

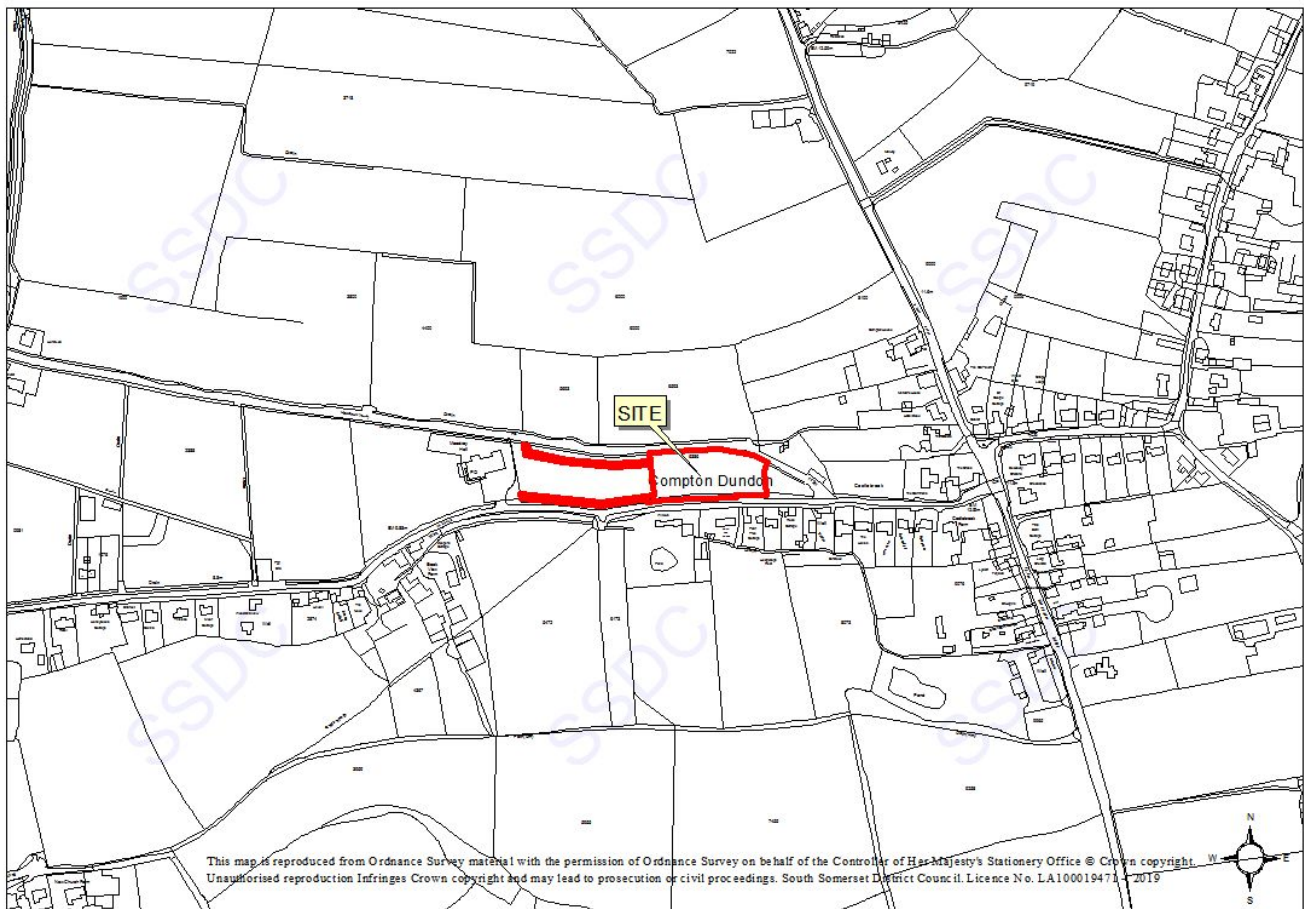
Officer Report On Planning Application: 19/01598/FUL

