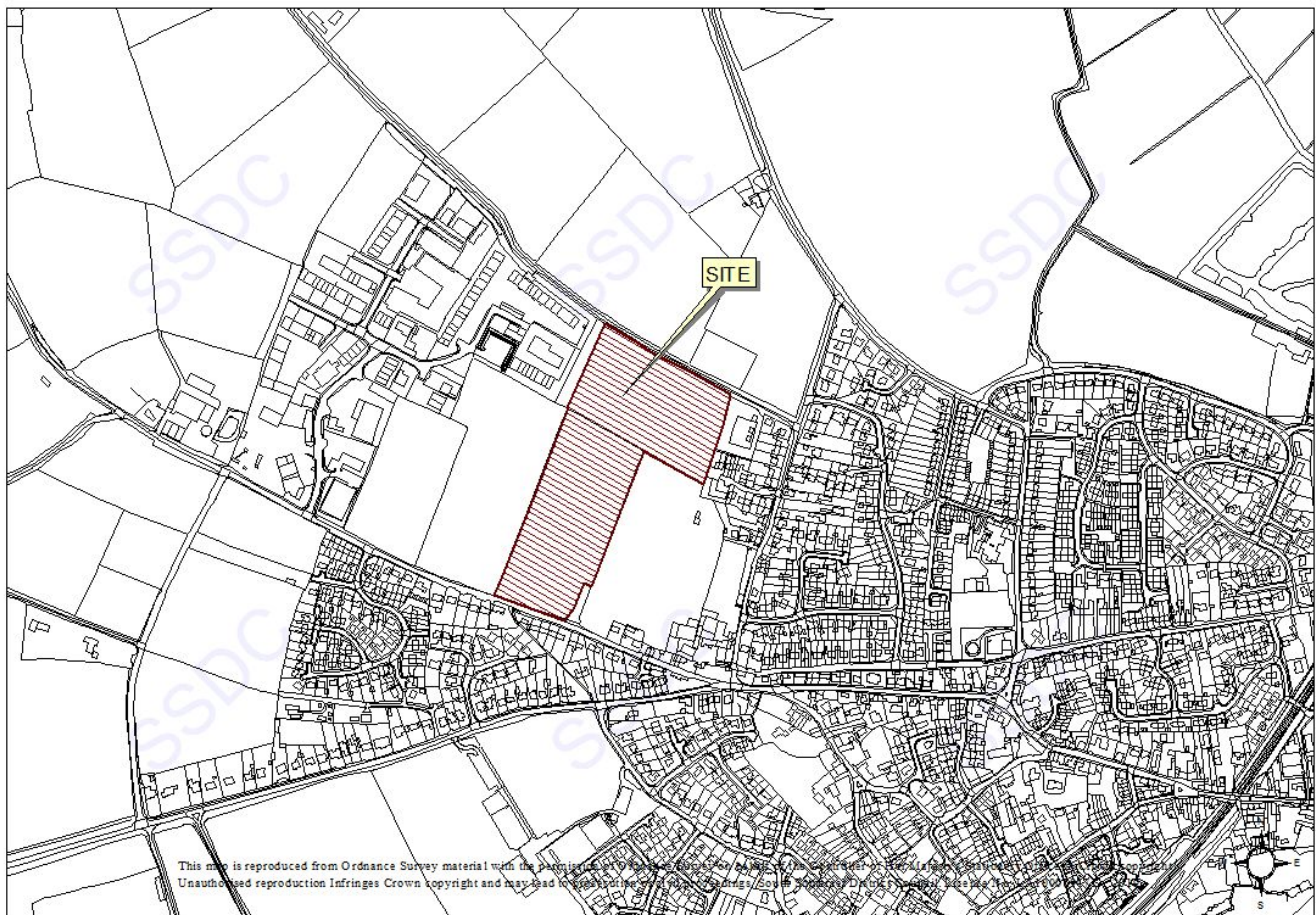


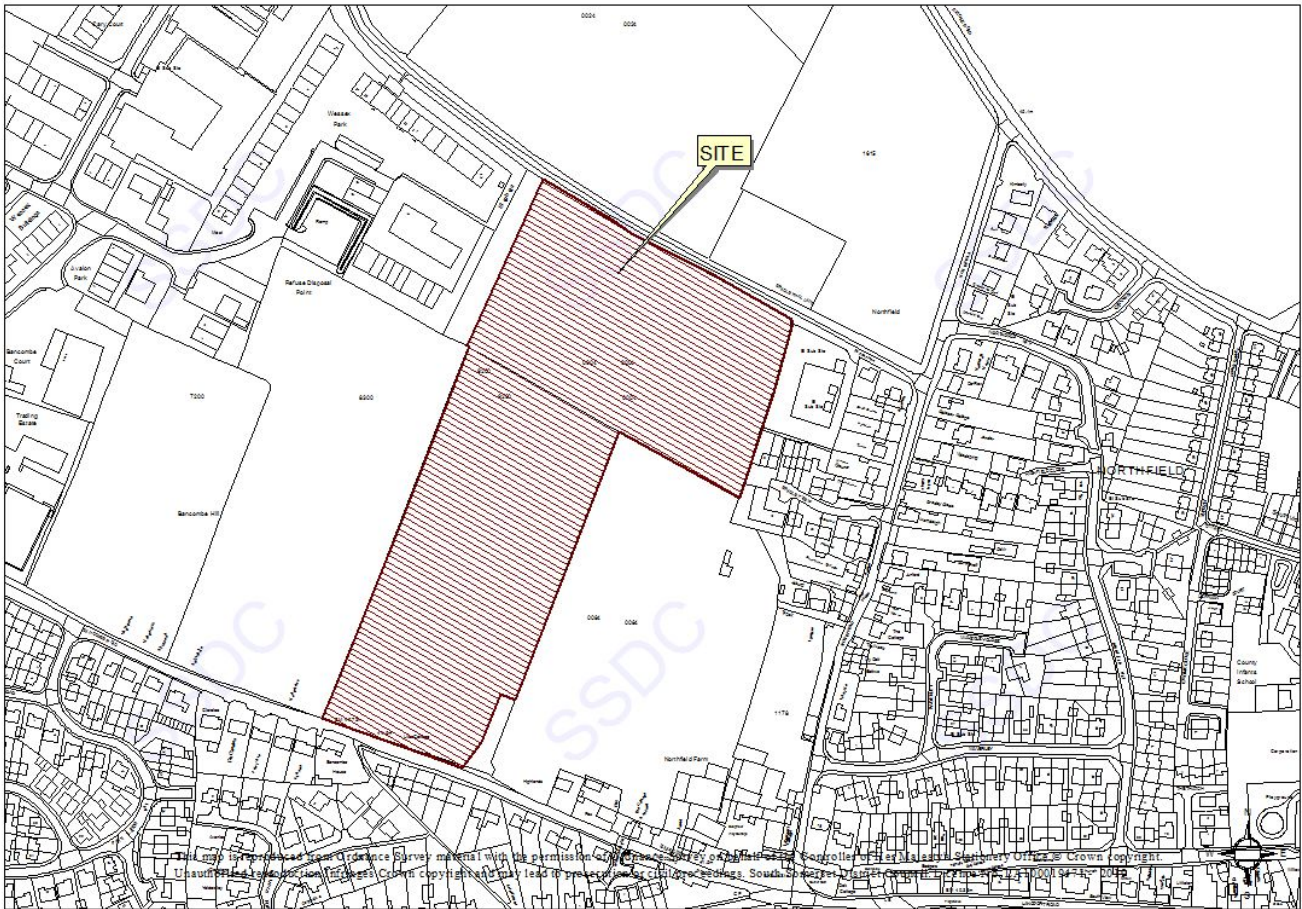
## Officer Report On Planning Application: 18/03483/OUT\*\*

<b>Proposal :</b>	Outline planning application for residential development of circa 130 new homes, together with associated open space and related infrastructure (Means of access only to be determined).
<b>Site Address:</b>	Land To The North Of Bancombe Road, Somerton. Somerset.
<b>Parish:</b>	Somerton
<b>WESSEX Ward (SSDC Members)</b>	Cllr T Kerley Cllr D Ruddle
<b>Recommending Case Officer:</b>	Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
<b>Target date :</b>	25th January 2019
<b>Applicant :</b>	Fairfax Somerton Limited
<b>Agent:</b> <b>(no agent if blank)</b>	Mr David Seaton, 13a-15a Old Park Avenue, Pinhoe, Exeter EX1 3WD
<b>Application Type :</b>	Major Dwlg 10 or more or site 0.5ha+

### REASON FOR REFERRAL TO COMMITTEE:

The application has been referred to committee at the request of the Ward Member Cllr Kerley and with the agreement of the Area Chair to enable the local concerns relating to highway matters to be further considered.





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

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

## **SITE DESCRIPTION AND PROPOSAL**

This application is seeking outline consent for up to 130 dwellings together with associated open space, means of access and associated infrastructure. The application is seeking to agree detailed matter of access with all other matters, including layout, scale, appearance and landscaping, reserved for later consideration.

