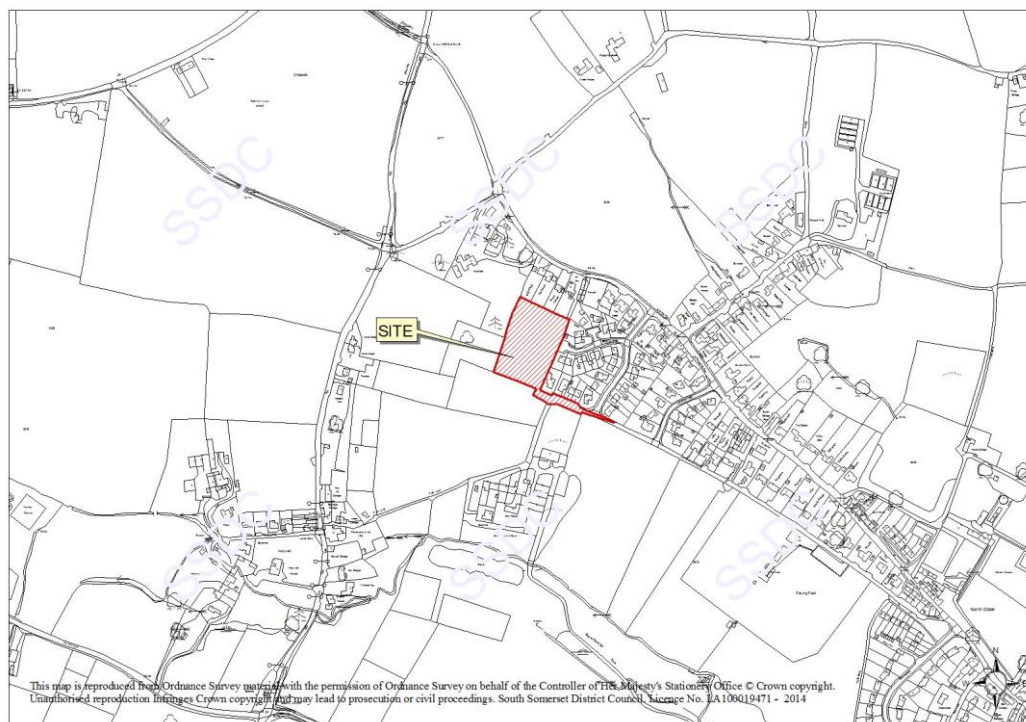


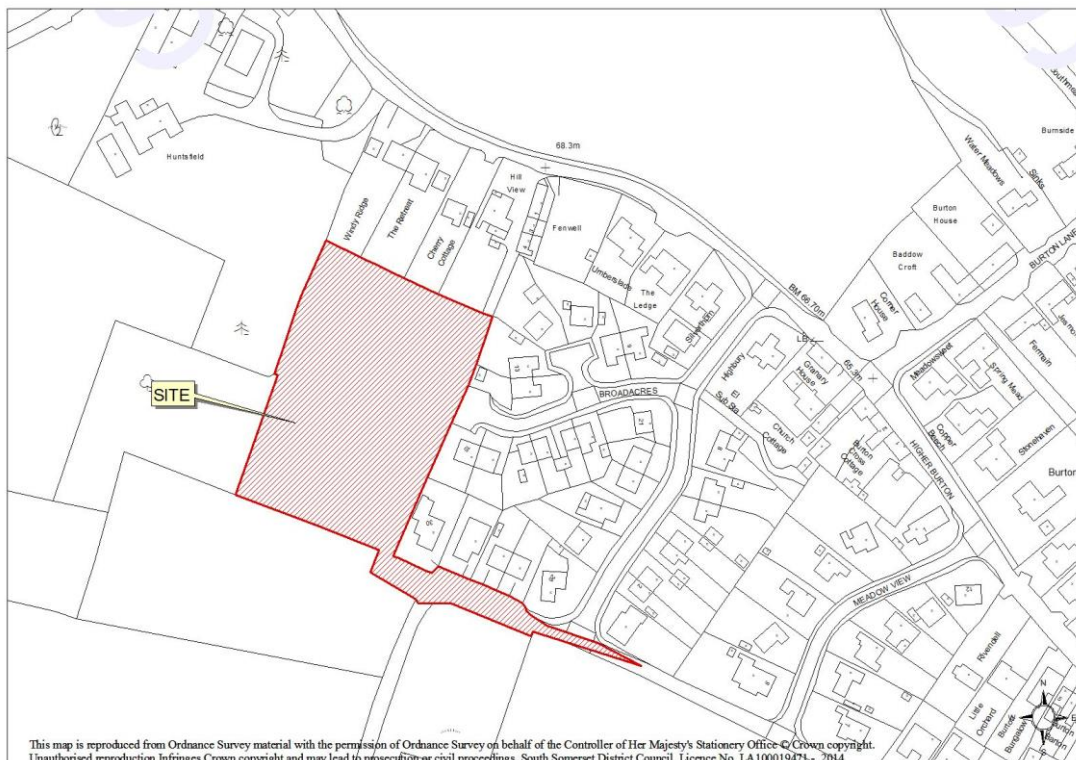
Officer Report On Planning Application: 14/01266/OUT

| | |
|---------------------------------------|---|
| Proposal: | Residential development, new vehicular access and associated works (GR 353196/113461) |
| Site Address: | Land Adjacent Broadacres East Coker |
| Parish: | East Coker |
| COKER Ward (SSDC Member) | Cllr G Seaton Cllr Cathy Bakewell |
| Recommending Case Officer: | Andrew Collins Tel: 01935 462276 Email: andrew.collins@southsomerset.gov.uk |
| Target date: | 1st July 2014 |
| Applicant: | Avalon Estates Ltd |
| Agent: (no agent if blank) | Boon Brown Planning Motivo Alvington Yeovil Somerset BA20 2FG |
| Application Type: | Major Dwlg's 10 or more or site 0.5ha+ |

Reason for Referral to Committee

This application for residential development is recommended for approval as the site lies outside of the Development Areas. Accordingly the application is referred to committee to enable the justification for the development to be considered in light of the issues raised locally and to consider whether this constitutes sustainable development.

