

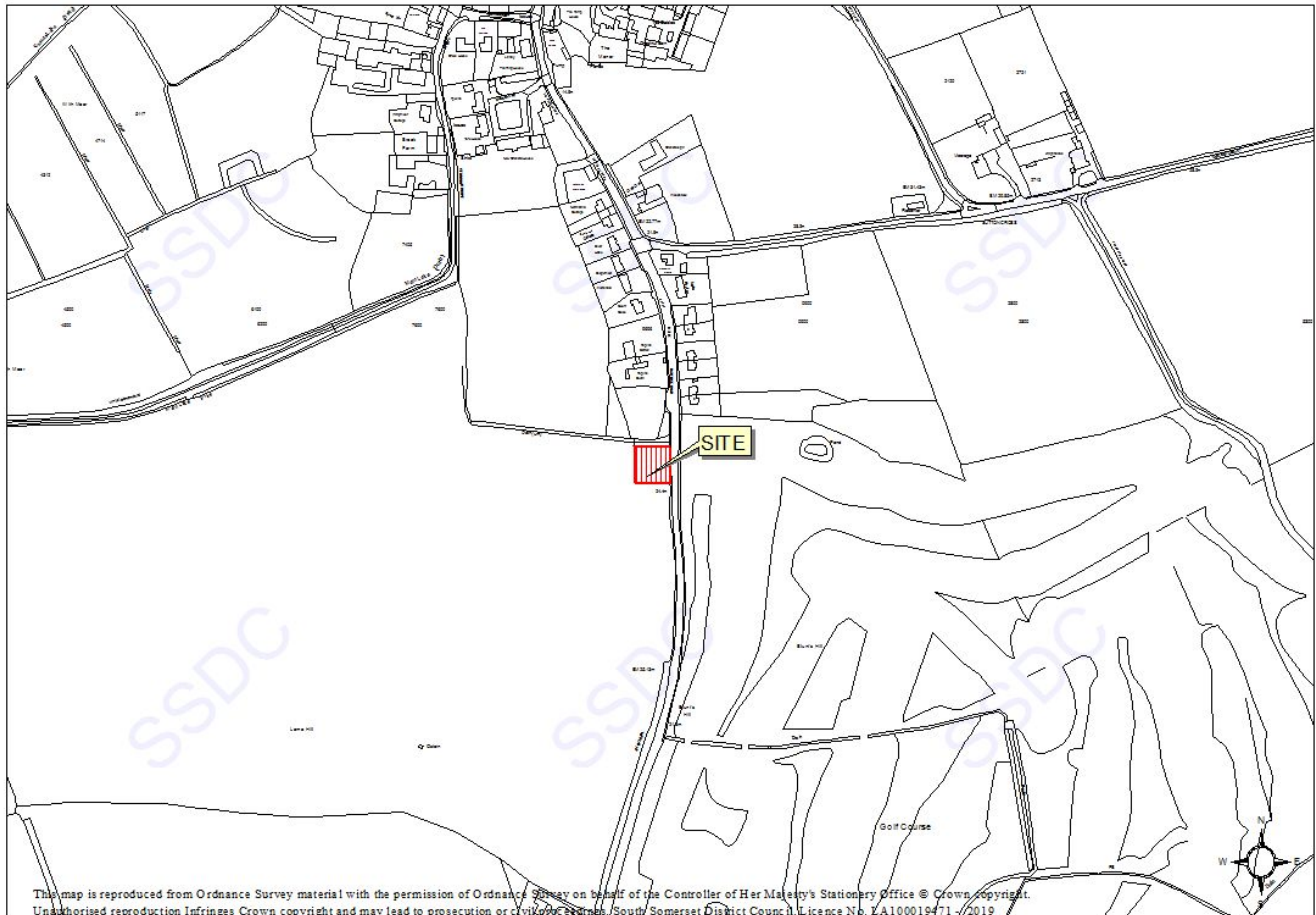
Officer Report on Planning Application: 19/00016/FUL