The site consists of two agricultural fields totalling approximately 4.85 hectares in size and is located on the western side of Somerton. The site is bounded by existing residential development to the east with the land to the west comprising some existing industrial development and residential with planning permission granted for further industrial development on the remaining land. The site fronts on to Bancombe Road to the south with the vehicular access for the development proposed via this road. On the opposite side of this road is further established residential development. Running along the north side of the site is an unclassified road known as Bradley Hill Lane beyond which is undeveloped agricultural land although planning permission has recently been granted (planning ref. 19/00721/CPO)

for a new primary school to occupy the land immediately to the northeast. A pedestrian link on to Bradley Hill Lane is proposed as part of this proposal.

The application site is a relatively level site and the two fields are contained by native hedgerows to all sites. The site is not located within any areas of special designation, conservation areas or wildlife / habitat designations. There are no heritage assets in the immediate locality and the site is located within flood zone 1.

This application is supported by:

- Design and Access Statement
- Planning Statement
- Archaeological desk-based assessment
- Flood Risk Assessment (FRA), which includes an indicative drainage strategy
- Ground conditions and contamination assessment
- Landscape and Visual Impact Assessment
- Transport Assessment
- Travel Plan
- Phase 1 Survey and Preliminary Ecological Appraisal
- Phase 2 Surveys and Ecological Impact Assessment
- Statement of Community Involvement

## **HISTORY**

None.

