



Area North Committee

Wednesday 26th June 2019

2.00 pm

**Council Chamber, Council Offices,
Brympton Way, Yeovil BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



The following members are requested to attend this meeting:

Neil Bloomfield
Malcolm Cavill
Louise Clarke
Adam Dance

Mike Hewitson
Tim Kerley
Tiffany Osborne
Clare Paul

Crispin Raikes
Dean Ruddle
Mike Stanton
Gerard Tucker

Consideration of planning applications will commence no earlier than **2.30pm and 3.30pm – please see item 12 on page 14.**

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462596 or democracy@southsomerset.gov.uk

This Agenda was issued on Tuesday 18 June 2019.

Alex Parmley, Chief Executive Officer



This information is also available on our website www.southsomerset.gov.uk and via the mod.gov app

Information for the Public

The council has a well-established area committee system and through four area committees seeks to strengthen links between the Council and its local communities, allowing planning and other local issues to be decided at a local level (planning recommendations outside council policy are referred to the district wide Regulation Committee).

Decisions made by area committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as “key decisions”. The council’s Executive Forward Plan can be viewed online for details of executive/key decisions which are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

At area committee meetings members of the public are able to:

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the area committee chairman’s discretion, members of the public are permitted to speak for up to up to three minutes on agenda items; and
- see agenda reports

Meetings of the Area North Committee are held monthly, usually at 2.00pm, on the fourth Wednesday of the month (except December).

Agendas and minutes of meetings are published on the council’s website

<http://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for ‘mod.gov’ in the app store for your device, install, and select ‘South Somerset’ from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

Public participation at committees

Public question time

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the Chairman of the Committee. Each individual speaker shall be restricted to a total of three minutes.

Planning applications

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered.

Comments should be confined to additional information or issues, which have not been fully covered in the officer’s report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should

also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the planning officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The planning officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to three minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- Town or Parish Council Spokesperson
- Objectors
- Supporters
- Applicant and/or Agent
- District Council Ward Member

If a member of the public wishes to speak they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing. This must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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Area North Committee

Wednesday 26 June 2019

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 27 March 2019. The draft minutes of the last meeting can be viewed at: <http://modgov.southsomerset.gov.uk/ieListMeetings.aspx?CId=129&Year=0>

2. Apologies for absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

Planning Applications Referred to the Regulation Committee

The following members of this Committee are also members of the Council's Regulation Committee:

Councillors Neil Bloomfield, Adam Dance and Crispin Raikes.

Where planning applications are referred by this Committee to the Regulation Committee for determination, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

4. Date of next meeting

Councillors are requested to note that the next Area North Committee meeting is scheduled to be held at 2.00pm on **Wednesday 24 July 2019 in the Council Chamber, Council Offices, Brympton Way, Yeovil.**

Reminder - there will be a workshop for Area North members only at 12.00noon prior to the committee meeting on 24 July.

5. **Public question time**
6. **Chairman's announcements**
7. **Reports from members**

Items for Discussion

8. **Area North Committee - Appointment of Members to Outside Organisations and Groups for 2019/20 (Executive Decision)** (Pages 6 - 8)
9. **Scheme of Delegation - Development Control - Nomination of Substitutes for Chairman and Vice Chairman for 2019/20 (Executive Decision)** (Pages 9 - 10)
10. **Area North Committee Forward Plan** (Pages 11 - 12)
11. **Planning Appeals** (Page 13)
12. **Schedule of Planning Applications to be Determined By Committee** (Pages 14 - 15)

The following 4 planning applications will be considered no earlier than 2.30pm.

13. **Planning Application 19/01174/S73 - Barn at the Coach House, West Street, Stapleton, Martock.** (Pages 16 - 21)
14. **Planning Application 19/00587/HOU - 11 Beaufort Gardens, South Petherton.** (Pages 22 - 26)
15. **Planning Application - 19/00952/HOU - Southernaways Cottage, Water Street, Seavington St. Mary.** (Pages 27 - 32)
16. **Planning Application 18/02578/FUL - St. Francis, Silver Street, Shepton Beauchamp.** (Pages 33 - 40)

The following 2 planning applications will be considered no earlier than 3.30pm

17. **Planning Application 19/00064/FUL** - Land OS 0002 South of Coat Road, Martock.** (Pages 41 - 61)
18. **Planning Application 19/00721/FUL - Land OS 1615, Etsome Road, Somerton (application withdrawn from the Agenda)** (Pages 62 - 73)

Please note that the decisions taken by Area Committees may be called in for scrutiny by the Council's Scrutiny Committee prior to implementation.

This does not apply to decisions taken on planning applications.

Agenda Item 8

Area North Committee – Appointment of Members to Outside Organisations and Groups for 2019/20 (Executive Decision)

Director: Netta Meadows, Strategy & Commissioning
Specialist: Angela Cox, Specialist (Democratic Services)
Lead Officer: Becky Sanders, Case Services Officer (Support Services)
Contact Details: becky.sanders@southsomerset.gov.uk or 01935 462596

Purpose of the Report

As the Council has entered a new municipal year, the Committee is asked to review its appointments to outside organisations and working groups within Area North, having regard to the policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies (adopted by District Executive on 1st May 2014).

Recommendation

That Area North Committee appoint members to the outside organisations and groups for 2019/20, as detailed in Appendix A.

Outside Organisations and Groups

The organisations and groups to which representatives are requested to be appointed by the Area North Committee for 2019/20 are indicated in Appendix A. The list of organisations was reviewed by Area North Committee in November 2013 and recommendations were made towards the final policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies, which was adopted by District Executive on 1st May 2014.

Members are now asked to review and appoint members to the outside organisations for 2019/20, having regard to the adopted policy.

Financial Implications

None for Area North Committee. Mileage claimed by councillors (across the district) attending meetings of outside bodies to which they are appointed is approximately £1,000 per annum and is within the existing budget for councillors travelling expenses held by Support Services. There may be a small saving resulting from any decision to reduce the number of SSDC appointed outside bodies, however, a number of councillors do not claim any mileage for their attendance at these meetings.

Council Plan Implications

There are several of the Council's Corporate Aims which encourage partnership working with local groups.

Carbon Emissions and Climate Change Implications

None

Equality and Diversity Implications

Full consideration to equalities was given in producing the Policy on the Roles and Responsibilities of Councillors appointed to Outside Bodies.

Background Papers

- Minute 184 (Agenda item 10), District Executive, 1 May 2014
 - Minute 13, Area North Committee, 23 May 2018
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Appendix A

Area North Outside Organisations and Groups – Appointments to be considered for 2019/20

Organisation / Group (Lead officer contact)	Number of Council Reps. (& Rep last year).	Aims & Objectives	Frequency of Meetings	Existing status of representative
Somerset Levels and Moors Local Action Group Executive Board	1 (Gerard Tucker)	To support the delivery of a local economic development programme for the Somerset Levels and Moors. More info at: http://levelsandmoors.somersetleader.org.uk/	About 6 – 8 per year	Full Member
Langport Abattoir Liaison Group	2 (at least 1 must be the ward member) (Clare Paul & Derek Yeomans)	To provide a forum for liaison between the operating companies, the communities of Huish Episcopi and Langport and the local Authorities and other agencies responsible for the regulation of the site.	About 2 per year	Observer / consultative only
Martock Community Planning Partnership	1 (Graham Middleton)	To own the Martock Vision and monitor delivery of the Martock Local Community Plan.	Quarterly	Full Member
Huish Episcopi Leisure Centre Board	2 (Gerard Tucker & Crispin Raikes)	Management Company for Huish Episcopi Leisure Centre.	Approx. 5	Full member

Agenda Item 9

Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice Chairman for 2019/20 (Executive Decision)

Director: Martin Woods, Service Delivery
Lead Specialist: Simon Fox, Lead Specialist (Planning)
Lead Officer: As above
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

Purpose of the Report

As the Council has entered a new municipal year, the Committee is asked to review the appointment of two members to act as substitutes for the Chairman and Vice Chairman in the exercising of the Scheme of Delegation for planning and related applications. The previous member substitutes were Councillors Crispin Raikes (first substitute) and Clare Paul (second substitute).

Recommendation

That, in line with the Development Control Revised Scheme of Delegation, two members be nominated to act as substitutes for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s).

Background

The Council's scheme of delegation for Development Control delegates the determination of all applications for planning permission, the approval of reserved matters, the display of advertisements, works to trees with Tree Preservation Orders, listed building and conservation area consents, to the Lead Specialist (Planning) except in certain cases, one of which being the following:-

"A ward member makes a specific request for the application to be considered by the Area Committee and the request is agreed by the Area Chairman or, in their absence, the Vice Chairman in consultation with the Lead Specialist (Planning). (This request must be in writing and deal with the planning issues to ensure that the audit trail for making that decision is clear and unambiguous). In the absence of the Chairman and Vice Chairman there should be nominated substitutes to ensure that two other members would be available to make decisions. All assessments and decisions to be in writing."

Financial Implications

None from this report

Council Plan Implications

None from this report.

Carbon Emissions and Climate Change Implications

None from this report.

Equality and Diversity Implications

None from this report.

Background Papers: *Minute 36, Council meeting of 21 July 2005*
Minute 14, Area North Committee, 23 May 2018

Agenda Item 10

Area North Committee – Forward Plan

Director: Netta Meadows, Strategy and Support Services
Officer: Becky Sanders, Case Services Officer (Support Services)
Contact Details: becky.sanders@southsomerset.gov.uk or (01935) 462596

Purpose of the Report

This report informs Members of the Area North Committee Forward Plan.

Public Interest

The forward plan sets out items and issues to be discussed over the coming few months. It is reviewed and updated each month, and included within the Area North Committee agenda, where members of the committee may endorse or request amendments.

Recommendation

Members are asked to note and comment upon the Area North Committee Forward Plan as attached, and to identify priorities for any further reports.

Area North Committee Forward Plan

Members of the public, councillors, service managers, and partners may also request an item be placed within the forward plan for a future meeting, by contacting the Agenda Co-ordinator.

Items marked *in italics* are not yet confirmed, due to the attendance of additional representatives.

To make the best use of the committee, the focus for topics should be on issues where local involvement and influence may be beneficial, and where local priorities and issues raised by the community are linked to SSDC and SCC corporate aims and objectives.

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact one of the officers named above.

Background Papers: None

Area North Committee Forward Plan

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact the Agenda Co-ordinator; at democracy@southsomerset.gov.uk

Items marked in italics are not yet confirmed, due to the attendance of additional representatives.

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
Aug '19	Strategic Priorities and the Council Plan	To consider the strategic priorities for consideration in the wider Council Plan.	Specialists, Strategy & Commissioning
Nov '19	Area Chapter in the Council Plan	To consider the Area Chapter for the Council Plan.	Specialists, Strategy & Commissioning
<i>TBC</i>	<i>Somerton Conservation Area</i>	<i>Report regarding the Somerton Conservation Area Appraisal and designation of extensions to the Conservation Area.</i>	<i>TBC</i>
<i>TBC</i>	<i>Community Grants</i>	<i>To consider any requests for funding.</i>	<i>TBC</i>

Agenda Item 11

Planning Appeals

Director: Martin Woods, Service Delivery
Service Manager: Simon Fox, Lead Specialist (Planning)
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

Purpose of the Report

To inform members of the appeals that have been lodged, decided upon or withdrawn.

Public Interest

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the Committee.

Recommendation

That members comment upon and note the report.

Appeals Lodged

18/02285/FUL – The Heights, Main Road, High Ham.
The carrying out of alterations and engineering works to level rear gardens, and formation of a roof terrace (Part Retrospective).

18/03055/HOU – 1 Church View. Church Street, Kingsbury Episcopi.
Erection of a single storey extension (part existing) to the side and front of dwelling.

Appeals Dismissed

None

Appeals Allowed

None

Agenda Item 12

Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods, Service Delivery
Service Manager: Simon Fox, Lead Officer (Development Management)
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

Purpose of the Report

The schedule of planning applications sets out the applications to be determined by Area North Committee at this meeting.

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 2.30pm as set out below.

Members of the public who wish to speak about a particular planning item are recommended to arrive for the times stated below.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
The following four applications will be considered no earlier than 2.30pm					
13	MARTOCK	19/01174/S73	Application to vary condition 2 (approved plans) of approval 16/02758/FUL (minor elevational changes).	Barn at the Coach House, West Street, Stapleton, Martock.	Jones
14	SOUTH PETHERTON	19/00587/HOU	Erection of two storey side and rear extension.	11 Beaufort Gardens, South Petherton.	Mr D Davies
15	SOUTH PETHERTON	19/00952/HOU	Erection of a garden room and garden store (revised retrospective application)	Southernaways Cottage, West Street, Seavington St Mary.	Mr S Packahm
16	SOUTH PETHERTON	18/02578/FUL	Construction of three dwelling units etc.	St.Francis, Silver Street, Shepton Beauchamp.	Mr M Jennings

The following two applications will be considered no earlier than 3.30pm					
17	MARTOCK	19/00064/FUL**	The erection of 120 homes with associated infrastructure etc.	Land OS 0002 South of Coat Road, Martock.	Barratt Homes
18	WESSEX	19/00721/FUL	Erection of new primary school etc.	Land OS1615, Etsome Road, Somerton	Mr P Griffin

Further information about planning applications is shown below and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda has been prepared.

Referral to the Regulation Committee

The inclusion of two stars (**) as part of the Development Manager's recommendation indicates that the application will need to be referred to the District Council's Regulation Committee if the Area Committee is unwilling to accept that recommendation.

The Lead Planning Officer, at the Committee, in consultation with the Chairman and Solicitor, will also be able to recommend that an application should be referred to District Council's Regulation Committee even if it has not been two starred on the Agenda.

Human Rights Act Statement

The Human Rights Act 1998 makes it unlawful, subject to certain expectations, for a public authority to act in a way which is incompatible with a Convention Right. However when a planning decision is to be made there is further provision that a public authority must take into account the public interest. Existing planning law has for many years demanded a balancing exercise between private rights and public interest and this authority's decision making takes into account this balance. If there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues then these will be referred to in the relevant report.

Agenda Item 13

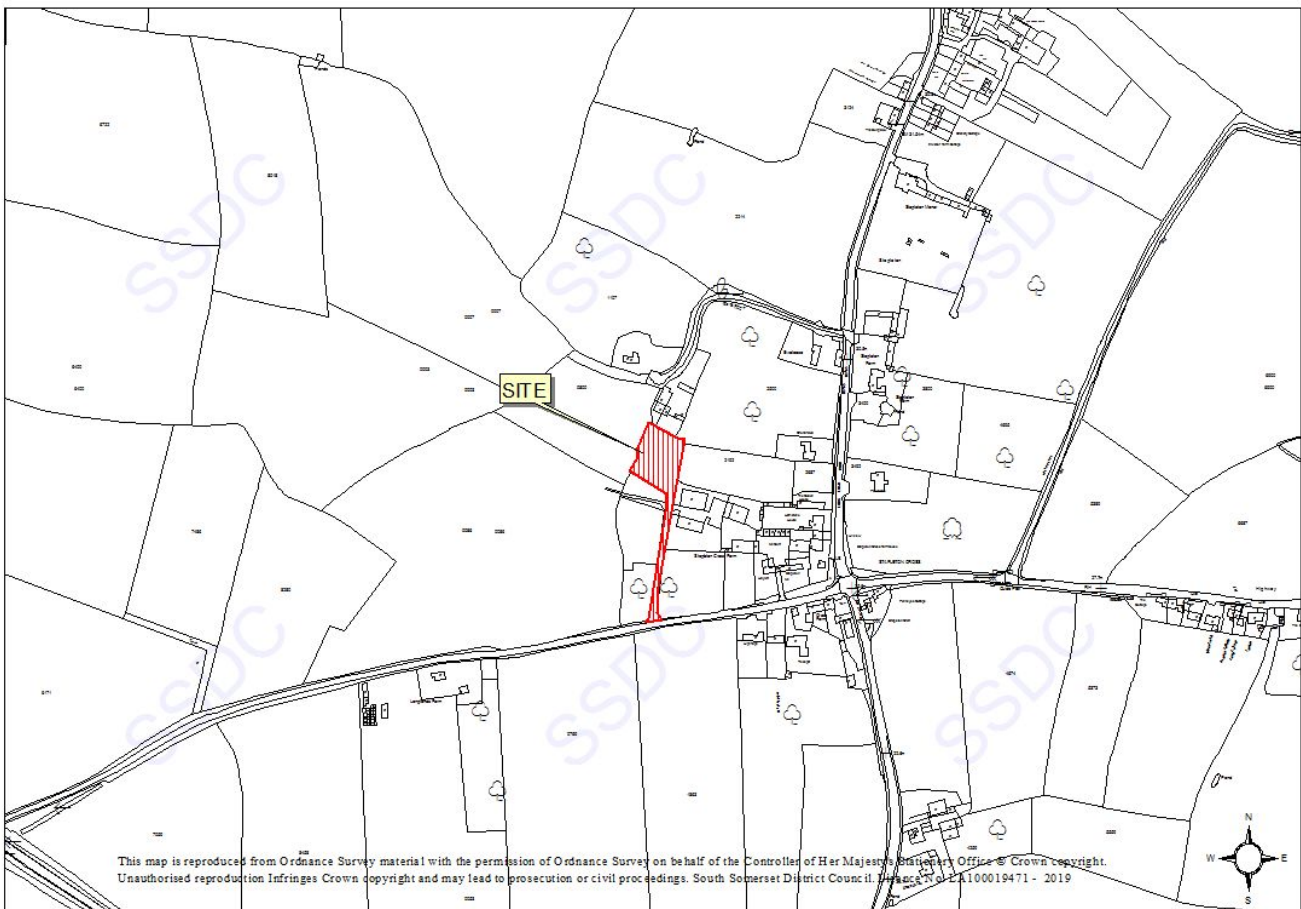
Officer Report On Planning Application: 19/01174/S73

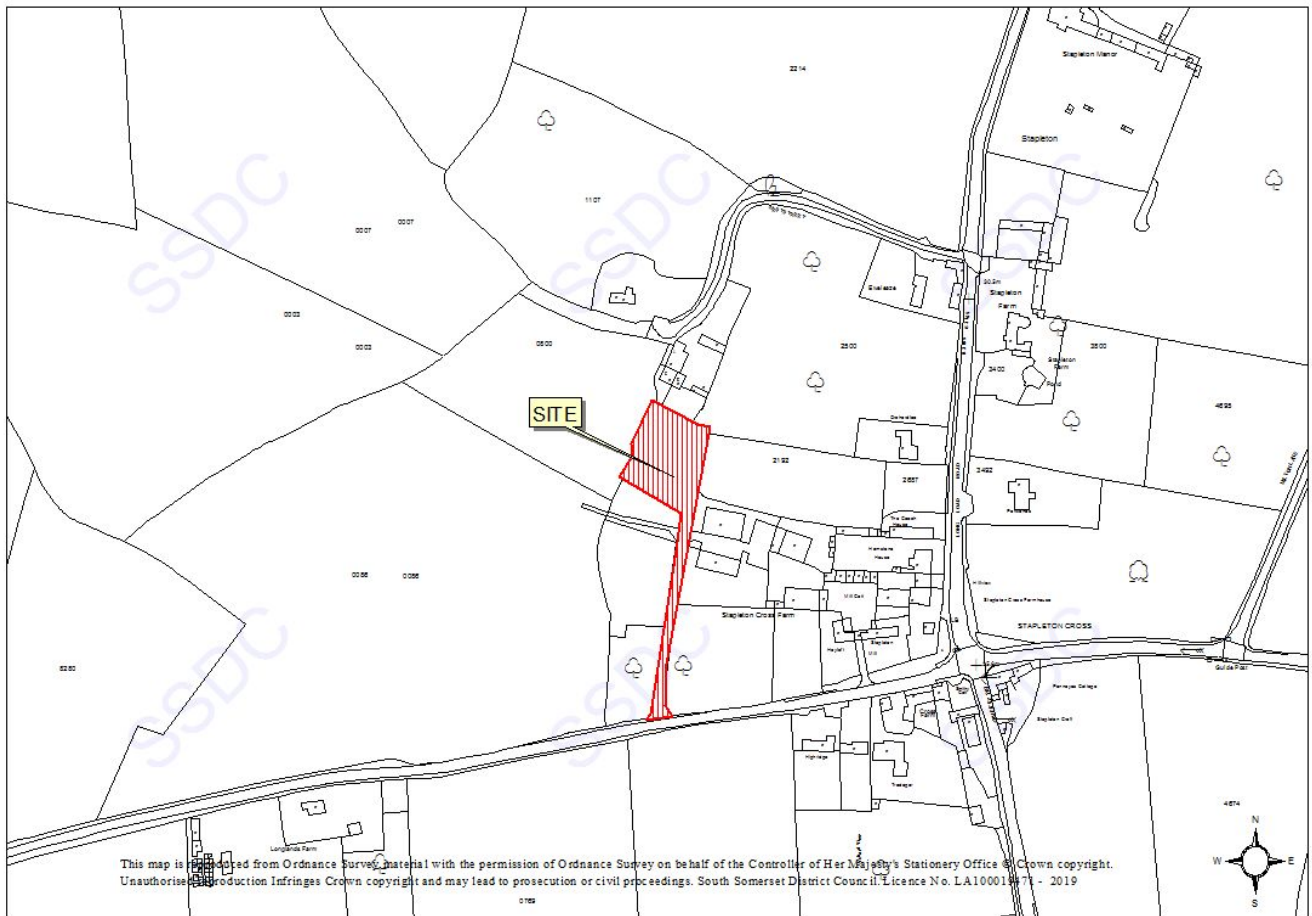
Proposal :	Application to vary condition 2 (approved plans) of approval 16/02758/FUL (minor elevational changes to both dwelling and garage)
Site Address:	Barn At The Coach House, West Street, Stapleton, Martock.
Parish:	Martock
MARTOCK Ward (SSDC Members)	Cllr N Bloomfield and Cllr L Clarke
Recommending Case Officer:	Stephen Baimbridge
Target date :	19th June 2019
Applicant :	Jones
Agent: (no agent if blank)	Gray, 49-50 East Street, Taunton TA1 3NA
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON TO REFERRAL TO COMMITTEE

The application is before Committee as the applicant is an employee of SSDC, in a management role. As such, this application may not be dealt with under delegated powers.