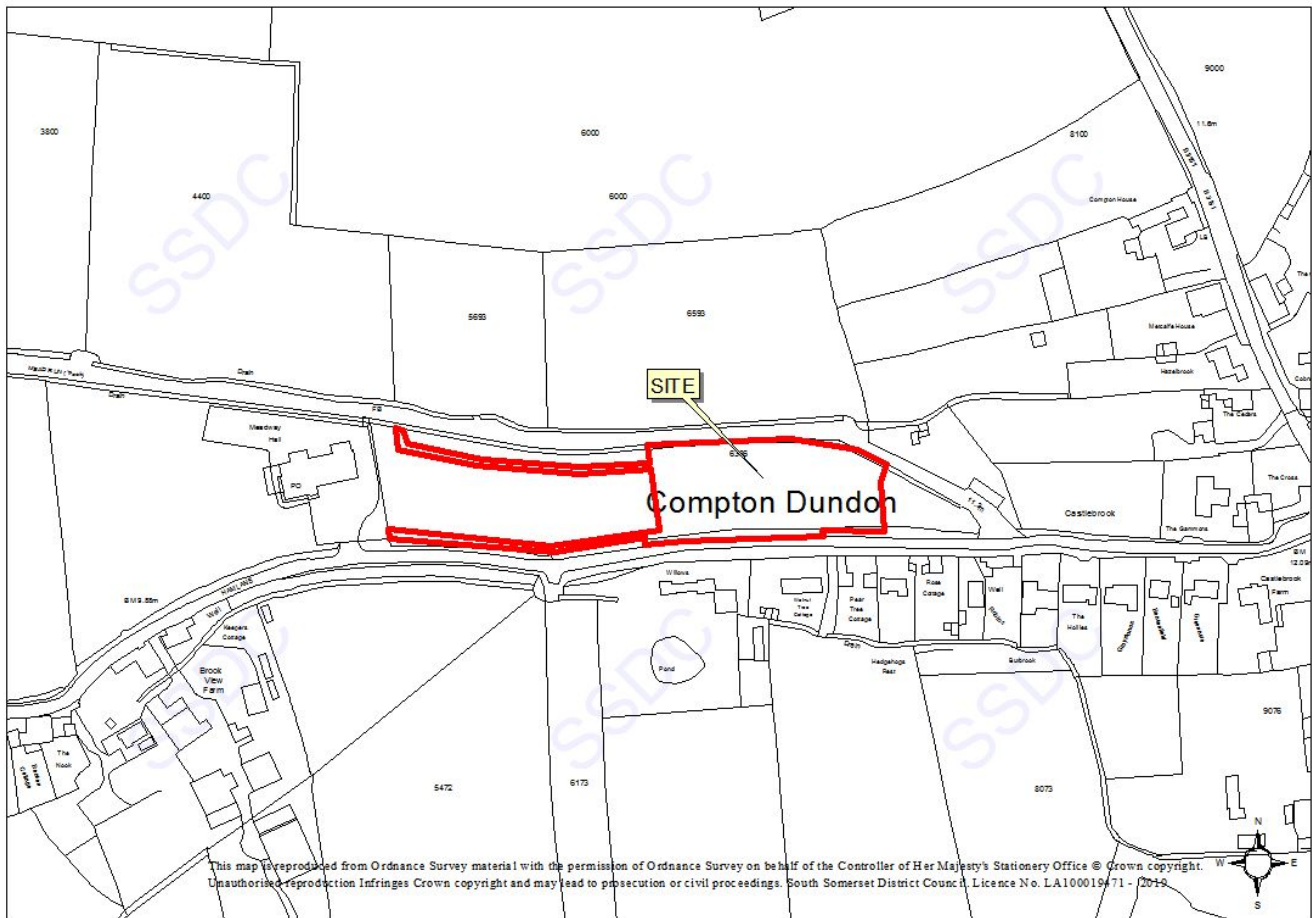
Proposal :	The erection of seven dwellings with access and landscape planting provision
Site Address:	Land Adjacent Ham Lane, Compton Dundon, Somerton.
Parish:	Compton Dundon
WESSEX Ward (SSDC Members)	Cllr Tim Kerley Cllr Dean Ruddle
Recommending Case Officer:	Colin Arnold
Target date :	1st August 2019
Applicant :	Mrs Anne Stacey
Agent: (no agent if blank)	Greenslade Taylor Hunt, Winchester House, Deane Gate Avenue, TAUNTON TA1 2UH
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The Area Chairman agrees with Ward members concerns about proximity to Listed Building and possible detriment to the street scene.

SITE DESCRIPTION AND PROPOSAL





This is an application for the erection of seven dwellings with access and landscape planting provision at land adjacent to Ham Lane, Compton Dundon, Somerton.