## **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

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

LMT3 – Somerton Direction of Growth

EP3 - Safeguarding Employment Land

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  
EQ3 - Historic Environment  
EQ4 - Biodiversity  
EQ5 - Green Infrastructure  
EQ7 - Pollution Control

National Planning Policy Framework - March 2019

Part 2 – Achieving sustainable development  
Part 5 – Delivering a sufficient supply of homes  
Part 8 – Promoting healthy and safe communities  
Part 9 – Promoting sustainable transport  
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**

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.

**Somerton Town Council:** Objects to the application for the following reasons:

- The application does not include a satisfactory plan for vehicular access to Langport Road and the town centre.
- The application does not include any plan for vehicular access from the site to Bradley Hill Lane and Northfield where the new school will be built within 2 years.
- An application for 130 dwellings does require a satisfactory vehicular access plan which is not currently available via the existing road network or Russet Road as indicated. The applicant has been made well aware by STC that these issues need to be addressed but they have not been addressed in this application.

**County Highway Authority:** No objection however they made the following observations and recommendations:

- It is noted from the drawings that it is proposed to reduce the width of Bancombe Road to 5.5m. This is acceptable.
- It is noted from the drawings that the proposed width of the access road is 5.5m. This is an acceptable width.
- A new 2 m wide footway is proposed along the Bancombe Road frontage which is also acceptable. Junction visibility splays of 2.4m x 40m have been proposed on to Bancombe Road, these should be 2.4m x 43m in accordance with current policy standards.
- The Transport Assessment is generally acceptable and no capacity issues are identified. It can

therefore be concluded that the proposed development will not have a severe impact to the operation of Bancombe Road and nearby junctions and based on the information provided in the TA it is recommended that the application is not rejected on highway impact grounds.

- The submitted Travel Plan requires some amendments and will need to be secured through a Section 106 Agreement.
- In the event of permission being granted conditions to secure the following matters are recommended:
  - Phasing condition.
  - Construction Environmental Management Plan.
  - Estate road condition.
  - Prior to each dwelling being occupied it shall be served by a properly consolidated access.
  - Prior to occupation of any dwelling the necessary highway infrastructure – 2m wide pavement along the Bancombe Road frontage, new pedestrian/cycle link to Bradley Hill Lane and an informal pedestrian crossing point of Bancombe Road to link to the existing footway opposite the site.
  - Provision of properly consolidated and surfaced parking and turning spaces.
  - The main estate access to have visibility splays of 2.4m x 43m in either direction.

**SSDC Highway Consultant:** Refer to SCC advice.

**SCC Rights of Way:** No objection. Noted that there is a public right of way (PROW) that runs adjacent to the site (public footpath L 25/8).

**SCC Minerals and Waste Team:** No comments received.

**SCC Education (EdA):** Originally the EdA made the following request for contributions towards education provision:

130 homes in this location will generate the following number of children:

0.05 x 130 = 6.5 (7) early years pupils  
0.32 x 130 = 41.6 (42) primary pupils  
0.14 x 130 = 18.2 (19) secondary pupils

The average costs to build per pupil for early years and primary is £17,074 and secondary cost to build is £24,861 per pupil. Therefore the education contributions sought to ensure that appropriate education infrastructure is in place for the pupils from this development is:

7 x £17,074 = £119,518 for early years  
42 x £17,074 = £717,108 for primary  
19 x £24,861 = £472,359 for secondary).

Totalling = £1,308,985

The applicant however challenged the basis of the EdA's request, challenging their methodology and workings. Following lengthy negotiations and discussions with the EdA they revised their contribution request as follows:

- **£599,999** towards primary school provision (equates to 35 primary pupils).

**SSDC Housing:** Policy requires 35% affordable housing split 80:20 social rent; intermediate product. This new split is evidenced in the Mendip, Sedgemoor, South Somerset and Taunton Dean Strategic Housing Market Assessment (October 2016). This would equate to 46 of the 130 dwellings be affordable

split 37 social rent and 9 for other intermediate affordable housing including the following mix of house sizes:

- 14 x 1 bed houses / flats
- 14 x 2 bed houses / flats / bungalows
- 16 x 3 bed houses / bungalows
- 1 x 4 bed house (available at a social rent)
- 1 x 4 bed parlour house (available at a social rent)

It is expected that the prevailing minimum space standards are adhered to:

1 bedroom flat / house	47 sqm / 55 sqm
2 bedroom flat	66 sqm
2 bedroom house	76 sqm (86 sqm if 3 storey)
3 bedroom house	86 sqm (94 sqm if 3 storey)
4 bedroom house	106 sqm (114 sqm if 3 storey)
4 bedroom (parlour) house	125 sqm (134 sqm if 3 storey)

The affordable units should be pepper potted throughout the site and the units developed to blend in with the proposed housing styles with a preference for houses but if flats that these have the appearance of houses.