SITE DESCRIPTION AND PROPOSAL





The site is located in open countryside to the north-west of Stapleton Cross. The buildings are traditional stone barns built in a quadrangular form, with the open side to the south. They are roofed with clay tiles. To the north of the site is a small group of dwellinghouses, with garden areas backing onto the buildings themselves. To the east of the site are the houses fronting onto the west side of Long Load Road, the nearest dwelling being more than 110m from the barns. To south and west, the site is bounded by open agricultural land.

This application is made to vary condition 2 (approved plans) of approval 16/02758/FUL to include a new entrance boot room with some minor elevations changes and a revised design of the approved garage to appear agricultural in appearance and set down slightly to reduce the ridge height in relation to the main barn.

HISTORY

16/02758/FUL - Change of use of agricultural building to dwelling with associated provision of domestic access and garden, and erection of garage - Permitted with Conditions - August 2016

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)

EQ2 General Development
TA5 Transport Impact On New Developments
TA6 Parking Standards

National Planning Policy Framework (March 2012):

2. Achieving sustainable development
11. Making effective use of land
12. Achieving well-designed places

National Planning Practice Guidance - Department of Communities and Local Government, 2014.

Policy-related Material Considerations

Somerset County Council Parking Strategy, March 2012 and September 2013.
Somerset County Council Highways Standing Advice, June 2013.

CONSULTATIONS

Parish Council: No objections.

Highways Authority: Standing advice applies.

SSDC Highway Consultant: No highways issues - no objection.

REPRESENTATIONS

No representations received

CONSIDERATIONS

Impact on Visual Amenity

Although a modern design the newly proposed entrance/boot room has an open glazed north and south elevations which allows for viewing of the bricks of the internal east elevation as shown on Drw No 1901/PL/300, ensuring retention of the character of the agricultural building. The proposed garage has been modelled on a design that replicates the appearance of a historic cart shed. The amendments are considered to be acceptable within the setting and ensures an acceptable level of harm to character of the natural stone agricultural building while providing necessary functionality as a modern dwelling in accordance with Policy EQ2 of the SSDC Local Plan (2006-2028).

Impact on Residential Amenity

The proposal is sensitive to the proximity of dwellinghouses immediately north of the buildings, the gardens of which abut directly onto the rear wall. The proposed amendments are a sufficient distance from the neighbours and the boundary of the domestic garden, to ensure there is no harmful impact on amenity. The proposal therefore does not give rise to concerns about residential amenity in accordance with Policy EQ2 of the SSDC Local Plan (2006-2028).

Highway Safety and parking

Both the Highway Authority and the South Somerset Highway Consultant have no comments to make in regard to this application. The proposed alterations will not have a negative impact on access or parking/ turning within the site and therefore is considered acceptable in accordance with Policy TA5 & TA6 OF South Somerset District Council (2006-2028)

Conclusion

The proposal represents the justified re-use of a disused traditional stone barn in the countryside, which is supported by policy set out in the NPPF. The proposed alterations to the scheme of conversion is sensitive to the special character and appearance of the building. No residential amenity or highway safety issues have been identified that would indicate a refusal. The proposal is recommended for approval.

RECOMMENDATION

Grant permission.

01. The proposal represents the sustainable re-use of a disused rural building that would enhance the immediate setting and contribute towards the supply of housing. By reason of its design, layout and materials, the proposal respects the character and appearance of the setting and causes no demonstrable harm to residential amenity, or highway safety. In these respects, the proposal accords with the aims and objectives of the NPPF and Policies EQ2, TA5 and TA6 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of the original permission (16/02758/FUL).

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. 1901/PL/ numbers 050, 051, 052, 100, 300 and 301

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

03. The development hereby approved shall be carried out in accordance with the details approved submitted with your email of 19/03/2019, in relation to conditions 3(i), 3(ii), 3(iii), 3 (iv) and 3 (v) of decision letter dated 26 August 2016 , ref. 16/02758/FUL. Such approved 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 of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework.

04. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43.0 metres either side of the access. Such visibility shall be fully provided before the dwellinghouse hereby permitted is 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 and the aims and objectives of the National Planning Policy Framework.

05. The areas allocated for parking and turning, including the parking spaces within the approved garage building, shall be kept clear of obstruction at all times and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, and to accord with Policy TA6 of the South Somerset Local Plan.

06. Before occupation of the dwellinghouse hereby permitted, the proposed access over at least the first 6m of its length, as measured from the nearside edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority, and shall be permanently maintained as such at all times thereafter.

Reason: In the interests of highway safety in accordance with the aims of Policy TA5 of the South Somerset Local Plan.

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the areas of rebuilding shall be restricted to that defined on the approved plans referred to in Condition 2 and the Structural Report by Brian Jones (Structural Engineers) Ltd., received on 24 June 2016 as part of application ref 16/02758/FUL, and shall not be enlarged without the prior express grant of planning permission. In the event that completion strictly in accordance with such approved plans shall become impracticable for whatever reason, work shall thereupon cease and only be re-commenced if and when an express grant of planning permission shall have been obtained in regard to an amended scheme of works which renders completion of the scheme practicable.

Reason: To clarify the scope of the permission and to prevent wholesale demolition and rebuild of the buildings, to accord with the aims of the NPPF.

08. The development hereby permitted shall be carried out generally in accordance with the recommendations set out in the submitted Structural Report by Brian Jones (Structural Engineers) Ltd., received on 24 June 2016, ref 16/02758/FUL unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the appropriate conversion of the building in the interests of visual amenity and to accord with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the buildings, or other external alteration made without the prior express grant of planning permission.

Reason: In the interests of residential amenity and to safeguard the character and appearance of the setting to accord with the NPPF and Policy EQ2 of the South Somerset Local Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no garages or other outbuildings shall be erected other than those expressly authorised by this permission.

Reason: To safeguard the character and appearance of the setting and to accord with the NPPF and Policy EQ2 of the South Somerset Local Plan.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to this building without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the setting and to accord with the NPPF and Policy EQ2 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety.

13. The works shall be implemented in accordance with the details and timing of the bat mitigation and compensation measures, submitted as part of 16/02758/FUL; outlined in Section 4 ('Recommendations') of the report 'Bat Survey of Barn at Stapleton' (Crossman Associates, 19 November 2015), as modified to meet the requirements of any 'European Protected Species Mitigation Licence' issued by Natural England, unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

Informatives:

01. Before this development can commence, a European Protected Species Mitigation Licence (under The Conservation of Habitats and Species Regulations 2010) will be required from Natural England. You will need to liaise with your ecological consultant for advice and assistance on the application for this licence. Natural England will normally only accept applications for such a licence after full planning permission has been granted and all relevant (protected species) conditions have been discharged.

Agenda Item 14

Officer Report On Planning Application: 19/00587/HOU

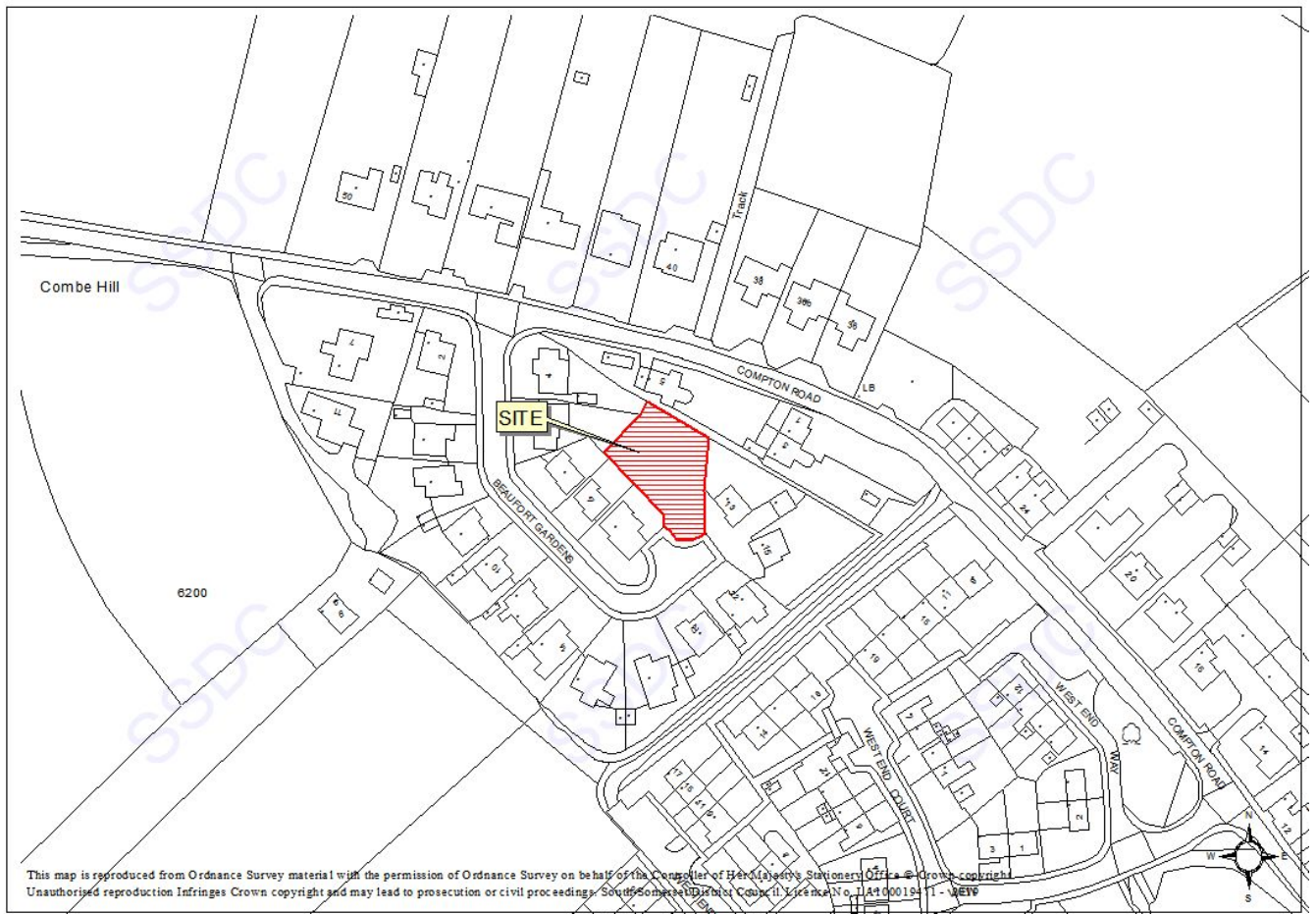
Proposal :	Erection of two storey side and rear extension.
Site Address:	11 Beaufort Gardens, South Petherton TA13 5HS
Parish:	South Petherton
SOUTH PETHERTON Ward (SSDC Member)	Cllr A Dance and Cllr C Raikes
Recommending Case Officer:	Jacqui Churchill
Target date :	26th April 2019
Applicant :	Mr Daniel Davies
Agent: (no agent if blank)	Mr Andrew Gowland, 1 Houndwood Drive, Street BA16 9PN
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

At the request of the Ward Member and with the agreement of the Area Chairman, this application is referred to Area Committee for full consideration around Policy EQ2 (Design and General Development) of the South Somerset Local Plan 2006-28.

SITE DESCRIPTION AND PROPOSAL





11 Beaufort Gardens is a detached, two-storey property constructed of recon stone under a tiled roof with uPVC openings.

This application seeks permission for the erection of a two storey side and rear extension.

HISTORY

07/03315/FUL - Erection of a single storey side extension and two storey rear extension - permitted with conditions 21.02.2008.

POLICY

South Somerset Local Plan 2006-28:

Policy EQ2 - Design and General Development
Policy TA5 - Transport Impact of New Development
Policy TA6 - Parking Standards

NPPF:

Chapter 12 - Achieving Well Designed Places

Planning Practice Guidance.

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

South Somerset District Council Supplementary Guidance - Extensions and Alterations to Houses - A Design Guide

South Petherton Neighbourhood Plan

CONSULTATIONS

Town/Parish Council: South Petherton Parish Council - "The planning committee had no objections but did want to note that the proposal seems to be very close (3m) from the boundary which is a retaining wall, this does seem very close to me, and probably very imposing on the property below".

Other Consultees:

Highways Authority: Standing advice applies (in this case, Amber Zone location and consequent need for 3 off- street car parking spaces).

Highways Consultant: No highways issues, no objections.

REPRESENTATIONS

Neighbour Comments: A site notice was displayed and 9 neighbours were notified. The following representation was received:

5 Compton Road - The development is too large for the site and it will excessively dominate our property and in particular our garden. The construction of the new north easterly facing gable wall will be too close to our boundary and will compromise the structural stability of the retaining wall on that border, with the potential for collapse of the retaining wall. The windows on the south west elevation, particularly the first floor windows overlook our house, conservatory and garden compromising our privacy. The height and size of the development will reduce our enjoyment of sunlight/daylight from the south, particularly in our garden.

Officer response - although the structural stability of the retaining wall is not a material planning consideration and would likely be considered as part of the Building Control process, the other concerns will be dealt with below.

CONSIDERATIONS

Principle of Development

The proposal is made for the alteration and extension of an existing dwelling in South Petherton. The extension of existing properties is usually acceptable in principle subject to the proposed development being in accordance with Development Plan policies and proposals.

It is noted that a previous application for a single storey side extension and two storey rear extension was approved but not implemented in 2008.

The main considerations in assessing this revised scheme will be the impact on the residential amenity of neighbouring residents, the impact on visual amenity of the area and impact on highway safety.

Scale and Appearance

Policy EQ2 of the South Somerset Local Plan requires the proposal, in terms of density, form, scale, mass, height and proportions, to create a quality place, respect local context and character and to have regard to South Somerset District Council's Development Management advice and guidance. The National Planning Policy Framework (NPPF) also highlights the importance of high quality design. SSDC have published a Residential Extension Guide which further protects the amenity of neighbouring properties, stating that extensions must not reduce the existing amenities of neighbours by overlooking or overshadowing. It also protects the character of the house, requiring extensions to be in keeping with the character of the building by neither dominating the building nor upsetting the balance of its original design.

In this case the property is located in a residential road of differing style properties with the neighbouring property to the north being a two storey property on significantly lower ground level.

The two storey side and rear extension wraps around the existing north-east side and rear elevation of the property. On the front elevation, the proposal extends the existing roof along the same ridgeline and mirrors an existing gable giving the appearance of balance. Although the proposed gable extension on the rear elevation is set at the same height as the existing property and therefore not subservient in line with SSDC's design guide, it is not considered uncharacteristic or out-of-keeping for the large, detached host property. Materials are stated as matching.

As such, it is not considered that the proposal causes demonstrable harm to visual amenity and therefore accords with policy EQ2 of the South Somerset Local Plan 2006-28 and the provisions of the NPPF 2019.

Residential Amenity

The occupants of the neighbouring property to the north (5 Compton Road) have raised an objection on the basis that the proposal will dominate their own property and will result in overlooking and the loss of privacy.

Although the Parish Council have raised no objections, they have gone on to say that they note that the proposal seems to be very close to the retaining boundary wall which is probably very imposing on the property below.

The proposed two storey side and rear extension adds considerable bulk to the application property. The neighbouring property to the north (5 Compton Road) is located on significantly lower level than the application property. The proposed two-storey extension is approximately 2.6m away from the boundary at its closest point. Due to the orientation, difference in levels and proximity to the boundary it is considered that this could be an overbearing and an unneighbourly form of development creating a poor relationship with 5 Compton Road.

It is also considered that the first floor window that serves Bedroom 2 would introduce additional overlooking and loss of privacy into the immediate amenity space of 5 Compton Road.

It is noted that the previously approved proposal reference 07/03315/FUL benefited from a two storey rear extension with a single storey side extension which mitigated the concerns raised by this application.

The agent was offered the opportunity to address the concerns of this application but requested to proceed with the current proposal.

It is considered that the proposal causes demonstrable harm to residential amenity and therefore is contrary to Policy EQ2 of the South Somerset Local Plan 2006-28 and the provisions of the NPPF 2019.

Highways: The proposal satisfies the requirements of the Somerset Parking Strategy 2013.

CIL: This Authority does not collect CIL from householder development.

RECOMMENDATION

Refuse for the following reasons:

FOR THE FOLLOWING REASONS:

01. The proposal includes a bedroom window at first floor level on the rear elevation that would directly overlook the rear of neighbouring residential property at 5 Compton Road. This would adversely impact upon the amenities of the occupiers of the neighbouring property contrary to Policy EQ2 of the South Somerset Local Plan 2006-28 and the core planning principles of the National Planning Policy Framework 2019.
02. The proposed two storey extension by virtue of its height, bulk and close proximity to the boundary of the site would result in an overbearing and unneighbourly form of development that will cause unacceptable harm to the residential amenity of the occupiers of 5 Compton Road. As such, the proposal is contrary to Policy EQ2 of the South Somerset Local Plan 2006-28 and the core planning principles of the National Planning Policy Framework 2019.