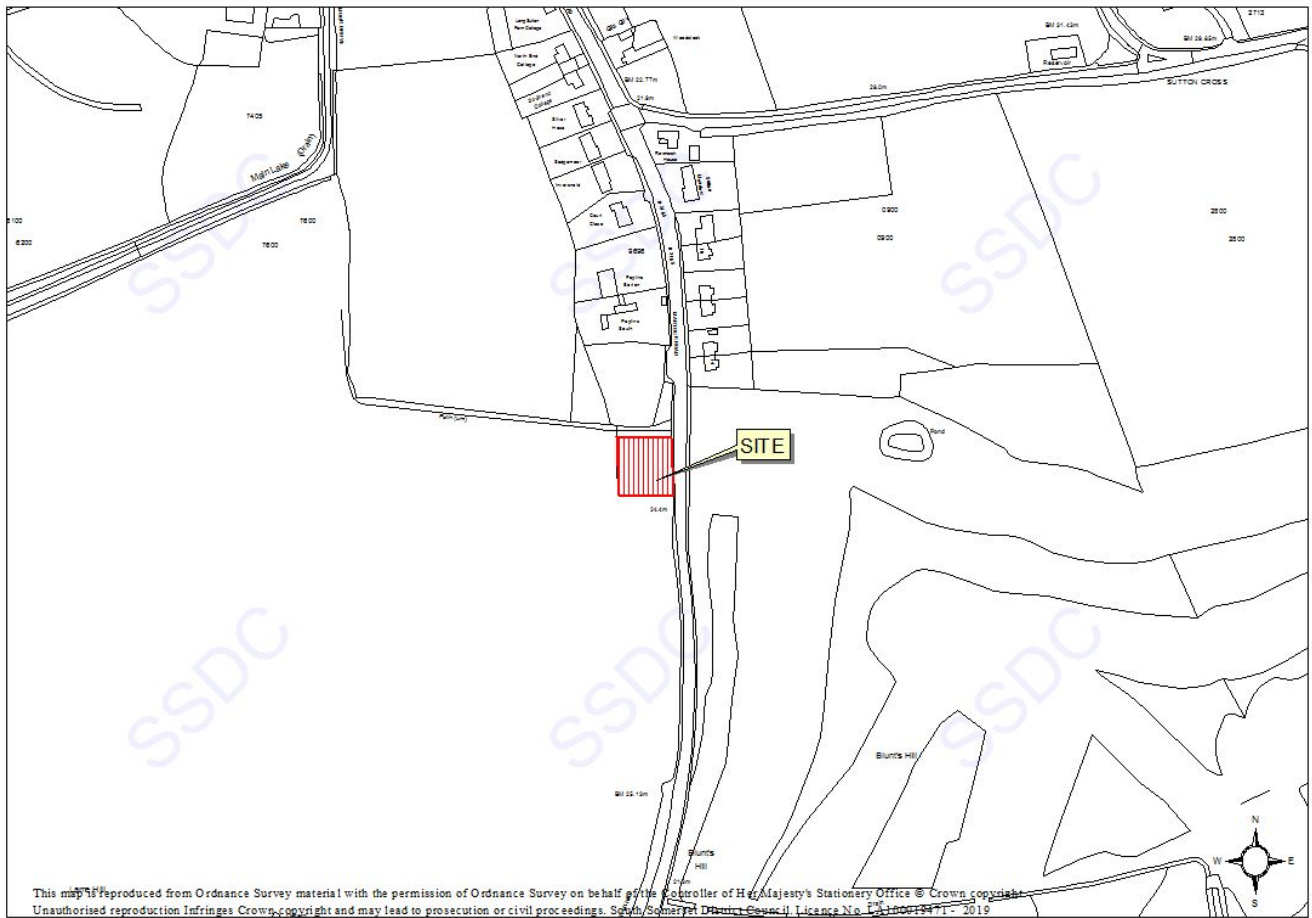
Proposal :	Erection of one dwelling and associated garaging and landscaping
Site Address:	Land Os 9687, Martock Road, Long Sutton.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Councillor Gerard Tucker
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date :	13th March 2019
Applicant :	The Trustees GPS Projects No 1 Limited
Agent: (no agent if blank)	Mr Ben Bourke, 6 Ashbourne Road, Salford M6 7GL
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is referred to Committee at the request of ward member with the agreement of the Area Chair to allow discussion of the planning issues to take place.

SITE DESCRIPTION AND PROPOSAL





The site is located to the south of Long Sutton and is a square shaped site directly adjacent to Martock Road, a PROW runs along the northern boundary of the site with housing to the north and fields at the rear.