**SSDC Open Spaces Officer:** The indicative site layout plan identifies approximately 0.32 hectare of public open space (POS), an amount that is less than the required 0.5 hectare for a development of this size, and although not labelled as a LEAP, we suspect the rectangular area show in the middle of the POS will be a play area, further reducing the provision of POS.

Whilst the linear style of this section of the plan lends itself to an area of POS in this location, we would prefer to see a more centrally located area to better accommodate everyone on site. An additional area of open space however could be located within the top half of the development to not only help achieve the required amount of open space but to further break up the built form in this section.

We would also be encouraged to see more of a green entrance onto the site, helping to incorporate the new development with the existing buildings in the area as well as more street tree planting to create a green corridor accompanying the road directly through the middle of the development.

**SSDC Community, Health and Leisure:** Seeks contributions totalling £305,053 towards local facilities which equates to £2,370 per dwelling and comprises £110,344 towards the provision of an onsite equipped play space (LEAP) (unless provided by the applicant), £21,666 towards the provision of onsite youth facilities (unless provided by the applicant), £93,754 contribution towards providing new changing facilities at Gassons Recreation Ground, £79,289 in commuted sums and £3,051 as an administration fee.

**NHS England:** No comments received.

**Police Designing Out Crime Officer:** Made the following comments:

- I have reservations regarding the number of alleyways proposed Unprotected alleyways offer anonymity to the criminal allowing access to the rear of properties and escape routes to and from the rear parking courts. They are proven crime generators allowing such crimes as anti-social behaviour, criminal damage and graffiti to flourish.
- The permeability allowed across the site by road and extensive pavement would suggest that many, if not all of the alleyways could be restricted to only access from the rear gardens of those residents who should have access to the rear parking. Please consider a review of these

alleyways.

- Please provide bollards at the link path near to units 29/30 and 43/44 and the two further link paths to the north and east of the site.

**Somerset Waste Partnership:** No comments.

**Natural England:** No comments received.

**SSDC Ecologist:** Original comments - the Ecologist made the following comments:

From reviewing site plan, I am not satisfied that the proposal sufficiently mitigates and compensates for the habitats and species to be affected by the development. Although hedgerows will be retained, apart from 3 access ways, the buffer zones appear small or non-existent. Furthermore there are no corridors or stepping stones through the site to provide commuting and dispersal, and no visible habitat creation areas for protected species and biodiversity. Although an open space is present along the western boundary, I do not see any information for how this may benefit biodiversity, as at present the plans look to contain recreational landscaping such as amenity grassland and a potential play area. In addition the Phase 2 Ecology Surveys and Ecological Impact Assessment, includes outline mitigation measures for habitat creation which should be undertaken in order to fully avoid, mitigate and compensate for impacts caused from the development, I do not feel there is sufficient space allocated within the current proposal for this.

Before proceeding to conditions for mitigating impacts and providing net gains, such as a Landscape and Environment Management Plan, to ensure the development adheres to the NPPF, LP Policy EQ4 (biodiversity) and SSDCs statutory duty under the NERC ACT 2006 I would expect to see the scheme re-designed to include a reduction in houses and gardens, and incorporating a design for habitat corridors, wildlife areas and buffer zones of 5-10 m around the hedgerows of the site.

Following receipt of these comments the Ecologist was reminded that this application is outline only at this stage with matters of layout and landscaping reserved for later consideration. On this basis the Ecologist confirmed that he is happy for these matters to be addressed through a pre-commencement condition.

**Somerset Wildlife Trust:** Generally support the findings of the submitted ecology reports and surveys as well as the recommendations for mitigation and enhancement, particularly in respect of bat boxes, restricting external lighting, wildflower planting and buffer zones on field edges. We would also request the provision of a small number of bird boxes somewhere within the site and request that all the site boundaries should be constructed so as to allow the free passage of small mammals.

**SSDC Tree Officer:** No comments received.

**SSDC Environmental Protection Officer:** No observations.

**SW Heritage Trust Archaeologist:** No objection subject to a condition to secure a programme of archaeological work prior to the development commencing.

**Environment Agency:** No comment received.

**Lead Local Flood Authority (County Drainage):** No objections subject to a condition to secure the detailed design once layout / impermeable areas have been finalised.

Noted that they welcomed the undertaking of infiltration testing prior to the submission of outline permission as this has helped to inform the drainage strategy for the scheme. The use of soakaways to manage a majority of the site drainage is welcomed as infiltration is the most sustainable means of

drainage, and we note the proposal to continue to use the connection to the ditch system for part of the access road.

**Somerset Drainage Board Engineer:** No comments received.

**Wessex Water:** No objections. Noted that additional engineering appraisals will be required as the site progresses and information regarding phasing and detailed designs in order to help plan any capacity improvements to match the rate of development.

## REPRESENTATIONS

59 local households were notified by letter of the application, site notices advertising the application were also displayed in Bancombe Road, Bradley Hill Lane and Northfield Road. A public notice was also placed in the Western Gazette to advertise the application.