Site Description and Proposal



This application seeks outline permission for the erection of up to 19 dwellings with associated access and landscaping. All matters are to be reserved with the exception of access. The site consists of an agricultural field currently empty. The field slopes gently upwards towards the north-western corner and is bounded by a mix of type and features. The Eastern boundary is bounded by mixed timber fences backing onto residential rear gardens, the northern by a mix of fences and hedges also backing onto rear gardens. Along the western boundary is a mix of post and wire fencing, post and rail fencing and a poor hedge. The Southern boundary comprises a mixed species hedge of various quality and type. The site is bounded by a variety of residential properties to the north and east of the site, with open countryside to the south and west.

It is proposed to provide vehicular access to the site through the existing access on the southern boundary from the existing unclassified highway known as Long Furlong Lane. As part of the submitted plans, for consideration the existing road is to be widened and a footpath is created. On the back edge of the proposed footway a native species hedgerow is proposed. At the western end of the lane a shared surface is proposed to enter the site.

Long Furlong Lane continues through 90 degrees by turning south and this serves Skinner's Hill Farm.

An existing access to a paddock will remain to the west of the new road. This goes to third party land outside of the application site.

The indicative layout shows the introduction of new hedgerow planting surrounding the site. The layout shows an area of open space along the eastern boundary. The layout shows a 'C' shaped road ending in a turning area and cul-de-sac.

The application is supported by:

- Design and Access Statement

- Tree Report
- Archaeological Report
- Ecological Survey
- Planning Statement
- Travel Plan
- Transport Assessment
- Various indicative plans

During the course of the application an addendum to the Ecology Report has been received regarding great crested newts. In addition the access has been amended and a detailed native species hedgerow planting scheme has been submitted for the back edge of the new footway.

HISTORY

92/00833/FUL - CONSTRUCTION OF ACCESS ROAD, THE ERECTION OF SIX LOW COST HOUSES AND THE PROVISION OF PARKING FACILITIES - Application Refused - 20/01/1993. Dismissed on appeal.

92/00832/FUL - THE ERECTION OF EIGHT LOW COST HOUSES AND THE PROVISION OF PARKING FACILITIES - Application Refused - 02/07/1992

91/00934/FUL - THE ERECTION OF TWELVE LOW COST HOUSES AND THE PROVISION OF PARKING FACILITIES - Application Refused - 09/01/1992

781884 - Outline. Erection of six bungalows and eight dwellinghouses - Application refused - 16/11/78. Appeal Dismissed.

63905/C - Development of land for residential purposes - Refused - 20/12/73. Appeal Dismissed.

63905/B - Development of land for residential purposes - Refused - 8/9/72. Appeal Dismissed.

63905/A - Development of land for residential purposes - Refused - 23/12/69

63905 - Development of land for residential purposes - Refused - 11/12/69

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the South Somerset Local Plan (Adopted April 2006):

ST1 - Rural Centres

ST3 - Development Area

ST5 - General Principles of Development
 ST6 - The Quality of Development
 ST7 - Public Space
 ST9 - Crime Prevention
 ST10 - Planning Obligations
 EC1 - Protecting the Best and Most Versatile Agricultural Land
 EC3 - Landscape Character
 EC8 - Protected Species
 EU4 - Drainage
 TP1 - New Development and Pedestrian Movement
 TP4 - Road Design
 TP7 - Car Parking
 CR2 - Provision for Outdoor Playing Space and Amenity Space in New Development
 CR4 - Amenity Open Space
 HG7 - Affordable Housing
 EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological Interest.

National Planning Policy Framework
 Chapter 4 - Promoting Sustainable Transport
 Chapter 6 - Delivering a Wide Choice of High Quality Homes
 Chapter 7 - Requiring Good Design
 Chapter 8 - Promoting Healthy Communities
 Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
 Chapter 11 - Conserving and Enhancing the Natural Environment

South Somerset Sustainable Community Strategy
 Goal 3 - Healthy Environments
 Goal 4 - Services and Facilities
 Goal 8 - High Quality Homes

Other Policy Considerations
 Somerset County Council Parking Strategy (March 2012)

Land Supply

The Council's current position is that it does not have the required 5 year supply of housing land and as such the housing restraint policy (ST3 of the existing Local Plan) is considered to be out of date. At the time of writing this report further work is being carried out on assessing the council's land supply position and members will be provided with a verbal update .

CONSULTATIONS

East Coker Parish Council - *"Following the consultation with local residents, we object strongly to the application.*

It is an inappropriate site for development, it being the best and most versatile agricultural grade land. The access and egress is a potential danger point with traffic emerging onto a single track lane leading to a busy farm entrance. The entrance to the proposed development, if approved, may facilitate further development to the south.

The approach roads to this proposed development are of single lane nature and the number of dwellings proposed on this site can only exacerbate the existing traffic flow problems. It is wrong to assume that all traffic will use Broadacres as an exit route.

Recently a section of Long Furlong Lane was closed to traffic for several weeks due to flooding.

These approach roads are of an historic and environmentally sensitive nature.

The Parish Council is in the process of producing a Neighbourhood Plan and a preliminary report is now being tested. The Housing Headlines show there is a preference to see more affordable homes and that housing suitable for the elderly is in short supply. The houses on this proposed development do not fit this requirement.

Immediate neighbours are very concerned at the proximity of the entrance roadway to their boundary with the largest house being just 2 metres from a neighbouring garden fence."

County Highway Authority - Notes that the site lies outside the defined development area of East Coker, but leaves it up to the LPA to determine whether or not the development accords with the NPPF sustainability criteria. Notes the proposal is to form an improved access and widening on Long Furlong Lane.