This is a full application for the erection of a two-storey four-bedroom dwelling to be constructed in Blue Lias stone with reclaimed double Roman roof tiles. A new access to the site would be provided from Martock Road, a detached car port and workshop are proposed to the south of the dwelling with a front driveway to provide parking and a turning area.

The application originally proposed a terrace of three dwellings but has now been amended to one large detached house.

HISTORY

10/05132/FUL - The erection of 3 No. residential units. Approved 1/3/2013.

91212 - Creation of a dwelling and garage and formation of vehicular access. Application refused on 01/02/1972.

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
SS2 Development in Rural Settlements
SS4 District Wide Housing Provision
SS5 Delivering New Housing Growth
TA5 Transport Impact of New Development
TA6 Parking Standards
EQ1 Addressing Climate Change in South Somerset
EQ2 General Development
EQ4 Biodiversity

National Planning Policy Framework

Chapter 2 - Achieving Sustainable Development
Chapter 5 - Delivering a Sufficient Supply of Homes
Chapter 12 - Achieving Well-Designed Places
Chapter 15 - Conserving and Enhancing the Natural Environment

Planning Policy Guidance

Climate change
Design

(Note: In August 2018 a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land as required by paragraph 73 of the NPPF. In such circumstances paragraph 11 d) in relation to decision taking is engaged, this states:-

"where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

Footnote 7 to Paragraph 11 explains that:

"This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."

Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

Long Sutton Parish Council:

In response to original application for three dwellings:

"strongly objects to the above application on the following grounds:-

- 1. The application is contrary to SSDC's planning policies SS1 and SS2 in relation to development in the open countryside and the NPPF definition of "affordable housing". In 2011 planning permission was granted as an "exception site" for genuine "affordable housing" (as defined below) and to be managed through a Housing Association following a wide public consultation to determine the need for such affordable housing. These properties would only be permitted for shared ownership or discounted rent purposes.*

The NPPF defines "affordable housing" as:-

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

*Affordable housing for rent.....; Starter homes.....; Discounted market sales housing.....:
Other affordable routes to home ownership.....*

What is being proposed now are 3 large terraced houses for open market sale. This is not "affordable" as defined by planning policy, they are just less expensive.

The erection of 4 houses on land at Little Upton Bridge Farm (17/03020/FUL) was refused by SSDC and HM Planning Inspector who said "I consider that the appeal site does not lie within the settlement; it forms an open field on the edge of an outlier cluster of development which forms a loose ribbon of development along Langport Road. Even if that were not the case, the proposal would not fall within any of the specified circumstances where exceptions may be made to the presumption against new development, that is, development which provides employment opportunities appropriate to the scale of the settlement, or creates or enhances community facilities and services to serve the settlement or meets identified housing need, particularly for affordable housing. Accordingly, the proposal conflicts with Policies SS1 and SS2"

- 2. The scale of the development, even if it accords with planning policy, is considered to be too cramped for the size of the site. The Parish Council questions the accuracy of the site plans that do not appear to be to scale, so a full site survey, including the proximity to neighbouring properties should be undertaken before any determination of the application.*

Furthermore, the materials being proposed are unacceptable; we insist that the dwellings should be built in natural blue lias stone with no rendering - as is the case with the other houses in the area. If approved as it is, the application will become a hideous unsightly carbuncle at the entrance gate to our village.

- 3. The cramped site creates further issues, in that there is little space for any amenity space that is vital for dwellings designed for small families, and any meaningful sustainable landscaping. The cramped site is compounded by the small area designated for parking in a community with no public transport to speak of, and therefore a village where the car becomes a necessity, not a luxury.*
- 4. Highways issues are still unresolved and the application fails to address both vehicular movements in and out of the site and movement within the site. With three bedrooms, each with en-suite facilities*

would suggest more adults living in them than might first be envisaged therefore there could be up to 9 vehicles parked on the driveway with little room to manoeuvre. We note that the Highways Dept have unqualified concerns with regard to highway safety.

5. The safety of pedestrians along the west side of Martock Road where there is no pavement has not been addressed sufficiently. This again, does not account for the size and age of family these properties are aimed at; the site lines of traffic for pedestrians crossing the road, or the speed of traffic, even though it is a 30mph village.
6. There is little detail in the application covering the management of surface water and sewage. As has been well documented, Long Sutton continues to suffer from a sewage system that struggles to function efficiently. With this in mind, should the application meet planning criteria, more detail is required to satisfy our concerns with regard to flooding and sewage overflow.