Informatives:

01. In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions.

Agenda Item 15

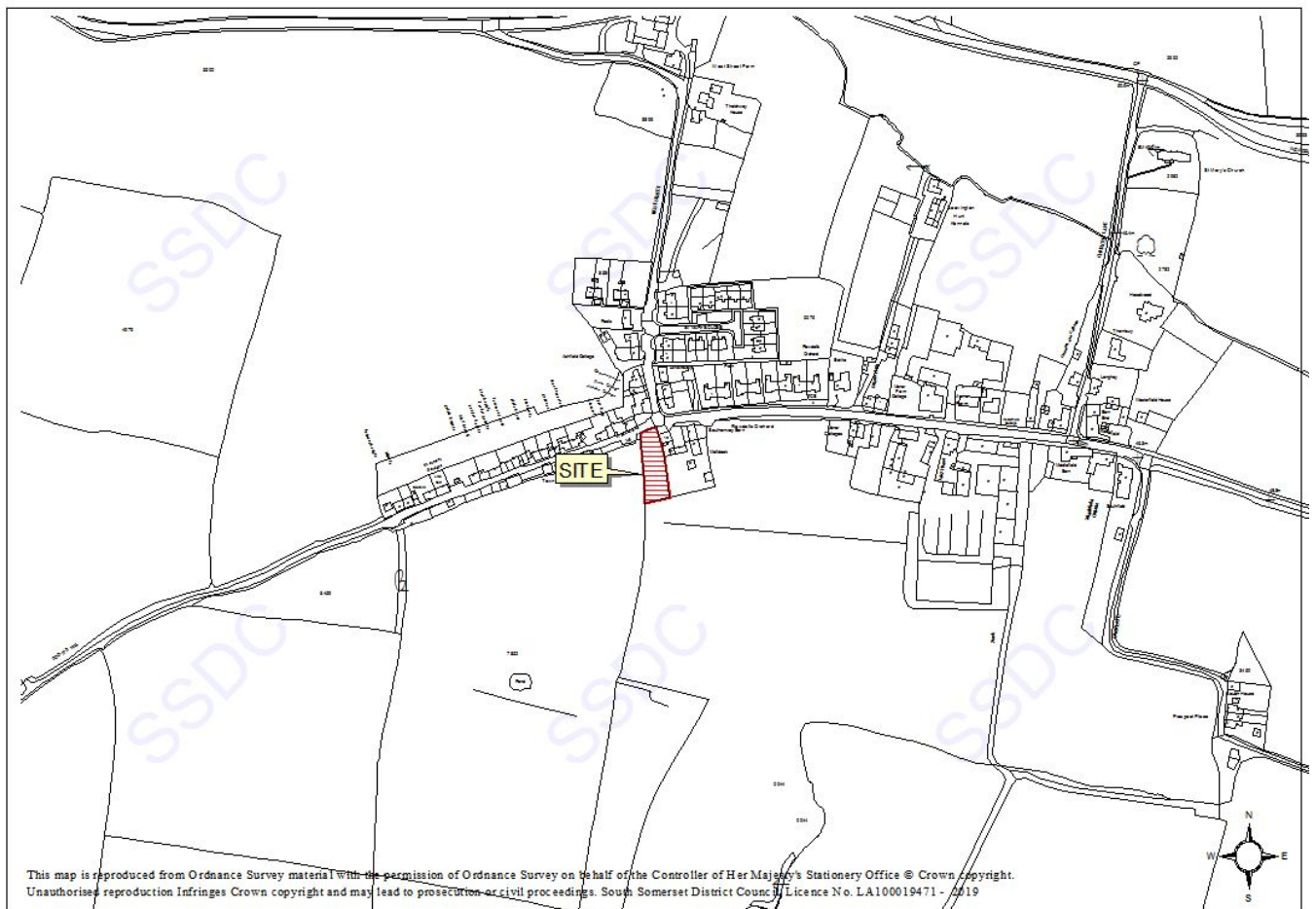
Officer Report On Planning Application: 19/00952/HOU

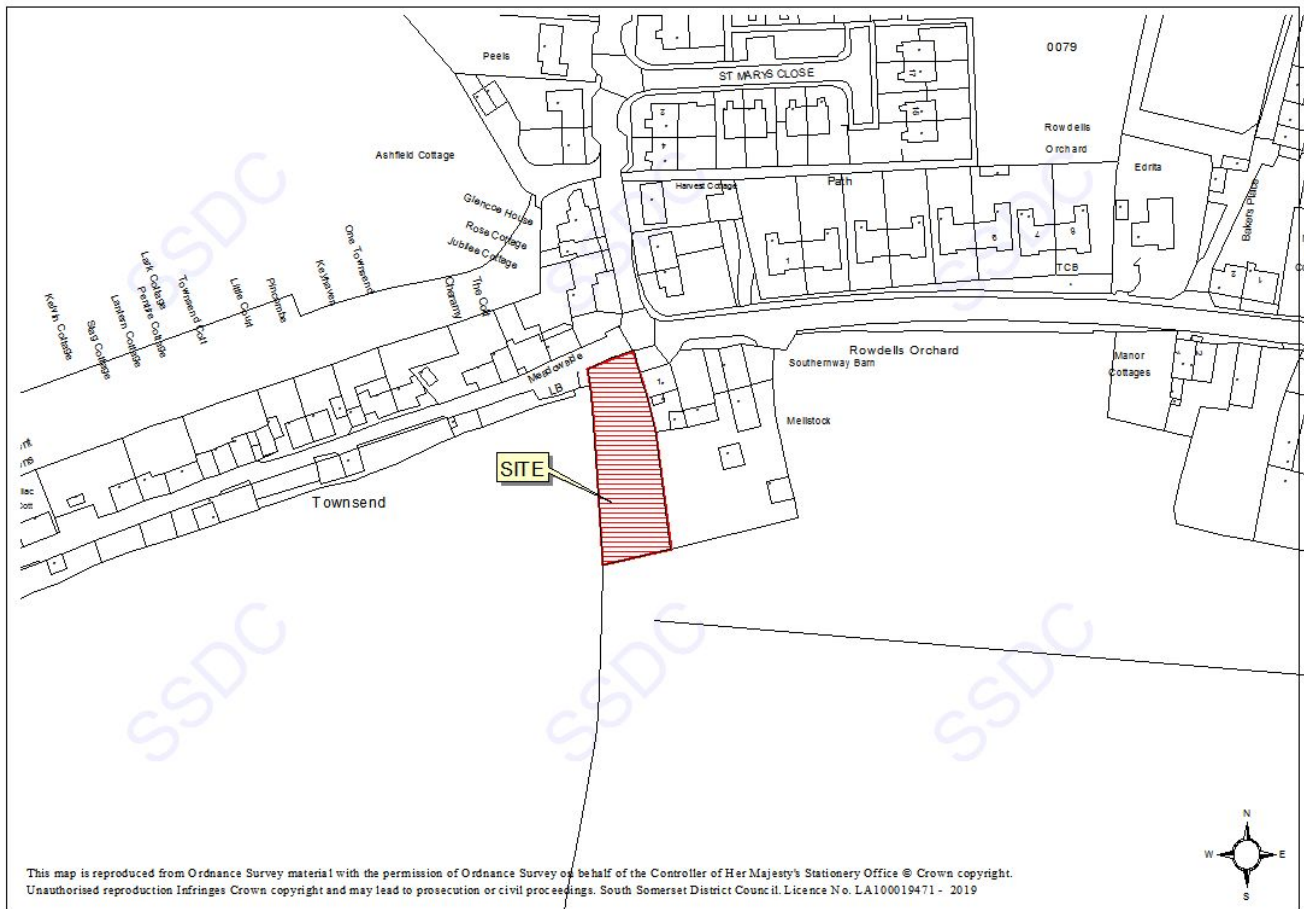
Proposal :	Erection of a garden room and garden store (revised retrospective application)
Site Address:	Southernaways Cottage, Water Street, Seavington St Mary.
Parish:	Seavington St Mary
SOUTH PETHERTON Ward (SSDC Members)	Cllr A Dance and Cllr C Raikes
Recommending Case Officer:	Stanley Norris
Target date :	16th May 2019
Applicant :	Mr S Packham
Agent: (no agent if blank)	Mrs T Froom, The Old Dairy, Pudleigh, Wadeford, Chard TA20 3BL
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the ward member as the officer recommendation is contrary to the comments lodged by the Parish Council and multiple neighbours.

SITE DESCRIPTION AND PROPOSAL





2 Southernway is a semi-detached two storey dwellinghouse situated within a fairly prominent position in the village. The dwelling is constructed using natural stone under a thatch roof with a small tiled lean to roof. The dwelling is recognised as Grade II Listed however is not located within a Conservation Area.

This revised application comes off the back of the refusal of application ref 19/00145/HOU, a retrospective application for the erection of a garden room located within the south western corner of the applicant's rear garden measuring approximately 5.7 metres wide, an approximate height of 2.7 metres and a depth of approximate 4 metres. The proposal is also for the (retrospective) erection of a garden store with an approximate width of 4.7 metres, height of 4.4 metres and a depth of 3 metres.

The latest proposal seeks permission for the retention of the garden room as existing whilst altering the ridge height of the existing garden store by 400mm within the same position of the site.

HISTORY

Application Number: 19/00145/HOU (Householder Application)
 Description: Erection of a garden room and garden store, retrospective
 Close Date: 14/02/2019
 Status: Application Refused

Application Number: 16/05464/COU (Change of Use)
 Description: Change of use of land to mixed domestic and agricultural to allow access and parking at the rear of Southernways Cottage.
 Close Date: 04/04/2017
 Status: Application Refused

Application Number: 13/00280/LBC (Listed Building Consent)

Description: Internal alterations to cottage 1 and 2 and external alterations to include the erection of a single storey rear extension to cottage 1.

Close Date: 09/05/2013

Status: Application permitted with conditions

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.

South Somerset Local Plan 2006-2028:

Policy EQ2 - Design and General Development

Policy EQ3 - Historic Environment

NPPF 2018:

Chapter 12 - Achieving well-designed places

Chapter 16- Conserving and Enhancing the Historic Environment

Planning Practice Guidance: Design - March 2014

CONSULTATIONS

Town/Parish Council

At the Parish Council meeting held last evening [Tuesday 16th April] it was unanimously agreed by Councillors that this second retrospective application, could not be supported.

The Parish Council concerns listed in the previous application remain the same i.e. that the buildings, which were erected without consent, are not in keeping with the listed building and its surroundings.

The suggested lowering of the roof height of the garden shed by some 400mm is in no way an acceptable revision of the previous application that was refused. It would seem that the applicant has disregarded all advice given by SSDC Planners and has gone ahead with this second application.

The Parish Council has received copies of comments sent to Planners from local residents who are also of the same opinion that the garden store is an eyesore and can be seen by many, although photographs submitted by the applicant seem to show a different picture.

It is hoped that Planners will again refuse this application and if that is the case that an Enforcement Notice is issued without delay for the immediate and complete removal of both structures.

Rear Access to the property

The Parish Council has been informed that Dillington Estates - owners of the agricultural entrance that runs along the western side of the property - gave permission to Mr Packham to create an entrance into the property from this track way in order that conversion works, and the building of a new extension could be carried out. The Parish Council also understood, at that time, and still believes, that the hedge

would be reinstated on completion of the works. No permanent agreement to use this agricultural entrance was given and in fact a planning application for the track to be changed from agricultural to joint agricultural and residential was refused - 16/05464/COU. This track way is also part of a footpath which should be accessible to the public at all times. However, it has been blocked on many occasions by vehicles and materials from the property.

The Parish Council are extremely concerned that it would appear that the owners have no intention of replacing the hedge as a new wooden fence and five-bar gate have been erected. On the many applications that have been made by Mr Packham it has been stated that no vehicular or pedestrian access was proposed. Consequently the Parish Council do not understand why there is a need for a five-bar gate.

Can Planners please advise that the applicant will be asked to reinstate the hedgerow that was removed.

Other Consultees

SSDC Highways Consultant's comments: No Highways Issues, No objections.

County Highways: Standing Advice Applies-

SSDC Conservation Officer (TG - Verbal Correspondence) - No objections to the erections.

REPRESENTATIONS

11 neighbours notified of the development, site notice displayed at front of property; 7 representations received:

1 letter of support:

Does not detract from the street scene or the beauty of the grade 2 listed property. The shed is over 20 meters from the road and is screened by hedging and really only viewable from the road in the 8ft gap if you bother to stop on the opposite corner of the road as there is no footpath on that side.

6 Letters of Objection:

- Even with the reduced height, the garden store will still dominate the street scene.
- The positioning of the garden store remains the same and will still detract from the character of the grade 2 listed buildings.
- Materials are not in keeping with the natural stone/thatch nature of the existing dwellinghouse.
- The erection in terms of size, design and materials is out of keeping and the existing hedge should be reinstated.
- 400mm reduction is not significant enough to reduce the visual impact that the structure has caused.
- The garden store structure dominates the view from neighbouring properties.
- The main dwellinghouse is one of the oldest dwellings within the village and the erections cause significant harm to the character of this.
- The proposal is contrary to policies EQ2 and EQ3 of the Local Plan and the provisions of the NPPF framework.
- Unnecessary intrusion on the site and surroundings

A significant amount of comments have been made in regards to the removal of the hedgerow, the creation of access and the erection of a 5 bar gate, as this application does not seek permission for this these comments will be discounted within this report and investigated subsequently.

CONSIDERATIONS

Visual Amenity

The revised application outlines the reduction in height of the existing garden store by 400mm which is considered to reduce the impact the erection will have on the existing street scene. It is still considered that the erected shed would be visible from the public right of way to the west of the dwelling and vehicles/pedestrians travelling west along Water Street, however, the materials used within the roof (natural slate) which will be the main view point (especially from the main road of Water Street) given the reduction in ridge height are not considered to be out of keeping with neighbouring dwellings within the vicinity.

The store, in terms of visibility to neighbouring properties will have the greatest impact on the property directly to the north, Elgin Cottage and Mellstock the property whose garden borders the cottage to the west. It is however considered that there is substantial distance between the dwellings and the erections to ensure there is no visual dominance or harm.

The Garden Room, finished in a teal colour was not considered to cause any issue to the character of the street scene within the original proposal and has not been the basis of any objection on this revised proposal.

Residential Amenity

It is not considered that the revised proposal would cause any harm to the residential amenity of neighbouring occupiers.

Impact on Heritage Asset

The Conservation officer has indicated that the erections by position, size and setting does not detract from the character of the listed building.

Highways Impact

No significant highways impact.

CIL:

This Authority does not collect CIL from householder development.

Summary

Multiple objections have been recorded on the development from neighbouring occupiers and the parish council, it is however considered that the revised application (reducing the ridge height by 400mm) represents an appropriate proposal respecting the character of the area and the historic value of the Grade 2 Listed Building. In line with the Conservation Officer comments the application is recommended for approval.

RECOMMENDATION

That planning permission is granted for the garden structures

01. The proposal in terms of its setting, size, materials and design causes no visual harm to the character of the area nor residential amenity of neighbouring occupiers. The erections are not considered to cause any harm to the Grade 2 Heritage Asset and is considered acceptable in lines with policies EQ2, EQ3 and the provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 8th April 2014

Reason: To comply with Section 73A of the Act.

02. The development hereby permitted shall be carried out in accordance with the following approved plans, documents and drawings date stamped as received on 13th February 2019, 21st March 2019. The external surfaces of the development shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

107/004
P107/106A
P107/107A
P107/108
Key Views
Design Statement for Garden Room and Store

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

03. The development hereby approved shall be reduced in height in line with the approved plans (p107/107A, p107/106A) within 3 months of the date of this determination unless otherwise agreed in writing.

Reason: in the interest of visual amenity.

Informatives:

01. The permission hereby granted does not permit the access refused under application 16/05464/COU and therefore the erected access and gateway will be investigated for enforcement action unless a revised application is submitted.

Agenda Item 16

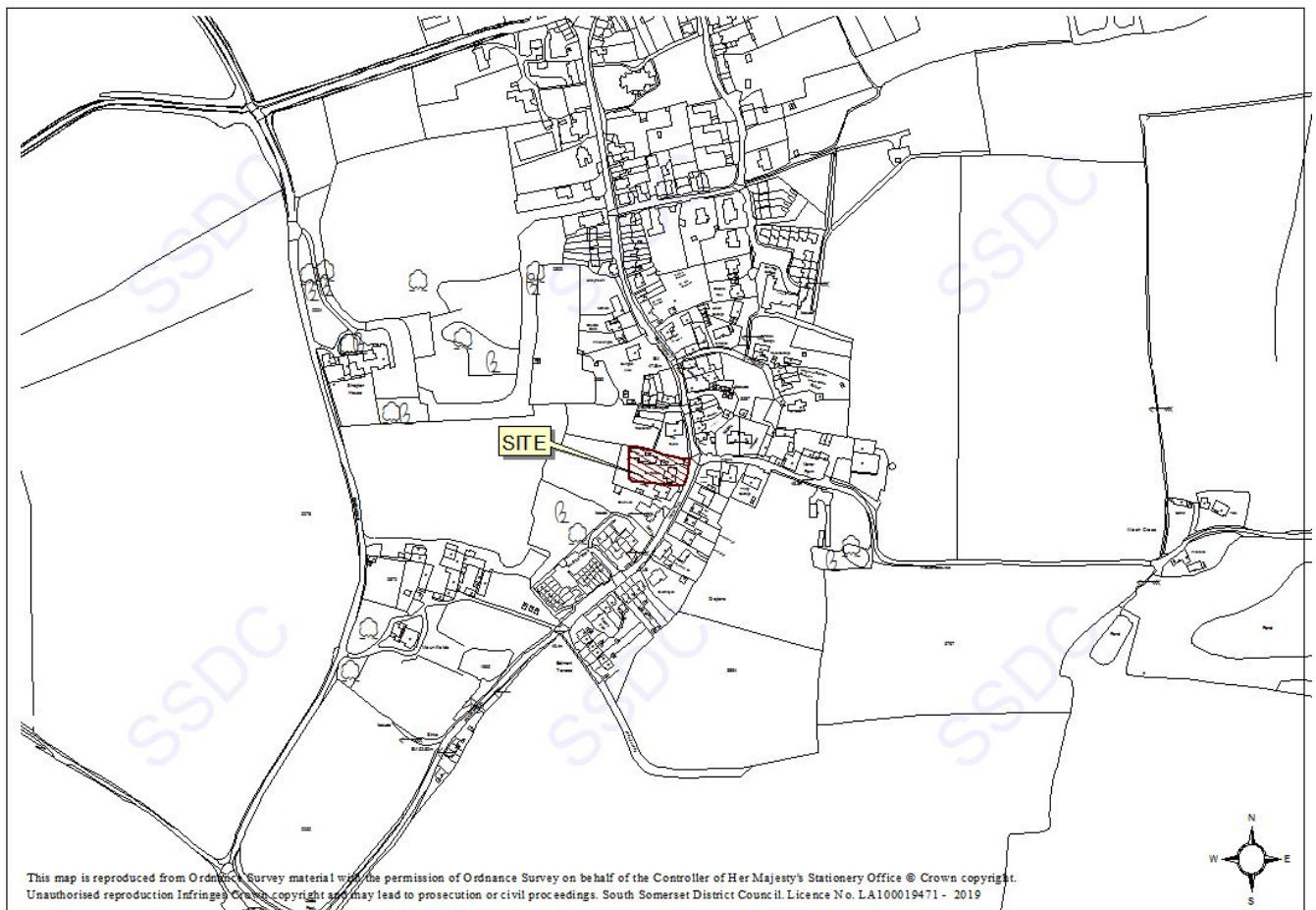
Officer Report On Planning Application: 18/02578/FUL