Written representations have been received from 7 local households raising the following concerns and observations:

- Concerns relating to Russet Road (the through road that forms part of the Northfield Farm development). Russet Road is totally unsuitable as a through road. Existing traffic using this route is already a problem for residents and any increase to this would be totally unacceptable. Bancombe Road should be reopened to resolve this issue.
- Russet Road is too narrow with very sharp bends which makes it incapable of serving as a through road and as a result cannot cope with the existing through traffic.
- Unless Russet Road is stopped off as a through road we strongly object to this proposal as it can only increase traffic along Russet Road which would compound the existing problems.
- Some minor accidents have already happened due to the traffic issues associated with Russet Road it is only a matter of time for something more serious to happen.
- Both highways and Somerton Town Council have accepted that Russet Road is unsuitable in its current form, the extra traffic pressure this new development would bring is totally unacceptable.
- No mention is made in the application to the new school proposed to the north or how the associated traffic could be accommodated.
- Disruption to the wildlife corridor along the west border of the Northfields development.
- Noise pollution from a building site for up to 4 years is a concern.
- Loss of privacy. Our property backs on to the wildlife corridor and fields (the site) behind our house which was one of the driving factors for us to buy this house. With a new development immediately behind our house our privacy will be harmed with multiple houses having a clear view into our rear garden.

## Applicant's Case

“Somerton is one of the main towns within South Somerset district where growth is directed. It is a sustainable location and the site represents a logical extension to the existing urban form of the town.

The application proposals are in accordance with the Development Plan (read as a whole) and therefore should be approved without delay.

Given the lack of a 5 year supply of deliverable housing land, the delivery of market and affordable housing is a material consideration that also points towards an approval of the application.

As demonstrated within this report (and across the application submission), there are no adverse impacts of the proposals that outweigh the benefits of the proposal.

Accordingly, permission should be granted at the earliest opportunity.”



## **CONSIDERATIONS**

### **Principle of Development**

Somerton is identified as a local market town in the local plan, where new development should help to increase self-containment and enhance its role as a service centre (policy SS1). The application site is located within Somerton's direction of growth, as set out within LP Policy LMT3, where a permissive approach should be taken to new development, subject to the overall scale of growth coming forward and other LP policies. Policy LP sets out a minimum housing delivery requirement of 374 dwellings for the plan period (2006-2028). Current housing figures identify that to date there have been 254 houses completed with a further 239 houses committed (i.e. secured through extant planning permissions or under construction), totalling 493 dwellings overall.

Cumulatively the proposed development along with that already built and permissions granted brings the level of housing that could come forward in Somerton to nearly 623 dwellings, which is approximately 66% greater than the minimum housing figure proposed for Somerton.

At the present time SSDC cannot demonstrate a five-year housing supply. In these circumstances paragraph 11 of the National Planning Policy Framework states that policies that are relevant to the supply of housing, i.e. Local Plan Policies SS1, SS4 and SS5, are to be considered to be out of date. It further advises that under these circumstances 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 374 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. Furthermore, the resulting housing numbers would be well below the growth targets for settlements within the next tier of the settlement strategy and is not viewed as conflicting with the overall distribution strategy set out within the Local Plan.

When considering the planning balance of this proposal it should be recognised that the additional market and affordable housing that will be provided will make a positive contribution towards meeting SSDC's five-year housing supply and should be accorded considerable weight in favour of the scheme. It should also be born in mind that the development is located within the direction of growth for Somerton and furthermore is a logical infill from a landscape perspective, given its location in amongst existing built development, and its close proximity to the settlement's town centre and local facilities.

On the basis of the above, it is not considered that the scale of growth over and above the strategic housing target would undermine the settlement strategy set out within the Local Plan, or that in this instance it would lead to any significant character concerns. The site relates well to surrounding built development and is within an easy walking distance to the town centre and local facilities. The benefits that would arise from the scheme in terms of its positive contribution towards meeting the district's 5 year housing supply requirements as well as providing a good mix of market and affordable dwellings are significant. For these reasons the proposal is considered to represent a sustainable form of development that is acceptable in principle.

### **Impact on the local landscape, visual amenity and density**

The site area falls within the scope of the peripheral landscape study of Somerton, indicating the west

side of Somerton as a logical area for further growth should additional housing land be required. In this instance the site comprises an island of undeveloped farmland which is bounded by the existing development of the Northfield Farm development to the east and the Bancombe Road trading estate to the west with further approvals now granted for a mix of housing and industrial on the remaining adjoining land to the west of the site. This scheme seeks to infill this remaining gap between the existing built development and represents a logical and sympathetic infill from a landscape and visual perspective.

This scheme is proposing a density of approximately 30 dwellings per hectare (worked out based on the net developable area) which is comparable with surrounding development. The scheme is only seeking outline consent at this stage as such the layout plan provided is indicative only, however, it sets out how a scheme of this density / scale might be achievable on the site and would relate to surrounding development.

The scheme indicates the retention of the existing native field hedgerows on the site with an area of open space siting along the western boundary which would also offer a bit of a buffer between some of the new housing the nearby industrial development. The development proposes to comprise mainly 2-storey houses which would reflect the general scale / height of surrounding development.

It is not considered that development of this type and at this density is inappropriate in principle in this location. In any event the layout, house types, density and landscaping proposals would be fully considered at the reserved matters stage.