Notes that the accompanying Transport Statement has been fully considered and its conclusions are acceptable to the Highway Authority. Consider it would be unreasonable to object to the application on highway safety grounds as it been proved that it is technically possible to improve Long Furlong Lane sufficiently to allow two way traffic to operate and provide appropriate links for pedestrians to and from the site. Conditions are proposed in relation to detailed highways construction, parking and turning, parking spaces, surface water disposal, detailed access requirements, the submission of a Construction Management Plan to detail movements during construction and a condition survey.

SSDC Climate Change Officer - Objects to the outline application as it currently stands because there is not even a broad commitment to installation of renewable energy technologies. Various suggestions are made in relation to the submission of improvements at reserved matters stage.

SSDC Housing Officer - Policy requires 35% affordable housing split 67:33 social rent: intermediate.

On that basis we require 5 units for social rent and 2 units for shared ownership/other intermediate products,

Further discussion would be necessary to assess the property types required based on data from the Housing Register - Homefinder Somerset.

SSDC Environmental Protection Unit - *"No comments to make."*

SSDC Area Engineer - *"There seem to be two basic concerns relating to flooding*

- a) Existing flooding problems in Long Furlong Lane.*
- b) Surface water run-off from existing agricultural land onto 15 Broadacres and thence to adjacent properties*

In respect of Long Furlong Lane the surface water flooding problems here are identified on the EA's surface water flood risk mapping (extract attached). I'm not actually familiar with this particular problem but obviously comments from residents and photographic

evidence shows that it exists and presumably only affects the highway (rather than flooding of dwellings). Actual cause of this existing problem is uncertain but could be down to poor/damaged drainage systems, assuming some exist here. Just how frequent this problem is I'm not sure (the map shows the 3% risk levels) but as planning authority we need to ensure that it isn't exacerbated by the development proposals.

In this respect I note the following comment in the submitted Planning Statement

4.16 Foul drainage from the site will go into the main sewer. Surface water run-off will be managed on-site by SUDS. Surface water run-off will be attenuated on site to a Greenfield run off rate and discharged to either soak-aways or a local watercourse. A detailed drainage strategy can be required by a suitably worded pre-commencement planning condition for further consideration at the reserved matters stage.

The strategy here is basically sound and complies with requirements of the NPPF. We will obviously need to see details for approval in due course but the use of soak-aways for roof-water disposal should effectively reduce any surface water run-off from the development site. Disposal of surface water from parking areas/driveways can be dealt with by use of permeable paving systems which can again connect to soakaways and will further reduce surface water run-off from the site. Any public highways within the development would normally require an outfall to existing drainage systems or to a watercourse although this can again be regulated via control systems (tanks, etc.). The overall effect should ensure that there is no increase in surface water drainage towards Long Furlong Lane and in fact it should effectively reduce it. There is however one important issue that the developer needs to resolve and that is to identify an existing drain/watercourse to which the surface water from the highway can be connected. Alternatively he could persuade the highway authority to accept use of soak-aways to deal with highway water although this is not their current policy.

Turning to the surface water run-off affecting 15 Broadacres, etc. we need to perhaps recognise that circumstances this last winter were somewhat exceptional. Having said that, the introduction of soak-aways to deal with roof-water/driveways serving the development should significantly reduce the problems experienced here and road drainage will ultimately drain southwards away from the rear gardens of Broadacres properties.

I note that there is a proposal to include an open space along the Broadacres side of the development and this brings with it an excellent opportunity to create a swale and/or bank feature along this boundary to deal with any residual problems. I think that we should require provision (and maintenance) of such a feature and furthermore it should be in place immediately before the development proceeds as it will serve to deal with drainage problems often encountered during construction stage."

SSDC Planning Policy - Notes that South Somerset does not have a five year land supply at this time and accordingly policy ST3 is considered to be out of date as it relates to residential development. In the absence of this policy the principles for sustainable development are defined by the NPPF.

She notes that North / East Coker have a public house, primary school, shop, bus stop and playing fields. Given the current lack of a 5 year housing supply means there must be significant reasons to object to the scheme. Therefore does not raise a planning policy objection to the principle. Any significant adverse impacts raised by other consultees would need to significantly and demonstrably outweigh the benefits of additional housing.

SSDC Landscape Architect - *"In most instances, I am not supportive of development at the edge of our rural villages, for whilst national planning policy no longer states an intent to protect the countryside for its own sake, recent national guidance re-iterates one of the NPPF core principles that planning should recognise the intrinsic character and beauty of the countryside, to thus place some value on the inherent quality of the countryside.*

In this instance, the application plot is a small pasture, rectangular in shape, and lined by village-edge housing on two sides, whilst the other two sides are undeveloped, and comprise a mix of garden and small paddocks. It is overlooked by its immediate residential surround, but is otherwise visually unobtrusive. There are long views toward the site, from the raised elevation of the Coker ridge to the south, though it can be noted that from the ridge and its associated rights of way, the plot is not a large component of the view, and it is seen against a backdrop of village house forms.

Clearly the proposal will result in an erosion of the countryside - by virtue of domestic expansion into agricultural land. However, the impact goes little beyond that, any change in the local landscape character does not extend far beyond the site bounds, for the site is bounded by other small fields where not abutted by housing, and there are few landscape features affected by the proposal. I would acknowledge that other than site access, this proposal does not impact upon existing landscape features, nor does it extend disproportionately into land of greater visual profile, or the wider field pattern of the agricultural landscape. Hence whilst I have reservations of the principle of such development, I have to acknowledge that the proposal will not create a significant landscape impact, and thus there is no basis to raise a landscape objection."