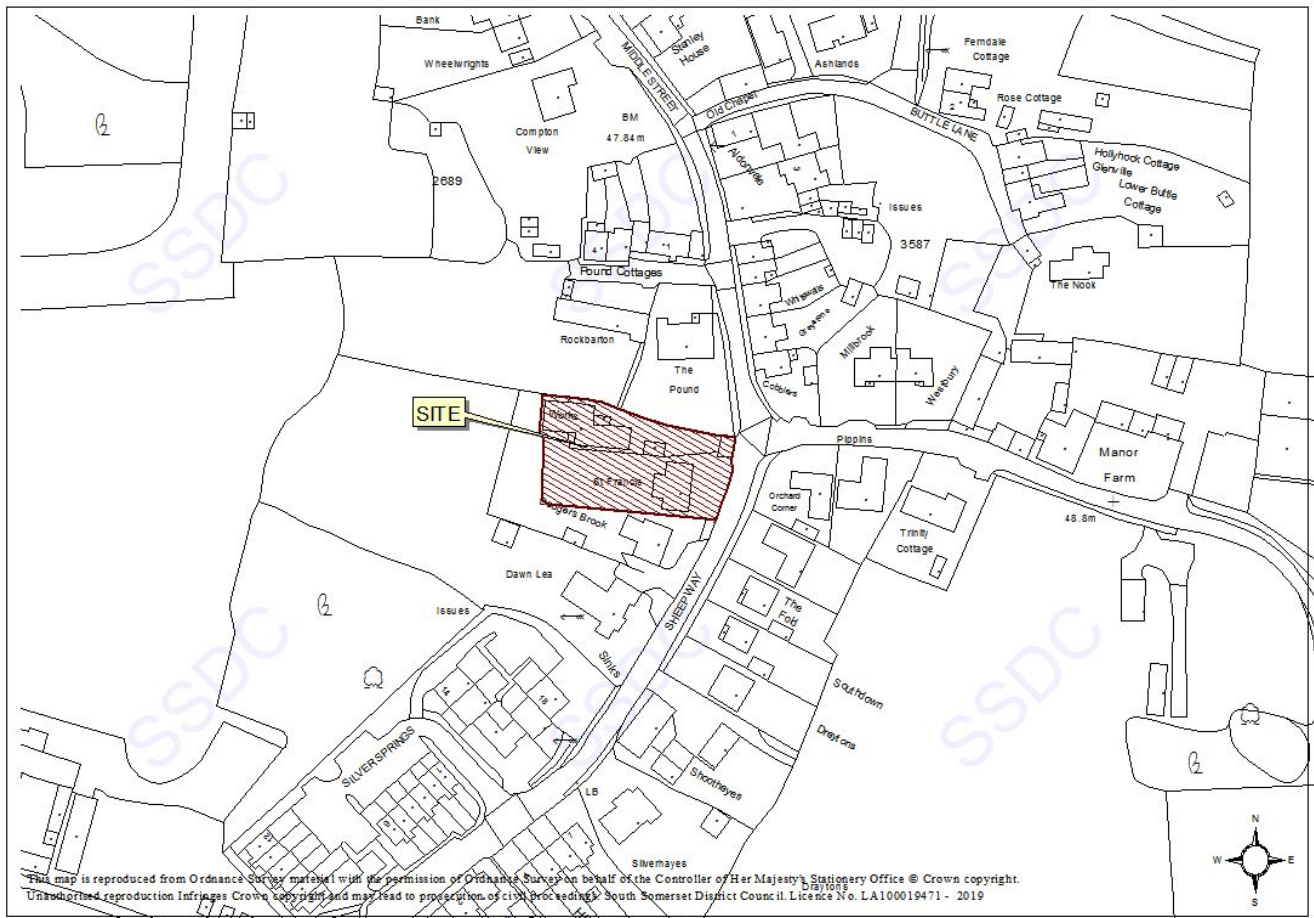
Proposal :	Construction of three dwelling units and associated works following the demolition of existing dwelling and industrial unit.
Site Address:	St Francis, Silver Street, Shepton Beauchamp.
Parish:	Shepton Beauchamp
SOUTH PETHERTON Ward (SSDC Members)	Cllr A Dance and Cllr C Raikes
Recommending Case Officer:	John Millar
Target date :	13th November 2018
Applicant :	Mr Mark Jennings
Agent: (no agent if blank)	David Robinson, Potato Garden House, Valley View Rd, Charlcombe, Bath BA1 8DJ
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

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

SITE DESCRIPTION AND PROPOSAL





This application relates to St Francis, a bungalow located on the west side of Silver Street to the southern edge of Shepton Beauchamp, and the site of a former disused engineering workshop within the residential curtilage of St Francis, now demolished. Permission had previously been granted for the conversion of the workshop into a dwellinghouse.

This application is made for the erection of 1 detached house in place of the demolished workshop, and the demolition of the bungalow to the site frontage, and its replacement with a pair of semi-detached houses. It is proposed to construct the properties primarily from local natural stone with natural slate roofs. The semi-detached properties include some small scale render to rear extensions, and the detached dwelling also includes some render and timber cladding.

HISTORY

17/01422/DEM: Application for prior notification of proposed demolition of building.

16/03411/FUL: Change of use and redevelopment of engineering factory to form a dwelling - Permitted with conditions.

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, SS1, SS2, SS4, SS5, TA5, TA6, EQ1, EQ2, EQ4, EQ5

National Planning Policy Framework
Chapters 2, 4, 5, 8, 9, 12, 14, 15

National Planning Practice Guidance
Design, Natural Environment, Rural Housing, Planning Obligations

Policy-related Material Considerations
Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2017)

CONSULTATIONS

Parish Council: Strongly object. It is considered that the application represents an over-development of the site that is not in keeping with the surroundings.

SCC Highway Authority: No objection. It is noted that the existing site access is substandard, however it is considered that the provision of three dwellings, and the cessation of the factory use is very unlikely to result in an increase in vehicular movements. As such, it is unreasonable to object. The provision of additional visibility splays are supported, and the proposed 8 parking spaces accords with the County Council Parking Strategy.

SSDC Highway Consultant: Refer to SCC comments.

County Archaeology: No objection.

SSDC Ecologist: No objections. Conditions and informatives are requested in relation to the protection of bats and birds, and for the provision of biodiversity enhancements.

REPRESENTATIONS

2 letters were received from local residents. One from the residents of the property to the south, Badgers Brook, does raise concern about loss of light however raises no objection on the basis that the property is at least one metre from the boundary (which it is). It is also requested that consideration can be given to the use of white render to keep the as much light as possible.

The other contributor, the resident of Pound House to the north, has raised concerns regarding access between the new boundary fence and existing boundary, as this would leave a sliver of land needing maintenance. It is suggested that a gate be provided. Details of the material finish are requested. It is also felt that the scale of development is now more than is suitable for a plot of this size, and more than is consistent with the surrounding street housing.

CONSIDERATIONS

Principle of Development

Permission was originally granted for the provision of a new dwelling to the rear of the site, on the basis that this comprised the conversion of a redundant building. This scheme now seeks the demolition of the existing building, and the erection of three new build houses to replace the bungalow, and the already demolished workshop.

The site is located within the village of Shepton Beachamp, a village with several key services, and which is designated as a Rural Settlement within the South Somerset Local Plan (2006-2028). As such is a location where development is considered to be generally acceptable, within the current policy context, being a larger rural settlement with access to a broad range of key local services. As such the principle of development is acceptable subject to according with other Development Plan policies and proposals, and the aims of the NPPF. The main areas of consideration will be impact of the development on local character, residential amenity and highway safety.

Scale, Design and Appearance

The proposed development comprises a pair of semi-detached dwellings to the site frontage, in place of the existing bungalow, and the erection of a larger detached house to the rear of the site. Objections have been received from the Parish Council, on the basis that the proposal is considered to be overdevelopment that is not in keeping with the area.

When considering the character of development in the immediate vicinity, there is quite a mix with properties of varying ages, design and materials. There is a mix of larger and smaller detached houses, and terraced properties, with some development in depth, and a wide variety in plot sizes. Taking the sub-division of the plot, there rear plot 3 is not too dissimilar to the plot approved for the conversion of the former building under 16/03411/FUL. The further sub-division of the frontage plot to provide two houses is also considered to be acceptable. In terms of design and appearance, the detached house is design is considered to be acceptable, with an appropriate mix of materials. This site will also be more discreet, set back from the highway and outside of the wider street scene. The concerns regarding the loss of the bungalow are noted, however care has been taken in the design to keep the roof levels low by introducing low eaves, with inset window and gable dormer windows, which are seen in the locality. In particular, it is proposed to lower the site level, which is raised above the adjoining carriageway, and the adjoining properties. By doing this, the resulting ridge level will actually be lower than the existing bungalow. The width of the semi-detached properties will be similar to that of the bungalow, thereby not leading to any significant changes to the massing of built form to the frontage of the plot. Amendments have been received to the scheme to introduce natural stone, instead of brick. This is considered to be acceptable, as are the other proposed materials.

Overall, the proposed development is considered to be acceptable from a visual perspective.

Residential Amenity

The properties are well placed, and orientated within the site to avoid overshadowing and overbearing impact, and any unacceptable overlooking, either between the new properties, or to existing neighbouring properties. Once neighbour to the south raised concerns about loss of light, however no objection was raised as long as the new property is at least one metre from the boundary, which it is. It was requested that render be considered on the side elevation too, to decrease the likelihood of loss of light. In order to uphold the design quality of the scheme, render to the main side elevation is not considered appropriate, however there is some render to the single storey element to the rear.

It is considered prudent to remove permitted development rights for the provision of new openings or

extensions, in the interests of residential and visual amenity.

Highway Safety

In assessing highway safety, the County Highway Authority have commented, raising no objections. It is noted that the existing access is substandard, however having assessed the use from three dwellings, against the previous use by one dwelling, and a business, it is not considered that there will be an increase in movements. It is also noted that the parking spaces meet Parking Strategy requirements, and there will be an improvement in visibility splays to the south.

On this basis, it is considered that the proposal would be acceptable from a highway safety point of view.

Ecology

The Council's Ecologist has considered the proposal and raised no objections. Conditions and informatives are requested in relation to bats and birds.

Other Issues

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). Should permission be granted, an appropriate informative will be added, advising the applicant of their obligations in this respect.

Conclusion

Notwithstanding the concerns raised by the Parish Council. The proposed development is considered to be acceptable. The design, scale and appearance of the properties are considered to satisfactorily respect the character of the area and will sit appropriately within the local street scene. It is considered that the proposal will not unacceptable harm to residential amenity, and there will be no adverse impact on highway safety.

RECOMMENDATION

Approve with conditions

01. The proposal reason of size, scale and materials, is acceptable as it respects the character of the site and its surroundings, and has no detrimental impact on local ecology, residential amenity or highway safety. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, TA5, TA6, EQ2 and EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in complete accordance with the following approved plans: 1046 P01 Rev A, 1046 P02 Rev D, 1046 P05 Rev E, 1046 P06 Rev D, 1046 P07 Rev E, 1046 P08 Rev D, 1046 P09 Rev E and 1046 P010 Rev C.

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

03. No work shall be carried in respect to the construction of the external surfaces of the dwellings hereby permitted unless details of materials (including the provision of samples) to be used for the external walls and roofs, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include finish of the roof verges, and the provision of a sample panel of new stonework for inspection on site. 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 policy EQ2 of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework.

04. Details of foul and surface water drainage to serve the development, shall be submitted to and approved in writing by the Local Planning Authority. Such approved drainage details shall be completed and become fully operational before any of the dwellinghouses hereby permitted are first occupied. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interests of highway safety and to ensure that the development is served by a satisfactory system of drainage, in accordance with policies TA5, EQ1 and EQ2 of the South Somerset Local Plan) aims and objectives of the National Planning Policy Framework.

05. The areas allocated for parking and turning on the approved plans shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

06. There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level in advance of the visibility splays shown to the south of the access, as indicated on the approved plans. Such visibility shall be fully provided before any of the dwellinghouses hereby permitted are 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 and the aims and objectives of the National Planning Policy Framework.

07. In order to avoid the illumination of the scattered trees along the northern and western boundary, no artificial lighting associated with the development shall be operated on any part of the subject land unless details of all new lighting have been first submitted to and approved in writing by the Local Planning Authority. Any such lighting scheme should include details of specifications such as downward lights, and motion sensors, and how this would be achieved. Such approved details, once carried out shall not be altered without the prior written agreement of the Local Planning Authority.

Reason: For compliance with the Wildlife and Countryside Act 1981, and for the conservation of biodiversity, in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan.

08. The development hereby permitted shall include the following biodiversity enhancements, details of which shall be submitted to and agreed in writing by the Local Planning Authority.

- 2 x Schwegler 2FN bat box (<https://www.wildcare.co.uk/bat-box-55.html>) to be erected on the proposed new dwellings or any suitable trees on site. This should be installed facing a southerly direction approximately 3-5m above ground.
- 1 x bee brick (<https://www.nhbs.com/bee-brick>) to the southern of western elevation of each separate dwellings.
- Garden fencing between properties will feature small mammal holes at the base of the fence, keeping to the minimum size of 13x13cm, to allow hedgehogs to move freely between the new and existing properties.

The agreed biodiversity enhancements shall be provided prior to the dwellinghouses hereby permitted being first occupied.

Reason: To ensure appropriate provision of mitigation measures for protected species in accordance with Policy EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the dwellings hereby permitted without the prior express grant of planning permission.

Reason: In the interests of residential amenity in accordance with policy EQ2 of the South Somerset Local Plan and the aims and objectives of the NPPF.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwellings hereby permitted without the prior express grant of planning permission.

Reason: In the interests of residential amenity, and to safeguard the character and appearance of the area in accordance with policy EQ2 of the South Somerset Local Plan and the aims and objectives of the NPPF.

Informatives:

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

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

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

02. The applicant will be required to secure an appropriate legal agreement/ licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.

03. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.
 04. The developers and their contractors are reminded of the legal protection afforded to nesting birds under legislation including the Wildlife and Countryside Act 1981. In the event that nesting birds are encountered during implementation of this permission works should stop and advice be sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.
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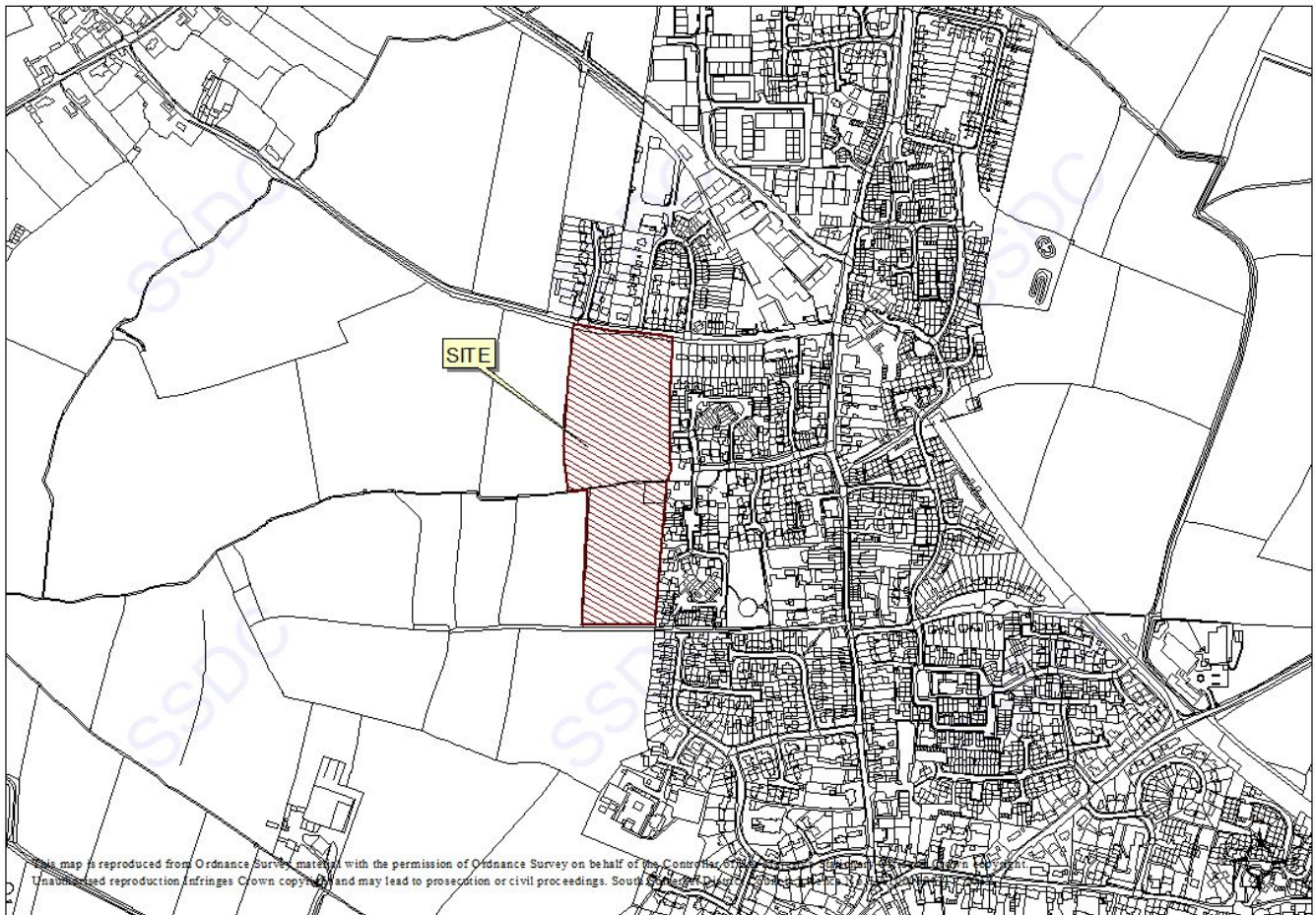
Agenda Item 17