The site is accessed via Ham Lane and is a gently sloping field (difference of approximately a metre in a North West direction) which is of well managed grass. At the entrance to the site is a store building and a large pile of logs and other assorted materials such as pallets, gravel pile etc.

There is a hedgerow of various species adjacent to Ham Lane and no watercourses present on the site (a 100 metre wide swale is proposed to deal with surface water as part of the proposals). There is an electricity overhead line along the site which will need to be taken into account when assessing the application

To the south of the site is a linear line of large detached properties principally constructed of natural stone. There is a pavement which the hedge is slightly overgrown to the west of the site which ends where the properties are across the road where they have a grass verge for pedestrians (however it is not clear whether this grass verge area is in the ownership of the relative properties leading to a potential reluctance for pedestrians to use this route) The proposal includes the addition of a new footpath that will provide a safer pedestrian connection to the village hall and the post office facility and allow easier access also from the village to the children's play area.

Ham Lane is a two lane road which is accessed of the main road/route through Compton Dundon. The site is approximately one hundred metres from the core of the village of Compton Dundon and near the village hall, post office (same building) and children's play area to the west of the site.

The proposed development is a mixture of semi-detached (x1) and detached properties (x5) with parking

spaces to the rear of the properties. All of the properties are in a north/south configuration in terms of the main fenestration.

It is noted that on the submitted layout plan on land outlined in blue to the east of the site that there is an annotation which states 'site reserved for future dwelling (by separate planning application)' whilst it is noted any approval of this application would have to have a disclaimer stating that the approval does not tactically approve this dwelling which as stated must be the subject of a separate planning application to be dealt with on its own individual merits.

The palette of proposed building materials includes lias, hamstone and rendered elevations, tiled roofs with brick chimneys, and uPVC doors and windows. The designs incorporate a number of local characteristics including low overall heights with first floor windows set directly beneath the eaves or within traditional dormers; a long frontage and narrow depth; a high wall to void ratio with openings of vernacular design and proportions; simple porch canopies; and appropriate detailing.

HISTORY

88/00529/ELS - Erection of an overhead electricity line - granted 1988.

POLICY

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

Policies of the South Somerset Local Plan (2006-2028)
SD1, SS1, SS2, SS4, SS5, TA5, TA6, EQ1, EQ2, EQ4, EQ5, EQ7

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

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

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

CONSULTATIONS

Parish Council:

The Parish Council cannot support this application in its current form.
It must:-

- Provide 2 x Single Story 3-bedroom dwellings - Preferably Plots 2 & 3 to reduce the impact on

the surroundings of the listed building opposite. (Walnut Tree Cottage)

- Provide 2 x 3 Bedroom "affordable" dwellings.
- Remove the footpath inside the site boundary to the North of Ham Lane and instead make improvements to the "Church Path" along the length of Ham Lane.
- Gift the land to the west of the Site to the Parish Council.
- Protect the hedges to the North and South of the site by including conditions in any permission given.
- Include a mix of materials & finishes.
- Push back the Housing line, further away from Ham Lane
- Remove permitted development rights from any permission given

SCC Highway Authority:

BACKGROUND AND PROPOSAL

This is an application for permission to erect seven dwellings on land to the north of Ham Lane in Compton Dundon. Ham Lane is a classified highway and access is then achieved to the B3151. The roads are both restricted to a 30mph speed limit. Ham Lane is a relatively quiet road.

The proposal includes a new vehicular access and a new pedestrian access to the site.

PARKING AND VEHICLE MOVEMENTS

Parking.

The proposal would see the erection of seven new dwellings, five would include four bedrooms and the remaining two would include three bedrooms each.

With regards to vehicle parking provision the Highway Authority would require that the parking provision reflects that of the Somerset County Council - Parking Strategy (amended September 2013). Below I have outlined the parking requirements for the Compton Dundon area, which is located within a 'Zone B' region for residential development:

Zone	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
B - Amber	1.5 car spaces	2 car spaces	2.5 car spaces	3 car spaces

As demonstrated on the submitted plan number 3975-PL-117 the proposal sees the inclusion of a garage for plots 4, 5, 6 and 7, along with two parking spaces per property, a double garage and two parking spaces for plot 1 and three parking spaces for plot 3.

According to the Somerset Parking Strategy (SPS) the optimum level of parking provision for the proposed mix of dwellings in this location is 20, plus visitor spaces, the proposal is therefore in general accordance with the SPS optimum level, however, no visitor parking spaces have been identified.