SSDC Community, Health and Leisure - Requests the following contributions are sought in line with policies CR2, CR3, ST5 and ST10 of the South Somerset Local Plan, policy HW1 of the emerging local plan and paragraphs 203-206 of the NPPF, on the basis of 19 dwellings

- Local facilities £72,019

This is broken down as such;

Equipped Play Space towards enhancing the play area at East Coker recreation ground - £16,416

Youth Facilities towards the provision of youth facilities at East Coker recreation ground - £3,223

Playing Pitches towards the enhancement or expansion of existing pitches at East Coker recreation ground - £7,573

Changing rooms towards the enhancement of existing changing rooms at East Coker recreation ground - £15,375

Community Halls towards the enhancement of East Coker Village Hall - £29,431

- Strategic facilities £30,658

This is broken down as;

Theatres and art centres towards expanding and enhancing the Octagon theatre, Yeovil - £5,974

Artificial Grass Pitches towards the provision of a third generation AGP in Yeovil - £1534

Swimming Pools towards the development of a centrally based 8 lane district wide competition pool - £7,057

Indoor Tennis Centres towards the provision of a new indoor tennis centre likely within Yeovil Sports Zone - £4,523

Sports Halls towards the development of a centrally based 8 court district wide competition sports hall in Yeovil or the enhancement of existing sports halls in Yeovil - £11,569

- Commuted sums £17,315

This is broken down as;

Equipped Play Space towards the play area at East Coker recreation ground - £9,482

Youth Facilities towards the provision of youth facilities at East Coker recreation ground - £1,192

Playing Pitches towards the enhancement or expansion of existing pitches at East Coker recreation ground - £5,404

Changing rooms towards the enhancement of existing changing rooms at East Coker recreation ground - £1,237

- Community, Health and Leisure Service administration fee £1,200

This equates per dwelling as being;

- Local facilities £3,790

This is broken down as such;

Equipped Play Space towards enhancing the play area at East Coker recreation ground - £864

Youth Facilities towards the provision of youth facilities at East Coker recreation ground - £170

Playing Pitches towards the enhancement or expansion of existing pitches at East Coker recreation ground - £399

Changing rooms towards the enhancement of existing changing rooms at East Coker recreation ground - £809

Community Halls towards the enhancement of East Coker Village Hall - £1,549

- Strategic Facilities £1,614

This is broken down as such;

Theatres and art centres towards expanding and enhancing the Octagon theatre, Yeovil - £314

Artificial Grass Pitches towards the provision of a third generation AGP in Yeovil - £81

Swimming Pools towards the development of a centrally based 8 lane district wide competition pool - £371

Indoor Tennis Centres towards the provision of a new indoor tennis centre likely within Yeovil Sports Zone - £238

Sports Halls towards the development of a centrally based 8 court district wide competition sports hall in Yeovil or the enhancement of existing sports halls in Yeovil - £609

- Commuted sums £911

This is broken down as such;

Equipped Play Space towards the play area at East Coker recreation ground - £499

Youth Facilities towards the provision of youth facilities at East Coker recreation ground - £63

Playing Pitches towards the enhancement or expansion of existing pitches at East Coker recreation ground - £284

Changing rooms towards the enhancement of existing changing rooms at East Coker recreation ground - £65

- Community, Health and Leisure Service administration fee £63

SSDC Ecologist - He initially commented that notes the Ecological Appraisal. A pond lies about 250m to the south of the site and there is a record of great crested newts within 2km. He required that a further assessment is undertaken and this be subject to a condition. On the basis of the addendum is satisfied with the findings.

Agrees with the submitted appraisal that there is a risk of slow worms on the site and recommends that a method statement in dealing with them is conditioned.

There are signs of badger activity on site and a possible outlier sett was noted. On this basis an informative is proposed.

SCC Archaeology - *"An archaeological evaluation has taken place on this site that revealed reasonably significant archaeological remains relating to Roman period settlement. At present I am still waiting for the report on the trenching but from the information I gained from visiting the investigation I can advise that further excavation will be required."*

For this reason I recommend that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of model condition 55 attached to any permission granted.

'No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.'

Avon and Somerset Constabulary Architectural Liaison - Has no objection. Requests that at the appropriate time consideration is given to provide gable end windows to allow surveillance of the parking spaces to meet 'Secure by Design' requirements.

SCC Education - *"A development of this size would give rise to the need for four primary school places. We know from work done by your Local Plan Team that we will come under increasing pressure in and around Yeovil as a result of new development; and this is on top of rising rolls through increases in the birth rate. However, the school currently has some 20 places available and will not be oversubscribed until about 2016. Under the circumstances, I think I will probably need to let this one go."*

Wessex Water - New water supply and waste water connections will be required from Wessex Water to serve this development. Separate systems will be required as surface water connections will not be permitted to the foul sewer system.

No comments have been received from the SSDC Area Development Manager (South), County Rights of Way, Tree Officer and Somerset Waste Partnership.

REPRESENTATIONS

34 letters of objection have been received.

Objections were raised on the following grounds:

Principle of Development:

- Amount of development is not justified.
- Questions if there is a need for more houses in East Coker.
- The site is outside of the development area.
- The site is close to other large development sites and more development is not needed.
- Lack of information proposed.
- The shop is only open half days and not meet the needs of the population.
- Development on this site has been refused before.
- Consider that the indicative plans are not low density and indicative individual plot sizes are unfavourable.
- Does not comply with Policy ST3, PPS1 or PPS3.
- The school and pre-school are over-subscribed.
- Questions the 5 Year land supply.
- Currently in preparation is the East Coker Neighbourhood Plan and this would development would affect this.
- Applications have been refused in the past on the site and dismissed on appeal.
- The loss of Grade I agricultural land which is contrary to Paragraph 112 of the NPPF.
- The lack of a 5 Year land supply does not take into account the Yeovil Urban Extension.
- This appears to be an attempt to swallow up East Coker and not be a separate settlement to Yeovil.
- Questions need with a number of vacant and unsold new build properties.