### **Residential Amenity**

The indicative layout offers an arrangement that should allow future residents and existing neighbouring residents to enjoy a good level of residential amenity. It is noted that a neighbour who adjoins the east side of the site has expressed concerns with regard to possible overlooking and general loss of privacy as a result of this development, however, there is no apparent reason why an acceptable scheme could not be achieved that would avoid causing any demonstrable harm to existing local residents in this regard. Furthermore, it is acknowledged that the outlook of adjacent neighbouring residents will be altered by the development, however, the mere loss of a view cannot justify withholding planning permission and in any case the view will change from fields to one that is suburban in character which is not out of keeping given the context of the site. Overall this outline scheme raises no substantive residential amenity concerns.

### **Access and Highway Safety**

The key concerns raised locally in respect of this proposal relate to existing concerns they have in relation to the new through road (Russet Road) that passes through the adjoining development known as Northfield Farm to the east and which links Bancombe Road to Langport Road / Northfield Road. Concerns have been raised at a local level to the highway authority about the width and arrangement of this through road which they state is too narrow and poorly aligned to be able to accommodate existing traffic levels through the development safely. Their concerns are that the current proposal, which will obviously generate additional traffic on the local highway network, will exacerbate this problem which they feel is already unacceptable for safety reasons. It is understood that in response to these concerns a temporary Traffic Regulation Order (TRO) has been authorised to stop up one end of Russet Road in order to prevent traffic passing through this estate and so limiting traffic to that associated with the Northfield Farm development only.

Whilst these local concerns are acknowledged the Highway Authority has not raised any objection to this scheme based on traffic generation and compatibility issues with the local highway network. Their initial comments paid little regard to this particular issue and they were asked to give further consideration to concerns raised by the Town Council and local residents which they duly did.

The application is supported by a Traffic Assessment (TA) which when scrutinised by the HA they realised there were a couple of minor inconsistencies with their modelling and data flows however they carried out their own assessment in relation to these issues and concluded that this proposal would not give rise to any capacity issues in regard to the local highway network. Without any substantive evidence to support the local views it is accepted, on the basis of the HA's comments that this proposal will not lead to any significant traffic related issues in respect of local road network.

The development is to be served by a single new vehicular access leading on to Bancombe Road with any other existing field accesses leading on to Bradley Hill Lane to the north to be stopped up to vehicular traffic. The proposal includes a 5.5m wide access and the provision of a 2m wide pavement along the entire Bancombe Road frontage and at the request of the Highway Authority (HA) an informal crossing point is to be provided to link this pavement to the existing footway on the opposite side of the road. The proposal also includes a cycle / pedestrian link on to Bradley Hill Lane to the north, which will provide a link through to the new primary school. Finally, the applicant has also offered to set aside an area of land around the cycle/pedestrian access that would allow for a potential vehicular link through the site and via Bradley Hill Lane should this connection be required in the future for the new school. They are also willing to take the estate road to within 2 metres of the boundary with Bradley Hill Lane to minimise the need for any works within the development should this link be required. These last matters relating to a future vehicular link are to be secured through a Section 106 Agreement.

The Highway Authority has noted that instead of the expected 43 metre visibility splays in either direction for the new estate access the indicated splays only extend to 40 metres. This appears to be an oversight on the behalf of the applicant, as such amended splay details have been requested and this matter will be secured by condition.

The HA has raised a number of issues with the submitted Travel Plan which need addressing before this can be endorsed. This is a matter that is usually secured through a Section 106 Agreement, and as such is not a matter to hold up determining this application.

In all other respects and as a matter of principle the HA has no objections to this proposal subject to a number of conditions being imposed to secure certain detailed matters, all of which form part of the officer's recommendation. On this basis the proposal is considered to be acceptable from a highway safety point of view.

### **Flooding and Drainage**

The site is located within flood zone 1 and as such is considered to be at the lowest risk to flooding. The application is supported by a Flood Risk Assessment (FRA) which includes an overarching drainage strategy for the scheme based on sustainable drainage techniques. The Lead Local Flood Authority (LLFA) has raised no concerns in relation to these details and subject to a condition to secure a detailed drainage strategy, based on the final detailed layout to be agreed at reserved matters stage, they have no objection to this development. On this basis, the proposal is not considered to raise any significant flooding or drainage concerns.

### **Ecology**

The application site comprises two agricultural fields that are bounded by native hedgerows with only a few trees set within the hedgerows. The site is not subject to any special habitat or wildlife designation.

This application is supported by a Phase 1 Survey and Preliminary Ecological Appraisal and Phase 2 Surveys and Ecological Impact Assessment. The Council's Ecologist has reviewed these details and has raised some concerns in respect of the indicative layout plan provided which he considers does not make sufficient provision for mitigation and compensation of the impact of the development or for

biodiversity enhancements, as required by the NPPF. These matters have been raised with the applicant who has not wished to amend the suggested layout plan at this stage.

It has been pointed out to the Council's Ecologist that the application is only outline and that matters of layout and landscaping are to be considered later under reserved matters. On this basis he has acknowledged that the matters raised can be dealt with appropriately through condition rather than requiring them at this time. Accordingly a condition requiring a landscape and ecological management plan (LEMP), as recommended by the Ecologist, forms part of the officer's recommendation and for these reasons the proposal is not considered to give rise to any substantive ecology concerns.