Additionally, as part of the Somerset County Council Parking Strategy, new residential development is required to provide cycle storage facilities and electric charging points for each property. To comply with the SPS standards there is a requirement for appropriate, accessible and secure storage for 26 bicycles based on 1 per bedroom, the cycle parking should be secure, appropriate and accessible.

Vehicle Movements.

The average dwelling generates 6-8 vehicle movements per day, therefore the proposed development is likely to generate 42-56 additional vehicle movements per day. It is the opinion of the Highways

Authority that there is sufficient capacity within the surrounding highway network for this increase to not represent a significant highway safety impact as set out in paragraph 9 of the National Planning Policy Framework.

ESTATE ROADS

The applicant should be aware, that it is likely that the internal layout of the site will result in the laying out of a private street(s), and as such, under Section 219 to 225 of the Highway Act 1980, will be subject to the Advanced Payment Code (APC).

The drawing provides little in the way of technical information however:

- There is no provision for the turning of vehicles outside plot 2:
- the proposals do not therefore meet highway authority standards for adoption as roads maintainable at public expense.
- New private streets accessing the public highway require approval under the Highways Act 1980 Section 278, obtained from the highway authority (Somerset County Council).
- The developer's contractor will need to be approved and licenced under a Section 171 of the Highways Act 1980 to carry out works in or adjacent to the public highway.
- The refuse truck is unlikely to enter the new estate road to make collections, refuse for collection will therefore need to be placed on the side of Ham Lane (see next bullet point)
- Along the frontage of development on Ham Lane is a ditch/watercourse. Consent will be required from the owners of the ditch (if not owned by the developer) and consent will also be required to pipe those sections of the ditch that need to be piped to maintain the watercourse and facilitate access across to the new development.
- The radius of the kerbed bellmouth at the junction with Ham Lane appears to be less than the minimum 6m.
- The proposed visibility splay appears to pass through the existing mature hedge, which is shown retained tight to the proposed road edge/bellmouth.
- The pedestrian link outside plot 1 is also shown as passing through the existing hedge. Lack of maintenance of this hedgerow could seriously limit visibility from these two facilities.
- The proposed footpath to the village Hall is shown development side of, and close to, the existing mature hedgerow. It is unlikely to be adoptable for maintenance at public expense as highway, and the hedge may encroach on the path if not maintained

- Proposals for shared surface roads for adoption require a blocked paved or coloured macadam surface to differentiate them from non-shared surface roads. It is appreciated these estate roads are unlikely to be adopted, however if the proposal is for a block or coloured surface the first 5m of road from the edge of existing highway needs to be of standard construction (black top or concrete) as agreed in the S278 agreement referred to above.
- There is no information on road drainage. On the proposed development side of Ham Lane, road surface water currently drains into the road side ditch/watercourse. If kerbing is proposed that may trap road water road side of the ditch along this frontage, alternative drainage provisions will need to be proposed and approved as part of the Section 278 agreement referred to above.
- No surface water drainage is to be allowed to flow out onto Ham Lane.

OTHER CONSIDERATIONS

Access and visibility

The proposal would see a new vehicular access created which would be approximately 5 metres wide, this is considered appropriately wide for two-way vehicle movements.

Submitted plan No 2641-PL-02 indicates that visibility splay of 2.4m x 43m can be achieved in both directions, however, this visibility splay, as drawn, is currently inhibited by the existing hedgerow which is to be retained, this will need to be addressed. According to Manual for Streets (MfS) the requirement for visibility in a 30mph location is 2.4x43metres, therefore the provision as detailed, subject to hedge trimming/removal, is in accordance with MfS. The proposal would also see the creation of a pedestrian access, this access does not appear to have any visibility splay onto a highway with no footpath, this will obviously need to be addressed and a visibility splay of 1.5metres x 43metres should be provided so as

to be in accordance with MfS.

Drainage

The applicant is reminded that it is an offence under the Highways Act (1980) to allow water or detritus to flow onto the highway, as such it is considered appropriate to request that a condition regarding drainage is included should permission be granted.

CONCLUSION

Taking into account the comments above the Highways Authority does not object to the proposal, subject to the necessary alterations to the hedgerow at the accesses and should the Local Planning Authority be minded to grant permission the Highways Authority would recommend that the following conditions are imposed: (see below)

Final comments relating to the amended plan showing a turning area for plot 2:

Following submission of the revised drawing 2641-PL-02 Revision B I can confirm that the applicant has addressed the concerns regarding the lack of turning area outside Plot 2. This latest submission has included an informal area in which vehicles may be turned, thus eliminating the need to reverse approximately 40 metres to the 'T' junction.