Highways:

- Amount of traffic using site.
- Narrow lanes surrounding East Coker.
- Water pipes damaged in past in Long Furlong Lane, with increased weight from delivery vehicles what will happen?
- Access unsuitable and potentially dangerous.
- Already roads at saturation point at peak times.
- Increased traffic using Broadacres estate.
- There is limited availability to accommodate bicycles in the surrounding area.
- Long Furlong Lane is a narrow country lane with few passing places and only part of it is to be improved.
- Long Furlong Lane is well used and serves the playing fields and pre-school.
- There are many users of the lane including young families, horses and walkers who would be put at risk.
- The new access to the site would be a hazard to neighbour's property.
- There are a lot of stables nearby with associated equestrian traffic on the roads. The development would be a danger to these uses.
- Long Furlong Lane is very narrow and vision is limited when accessing the lane.
- The country lanes in the village are mostly within pavements and were not designed to take large traffic flows.
- The access is extremely constricted and looks as if traffic flow will be compromised causing delay and frustration.
- Questions if emergency vehicles can enter the site.
- Skinner's Hill Farm has an equestrian stables and the safety to horses is a key issue.
- Traffic would have to drive over new kerb to get to the Skinner's Hill Farm
- There have been accidents on the junction with the A30 at the Whitepost Garage and in Higher Burton

Residential Amenity:

- Neighbour owns adjoining land with an existing entrance opposite. The existing lane is already very busy and the existing farm gate opens outwards and this would block access to the site for horseboxes, trailers etc entering / exiting neighbour's site.
- The loss of more open countryside and the sunsets that neighbours currently enjoy
- 7 out of 11 windows in existing dwelling face the application site and existing property will be severely impact upon.
- Concerns about overlooking of existing dwelling.
- The majority of living areas are to the rear / South to make the most of sun and the outlook this would be affected.
- Loss of privacy and overlooking from the access road.
- Increase level of noise and disturbance with traffic noise and fumes.
- Refers to relevant articles of the Human Rights Act.
- Concerns about overlooking, siting and design of the development. Overbearing also an issue.
- Loss of views.
- There will be a lot of noise during construction.
- A more logical assess is via the turning head in Broadacres and would result in less impact.
- There would be a detrimental impact upon residential amenity.

Visual Amenity:

- Trees were recently removed before the application was submitted.
- Could set an undesirable precedent.
- There are trees in close proximity of the boundary that have not been identified.
- The site was previously designated as a 'Special Landscape Area' and see no reason why this should change.
- Need to avoid town cramming.
- There would be light pollution and with street lamps a loss of a dark skies area.
- Infilling could adversely affect the character of the area.
- Development on this site would be visually intrusive and detract from the open countryside.

Flooding:

- Long Furlong Lane has flooded in past for weeks at a time.
- Proposal could increase flooding - Gardens were flooded by water running off the fields and if tarmacked it would make matters worse.
- Increased flooding has undermined the steep banks of the narrow lanes.

Other Matters:

- Concerns over drainage and sewage systems.
- Effect upon badger population and if disturbed could move to gardens and cause problems with holes.
- Facts in relation to distance to train station, width of roads and other details in the transport assessment are not accurate and there is no dedicated bus service.
- Concerns over electricity supply as have been power cuts in the past.
- Impact upon wildlife.
- Impact upon Yeovil Hospital, local GP practices, dentists and schools.
- Lack of employment for new occupants.
- No public consultation took place except briefly with the Parish Council.
- There is a history of archaeological finds in the near vicinity of this site.

- Water meters are installed in Long Furlong Lane and it is not sure how these will be relocated.
- On examining average house prices does not consider that the proposal would result in affordable housing.
- Question over land ownership.

APPLICANT'S CASE

In the conclusion of the Planning Statement it is stated that;

"7.1 The application site comprises suitable housing land in a sustainable location that is immediately available, deliverable and viable for housing development to help address the current identified shortfall in the five-year supply of deliverable housing sites within the District.

7.2 This proposed development represents an exciting opportunity to bring the application site into active residential use providing a range of housing opportunities in a sensitive and well-designed manner.

7.3 The detailed access proposals and associated highway works will have no detrimental impact upon highway safety. All other matters relating to appearance, landscaping, layout and scale (and other issues as referred to within this statement) can be addressed at the reserved matters stage.

7.4 It has been comprehensively demonstrated by this planning statement, and other supporting documents, that the proposal complies with all relevant policies of the Development Plan, national planning policy and, is supported by material planning considerations. Accordingly it is respectfully contended that planning permission ought to be granted in accordance with the presumption in favour of sustainable development established by the NPPF."

CONSIDERATIONS

The main areas of consideration are considered to be:

- Principle of Development
- Loss of Agricultural Land
- Flooding and Drainage
- Highways
- Visual Amenity and Density
- Residential Amenity
- Archaeology
- Ecology
- Planning Obligations
- Infrastructure and Facilities

Principle of Development

It is accepted that the site is located outside the defined development area of East Coker, where residential development is normally strictly controlled by local and national planning policies. In February 2014 the Council's District Executive confirmed that South Somerset did not have a 5 year land supply. Whilst this does have an impact upon the council's ability to influence the shape and direction of growth it is very important for members to be aware that the ability to demonstrate the required land supply is only one

consideration when assessing the suitability of an application. The National Policy Framework makes it very clear that there is a presumption in favour of sustainable development and emphasises that proposals for sustainable development should be approved without delay. The term 'sustainable' is clearly very subjective however it is important for local authorities to be able to provide clear and robust planning reasons should they decide not to support planning applications

The site is outside, but adjacent to current settlement boundaries and could be acceptable in principle for residential development subject to there being no other significant objections on other grounds. The development areas were drawn around the larger villages and settlements that were considered to be sustainable locations where development was seen as acceptable in principle. In addition North / East Coker have the facilities to be a sustainable location including primary school, shop, public house and playing fields / facilities.

The NPPF states that permission should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or where specific policies in the Framework indicate development should be restricted (NPPF para 37). This means that normal development management criteria will continue to apply in terms of landscape, historic environment, access, flooding, environmental damage, amenity etc. There is no automatic assumption that sites will be approved or refused. Therefore all considerations needs to be carefully considered and assessed as to whether the proposal is sustainable development as defined by the 3 criteria in the NPPF.