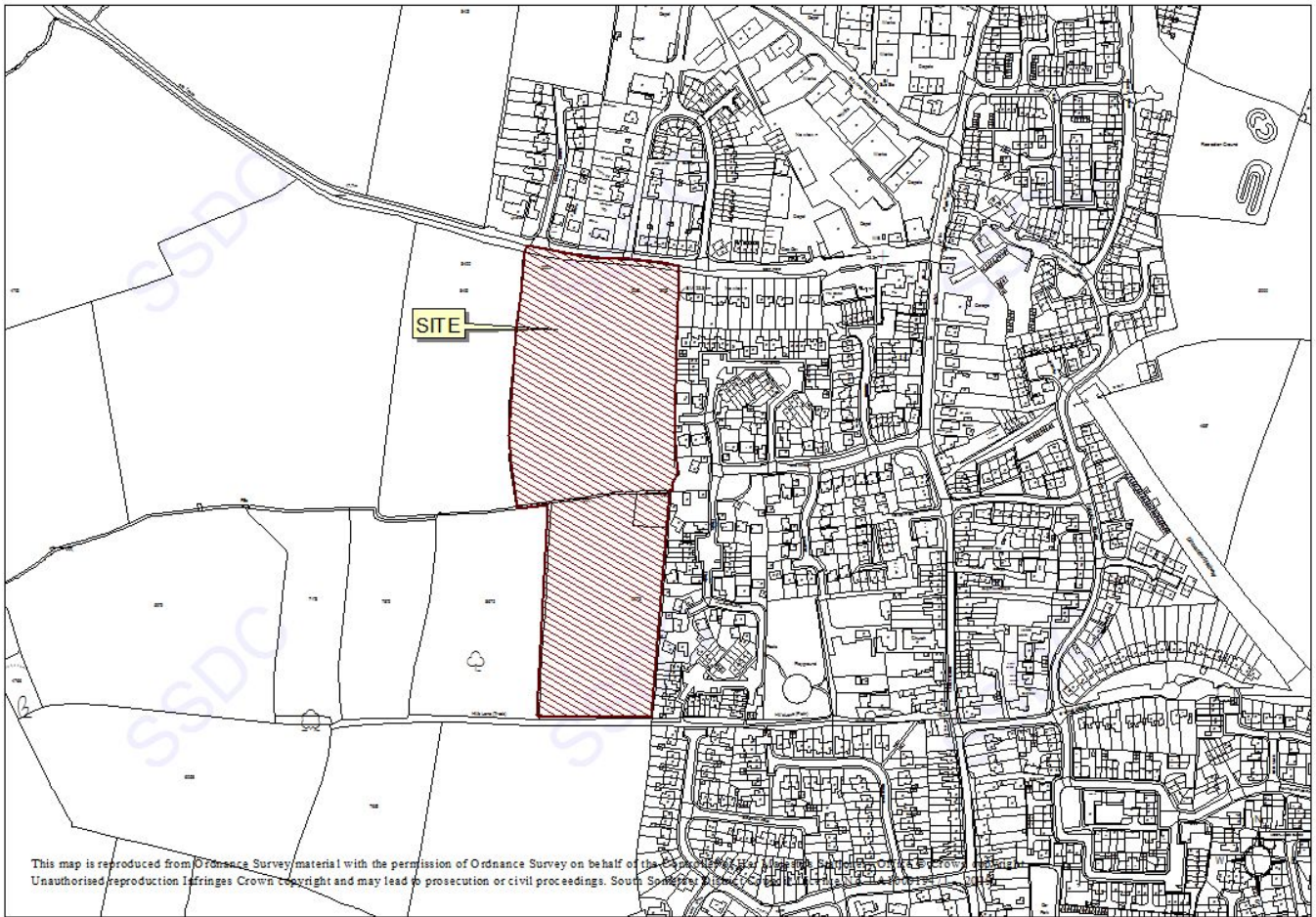
Officer Report On Planning Application: 19/00064/FUL**

Proposal :	The erection of 120 homes together with associated infrastructure including access/highway improvements, drainage and attenuation, play area, open space and landscaping
Site Address:	Land OS 0002 South Of Coat Road, Martock.
Parish:	Martock
MARTOCK Ward (SSDC Members)	Cllr N Bloomfield and Cllr L Clarke
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	22nd March 2019
Applicant :	Barratt Homes
Agent: (no agent if blank)	Elise Power, Origin 3, Tyndall House, 17 Whiteladies Road, Clifton, Bristol BS8 1P
Application Type :	Major Dwlgs 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

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





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

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

SITE DESCRIPTION AND PROPOSAL

The site consists of two agricultural fields currently in arable use. The two fields slope gently towards a central dividing ditch and are bounded on all sides by hedges of various quality and type. The site is bounded by a variety of residential properties to the north and east of the site, with open countryside to the south and west.

This application seeks full planning permission for the residential development of land, comprising 120 houses. The scheme includes the provision of vehicular access to the north, onto Coat Road, the provision of an on-site play area (LEAP), as well as surface water attenuation features, and landscaped area/informal open space. A range of dwellings are proposed from 1 bedroom apartments to 4 bedroom homes. 42 affordable dwellings are proposed and are spread through the site. A total of 268 parking spaces are proposed, with some provided within garages.

The dwellings incorporate a simple range of materials, comprising different brick types and reconstructed stone for external walls, and a mix of red and grey roof tiles. The layout includes a pedestrian link to the Public Right of Way to the south.

Consent has previously been granted on this site for 95 houses (13/02474/OUT and 15/01021/REM), however these consents have time expired without commencement of the scheme.

This application is supported by:

- Design and Access Statement
- Planning Statement
- Statement of Community Involvement
- Arboricultural Impact Assessment and Method Statement
- Landscape Risk Assessment and Soft Landscape Proposals
- Transport Assessment incorporating Travel Plan
- Flood Risk Assessment and Drainage Strategy
- Ecological Impact Assessment
- Outdoor Lighting Report and Drawings
- Construction Environmental Management Plan
- Site Waste Management Plan

The houses would all be two storey dwellings. There would be:-

- 22 four bedroom houses
- 50 three bedroom houses
- 40 two bedroom houses
- 8 one bedroom units

HISTORY

15/01021/REM: Residential development of land for 95 dwellings (reserved matters following outline approval 13/02474/OUT) (Details of the appearance, landscaping, layout and scale are the reserved matters) Discharge of the remaining conditions on the outline permission will be subject to a separate application, and supplementary information relating to these conditions is included with this application - Permitted with conditions.

14/04206/REM: Residential development of land for 95 dwellings (reserved matters following outline approval 13/02474/OUT) (Details of the appearance, landscaping, layout and scale are the reserved matters) and discharge of conditions 04 (Drainage), 05 (Maintenance of surface water drainage), 06 (Design and specification of access), 07 (Programme of archaeological work), 09 (Scheme for provision and management of 4m wide buffer zone), 10 (Detailed landscape strategy) and 12 (updated report for badgers sett) - Application refused for the following reason:

"The proposed design of the houses and the inclusion of 2 1/2 storey elements is out of character and incongruous with the established development pattern and character of Martock. As such the proposal is contrary to saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and the provisions of chapter 7 of the National Planning Policy Framework."

13/02474/OUT: Outline permission granted for residential development of up to 95 dwellings at land south of Coat Road, Martock (access determined with all other detailed matters reserved). An associated Section 106 Agreement covers:

- Provision of Affordable Housing
- Contributions for the provision of Public Recreation and Leisure Facilities
- Education Contributions

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

TA4 - Travel Plans

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

Chapter 2 - Achieving Sustainable Development

Chapter 4 - Decision Making

Chapter 5 - Delivering a Sufficient Supply of Homes

Chapter 8 - Promoting Healthy and Safe Communities

Chapter 11 - Making Effective Use of Land

Chapter 12 - Achieving Well-designed Places

Chapter 14 - Meeting the Challenge of Climate Change, Flooding and Coastal Change

Chapter 15 - Conserving and Enhancing the Natural Environment

Chapter 15 - Conserving and Enhancing the Historic Environment

National Planning Practice Guidance

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2017)

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.

Martock Parish Council: Recommends refusal for the following reasons:

1. That if approved, this application would bring the total number of new dwellings committed or approved in Martock since the start of the current planning period to approximately 326, a figure that is 42% above the indicative target of 230 as set out in the adopted Local Plan 2006-2028, which was described in the Laver's Oak and Ringwell Hill appeal decisions as being a reasonable development over the Local Plan period despite the absence of a 5 year housing land supply. This development would skew the settlement strategy as laid out in the Local Plan.
2. The Martock out-commute is approximately net 60%, a figure significantly higher than comparable settlements and which is detrimental to the economic sustainability of Martock. There is no evidence that this development would lead to significant job creation in the village and would therefore increase commuting numbers even further.
3. The inevitable increase in traffic onto North Street will cause significant peak time difficulties on this already congested road, the village of Ash and through to Stoke Road and Bower Hinton.
4. The detrimental impact on Martock's already oversubscribed Primary School, as stated in the last weeks by the LEA, and the detrimental impact on Martock Surgery which is already under considerable pressure.
5. The Coat Road site is well known for its natural springs and has a drainage ditch, Cobden's Ryhne running through the site. Evidence has shown that the proposed underground storage will be subjected to silting. The proposed use of hydrobrakes will lead to silting and will release excess water compounding downstream flood risk, exacerbated by exceeded SuDs capacity.
6. That the proposed parking space provision has 39 fewer spaces than the SCC Parking Strategy Document guidelines, as adopted by SSDC, require for residential development to provide a parking neutral development.

If the scheme is approved, it is requested that consideration is given to the following:

1. Provision of off-road all-weather footpath/cycle/mobility scooter links to the village.
2. Provision of porous parking and minor road surfaces.
3. Safety improvements to Coat Road and the North Street junction.
4. Cobden's Ryhne should not be culverted other than at the bridge.
5. Indigenous species only in the landscaping design.
6. Reduction in housing number density.
7. Houses that are prominent and visible from Coat Road should have a design and finish that ensures integration with the design of the area.
8. Building orientation should maximise potential of solar power.

County Highway Authority: It is advised that the proposal has been fully assessed by the Highway Authority, and as a result no objections are raised in principle, subject to the imposition of relevant highway related conditions. It is noted that some minor amendments were required, however they can be dealt with during the detailed design process. Two issues were identified, the first being that the autotrack details showed a refuse freighter overhanging the footway at one point. The second related to the proximity of the initial junction within the site to the main access onto Coat Road. In the case of the first concern, there was a potential risk of vehicle pedestrian collision, however the risk was considered to be limited and not a regular occurrence, as such no objection was raised. Following identification of the second concern, the developer and the Highway Authority undertook Road Safety Audits to understand the full implications of the layout. Neither safety audits made note of this as a concern, as such the layout is considered to be safe. It is also advised that a 600mm wide verge should be provided at the back of the footway prior to the top of the ditch or any earthwork slopes, otherwise that part of the ditch should be culverted. This is a

matter that can be confirmed at technical stage however.

SSDC Highway Consultant: Refer to SCC advice.

SCC Rights of Way: No objections. It is noted that a public right of way (PROW) abuts the site to the south (restricted byway Y16/31). It is requested that should the roads be adopted, the links between the site and path Y16/31) should be a bridleway link, which would be capable of allowing access for horse riders and cyclists, as well as pedestrians. This would be secured as part of any S38 adoption agreement.

SCC Minerals and Waste Team: No comment.

SCC Education: The proposed development of 120 homes will generate an educational need for 6 early years places, 39 primary school places and 17 secondary school places. It is advised that nursery providers are short of places, and there is significant pressure on places at Martock C of E Primary. As such contributions of £102,444 were initially requested to provide for the early years provision (£17,074 per pupil), and £665,886 for primary places (also £17,074 per pupil). Following a request for further clarification, it has been confirmed that there is space available for the provision of an additional classroom, with limited work required. The County Education Authority have therefore confirmed that the requested contribution for primary places is expected to be reduced. This figure has not been reported back yet, so a verbal update will be given. It is advised that Stanchester Secondary has capacity so no contributions are requested in respect to secondary education.

SSDC Housing: Would expect 42 affordable units with 34 as social rented and 8 for other intermediate affordable housing solutions. The following property mix is suggested:

Social Rent: 10 x 1 bed, 20 x 2 bed, 3 x 3 bed, 1 x 4 bed (bespoke disabled unit for a family in need)
Other intermediate affordable; 6 x 2 bed, 2 x 3 bed

SSDC Open Spaces Officer: The proposal generates a requirement of 0.46 hectares of Public Open Space (POS), although the site plans identify a slightly lesser amount of 0.41 hectares of useable POS. Notwithstanding this, there are no objections to the layout. To address the slight shortfall on site, Open Space agree to the provision of an off-site contribution towards enhancements at Hills Lane recreation ground and the provision of a mitigation fund, which SSDC will use to enhance the Sustainable Urban Drainage System (SuDs), so they will become a community asset. These enhancements would include suitable landscaping/planting to provide biodiversity and ecological improvements. £3,204.51 is requested towards the off-site contributions and £18,000 towards improving the attenuation features, although this could be reduced by approximately £7,000 if the developer sows the original mix, with the Council's guidance and specification).

SSDC Community, Health and Leisure: Seeks contributions of £ 244,696 towards local facilities, comprising £95,066 towards the provision of on-site equipped play space (LEAP), unless provided by the applicant, £188,066 towards off-site Youth Facilities to be provided at either Bracey Road or Hills Lane, £46,310 towards off-site playing pitches and £84,653 towards off-site provision of changing rooms. £96,732 is requested in commuted sums, and £3,414 as an administration fee.

NHS England: No comments.

Police Designing Out Crime Officer: No objection in principle, however it is suggested that the proposed visitor parking near to the LEAP be reconsidered as this could give anonymity to observe children at play.

Somerset Waste Partnership: No objections. It is noted that bin collection points are included for properties down longer private drives, which addresses any initial concerns.

Natural England: No objections raised - The proposal is not likely to result in significant impacts on

statutory designated nature conservation sites or landscapes. The Local Planning Authority are reminded that they are expected to assess and consider the possible impacts on biodiversity, local character and protected species. The need for environmental net gain is also identified.

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

BATS: The Ecological Appraisal report states that a possible bat roost is present within an oak tree at the north west of the site. A follow up tree roost survey was carried out by Green Ecology on the 28 March 2019, the results confirmed that the tree is not currently suitable for roosting bats and no specific avoidance, mitigation or compensation measures are required. Otherwise, the Ecologist that light-spill could cause avoidance behaviours for bats commuting and foraging through the site, particularly if light-averse bats use the site. A condition is suggested in respect to the proposed lighting scheme.

GREATER CRESTED NEWTS: The Ecological Appraisal recommended that, as a precautionary measure, eDNA surveys should be carried out prior to any works commencing on site to confirm absence/presence of great crested newts. Green Ecology carried out a further Great Crested Newt Assessment, including a Habitat Suitability Index, a proposed eDNA sampling on the 15th April 2019. Following assessment of the results, it was concluded that the site's water bodies are considered highly unlikely to support great crested newts and therefore no specific avoidance, mitigation or compensation measures for great crested newts are required. A preventative condition is suggested in respect to reptiles and amphibians.

DORMICE: The Ecological Appraisal suggests the removal of any suitable habitat for Dormice, which is limited to a 10m section of hedgerow, under the supervision of a licenced dormouse ecologist carried out under a mitigation strategy, with enhancements proposed. As the section of hedgerow is limited to 10m, with hedgerow present being improved and new areas planted suggested mitigation will be sufficient to mitigate for the worst case scenario. Therefore in accordance with Cheshire East v Rowland Homes case law further surveys will not be required in this case. A condition is suggested in respect to the works proposed that will remove this 10m of hedgerow.

BADGERS: The construction of the road across the ditch will directly impact on badgers by damaging a sett. The ecology report advises that an artificial sett will be undertaken close to the existing sett, with the closure of the existing sett carried out in accordance with a Natural England Licence. A condition is requested in respect to seeking the necessary licence.

BIRDS: The hedgerows and woodland, identified as being of most value to breeding birds, will be mostly retained as part of the development. Where removal of hedgerow or scrub is proposed (northern and central hedgerows), a vegetation removal conditions is requested.

HEDGEROWS AND WOODLAND: The submitted arboricultural information provides details of protection for existing hedgerows and trees, which is acceptable.

BIODIVERSITY AND PROTECTED SPECIES NET GAIN: The loss and disturbance to the habitats on site will be compensated for by the provision of retained and managed wildlife areas and infrastructure thus ensuring the proposal provides mitigation and compensation habitat and adheres to enhancement requirements outlined within the National Planning Policy Framework 2017 (NPPF). An appropriate condition is requested to secure these enhancements.

SSDC Tree Officer: No objection in principle. The submitted tree and hedge protection measures are acceptable and should be conditioned. There are reservations in respect to the suggested landscaping scheme, with changes suggested.

SSDC Environmental Protection Officer: No comments.

South West Heritage Trust Archaeologist: No objection in principle, however it is advised that no reference has been made to a geophysical survey and trial trench evaluation carried out in 2013. The trial trench evaluation demonstrated that two significant concentrations of archaeological features were present at the northern and southern ends of the application area. These included a series of enclosure and boundary ditches containing concentrations of pottery. This evidence was indicative of Iron Age and Roman settlement activity. For this reason it is recommended that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 199). Conditions are requested to this effect.

Environment Agency: No objection subject to the imposition of certain conditions and informatives being imposed on any permission issued.

Lead Local Flood Authority (County Drainage): No objections - The LLFA are satisfied that the submitted Flood Risk Assessment (FRA) and calculations satisfactorily demonstrate that the overall discharge rate can be maintained in line with existing greenfield rates (8.3l/s). It was also noted that the rate, connections and any easements would need to be agreed with the Somerset Internal Drainage Board. There were some initial concerns raised in respect to the use of attenuation crates in addition to the use of a basin, rather than the site being fully attenuated by basins. This related to concerns over the ease of maintenance of these systems. Further information was requested to address these concerns. The applicant confirmed that following discussions with Wessex Water, the proposed attenuation crates would not be adoptable, however details of similar products were provided, which Wessex Water would be happy to adopt. In response to this and accompanying supporting information, the LLFA are content that the proposed drainage strategy is achievable, while limiting discharge to existing greenfield rates. As such, no objections are raised, although the details of the final scheme should be conditioned.

Somerset Drainage Board Engineer: No objections have been raised in principle, although it is requested that trees shown on the plans are removed from the Board's maintenance strip. A condition is requested to agree the details of management and maintenance arrangements.

REPRESENTATIONS

55 letters have been received from local residents of Martock, of which 52 raise objections, and the remaining 3 make general observations. The main points raised include:

- 125 houses is too many for Martock. The village infrastructure is not equipped to deal with the increased number of houses. Local facilities/services (shops, chemist, GP surgery, dentist, school, recreation ground, etc.) are already overloaded. This development will exacerbate the situation. The village infrastructure is not equipped to deal with the increased number of houses. There are also insufficient jobs within the village, leading to increased levels of out-commuting.
- The proposal would lead to a significant increase in housing numbers beyond the Local Plan target of approximately 230 (approx 42% over). There have been other applications refused where the Planning Inspector has dismissed the subsequent appeals, considering that the housing levels proposed were such that they would unacceptably conflict with Local Plan Settlement Strategy. These were Laver Oak, which would have seen the Local Plan figure exceeded by 50%, and Ringwell Hill, where the figure would have been exceeded by between 32-40%. The Local Plan target of 230 homes equates to 11 houses per year. The scheme therefore represents 11 years supply of housing. In fact it is understood that the number of houses built or with active permission so far in the current Local Plan period is 206, in which case the proposed extra 120 houses would take the number to 326, equivalent of 42% over the target with 9 years remaining.
- The proposal conflicts with elements of the emerging Martock Neighbourhood Plan, particularly in respect to housing numbers and views towards the tower of Martock Parish Church.
- Concerns in relation to the impact of construction traffic, in respect to both highway safety and neighbouring amenity.

- Increased traffic flow using Coat Road and the junction with North Street, is of concern, as congestion is currently an issue in Martock. Concerns in respect to the safety of local cyclists, pedestrians, joggers and dog walkers is raised too.
- The proposed parking provision is below the levels required by the Somerset County Council Parking Strategy.
- Consideration should be given to why the previously approved scheme for 95 homes was not carried out, and whether the development of this site is viable.
- The proposed layout is too high density, and the design of the properties is worse than the previously approved scheme.
- The proposal unacceptably encroaches into greenfield land.
- Concerns raised in respect to historic flooding in the locality, and as to where excess surface water will go. Will existing drains and sewage infrastructure will be able to cope? Concerns are also raised about the ability to maintain the proposed SuDS.
- The site is of great benefit to local wildlife and ecology, which will be adversely impacted.

