **Planning Obligations**

### SSDC Community, Health and Leisure, and County Education

The SSDC Community, Health and Leisure department have sought contributions towards local outdoor playing space, sport and recreation facilities of £216,978 (£2,170 per dwelling). This includes contributions towards the provision of onsite equipped play, off site youth facilities, and changing rooms, as well as commuted sums for ongoing maintenance of the facilities.

County Education originally requested contributions towards an identified need for 19 primary school places totalling £269,325 (£14,175 a place), 14 secondary school places totalling £299,026 (£21,359 a place) and 5 early years places totalling £70,875 (£14,175 a place).

The request made by Community Health and Leisure broadly corresponds with the original request at outline, except there is now a requirement to provide onsite equipped play, which was not necessary before, with offsite contributions requested towards a nearby play area. It is also noted that as this is a full application, rather than reserved matters, it will also be liable for Community Infrastructure Levy (CIL) payments, which cover some of the strategic facilities requested earlier.

Education requests have now increased significantly, with the original request for £196,112 towards 16 primary school places, now amounts to £639,226 and includes 19 primary school places, 14 secondary school places, and 5 early years places.

While the submission of this full planning permission does mean that contributions are looked at again, under the current legislation, the applicant has baulked at the increased level of contributions which they consider would seriously affect the viability of the site. They note that had they submitted a reserved matters application, and submitted a separate application for a further 14 dwellings, the liability for additional planning obligations, and CIL would relate only to the additional 14 dwellings. As such it is suggested that it would be reasonable to make contributions in line with the original request plus a pro-rata amount to cover the uplift on housing numbers to 94 units. It is important to note that the

applicant does not wish to take the application through the formal viability route, involving the District Valuer, and has therefore requested consideration be given to the reasonableness of the financial contributions requested. In this case, bearing in mind that there is an existing outline consent, and County Education have agreed to take a pragmatic view and have accordingly advised that they would accept a reduced pro-rata contribution, based on the increase in numbers. This also stipulated that the original application and s106 contribution should be updated to reflect the current calculated figure of £14,175 per place, which would amount to a contribution of £226,800, as opposed to the s106 figure of £196,112 plus index increase.

In response, the applicant has made an offer of a contribution of £636,353.80 to cover all financial obligations, including CIL. This also includes Persimmon providing the equipped play area, in accordance with SSDC LEAP specifications, and its ownership and management being passed onto a management company, with no ongoing responsibility for SSDC. It is advised that this payment may be split however it is deemed to be most appropriate by SSDC.

Based on a CIL liability of £182,560 on the floor area of 94 dwellings proposed, a remaining figure of £453,793.80 is available for distribution between SSDC Community, Health and Leisure, and County Education. In order to avoid confusion and aid clear assignment of planning obligations through the required S106 legal agreement, it is proposed to assign £101,309 to Community, Health and Leisure, which is the exact amounts requested for Youth Facilities and Changing Rooms, along with the commuted sums for both, and the CHL admin fee. This omits the request for the equipped play area and associated commuted sums, which would no longer be applicable with the applicant providing the equipped play area with future maintenance carried out by a management company. These contributions would have amounted to £74,694 and £43,145 respectively for equipped play and commuted sums. This has been accepted in principle subject to the final details of design and provision, and management controls being included with the S106.

This above scenario would leave a sum of £352,484 for County Education, which equates to an uplift of £26,266 over the amount requested in respect to the original outline (updated to £226,800) and a pro-rata education provision of 3 primary school places, 2 secondary school places and 1 early years place (equivalent to £99,418). County Education has confirmed their acceptance of the offer under these terms.

In considering the alteration to the original requirements for planning obligations, it would usually be appropriate to go through the District Valuer to demonstrate that the viability of the scheme would be detrimentally affected to warrant a reduction in contributions, however this is not required on this occasion as the payments accord with the request of SSDC Communities, Health and Leisure, and County Education have amended their request, which down to a level where their minimum position is exceeded. On this basis, the application accords with the requested planning obligations above.