## **Heritage**

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, subject to a condition to secure a programme of archaeological investigations prior to the commencement of the development.

There are no designated heritage assets such as listed buildings or conservation areas either adjoining the site or in its immediate vicinity whose setting might be affected by the development.

## **Planning Obligations**

This scheme generates the following planning obligations in order to make to mitigate its impacts / meet the requirements generated by this additional housing. The applicant has agreed to all of these obligations and which need to be secured through an appropriate Section 106 Agreement.

### Education

County Education initially sought contributions of amounting to £1,308,985 of which £118,518 was to go towards early year provision, £717,108 towards primary provision and £472,359 towards secondary. Their request however has since been reduced after further analysis and questioning by the applicant to £599,999 which is to go towards the provision of additional primary school places provision (which equates to 35 primary school pupils) to meet the needs generated by the development.

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

The SSDC Community, Health and Leisure department seeks contributions totalling £305,053 towards local facilities which equates to £2,370 per dwelling and comprises £110,344 towards the provision of an onsite equipped play space (LEAP) (unless provided by the applicant), £21,666 towards the provision of onsite youth facilities (unless provided by the applicant), £93,754 contribution towards providing new changing facilities at Gassons Recreation Ground, £79,289 in commuted sums and £3,051 as an administration fee.

### Open Space

The indicative site layout plan identifies approximately 0.32 hectare of public open space (POS), however the Council's Open Spaces team has identified that 0.5 hectares of POS is required for a scheme of this size (not including the onsite LEAP). This matter has been raised with the applicant who has agreed to the amount of open space sought by the Open Spaces team.

The Open Spaces team have raised a number of other matters which relate to detailed layout which as such should be dealt with at reserved matters stage when the layout and landscaping details are considered.

## Affordable Housing

SSDC Strategic Housing has requested, on the basis of their policy requirements 35% affordable housing to be split 80:20, social rent:intermediate product. This equates to 46 of the proposed 130 dwellings being affordable, of which 37 would be for social rent 37 and 9 for other intermediate affordable housing of the following mix of house sizes:

- 14 x 1 bed houses / flats
- 14 x 2 bed houses / flats / bungalows
- 16 x 3 bed houses / bungalows
- 1 x 4 bed house (available at a social rent)
- 1 x 4 bed parlour house (available at a social rent)

It is expected that the units would also comply with the minimum space requirements specified by Strategic Housing.

## 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**

When considering the planning balance of this proposal it should be recognised that application site is located within the area identified as being in the direction of growth for Somerton, and relates well to existing built form as well the local services that can be found within this settlement. Whilst the resulting cumulative housing growth for Somerton will take it significantly above that set out within the Local Plan, such targets are a minimum target, and in any case are not considered to undermine the overall Local Plan housing strategy. Furthermore, with the continuing absence of a five-year housing supply such Local Plan policies that seek to constrain / control housing growth should be considered to be out of date.

The proposal will result in additional market and affordable housing that will make a meaningful and positive contribution towards meeting SSDC's five-year housing requirements, a matter that must be given substantial weight in its favour.

The local concerns raised regarding the existing local road network are noted. However, the Highway Authority have been clear in their opinion that this proposal will not result in any capacity issues on the local road network that warrants refusing this application. No evidence has been provided to undermine / challenge the HA's professional views, as such it must be concluded that the proposal will not lead to any new severe highway safety concerns in this regard.

No substantive adverse impacts on the landscape, ecology, drainage, residential amenity, the historic environment or other environmental concerns have been identified that justify withholding outline planning permission and the agreement of the details of means of access. All outstanding matters of detail would be adequately assessed at reserved matters stage or by the agreement of details required by condition. The applicant has agreed to pay the appropriate contributions and provision of the other obligations sought through a Section 106 Agreement.

Therefore, notwithstanding the local concerns raised, the proposed development is considered to represent an appropriate and sustainable form of development that accords with the aims and objectives of the relevant policies of the South Somerset Local Plan and the National Planning Policy Framework.

Accordingly the application is recommended for approval.

## 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) A contribution of £305,053 (or £2,370 per dwelling) towards recreational infrastructure, to the satisfaction of the Director of Strategy & Commissioning broken down as:
  - £110,344 towards the provision of an onsite equipped play space (LEAP) (unless provided by the applicant);
  - £21,666 towards the provision of onsite youth facilities (unless provided by the applicant);
  - £93,754 contribution towards providing new changing facilities at Gassons Recreation Ground; £79,289 in commuted sums; and
  - £3,051 as an administration fee.
- (b) Onsite open space equating to 0.5 hectares in area, to the satisfaction of South Somerset District Council.
- (c) At least 35% of the dwellings as affordable dwellings with a tenure split of 80:20 in favour of rented accommodation over other intermediate types, to the satisfaction of the Strategic Housing Officer.
- (d) A contribution of £599,999 towards the cost of providing additional primary school places, to the satisfaction of Somerset County Council.
- (e) A buffer area around the proposed cycle / pedestrian access leading on to Bradley Hill Lane to be secured and kept available solely for the purpose of providing a vehicular route from the site on to Bradley Hill Lane, should such a vehicular link be required in the future. The internal estate road serving the development shall link directly with this cycle / pedestrian access and shall be constructed to within 2 metres of the boundary of Bradley Hill Lane within the agreed buffer area, to the satisfaction of the County Highway Authority and with the agreement of the Development Manager.
- (f) Travel Plan measures to the satisfaction of the County Highway Authority with the agreement of the Development Manager, and to be fully implemented in accordance with the agreed details.