Applicant's Case

"The application site was previously granted Outline planning permission in 2014 by the Area North committee. The site is also identified in the Local Plan Review Report (February 2019) as a preferred option for residential development.

The consultation process has demonstrated that there are no technical reasons as to why this application should not be supported. Issues such as traffic, drainage and ecology have all been fully addressed as part of the submission.

The proposal will also deliver significant economic and social benefits including 35% (42 homes) affordable housing and financial contributions through the Community Infrastructure Levy and Section 106 agreement.

South Somerset does not currently benefit from the required 5 year supply of housing and therefore policies that seek to guide the location of housing developments are considered to be out of date. This site has previously been granted permission for residential development and has been identified by the Council as being a suitable location for new homes. Supporting new development in this location would contribute towards the Council's supply and would assist in resisting proposals in locations that are not considered to be appropriate."

CONSIDERATIONS

Principle of Development

This application for planning permission seeks approval for a 120 house residential development. The principle of residential development has previously been established on this site, following the earlier grant of outline planning permission 13/02474/OUT, and subsequent approval of reserved matters application 15/01021/REM. These schemes approved the erection of 95 homes, although these consents have since time expired. Notwithstanding this, the principle of development remains. The South Somerset Local Plan identifies Martock as a Rural Centre and as such has been identified as a sustainable location for growth, particularly where this meets local housing need, extends local services and supports economic activity appropriate to the scale of the settlement.

A strategic housing target of 230 dwellings has been proposed over the plan period (2006-2028), of which according to the latest collated figures, 122 were complete (as of March 2018) and a total of 93 committed (as of January 2019), giving a total of 215 homes, subject to updated figures. The number of commitments was previously higher as this included the now expired consent for 95 units. Should the proposed

development be approved, the housing numbers would be in the region of 335, exceeding the housing target by 115 units (approximately 46%).

The Parish Council, and many contributors, have objected to the proposal for several reasons, including that there is an over-provision of housing proposed for Martock. With the local plan strategic housing target of 230 dwellings close to being met without taking into account this proposal, and recent appeal decisions (Ringwell Hill and Lavers Oak) telling against large scale increases in the level of housing in Martock so early in the Local Plan period, this is a matter for serious consideration. In these aforementioned appeals, the schemes proposed 49 dwellings and 91 dwellings respectively, equating to a 32% and a 50% increase in housing provision over the strategic housing target. In both cases it was considered that this level of development would comprise an overprovision of housing well beyond the broad levels envisaged for this settlement, thereby constituting a substantial failure to accord with the settlement strategy set out in Local Plan policies SS1, SS4 and SS5. It is notable however that in both cases, other reasons for refusal were also given substantial weight in the final planning balance. In the case of Ringwell Hill, the Inspector adjudged the site to be unsustainably located due to its distance from Martock's key services, while there were significant landscape and local character objections that weighed against the Lavers Oak Scheme.

It is noted that the Local Planning Authority are still currently unable to demonstrate a five year supply of housing sites, a position that has worsened since the Ringwell Hill and Lavers Oak scheme were considered. In the context of the National Planning Policy Framework Local Plan policies SS1, SS4 and SS5 are still considered out of date, as they are relevant to the supply of housing. In such circumstances, it is advised that planning permission should be granted unless *1) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or 2) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.*

Clearly, the housing numbers proposed are significant and do lead to a substantial increase over the housing strategy figure. Notwithstanding this however, it remains the case that the housing figure of 230 dwellings is a minimum, not a maximum, and under Policy SS5, a permissive approach will be taken for housing proposals, in advance of a Site Allocations Development Plan Document. The ongoing inability of the LPA to demonstrate adequate provision of housing land, and its worsening position, does need to be given appropriate weight. It is also noted that despite the increase, the resulting housing numbers would still be under the target stated for the smaller Market Towns within the next tier of the settlement strategy. The settlements of Somerton, Langport/Huish Episcopi, and Castle Cary/Ansford, which are designated as Local Market Towns, all have an identified housing target of 374 homes each. The total of completed and committed housing for Martock would remain below this figure. Furthermore, a recent appeal in Henstridge (Land West of Stalbridge) was allowed, approving up to 130 dwellings in a Rural Settlement. This was not viewed as conflicting with the overall distribution strategy, despite the fact that an increase of this scale would exceed the figures identified in the smallest of the Rural Centres (Stoke Sub Hamdon), where a housing target of 51 houses is allocated.

On the basis of the above, serious consideration has to be given to whether the increase over and above the strategic housing target should be considered so harmful to be unacceptable or considered to comprise unsustainable development, particularly noting the District-wide shortage in market and affordable housing. Despite there being an adverse impact identified, it is not considered to be so unacceptable as to warrant being a sole refusal reason, noting the benefits associated with the development. As such, it is considered that the development of this site for residential purposes, of the scale identified, could be acceptable in principle, subject of course to the assessment of other appropriate local and national policy considerations, to determine whether there are any relevant policies within the NPPF that provides a clear reason for refusing the development proposed, or any adverse impacts that would significantly and demonstrably outweigh the benefits of the development.

Character and Appearance

Notwithstanding the objections to the number of houses proposed, concerns also have been raised by local residents and the parish council regarding the impact of the proposal on the character of the area, the setting of the nearby heritage assets, specifically views towards the tower of Martock Parish Church, and the wider landscape character. Overall, the principle of developing this site has been considered previously, with permission granted. The site is considered to be one of the few sites beyond the developed edge of Martock that can comfortably accommodate a larger development scheme without having major adverse impacts on local character. In considering the previous approvals, it was noted that the application site was evaluated as having capacity for development in the peripheral landscape study of Martock carried out in 2008, and as a result concluded that there were no landscape issue with the principle of developing the site for housing. The site is visually well contained by existing hedgerows and any development would not be unduly prominent on the wider landscape. In specifically considering the proposed layout and scale of development, it is considered that the proposed scheme is acceptable with residential development laid out either side of a central access road. Despite there being an increase in 25 houses from the previously approved scheme, the development offers a housing mix that is considered more appropriate to meet local housing need, particularly noting local demand for smaller houses. This latest proposal omits any 5 bedroom houses, and significantly reduces the proportion of 4 bedroom homes, in favour of an increase in the number of 2 and 3 bedroom units. As a result, it is felt that the layout and associated mix of housing offers improvements over the previous schemes, despite the greater numbers proposed.

The proposed houses are of a relatively standard design and appearance, however careful consideration has been given to the type, which contain some of the key characteristics found within properties in the local area. The material mix, comprising some reconstructed stone, and red, yellow and buff brick also correspond to materials prevalent within the area, and similar to those approved in more recent schemes within Martock. Overall, it is considered that the design of the dwellings, provides for an appropriate development that is of a scale, proportion and design that adequately respects and relates to established local character.

The proposed layout of the site follows the main principles of the previously approved schemes, with a central spine road from the proposed access to the north to the south of the site. The built development is mainly concentrated on the north and south of the two fields, which are separated by an existing ditch. It is proposed to provide a central area of open space, which will contain the formal play area, informal open space and also two new surface water attenuation ponds. Further public open space will be provided to the north and south extremities of the site. As a result, the proposed scheme is considered to provide a quality residential development with a good mix of public open space, which offers opportunities to create a green buffer with Coat Road and also to provide a green focal point at the centre of the site.

The proposed layout allows for an overall level of parking to the satisfaction of the County Council Highway Authority. The relationship between the dwellings along the east boundary of the southern part of the site and those in the adjoining Hills Orchard development has also been considered and the relationship is deemed to be acceptable. The Police Designing Out Crime Officer is generally satisfied with the scheme, although they have recommended the removal of parking spaces adjoining the LEAP to avoid the risk of anonymous persons being able to view children playing. At this point, no amendments have been made to the parking layout, however this could be done by adding a condition requiring a final parking layout to be agreed.

The proposal is supported by a comprehensive hard and soft landscaping scheme. The hard landscaping includes the use of brick walls and railings for boundaries onto the public domain, along with open grass frontages, which will soften the overall appearance of the site and maintain a high quality finish in the long-term.

The proposed landscaping scheme retains the existing mature boundary hedging, and also proposed to fill in gaps, such as those on the boundary between the existing and proposed dwellings in the southern

part of the site. The Council's Tree Officer has commented on the new planting scheme throughout the site, and suggested some changes, although this can be addressed by condition Otherwise, suitable tree and hedge protection measures are included to the satisfaction of the Tree Officer.

Flooding and Drainage

There is a history of surface water flooding within Martock, both within and around the site, and further afield. Concerns have again been raised in respect to surface water runoff, the effectiveness of the proposed drainage strategy, and future management and maintenance arrangements and responsibilities. As a starting point, the proposed strategy includes the provision of two new attenuation ponds within the site but also includes underground attenuation measures too. The Lead Local Flood Authority (LLFA), who are now the Statutory Consultee on these matters, are satisfied that the strategy would restrict surface water runoff into the adjoining ditch to greenfield rates of 8.3l/s. There were some questions marks over the use of underground attenuation crates, and the ability to effectively maintain them, however the applicant has provided further information to the LLFA, following discussions with Wessex Water, in which details of alternative underground attenuation products have been provided, which Wessex Water would be able to adopt. As such, the LLFA are satisfied in principle, however have noted that there is a further need to agree rates of discharge, etc with the Parrett Internal Drainage Board. The Drainage Board have also provided comments, also raising no objections in principle. A condition was requested in relation to maintenance and management arrangements, details of which will be requested alongside the final drainage scheme.

Overall, the drainage strategy gives sufficient reassurance that the site can be effectively drained, with conditions proposed for the agreement of the final detailed drainage scheme, along with details of future ownership and maintenance. In this respect, it is anticipated that Wessex Water would 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.

Highways

As with the previous schemes, a large number of concerns have been raised by neighbouring occupiers, and the Parish Council, regarding the potential impact of the proposed development on the surrounding highway network. In particular concern has been raised about the volume of traffic the scheme will generate and the various impacts this extra traffic will have. The County Highway Authority was consulted as to these impacts and all highway aspects relating to the development. They have assessed the impact of the proposal and have raised no objection in respect to impact on the local highway network. In considering the layout, there are some minor matters that may require amendment, however it is advised that these may be dealt with at technical approval stage. A few minor safety concerns were also identified, however following the undertaking of Road Safety Audits by both the applicant and Highway Authority, these were not considered to raise significant concerns to warrant refusal of the scheme.

It is noted that there are some concerns raised by local residents in respect to the levels of parking, as these are short of the County Council Parking Strategy optimum standards, however the Highway Authority have not raised this as a matter of concern. Each property is served by 2 or 3 parking spaces, which is considered to be acceptable, particularly noting the relatively close proximity, and accessibility of the local services.

Subject to the imposition of suggested conditions, and consideration of the final detailed design post-approval, the Highway Authority are satisfied with the proposed development.

There is also a public right of way, running to the south of the site, with a link proposed from the development site. The County Rights of Way Officer has raised no objections but advised that the link should be made a bridleway, which would allow its use by horse riders and cyclists. These matters would be dealt with alongside any Section 38 adoption agreement with the County Highway Authority.

Residential Amenity

Consideration has been given to the impact on adjoining residents, particularly those occupying properties along Coat Road, and on the western edge of Hills Orchard, however the proposal is appropriately laid out to avoid unacceptable harm through any direct overlooking or other impact. As such, it is considered that the proposed development will not cause demonstrable harm to the residential amenity of adjoining occupiers.

Ecology

Some concerns have been submitted by neighbouring occupiers and supported by the comments of the parish council in relation to the impact of the proposal on local ecology. Notwithstanding this however, other than the removal of a section of 10m of hedgerow, the existing structural landscaping, comprising large hedgerows and trees around the site will remain, preserving much of the existing habitat. In support of the application, a comprehensive assessment has been made of the ecological constraints, with the findings of the submitted ecological reports, and their recommendations supported. There will be some damage to an existing badger sett, however any works to relocate badgers to a new sett will need to be carried out fully in accordance with Natural England regulations and guidance. Similarly other protective measures, mitigation and biodiversity enhancements will be carried out in accordance with submitted details. On this basis, neither the Council's Ecological Consultant, nor Natural England raise any objections.

Natural England have also given consideration to the impact on the Somerset Levels and Moors Special Protection Area, with the conclusion being that the proposed development will not have likely significant effects, and therefore they have no objection to the proposed development. To meet the requirements of the Habitats Regulations, it is however advised that the decision on whether a likely significant effect can be ruled out is recorded. The following justification is suggested:

"The Ecological Impact Assessment (EclA) considers the Somerset Levels & Moors designated site and concludes that impacts are not likely to occur; the rationale for this is set out in paragraph 4.1:- The Somerset Levels and Moors SPA/Ramsar is designated for birds and therefore sensitive to disturbance such as dog walkers or other recreational activities. The Site is well linked to a network of footpaths in the surrounding area and it is therefore considered unlikely that residents would travel specifically to areas of the SPA for recreation. No significant impacts are therefore predicted. Given the distance between the Site and the SPA/Ramsar no impacts during construction are predicted."

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

Archaeology

The South West Heritage Trust were consulted as to the impacts of the development on any archaeology in the area. No objections were raised to the proposal, however it was noted that a geophysical survey and trial trench evaluation had been carried out in 2013, of which no reference had been made in this application. It was advised that the trial trench evaluation demonstrated that two significant concentrations of archaeological features were present at the northern and southern ends of the application area. These included a series of enclosure and boundary ditches containing concentrations of pottery. This evidence was indicative of Iron Age and Roman settlement activity. This is not considered to be a constraint to development, however it is recommended that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made. Conditions are requested to this effect.

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 £344,842 (£2,874 per dwelling). This includes contributions towards the provision of on-site equipped play, off site youth facilities, playing fields and changing rooms, as well as commuted sums for ongoing maintenance of the facilities. This can be reduced however, as the applicant intends to provide and maintain the LEAP (on-site equipped play). The reduced amount would equate to £193,365 (£1611 per dwelling).

Open Space

£3,204.51 is requested to make an off-site contribution to address a slight shortfall in on-site public open space. This would go towards enhancements at Hills Lane recreation ground. The provision of a mitigation fund is also requested, to enhance the Sustainable Urban Drainage System (SuDs). A contribution of £18,000 is sought in this respect, although this could be reduced by approximately £7,000 if the developer carries out some of the work, with the Council's guidance and specification)

Education

County Education initially sought contributions of £102,444 for the early years provision (£17,074 per pupil), and £665,886 for primary places (also £17,074 per pupil). They have since confirmed that the request for primary places can be reduced as there is space available for the provision of an additional classroom, with limited work required. The final figure has not been reported back yet, so a verbal update will be given to members.

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 42 affordable units, of which 34 should be for social rent, and 8 for other intermediate affordable housing solutions. The following property mix is proposed:

Social Rent;

10 x 1 bed

20 x 2 bed

3 x 3 bed

1 x 4 bed - (bespoke disabled unit for a family in need)

Other intermediate affordable;

6 x 2 bed

2 x 3 bed

In submitting the application, the applicant proposed a mix of 8 x 1 bed, 26 x 2 bed and 8 x 3 bed, the proposed split being 67% social rent to 33% intermediate products. It is noted however that this 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). The applicant has agreed to change the tenure split to 80:20, however the property mix remains as submitted, which does differ from the mix proposed by the Strategic Housing Officer. Despite this, 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.

Community Infrastructure Levy (CIL)

The proposed development will also be liable for Community Infrastructure Levy (CIL) payments, which cover some of the strategic facilities requested earlier.

Planning Balance and Conclusion

The principle of developing this site has previously been established, and there have been no significant changes in Local or National planning policy to alter this view. The scheme has been assessed and is considered to be generally acceptable, with most of the key considerations satisfied. The main issue outstanding relates to the increase in numbers proposed on site, in respect to the impact that this will have on the settlement strategy. Weight has been given to the previously dismissed appeals in Martock (Ringwell Hill and Lavers Oak), however significant weight also has been apportioned to the Council's worsening 5 year housing land position, and the most recent appeal at Henstridge. In assessing this against the NPPF requirement that where the most important policies for determining the application are out of date, planning permission should be granted unless *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole*, it is considered that the harm identified by exceeding the housing target for Martock to the degree proposed is not such to outweigh the benefits. It is also noted that the applicant seeks to demonstrate their commitment to delivering the housing benefits promptly by requesting that any consent be restricted to commencement within one year. Should consent be granted, this condition will be imposed.

In all other aspects, the development is considered to be acceptable and thereby comprises an appropriately designed scheme that will form an acceptable addition to Martock, without adversely impacting on 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 £193,365 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 £3,204.51 towards the provision of off-site public open space enhancements and £18,000 (or reduced amount, if the developer carries out some of the work, with the Council's guidance and specification) towards a mitigation fund to enhance the Sustainable Urban Drainage System (SuDs) (to the satisfaction of the Local Planning Authority);
 - d) Secure a contribution of £102,444 towards early years places to the satisfaction of Somerset County Council. A contribution towards primary places will also be required with final figure to be updated;
 - e) Ensure at least 35% of the dwellings are affordable with an appropriate tenure split (to the satisfaction of the Local Planning Authority); and

(ii) conditions, as set out below:

01. Notwithstanding the local concerns, the proposed development 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 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 one year from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990, and to demonstrate the applicant's commitment to delivering the proposed housing in a timely manner.

02. Unless where superseded by any of the following conditions, or by the obligations contained within the accompanying Section 106 Agreement, the development hereby permitted shall be carried out in accordance with the approved plans listed within the 'Drawing Register' listed within email correspondence dated 7th June 2019 (from Elise Power to John Millar).

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) 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;
 - c) 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 policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions 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, management 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 submitted details shall also include a management and maintenance plan, which shall include, details of land ownership, maintenance responsibilities, a description of the system, the identification of individual assets, services and access requirements, and details of

routine and periodic maintenance activities. 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, managed and maintained thereafter, in accordance with the details agreed.

Reason: In the interests of highway safety and to ensure that the development is served by a satisfactory system of drainage, in accordance with policies TA5, EQ1, EQ2 and EQ7 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

05. The works, including groundworks and vegetative clearance, shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) a copy of the licence issued by Natural England pursuant to The Protection of Badgers Act 1992 authorising the development to go ahead; or
- b) a statement in writing from the ecologist to the effect that he/she does not consider that the development will require a licence.

Reason: In the interests of a UK protected species and its resting places, and in accordance with policy EQ4 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

06. All external lighting shall be installed strictly in accordance with the specifications and locations set out in the design (Designs For Lighting LTD, Document Ref. 0906-DLF-LC-001-A, Dec 2018) as submitted and shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent in writing from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with policy EQ4 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

07. No vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the 10m hedgerow section to be removed and any trees, shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). Although this is a legal obligation the law does not specify a time period - some species can breed outside the time frame given.

08. Prior to clearance (same day) the 10m section of hedgerow to be cleared will first be inspected by a suitably qualified ecologist for presence of any nests or any other evidence of dormice. If hedgerow removal is undertaken between **May and October**, then following the hedge being found clear of any evidence of dormice it will be removed by hand and by mechanical excavator under the supervision of a suitably qualified ecologist. If hedgerow removal is to begin outside of these months, then it must be undertaken in two stages. Firstly any trees and shrubs within the section of hedgerow to be cleared will be cut down to 1m high above ground level, leaving trunks and root systems intact, between **November and March** inclusive, to avoid the period when dormice might be found in nests above ground and when the foliage on the vegetation is minimal. The clearance will be undertaken sensitively by hand using hedge cutters and saws. All cut material will be removed from the site. The second phase of the hedge removal will involve the removal of the root bases of the cleared trees and shrubs. This will be undertaken between **May and October**, when the animals are active and

able to respond immediately. Clearance of the hedge will be undertaken by hand and by mechanical excavator under the supervision of a licensed ecologist. If any evidence of dormice is found all work will immediately cease and Natural England contacted. A letter confirming the successful undertaking of the hedgerow section will be sent to the LPA.