### Affordable Housing

SSDC Strategic Housing have requested, on the basis of their policy requirement of 35% affordable housing, split 80:20 social rent: intermediate the provision of 33 affordable units, of which at least 27 should be for social rent. The following property mix is requested based on the current Housing Need Register data:

08 x 1 bed  
14 x 2 bed  
10 x 3 bed  
01 x 5 bed (available for social rent)

In submitting the application, the applicant originally made an offer including only 2 and 3 bedroom homes, however the scheme has been amended to provide 6 x 1 bed, 19 x 2 bed and 8 x 3 bed. No 5

bed is included, this being on the basis that Persimmon do not provide units of that size. The offering differs from the mix requested, however does meet the expectation of 35% affordable housing. The proposed split is 67% social rent to 33% intermediate products, as originally requested in the outline application, however it is noted that this also differs from the current request of 80:20 social rent: intermediate, which it is stated is evidenced by the Mendip, Sedgemoor, South Somerset and Taunton Deane Strategic Housing Market Assessment (October 2016). In terms of the numbers proposed, the proposal does provide a suitable level of affordable housing, and while the sizes differ from that requested, it is questionable whether this would warrant a recommendation of refusal, particularly noting the 5 year land supply issues. An update on the Strategic Housing view will be sought prior to committee, particularly in respect to mix and tenure.

Notwithstanding the above, the units have been demonstrated to meet the minimum space standards requested, and are also spread well throughout the site.

### Travel Plan

Full Travel Plan content will need to be agreed the content of the Travel Plan as part of a S.106 agreement.

Accordingly, should Members resolve to approve a Section 106 agreement will be necessary to:-

- Secure the agreed contribution towards, and provision of, local outdoor playing space, sport and recreation facilities.
- Secure the agreed contribution towards education.
- Ensure that 35% of the dwellings units are affordable and remain so in perpetuity.
- Provide an appropriate Travel Plan.

The applicant has agreed to these obligations, and the proposal would therefore comply with saved policies ST5, ST10, CR2 and HG7 of the local plan.

### **Conclusion**

The principle of developing this site was agreed by approval of outline planning permission, notwithstanding the increase in numbers proposed now. It is considered that the proposal comprises an appropriately designed scheme that will form an acceptable addition to the area, without adversely impacting on the setting of local heritage assets, local flood risk, ecology, archaeology, surrounding landscape character, residential amenity and highway safety.

### **RECOMMENDATION**

The application be approved subject to:-

- (i) The prior completion of a section 106 planning obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued, to secure the following:
  - a) Secure a contribution of £101,309 towards the provision of sport, play and strategic facilities (to the satisfaction of the Local Planning Authority).
  - b) Ensure the provision, including future ownership and management of an outdoor equipped play area, to accord with SSDC LEAP specifications (to the satisfaction of the Local Planning Authority).

- c) Secure a contribution of £352,484.80 towards primary school, secondary school and early years places to the satisfaction of Somerset County Council.
- d) Ensure at least 35% of the dwellings are affordable with an appropriate tenure split (to the satisfaction of the Local Planning Authority).
- e) Provide for Travel Planning measures to the satisfaction of the County Highway Authority with the agreement of the Development Manager and fully implemented in accordance with the agreed details.

and;

(ii) conditions, as set out below:

- 01. Notwithstanding the local concerns, the proposed development of 94 houses proposed in this sustainable location is considered to be acceptable by reason that it respects the character and appearance of the area and would not be harmful to the setting of local heritage assets, general visual amenity, residential amenity, ecology, archaeology or highway safety, without compromising the provision of services and facilities in the settlement, and provides for appropriate drainage mitigation. As such the proposal complies with the policies of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework.

**SUBJECT TO THE FOLLOWING:**

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

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

- 02. The development hereby permitted shall be carried out in complete accordance with the following approved plans: 1:2500 Site Location Plan, received 23rd June 2017, 101, 110 P2, 111 P1, 121 P2, 140 P2, 500-1 P2, 500-2 P2, 501-1 P2, 501-2 P2, 501-3 P2, 501-4 P2, 501-5 P2, 502-1 P2, 503-1 P2, 503-2 P2, 504-1 P2, 504-2 P2, 505-1 P2, 505-2 P2, 506-1 P2, 508-1 P2, 508-2 P2 and 510-1 P2, received 24th October 2017, 120 P4, 507-1 P3, 507-2 P3, 507-3 P3, 507-4 P3 and 507-5 P3, received 24th November 2017.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

- 03. Details of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each element of the proposal respectively;

- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs, including details of roof verge finishes;
- b) panels of brickwork and stonework shall be provided on site for inspection;
- c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any roof lights) and doors;

d) details of position and colour finish of meter cupboards, gas boxes, rainwater goods, soil and waste pipes (soil and waste pipes are expected to be run internally).