For all these clearly evidenced reasons, Long Sutton Parish Council urges SSDC to refuse the application."

In response to amended plans showing one dwelling:

'Long Sutton Parish Council regards this as a new application and should be regarded as such and not an amended application. This would have allowed the community to have a full period of consultation, rather than rushing the application through the process. Nevertheless, as the Council met on 2nd April, it took the opportunity to look at the plans online, and to debate them again, with our observations below.

The Long Sutton Parish Council continues to strongly object to the above application, even with the amended plans for one large single two storey dwelling, on the following grounds:-

1. The application remains contrary to SSDC's planning policies SS1 and SS2 in relation to development in the open countryside and the NPPF definition of "affordable housing". In 2011 planning permission was granted as an "exception site" for genuine "affordable housing" and to be managed through a Housing Association following a wide public consultation to determine the need for such affordable housing.

These amended plans are now for one single large dwelling that now bares no semblance to contributing to the housing need of the Parish. We have far too many house of this size and scale, and a very short supply of Housing Association controlled "affordable housing".

SSDC is reminded that the erection of 4 similar sized houses on land at Little Upton Bridge Farm (17/03020/FUL) was refused by SSDC and HM Planning Inspector who said "I consider that the appeal site does not lie within the settlement; it forms an open field on the edge of an outlier cluster of development which forms a loose ribbon of development along Langport Road. Even if that were not the case, the proposal would not fall within any of the specified circumstances where exceptions may be made to the presumption against new development, that is, development which provides employment opportunities appropriate to the scale of the settlement, or creates or enhances community facilities and services to serve the settlement or meets identified housing need, particularly for affordable housing.

Accordingly, the proposal conflicts with Policies SS1 and SS2"

2. The scale of the development, even if it accords with planning policy, remains far too large for the size of the site. The Parish Council questions the accuracy of the site plans that do not appear to be to scale, so a full site survey, including the proximity to neighbouring properties should be undertaken before any determination of the application. If approved, the application will become a hideous unsightly carbuncle at the entrance gate to our village.

3. *Highways issues are still unresolved and the application fails to address both vehicular movements in and out of the site and movement within the site. We note that the Highways Dept have unqualified concerns with regard to highway safety. The Parish Council would suggest that the safety of pedestrians along the west side of Martock Road where there is no pavement has not been addressed sufficiently, in particular pedestrian safety with no pavements either side of the busy road.*
4. *There continues to be little detail in the application covering the management of surface water and sewage. As has been well documented, Long Sutton continues to suffer from a sewage system that struggles to function efficiently. With this in mind, should the application meet planning criteria, more detail is required to satisfy our concerns with regard to flooding and sewage overflow. Getting sewage to the existing sewage infrastructure will require permissions from two other landowners, so the Parish Council would suggest that the SSDC should have evidence these agreements are place before considering the application.*

For all these clearly evidenced reasons, Long Sutton Parish Council urges SSDC to refuse the application, because if this is approved, where is the housing boundary of our village going to end with persistent infringement into the open countryside. This will then affect every village in South Somerset.

If the officer is mindful to approved, we urge Councillors to determine the application in a public forum, as the outcome of this application could have significant impact across the District.'

County Highway Authority:

In response to the original plans for three dwellings the County Highway Authority advised that the layout would not be suitable for adoption but raised no objection to the principle of development subject to the imposition of conditions.

In response to the amended plans, the County Highway Authority confirm that although the scheme has been altered there is no significant alteration to the highways impact and they therefore refer to their previous comments.

Rights of Way Officer (SCC):

Have no objections to the proposal but note that the width of the public footpath L 21/24 is wider than as indicated on the applicant's plans.

Advise that any proposed works must not encroach onto the width of the PROW.