and

(ii) conditions, as set out below:

### Justification:

Notwithstanding the local concerns, the provision of up to 130 houses and community facilities in this sustainable location would contribute to the council's housing supply without demonstrable harm to the local landscape, the character of the settlement, residential or visual amenity, ecology, archaeology, flooding and drainage or highway safety, and without compromising the provision of services and facilities in the settlement or the settlement hierarchy set out in the Local Plan. As such the scheme is considered to comply with the aims and objectives of policies SD1, SS1, SS4, SS5, SS6, LMT3, HG3,

TA1, TA4, TA5, TA6, HW1, EQ1, EQ2, EQ3, EQ4, EQ5 and EQ7 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

**Subject to the following conditions:**

01. Details of the appearance, landscaping, layout and scale (herein called the “reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

02. All reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to appearance, landscaping, layout and scale to the local planning authority before the expiration of three years from the date of this permission, and before any development is commenced on site. The development shall begin no later than three years from the date of this permission or not later than two years from the approval of the reserved matters application.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

03. The site hereby approved for development shall be as shown on the submitted location plan drawing number 1818/PL.01.

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

04. The development hereby permitted shall comprise no more than 130 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location and commensurate with levels of contributions sought in accordance with policies SD1, SS6, HG3 and HW1 of the South Somerset Local Plan.

05. Before any work is commenced a programme showing the phasing of the development shall be submitted to and approved in writing by the Local Planning Authority. Following such approval and commencement of the development hereby permitted the works comprised in the development shall not be carried out otherwise than in complete accordance with such approved programme or such other phasing programme as the Local Planning Authority may in writing subsequently approve.

Reason: For the avoidance of doubt as to the potential impacts on the local road network and the relative timescales involved, in the interests of highway safety and efficiency and in accordance with policy TA5 of the South Somerset Local Plan.

06. 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;
- Measures to avoid traffic congestion impacting upon the Strategic Road Network; and
- Construction phase on-site vehicle wheel washing facilities.

Reason: To ensure all works are undertaken with a little impact on the highway network as possible, in the interests of highway safety and efficiency and in accordance with policy TA5 of the South Somerset Local Plan.

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

Reason: In the interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan (2006-2028).

08. 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: To ensure that the dwellings hereby permitted are served by an appropriate highway network prior to their occupation, in the interests of user safety and efficiency and in accordance with policy TA5 in the South Somerset Local Plan (2006-2028).

09. Prior to occupation the parking spaces for the dwellings and all properly consolidated and surfaced turning spaces for vehicles shall be provided and constructed within the site in accordance with current policy standards. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure all new residents can access their properties in a controlled manner and to remove the risk of indiscriminate parking within the highway in the interests of highway safety and efficiency and in accordance with policy TA5 of the South Somerset Local Plan (2006-2028).

10. For the main estate access onto Bancombe Road there shall be no obstruction to visibility greater than 300 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 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced 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.

11. Prior to occupation of any dwelling the following highway infrastructure improvements shall be provided in their entirety:



- A footway measuring no less than 2m in width shall be provided across the site frontage in Bancombe Road;
- The new pedestrian/cycle Link to Bradley Hill Lane; and
- An informal pedestrian crossing point of Bancombe Road to link to the existing footway opposite the site.

Reason: To ensure the new pedestrian and cycling movements generated by the development can be accommodated within the local highway network in the interests of user safety and efficiency and in accordance with policies SS6, and TA5 in the South Somerset Local Plan.

12. The development hereby permitted shall not commence unless a foul and surface water drainage scheme for the site which shall include a timetable for its implementation and a scheme for the future responsibility and maintenance of the surface water drainage system. Such drainage shall be based on the hydrological and hydrogeological context of the development and shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system in accordance with Policies SD1, EQ1, EQ2 and EQ7 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 the archaeological investigation, 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: To ensure that adequate opportunity is afforded for investigation of archaeological or other items of interest to accord with Policies EH3 of the South Somerset Local Plan (2006-2028).

14. A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:

- Description and evaluation of features to be managed.
- Ecological trends and constraints on site that might influence management.
- Aims and objectives of management.
- Appropriate management options for achieving aims and objectives.
- Prescriptions for management actions, including:
  - Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - Details of the body or organization responsible for implementation of the plan.
  - On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies)/new residents responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved

scheme. The approved plan will be implemented in accordance with the approved details.

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.

15. 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](mailto:cil@southsomerset.gov.uk).

02. For all works which affect the highway, or which will be put forward for adoption as highway maintainable at public expense, full technical and construction details will be subject to a suitable agreement with the Highway Authority under s278 and s38 of the Highways Act 1980.
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