Reason: In the interests of a UK and European protected species. To ensure the development contributes to the Government's target of no net biodiversity loss and to provide gain where possible as set out in the National Planning Policy Framework; policy EQ4 of the South Somerset Local Plan (2006-2028); and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

09. Any works in the existing attenuation basin should be undertaken with care to avoid unnecessary harm to amphibians and reptiles encountered. Any animals found should be carefully moved to a nearby place of safety. In the unlikely event that a great crested newt is encountered, works must stop and Natural Consulted. If habitat management to the attenuation basin is required, e.g. strimming, this should be undertaken in winter, or at other times of year to a height of at least 50mm.

Reason: Reptiles and amphibians species are afforded protection from intentional and reckless killing or injury under the Wildlife and Countryside Act 1981 (as amended). Outside the period from April to October these species are likely to in torpor or hibernation when disturbance is likely to pose a risk to survival.

10. The scheme hereby approved shall be carried out in accordance with the details and recommendations identified with the submitted Landscape Management Plan (Golby and Luck - Ref. GL1040, dated 20th December 2018) and the submitted Ecological Impact Assessment (Green Ecology - Ref. 0748-EcIA-FM, dated December 2018).

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; policy EQ4 of the South Somerset Local Plan (2006-2028); and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

11. 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 prepared by Green Ecology (Ref: 0748-AMS -AE & 0748/TPP pp1-3) shall be installed in their entirety and made ready for inspection. Prior to commencement of the development, the suitability of the tree and hedgerow protection measures shall be confirmed in-writing by a representative of the Council (to arrange, please contact us at planning@southsomerset.gov.uk or call 01935 462670). The approved tree and hedgerow protection measures shall remain implemented in their entirety for the duration of the construction of the development and may only be moved, removed 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 the National Planning Policy Framework.

12. A scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained. 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 completion of the development hereby permitted or after the development hereby permitted is first brought into use, whichever is 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: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

13. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of phasing of the investigations, the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme."

Reason: In the interests of safeguarding any archaeological remains on the site and in accordance with Policy EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

14. No building shall be occupied within a phase as set out within the WSI until the site archaeological investigation for that phase has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under the POW condition and the financial provision made for analysis, dissemination of results and archive deposition has been secured.

Reason: In the interests of safeguarding any archaeological remains on the site and in accordance with Policy EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

15. The scheme hereby approved shall be carried out in accordance with the details contained within the submitted Construction Environmental Management Plan (BDW Exeter, dated December 2018), unless otherwise agreed in writing by the Local Planning Authority.

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 the National Planning Policy Framework.

16. The proposed estate roads, footways, footpaths, tactile paving, cycleways, verges, junctions, 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 the National Planning Policy Framework.

17. 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 the National Planning Policy Framework.

18. The area allocated for parking and turning on the submitted plans unless otherwise agreed in writing by the Local Planning Authority, and shall thereafter be kept clear of obstruction used only for parking and turning of vehicles in connection with the development hereby permitted. The approved parking spaces shall be provided before each dwelling to which they relate are first occupied.

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 the National Planning Policy Framework.

19. Prior to the occupation of any part of the development hereby permitted, a Travel Plan is to be submitted to and approved in writing by the Local Planning Authority. Such Travel Plan should include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There should be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures are being implemented in accordance with the agreed timetable. The measures should continue to be implemented as long as any part of the development is 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 the National Planning Policy Framework.

20. At the proposed access onto Coat Road, there shall be no obstruction to visibility greater than 300mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 48m to the west and 54m to the east of the access. Such visibility shall be fully provided before the development hereby permitted is 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 the National Planning Policy Framework.

21. The proposed new residential development shall include 16amp electric charging points for electric vehicles, accessible to all residences, details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to any part of the development hereby permitted being first occupied, as required by Policy TA1 (ii) (low carbon travel) of the adopted South Somerset Local Plan and paras 35, 93 and 94 of the NPPF. Once approved, such details shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To ensure that the development is resilient and sustainable in accordance with policy TA1 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

Informatives:

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

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

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

02. The applicant will be required to secure an appropriate legal agreement/ licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.
 03. During construction, excavations or large pipes (>200mm diameter) must be covered at night. Any trenches will need a means of escape, for example a plank or sloped end, to allow any animals to escape.
 04. The applicant is advised that prior to works commencing onsite Land Drainage Consent is required under section 23 and 66 of the Land Drainage Act 1991, from the Parrett Internal Drainage Board for any construction in or within 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District.
 05. Water efficiency measures should be incorporated into this scheme. This conserves water for the natural environment and allows cost savings for future occupants. The development should include water efficient systems and fittings such as: dual-flush toilets; water-saving taps; water butts; showers and baths. Greywater recycling and rainwater harvesting should also be considered.
 06. Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>.
 07. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>.
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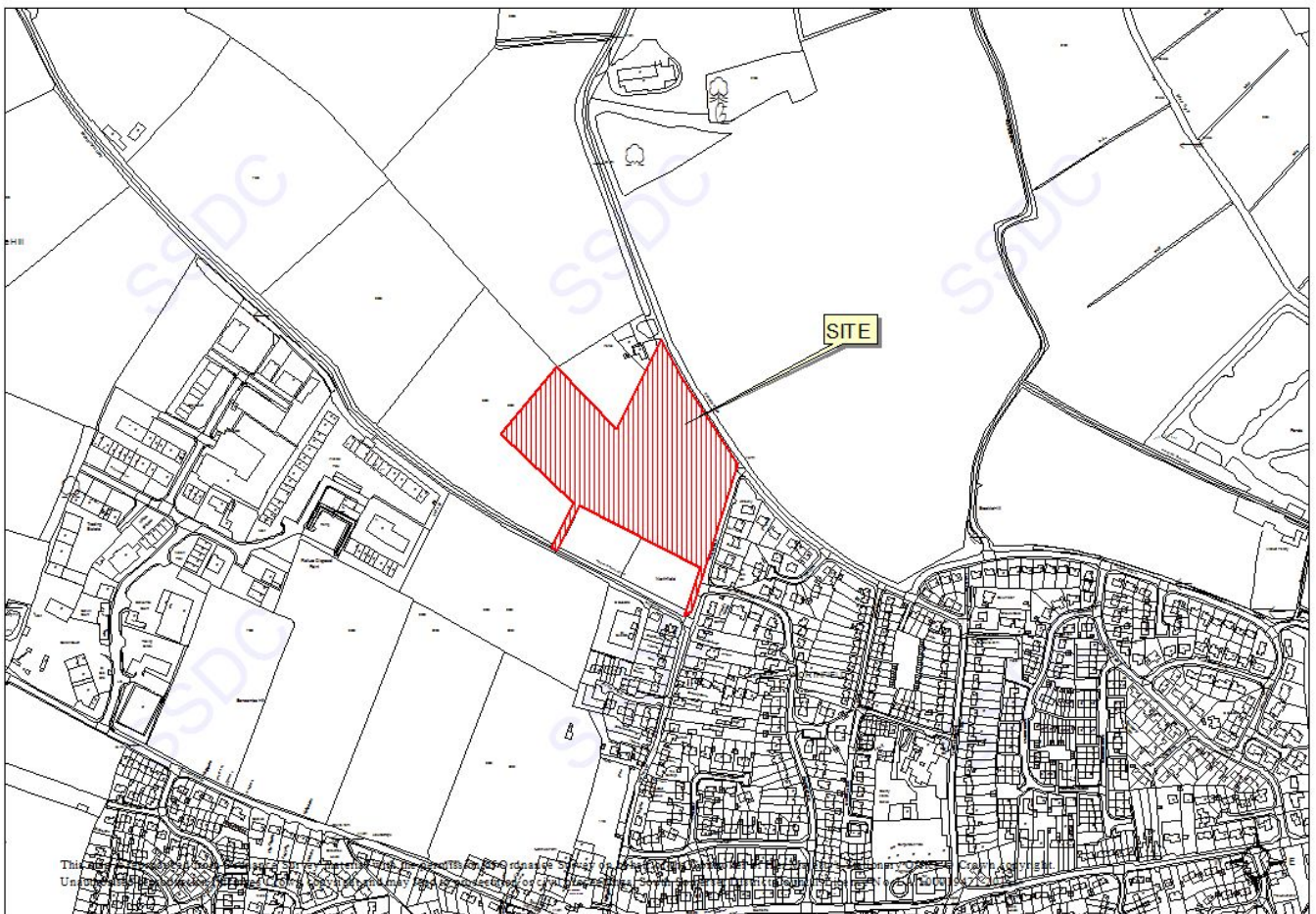
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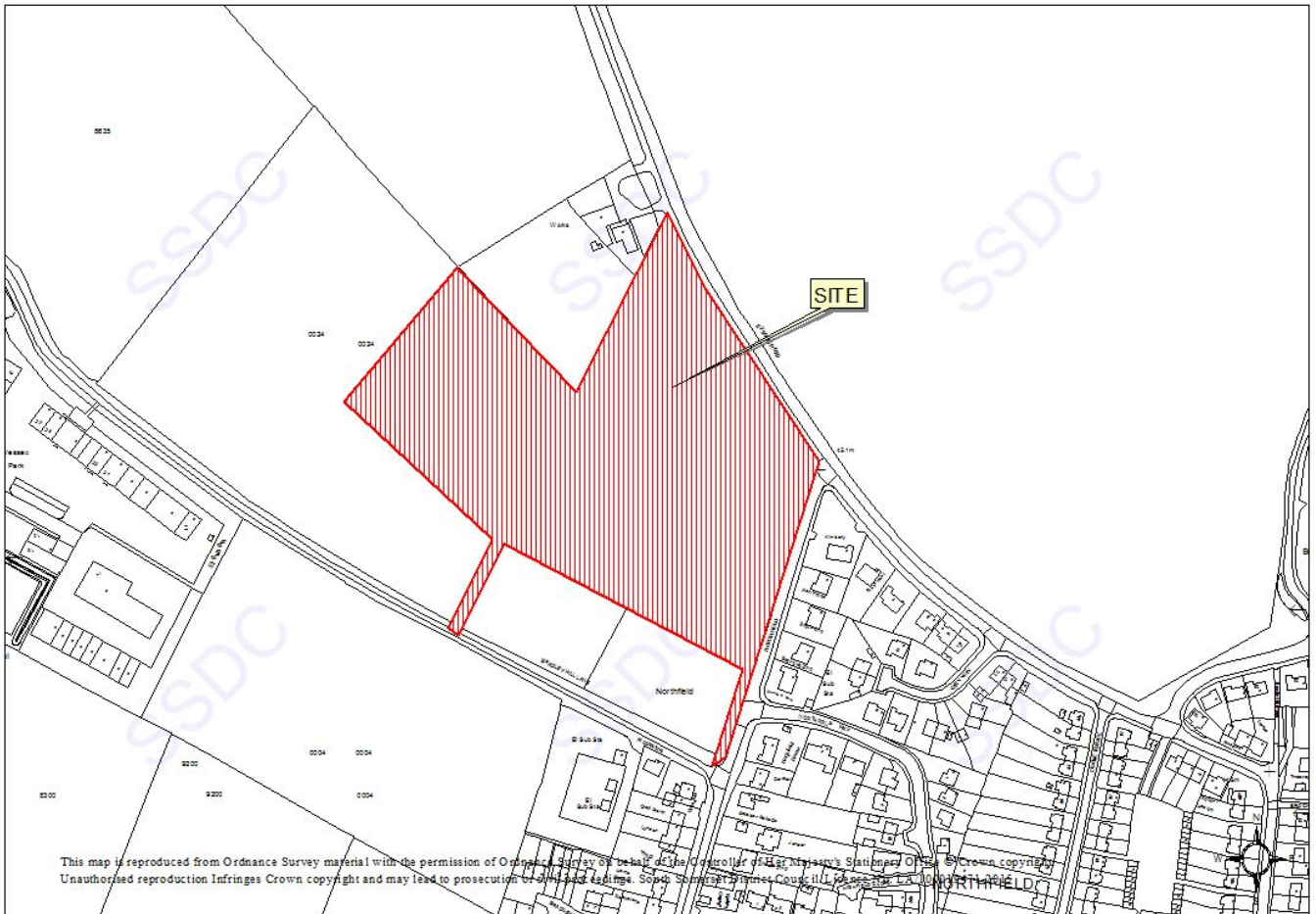
Officer Report On Planning Application: 19/00721/FUL

Proposal :	Erection of new primary school, to include construction of sports pitches, parking area with drop off/pick up area, new access points onto Northfield and Etsome Road, landscaping and associated infrastructure.
Site Address:	Land OS 1615, Etsome Road, Somerton.
Parish:	Somerton
WESSEX Ward (SSDC Members)	Cllr T Kerley and Cllr D Ruddle
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	26th June 2019
Applicant :	Mr P Griffin
Agent: (no agent if blank)	Ms Coral Ducroq, Promenade House, The Promenade, Clifton Down, Bristol BS8 3NE
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMITTEE

The application has been referred to Area North Committee under the delegated powers of the Development Manager in view of the nature of the proposed development and so that the issues raised can be further considered by Committee.





SITE DESCRIPTION AND PROPOSAL

This application is seeking full planning permission for the erection of a new primary school with a capacity of 420 pupils, with space to allow further expansion should it be needed in the future for a further 210 pupils. The new school is sought to replace the existing King Ina primary school and pre-school which currently operates over two separate sites within the town and which are highly constrained restricting their capacity to expand further in its existing locations.

The application site comprises 3.3 hectares of agricultural farmland, currently left for pasture, and is located on the northwest periphery of the built up area of Somerton and approximately 500 metres from the nearest school site which is located on Etsome Terrace to the east. The site sits opposite residential housing on Northfield Road and there is a single dwelling situated on adjacent land to the northwest of the site, to all other sides the site is surrounded by agricultural and. The site, which is relatively flat and level with nearby development, is bounded primarily by native hedgerows and is accessed via Bradley Hill Lane to the south. The site is within flood zone 1 and is not located within any areas of special designation.

The application is supported by:

- Planning Design & Access Statement (incorporating a Secure by Design Statement and Refuse Disposal Details);
- Flood Risk Assessment (FRA) / Foul Drainage Strategy;
- Archaeology Assessment;
- Ground Conditions Report;

- Utility Assessment / Plan;
- Ecological Survey (Preliminary Ecological Appraisal);
- Energy & Sustainability Strategy;
- Transport Statement;
- Travel Plan;
- Construction Environmental Management Plan;
- Statement of Community Involvement.
- Plans including topographical survey, location plan, existing and proposed site plans, proposed elevations, floors and roof plans, indicative proposed views, building sections, site sections, topographical survey and landscape masterplan.

HISTORY

No recent relevant history in respect of the application site.

This report makes reference to a proposed residential housing scheme on neighbouring land (Land OS 9200, Bancombe Road, Somerton) immediately to the south of the application site and is referred to as the 'Fairfax' scheme, this is proposed under the following outline application and is yet to be determined:

18/03483/OUT: Outline application for residential development of circa 130 new homes, together with associated open space and related infrastructure as well as the means of access (all other detailed matters – scale, layout, appearance and landscaping - are reserved for later consideration). Pending consideration.

Other major housing schemes approved in Somerton in recent years:

15/03585/OUT: Granted outline consent for up to 59 dwellings on land off Cartway Lane to the south of Bancombe Road. Reserved matters has yet to be submitted.

13/03272/OUT: (later amended under application 18/00363/S73A): Granted outline consent initially for 150 dwellings, this was later increased to 161 dwellings under the subsequent Section 73 application, on land south of Landport Road. Reserved matters was later approved under application 17/00568/REM (later amended under application 18/00645/REM to incorporate the increase in house numbers). This application is now under construction.

10/03704/FUL: (later amended under application 15/04331/S73): Granted consent for 133 dwellings on land at Northfields Farm. This scheme is now well advanced in terms of its construction.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006-2028 (adopted March 2015).

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS6 - Infrastructure Delivery
LMT3 – Somerton Direction of Growth
TA1 - Low Carbon Travel
TA4 - Travel Plans
TA5 - Transport Impact of New Development
TA6 - Parking Standards
EQ1 - Addressing Climate Change in South Somerset
EQ2 - General Development
EQ3 - Historic Environment
EQ4 - Biodiversity
EQ5 - Green Infrastructure
EQ7 - Pollution Control

National Planning Policy Framework

Part 2 – Achieving sustainable development
Part 8 – Promoting healthy and safe communities
Part 9 – Promoting sustainable transport
Part 10 – Supporting high quality communications
Part 11 – Making effective use of land
Part 12 – Achieving well-designed places
Part 14 – Meeting the challenge of climate change, flooding and coastal change
Part 15 – Conserving and enhancing the natural environment
Part 16 – Conserving and enhancing the historic environment
Part 17 – Facilitating the sustainable use of minerals

Planning Practice Guidance (PPG)

Other

Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2017)

CONSULTATIONS

Somerton Town Council: Recommend approval but offered the following recommendations and observations:

- More parking could be gained by placing the water attenuation underground;
- Request for the Travel Plan and Transport Plan documents to be reviewed. The walking route via Waverley and Highfield Way and the provision of crossing guards is unrealistic and unaffordable. Who will pay for this?
- Request for traffic calming in Northfield and 20 mile per hour speed limit on all access roads to the school;
- Concerns over highways issues and pupil safety;
- A new link road from Bancombe Road to Bradley Hill Lane should be put in place related to any new housing developments in Bancombe Road (Fairfax). This will permit safer passage for both pedestrians and vehicles to the school taking the pressure off Northfield.
- Concerned over the limited staff parking facilities (only one space for every 2 full-time staff member, most of whom live outside of Somerton);
- Request for more overflow parking facilities (over attenuation tanks);
- Widening of the junction of Etsome Road, Cary Way and Northfield.

County Highways: Offered the following observations:

“Concerns have been raised regarding the increased use of Northfields by pedestrians attending the school, as there is limited footway provision along certain lengths of the road. However, on-going liaison and discussions over an appropriate Travel Plan and pedestrian access through the adjoining development site submitted under application number 18/03483/OUT will create an improved method of access and help remove the need to use Northfields.”

Recommend a number of conditions to cover the following matters in the event of permission being granted:

- Prevent emission of dust or deposit of mud, slurry or other debris on the highway during the construction phase.
- The pick-up / set down arrangements and parking areas to be laid out and constructed prior to first use.
- Development to be served by a new access as per the submitted plans.
- Limit the access off Northfields for the purpose of “Entry Only”.
- Limit the northern access on to Etsome Road for the purpose of “Exit Only”.
- Scheme to prevent the discharge of surface water on to the highway.
- Provision of a 1.8m wide footway around the Northfield access, as per the approved plans, to be provided prior to first occupation.
- Provision of a cycleway and footway connection between the school buildings and the site’s southern boundary on to Bradley Hill Lane, as per the submitted plans.
- Provision of consolidated onsite parking and turning, as per the submitted plans, prior to first occupation.
- Development shall not be commenced until a detailed Travel Plan has been agreed in writing. The scheme shall be carried out in accordance with the agreed TP thereafter.
- Provision of visibility splays no greater than 300mm above adjoining road level 33 metres in either direction.

Somerset Waste Partnership: No comments received.

County Education: No comments received.

County Minerals and Waste: No comments received.

County Archaeology: Recommends further assessments prior to determination.