It is noted from the planning history that there have been a number of applications for residential development in the past. The most recent application in 1992 also went to appeal. Since then there has been a different planning regime and therefore this decision can only be given limited weight. Application 921823 was for the erection of 6 low cost houses. This was refused for 6 reasons on the basis of principle, impact upon countryside, the increased use of lanes, archaeology with no survey being undertaken, setting an undesirable precedent and no support from the community for the low cost houses. In relation to this application the Landscape Architect and Highway Authority do not raise an objection and the County Archaeologist requires a condition regarding further works.

Loss of Agricultural Land

It has been confirmed that the site is on Grade I agricultural land. The NPPF states that the LPA needs to take into account the economic and other benefits of the best and most versatile agricultural land and where significant development is necessary poorer quality shall be used in a preference to higher quality. The agent has stated that the site (0.7 hectares) is a small field and is not part of a wider farm holding operated on commercial purposes. It is considered that other positive benefits outweigh the use of this land. In addition it is not considered that this development is 'significant' as detailed in the NPPF. Therefore this proposal is considered to comply with Policy EC1 and the NPPF.

Flooding and Drainage

The SSDC Area Engineer has carefully considered the potential flooding impacts of the development and the proposed surface water drainage scheme. He is content with the principle of the scheme. It is important that the proposal does not exacerbate existing situations in Long Furlong Lane and it is noted that foul and surface water drainage would be managed on site. In relation to surface water run off there is scope to provide a swale / bank in the area of open space to control any run off. The site is located within

the Environment Agency flood zone 1 and is therefore not considered to be an area at risk of flooding. Therefore, notwithstanding the concerns of the parish council and neighbouring occupiers, and subject to the imposition of suitable conditions on any permission issued, it is considered that the proposed development would not increase the risk of flooding to existing properties in accordance with the aims and objectives of the NPPF and the local plan. Wessex Water has commented that there is adequate supply in the area and this can be dealt with at reserved matters stage. The drainage proposals are considered to be adequate subject to a condition to secure further details.

Highways

A large number of concerns have been raised by neighbouring occupiers, and the Parish Council regarding the potential impact of the proposed development on the surrounding highway network. In particular concern has been raised about the volume of traffic the scheme will generate and the various impacts this extra traffic will have. The county highway authority was consulted as to these impacts and all highway aspects relating to the development. They have assessed the impact of the proposal including the submitted transport assessment. They have concluded that there is no traffic impact grounds for a recommendation of refusal, subject to the imposition of certain conditions on any permission issued.

Accordingly, whilst local concerns are noted, it is considered that the proposed access arrangements and local highway network are capable of accommodating the traffic generated by the development without detriment to highways safety. As such the proposal complies with saved policies ST5, TP1 and TP4 of the local plan.

This is an outline application with only the access being considered. Therefore whilst indicative plans show 19 dwellings a subsequent application could result in a much greater number. In consultation with the highways authority it is noted that the maximum number of dwellings that can be accommodated over a shared surface is 20. Therefore whilst 19 dwellings are indicated it is considered reasonable to restrict the maximum number to 20.

Parking provision and other matters of detail (footpaths etc. on the site) would be assessed at the reserved matter stage and need not be conditioned at this stage as requested by the highways officer. A condition suggested regarding a survey of the existing public highway is not considered to be relevant to the planning application.

Visual Amenity and Density

Concerns have been raised by neighbouring occupiers regarding the impact of the proposal on the character of the area and the wider landscape character. The SSDC Landscape Architect was consulted as to the visual impacts of the scheme. He noted that the application site there were long views towards the site from Coker ridge to the South, but the site is not a strong component of this view and is seen against a backdrop of village house forms.

The visual impact does not extend beyond the site bounds and is bounded by small fields. Therefore there is little impact beyond the principle of the development. Landscape features are not affected save for the access and any development would not be unduly prominent on the wider landscape. In assessing the character of development it is also considered that the proposal results in a rounding off of the existing development.

On this basis, and subject to the agreement of a suitable design and appropriate landscaping measures at the reserved matter stage, it is considered that the proposal complies with saved policies ST5, ST6 and EC3 and would not have such a harmful impact that permission should be withheld on the grounds of visual amenity. The various concerns of the neighbouring occupiers regarding the impact of any development on the visual amenity of the area have been considered but are not considered to outweigh the conclusions of the SSDC Landscape Architect as to the visual impacts of the scheme.

The indicative plans show 19 dwellings with a total site area of 0.68 hectares. This gives a site wide density of 28 dwellings per hectare. In considering this location on the edge of the village this is considered to be appropriate. This is an outline application with all matters reserved save for access. It has been detailed on the application form and in the indicative plans that 19 dwellings are proposed. However a reserved matters application could be submitted with a much greater number of dwellings. Under the highway authority's requirements a shared access cannot accommodate more than 20. The indicative layout is generally appropriate and the shared surface plays down the visual aspect of the proposals. Also due to the design, nature and scale of development and the density of the proposals and the highway requirements due to highway safety a restriction to 20 dwellings is considered appropriate.

Residential Amenity

The occupiers of a chalet bungalow at 30 Broadacres have raised a specific concern regarding the impact of the proposed new access on their residential amenity. Their property is sited to the east of the proposed new access into the site from Long Furlong Lane and the proposed access is to go round 2 sides of their property. They are concerned about the potential for disturbance to their property from the traffic using the new access, through disturbance as the application site is higher than the neighbouring property. Also they consider that their private amenity area would be overlooked. The indicative plans show landscaping on the boundary with Broadacres and this can be conditioned as part of any reserved matters application. However, whilst it will undoubtedly have some impact on their residential amenity, it is not considered that the impact would be significant enough to warrant refusal of the scheme.