Ecologist

The Ecologist advises:

'The site was surveyed on Monday, 15th April 2019 by Country Contracts. The walkover survey included a careful check over the whole site and around the external boundaries of the site where access was possible. The walkover survey looked for indications of use by protected species; it also assessed habitat features and suitability to support protected species. The results of the survey were as follows:

Bats

- *There are no structures or trees within the development area which could provide roosting sites for*
- *Bats could use the hedgerows along the western and southern boundaries as commuting routes and for limited foraging.*

Reptiles and Amphibians

- *There are no aquatic habitats within the site or immediate boundaries. No suitable ponds were identified within 500 metres of the site.*
- *The development area was considered unsuitable to provide refuge for reptiles and amphibians.*

Birds

- *The hedgerows provide nesting sites for a variety of bird species.*

Badgers

- *Country Contracts have a record for a badger sett within 1.5 kilometres of the site.*
- *No badger setts were found within the site or boundaries.*
- *Animal paths typical of badgers were noted crossing the western and southern boundaries.*
- *The adjoining farmland can be expected to support badgers which are likely to enter the site.*

Dormice

- *The hedgerows along the site boundaries were assessed and considered unsuitable in terms of a food and a refuge resource for Dormice. They have no connectivity with potentially suitable habitat off site, are of poor species diversity and contain gaps.*

Other Protected Species.

- *No pre-existing information on other protected species within the survey area was found, although reference to potential for Brown Hairstreak (*Thecla betulae*) butterfly was raised by the LA Ecologist. An assessment of the Blackthorn at the site (egg laying plant for Brown Hairstreak) concluded that the shrubs were potentially suitable, but the hedgerows lacked any mature trees or other nectar plants for this species.'*

The Ecologist recommends conditions in relation to bats, reptiles and amphibians, birds, badgers and enhancement/compensation measures.

In terms of the Somerset Levels and Moors SPA - HRA, the ecologist advises:

'Having fully reviewed the proposals, the ecology survey results and the assessing the likely impact from the proposals, I can confirm through a basic screening assessment that:

No likely significant affect on the European designated site is expected. This is due to the following:

- *Small scale nature of the proposal, with construction noise levels unlikely to exceed that currently present among the surrounding residential dwellings and farm operations*
- *The development proposals are confined to an area which has been historically managed, including previously by Wessex Water, with no habitat provision provided for the qualifying features within the SPA.*
- *The site contain a screen in the form of a hedgerow, which as part of the enhancement conditions should be managed above 3m, therefore providing sufficient long term screening. Furthermore, a series of hedgerows with scattered broadleaved tree are located between the development site and the SPA.*
- *The fields between the development site and the SPA are primarily arable fields, and as such, do not provide suitable wintering foraging habitat for qualifying features of the SPA.'*

Natural England

No comment

Wessex Water

Advise that there should be no rainwater connections to the foul network and have therefore requested the imposition of a condition requiring details of the foul drainage pipework.

Wales and West Utilities

Advises that they have pipes in the area and that their apparatus may be at risk during construction works. They advise that should permission be granted the developer should contact them to discuss their requirements.

Senior Historic Environment Officer

'As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.'

REPRESENTATIONS

10 letters of objection (including one from a planning agent representing a local resident) were received in response to the original plans for a terrace of three dwellings making the following comments (summarised):

- Proposal is out of designated development area and contrary to Local Plan Policy
- The principle of development has not been established as the previous consent was an 'exception' site for affordable housing
- Design and layout mean the properties will not be for first time buyers or downsizers
- Scale and mass is larger than previously approved
- The site access will be dangerous as the site is adjacent to the 30mph limit and the previous permission included provision of a pavement
- Draw attention to the previous conditions imposed
- Proposal is overdevelopment of the site
- There is insufficient parking
- Proposal will result in overlooking of adjacent properties
- Question the lack of detail on the application form regarding the applicant
- Considered that site was unlikely to be developed due to lack of progress with the previous permission and applicable planning policies
- There has been no robust consultation
- The Landscape Officer objected to the previous application and only supported the scheme as it was related to the need for affordable housing
- There is no local need for the dwellings
- No ecological or arboricultural reports were submitted with the application.

In response to the revised application, a further 5 letters of objection (including one from an agent acting for a local resident) were received, with five letters of support.