Please note that previous comments and previously recommended conditions not relating to this aspect continue to apply. I would recommend a further condition be added to ensure that this turning area be kept clear for the turning of vehicles only.

SSDC Highway Consultant:

SCC will be providing comments and a recommendation on this application.

SSDC Environmental Health:

I have no concerns regarding this development from an EP perspective.

County Archaeology:

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.

SSDC Ecologist: In April 2019 Country Contracts carried out a preliminary ecological appraisal of an area of land off Ham Lane, Compton Dundon, Somerset. The proposed development area is part of an improved agricultural field alongside the north of Ham Lane. The land is used for a mix of pasture and rotational crops in fields divided by connective hedgerows. Some of the field hedgerows have mature trees but many are flail cut.

The proposal involves the erection of seven dwellings with associated access and planting.

The findings of the preliminary ecological appraisal are as follows:

- The southern and northern boundary hedgerows have potential for use by commuting and foraging bats.
- Woodpiles and other materials on site are considered to offer suitable refuge for amphibians and reptiles.
- The hedgerows on site provide suitable nesting opportunities for birds
- No badger setts were found on site, however a badger path was found to cross the southern boundary and extend north/south across the field to a further route through the northern hedgerow.
- The habitat on site was not thought to be suitable for dormice.

SSDC Conditions and informatives

Based on the ecological results to date, please attach the following conditions to any planning permission granted (see conditions below)

LLFA: no comment

Wessex Water: suggests informatives and a condition relating to foul sewerage

REPRESENTATIONS

22 letters of objection and one letter of comment:

- The Village Hall was built in 2000 and is situated in the area next to the proposed development. We are concerned due to the proximity of the hall and this proposal re the noise from the people hiring the hall, especially at the weekends due to musical events. Our hall is in constant use from hirers. Therefore as a committee we are objecting to this development.
- Detrimental impact upon residential amenities - contrary to para 124 of the NPPF, PPS3 (Case officer note: now superseded by the NPPF) does not respect the character of the area to the detriment of the local environment. The proposed dwelling are two storey properties yet their proportions are smaller than neighbouring properties. The proposed dwellings incorporate dormer windows, UPVC windows and doors, which are identical on all seven properties, and solar panels unlike any other neighbouring property so the scale and design of the development will be entirely out of keeping.
- The properties along this part of Ham Lane are typically characterised by large plots. There are three thatched cottages, two of which are Grade 2 listed, nine bungalows and three, two storey houses all of which have roof levels much lower than the proposed new dwellings
- Loss of views affecting the amenity if neighbouring dwellings with the proposed dwellings being overbearing, out of scale and out of character with the existing dwellings
- Loss of open aspect of neighbourhood
- Loss of privacy

- Contrary to para 12, 130 of the NPPF
- The proposed development by reason of its size, depth, width, height and massing would have an unacceptable impact on the amenities of the properties immediately adjacent to the site and the surrounding area by reason of overlooking, loss of privacy and visually overbearing impact.
- Loss of ancient hedgerow - who will own the hedgerow when the subsequent householders have moved in there could be a temptation for them to prune the canopies of the hedge to receive more light/outlook. This would undermine the amenity value of the hedge.
- Effect of the development on the setting of a Listed Building
- No consultation with the local people who knew nothing about the proposal until notified of the proposal by the local planning authority.
- We choose this location because of the open nature of the street. Had we wished to live cheek by jowl with a housing estate we would have chosen a different location.
- My 1st observation is that, in the past 41 years that I have lived in the village building of any property on the North side of Ham Lane has always been declared as not possible. A major point for those living on the South side from the point of view of ongoing visual amenity, Why has this now been overruled!
- My 2nd observation is that the proposed 7 dwellings appear to have a "modern" appearance with identical roof materials and style of windows.
- When I applied to build my property on the south side, some 20 + years ago, many restrictions were made, the property having to be built with natural stone and some brick elevations to give it an old cottage appearance.
- Also to keep the roof ridge line low, to be in line with adjacent thatched and tiled cottages, but to comply with ceiling height building regs, the bedroom ceilings were constructed into the loft space.
- Also double roman tiles were used on the roof, but adjacent cottages roofs are constructed with a mixture of triple roman, double roman and thatch, giving a random appearance as you would expect in a country village.
- I would therefore expect any other properties being built in the vicinity to be built with similar considerations and restrictions.
- Would set a precedent for further development right down Ham Lane and almost certainly upon any land left between the parish hall and the proposed site - This is quite obviously a major housing development split into parts to ease it through the planning process, without objection or obligations and should be considered as such.
- We feel that a small, beautifully executed and sympathetically styled development here may well improve the aspect of this particular part of the village. We have studied the proposed plans and sadly, we are not sure that this current design reflects that need.
- The plans show large executive style homes that are not in keeping with the local vernacular and would be overbearing on the existing properties - Rose Cottage and Walnut Tree cottage (which we note is a listed building) would be particularly affected.
- The junction between Ham Lane and the B3151, with its reduced visibility splays feels