Concerns have been raised by the occupiers of properties in Broadacres and Higher Burton regarding the potential impacts of the development on their residential amenity by way of overlooking and overbearing. However, subject to the consideration of the layout at reserved matters stage it is not considered that the development of this site would give rise to any overlooking or loss of light and privacy to any existing residents in these areas.

It can therefore be concluded that the proposed dwellings could be developed in a way that would not cause demonstrable harm to the residential amenity of adjoining occupiers in accordance with policy ST6 of the South Somerset Local Plan.

Archaeology

The county archaeologist was consulted as to the impacts of the development on any archaeology in the area. Survey work has been undertaken on site and there could be reasonably significant archaeological remains relating to a Roman period settlement. The report on the trenching is still awaited but the County Archaeologist visited the site during works and further excavation is required. As such they recommended that the developer be required to archaeologically excavate the heritage asset and provide a report as to any discoveries in accordance with the NPPF. They suggested that this can be achieved through the imposition of a suitable condition on any permission issued.

It is therefore considered that, although there are archaeological remains on the site, they should not constrain the proposed development subject to a suitable programme of archaeological work being carried out by the developer in accordance with aims and objectives of the NPPF and policy EH12 of the South Somerset Local Plan.

Ecology

A large number of concerns were submitted by neighbouring occupiers in relation to the impact of the proposal on local ecology. In addition to the Ecology Report, an addendum to the Ecology Report has been submitted regarding great crested newts. The SSDC Ecologist has assessed all reports. He supports the findings of the submitted ecological reports and does not raise any concerns regarding the principle of the development subject to a condition regarding slow worms and an informative regarding badgers. As such the proposal is considered not to have an impact on local ecology or protected species significant enough to warrant refusal of the scheme in accordance with policy EC8 of the South Somerset Local Plan and the aims and objectives of the NPPF.

Planning Obligations

- Sport, Art and Leisure - a contribution of £121,192 (£6,379 per dwelling) is sought towards the increased demand for outdoor playing space, sport and recreation facilities.
- Affordable Housing - whilst the housing officer requests 7 affordable houses this is an outline application with all matters reserved. The application seeks permission for 19 houses, however the actual number would be finalised at the reserved matters stage. At this point the S106 agreement should oblige the developer to provide at least 35% of the dwellings as affordable with a tenure split of 67:33 in favour of rented accommodation over shared ownership / other intermediate products.
- A monitoring fee of 20% of the application fee is sought

Accordingly, should the application be approved a Section 106 agreement will be necessary to:-

- Secure the agreed contribution towards strategic and local outdoor playing space, sport and recreation facilities.
- Ensure that 35% of the dwellings units are affordable and remain so in perpetuity.
- Secure the agreed monitoring fee.

Subject to the applicant agreeing to these obligations the proposal would comply with saved policies ST5, ST10, CR2 and HG7 of the local plan.

Infrastructure and Facilities

A number of concerns have been raised regarding whether East / North Coker have the necessary infrastructure and facilities to cope with the proposed development. However such concerns are not supported by technical consultees or service providers. No service supply issues (e.g. education, healthcare etc.) have been identified in East / North Coker by the local plan process. Indeed no critical infrastructure issues relevant to

this development are identified by the Council's Report on Infrastructure Planning in South Somerset.

EIA

The requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 have been considered. Whilst a major application the proposals do not fall under either Schedule 1 or 2 development and as such a screening and scoping assessment was not required. Also in considering the constraints of the site and the information provided it is not considered that an environmental statement is required for the purposes of environmental impact assessment.

Other Matters

Concern has been raised over the application access encroaching upon land owned by 30 Broadacres. In this regard the agent has provided Land Registry details to show that the land falls within land controlled by the Highways Authority. The relevant certificates have been served upon the Highways Authority and 2 other 3rd parties.

The SSDC Climate Change Mitigation officer raised an objection to the scheme on the grounds that there is no comment on the provision for renewable energy generation equipment or how code for sustainable homes level four will be met. Whilst his comments are noted it is considered that these issues represent detailed design matters with regard to orientation and south facing roof slopes that are best dealt with at the reserved matters stage. It is noted that there is no current Local Plan or NPPF policy in relation to renewable energy generation with the main legislation coming within the building regulations.

Neighbours have raised a concern regarding the loss of outlook from their properties and potential devaluing. However, subject to achieving a satisfactory design and layout at the reserved matters stage, there is no reason to assume that the resident's outlook will be unacceptably affected and in this instance any effect on property values is not a material consideration to which significant weight can be given.

Conclusion

On the basis of the above, notwithstanding the various objections from the parish council and neighbouring occupiers in relation to principle, it is considered that the principle of the sustainable residential development of this site is acceptable and the application therefore falls to be determined on the basis of its impacts. It is considered that the proposal would not set any kind of undesirable precedent. All other matters regarding the principle of the development raised by the parish council and neighbouring occupiers have been considered, but are not considered to outweigh the considerations outlined above.

Notwithstanding the council's current housing supply position, the site's location adjacent to the settlement limits of North / East Coker and the facilities and services within the village, it is considered that, in principle, it is a sustainable location for development. In addition this proposal results in a rounding off of the development. No adverse impacts on the landscape, ecology, drainage, residential amenity or highway safety have been identified that justify withholding outline planning permission and all matters of detail would be adequately assessed at the reserved matters stage or by the agreement of details required by condition. The applicant has agreed to pay the appropriate contributions.

Therefore, notwithstanding the various concerns raised, the proposed development is considered to be in accordance with policies ST1, ST3, ST5, ST6, ST7, ST9, ST10, EC3, EC8, EU4, TP1, TP2, TP4, TP7, CR2, CR4, EH12 and HG7 of the South Somerset Local Plan and the aims and provisions of the NPPF. As such the application is recommended for approval.

RECOMMENDATION:

That application reference 14/01266/OUT be approved subject to:-

a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-

1) Secure a contribution of £6,379 per dwelling towards the increased demand for outdoor playing space, sport and recreation facilities to the satisfaction of the Assistant Director (Wellbeing) as detailed below.