The objectors maintain their previous objections and raise the following additional issues (summarised):

- Plans should be treated as a new application
- Approval of the application would be inconsistent and set an undesirable precedent
- There is no gain to the housing figures from one dwelling
- Principle has not been established and relying on such an assumption would open up such a decision to judicial review.
- Plans have not address previous concerns
- Permitted Development rights should be withdrawn to prevent additional development especially within the roof space
- Conditions should be imposed as required by environmental and highway authorities

- Wild hedging should be planted as a requirement of any permission
- Hours of construction should be restricted
- Wessex Water issue is still outstanding
- Revised scheme has addressed residential amenity, design, parking and character issues but other issues remain outstanding

The supporters make the following comments (summarised):

- Support the application subject to the provision of a pavement and withdrawal of permitted development rights
- There is a need for this type of housing
- Proposal will not cause any harm
- It is not possible to require traffic improvements on an application for one dwelling
- This is a bare site and there will be no ecological impacts
- The issue of the drainage can be dealt with through a condition as with similar developments
- Good design
- Proposal is in line with similar developments in the vicinity
- The case referred to by the Parish Council is remote from the village
- Highways impacts are minimal and there is no objection from the County Highway Authority

CONSIDERATIONS

Principle of Development

Long Sutton is defined in the local plan as a Rural Settlement, where development will be strictly controlled. The starting point for considering development in Rural Settlements is policy SS2 of the South Somerset Local Plan. The proposal is contrary to that policy, as it does not provide employment opportunities, create or enhance community facilities and services, or meet an identified housing need.

However, as SSDC cannot currently demonstrate a five year supply of housing land, elements of that policy must be considered out of date. As such, it is considered that the LPA cannot rely on the proscriptions of that policy in regard to what the development must provide (e.g. meeting an identified housing need), but must accept that the settlement is broadly sustainable and capable of supporting some residential development. As such, although the proposal is contrary to policy SS2 of the local plan, only limited weight can be applied to this adverse impact in the planning balance.

Overall, it is considered that the dwelling proposed would result in an addition to housing stock in an area with an acknowledged lack of provision. Furthermore the housing would be in a location which is relatively accessible by rural standards. There would also be economic and social benefits in supporting employment during construction, and as future occupants would bring trade to nearby services and facilities. As such, it is considered that the proposal can be supported in principle.

Landscape Impact

The density of the development is considered to be commensurate with the pattern of surrounding development in the area. Looking at the site in detail it is considered the linear layout of the site, along with the simple design of the dwelling is in keeping with the character of the area, and would not have a detrimental impact on the visual amenity of the area. The proposed materials include the use of local stone with a reclaimed tile roof, and given the prominence of the site when travelling into the village from the south, the overall scheme would contribute towards a street scene that is characteristic of Long Sutton.

The proposals are therefore considered to be in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

Residential Amenity

It is considered the proposal would not harm residential amenity of surrounding properties due to the distances to neighbouring properties. Adequate provision of garden space has been provided within the site, and the layout shown on the submitted plans is felt to be acceptable in terms of residential amenity of future occupiers.

The proposals are therefore considered to be in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

Highways and parking

The Highway Authority has confirmed that subject to conditions the proposal has a suitable access with adequate visibility splays, and the parking and turning area within the site are acceptable. It is noted that they have not required the provision of a connection and extension to the pavement on the opposite side of the road. It is considered that such a requirement would be unreasonable on a development of one dwelling.

The proposals are therefore considered to be in accordance with the NPPF and local plan policies TA5 and TA6.

Ecology

An ecology survey has been submitted and assessed by the Council's consultant ecologist. The Ecologist has not objected to the principle of the development but has recommended the imposition of conditions.

The proposals are therefore considered to be in accordance with Policy EQ4 of the South Somerset Local Plan 2006-2028.

Other Matters

- Requirement for new application - The amended plans have been subject to full consultation with the local community and consultees and it is not considered that the decision to accept the amended plans has prejudiced the ability of those wishing to comment upon the proposals.
- Precedent - It is not considered that permission in this case will create a precedent as this site had its own unique properties and each planning application is determined upon its own individual merits.
- Appeal at Little Upton Bridge Farm - the application site is considered to be materially different from the appeal site and as mentioned above each application has to be determined on its own individual merits
- Conditions - appropriate conditions can be imposed to deal with issues such as withdrawal of permitted development rights, drainage, materials, hours of construction, landscaping, highways
- Details on application form - the full details of the applicant have now provided and included on the public file.

Conclusions and Planning Balance

With no five year supply of housing land in South Somerset, footnote 7 to paragraph 11 of the NPPF is engaged, which explains that, for applications involving the provision of housing, relevant policies are

considered out-of-date where "...the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years." As such the tilted balance set out in paragraph 11 of the NPPF is the measure against which the development should be assessed. This states that "For decision-taking this means...where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

In this case there are no specific policies in the NPPF that indicate development should be restricted, so an assessment must be made as to whether the adverse impacts of the development significantly and demonstrably outweigh the benefits.