inadequate at present. To add upwards of another 14 - 28 cars from these family homes (up to 56 journeys not including delivery drivers etc.) onto that junction daily could compound issues here.

- There also remains the issue of the new build homes on the north side of the B3151, south of the Stockelm cottages that remain empty and unused. We fail to see how any additional planning can warrant merit until such time as these properties are finished and inhabited. Whilst they remain empty, we feel the argument for no further development should be sustained.
- Difficult to argue an overarching 'need' for development in Compton Dundon, which despite the garage, church and pub, fails to really tick the boxes for sustainable location since the closure of the school.
- Whilst we will happily support the Stacey family to develop here in the future, we feel there is a strong need for more engagement with the direct neighbours to find a plan that satisfies the applicant's desire to develop the land, but to do so with a style that is more sympathetic to the current vernacular.
- Row of urban housing is incompatible with the thatched houses and stone dwellings opposite.
- Will spoil the rural outlook of the village and significantly increase the traffic in what is a narrow lane.
- New houses will be immediately opposite my cottage, 2 metres higher than my cottage and extremely close together
- Loss of ancient hedgerow ignoring the entrance that already exists
- I believe that the crested newts that come into my garden in the spring are in the ditch at the base of my hedge.

CONSIDERATIONS

Principle of Development

The site is located to the west of Compton Dundon. Policy SS1 (Settlement Strategy) of the Local Plan highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local Market Towns and Rural Centres. All other settlements, including Compton Dundon, are 'Rural Settlements', which policy SS1 states "will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in policy SS2. Policy SS2 states:

"Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing.

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a

settlement in general. Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation. Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at paragraph 5.41 (i.e. local convenience shop, post office, pub, children's play area/sports pitch, village hall/community centre, health centre, faith facility, primary school)."

Usually applications in locations such as this would be considered against the settlement strategy contained within Local Plan policies SS1 and SS2, however the Local Planning Authority are currently unable to demonstrate a five year supply of housing sites. In the context of the National Planning Policy Framework these policies should be considered out of date, as they are relevant to the supply of housing. In such circumstances, it is advised that planning permission should be granted unless *1) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or 2) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.*

As a starting point, in the current policy context, Compton Dundon is a settlement that does contain at least two of the key services listed in paragraph 5.41 of the Local Plan and therefore is considered to be a generally sustainable location, in terms of policy SS2. Specifically there is a public house, part time Post Office, children's play area, village hall, church and car sales place. Taking this into account, and noting the lack of 5 year land supply, it is considered that the development of this site for residential purposes could be acceptable in principle, subject of course to the assessment of other appropriate local and national policy considerations, to determine whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits. These are discussed below.

Scale, Design and Appearance

In terms of scale the properties range from the smaller properties - approx. 80 square metres to the larger properties which are circa. 150 metres. This mirrors the variety of property sizes across the road in Ham Lane. In terms of scale it is considered that the proposal complies with Policy EQ2 of the South Somerset District Local Plan (2006-2028) It is accepted that the new dwellings do not reflect the older character of the opposing dwellings in Ham Lane but this represents a new chapter in the village and does not necessarily need to reflect the older dwellings.

The proposed dwellings show an important mix of styles and will complement the village vernacular as a whole.

In terms of building materials the palette is varied it is accepted but it does show a mix which adds variety and interest to the development when seen as a whole. This is not within a conservation area so to insist on thatched roofs and natural stone to match some of the neighbouring dwellings would be disproportionate in this location.