Once approved such details shall be fully implemented and thereafter shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

04. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. The scheme shall subsequently be implemented in accordance with the approved details before any of the dwellings hereby permitted are first occupied. Following its installation such approved scheme shall be permanently retained and maintained thereafter, in accordance with the details agreed.

Reason: To ensure that the development is served by a satisfactory system of surface water 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 policies SD1 and EQ1 of the South Somerset Local Plan and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

05. No development shall be carried out on site unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; 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 after the development hereby permitted is first brought into use; 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: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 7 of the National Planning Policy Framework.

06. Prior to commencement of the development, site vegetation clearance, ground-works, heavy machinery entering site or the on-site storage of materials, the scheme of tree protection measures as prepared by Doug Pratt Tree Consultancy (Ref: Arboricultural Impact Assessment Report and accompanying Tree Protection Plan '1720/TPP - dated 20th October 2017) shall be implemented in their entirety. Further tree protection fencing of the same specification as identified in the Tree Protection Plan, shall be positioned around the west and south site boundaries, at a minimum distance of 2 metres from the base of the existing earthen hedge bank. These approved tree protection requirements shall remain implemented in their entirety for the duration of the construction of the approved development (inclusive of hard and soft landscaping operations) and the protective fencing may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 11 of the National Planning Policy Framework.

07. The development hereby permitted shall not commence until a detailed Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority, covering the avoidance, mitigation and compensation measures detailed in Section 8 of the submitted Ecological Impact Assessment (prepared by Green Ecology - dated November 2017). The approved scheme shall be implemented in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: For the conservation and protection of legally protected species, for the enhancement of biodiversity and for the protection of amenity of future owners/occupiers of the site and neighbours, in accordance with policy EQ4 of the South Somerset Local Plan, the provisions of chapter 11 of the NPPF, and to ensure compliance with The Wildlife and Countryside Act 1981 (as amended).

08. 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.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

09. 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, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

10. 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, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

11. There shall be an area of hard standing at least 5.5 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of a roller shutter/sliding/inward opening type.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

12. There shall be an area of hard standing at least 6 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of an up-and-over type.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), the use of any existing garage, or garage hereby permitted, as part of this development shall not be used other than for the parking of domestic vehicles and not further ancillary residential accommodation, or any other purpose whatsoever.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

14. The development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: To safeguard residential amenity and highway safety, in accordance with policies TA5 and EQ7 of the South Somerset Local Plan (2006-2028) and the provisions of Chapter 4 and the core planning principles of the National Planning Policy Framework.

15. At the proposed access there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown on the submitted plan, Drawing Number 101. Such visibility splays shall be constructed prior to any of the dwellings hereby approved being first occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

16. The proposed access shall be constructed generally in accordance with details shown on the submitted plan, Drawing Number 101, and shall be available for use prior to any of the dwellings hereby approved being first occupied. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

17. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before prior to first occupation and thereafter maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

18. The development hereby permitted shall not commence until the developer has submitted to the Local Planning Authority a scheme detailing the offsite highway works to be provided along Wincanton Road/Field Road and Somerton Road, as indicated within the 'Transportation Review' (dated 24th October), including the provision of a right turn bay facility (ghost island) off Wincanton Road/Field Road and footway links and associated pedestrian refuge, dropped kerbs and tactile paving across Somerton Road. Such scheme of highway works shall be approved by the Local Planning Authority and fully constructed in accordance with the approved details prior to any of the dwellings hereby approved being first occupied.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

#### **Informatives:**

01. You are reminded that the County Highway Authority have requested that a Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development will have to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
02. The provision of these highway works will require a suitable 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.
03. Reptiles (particularly slow worms) are present on the site and could be harmed by construction activity, contrary to legislation (Wildlife and Countryside Act 1981), unless appropriate precautionary measures are employed. Suitable measures could include appropriate management of the vegetation to discourage reptiles away from areas of risk, reptile exclusion fencing, and/or translocation of animals from the site. An ecological consultant should be commissioned to undertake further reptile specific survey and provide site specific advice.
04. Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

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

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

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