The benefits of the proposed development are relatively modest in that the proposal would contribute to the shortfall of housing land supply in South Somerset, however, such benefit must be afforded significant weight.

Whilst the application is contrary to policy SS2 of the South Somerset Local Plan, the policy can only be afforded limited weight and must be considered out of date in the absence of a five year supply of housing land. Notwithstanding local objections, no other areas of harm have been identified by statutory consultees and it is considered that the impact of the development would not significantly and demonstrably outweigh the benefits of the scheme and, as such, planning permission should be granted.

RECOMMENDATION

Approve

01. The Council cannot demonstrate a 5-year housing land supply. Long Sutton is an appropriate location for this level of development and the site is suitable in terms of its services. By reason of its juxtaposition with existing built form and its scale the proposal represents appropriate development that would not cause demonstrable impact upon residential amenity, highway safety or upon the character and appearance of the area. As such the proposal complies with the policies of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 08, 05 Rev A, 03 Rev B, 07 Rev B, 06 Rev C and 01.

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

03. No work shall be carried out in relation to any of the below elements until particulars of that element have been submitted to and approved in writing by the Local Planning Authority:
- a) materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b) the mortar mix and coursing of the external walls (best illustrated through the provision of a sample panel);
 - c) the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - d) all hardstanding and boundaries
 - e) the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

04. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
- Construction vehicle movements;
 - Construction operation hours;
 - Construction vehicular routes to and from site;
 - Construction delivery hours;
 - Expected number of construction vehicles per day;
 - Car parking for contractors;
 - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
 - A scheme to encourage the use of Public Transport amongst contractors; and
 - Measures to avoid traffic congestion impacting upon the Strategic Road Network.
 - On-site vehicle wheel washing facilities

Reason: In the interests of highway safety and efficiency and residential amenity in accordance with policies TA5 and EQ2 in the South Somerset Local Plan.

05. 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 provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

06. The proposed access shall be constructed in accordance with the details shown on the submitted plan, Drawing No. 06 Rev C, and shall be available for use before the occupation of the dwelling hereby approved. Once constructed the access shall be maintained in that condition thereafter at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

07. The proposed access over at least the first 6.0 metres of its length, as measured from the edge of the adjoining carriageway, shall be property consolidated and surfaced (not loose stone or gravel) in accordance with details which have been submitted and approved in writing by the Local Planning Authority. Once constructed the access shall be maintained in that condition thereafter at all times.

Reason: To ensure the development is provided with a suitably constructed access which provides appropriate vehicle visibility splays, and allows access to the property in a controlled manner in the interests of highway safety and in accordance with policy TA5 in the South Somerset Local Plan.

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

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

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

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

10. The area allocated for parking and turning on the submitted plans (Drawing No. 06 Rev C) 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 in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

11. Prior to first occupation of the dwelling hereby permitted, an electric charging point (of a minimum 16amps) for electric vehicles shall be provided for the dwelling adjacent to the designated parking spaces or car port shown on the approved plan. Once installed such charging point shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

12. Before any foul drainage pipe work is installed, the details of that system and how it will be implemented to ensure it results in a sealed system, must be submitted to and approved by the Local Planning Authority. The system must be installed entirely in accord with the agreed details.

Reason: To ensure no groundwater enters the foul water drainage system within the site.

13. No works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of tree/hedgerow and shrub planting. Such a scheme shall confirm the use of planting stock of UK-provenance only, the planting locations, numbers of individual species, sizes at the time of planting, details of root-types/root-volumes and the approximate date of planting. The installation details regarding ground preparation, staking, tying, strimmer-guarding and mulching shall also be included in the scheme. All planting comprised in the approved details shall be carried out within the next planting season following the

commencement of any aspect of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

14. No artificial lighting associated with the development will illuminate the boundary hedgerows, or any proposed bat boxes. A lighting scheme showing how this would be achieved should be submitted to South Somerset District Council before work on site commences for approval. See Guidance Note 08/18 - Bats and artificial lighting in the UK, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Reason: All bats are afforded protection under the Habitats Regulations 2017 by which populations are to be maintained at Favourable Conservation Status as defined under Article 1 of the Habitats Directive 1992. Lacking evidence to the contrary it must be assumed the boundary hedgerows and trees forms part of the habitat available to maintain local bat populations. Bat species are adversely affected by the introduction of artificial lighting on commuting routes, which in effect can cause severance between roosts and foraging areas. A dark boundary area will also help maintain other light sensitive species on site and contribute towards conserving biodiversity.