Residential Amenity

The design and access statement submitted by the agent states:

'The separation between existing and proposed dwellings (window to window distance) in most cases is well above the normal tolerance of about 21 metres, and being within the public realm across the highway, will maintain appropriate standards of privacy and amenity. Whilst Plot 1 and 2 are within 21m of the front elevation to Pear Tree Cottage, the layout of the dwellings is offset, and Pear Tree Cottage has very limited window frontage to Ham Lane, such that that any potential for overlooking would be minimal.'

This statement is agreed - no undue overlooking issues arise from the proposal. Also the dwelling are

located so that they do not appear unduly overbearing when viewed from the existing residential properties across the road in Ham Lane.

In terms of the development as a whole there are no internal overlooking or overbearing issues that would warrant a recommendation for refusal.

In terms of the objection received from the Chairperson of the nearby Village Hall where they identify themselves as a possible noise creator in the vicinity (especially when music events take place at weekends for instance) this is a valid point which was put to the agent who has responded as follows:

I have seen the comments of the Meadway Village Hall Committee in response to the above planning application, submitted on behalf of our client Mrs Stacey.

"In response, I would make the point that there are already existing residential properties in equal or closer proximity to the village hall, both to the east and west along Ham Lane. Any activities within the hall that would constitute a nuisance to residents in the proposed dwellings will have equal or greater impact upon residents of these existing properties, and therefore the development of the proposed dwellings is not creating any greater potential for noise impact than may exist at present.

It is worth mentioning that modern building regulations requirements for window construction and air tightness will mean that the residents in the proposed dwellings will be better protected from noise in the vicinity than residents of existing older properties that may not necessarily have been built to the same standards.

I would also comment that any future occupier of the proposed dwellings will be well aware of the nearby presence of the village hall, and that events may be held there from time to time. No doubt they will take this into consideration in deciding whether to buy or rent the property."

The points the agent are accepted but it is important to note that to use the existing properties as a reason is interesting to note but this proposal is placing more residents in the 'impact zone' of the noise from the village hall but given the other two points made it is considered on balance that the proposal is acceptable.

Highway Safety

The County Highways Authority have raised a number of issues with the original plans and in response the agent submitted amended plans. These plans have been accepted as acceptable except for a requirement of a turning head at plot 2 which was subsequently satisfactorily addressed by an amended plan. The CHA have suggested a number of conditions which makes the development acceptable and these are supported and reproduced in the recommended conditions shown below.

A notable advantage that arises from this proposal is the provision of a footpath link to the village hall which will encourage pedestrian connectivity with the main core of the village and its main facilities (such as public house and garage etc.)

Ecology

An ecological survey has been submitted as part of the application. A badger run has been detected along the site and this is shown in the appendices of the report and there is a clear indentation in the grass. However, the ecologist suggests that the site can be adequately controlled by planning conditions without ecological detriment. These conditions are supported and recommended to be included on the decision notice. The Parish Council and the neighbours point to the existence of newts in the vicinity emanating possibly from the ancient hedgerow that borders the site. However, this contrasts with the professional ecologists report which states:

'There are no aquatic habitats within the site or immediate boundaries. The roadside ditch is dry and apparently regularly maintained.

The field interior was considered unsuitable to provide refuge for reptiles and amphibians. However, there are piles of logs and other materials at the eastern end of the field which could provide refuge for reptiles and amphibians'

The ecologist then goes on to recommend a condition requiring a Method Statement to minimise potential impact on wildlife when removing the roadside ditch and hedgerow section. He also states that the removal of the log piles and other materials must be undertaken as a 'destructive search' supervised by a competent ecologist. These recommendations are supported and included as possible conditions (see below).

Response to Parish Councils and contributors comments (not already covered above)

A request to amend the dwelling types was offered to the agent but it was decided to proceed with the application as submitted. It is agreed with the Parish Council that a mix would be desirable but there is no policy which insists upon this.

The provision of the footpath is one of the most tangible benefits of the scheme to remove it and improve the existing Church path would involve land not in the applicants ownership so therefore this proposal is not supported.

To gift the land to the west to the Parish Council would appear disproportionate in this instance (whilst it is understood that the Parish Council are desirous of maintaining a gap between the dwellings and the village hall)

A condition is proposed to protect the hedges to the north and south of the site as per the Parish Councils wishes.

A mix of materials and finishes is already proposed. There needs to be a degree of some uniformity to establish it as a sense of place in itself rather than an ad-hoc piecemeal approach of seven separate dwellings.