- Local facilities £3,790

Equipped Play Space towards enhancing the play area at East Coker recreation ground - £864

Youth Facilities towards the provision of youth facilities at East Coker recreation ground - £170

Playing Pitches towards the enhancement or expansion of existing pitches at East Coker recreation ground - £399

Changing rooms towards the enhancement of existing changing rooms at East Coker recreation ground - £809

Community Halls towards the enhancement of East Coker Village Hall - £1,549

- Strategic Facilities £1,614

Theatres and art centres towards expanding and enhancing the Octagon theatre, Yeovil - £314

Artificial Grass Pitches towards the provision of a third generation AGP in Yeovil - £81

Swimming Pools towards the development of a centrally based 8 lane district wide competition pool - £371

Indoor Tennis Centres towards the provision of a new indoor tennis centre likely within Yeovil Sports Zone - £238

Sports Halls towards the development of a centrally based 8 court district wide competition sports hall in Yeovil or the enhancement of existing sports halls in Yeovil - £609

- Commuted sums £911

Equipped Play Space towards the play area at East Coker recreation ground - £499

Youth Facilities towards the provision of youth facilities at East Coker recreation ground - £63

Playing Pitches towards the enhancement or expansion of existing pitches at East Coker recreation ground - £284

Changing rooms towards the enhancement of existing changing rooms at East Coker recreation ground - £65

- Community, Health and Leisure Service administration fee £63

- 2) Ensure at least 35% of the dwellings (approved at reserved matters stage) are affordable with a tenure split of 67:33 in favour of rented accommodation over other intermediate types, to the satisfaction of the Corporate Strategic Housing Manager.

This (for example 19 or 20 units) results in 5 units for social rent and 2 units for shared ownership / other intermediate types.

- 3) Provide for a S.106 monitoring fee based on 20% of the outline application fee.

b) The following conditions:

Justification

01. Notwithstanding the local concerns, the provision of up to 20 dwellings in this sustainable location would contribute to the council's housing supply without demonstrable harm to archaeology, residential amenity, highway safety, ecology or visual amenity, and without compromising the provision of services and facilities in the settlement. As such the scheme is considered to comply with the saved policies ST1, ST3, ST5, ST6, ST7, ST9, ST10, EC3, EC8, EU4, TP1, TP2, TP4, TP7, CR2, CR4, EH12 and HG7 of the South Somerset Local Plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. Details of the appearance, landscaping, layout and scale (herein after 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: As required by Section 92(2) of the Town and Country Planning Act 1990.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

03. The development hereby permitted shall be carried out in accordance with the following approved plans: 3353/003 and 3353/102 received 19 March 2014, amended drawing 14005/T03B received 22 April 2014 and drawing 3353/004 received 6 May 2014.

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

04. The landscaping/planting scheme shown on the submitted plan 3353/004 shall be completely carried out within the first available planting season from the date of commencement of the development.

For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other

appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with saved Policy EC3 of the South Somerset Local Plan.

05. No works shall be undertaken unless the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: In the interest of archaeology in accordance with saved Policy EH12 of the South Somerset Local Plan.

06. No works shall be undertaken (including any ground works or site clearance) unless a method statement detailing measures to avoid harm to slow worms, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection of a legally protected species to accord with policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

07. The residential component of development hereby approved shall comprise no more than 20 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location, the shared access is appropriate and commensurate with levels of contributions sought in accordance with ST5, ST6, ST10 and EC3 of the South Somerset Local Plan.

08. As part of any reserved matters application a detailed landscape strategy, including a hedge protection plan to BS5837, shall be submitted with the onsite landscape proposals based on indicative drawing 3353/101.

Reason: In the interests of visual amenity and in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

09. No works shall be undertaken unless details for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be based on sustainable urban drainage principles and shall ensure that there is no discharge onto the highway. The provision shall be made before commencement and maintained thereafter at all times.

Reason: In the interests of securing proper drainage for the site in accordance with saved Policy ST5 of the South Somerset Local Plan.

10. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and

carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety in accordance with saved Policy ST5 of the South Somerset Local Plan.

11. The development hereby permitted shall not be occupied until parking spaces for the proposed dwellings in line with the SCC Countywide Parking Policy have been provided in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. In addition as well a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site. Such parking and turning spaces shall be kept clear of obstruction at all times.

Reason: In the interests of highway safety in accordance with saved Policy ST5 of the South Somerset Local Plan.

12. No works shall be undertaken unless detailed plans have been submitted to and approved in writing by the Local Planning Authority (in conjunction with the local highway authority) relating to line, level and layout of the proposed alterations to Long Furlong Lane (as shown generally in accordance with Drawing 14005/T03 Rev A) including its means of construction and surface water drainage. The approved access road improvements shall be laid out constructed in accordance with the requirements of a Section 278 Agreement under the provisions of the Highway Act 1980 and completed in their entirety to the LPA's written satisfaction prior to any work commencing on any dwelling hereby approved.

Reason: In the interests of highway safety in accordance with saved Policy ST5 of the South Somerset Local Plan.

13. No works shall be undertaken unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety in accordance with saved Policy ST5 of the South Somerset Local Plan.

Informatives:

01. You are reminded that the County Highway Authority have requested that a Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development will have to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
02. Badgers are present on the site and may create 'outlier setts' (temporary setts) at any time, which could require identifying an exclusion zone or require closure under licence from Natural England (normally restricted to July to November

inclusive). Update surveys for badgers are recommended prior to commencing development (particularly each new stage of ground works or excavations) in order to minimise the risk of damaging setts in contravention to the Protection of Badgers Act 1992, and introducing delays to the development. Site specific advice from an ecological consultant is recommended in order to inform appropriate exclusion zones and protection, timing of sensitive operations (which may be limited to July to November), and assistance with the application for sett closure licence from Natural England.

03. You are reminded of the Section 106 that accompanies this application.