15. Any vegetation in the construction area, excluding the hedgerows, will be maintained at a height of less than 10cm for the duration of the pre and active construction period.

Reason: Reptile 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 be in torpor or hibernation when disturbance is likely to pose a risk to survival.

16. No hedgerow management 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 hedgerows 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.

17. With regard to badgers:

- All contractors on site must be appropriately briefed by the Site manager, indicating that badgers are legally protected and must not be disturbed.
- Any construction excavations over 1 metre deep and left open overnight must be either covered or have a means of escape should a badger fall in. A suitable means of escape is a rough wood plank slowly inclined from the base of the excavation to the surrounding ground level.
- Any construction opening larger than 125mm diameter or equivalent, must not be left open overnight.

- New home occupiers must be advised by the Developer that badgers are active in the vicinity and that badgers and badger setts are legally protected.

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 and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006. To ensure compliance with the Protection of Badgers Act 1992, which affords badger setts protection from intentional or reckless interference.

18. Prior to the occupation of the dwelling hereby permitted the following enhancements shall be installed:

- 1 x terraced sparrow box to be installed within a north or east facing external wall of the new dwelling. (These are best fitted under the eaves and need to be at least three meters high and close to vegetation.)
- 1 x woodstone swift nest box to be installed on a south of west facing wall, five meters above ground level ensuring that there is an unobstructed access for birds to enter/leave the box. (If possible, boxes should be situated under the shelter of the eaves. The southern gable end would be an ideal location on the proposed building.)
- 1 x Build-in WoodStone Bat Box or similar, to be installed on the southern and/or western elevation of the new dwelling, at a height of over 3m.
- 1 x integrated bee brick built into the external wall space of the new building. The bricks will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes.

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; South Somerset District Council Local Plan - Policy EQ4 Biodiversity; and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006. To ensure the success of mitigation measures are sustained for the duration of the development and that there is no net biodiversity loss in the long term as per Government and local minerals planning policy. Furthermore, the recently updated National Planning Policy Framework states in section 15, paragraph 170, that "Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

19. No work shall be carried out to erect any boundary treatment unless full details of the boundary treatments, including walls, fences, railings, gates, gateposts have been submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and permanently retained and maintained.

Reason: In the interests of visual amenity and in accordance with policy EQ2 of the South Somerset Local Plan.

20. 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 (including any enlargement of the roof) without the prior express grant of planning permission.

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

Informatives:

01. The applicant attention is drawn to Wales and West Utility's letter of 6/2/2019.
02. 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

03. Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.
- If the work involved in carrying out this proposed development would:
 - make a PROW less convenient for continued public use; or
 - create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset County Council's Rights of Way pages to apply for a temporary closure: <http://www.somerset.gov.uk/environment-and-planning/rights-of-way/apply-for-a-temporary-closure-of-a-right-of-way/> .

04. The County Highway Authority advise that the alteration of the access and/or minor works involves construction works within the existing highway limits. These works must be agreed in advance with the Highway Service Manager for the South Somerset Area at The Highways Depot, Mead Avenue, Houndstone Business Park, Yeovil, BA22 8RT, who will advise upon and issue/provide the relevant licences necessary under the Highways Act 1980.

05. The County Highway Authority advise that the creation of the visibility splay will require the re-positioning of some existing street furniture (National Speed Limit signage) this may require a Traffic Regulation Order and the applicants are advised to contact the Somerset County Council Traffic Management Team in order to establish any requirements.
06. The applicant is advised that the boundary treatments and landscaping should take into account the following advice of the ecologist:
- Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgerows into and out of the site.
 - All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native.
 - Where the landscaping scheme allows all new trees planted on site should ideally be from local native stock, such as field maple, ash, hornbeam, dogwood, spindle and beech.
 - The hedgerows along the north, south and west boundary will be retained and managed as a screen and habitat feature, at a height over three meters, with a minimum of 6 individual trees allowed to mature.
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