The moving back of the properties from Ham Lane has been considered but this would remove the new estate from the Lane and in a sense alienate it from it internalising the new estate from belonging to Ham Lane leading to a possible lack of community cohesion.

Other Issues

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

Conclusion

The proposal by reason of its size, scale and materials, is acceptable as it respects the character of the site and its surroundings, and has no detrimental impact on local ecology, residential amenity or highway safety. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, TA1, TA5, TA6, EQ2 and EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

RECOMMENDATION

Grant permission subject to conditions

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:

2641 - PL - 3, 4, 5....39, 40 and 41 - Plots 1-7 Garage, Roof, Floor and Elevation Plans
2641 - PL - 42 - Indicative Street Scene
Extended Habitat Survey (April 2019) Country Contracts
RMA - C1961-1 - Compton Dundon Drainage Strategy
2641 - PL - 02 Rev B Site Plan
2641 - PL - 01 Location Plan

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

03. The area allocated for parking on the submitted plan number 2641-PL-02 rev A shall be kept clear of obstruction and shall not be used other than for parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset District Local Plan 2006-2028

04. The proposed 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 parking and street furniture, shall be constructed and laid out in accordance with details to be approved by the local planning authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design layout, levels gradients materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset District Local Plan 2006-2028

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

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset District Local Plan 2006-2028

06. 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 vehicular access and extending to points on the nearside carriageway edge 43 metres in both directions. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset District Local Plan 2006-2028

07. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 1.5 metres back from the carriageway edge on the centre line of the pedestrian access and extending to points on the nearside carriageway edge 43 metres in both directions. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset District Local Plan 2006-2028

08. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared 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 by the ecologist

Reason: In the interests of nesting wild birds and in accordance with policy EQ4 of the South Somerset Local Plan.

09. Badgers could be encountered during and post development. Appropriate impact avoidance and briefing of contractors and information for home occupiers should be provided as per the following conditions:

- 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 cover plated 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 compliance with the Protection of Badgers Act 1992, which affords badger setts protection from intentional or reckless interference and in accordance with Policy EQ4 of the South Somerset District Local Plan.

10. Potential resting places for reptiles were found on site in the form of log piles and other material, as such:

- Any features, such as the spoil pile on the western edge of the site, which potentially afford resting places for reptiles and/or amphibians will be dismantled by hand, piles should be removed from the site in phases; beginning from the centre of the pile moving slowly

outwards to give any protected species present time to disperse away and to avoid being isolated from ecological corridors that will provide a means of escape.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

11. Prior to the commencement of development a landscape plan shall be submitted to and approved by the LPA (and discharged through reviewing photographs of installed enhancements):
- 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 planting must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The planting 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;
 - At least four integrated bee bricks (<https://www.nhbs.com/bee-brick>) must be built into the external wall space of the new buildings. The bricks will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes.
 - A precautionary approach to the formation of the visibility splay and site access points is recommended. A Method Statement to minimise potential impact on wildlife when removing the roadside ditch and hedgerow section must be produced to inform and manage such works. The resulting method statement should be sent to South Somerset District Council prior to the commencement of works on site.
 - To enhance the local provision for bat roost sites at least four bat roost boxes, tubes or shelters must be installed on the new residences.
 - To compensate for the loss of potential nest sites at least 4 hole fronted bird nest boxes should be provided within the development.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

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 and in accordance with Policy EQ2 of the South Somerset District Local Plan.

Informatives:

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

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

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

cil@southsomerset.gov.uk.

02. Somerset County Council advises:

Filling of Existing Watercourses

In 2010 Somerset County Council became the Lead Local Flood Authority (LLFA). In the same year the Flood and Water Management Team (FWMT) was formed to satisfy the duties of the Flood and Water Management Act 2010.

Under section 23 of the Land Drainage Act there is a requirement to seek consent from the Flood Risk Management Authorities when culverting or obstructing a watercourse, whether permanent or temporary.

Failure to obtain a Land Drainage Consent prior to carrying out the works may result in a fine up to £5,000, and a further fine of up to £40 for every day thereafter until consent is granted.

It is important to note that under no circumstances will retrospective consent be given for unconsented works. If unconsented drainage works have occurred, the developer will be responsible for restoring the watercourse to its original condition.

Land Drainage consent forms can be downloaded from: www.somerset.gov.uk/consent .

For further information regarding the application form please contact Didier Lebrun from the flood risk management team on 01823 356692 or email: JLebrun@somerset.gov.uk