The desk based assessment provided concludes that there is archaeological interest within the application area. This interest is defined as being the potential for the presence of buried archaeological remains, in particular relating to Iron Age and Romano-British activity with cropmarks indicating a possible hut circle and field system. I also agree with the comment in the report that at this level of assessment it has not been possible to assess the date, exact nature and significance of these remains. Therefore recommends that the applicant provides further information on any archaeological remains on the site prior to the determination of the application.

Crime Liaison Officer: No objection but queried what access control measures have been considered for the various gated entrances.

Lead Local Flood Authority (LLFA): No objection subject to a pre-commencement condition requiring a detailed surface water drainage scheme. They made the following additional comments:

“We note that the drainage strategy states that there is scope for an expansion to create a 3FE school

and additional pitches to the north, but this does not form part of the current proposals. We would expect any future separate application with to be accompanied with details of proposed drainage infrastructure and any required attenuation.

We have no objection and encourage the use of infiltration features where these are locally possible but would just seek clarity that the permeable surfacing for the PE court and the filter strips are appropriate given the stated ground conditions.

On a general point, the consultant undertaking the drainage strategy should undertake the SUDS techniques review prior to determining the preferred methods of water management. Some methods appear to have been discounted due to a seemingly pre-determined intention to discharge to attenuation basins. SuDS techniques can (and we would argue should) be used in conjunction with each other and are not limited to simply flood risk management. Sites such as schools, provide an excellent educational opportunity to utilise a range of SuDS, to support the school and wider community learn about flood control, biodiversity, pollution and sustainability, as well as providing amenity spaces for students to enjoy.

Please be aware that as it appears you propose works on and ordinary watercourse may require a land drainage consent from the LLFA (ourselves). For more information please visit: www.somerset.gov.uk/consent.”

Environmental Agency: No comments received.

Wessex Water: No comments received.

SSDC Environmental Health: No comments.

Natural England: No comments.

SSDC Ecologist: No objection subject to conditions to:

- Control lighting in the interests of protecting foraging bats;
- To limit when any hedgerows, trees and shrubs are removed on site so that this does not occur during the nesting season;
- To protect reptiles during constructions works;
- To require biodiversity enhancements.

The Ecologist did raise a concern in respect of the proposed Landscaping Masterplan and requested that the amenity grassland right up to the hedgerows (including the attenuation pond) are designated as wild flower meadow so that this is in line with SCC's Pollinator Action Plan. This matter can be addressed through a condition requiring an amended Landscaping Plan.

Somerset Wildlife Trust: Support the findings of the Ecology Appraisal but are disappointed about the lack of biodiversity enhancements and lack of tree planting and provision of a wildlife area.

SSDC Tree Officer: Noted that some basic measures to protect retained trees and hedges seemed appropriate but considered the Landscaping Masterplan to be rather disappointing which makes provision for the planting of just 6 unspecified trees. Therefore suggested conditions requiring a tree and hedge protection plan and a landscaping / tree planting scheme.

REPRESENTATIONS

Written representations have been received from five local households. None of the households have raised an in principle objection to the proposed new school but have noted the following concerns and objections in respect of the proposal:

- Highway safety - support the principle of the new school and the benefits this will bring however have reservations about the suitability of aspects of the transport strategy:
 - Welcome the initiatives to get more children walking to school however it has to be recognised that any change in habits takes time. For some families anything other than driving is not an option, such as those living outside the town and those driving to work after the school run, concerned that too much reliance has been placed on pupils walking to school and therefore the reliability of the Travel Plan which is based on a show of hands by pupils when asked if they would like to walk to school.
 - At times Etsome Terrace is filled with parked cars and large vehicles such as tractors, fuel lorries etc regularly get stuck whilst they wait for parents to move.
 - The drop off lane will assist with getting parents off the road but I still believe it will have an impact on road parking. The TP identified the capacity for kerbside parking within 200m of the site and identified 56 spaces within Northfield which appears to have been exaggerated. Northfield is without any pavement for much of its length, the hazardous nature of this is recognised in the TP and an alternative walking route identified for children. It is not ideal for parents to unload children and walk them along the road without a refuge even if they are accompanied.
 - Additional parking should be provided within the site and every effort made to demonstrate the site is self-sufficient in its parking provision because to do otherwise runs the risk of detriment highway safety and the amenity of nearby neighbours.
- The lack of safe pedestrian provision will do nothing to help encourage more to walk to school.
- Key is the safety of children, vehicle management must be given greater consideration.
- I disagree that Etsome Terrace is lightly trafficked and on street parking will make it difficult for school buses and other service vehicles to access the school safely and satisfactorily.
- The proposed pedestrian entrance shared with the kitchen services is unsatisfactory and staff and visitor parking inadequate. The water attenuation area should be made subterranean to allow additional parking to be made available.
- Northfield is a very dangerous road, it has a narrow bend with no pavement and cars parked there. I have had many narrow escapes when walking with cars speeding towards each other and unable to see around the bend. This is not suitable for use by children to get to school.
- Access to this corner of Somerton is difficult at best and with the amount of additional car journeys this proposal will generate will become dangerous. What price do we put on our children's safety?
- The reports on traffic flow are flawed. The proposal is for a 400+ pupil school of young children, if half walk (optimistic) it still leaves 200+ cars travelling to and parking in and around the site. Parents will park as near to the proposed school as possible.
- This application should be refused until a sensible proposal addressing all safety / access issues is presented and agreed or another site chosen.
- Concerns about the safety of the local highway network as a result of this proposal.
- The idea of directing pedestrians away from Northfield Road and along Waverly and Highfield Way instead as a route to get to the school is interesting but I question how compliant parents are likely to be in this regard. Encouraging cycling is a good idea with questionable as they will be competing with other vehicles.
- The school is unattractive.
- This will promote the uneconomic provision of playing areas. The school will have good playing

facilities which will be utilised only on weekdays during term time. Meanwhile the sports ground at Langport Road continues to be unused on weekdays during term-time.

CONSIDERATIONS

Principle

This application is seeking to erect a new primary school with a capacity of 420 pupils, with space to allow further expansion should it be needed in the future for a further 210 pupils. The new school is sought to replace the existing King Ina primary school and pre-school which currently operates over two separate sites, one at the southern end of Etsome Terrace and the other at Kirkham Street in the town centre, both of which are highly constrained in their size and ability to expand further in these locations.

Over recent years Somerton has experienced a relatively high level of housing growth which has contributed significantly to the increase in pupil yields for this catchment area putting pressure on the existing school infrastructure. Based on approved and proposed planning applications for housing within the settlement, the growth in housing in Somerton looks set to continue for the foreseeable future, which can only exacerbate matters further. It is therefore proposed to relocate the school to this new site where it is better able to meet current and future demand.

Local Plan (LP) Policy LMT3 stipulates that the direction of growth for Somerton should be to the west of the town, the location of the site, which is a greenfield site comprising agricultural land, on the northwest periphery of the town is therefore considered to comply with this requirement. Whilst it is located on the edge of existing built development, in terms of distance alone, it is relatively well related to the town centre and to existing housing development. The principle of building a new school in this location is therefore considered to be acceptable.

Highway Safety / Accessibility

The proposed school site is situated right at the northern end of Northfield Road and approximately 500m to the northwest of the existing school site located on Etsome Terrace. At present the application site is undeveloped agricultural land which generates only a low level of agricultural traffic and overall this end of Northfield Road can reasonably be described as being a very quiet, lightly trafficked part of the local road network. The proposed development, which is to have a capacity of over 400 pupils with space to expand further in the future, is likely to have a very noticeable impact both in terms of the nature and number of vehicular movements generated by the school and also those approaching the area by foot and bicycle. It is not unreasonable either to expect the level of on-street parking to increase as a result of the development.

Concerns have been raised by a number of local residents as well as the Town Council about the accessibility of the site, inadequate level of on-site parking provision, and the substandard nature of the approach roads. As part of the application submission the applicant has provided a detailed Traffic Assessment as well as a Travel Plan setting out anticipated levels of traffic generation, the proportion of pupils and staff who are likely to walk or cycle to the site and schemes to be utilised to encourage more to give up using the car for such trips.

These reports acknowledge the substandard nature of Northfield Road to the south of the site which is very narrow and unable to accommodate two-way traffic in places and lacking in a continuous footway. This route however provides the most direct route to the school site for anyone approaching (or leaving) from the south and west of the site, such as St Cleers, the Northfields Farm and Langport Road developments as well as the direction of growth. As the most direct route from that side of town it is reasonable to anticipate that it will prove to be the most desirable route for anyone walking or cycling in this direction as well as leading to an increase in vehicular traffic.

The scepticism of the Town Council and local residents in regard to the traffic generation, parking impacts and the long-term success of the travel plan measures are not considered to be entirely without foundation. In particular the measures to encourage pedestrians along Waverley and Highfield Way away from Northfield Road by traffic guards (a teacher or 'lolly-pop person') is questionable given that it is not possible to prevent anyone from legally using the public highway, which would be the case if they continued along Northfield Road to the school rather than the suggested alternative route. It is also suggested that walking trains (groups of school children) be used along the alternative route however this would take long-term organisation and the enthusiasm for such an approach is unclear and unproven in this location.

The Highway Authority has provided the following comments:

“Concerns have been raised regarding the increased use of Northfields by pedestrians attending the school, as there is limited footway provision along certain lengths of the road. However, on-going liaison and discussions over an appropriate Travel Plan and pedestrian access through the adjoining development site submitted under application number 18/03483/OUT will create an improved method of access and help remove the need to use Northfields.”

Whilst their comments do not appear to object to the proposal, they have based this view on having an appropriate Travel Plan to mitigate the impacts of the proposal as well as the provision of an alternative pedestrian access through an adjoining development site (the Fairfax scheme for 130 houses located just to the south of the school site – application ref. 18/03483/OUT) which incorporates a link from Bancombe Road through to Bradley Hill Lane which is immediately to the south of the school site. This is unfortunate given that the Fairfax scheme is still under consideration and if approved would still require the later consideration and approval of reserved matters. The Fairfax scheme is entirely separate to the school proposal and if approval is granted there is no guarantee of when or even if the housing scheme will ever be built out, at the very best it is likely to be a number of years before the proposal could realistically be implemented and the footpath link provided. Given the lack of guarantees attached to the Fairfax scheme, the provision of the associated footpath link cannot be relied on to make the proposed new school acceptable from an accessibility / highway safety point of view.

This application for a new school must be considered as a standalone application based on its own merits. The Highway Authority's comments of support are based on this pedestrian link being provided however as this link cannot be relied upon or secured through the school application it must be interpreted that without this link the HA is not supportive of the scheme and that as matters stand the proposal is not acceptable from a highway safety point of view.

Prior to the submission of this application, the proposal went through a pre-application process involving SSDC's Planning Department and the Highway Authority. During this stage of the process various recommendations were made but unfortunately the applicant has not taken the opportunity to incorporate all of these into the end submission. To highlight some of the concerns and recommendations that were made and which are considered to still be relevant and unresolved SSDC's Highway Consultant has offered the following comments:

“These views are no different to those that I have adopted from the outset of this scheme, having been involved with pre-application discussions with you and the applicant. I have restricted my comments to pedestrian/cycle accessibility and general connectivity of the proposal to the surrounding transport network, as well as commenting on on-site matters. I do not propose to comment on the vehicular traffic impact of the scheme on the local highway network - this would have been assessed and considered by the highway authority.”

Off-Site matters

Northfield – The location and size of the new school has the potential to generate significant

levels of pedestrian traffic. This is borne out in the Transport Assessment (TA). I consider one of the main desire lines from the south would be along Northfield. It is acknowledged that Northfield does not meet current highway standards of incorporating a minimum width of 5.5m with footways either side. The applicant's proposal to cater for pedestrian traffic travelling from/to the south of the site is to implement a routing scheme along Waverley, Highfield Way and Northfield Way. This represents a detour from the desire line. I am of the opinion that parents/children are unlikely to adopt such a route even if being encouraged by a member of staff. My view is that where possible, infrastructure should be implemented to encourage safe access to the school on the desire line that parents and children would take. From the school site heading south, this would mean providing a new 2m wide footway on the west side of Northfield from the site access southwards to the Bradley Hill Lane junction and then continuing southwards on the west side of Northfield down to the Bradley View junction. The verge on that side of the road appears to form part of the public highway. From the Bradley View junction an existing footway continues southwards. As it narrows I believe an assessment could be carried out to establish whether it could be widened. It is acknowledged that there then becomes a point where it would not be possible to provide a footway in addition to the existing carriageway. At that point, a shared surface arrangement could be installed with a change in surface treatment and the provision of appropriate signage for the short length to the new housing development scheme.

Bradley Hill Lane – The currently submitted residential development proposal promoted by Fairfax provides a potential opportunity to create a vehicular link from Northfield through to the northern section of that development scheme, even if it operated in one direction only. I consider it important to maximise permeability by all modes of transport, particularly given the direction of growth planned for Somerton. It is accepted that the lack of a vehicular link by Fairfax would not make that scheme unacceptable, but by locating a large primary school off Northfield, the school is likely to attract vehicular traffic from that direction.

In light of the above, I believe the applicant should be encouraged to re-assess the proposed pedestrian access strategy from/to the south along Northfield and to proposed improvements to facilitate safe pedestrian movement in that direction, and to consider the potential for creating a vehicular link to the school from Bradley Hill Lane should the Fairfax scheme be permitted.

On-Site matters

The proposed drop-off/collection zone would only be able to accommodate a maximum of 10 cars at any one time. The TA indicates in Table 7.7 of that report that there could be some 250 arrivals by car (single occupants or car sharing). While the objective of the Travel Plan would be to encourage as many parents and children as possible to access the school other than through the use of private vehicles, I think in reality the number of drop-off/collection spaces would be insufficient, particularly at the end of the day when parents would be waiting to collect children. It would appear possible to redesign this area to maximise the number of temporary parking bays that could be provided. This could include proposing an improved arrangement for delivery/service vehicles and coaches."

For the reasons set out above it is not considered that it has been adequately demonstrated that the impact of the new school upon the local road network will not result in an unacceptable congestion and risk to highway safety as a result of increased traffic generation, increased conflict between pedestrian / cyclists with motorised traffic and increased on-street parking. The proposal is therefore recommended for refusal on this basis.

Visual amenity

Somerton is a hill top town and the site, which is fairly flat and level with surrounding development, is close to the northern escarpment where the land drops away to the low lying moors beyond. The

development, which includes a two-storey school building, therefore has the potential to intrude into skyline views from the north. The layout of the site however has been carefully considered in this regard with the main school building orientated so that the narrower gable end faces to the north which should have a minimal presence in such views. The position of the building set back deeply within the site will mean that it should not be unduly dominant or appear at odds with the much more modest neighbouring residential development.

It is intended to retain the surrounding native hedgerows and to position any security fencing on the inside of the hedgerows in order to mitigate the appearance of the fencing. The Tree Officer has raised concerns about the limited amount of tree planting, a point also raised by the Somerset Wildlife Trust, and it is considered that there is opportunity to increase this so that the presence of the school can be further softened as well as to aid biodiversity. This matter and any tree / hedge protection measures however can be dealt with acceptable by condition, and as such is not a matter to object to the proposal for.

Overall the layout and appearance of the new school, including its associated infrastructure and access arrangements, broadly accords with that discussed at pre-application stage is considered to have only limited visual amenity and landscape impacts which in turn can be acceptable mitigated by an appropriate landscaping scheme.

Residential amenity

The location of the school is edge of settlement with residential development to the east and northwest and agricultural land to all other sides. The position of the school building within the site is towards the centre of the site where it is set away from neighbouring properties and where it will not result in any significant overlooking, overbearing or loss of light concerns. The nature of a community school is such that it needs to be located close to the community which it is to serve as such the associated activities and noise etc is an accepted element of residential areas and considered to be compatible with surrounding residential uses, such as in this instance. The Council's Environmental Health Officer was consulted on the proposal and has confirmed that they have no objection to it. On this basis the proposal is not considered to give rise to any substantive residential amenity concerns.

Other matters:

- Flooding / Drainage – The site is located within flood zone 1 and is therefore considered to be at low risk of flooding. The submission was supported by a Flood Risk Assessment and drainage strategy which has been considered by the Lead Local Flood Authority (LLFA), who has raised no objection to the proposal subject to a condition to secure a detailed drainage scheme.
- Archaeology – At the recommendation of the County Archaeologist further survey work was requested by the application prior to the application being determined. This work has now been undertaken however the associated report is yet to be provided for approval by the County Archaeologist. Therefore the following recommendation is made subject to no further recommendations or objections being made by the County Archaeology.
- Ecology – The Council's Ecologist has raised no objection to the proposal subject to a number of recommendations and conditions.

Conclusion

The need for a replacement primary school and the benefits that this will bring to the community of Somerton is not in doubt and can only be fully endorsed as a matter of principle. However, the substandard nature of the approach roads to the new school site, specifically Northfield Road which is narrow, poorly aligned and lacking in adequate footpath provision raises significant concerns. It is clear

from the applicant's own Travel Assessment and Travel Plan that the school is anticipated to generate a significant level of traffic on a daily basis all of which will need to come along either Etsome Terrace or Northfield Road. Whilst Etsome Road is better able to accommodate such increases in traffic this is unlikely to be the preferred route for everyone approaching from a southerly and westerly direction, instead Northfield Road as the most direct route is likely to be the more desirable route.

The Travel Plan includes provisions to encourage pedestrians to approach the school by a more circuitous route, directing them by the use of traffic guards, away from Northfield Road and instead along Waverly and Highfield Road where there is a continuous footpath before egressing back on to Northfield Road close to the school site. The TP also promotes the use of walking buses so that the children can be walked to school along this alternative route in groups. The effectiveness of such a scheme in this instance however is questionable and it is unclear whether there will be the enthusiasm and resources to put these measures in place let alone maintain them in the long-term. The use of Northfield Road by pedestrians is likely to be highly desirable due to its direct route to the school, this however will mean pedestrians and traffic having to share the same space raising the likelihood of conflict between walkers and vehicles to the detriment of their safety.

To encourage more people to walk to school as opposed to driving is something to be viewed positively and is fully endorsed. However, it is not considered that the Travel Plan is realistic about the likely habits of commuters to the school or that adequate consideration has been given to potential improvements for pedestrians along Northfield Road, for example through the provision of additional pavements where possible or shared surfaces where it is not. It is clear that for the reasons stated earlier in this report that the proposed footpath link through the adjacent Fairfax site cannot be relied to provide a suitable and safe alternative route to the school.

Unfortunately, for these reasons, the proposal is considered to be unacceptable on highway safety grounds, contrary to policy TA5 of the South Somerset Local Plan and the provisions of the NPPF.

In terms of the other impacts of the proposal it is accepted that these can be adequately mitigated through condition. The only proviso to this relates to Archaeology, at present a further archaeological report is awaited, subject to this being submitted and the County Archaeologist being content with this, the proposal is not considered to raise any other substantive concerns. A verbal update on this will be given to Committee.

RECOMMENDATION

Refuse consent for the following reason:

It has not been adequately demonstrated that the proposal, as a result of its location, the substandard nature of the approach roads and the lack of pedestrian and cycle provision, will not result in an unacceptable level of congestion on the local highway network or bring pedestrians / cyclists into unacceptable conflict with other road users. It is not considered that the provisions set out within the Travel Plan are sufficient or realistic to encourage pupils and staff to walk / cycle in the long-term rather than to drive which might otherwise mitigate such concerns. The proposal is therefore contrary to the aims and objectives of Policies SD1 and TA5 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.